

## Open Lunar Foundation, Agenda Item 4, General Exchange

Thank you Madam Secretary, distinguished delegates, of the COPUOS STSC. Open Lunar Foundation became an official observer in 2021 and we are pleased to offer a brief update on our work since last session.

Open Lunar Foundation is a charitable nonprofit organization in the United States. Our mission is to Enable a peaceful, cooperative, long term human presence on the Moon for the benefit of all life. We operate a remote team from New Zealand, Canada, USA and Europe, and work with many partners, volunteers and collaborators to achieve global outcomes. We actively participate in the community through roles such as convening the Moon Dialogs, a lunar policy dialog platform, and hosting a global research fellowship program for sector capacity building on lunar policy, among many other roles. Our work connects technology and policy, and we believe that near-term considerations for lunar development are opportunities for setting positive precedents.

In 2021, Open Lunar dedicated our focus to the issue of lunar resource management. In 2022 and 2023, multiple lunar missions will attempt to collect lunar regolith and sell the rights of the regolith to NASA without the lunar materials leaving the Moon. This highlights longstanding questions in the international community about the structure of property rights for space resources in the context of the OST. Our work in this area deals with questions such as “what does it mean for lunar regolith to be ‘collected’ and adequately separated from the surface of the Moon? On what legal basis are there to transfer rights, never mind in which circumstances, how are these rights constructed?— and of course some feel these rights shouldn’t exist at all.

We have outlined a ‘scarcity scorecard’ with measurement criteria that can be used to designate some lunar resources as scarce, and therefore at risk of competition or conflict, and thus deserving of greater attention to management than resources that are abundant. We hosted private dialog events for Chinese and US academics to build greater mutual understanding on the topics of resources in space. We have cataloged a list of over twenty types of lunar ‘resource systems’ which each may benefit from their own distinct management

approach. This is all informed by our position that the Moon is not a monolith, it is made of many systems. This context needs a polycentric governance approach: layers of governance which are adaptive, inclusive of commercial and state actors alike, and evolves with technological advancements. We have been and will continue to actively engage with the work of the Space Resources working group of the Legal Subcommittee, established last year under the good leadership of Professor. Steven Freeland and Ambassador Andrzej Misztal.

Madam Secretary, distinguished delegates, I would like to highlight one of our flagship initiatives called the Breaking Ground Trust, which could offer a format of collaboration and co-stewardship of space resources for many stakeholders into the future. The Breaking Ground Trust is a legal entity designed to demonstrate the effective governance of lunar resources between stakeholders. The trust seeks to purchase small amounts of lunar regolith, as an opportunity to prototype concrete approaches to resource management. Lunar regolith held by the trust is a form of civic ownership, with multi stakeholder governance.

The trust has three major activities: first, outline resource management approaches, secondly, test the viability of these approaches with real purchases of lunar resources, and thirdly to share this model and host an ongoing platform for stakeholders to learn and benefit. If you wish to purchase the rights to in-situ lunar regolith and have it held in trust now or in the future, our trust model can accommodate this. The trust is accountable not to individual private interests, but to good stewardship overall. In perpetuity, the trust will role model stakeholder driven stewardship of lunar resources. In 2021 we brought together experts from Japan, China, South Africa, Nigeria, the UK, Aotearoa New Zealand, Australia, the US and more to design the first step of this work: the recommended approaches for regolith management. You can find this work at the website: [breakingground.space](http://breakingground.space).

Thank you Madam Secretary, distinguished delegates, our work seeks to demonstrate policy in action. If we can be of service to any of you to help to set positive precedents for our shared lunar future please do not hesitate to contact us.