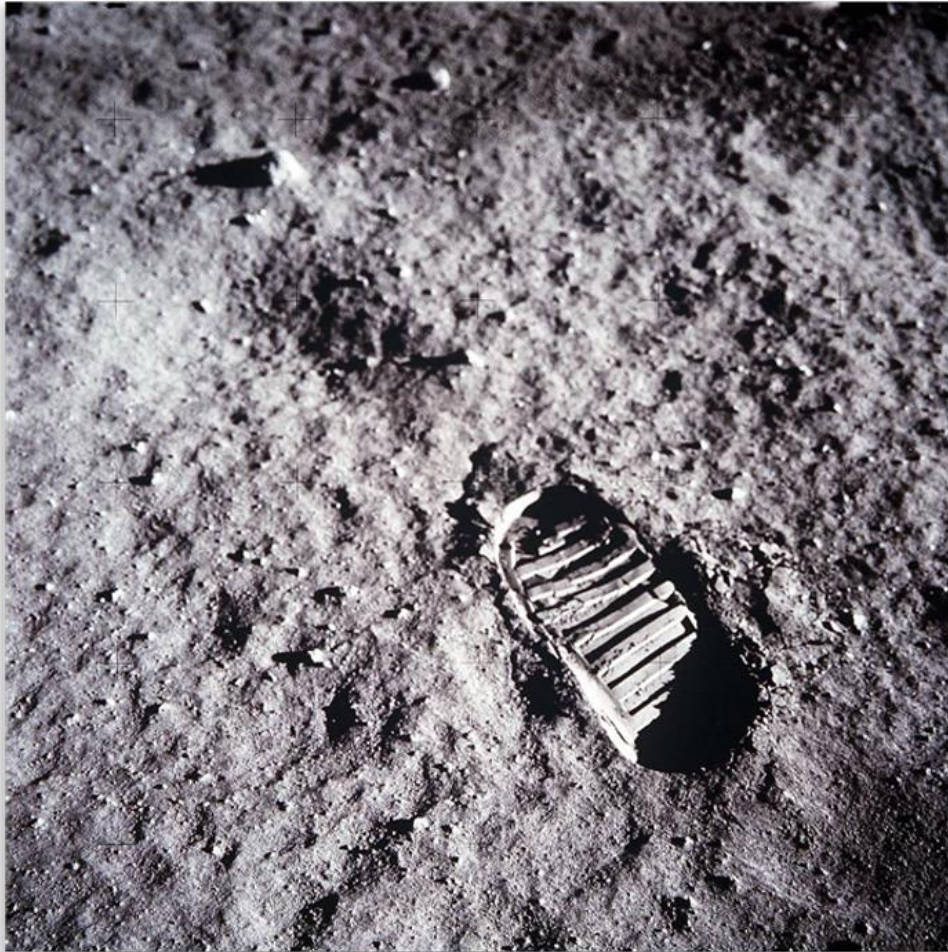


# Including Heritage Protection in Potential Legal Models for Activities in the Exploration, Exploitation and Utilization of Space Resources

63rd Session of the Legal Subcommittee of the  
United Nations Committee on the Peaceful Uses of Outer Space  
April 16, 2024

FOR ALL  
MOONKIND™





[www.forallmoonkind.org](http://www.forallmoonkind.org)

**For All Moonkind** is a non-profit organization that seeks to **protect and preserve human history and heritage** in outer space.

Our entirely volunteer team of space lawyers and policymakers is committed to support the development of reasonable and practical protocols that will balance space resource activities and cultural and natural heritage protection, including systems to select, manage and study relevant sites.

In so doing, we seek to promote the exploration, development and utilization of space and its resources in a sustainable and successful manner.

