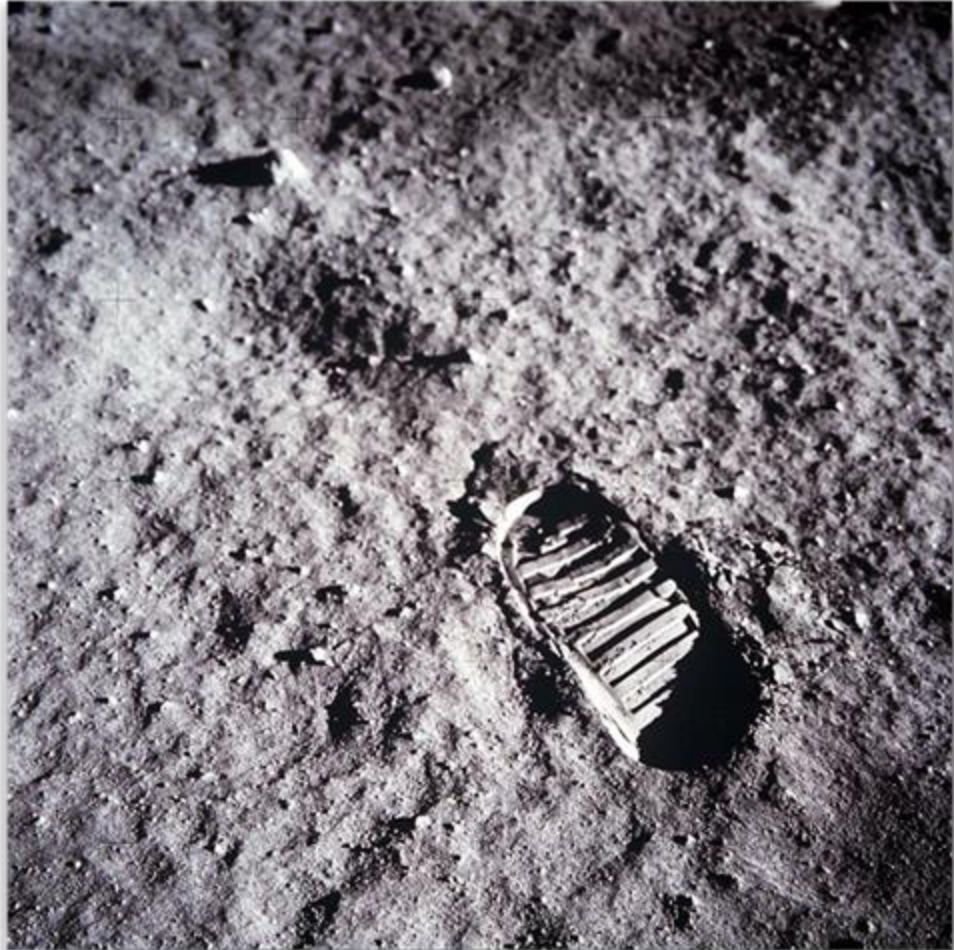


Placing Culture at the Heart of Development

62nd Session of the Legal Subcommittee
March 20, 2023

FOR ALL
MOONKIND™





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 and cultural heritage lawyers, policymakers and communicators is working to develop reasonable and practical protocols that will balance development and preservation and include systems to select, manage and study relevant sites.

