Second Revised Co-Moderators’ Proposal

(9 June 2021)

The Legal Subcommittee (“LSC”) of the Committee on the Peaceful Uses of Outer Space (“Committee”) establishes, for a period of five years, a Working Group under the agenda item “General exchange of views on potential legal models for activities in exploration, exploitation and utilization of space resources”.

**Mandate**

The Working Group shall:

* Collect relevant information concerning activities in the exploration, exploitation, and utilization of space resources, including with respect to scientific and technological developments and best practices, taking into account their innovative and evolving nature, as a first step;
* Study the existing normative framework for such activities (“framework”), in particular the Outer Space Treaty and other applicable United Nations treaties, also taking into account other relevant instruments, as appropriate;
* Identify areas where further development of the framework might be helpful and assess the benefits of doing so, including by way of additional instruments, both binding and non-binding;
* Recommend an initial set of principles and practical measures for such activities to ensure that they are carried out in a safe, sustainable and peaceful manner and in accordance with international law for adoption by the Committee and possibly by the United Nations General Assembly as a dedicated resolution;
* Identify areas for further work of the Committee and recommend next steps, which may include the development of potential models, rules and norms, for activities in the exploration, exploitation and utilization of space resources, including with respect to related activities and benefit sharing.

**Terms of reference**

* The Working Group reports to the LSC;
* The meetings of the Working Group are guided by the rules of procedure, methods of work and established practices of the Committee;
* The Working Group will be led by a chair and a vice-chair and shall be supported by the United Nations Office for Outer Space Affairs;
* The Working Group shall be open to all States members of the Committee, and participation of developing and emerging space-faring countries shall be encouraged. Contributions by permanent observers shall be in accordance with the rules of procedure, methods of work and established practices of the Committee;
* The Working Group shall take into consideration submissions on the issue of activities in the exploration, exploitation and utilization of space resources from States members and permanent observers of the Committee, as well as non-governmental stakeholders, including from academia, civil society, technical experts, institutional and private actors in accordance with the rules of procedure, methods of work and established practices of the Committee;
* The Working Group and its members may avail themselves of previous work on the issue of activities in the exploration, exploitation and utilization of space resources, including but not limited to study reports, academic research and papers.

**Work Plan and Methods of Work**

* On the basis of the agreed mandate and terms of reference, the Working Group shall, in 2022, agree on its detailed work plan and methods of work. This shall include appropriate means to include the expertise and views of academia, civil society, technical experts, institutional and private actors as well as means of coordination with the Scientific and Technical Subcommittee;
* The foregoing shall not prevent the Working Group from undertaking initial administrative, information collection and stocktaking tasks as provided for in its mandate;
* The Working Group shall in its work avail itself of electronic means of communication whenever practicable and/or necessary.