Co-Moderators’ Proposal

(4 June 2021)

The Legal Subcommittee establishes, for an initial period of five years, a [Working Group on Potential Legal Models for Activities in Exploration, Exploitation and Utilization of Space Resources] [Working Group on Space Resources], with the possibility of an extension of its mandate.

**Mandate**

The Working Group shall:

* Collect relevant information concerning activities in exploration, exploitation and utilization of space resources
* Study the existing international legal framework applicable to such activities, in particular the five United Nations treaties on outer space and other relevant instruments adopted within the framework of the United Nations
* Identify possible gaps in the existing international legal framework and assess the benefits of the further development of [the] [a legally binding] international framework for such activities
* Recommend an initial set of [legal] principles and practical measures for such activities to ensure that they are carried out in a safe, sustainable and peaceful manner and in accordance with international law [for adoption by the Committee and possibly by the United Nations General Assembly as a dedicated resolution]
* Identify issues for further work of the Committee and recommend next steps concerning potential legal models for activities in exploration, exploitation and utilization of space resources

**Terms of reference**

* The Working Group reports to the Legal Subcommittee
* The meetings of the Working Group are guided by the rules of procedure, methods of work and established practices of the Committee
* The Working Group will be led by chair and a vice-chair and shall be supported by the United Nations Office for Outer Space Affairs
* The Working Group shall be open to all member States members of the Committee, and participation of developing and emerging space-faring countries shall be encouraged. Contributions by permanent observers shall be in accordance with the rules of procedure, methods of work and established practices of the Committee
* The Working Group shall take into consideration submissions on the issue of activities in exploration, exploitation and utilization of space resources from member States, permanent observers of the Committee as well as non-governmental stakeholders, including from academia, civil society, technical experts, institutional and private actors in accordance with the rules of procedure, methods of work and established practices of the Committee
* The Working Group and its members may avail themselves of previous work on the issue of activities in exploration, exploitation and utilization of space resources, including but not limited to study reports, academic research and papers

**Work Plan and Methods of Work**

* On the basis of the agreed mandate and terms of reference, the Working Group shall, in 2022, agree on its detailed work plan and methods of work. This shall include appropriate means to include the expertise and views of academia, civil society, technical experts, institutional and private actors as well as means of coordination with the Scientific and Technical Subcommittee.
* The foregoing shall not prevent the Working Group from undertaking initial administrative and factfinding tasks as provided for in its mandate.
* The Working Group shall in its work avail itself of electronic means of communication whenever practicable and/or necessary