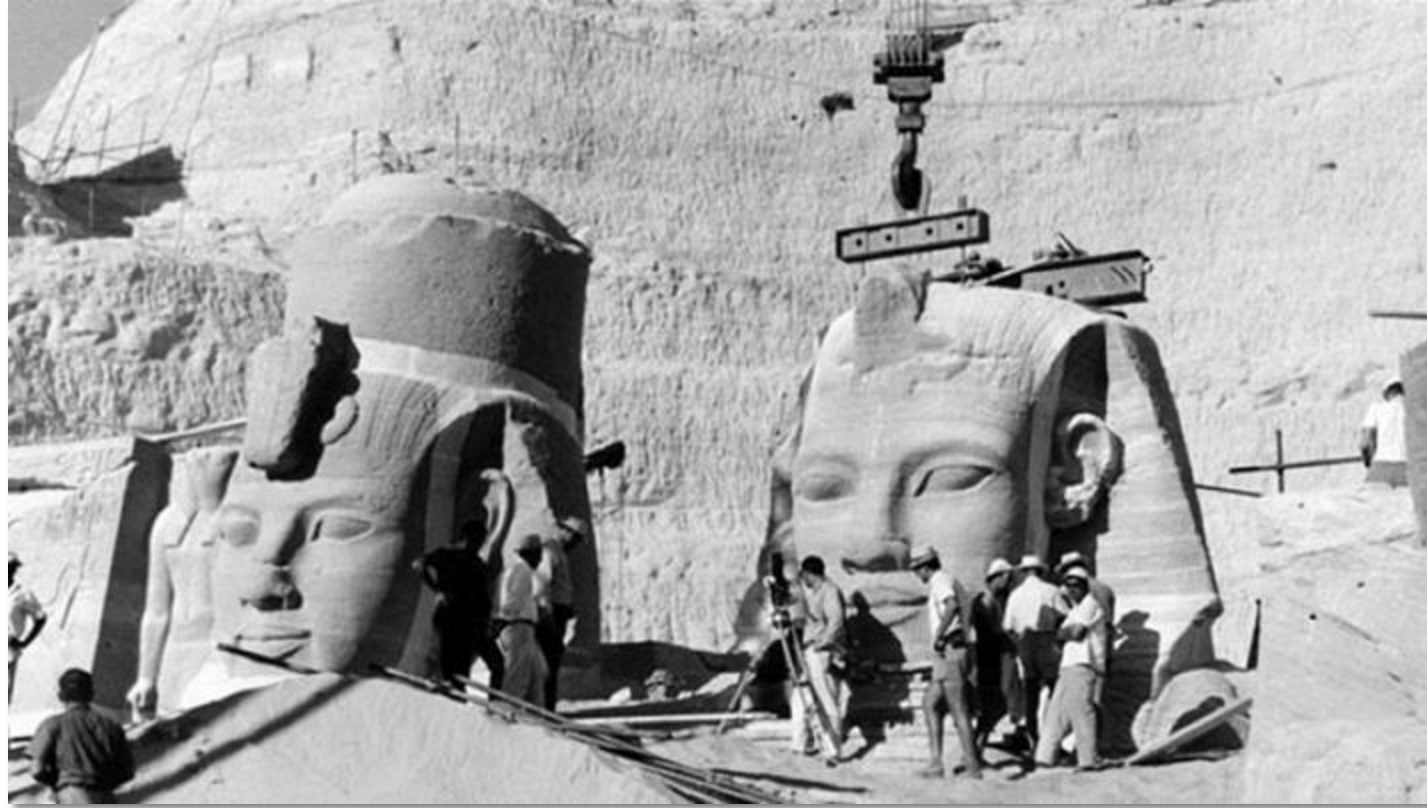
In so doing, we seek to **promote the exploration, development and utilization of space and its resources** in a **sustainable** and successful manner.

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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 future generations, and indeed, all humanity.

For All Moonkind urges the Legal Subcommittee to embrace a concept for space that has **already been accepted** by virtually every nation on Earth: **the preservation of cultural heritage.**





The International Rescue Nubia Campaign “will be numbered among the few major attempts made in our lifetime by the nations to assume their common responsibility towards the past so as to move forward in a spirit of kinship towards the future.”

UNESCO Director-General Amadou-Mahter M’Bow



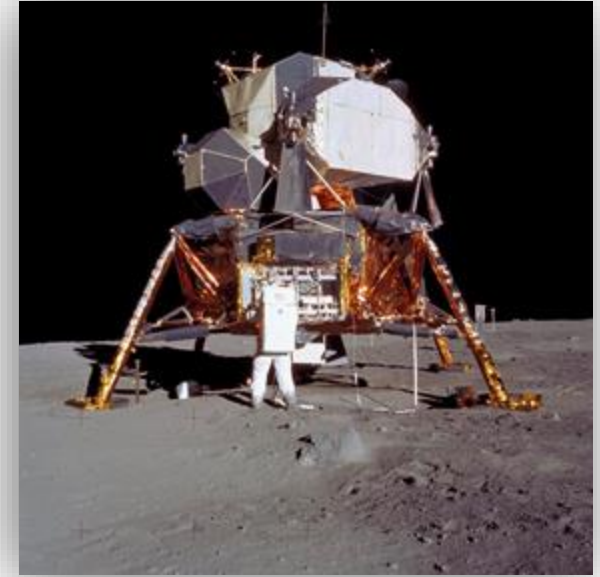
United Nations
Educational, Scientific and
Cultural Organization



