

SUMMARY

GOVERNANCE OF GLOBAL MOON EXPLORATION AND SETTLEMENT

Episode 2: Operating with Due Regard, Avoiding Harmful Interference, and Establishing Safety Zones

6. August 2020

Operating with due regard, avoiding harmful interference, and establishing safety zones were the main focus of this second episode in the series of webinars on the Governance of Global Moon Exploration and Settlement.

Dr. Giuseppe Reibaldi, President of the Moon Village Association, opened the meeting by explaining the role of the MVA as platform for implementing the Moon Village concept by fostering peaceful cooperation among industry, government, space agencies, international organizations, and the public at large. To achieve this, the MVA published last March the *Draft Best Practices for Sustainable Lunar Activities* and has opened a process of public consultation to baseline this document by early October. The Best Practices create a common level playing field and a set of ground rules for future lunar activities. This initiative's urgency is dictated by the growing number of missions that plan to go to the Moon, many of which will take place in the same area which could create a risk of interference (a risk that is exacerbated by the current precarious political climate).

As the COPUOS Legal Subcommittee did not take place last April (where the MVA had planned to present the Best Practices) and in view of the urgency, MVA decided to send letters directly to the 94 COPUOS member states delegations. This is to inform about the initiative, ask for their comments, and invite them to support the Best Practices. The goal is to announce those countries supporting the Best Practices on November 9 when the 1st Online Global Moon Village Workshop & Symposium will take place.

The first speaker, **Prof. Mark Sundahl**, Director of the Global Space Law Center at Cleveland State University, addressed the existing legal ecosphere surrounding lunar governance. Prof. Sundahl explained that the Outer Space Treaty in combination with the additional three broadly ratified space treaties, represents the primary legal framework for conducting space activities. Besides this international treaty law, several other “soft law” instruments have been issued by the UN, including the Long-Term Sustainability Guidelines. Domestic laws addressing resource extraction are also part of the existing lunar legal ecosphere. Most recently, NASA has announced the Artemis Accords which will address a number of specific issues that are critical for the success of NASA’s international Artemis Project. However, the Artemis Accords will only apply to the United States and to the partners in the Artemis Project, leaving a gap in the lunar legal ecosphere. The role of the Moon Village Best Practices (which complement the Artemis Accords) would be to close this gap by extending the development of best practices to all other countries.

Mike Gold, the Acting Associate Administrator for NASA's Office of International and Interagency Relations, as the second speaker of the webinar, emphasized the need for the creation of a framework to accommodate the new needs of the Artemis program. Indeed, with numerous countries and private sector players conducting missions and operations in cislunar space, it is critical to establish a common set of principles to govern the civil exploration and use of outer space. These principles, elaborated within the Artemis Accords, include a need for (i) transparency, (ii) interoperability, (iii) the registration of objects and activities, (iv) the protection of heritage sites on the Moon, (v) the sharing of scientific data, and (vi) the development of best practices for space resources utilization. The Artemis Accords take a step forward in the development of bilateral and international discussions on these important issues. Although the Accords represent bilateral partnerships, as Mr. Gold underlined, they have the potential to spur multilateral discussions. Mr. Gold emphasized that the Artemis Accords and the MVA Best Practices are complementary and together will work to create critical ground rules and a common level playing field for future lunar missions. In view of this, Mr. Gold supports the Best Practices for Sustainable Lunar Activities.

The following speaker, **Dr. Marius Piso**, president and CEO of the Romanian Space Agency, first called Moon the “external continent of planet Earth”. He underlined the different levels of technological development of space actors, which today includes both small and large players, as well as the different purposes of lunar activities that could result in higher risk of potential conflicts. Dr. Piso emphasized the need to build a broader consensus on lunar governance, which can only be achieved by expanding at a global level an approach similar to the Artemis Accords. For this reason, Dr. Piso concluded by expressing his support for the MVA Best Practices as a promising way forward to build confidence, assure more extensive participation of countries, and create a common level playing field for future lunar exploration.

Finally, **George Danos**, president of the Cyprus Space Exploration Organisation, announced the first Online Global Moon Village Workshop & Symposium, which will take place November 9-10, 2020 (see the preliminary program at <https://moonvillageassociation.org/save-the-date-4th-international-moon-village-workshop-symposium-online-event>). He explained that the status of support for the Best Practices initiative will be announced at this event.

- **Distribution of Participants in this MVA Webinar, as for Zoom participation:104**

Europe	43%
North America	32%
South America	11%
Asia	10%
Africa	5%
Oceania	0%

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