United Nations/Chile Conference on Space Law and Policy: Governance and Legal Perspectives on Space Activities in Earth Orbit and Beyond

The establishment of the working group on legal models for the exploration, exploitation, and utilization of space resources in the Legal Subcommittee by

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Space resources issue before 2019

• Debates under the agenda item in the LSC
• Discussions outside the COPUOS
• Initiative by Belgium and Greece concerning the establishment of a dedicated working group
• Proposal for scheduled informal consultations (para. 278 of the 2019 LSC Report).
Scheduled informal consultations

• Nomination of co-moderators of the consultations
• Intersessional contacts with delegations
• Initiative of Finland and Germany, supported by some other states
Establishment of the WG and adoption of its constitutive and planning documents

• 61st session of the LSC (June 2021)
  – decision to establish the Working Group
  – election of Chair and Vice-Chair

• 64 session of COPUOS (August/September 2021)
  – adoption of the Mandate, Terms of Reference and provisional elements for workplan and methods of work

• 62nd session of the LSC (March/April 2022)
  – adoption of the 5-year workplan and methods of work
Overview of the mandate and terms of reference

• Mandate: main tasks and their importance for the process
• Reporting to the LSC
• Procedural matters, including possibility of intersessional meetings when necessary
• The relevance of submissions and inputs from states
• The role of other stakeholders, including industry and academic community
Workplan and methods of work – main features

• Divided by stages that are going from collation/collection and dissemination of information, exchange of views, then the review/assessment, summaries and recommendations.
• Ambitious but realistic
• Uses agreed language from the Mandate and Terms of Reference
• Stresses the importance of participation of developing countries
• Highlights the importance of the coordination with the Scientific and Technical Subcommittee
Immediate steps and main challenges

• Call for submissions from states members (after the COPUOS session)
• Importance to preserve the broad, transparent and inclusive character of the process
• Significance of the dedicated conference scheduled for 2024
• Significance of coordination with STSC
How to ensure the good result?

• More political strategic decisions
• Promote efforts to achieve general understanding and go forward
• More interaction with other bodies and entities, including those outside the COPUOS system
• Use of various communication tools with states in intersessional period
• More attention to the views of business, academia and civil society
Conclusions

• Space resources WG is yet another test of the effectiveness of the UNCOPUOS
• Should be regarded as also a test for the future of other items
• It responds to the need for multilateral approach to the space law issues
• It has to take into account other approaches too
• The result should provide the international community, including industry with clear, reliable and effective framework