



# SHOULD WE CARE ABOUT THE MOON AGREEMENT?

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THE UNIVERSITY  
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Artemis Accords 54 signatories



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graph TD; A[Artemis Accords 54 signatories] --> B[ILRS 13 partners]; B --> C[Moon Agreement 17 members, 9 Artemis Accords signatories, 3 ILRS participants]; C --> D[None of China, Russia or US are signatories to the Moon Agreement];
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# US position on the Moon Agreement: 2020 Executive Order

The United States is not a party to the Moon Agreement. Further, the United States does not consider the Moon Agreement to be an effective or necessary instrument to guide nation states regarding the promotion of commercial participation in the long-term exploration, scientific discovery, and use of the Moon, Mars, or other celestial bodies. Accordingly, the Secretary of State shall object to any attempt by any other state or international organization to treat the Moon Agreement as reflecting or otherwise expressing customary international law.



# **ARTEMIS ACCORDS**

## **SECTION 10 – SPACE RESOURCES**

**The Signatories note that the utilization of space resources can benefit humankind by providing critical support for safe and sustainable operations.**

**The Signatories emphasize that the extraction and utilization of space resources, including any recovery from the surface or subsurface of the Moon, Mars, comets, or asteroids, should be executed in a manner that complies with the Outer Space Treaty and in support of safe and sustainable space activities. The Signatories affirm that the extraction of space resources does not inherently constitute national appropriation under Article II of the Outer Space Treaty, and that contracts and other legal instruments relating to space resources should be consistent with that Treaty.**



**The Signatories commit to informing the Secretary-General of the United Nations as well as the public and the international scientific community of their space resource extraction activities in accordance with the Outer Space Treaty.**

**The Signatories intend to use their experience under the Accords to contribute to multilateral efforts to further develop international practices and rules applicable to the extraction and utilization of space resources, including through ongoing efforts at the COPUOS.**



# The Moon Agreement

**Article 11(1) provides that ‘the moon and its natural resources are the common heritage of [hu]mankind’.**

**Article 11(3) provides that:**

**‘Neither the surface nor the subsurface of the moon, nor any part thereof or natural resources in place, shall become property of any State, international intergovernmental organization, national organization or non-governmental entity or of any natural person.’**

**Article 11(5) provides that state parties ‘undertake to establish an international regime, including appropriate procedures, to govern the exploitation of the natural resources of the moon as such exploitation is about to become feasible’.**



**Further, the Moon Agreement also commits parties to the principle of ‘equitable sharing ... in the benefits derived from those resources’ and special consideration of the ‘interests and needs of the developing countries, as well as the efforts of those countries which have contributed either directly or indirectly to the exploration of the moon.’**



# **Australia Statement to the 61<sup>st</sup> Session of the COPUOS Legal Subcommittee (2024)**

**‘the Moon Agreement provides a framework which clearly enables scientific investigation on the Moon and other celestial bodies, and may provide for other exploratory or experimental activities, prior to the establishment of an international regime. We look forward to further sharing our views during meetings of the working group on space resources.’**





# New members for the Moon Agreement?





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CRICOS PROVIDER NUMBER 00123M