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English only

**Committee on the Peaceful
Uses of Outer Space**
Sixty-fourth session
Vienna, 25 August–3 September 2021

**Proposal on the mandate, terms of reference, and workplan
and methods of work for 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”**

**Conference Room Paper submitted by the Chair and Vice-Chair of
the working group**

I. Introduction and background

1. At its sixtieth session the Legal Subcommittee requested the Chair and Vice-Chair of the working group to continue consultations, in the intersessional period, on the mandate, terms of reference and method of work of the working group with a view that these matters should be considered by the Committee at its sixty-fourth session. (A/AC.105/1243 para. 256).
2. At its sixty-fourth session, the working group held four formal and informal meetings and the results of these meetings are set out in section II of the present Conference Room Paper.

**II. Proposed draft mandate, terms of reference and methods
of work of the working group under a five-year workplan**

A. Mandate

3. The working group shall:
 - (a) 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;

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(b) Study the existing legal framework for such activities, in particular the Outer Space Treaty and other applicable United Nations treaties, also taking into account other relevant instruments, as appropriate;

(c) Assess the benefits of further development of a framework for such activities, including by way of additional international governance instruments;

(d) Develop 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, for the consideration of and consensus agreement by the Committee, followed by possible adoption by the United Nations General Assembly as a dedicated resolution or other action;

(e) Identify areas for further work of the Committee and recommend 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.

B. Terms of reference

4. The terms of reference are as follows:

(a) The working group reports to the Legal Subcommittee of the Committee;

(b) The working group and its meetings shall be guided by the rules of procedure, methods of work and established practices of the Committee, including with respect to contributions by permanent observers and non-governmental stakeholders. The working group may decide to hold intersessional meetings in exceptional circumstances, as appropriate;

(c) The working group will be led by a Chair and a Vice-Chair and shall be supported by the Secretariat;

(d) 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;

(e) The working group shall consider submissions from States members of the Committee on the issues related to and arising from its Mandate, while also taking into account, as appropriate, those inputs provided in accordance with established practice of the Committee to the working group by permanent observers and all other stakeholders and which the Chair and Vice Chair, in consultation with the working group, regard as relevant to the work of the working group;

(f) The working group may avail itself of 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 submitted by any means as may be determined by the working group, which may include 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.

C. Workplan and Methods of Work

(a) On the basis of the agreed mandate and terms of reference, the working group shall, in 2022, agree on its detailed workplan and methods of work. This shall include appropriate means of coordination with the Scientific and Technical Subcommittee;

(b) The foregoing shall not prevent the working group from undertaking initial administrative, information collection and stocktaking tasks as provided for in its mandate;

(c) The working group shall in its work avail itself of electronic means of communication whenever practicable and/or necessary.