**FOR ALL  
MOONKIND™**

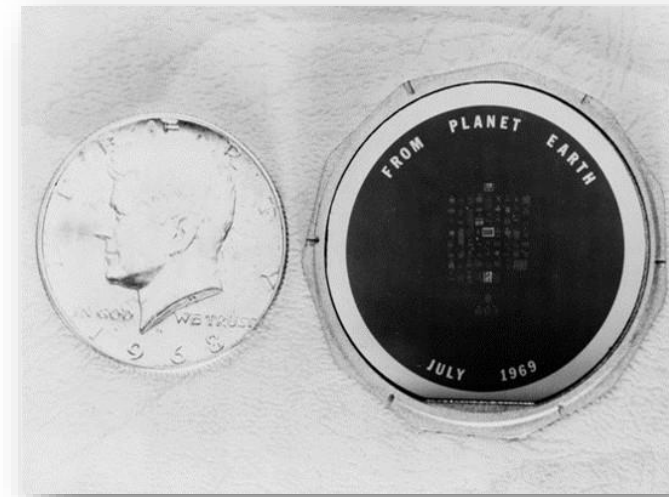


It is without question that the **decisions made today** with respect to the potential legal model for activities in the exploration, exploitation and utilization of space resources will have **far-reaching implications** for all humanity for many generations to come.

Perched on this rare threshold, we urge you recognize the extraordinary opportunity we have to shape a future that sees all of humanity benefiting from the vast resources and possibilities offered by outer space. This future starts with **the acknowledgment that the recognition and preservation of cultural heritage must be included in the legal framework developed for space resource utilization.**



Medallions transported to the lunar surface with Luna 2.



Messages of Peace from 74 nations left on the lunar surface during the Apollo 11 mission.

Outstanding Universal Value means cultural and/or natural significance which is so exceptional as to **transcend national boundaries** and to be of **common importance for present and future generations of all humanity**. As such, the permanent protection of this heritage is of the highest importance to the international community as a whole.

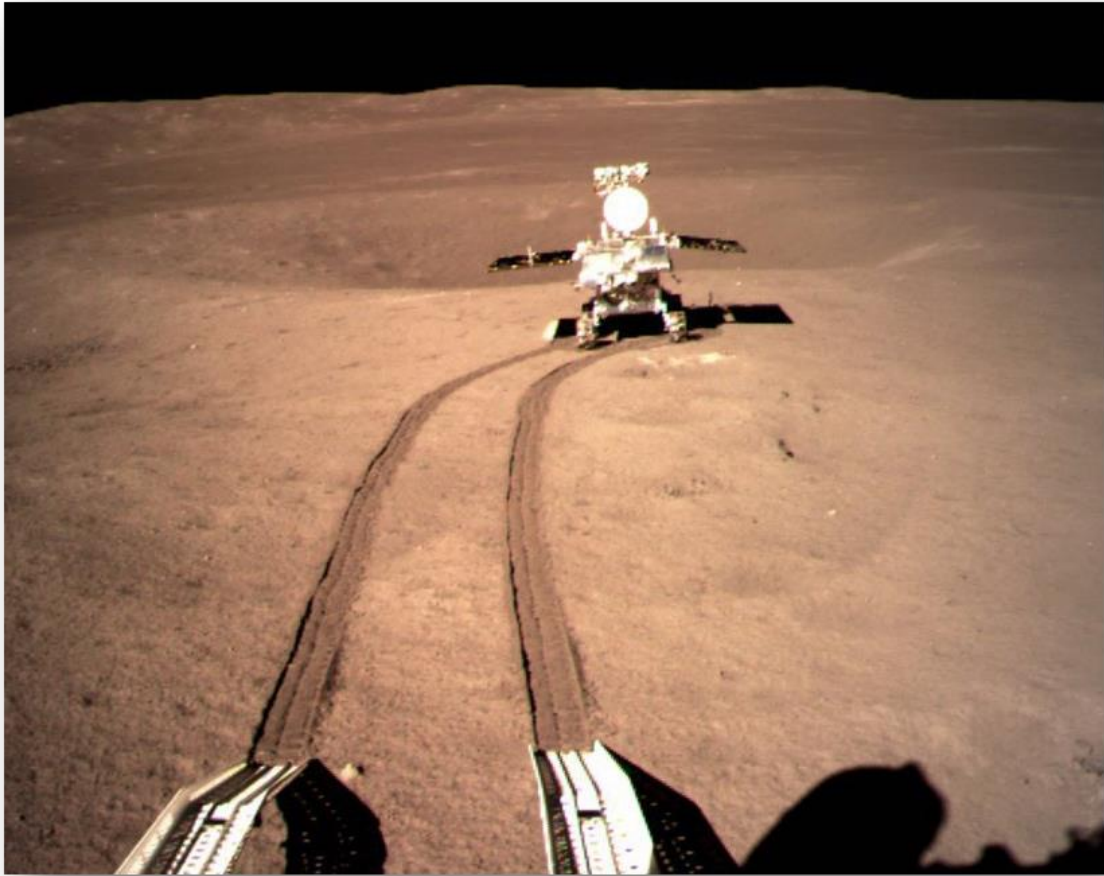
By identifying, protecting, conserving, presenting and transmitting to present and future generations irreplaceable cultural and natural heritage properties of Outstanding Universal Value, the World Heritage Convention, in itself, contributes significantly to **sustainable development and the wellbeing of people**.



