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English only

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**Committee on the Peaceful  
Uses of Outer Space  
Legal Subcommittee  
Fifty-seventh session  
Vienna, 9–20 April 2018  
Item 15 of the provisional agenda\***  
**General exchange of views on potential legal models  
for activities in exploration, exploitation and  
utilization of space resources**

## **The Hague Space Resources Governance Working Group**

### **Information provided by the Netherlands**

#### **Factsheet**

##### ***Origin***

The Hague Space Resources Governance Working Group was set up following a round table on the Governance of Space Resources, convened by The Hague Institute for Global Justice on 1 December 2014. The round table was attended by industrial leaders, scientists, diplomats as well as political and legal experts from across the globe and served as a forum to discuss and propose solutions for the current lack of a legal framework for the use of space resources found on asteroids and other celestial bodies. The Hague Space Resources Governance Working Group has been established to support this process and promote its advancement, within a reasonable time frame and in accordance with international law.

##### ***Objectives***

The Working Group aims to assess, on a global scale, the need for an international framework for space resource activities and to prepare the basis for such a framework. Where the need is established, the Working Group will encourage States to engage in negotiations for an international agreement or non-legally binding instrument. Among the objectives of the Working Group is to act as a platform to exchange information among the different stakeholders and to carry outreach activities on the results achieved.

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\* A/AC.105/C.2/L.303.



### **Activities**

#### *First Phase (January 2016–December 2017)*

- Identification and formulation of building blocks for the governance of space resource activities as a basis for negotiations on an international agreement or non-legally binding instrument;
- Recommendations on the implementation strategy and forum for negotiations on an international agreement or non-legally binding instrument.

#### *Second Phase (January 2018–December 2019)*

- Inclusive consultations on the Draft Building Blocks and exploration of the need, and form, of any future mechanism for the governance of space resource activities;
- Creation of a Technical Panel composed of universities, space agencies and industrial stakeholders to ensure that the Working Group become a complete platform to discuss current and future technical issues beside legal and policy considerations;
- Recommendations on the implementation strategy and forum for negotiations on an international agreement or non-legally binding instrument.

### **Draft Building Blocks**

The Draft Building Blocks were finalized on 13 September 2017, during the fourth face-to-face meeting of the Working Group. These building blocks are designed to lay the groundwork for international discussions on the potential development of an international framework, without prejudice to its form and structure. They contain provisions on the definitions, principles, jurisdiction and responsibility, access and utilization, and institutional aspects of space resource activities. Now that a first version of the Building Block has been finalized, the Working Group has invited the international community to comment on the Building Blocks. They are open for comments until the 1st of July 2018. A questionnaire has been uploaded on the website, that may be used to provide feedback on the Building Blocks: <https://www.universiteitleiden.nl/en/law/institute-of-public-law/institute-for-air-space-law/the-hague-space-resources-governance-working-group>.

### **The Working Group**

The Working Group platform is a Consortium serviced by a Secretariat. The Secretariat consists of the Working Group's Executive Secretary and an Assistant Secretary. The Working Group has a Chair and two Vice-Chairs. Most of the activities are carried out by email or teleconference calls. The Working Group operates in a transparent and open manner and important information is posted on the website (<https://www.universiteitleiden.nl/en/law/institute-of-public-law/institute-for-air-space-law/the-hague-space-resources-governance-working-group>).

### **The Consortium**

The founding Consortium partner is the Institute of Air and Space Law (IIASL), Leiden Law School, Leiden University (the Netherlands). The Secretariat of the Working Group is hosted here.

The other Consortium partners are:

- The Catholic University of Santos (UNISANTOS) (Brazil) ([www.unisantos.br](http://www.unisantos.br))
- The Centre for Resources, Energy and Environmental Law (CREEL), University of Melbourne (Australia) ([www.law.unimelb.edu.au/creel](http://www.law.unimelb.edu.au/creel))
- The Indonesian Centre for Air and Space Law (CASL), Padjajaran University (Indonesia) ([www.casl.nalsar.ac.in/casl](http://www.casl.nalsar.ac.in/casl))

- The Secure World Foundation (SWF) (United States of America) ([www.swfound.org](http://www.swfound.org))
- The University of Cape Town (UCT) (South Africa) ([www.uct.ac.za](http://www.uct.ac.za))
- The University of Luxembourg ([www.en.uni.lu](http://www.en.uni.lu))
- The Nishimura Institute for Advanced Legal Studies ([www.jurists.co.jp/en/common/nials](http://www.jurists.co.jp/en/common/nials))
- The Ten to the Ninth Plus Foundation.

## Members

Who are members?

- Members are major stakeholders from government, industry, universities and research centres.

What is the role of the members?

- Members form the operative body of the Working Group. They are responsible for making the decisions, they are invited to attend all teleconferences and meetings of the Working Group.

How many members are in the Working Group?

- The number of members to the Working Group is limited to 35.
- There are currently 28 members in the Working Group.

## Observers

Who are observers?

- Observers are professionals directly involved in space resources issues.

What is the participation of the observers?

- Observers to the Working Group are invited to attend face-to-face meetings, but not teleconferences. They are not permitted to actively participate in the meetings. The number of observers able to attend meetings may be restricted depending on capacity of the venue.
- They have the option of providing input, which is taken into account on the discretion of the members.
- Observers receive all documentation distributed within the Working Group.

How many observers are in the Working Group?

- There is no restriction on the overall number of observers to the Working Group, however the number of observers per organization is limited to two.
- There are currently 45 observers to the Working Group, although this number is increasing consistently.
- A formal application to the Secretariat is required in order to become an observer.

## Meetings: When and how will the Working Group meet?

Face-to-face meetings were held in Leiden from 18–19 April 2016; 7–8 November 2016; 10–12 April 2017; 10–13 September 2017. These meetings are open for attendance by members and observers, but observers may only speak upon invitation by the Chair.

Two face-to-face meetings are scheduled for 2018, one from 23–24 April in Leiden and another one in fall in Luxemburg. For 2019, two meetings are envisaged.

There will also be a number of teleconferences held for the members of the Working Group.

**What is the duration of the Working Group?**

The Working Group started its activities in the First Phase in October 2015 and completed them by the end of 2017. The Second Phase started in January 2018 and the Working Group aims to complete this phase by the end of 2019.

**How is the Working Group financed?**

For the First Phase, contributions have been received by the Dutch Ministries of Foreign and Economic Affairs, the Secure World Foundation, Deep Space Industries.

For the Second Phase, contributions have been received by the Ministries of Foreign Affairs and of Economic Affairs of the Netherlands, the Secure World Foundation, Deep Space Industries, ispace, the University of Luxembourg, Nishimura & Asahi, the Ten to the Ninth Plus Foundation.

**Information**

Booklets containing the Draft Building Blocks are available at this meeting of the Legal Subcommittee. The Draft Building Blocks can also be found at <https://media.leidenuniv.nl/legacy/draft-building-blocks.pdf>.

Specific information can be requested to:

**LAW Space Resources-<spaceresources@LAW.leidenuniv.nl.**

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