World Heritage
Convention

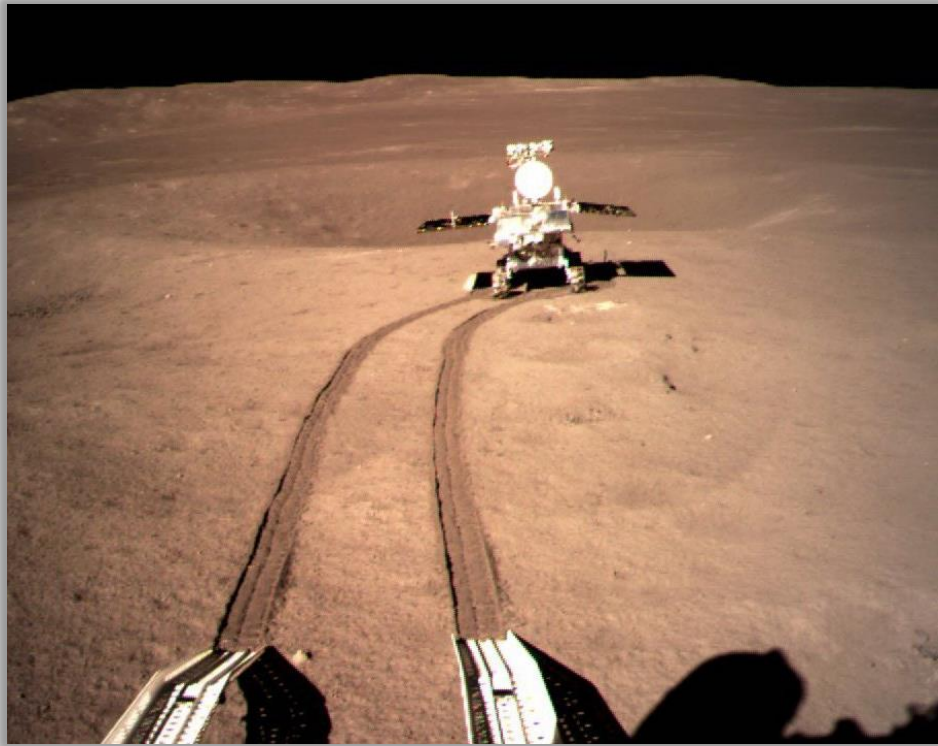
The World Heritage Convention cannot be applied to outer space. The Convention relies upon States to nominate heritage sites **within their territories**.

Article II, the non-appropriation 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.



The technological triumphs of reaching space are “not the triumph of a handful of quiet” individuals, but “the result of culture accumulated through centuries, with the contributions brought by the sufferings of [humans]; it is the triumph of [human] intellect – the human that is part of us all.”

- Mr. Vega Gomes, El Salvadore



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.”

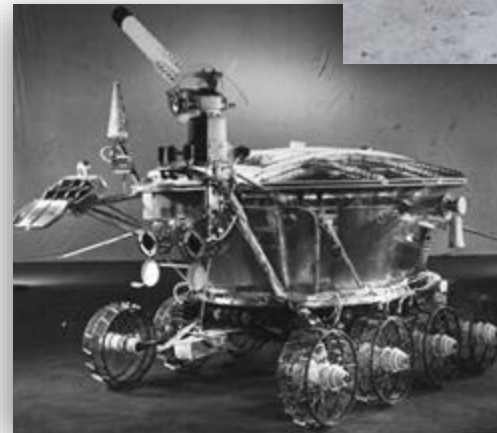
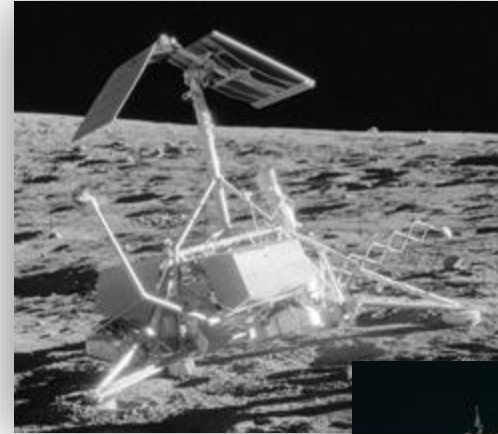
Cultural heritage law is part of international law and should not be ignored.

