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Committee on the Peaceful Uses of Outer Space Legal Subcommittee

Draft report of the Chair and Vice-Chair of the Working Group on Legal Aspects of Space Resource Activities

1. At its 1054th meeting, on 15 April 2024, the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space reconvened the Working Group on Legal Aspects of Space Resource Activities established under the Legal Subcommittee's 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 16 to 24 April 2024, the Working Group held six formal and four informal meetings. The Working Group considered the following items of its five-year workplan ([A/AC.105/1260](#), annex II, appendix):

"(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-third session of the Legal Subcommittee, and open to Governments, invited academic and other stakeholders, subject to the availability of extrabudgetary resources. The report on the conference is to be prepared by the Chair and Vice-Chair of the Working Group, supported by the Secretariat, and submitted to the Working Group for further consideration."

3. The Working Group had before it the following documents:

(a) Updated summary by the Chair and Vice-Chair of views and contributions received on the mandate and purpose of the Working Group on Legal Aspects of Space Resource Activities ([A/AC.105/C.2/L.328](#));



(b) Conference room paper submitted by China containing its response to the invitation to provide information on the mandate and purpose of the Working Group on Legal Aspects of Space Resource Activities (A/AC.105/C.2/2024/CRP.5);

(c) Conference room paper entitled “Summary of the expert meeting collecting preliminary inputs for consideration at the international conference in Vienna in 2024” (A/AC.105/C.2/2024/CRP.15);

(d) Conference room paper submitted by the Republic of Korea containing its response to the invitation to provide information on the mandate and purpose of the Working Group on Legal Aspects of Space Resource Activities (A/AC.105/C.2/2024/CRP.17);

(e) Conference room paper entitled “Information on the International Conference on Space Resources of the Working Group on Legal Aspects of Space Resource Activities” (A/AC.105/C.2/2024/CRP.23);

(f) Conference room paper submitted by Australia entitled “Consideration of general themes and obligations, commitments or guidelines to an activity contributing to exploration and scientific investigation of the Moon” (A/AC.105/C.2/2024/CRP.24);

(g) Conference room paper submitted by Luxembourg containing a submission by the European Space Resources Innovation Centre on its views on the current status and priorities for selected key areas related to the utilization of space resources (A/AC.105/C.2/2024/CRP.29);

(h) Conference room paper submitted by Luxembourg and Belgium entitled “Expert meeting collecting preliminary inputs for consideration at the international conference in Vienna in 2024, held on 26 March 2024 in Luxembourg: Luxembourg and Belgium review” (A/AC.105/C.2/2024/CRP.31).

4. The Working Group noted with appreciation the holding of the International Conference on Space Resources on 15 April 2024, during the sixty-third session of the Legal Subcommittee, as well the expert meeting collecting preliminary inputs for consideration at the international conference in Vienna in 2024, held on 26 March 2024, which was co-hosted by Belgium and Luxembourg and organized in cooperation with the United Nations. In that regard, the Working Group took note of the information made available about those two events in conference room papers A/AC.105/2024/C.2/CRP.15, A/AC.105/2024/C.2/CRP.23 and A/AC.105/2024/C.2/CRP.31 and noted that a single report on the outcomes of the International Conference, including the results of the expert meeting, would be made available at the sixty-seventh session of the Committee, in June 2024, in the six official languages of the United Nations (A/78/20, para. 233).

5. The Working Group noted that the further submissions by States members of the Committee had been valuable contributions to the work of the Working Group under its five-year workplan and the substantively rich discussions held in its meetings during the current session of the Subcommittee with a view to assessing the benefits of further development of a framework for space resource activities.

6. The Working Group noted that the discussions had been focused, among others, on the five topics agreed by the Working Group at the sixty-sixth session of the Committee in June 2023 (A/78/20, para. 234), as a basis for the International Conference, namely, the implications of the legal framework for space resource activities; the role of governance, including information-sharing, in supporting space resource activities; the scope of future space resource activities; the environmental and socioeconomic aspects of space resource activities; and international cooperation in scientific research and technological development for space resource activities.

7. The Working Group noted a number of possible elements as well as questions that should be discussed in the course of the development of an initial set of recommended principles for space resource activities, in accordance with the workplan of the Working Group, including, but not limited to, the centrality of the provisions of the Treaty on Principles Governing the Activities of States in the

Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies; the relationship with other existing United Nations treaties on outer space and with the principles of non-appropriation and the peaceful use of outer space; questions on definitions; matters related to the nature and purpose of space resources and their potential benefits, including for scientific research and economic development; the economic, environmental and equitable aspects of space resource activities; the protection of interests of current and future space actors; ethical, indigenous and intergenerational aspects; international coordination and consultation measures; licensing authority mechanisms; the role of the private sector and its supervision; the sharing of information; possible aspects related to investments and international trade; aspects of benefit-sharing; and interests of developing countries.

8. The Working Group agreed that, with a view to furthering the work of the Working Group in accordance with its workplan, the Chair and Vice-Chair of the Working Group were to invite States members and organizations having permanent observer status with the Committee to provide any further contributions they deemed relevant relating to the elements for an initial draft set of recommended principles for space resource activities, in their response to a letter of invitation, which would be disseminated by the secretariat by the end of May 2024, with a deadline for contributions of 16 September 2024.

9. The Working Group further agreed that, on the basis of the discussions held in its meetings during the current session of the Subcommittee and the contributions received, the Chair and the Vice-Chair of the Working Group would prepare an initial draft set of recommended principles for space resource activities that would be disseminated in a timely manner to States members of the Committee in early January 2025. The Working Group agreed to hold an online intersessional meeting by the end of January 2025 to start discussing the initial draft set of recommended principles.

10. The Working Group further noted that in accordance with its workplan, the activities of the Working Group undertaken thus far would be presented to the Scientific and Technical Subcommittee at its sixty-second session under its agenda item on the future role and method of work of the Committee in a statement by the Chair and/or the Vice-Chair of the Working Group, and that in 2025, in accordance with its workplan, the Working Group would continue, among other things, to exchange views on the development of an initial draft set of recommended principles for such activities, taking into account the initial draft prepared by the Chair and the Vice-Chair of the Working Group.

11. Some delegations expressed the view that while the five overarching topics addressed at the International Conference and the expert meeting represented a solid basis for an initial draft set of recommended principles, the development of such principles should not be based solely on those five topics.

12. The view was expressed that an initial draft set of recommended principles could consist of the main part, containing principles derived from the existing treaties of international space law, any other elements that enjoyed the widest support and terms that enjoyed a consensual common understanding, and annexes that comprised a list of terms and principles for which there were divergent views.

13. At its 6th meeting, on 24 April 2024, the Working Group adopted the present report.