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English only

Committee on the Peaceful Uses of Outer Space
Legal Subcommittee
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Item 8 of the provisional agenda*
Future role and method of work of the Committee

Proposal on a consultative mechanism on lunar activities

Conference room paper submitted by the delegation of Romania

I. Introduction and background

1. The near future will see a multitude of lunar missions through the efforts of both space agencies and commercial stakeholders. There are many mechanisms for cooperation for lunar and cislunar activities, but no dedicated forum for this work in the Committee on the Peaceful Uses of Outer Space. Since the Committee is the only forum in the United Nations system that is specifically designed to foster international cooperation and build consensus to advance the peaceful exploration and use of outer space for the benefit of all humanity. The need to preserve the peaceful uses of outer space, together with the desire to begin a new era of sustainable space exploration, urges increased discussion, coordination and cooperation for cislunar and lunar activities.

2. A number of issues must be addressed to ensure sustainable lunar exploration and settlement in and around the Moon, including for lunar operators to share information on their ongoing and planned operations and to engage in consultations in order to coordinate operations, facilitate interoperability, improve safety, avoiding interference, protecting the lunar environment, mitigating the creation of debris in lunar orbit, regulating access to natural resources, sharing best practices and lessons learned, and building capabilities, identifying common needs and concerns of lunar operators.

II. Proposal

3. An international consultative mechanism on sustainable lunar activities could facilitate addressing numerous issues facing future missions and such a mechanism could be studied within the framework of the Committee on the Peaceful Uses of

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Outer Space, actively involving member States of the Committee in a major theme for space cooperation in the next decades from which it cannot remain absent.

4. To facilitate the examination on such a consultative mechanism, it is proposed that an Action Team on Lunar Activities Consultation (ATLAC) under the Committee is established for this purpose.

5. Such a mechanism should involve not only State actors but also non-State actors developing lunar and cislunar activities. This process should include the meaningful involvement of stakeholders from developing countries, as well.

6. The activity of ATLAC will not interfere with the activity of the "Working Group on Legal Aspects of Space Resource Activities" under the Legal Subcommittee of the Committee on the Peaceful Uses of Outer Space, as long as the goal of ATLAC is to set up an operational mechanism while the "Working Group on Legal Aspects of Space Resource Activities" is focusing on the lex ferenda. Nevertheless, an informal collaboration and mutual information of the two bodies could be envisaged and welcomed.

7. Such a mechanism could assist in resolving a multiplicity of technical and operational issues that could be faced by lunar operators, some of which are described here:

- **Landing site coordination and lunar dust mitigation:** Sites suitable for landing in the south pole of the Moon are quite limited. As multiple lunar operators plan to send probes to the south pole, the mechanism could serve as a platform for sharing plans for lunar south pole landing and coordinating selection of landing sites. Furthermore, the lunar dust generated by landing and take-off operations pose a serious challenge to the adjacent operators and will necessitate the development of best practices of dust mitigation which can be shared through the mechanism.
- **Cislunar traffic:** With multiple missions and stakeholders operating in lunar orbit and on the lunar surface, there is a pressing need to coordinate traffic to avoid collisions and conflicts. The sharing of information regarding the location and timing of cislunar operations can help prevent collisions, reduce risks to spacecraft and astronauts, and streamline operations where efficient traffic management can lead to smoother mission execution.
- **Debris mitigation:** Increasing lunar activities may result in the generation of space debris that poses risks to lunar missions. Such debris could be located in lunar orbit as well as on the surface of the Moon. By sharing best practices for debris mitigation, this threat can be minimized. In addition, sharing information regarding the existence and location of debris will help ensure the safety of operations. The work carried out by the mechanism could also assist ongoing debris mitigation efforts, such as those undertaken by the Inter-Agency Space Debris Coordination Committee (IADC).
- **Protection of sites of significant scientific interest and lunar heritage:** The opportunity to share information regarding the nature and location of lunar sites of significant scientific or cultural significance will assist in the identification and protection of such sites.

8. To perform this feasibility assessment of such a mechanism an **Action Team on Lunar Activities Consultation (ATLAC)** is proposed to be organized as soon as possible at the level of the Committee on the Peaceful Uses of Outer Space and its subcommittees.

Annex

General considerations on the organization and work of an Action Team according to the previous experience within the Committee on the Peaceful Uses of Outer Space

1. Analysing the previous activity of the Committee on the Peaceful uses of Outer Space, starting with UNISPACE III organized in Vienna in 1999, Action Teams have proven to be effective and flexible mechanisms for analysing pressing issues addressed by the Committee, offering specific recommendations and proposed solutions for the Secretariat and Member States of the United Nations and other international organizations on actions that should be taken, leading eventually to the creation of mechanisms and institutions that periodically report the Committee on the Peaceful Uses of Outer Space on the results of their activity.

2. The membership of an Action Team should be open to any interested member States of the United Nations as well as entities of the United Nations, other intergovernmental organizations and non-governmental entities.

3. An Action Team reports to the Committee and its Subcommittees.

4. The Committee approves the terms of reference of an Action Team including the purpose, work plan, product and schedule of meetings.

5. The combination of the following elements may lead to successful work and implementation of recommendations of an Action Team: prioritization of work; flexibility in conducting work throughout the year; maximizing opportunities to meet and communicate; coordination and distribution of work; and strong leadership and secretariat support.

6. The Committee and its Action Team should benefit from active participation and substantive contributions by various entities of the United Nations system, in particular when the priority area coincides with the priorities of those entities.

7. A good coordination mechanism is also important. Coordination at all levels between the Committee, the action team and the Subcommittees at their annual sessions could be a key factor in obtaining good results.

8. An Action Team provides a flexible and dynamic mechanism for conducting work throughout the year by maximizing opportunities to meet and communicate, including face-to-face meetings, teleconferences and extensive use of Internet services, to exchange views and information and to prepare documents. This mechanism sustains progress while ensuring that the Committee and its Subcommittees continue to assume the primary responsibility for implementing the recommendations in respect to the topic approached, by providing guidance to the action team. An action team usually meets on the margins of the annual sessions of the Committee and its Subcommittees, fulfilling their responsibilities to report to the Committee and the Subcommittees.

9. Where space-related activities are carried out by multiple government entities, participation in the work at the international level, such as in an action team, is often difficult if effective coordination mechanisms at the national level are not fully established or fully utilized.

10. While the engagement of non-governmental entities in the process of implementing the recommendations of the Committee is considered important, engaging the private sector by identifying appropriate and meaningful ways and means for it to work with Governments and international organizations as partners could be a challenge. Particularly in activities involving multilateral cooperation among States, building a partnership with industry requires a coherent approach by Governments, while taking into account the industrial advantages to be gained by participating States.