Thus, this Subcommittee should consider the further development of international law with the natural harmonization of space and cultural heritage law.

In 2016, the COPUOS asserted that legal and institutional initiatives were needed to ensure that international space law is a relevant part of global space governance in the 21st century.

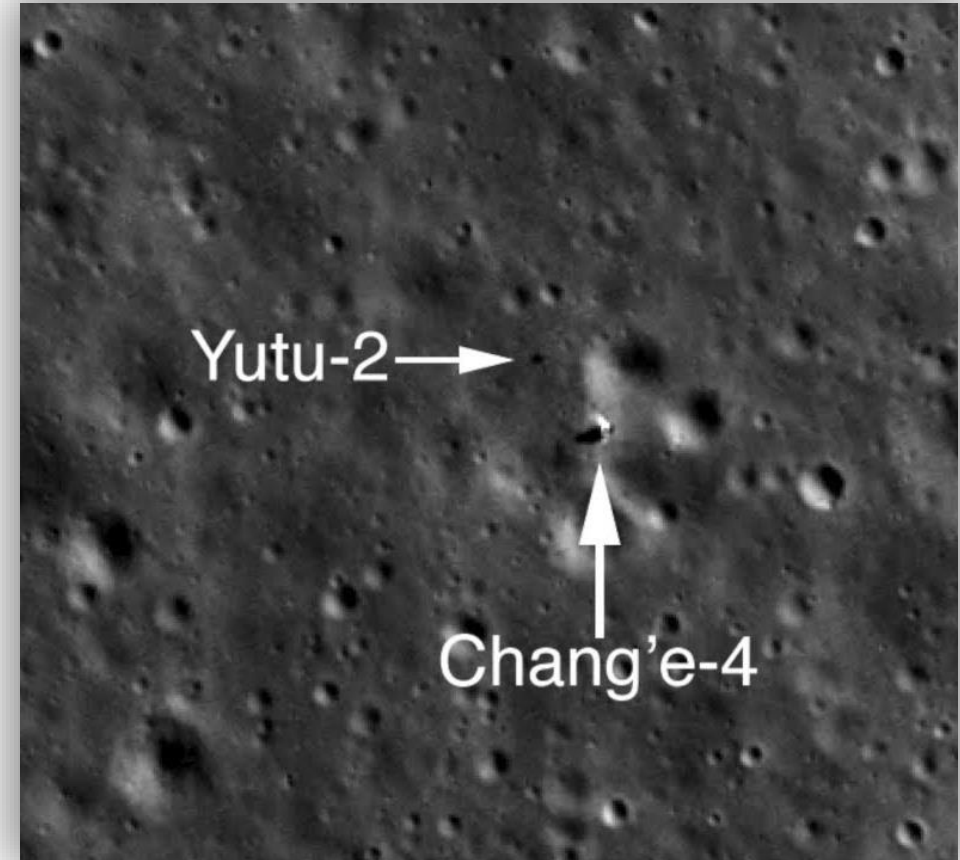
It, therefore, mandated this Subcommittee to promote the progressive development of international law by identifying areas that may require additional regulations.

Cultural heritage is one of those areas.



