



**Committee on the Peaceful
Uses of Outer Space
Legal Subcommittee
Sixty-first session
Vienna, 28 March–8 April 2022**

Draft report

Annex II

Report of the Chair and Vice-Chair of the working group established under the Legal Subcommittee agenda item entitled “General exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources”

1. At its 1014th meeting, on 28 March 2022, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space reconvened its working group established under the Legal Subcommittee agenda item entitled “General exchange of views on potential legal models for activities in the exploration, exploitation and utilization of space resources”, with Andrzej Misztal (Poland) as Chair and Steven Freeland (Australia) as Vice-Chair.
2. From 30 March to 6 April 2022, the working group held nine formal and informal meetings. The working group considered the following items:
 - (a) The name of the working group;
 - (b) The five-year workplan and methods of work of the working group;
 - (c) Possible topics and areas of contributions that States members of the Committee may consider when providing information to the working group;
 - (d) Guidance from States members of the Committee on the international conference on space resources.
3. The working group had before it the documents listed in paragraph [...] of the report of the Legal Subcommittee on its sixty-first session.
4. At its 6th formal meeting, on 6 April, the working group adopted the present report.
5. The working group agreed that it would henceforth be named the Working Group on Legal Aspects of Space Resource Activities, and that that renaming would be without prejudice to the mandate, terms of reference and workplan and methods of



work of the working group that had been endorsed by the Committee at its sixty-fourth session (A/76/20, annex III).

6. The Working Group noted that, on the basis of the agreed mandate and terms of reference, it should, in 2022, agree on its detailed workplan and methods of work. Accordingly, the Working Group agreed on the detailed workplan and methods of work, contained in appendix I to the present report.

7. The Working Group noted that the Chair and Vice-Chair would circulate a request in the intersessional period for information from States members of the Committee on issues related to and arising from its mandate, including on potential topics and issues to be addressed through one or more dedicated international conferences convened under the auspices of the United Nations and open to Governments, invited academic and other stakeholders, subject to the availability of budgetary resources. The Working Group also noted that the Chair and Vice-Chair would collate and disseminate such information received from States members and prepare a summary of that information, with the support of the Secretariat, for discussion at the sixty-second session of the Legal Subcommittee, in 2023, in accordance with the detailed workplan and methods of work contained in appendix I to the present report.

8. The Working Group welcomed the strong interest and active participation by States members of the Committee in the work of the Working Group and encouraged States members, in particular developing countries, to continue sharing their views on issues related to space resource activities in order to ensure that the work of the Working Group remained open, inclusive and transparent.

Appendix I

Five-year workplan and methods of work for the Working Group on Legal Aspects of Space Resource Activities

Initial tasks to be undertaken in 2022

1. On the basis of the agreed mandate and terms of reference, agree on the detailed workplan and methods of work of the Working Group. This shall include appropriate means of coordination with the Scientific and Technical Subcommittee.
2. Undertake initial administrative, information-collection and stocktaking tasks as provided for in the mandate of the Working Group, including through submissions by States members of the Committee with regard to the mandate and purpose of the Working Group.

Five-year workplan and methods of work for the Working Group on Legal Aspects of Space Resource Activities, with participation of developing countries encouraged

- 2023:**
- (a) Collation and dissemination by the Chair and Vice-Chair of submissions by States members of the Committee with regard to the mandate and purpose of the Working Group, together with a summary of those submissions prepared by the Chair and Vice-Chair of the Working Group, supported by the Secretariat;
 - (b) Collect relevant information concerning activities in the exploration, exploitation and utilization of space resources, including with respect to scientific and technological developments and current practices, taking into account their innovative and evolving nature;
 - (c) Initial exchange of views on a study of the existing legal framework for such activities, in particular the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, and other applicable United Nations treaties, also taking into account other relevant instruments, as appropriate;
 - (d) Initial preparation by the Chair and Vice-Chair of the Working Group, supported by the Secretariat, of a preliminary summary of the information collected and views expressed thus far, for submission to the Working Group for further consideration;
 - (e) Discuss and reach agreement on the arrangements for a dedicated international conference under the auspices of the United Nations, in accordance with the terms of reference of the Working Group (A/76/20, annex III), with the scope and topics to be addressed in the conference to be more fully elaborated through inputs of States.
- 2024:**
- (a) Review additional responses received from States in the intersessional period and continue the collection of relevant information and exchange of views as set out under the work for 2023 above;
 - (b) Review and update the preliminary summary prepared by the Chair of the information collected and views expressed and consolidate any additional relevant information and views presented for submission to the Working Group for further consideration;
 - (c) Assess the benefits of further development of a framework for such activities including by way of additional international governance instruments;
 - (d) Convene the international conference, as mentioned above, preferably in conjunction with the sixty-fourth session of the Legal

Subcommittee, and open to Governments, invited academic and other stakeholders, subject to the availability of extra-budgetary resources. The report on the conference is to be prepared by the Chair of the Working Group, supported by the Secretariat, and submitted to the Working Group for further consideration.

- 2025:** (a) Presentation by the Chair of the Working Group of the activities undertaken thus far by the Working Group to the Scientific and Technical Subcommittee at its sixty-second session;
- (b) Continue exchange of views on the preliminary summary prepared by the Chair and Vice-Chair of the information collected and views expressed in line with the work for 2023 above, review and update the preliminary summary and consolidate any additional relevant information and views presented, for submission to the Working Group for further consideration;
- (c) Exchange of views on the development of a set of initial recommended principles for such activities, taking into account the need to ensure that they are carried out in accordance with international law and in a safe, sustainable, rational and peaceful manner.
- 2026:** (a) Final review and refinement of the summary of discussions on the existing legal framework for such activities, as well as of the assessment of the benefits of further development of a framework for such activities;
- (b) Prepare a draft set of initial recommended principles for such activities by the Chair and Vice-Chair of the Working Group, supported by the Secretariat, taking into account the need to ensure that they are carried out in accordance with international law and in a safe, sustainable, rational and peaceful manner;
- (c) Exchange of views and compilation of views expressed on possible areas for further work of the Legal Subcommittee and recommended next steps, which may include the development of potential rules and/or norms, for activities in the exploration, exploitation and utilization of space resources, including with respect to related activities and benefit-sharing, taking into account the summary of discussions on the study of the existing legal framework for such activities, as well as the assessment of the benefits of further development of a framework for such activities and the draft set of initial recommended principles for such activities.
- 2027:** (a) Finalization of a set of initial recommended principles for such activities for the consideration of and consensus agreement by the Committee, followed by possible adoption by the General Assembly as a dedicated resolution or other action;
- (b) Adoption by the Committee of a final report of the Working Group, incorporating the results of each of the activities undertaken by the Working Group in accordance with its mandate, as appropriate.
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