\*World Heritage Convention, 2023 Operational Guidelines

FOR ALL  
MOONKIND™





Yutu-2 rolls off the Chang'e 4 lander onto the lunar surface in January 2019. Credit: CNSA

**What is of more universal outstanding value than humanity's first forays away from our mother Earth, humanity's cradle? They:**

- represent a masterpiece of human creative genius;
- [are] an outstanding example of a . . . technological ensemble or landscape which illustrates (a) significant stage(s) in human history;
- [are] directly or tangibly associated with events . . . with ideas, of outstanding universal significance.



United Nations  
Educational, Scientific and  
Cultural Organization



World Heritage  
Convention

The World Heritage Convention cannot be applied to outer space. The Convention relies upon States to nominate heritage sites **within their territories**.

Article II, the nonappropriation principle of the Outer Space Treaty prohibits States from claiming territory in outer space by sovereignty **or any other means**. Thus, we can borrow from the World Heritage Convention, but cannot follow its nominating scheme.



Only one of these footprints is protected.  
**This Committee can change that.**

### **Article III of the Outer Space Treaty**

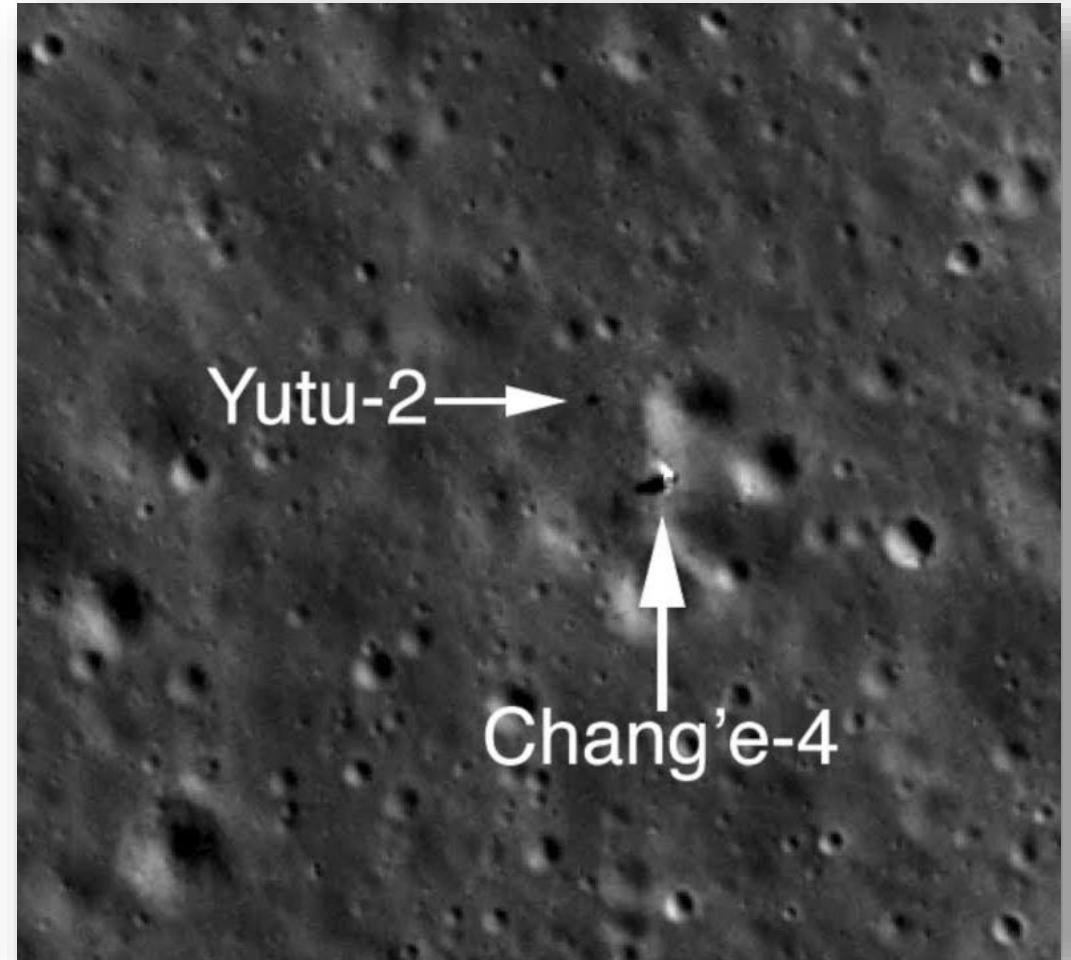
obligates States parties to “carry on activities in the exploration and use of outer space, including the Moon and other celestial bodies, in accordance with international law.”

