

# Contribution of the Grand Duchy of Luxembourg on Elements for an Initial Draft Set of Recommended Principles for Space Resource Activities

**Date: 15/11/2024**

## **INTRODUCTION**

At its 67th session, UN COPUOS endorsed the report of the Chair and Vice-Chair of the Working Group on Legal Aspects of Space Resource Activities of the Legal Subcommittee (A/79/20, para. 221), which is contained in annex III to the report of the Committee. In response to the endorsed report and the invitation circular of 22 July 2024, Luxembourg wishes to provide its national contribution on elements for an initial draft set of recommended principles for space resource activities.

## **LIST OF RELEVANT ELEMENTS TO BE CONSIDERED FOR THE RECOMMENDED PRINCIPLES**

Luxembourg proposes to consider the following relevant elements for the development of a set of recommended principles on space resource activities:

1. The current international legal framework might not be entirely sufficient to assure peaceful and sustainable exploration, exploitation and utilization of space resources in the long term. Given the current early development stage of these activities, it might not be possible to develop a comprehensive set of recommended principles addressing all aspects of space resource activities at this stage. The recommended principles should therefore focus on those aspects that require cooperation with other countries within COPUOS, such as environmental issues, respect of the non-interference principle, and assistance to developing countries.
2. The recommended principles shall be driven by an approach that does not prohibit the development and deployment of innovative technologies, which may derive important applications, including in non-space fields. Such principles shall set a clear, transparent, legible and predictable initial framework so that all actors, public and private, who wish to invest in this sector are bound by the same rules. The set of principles and their practical implementation should also be able to evolve, in order to take into account both the current state of operations and future evolutions.

3. The emergence of new space actors and their sometimes complex organizational structures stretching along multiple jurisdictions create challenges, particularly regarding security and legal aspects, but also huge opportunities. It is therefore crucial that the recommended principles are designed for implementation by public as well as by private entities, and that they consider the needs and specificities of the private sector. Recommended principles should consider that space resource activities might involve multiple actors carrying different responsibilities (e.g. spacecraft producer, operator, clients, owner of resources and others). Therefore, it should be flexible enough to encompass different business models.
4. It is essential that all actors, public and private, have equal and fair access to the resources of space, without discrimination.
5. The principles should ensure that resource rights over extracted resources lawfully acquired through a national legislation and authorization regime, are respected and recognized.
6. It seems essential that the Working Group, especially when formulating the set of initial recommended principles, is driven by adaptive governance principle and focuses on the most pressing issues. The highest priority is to propose mechanisms for avoiding harmful interference and for the establishment of safety zones. Practical guidance on the implementation of the non-interference principle and clear definition of safety zones would lead to better information sharing and confidence between entities carrying out space resource activities. The level of information to be shared shall be aligned with the level of information that operators of satellites in Earth orbits are required to share. As much as possible, the Working Group shall take into account and integrate into its work elements identified in other platforms, whether at the United Nations or otherwise.
7. The principles should permit actors carrying out space resource activities to establish a safety zone, or other area-based safety measure, around an area identified for a space resource activity as necessary to assure safety and to avoid any harmful interference with that space resource activity. The recommended principles should provide that appropriate international consultations are undertaken in case of possible overlap of safety zones or conflicts involving the freedom of access recognized by international law.
8. The recommended principles should encourage the development of common technical standards as well as procedures for equipment, operations and relevant activities that avoid harmful impacts and conflicts arising from such activities.
9. Luxembourg is convinced that initiative such as the Artemis Accords, or the Hague International Space Resources Governance Working Group, will lead to a valuable sharing of knowledge and a better technical understanding of key issues, which in turn will advance discussions and progress within this Working Group.