AGREEMENT GOVERNING THE ACTIVITIES OF STATES ON THE MOON AND OTHER CELESTIAL BODIES (MOON AGREEMENT)

ENTERED INTO FORCE: 11 July 1984

The States Parties to this Agreement,

NOTING the achievements of States in the exploration and use of the moon and other celestial bodies,

RECOGNIZING that the moon, as a natural satellite of the earth, has an important role to play in the exploration of outer

important role to play in the exploration of outer space,

DETERMINED to promote on the basis of equality the further development of

co-operation among States in the exploration and use of the moon and other celestial bodies,

DESIRING to prevent the moon from becoming an area of international conflict,

BEARING in mind the benefits which may be derived from the exploitation

of the natural resources of the moon and other celestial bodies,

RECALLING the Treaty on Principles Governing the Activities of States in

the Exploration and Use of Outer Space, including the Moon and Other

Celestial Bodies, the Agreement on the Rescue of Astronauts, the Return

of Astronauts and the Return of Objects Launched into Outer Space, the

Convention on International Liability for Damage Caused by Space Objects,

and the Convention on Registration of Objects Launched into Outer Space,

TAKING into account the need to define and develop the provisions of

these international instruments in relation to the moon and other

celestial bodies, having regard to further progress in the exploration and use of outer space,

HAVE AGREED on the following:

ARTICLE 1

1. The provisions of this Agreement relating to the moon shall also apply to other celestial bodies within the solar system, other than the earth, except in so far as specific legal norms enter into force with respect to any of these celestial bodies.

- 2. For the purposes of this Agreement reference to the moon shall include orbits around or other trajectories to or around it.
- 3. This Agreement does not apply to extraterrestrial materials which reach the surface of the earth by natural means.

ARTICLE 2

All activities on the moon, including its exploration and use, shall be

carried out in accordance with international law, in particular the

Charter of the United Nations, and taking into account the Declaration on

Principles of International Law concerning Friendly Relations and

Co-operation Among States in accordance with the Charter of the United

Nations, adopted by the General Assembly on 24 October 1970, in the

interests of maintaining international peace and security and promoting

international co-operation and mutual understanding, and with due regard

to the corresponding interests of all other States Parties.

Article 3

- 1. The moon shall be used by all States Parties exclusively for peaceful purposes.
- 2. Any threat or use of force or any other hostile act or threat of

hostile act on the moon is prohibited. It is likewise prohibited to use

the moon in order to commit any such act or to engage in any such threat

in relation to the earth, the moon, spacecraft, the personnel of

spacecraft or man-made space objects.

3. States Parties shall not place in orbit around or other trajectory to

or around the moon objects carrying nuclear weapons or any other kinds of

weapons of mass destruction or place or use such weapons on or in the moon.

4. The establishment of military bases, installations and fortifications.

the testing of any type of weapons and the conduct of military manoeuvres

on the moon shall be forbidden. The use of military personnel for

scientific research or for any other peaceful purposes shall not be

prohibited. The use of any equipment or facility necessary for peaceful

exploration and use of the moon shall also not be prohibited.

ARTICLE 4

1. The exploration and use of the moon shall be the province of all

mankind and shall be carried out for the benefit and in the interests of

all countries, irrespective of their degree of economic or scientific

development. Due regard shall be paid to the interests of present and

future generations as well as to the need to promote higher standards of

living and conditions of economic and social progress and development in

accordance with the Charter of the United Nations.

2. States Parties shall be guided by the principle of co-operation and

mutual assistance in all their activities concerning the exploration and

use of the moon. International co-operation in pursuance of this

Agreement should be as wide as possible and may take place on a

multilateral basis, on a bilateral basis or through international

intergovernmental organizations.

ARTICLE 5

1. States Parties shall inform the Secretary-General of the United

Nations as well as the public and the international scientific community.

to the greatest extent feasible and practicable, of their activities

concerned with the exploration and use of the moon. Information on the

time, purposes, locations, orbital parameters and duration shall be given

in respect of each mission to the moon as soon as possible after

launching, while information on the results of each mission, including

scientific results, shall be furnished upon completion of the mission. In

the case of a mission lasting more than thirty days, information on

conduct of the mission, including any scientific results, shall be given

periodically at thirty days' intervals. For missions lasting more than

six months, only significant additions to such information need be reported thereafter.