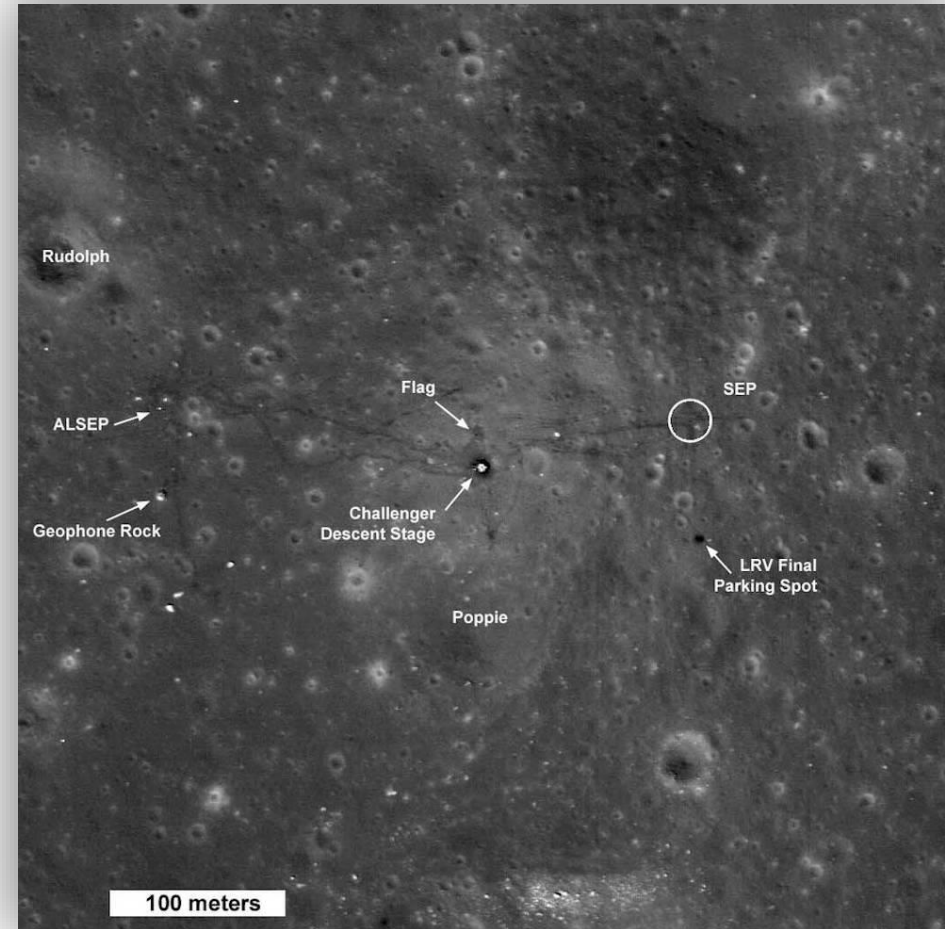
The LTS Guidelines define the long-term sustainability of outer space activities “as the ability to maintain the conduct of space activities indefinitely into the future in a manner that realizes the objectives of equitable access to the benefits of the exploration and use of outer space for peaceful 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.



Considering cultural heritage in space also advances two of the seven UNISPACE+50 thematic priorities:

- Priority 2: the “legal regime of outer space and global space governance”
- Priority 3: “enhanced information exchange on space objects and events.”

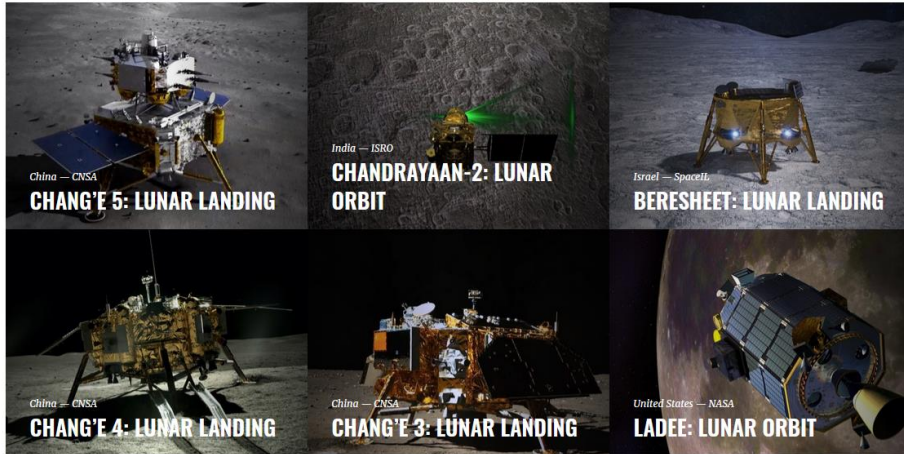


Cultural heritage in outer space is instrumental to advancing several UN Sustainable Development Goals, including:

SDG 16: “promote peaceful and inclusive societies for sustainable development, provide access to justice for and build effective, accountable and inclusive institutions at all levels.”