**Cultural heritage law is part of international law and should not be ignored.**

This Legal Subcommittee is obligated to consider the further development of international law with the natural harmonization of space and cultural heritage law.

**The LTS Guidelines** define the long-term sustainability of outer space activities “as the ability to maintain the conduct of space activities indefinitely into the future in a manner that realizes the objectives of equitable access to the benefits of the exploration and use of outer space for peaceful purposes, in order to meet the needs of the present generations while preserving the outer space environment for future generations.”

**Cultural heritage is part of the outer space environment that should be preserved for future generations.**



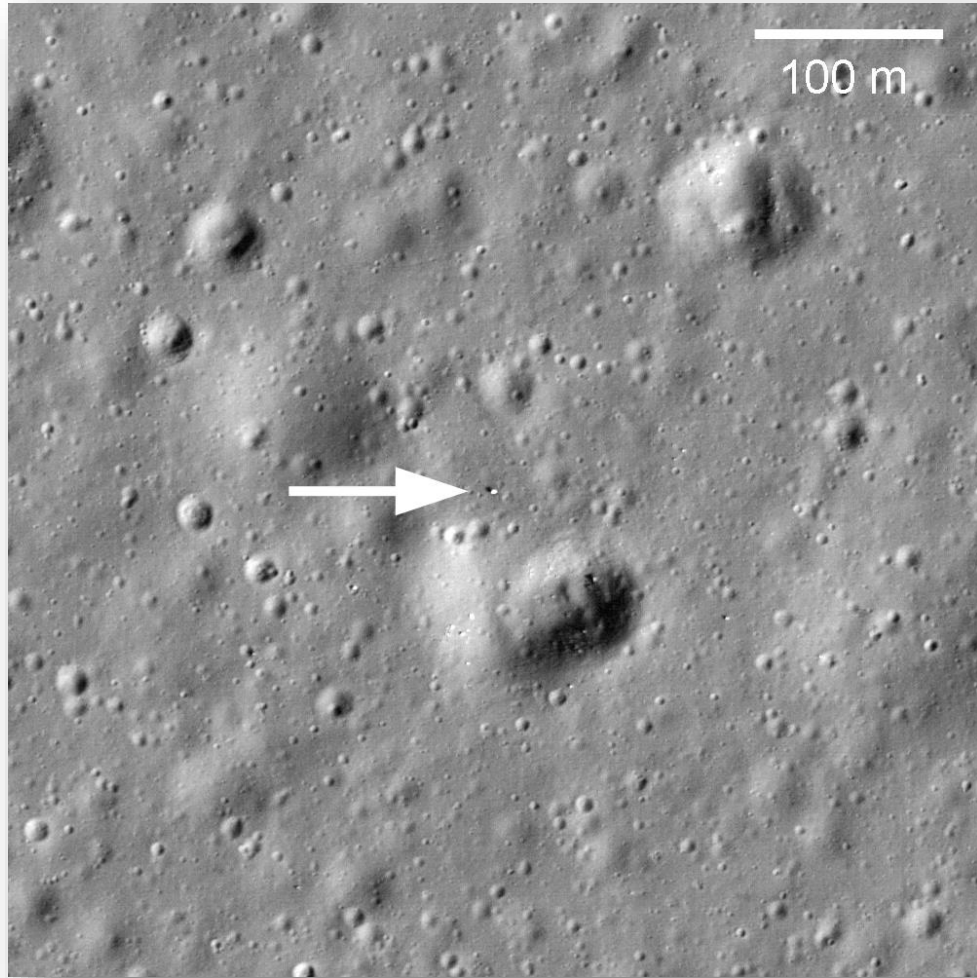




A feather rests on the lunar surface, delivered during the United States Apollo 15 mission to show that Shows that all objects fall at the same rate regardless of mass.

