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English only

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**Committee on the Peaceful  
Uses of Outer Space  
Legal Subcommittee  
Sixty-third session  
Vienna, 15–26 April 2024  
Item 8 of the provisional agenda\*  
Future role and method of work of the Committee**

## **National Space Society conference room paper**

The present conference room paper was prepared by the Secretariat on the basis of information received from the National Space Society. The information was reproduced in the form it was received.

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\* A/AC.105/C.2/L.326.



**National Space Society (NSS) Conference Room Paper (CRP)  
Submitted by the NSS International Committee for the COPUOS  
Sixty Third Session of the Legal Subcommittee (LSC) in 2024**

In compliance with the international Outer Space Treaty (OST) and with Art. 17 of the 1948 Universal Declaration of Human Rights, whereby the United Nations General Assembly declared that “Everyone has the right to own property alone as well as in association with others,” the National Space Society recommends that the following steps be taken to establish a bare minimum set of property rights needed for sustainable outer space development and human settlement. These should be done in consultation and coordination with all space stakeholders, public and private, including civil society. The goal is to establish a legal framework to mine the Moon, Mars, asteroids, and other celestial bodies, and to use the extracted materials to enable long-term value for humans in situ at the mining or settlement sites, on Earth, and elsewhere in outer space.

(1) Space to Earth: Further establish the right to sustainably take extracted material off the celestial body, bring it back to Earth, own it, and sell it (e.g. Moon to Earth) (accomplished since 1972).

(2) Space to Space: Establish the right to sustainably and responsibly extract material on a celestial body and sell it to another party on that celestial body (e.g. Moon to Moon).

(3) In Situ Resource Utilization: Establish the right to sustainably and responsibly process extracted materials (e.g. rocks, regolith, and even dust) on a celestial body to produce oxygen, water, propellant, building materials, and other useful substances and use such processed materials and substances on the celestial body as part of an installation owned by either a Committee on the Peaceful Uses of Outer Space (COPUOS) State Party or a private entity authorized and supervised by a State Party, per OST Art. VI (e.g. South Pole Lunar Research Center).

(4) Storage Depots: Establish the right to sustainably and responsibly extract and/or process materials from a celestial body and transfer to another location on that or another celestial body or in an orbit around a celestial body (e.g. storage depots) for sustainable and responsible ownership and future sale and/or utilization (e.g. a fuel depot in orbit).

(5) In Space Assembly and Manufacturing: Establish the right to manufacture satellites, space stations, spacecraft, and other space facilities and infrastructure in space with materials and substances extracted and/or processed from a celestial body and recognize that the manufactured items are the property of those who manufactured them using either a mix of terrestrial and non-terrestrial materials or non-terrestrial materials alone (e.g. a large Space Solar Power facility in geosynchronous orbit).

(6) Derived Products: Establish the right to sustainably and responsibly own and sell to a second party or multiple parties an item manufactured in space out of either a mix of terrestrial and extraterrestrial materials or out of extraterrestrial materials alone (e.g. bricks made partially or solely out of lunar regolith).

The National Space Society advocates for member states to establish an agenda item potentially entitled “General Exchange of Views on Ownership and Utilization of Space Resources,” with the aim to open discussions on evolving the existing legal framework. The goal is to ensure that space activities are conducted in an environmentally sensitive, responsible, sustainable, equitable, and inclusive manner over the long term, while providing the right incentives to enable space development. Member states of COPUOS that do not have rocket launching capabilities would play a vital role deliberations, ensuring a diverse and comprehensive approach to space resource governance.

These discussions would ideally lead to an international framework of voluntary guidelines and norms based on best practices that become backed by national

regulations in a bottom-up approach, which would eventually, if not objected to, lead to Customary International Law. The advantage of such a bottom-up approach is that it can adapt to changing space technologies and innovations, space activities, and geopolitical circumstances to eventually be codified by treaty, if it is ever advantageous to do so.

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