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Author: Dr. OLAVO DE OLIVEIRA BITTENCOURT NETO
Catholic University of Santos, Brazil, olavo.bittencourt@usp.br

“THE DAWN OF AN INTERNATIONAL REGIME FOR SPACE RESOURCES: MULTILATERAL
PERSPECTIVES”

Abstract

The present paper presents the case in favor of strengthening multilateral efforts towards the provision of a clear, effective legal framework applicable to space resources, in accordance with International Law. Thus, current initiatives on that regard will be appraised, with particular attention to the Hague Space Resources Governance Working Group.

The dawn of a new era for Space Law is upon us. The exploration and exploitation of space resources is currently becoming more feasible by the day. Private companies have identified the economic potential of such endeavors, pressing States to clarify the applicable legal framework. Current developments in the America, with the recently approved US Commercial Space Law Competitiveness Act, and in Europe, specifically in Luxemburg, denounces the recognition, at the governmental level, that the time has come to devote attention to such a complex issue.

As technology inevitably evolves, so shall the Law. The corpus iuris related to space activities revolves around core principles conceived almost half a century ago. The exploitation and exploration of space resources, including mining of celestial bodies, may justify the development of a new international legal regime, designed to answer unavoidable demands of the international community.

Multilateralism is a necessity in our world of today. The coordination of international relations between three or more States, through ad hoc arrangements or institutions, constitutes the foundation for global governance. Indeed, interests of countries and nations are becoming increasingly intertwined, as recent economical and political crises so clearly certified.

Therefore, it is important to acknowledge present and future multilateral initiatives devoted to the study of international rules applicable to space resources. Law is expected to reflect social needs and aspirations, for the benefit of all; as far as International Law is concerned, the stakes are arguably higher, since universal legal regimes may constitute the last bastion against dangerous international disputes.

The Hague Space Resources Governance Working Group, for instance, constitutes an important initiative towards the understanding and development of Space Law. Its composition, objectives and considerations are capable of offering important contributions to the development of peaceful space activities.