2. If a State Party becomes aware that another State Party plans to

operate simultaneously in the same area of or in the same orbit around or

trajectory to or around the moon, it shall promptly inform the other

State of the timing of and plans for its own operations.

3. In carrying out activities under this Agreement, States Parties shall

promptly inform the Secretary-General, as well as the public and the

international scientific community, of any phenomena they discover in

outer space, including the moon, which could endanger human life or

health, as well as of any indication of organic life.

ARTICLE 6

1. There shall be freedom of scientific investigation on the moon by all

States Parties without discrimination of any kind, on the basis of

equality and in accordance with international law.

2. In carrying out scientific investigations and in furtherance of the

provisions of this Agreement, the States Parties shall have the right to

collect on and remove from the moon samples of its mineral and other

substances. Such samples shall remain at the disposal of those States

Parties which caused them to be collected and may be used by them for

scientific purposes. States Parties shall have regard to the desirability

of making a portion of such samples available to other interested States

Parties and the international scientific community for scientific

investigation. States Parties may in the course of scientific

investigations also use mineral and other substances of the moon in

quantities appropriate for the support of their missions.

3. States Parties agree on the desirability of exchanging scientific and

other personnel on expeditions to or installations on the moon to the

greatest extent feasible and practicable.

ARTICLE 7

1. In exploring and using the moon, States Parties shall take measures to

prevent the disruption of the existing balance of its environment whether

by introducing adverse changes in that environment, by its harmful

contamination through the introduction of extraenvironmental matter or

otherwise. States Parties shall also take measures to avoid harmfully

affecting the environment of the earth through the introduction of

extraterrestrial matter or otherwise.

2. States Parties shall inform the Secretary-General of the United

Nations of the measures being adopted by them in accordance with

paragraph 1 of this article and shall also, to the maximum extent

feasible, notify him in advance of all placements by them of radio-active

materials on the moon and of the purposes of such placements.

3. States Parties shall report to other States Parties and to the

Secretary-General concerning areas of the moon having special scientific

interest in order that, without prejudice to the rights of other States

Parties, consideration may be given to the designation of such areas as

international scientific preserves for which special protective

arrangements are to be agreed upon in consultation with the competent

bodies of the United Nations.

ARTICLE 8

1. States Parties may pursue their activities in the exploration and use of the moon anywhere on or below its surface, subject to the provisions of this Agreement.

- 2. For these purposes States Parties may, in particular:
- (a) Land their space objects on the moon and launch them from the moon;
- (b) Place their personnel, space vehicles, equipment, facilities,

stations and installations anywhere on or below the surface of the

moon.

Personnel, space vehicles, equipment, facilities, stations and installations may move or be moved freely over or

below the surface of

the moon.

3. Activities of States Parties in accordance with paragraphs 1 and 2 of

this article shall not interfere with the activities of other States

Parties on the moon. Where such interference may occur, the States

Parties concerned shall undertake consultations in accordance with

article 15, paragraphs 2 and 3 of this Agreement.

ARTICLE 9

1. States Parties may establish manned and unmanned stations on the moon.

A State Party establishing a station shall use only that area which is

required for the needs of the station and shall immediately inform the

Secretary-General of the United Nations of the location and purposes of

that station. Subsequently, at annual intervals that State shall likewise

inform the Secretary-General whether the station continues in use and

whether its purposes have changed.

2. Stations shall be installed in such a manner that they do not impede

the free access to all areas of the moon by personnel, vehicles and

equipment of other States Parties conducting activities on the moon in

accordance with the provisions of this Agreement or of article I of the

Treaty on Principles Governing the Activities of States in the

Exploration and Use of Outer Space, including the Moon and Other

Celestial Bodies.

ARTICLE 10

1. States Parties shall adopt all practicable measures to safeguard the

life and health of persons on the moon. For this purpose they shall

regard any person on the moon as an astronaut within the meaning of

article V of the Treaty on Principles Governing the Activities of States

in the Exploration and Use of Outer Space, including the Moon and Other

Celestial Bodies and as part of the personnel of a spacecraft within the

meaning of the Agreement on the Rescue of Astronauts, the Return of

Astronauts and the Return of Objects Launched into Outer Space.

2. States Parties shall offer shelter in their stations, installations.

vehicles and other facilities to persons in distress on the moon.

1. The moon and its natural resources are the common heritage of mankind,

which finds its expression in the provisions of this Agreement and in

particular in paragraph 5 or this article.