SDG 17: “strengthen the means of implementation and revitalize Global Partnership for Sustainable Developments.”





<https://moonregistry.forallmoonkind.org/>

As a matter of first instance, the Legal Subcommittee should agree on a **definitive list** of human heritage sites and objects on the Moon.

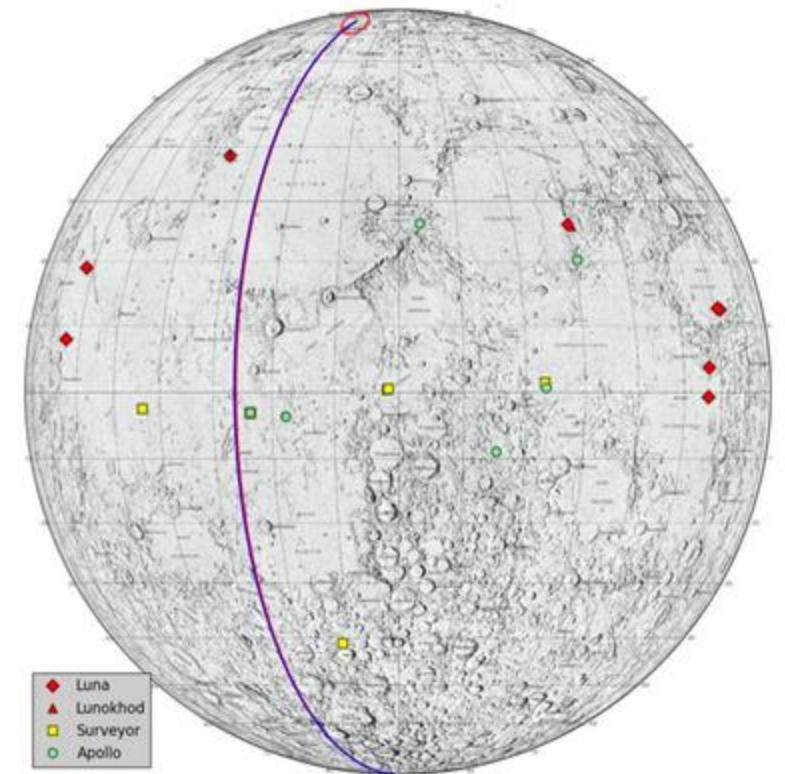
Such a list should contain approximate coordinates of heritage sites to promote cooperation and transparency and assist in mission planning.

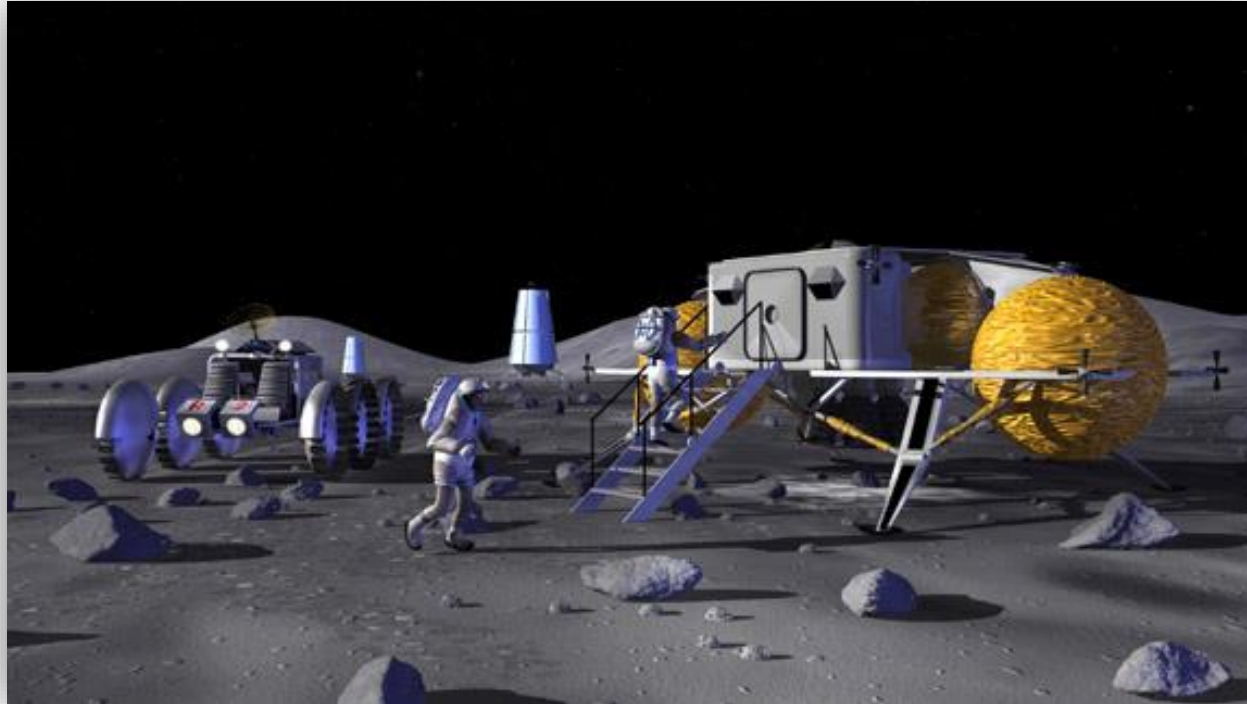
This Subcommittee can start with small steps:

