Paper ID: 54298
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IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Interactive Presentations - IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (IP)

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A THIRD WAY - NEW APPROACHES TO SPACE RESOURCE GOVERNANCE

Abstract

With space activity returning to the Moon, the time is now to think about governance for space resources. Inaction today is action: actions taken now will become de facto norms and eventually law.

The international community is focused on intergovernmental approaches rooted in complex treaty building. As reality gets closer, Luxembourg is making moves to assert new norms through bilateral agreements. This paper argues for a third way, one that balances the needs for stability and shared agreements with the agility and autonomy implicit in the needs of new space actors shaping our era of space exploration. This approach to space resource utilization is characterized by the following:

- A new generation of thinking, technologies, and processes making decentralized forms of collaboration, facilitation and agreement possible, in a way that has not been possible before;
- Treating the Moon as a singular object glosses over important qualities and incentives. There are numerous distinct Lunar resources, and each may have different optimal governance regimes.
- Governance frameworks that are as **specific** as possible, following a principle of **subsidiarity**.
- A **collective choice approach** managed by and for actors of specific resources, focused on **protocols** over formal intergovernmental approaches.
- **Diversity over homogeneity:** though some issues may require global agreement, diverse "governance zones" may be the norm, not the exception.

This paper will develop the arguments for this approach, exploring structural incentives and leveraging research in the theory of resource management. It concludes with proposals for how such an approach might be constituted in practice.