

FOR ALL MOONKIND, AGENDA ITEM 12

STATEMENT BY BAILEY CUNNINGHAM

For All Moonkind

62nd Session of the Legal Subcommittee  
Committee on the Peaceful Uses of Outer Space  
Vienna, Austria  
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Thank you, Madam Chair. I am honored and privileged to submit this statement on behalf of For All Moonkind.

Distinguished delegates, as you well know, Article III of the Outer Space Treaty obligates States to “carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law.” Cultural heritage law is part of international law and should not be ignored. The nations of the world have agreed to support the protection of human heritage of universal value here on Earth through the World Heritage Convention and related instruments, however, our heritage beyond Earth remains unrecognized and unprotected.

Distinguished delegates, For All Moonkind is an entirely volunteer international, non-governmental, not-for-profit organization. We are the only organization in the world committed to protecting human heritage beyond Earth. Our team of space lawyers, heritage lawyers, and policymakers is currently working on constructing reasonable, practical, and multilateral protocols that will balance development and preservation, and include strategies and procedures to select, manage and study relevant sites on the Moon and elsewhere in outer space. In so doing, we seek to promote the exploration, development, and utilization of space and its resources in a sustainable and successful manner and for the benefit of all humankind.

Distinguished delegates, in 2007, the Chair of COPUOS recommended that the COPUOS consider the protection or conservation of designated areas of the Moon and other bodies in the

solar system. The Working Paper, A/AC.105/L.268, states in pertinent part:

“In view of the development of space exploration and in particular the renewed interest in the Moon as a first stage of exploration, there is a need for a fresh approach to the idea of protecting designated areas of such bodies of the solar system, either because of their historical, cultural and environmental significance (such as the Apollo, Surveyors and Lunakhod landing sites on the Moon) or because there are good reasons for wanting to protect certain areas of scientific interest.”

Distinguished delegates, this Working Paper was presented 16 years ago. What was referenced then as “renewed interest in the Moon” has developed into multiple missions to the Moon within the next few years and not just by States but by private entities as well. Indeed, Japan’s ispace is slated to complete a lunar landing within the next month. With this in mind, we renew the call to approach the idea of protecting designated areas in space because of their historical and cultural value.

Distinguished delegates, the work of this Committee has proved the substantive importance of non-legally binding instruments. This Subcommittee has noted that non-legally binding United Nations instruments on outer space complement and support the existing United Nations treaties on outer space, and are important mechanisms for further enhancing the safety, security and sustainability of outer space activities.

Indeed, this Committee has already reached consensus on broadcasting principles, recommendations on national legislation, space debris mitigation, among others. Most recently, this Committee adopted the preamble and 21 Guidelines for the Long-term Sustainability of Outer Space Activities (LTS Guidelines) at its sixty-second session in June of 2019.

For All Moonkind supports the statements made by many delegations this Session that this Subcommittee must work more closely with the Scientific and Technical Subcommittee. To

this end, we encourage this Subcommittee to work with the Working Group on the Long-Term Sustainability of Outer Space Activities to extend the LTS Guidelines to support the safety, security, and sustainability of deep space activities, including legal, diplomatic, scientific, and technical mechanisms for the identification and safeguarding of cultural heritage beyond Earth.

Alternatively, or concurrently, the Committee could adopt a non-binding resolution that recognizes and promotes measures to protect a small number of sites that embody historic firsts, like Luna 2, the first human object to impact another celestial body; Luna 9, the first human object to make a soft landing on another celestial body; Apollo 11, the first human footsteps on another celestial body; and Chang'e 4, the first soft landing on the far side of the Moon.

Chair, Distinguished delegates, on behalf of For All Moonkind, I thank you for your kind attention.

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[FOR THE WRITTEN SUBMISSION ONLY]

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