2. The moon is not subject to national appropriation by any claim of sovereignty, by means of use or occupation, or by any other means.

3. Neither the surface nor the subsurface of the moon, nor any part

thereof or natural resources in place, shall become property of any

State, international intergovernmental or nongovernmental organization,

national organization or non-governmental entity or of any natural

person. The placement of personnel, space vehicles, equipment,

facilities, stations and installations on or below the surface of the

moon, including structures connected with its surface or subsurface,

shall not create a right of ownership over the surface or the subsurface

of the moon or any areas thereof. The foregoing provisions are without

prejudice to the international rgime referred to in paragraph 5 of this article.

4. States Parties have the right to exploration and use of the moon

without discrimination of any kind, on a basis of equality and in

accordance with international law and the terms of this Agreement.

5. States Parties to this Agreement hereby undertake to establish an

international rgime, including appropriate procedures, to govern the

exploitation of the natural resources of the moon as such exploitation is

about to become feasible. This provision shall be implemented in

accordance with article 18 of this Agreement.

6. In order to facilitate the establishment of the international rgime

referred to in paragraph 5 of this article, States Parties shall inform

ARTICLE 11

the Secretary-General of the United Nations as well as the public and the

international scientific community, to the greatest extent feasible and

practicable, of any natural resources they may discover on the moon.

- 7. The main purposes of the international rgime to be established shall include:
- (a) The orderly and safe development of the natural resources of the

moon;

- (b) The rational management of those resources;
- (c) The expansion of opportunities in the use of those resources;
- (d) An equitable sharing by all States Parties in the benefits derived

from those resources, whereby the interests and needs of the

developing countries, as well as the efforts of those countries

which have contributed either directly or indirectly to the

exploration of the moon, shall be given special consideration.

8. All the activities with respect to the natural resources of the moon

shall be carried out in a manner compatible with the purposes specified

in paragraph 7 of this article and the provisions of article 6, paragraph

2, of this Agreement.

ARTICLE 12

1. States Parties shall retain jurisdiction and control over their

personnel, vehicles, equipment, facilities, stations and installations on

the moon. The ownership of space vehicles, equipment, facilities,

stations and installations shall not be affected by their presence on the moon.

2. Vehicles, installations and equipment or their component parts found

in places other than their intended location shall be dealt with in

accordance with article 5 of the Agreement on Rescue of Astronauts, the

Return of Astronauts and the Return of Objects Launched into Outer Space.

3. In the event of an emergency involving a threat to human life, States

Parties may use the equipment, vehicles, installations, facilities or

supplies of other States Parties on the moon. Prompt notification of such

use shall be made to the Secretary-General of the United Nations or the

State Party concerned.

ARTICLE 13

A State Party which learns of the crash landing, forced landing or other

unintended landing on the moon of a space object, or its component parts,

that were not launched by it, shall promptly inform the launching State

Party and the Secretary-General of the United Nations.

ARTICLE 14

1. States Parties to this Agreement shall bear international

responsibility for national activities on the moon, whether such

activities are carried on by governmental agencies or by non-governmental

entities, and for assuring that national activities are carried out in

conformity with the provisions set forth in this Agreement. States

Parties shall ensure that non-governmental entities under their

jurisdiction shall engage in activities on the moon only under the

authority and continuing supervision of the appropriate State Party.

2. States Parties recognize that detailed arrangements concerning

liability for damage caused on the moon, in addition to the provisions of

the Treaty on Principles Governing the Activities of States in the

Exploration and Use of Outer Space, including the Moon and Other

Celestial Bodies and the Convention on International Liability for Damage

Caused by Space Objects, may become necessary as a result of more

extensive activities on the moon. Any such arrangements shall be

elaborated in accordance with the procedure provided for in article 18 of this Agreement.

ARTICLE 15

1. Each State Party may assure itself that the activities of other States

Parties in the exploration and use of the moon are compatible with the

provisions of this Agreement. To this end, all space vehicles, equipment,

facilities, stations and installations on the moon shall be open to other

States Parties. Such States Parties shall give reasonable advance notice

of a projected visit, in order that appropriate consultations may be held

and that maximum precautions may be taken to assure safety and to avoid

interference with normal operations in the facility to be visited. In

pursuance of this article, any State Party may act on its own behalf or

with the full or partial assistance of any other State Party or through

appropriate international procedures within the framework of the United

Nations and in accordance with the Charter.