**It is the responsibility of this Legal Subcommittee to address – resolve – the conflicts within the Outer Space Treaty.**

- Article I: free access to all areas of celestial bodies
- Article II: nonappropriation principle
- Article IX: due regard to the corresponding interests of all others
- Article XII: assumes some control over access to stations, installation and equipment.

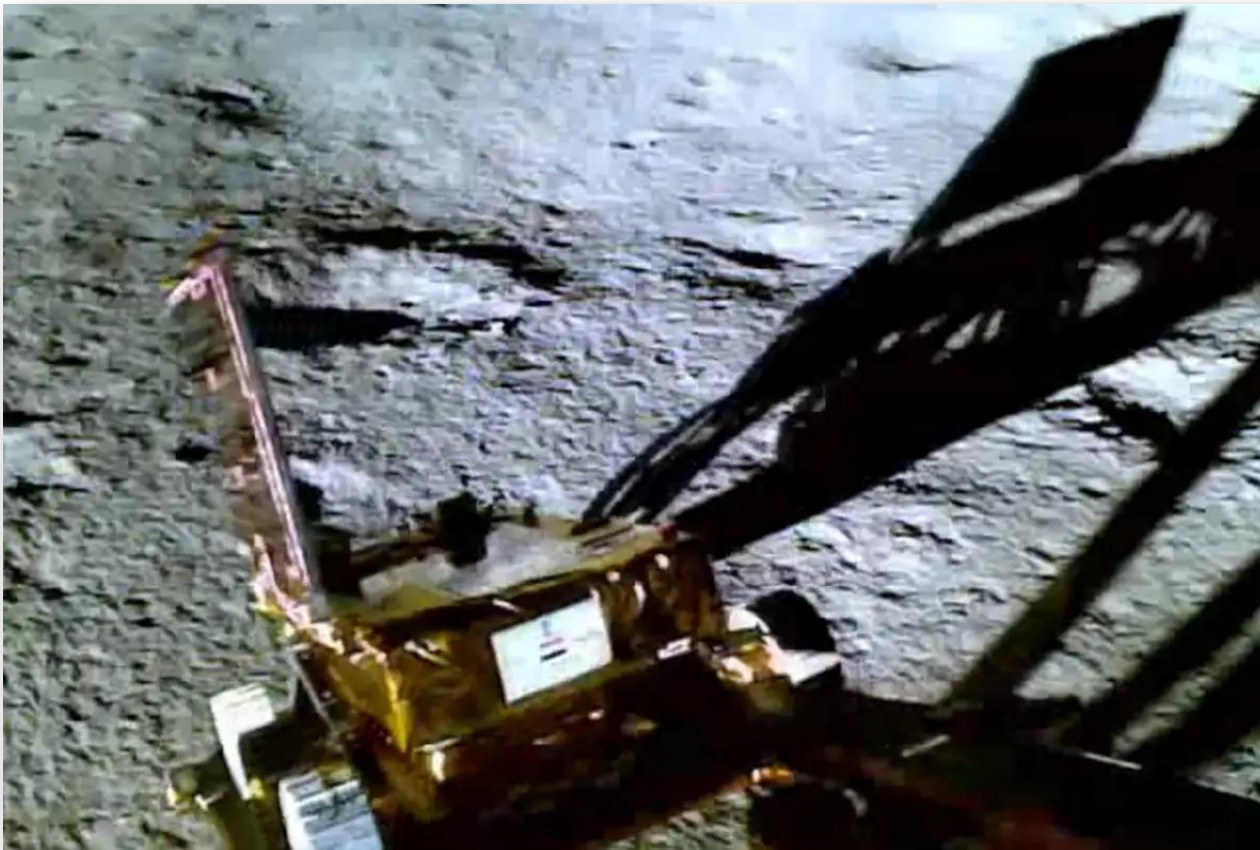


**“To protect outer space heritage, protected areas need to be designated where exploration and use activities are prohibited or limited.”\***

\*Jinyuan Su, Jinxuan Li, Space Policy,  
<https://doi.org/10.1016/j.spacepol.2024.101625>

**For All Moonkind has been a tireless advocate for the implementation of such zones.**

Lunokhod 1 (as seen from Lunar Reconnaissance Orbiter) was the name of a Russian robotic rover that landed on the moon in 1970 and navigated about 6 miles (10 km) of the lunar surface over 10 months before it lost contact in September 1971.



