

POLICY AND LEGAL PROCESSES AND PRECEDENT FOR SPACE MINING

Morgan Bazilian, Colorado School of Mines (mbazilian@mines.edu) and Korey Christensen, Hogan Lovells US LLP (korey.christensen@hoganlovells.com)

Abstract: We use precedent from various shared resources on earth as a lens from which to consider how best to formulate international policy and regulations for space mining. Resource development can occur where no sovereign has exclusive jurisdiction, and resource development companies have become comfortable with undertaking projects in these circumstances. The Law of the Sea is an especially compelling case, but other analogies exist for various aspects of how best to evolve the space mining sector equitably and sustainably. Other technical topics, such as deep-sea hydrate methane deposits, are also beginning to consider policy responses. Additionally, principles of regulating “global commons” and common-pool resources (such as those in the Arctic) offer useful fodder for developing space mining law. At the national-level, Luxembourg and Belgium have been taking a lead on the governance framework perspective. And other countries, such as the UAE, are beginning to place this issue into international relations discussion. We distill lessons learned and some principles for future policy design and implementation.