Identify three to five sites that **embody humanity's historic firsts on the Moon**, such as:

- Luna 2
- Luna 9
- Apollo 11
- Chang'e 4

Implementing **temporary heritage protection zones** around selected sites will allow their conservation while the international community determines what it means to meet the obligation of due regard as required by Article IX of the Outer Space Treaty.





Temporary heritage protection zones can also serve as **a baseline**, an ideal starting point to assist the international community with developing the legal concept of safety zones beyond Earth and advancing scientific and technical tools necessary to safeguard cultural heritage in space from foreseen and unforeseen hazards.

Cultural heritage supports cultural identity, collective memory and sense of place. It has a crucial role in achieving sustainable development. And it also enables social cohesion and strengthens social well-being.

Heritage embodies the treasures of humanity and is a non-renewable resource that must be properly managed for current and future generations.

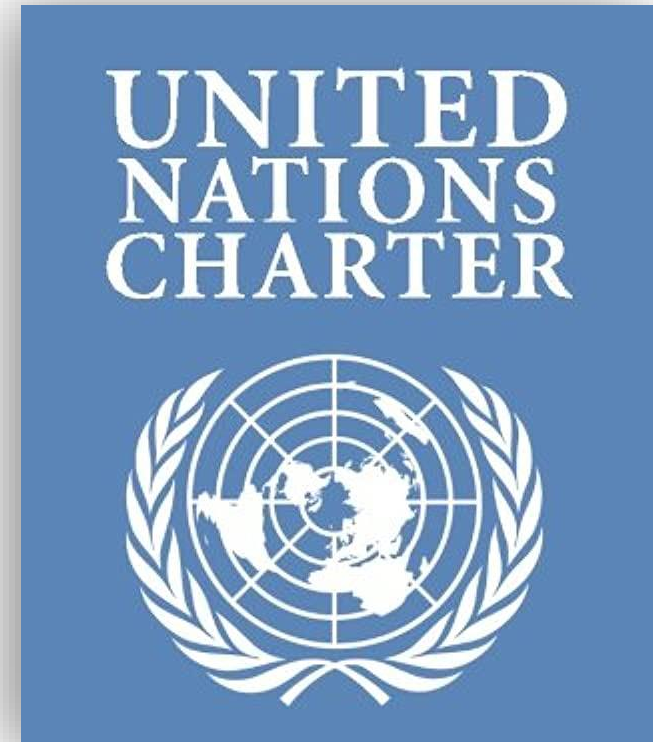
It is incontrovertible that **our historic sites in space** are the **most vulnerable**, and we must develop processes to identify and safeguard them.



The COPUOS, in conjunction with this Legal Subcommittee and the Scientific and Technical Subcommittee, should collaborate with other UN auspices to safeguard cultural heritage in space.

A potential model is the United Nations draft agreement finalized on 4 March 2023, which seeks to extend international law under a legally binding instrument to conserve areas beyond national jurisdiction (ABNJ) in the Earth's oceans.

Placing culture at the core of development is the only way to assure the sustainable and successful exploration, and use of space.



Thank you

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