Chandrayaan-3's Pragyan rover going down a ramp from the lander to reach the surface of the Moon. Credit: ISRO

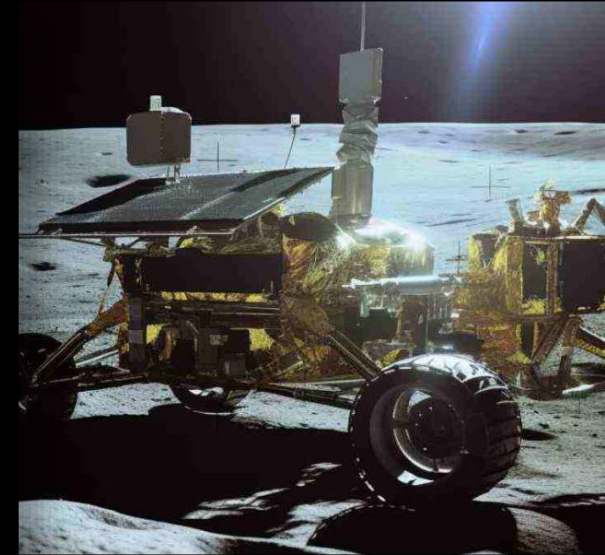
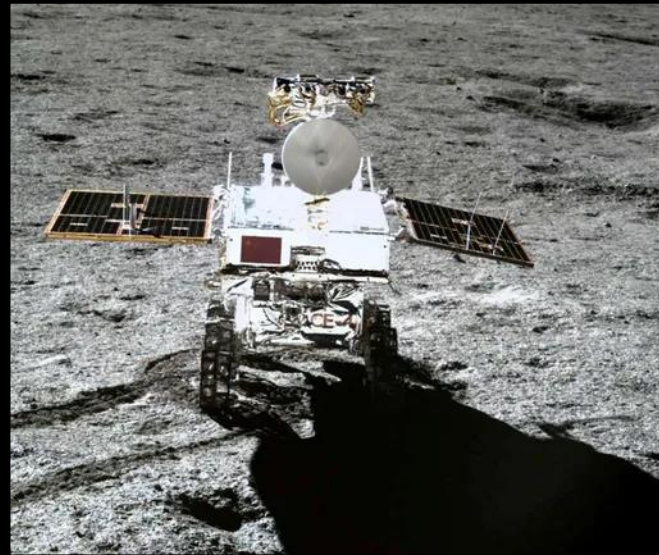
**Heritage Sites** can be a testing ground for the implementation of **Safety Zones**

Use **technical, engineering,** and **scientific** grounds for establishment of the zone.

Implementing temporary safety zones provides the international community more legal certainty as to how to establish safety zones, how to operate within and outside of them, and will give more time for a more permanent solution to our **heritage sites.**



# Resolution adopted by the General Assembly



It is time to recognize, celebrate and protect the sites and objects which memorialize human achievements of outstanding universal value. These, by far, are our most precious – and most vulnerable – resources in space.

From left to right: Luna 2, the first human made object to impact another celestial body (credit NASA); Apollo 11, the first humans to set foot on another celestial body (credit NASA); Chang'e 4, the first mission to explore the far side of the Moon (credit CNSA); and Chandrayaan 3 the first soft landing near the lunar south pole (credit ISRO).

# Thank you

**Michelle Hanlon** // Co-Founder  
[Michelle@forallmoonkind.org](mailto:Michelle@forallmoonkind.org)

**Josh Smith** // Legal Fellow  
[jtsmit13@go.olemiss.edu](mailto:jtsmit13@go.olemiss.edu)



<https://www.forallmoonkind.org>