2. A State Party which has reason to believe that another State Party is

not fulfilling the obligations incumbent upon it pursuant to this

Agreement or that another State Party is interfering with the rights

which the former State has under this Agreement may request consultations

with that State Party. A State Party receiving such a request shall enter

into such consultations without delay. Any other State Party which

requests to do so shall be entitled to take part in the consultations.

Each State Party participating in such consultations shall seek a

mutually acceptable resolution of any controversy and shall bear in mind

the rights and interests of all States Parties. The Secretary-General of

the United Nations shall be informed of the results of the consultations

and shall transmit the information received to all States Parties concerned.

3. If the consultations do not lead to a mutually acceptable settlement

which has due regard for the rights and interests of all States Parties.

the parties concerned shall take all measures to settle the dispute by

other peaceful means of their choice appropriate to the circumstances and

the nature of the dispute. If difficulties arise in connexion with the

opening of consultations or if consultations do not lead to a mutually

acceptable settlement, any State Party may seek the assistance of the

Secretary-General, without seeking the consent of any other State Party

concerned, in order to resolve the controversy. A State Party which does

not maintain diplomatic relations with another State Party concerned

shall participate in such consultations, at its choice, either itself or

through another State Party or the Secretary-General as intermediary.

ARTICLE 16

With the exception of articles 17 to 21, references in this Agreement to

States shall be deemed to apply to any international intergovernmental

organization which conducts space activities if the organization declares

its acceptance of the rights and obligations provided for in this

Agreement and if a majority of the States members of the organization are

States Parties to this Agreement and to the Treaty on Principles

Governing the Activities of States in the Exploration and Use of Outer

Space, including the Moon and Other Celestial Bodies. States members of

any such organization which are States Parties to this Agreement shall

take all appropriate steps to ensure that the organization makes a

declaration in accordance with the foregoing.

ARTICLE 17

Any State Party to this Agreement may propose amendments to the

Agreement. Amendments shall enter into force for each State Party to the

Agreement accepting the amendments upon their acceptance by a majority of

the States Parties to the Agreement and thereafter for each remaining

State Party to the Agreement on the date of acceptance by it.

ARTICLE 18

Ten years after the entry into force of this Agreement, the question of

the review of the Agreement shall be included in the provisional agenda

of the General Assembly of the United Nations in order to consider, in

the light of past application of the Agreement, whether it requires

revision. However, at any time after the Agreement has been in force for

five years, the Secretary-General of the United Nations, as depository,

shall, at the request of one third of the States Parties to the Agreement

and with the concurrence of the majority of the States Parties, convene a

conference of the States Parties to review this Agreement. A review

conference shall also consider the question of the implementation of the

provisions of article 11, paragraph 5, on the basis of the principle

referred to in paragraph 1 of that article and taking into account in

particular any relevant technological developments.

ARTICLE 19

1. This Agreement shall be open for signature by all States at United

Nations Headquarters in New York.

2. This Agreement shall be subject to ratification by signatory States.

Any State which does not sign this Agreement before its entry into force

in accordance with paragraph 3 of this article may accede to it at any

time. Instruments of ratification or accession shall be deposited with

the Secretary-General of the United Nations.

3. This Agreement shall enter into force on the thirtieth day following

the date of deposit of the fifth instrument of ratification.

4. For each State depositing its instrument of ratification or accession

after the entry into force of this Agreement, it shall enter into force

on the thirtieth day following the date of deposit of any such

instrument.

5. The Secretary-General shall promptly inform all signatory and acceding

States of the date of each signature, the date of deposit of each

instrument of ratification or accession to this Agreement, the date of

its entry into force and other notices.

ARTICLE 20

Any State Party to this Agreement may give notice of its withdrawal from

the Agreement one year after its entry into force by written notification

to the Secretary-General of the United Nations. Such withdrawal shall

take effect one year from the date of receipt of this notification.

ARTICLE 21

The original of this Agreement, of which the Arabic, Chinese, English,

French, Russian and Spanish texts are equally authentic, shall be

deposited with the Secretary-General of the United Nations, who shall

send certified copies thereof to all signatory and acceding States.

IN WITNESS whereof the undersigned, being duly authorized thereto by their respective Governments, have signed this Agreement, opened for signature at New York on December 18, 1979.