



Tijjani Muhammad-Bande
President, United Nations General Assembly

cc. André Rypl, Chair, UNCOPUOS
Andrzej Mistzal, Chair, LSC, UNCOPUOS
Natália Archinard, Chair, STSC, UNCOPUOS

August 2020

Dear Dr. Muhammad-Bande,

Re: Multilateral Agreement on Space Resource Utilization

In recent years, the issue of the exploration, exploitation and utilization of outer space resources has achieved some salience within the global outer space community. The uncertainty about the legality of these activities under the current international legal framework has led several States to adopt national laws and engage in bilateral negotiations in an effort to satisfy the need for legal certainty.

Through discussions within the Legal Subcommittee (LSC) of the United Nations Committee on the Peaceful Uses of Outer Space (UNCOPUOS), a number of States have expressed concerns with regards to the legality of recovering and using space resources, including commercial recovery and use. There is widespread recognition of the need for some sort of international mechanism to govern space resource utilization.

In accordance with the preamble, Articles I and II of the 1967 “Outer Space Treaty” (Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies), the legal status of outer space has long been universally acknowledged by States to be an “area beyond national jurisdiction” (often referred to as a “global commons”) similar to the high seas, the deep seabed, and Antarctica. All such areas have been governed through specific multilateral agreements to promote the common interests of all countries, minimize international conflicts, and develop measures to ensure transparency and build confidence.

In the absence of a multilateral process for governing space resource exploration, exploitation and utilization, national approaches risk the development of separate, possibly inconsistent, governance frameworks, while marginalizing input from developing and non-spacefaring States. We believe that such an outcome could have significant and adverse consequences for, *inter alia*, the advancement of space sciences, cooperation and interoperability, international peace and security, and human and environmental safety.

Several expert groups and non-governmental organizations, representing a wide variety of stakeholders, have proposed principles and frameworks for the multilateral governance of space resources. For instance, in November 2019, The Hague International Space Resources Governance Working Group adopted twenty “Building Blocks for the Development of an



International Framework on Space Resource Activities”. This document advocates the establishment of an international framework which is consistent with international law; contributes to sustainable development; promotes and secures “the orderly and safe utilization” of space resources; and takes into “particular account” the needs of developing countries and science. In April 2020, the Outer Space Institute adopted the “Vancouver Recommendations on Space Mining”, which promote negotiations on a multilateral agreement with the negotiations being open to all States.

The current international legal regime for outer space is based on five multilateral treaties that were adopted by the United Nations General Assembly in the 1960s and 1970s. These treaties were negotiated within the UNCOPUOS, which is the principal UN body dealing with legal and governance issues related to space. The Legal Subcommittee of UNCOPUOS is gradually introducing space resource utilization into its agenda; however, there is not yet a consensus on this issue.

It is our opinion that the speed and scale of developments relating to the exploration, exploitation and utilization of space resources require more affirmative and urgent action. The undersigned therefore urge States to present for adoption at the United Nations General Assembly, a resolution which would request UNCOPUOS to negotiate, with all deliberate speed, a draft multilateral agreement on space resource exploration, exploitation and utilization for consideration by the General Assembly.

With our gratitude for your attention to, and potential leadership on this important matter, we are,

Yours sincerely,

Letter Author Signatories

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- Marie Lucy Stojak, Executive-Director of Mosaic-Creativity & Innovation Hub, HEC Montréal

Distinguished Signatories

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- Lloyd Axworthy, Chair, World Refugee and Migration Council, and former Canadian Minister of Foreign Affairs
- John Manley, former Canadian Deputy Prime Minister and Foreign Minister; former President and CEO of the Business Council of Canada
- Christopher Pyne, former Australian Minister for Defence and former Leader of the House, Australian Parliament
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- Jeremy Kinsman, former Canadian Ambassador to the European Union, Russia, Italy, and the United Kingdom



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