LEX LUNAE



Switch2Space
Brussels, November 2026
Jean-François MAYENCE

Law of the Moon,
Law on the Moon,
Law for the Moon

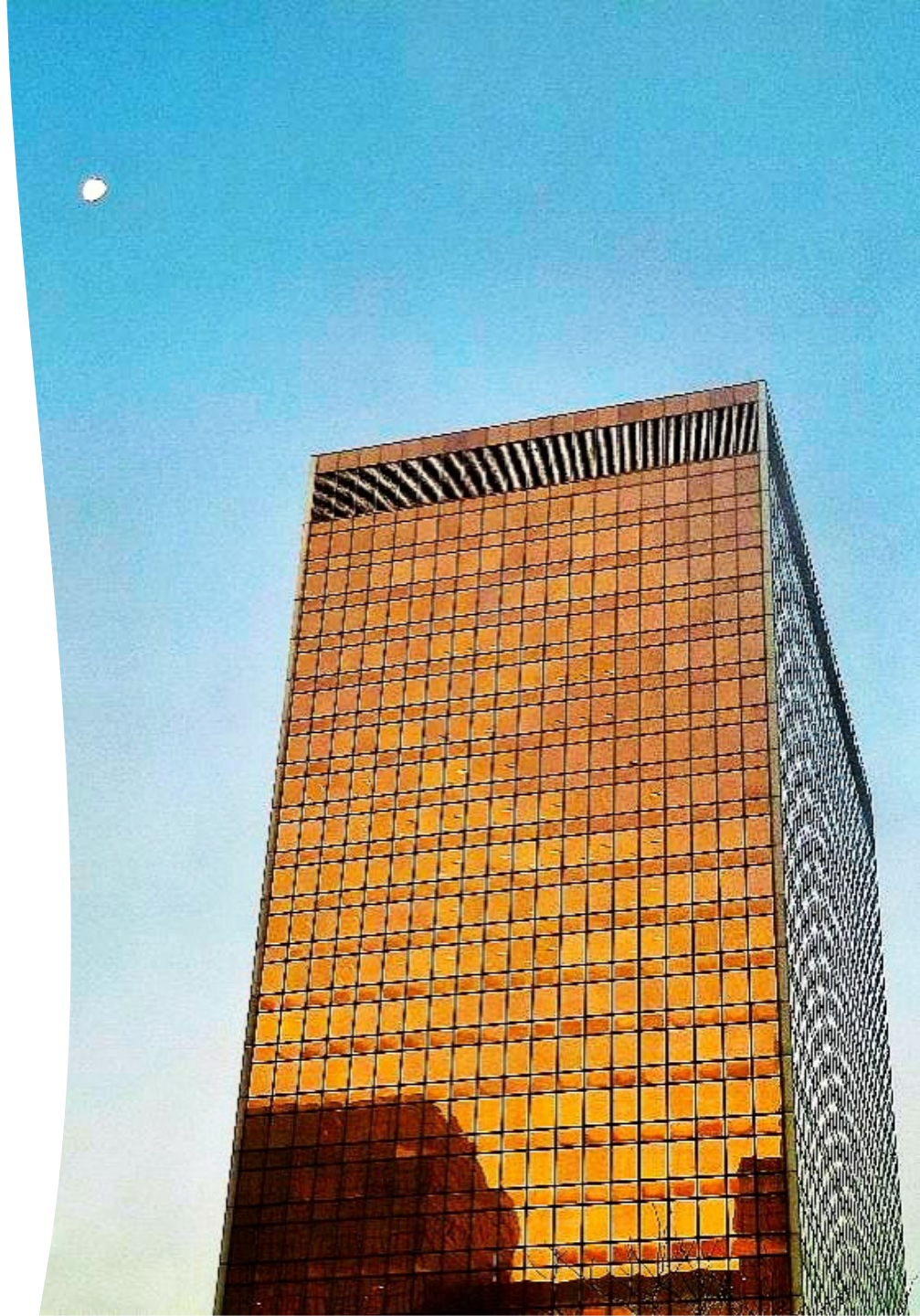


Law of the Moon

The Moon is part of outer space.

As such it is subject to the main principles applicable to outer space.

- freedom of exploration and use, freedom of scientific research (Art. I UNOST)
- non-appropriation / beyond national sovereignty (Art. II UNOST)
- compliance with UN Charter & international law (Art. III UNOST)
- no WMD (Art. IV UNOST)
- rescue and assistance (Art. V UNOST)
- international responsibility & international liability (Art. VI & Art. VII UNOST)
- registration of objects & jurisdiction over objects (Art. VIII UNOST)
- non-interference & non-contamination (Art. IX UNOST)
- transparency of activities (Article XI UNOST)



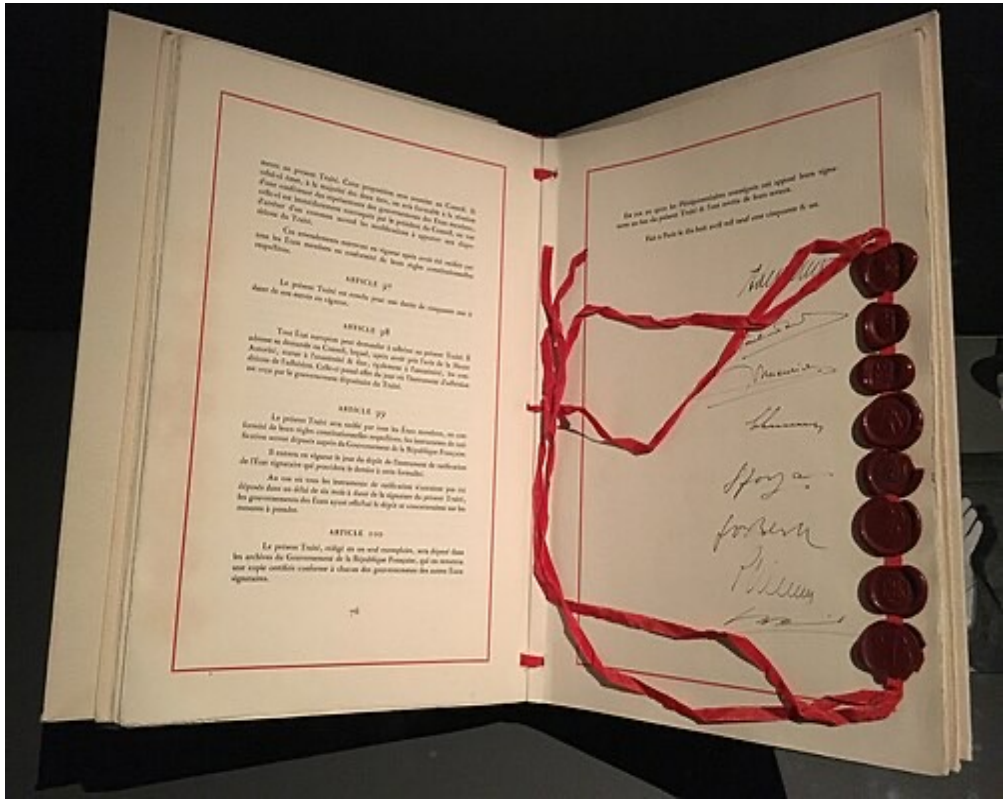
Law on the Moon

- no restriction of access to any area (Art. I UNOST)
- natural resources of the Moon: beyond national sovereignty (Art. II UNOST)
- no military activities (Art. IV UNOST)
- ownership of objects constructed on the Moon (Art. VIII UNOST)
- mutual right of visit (Art. XII UNOST)



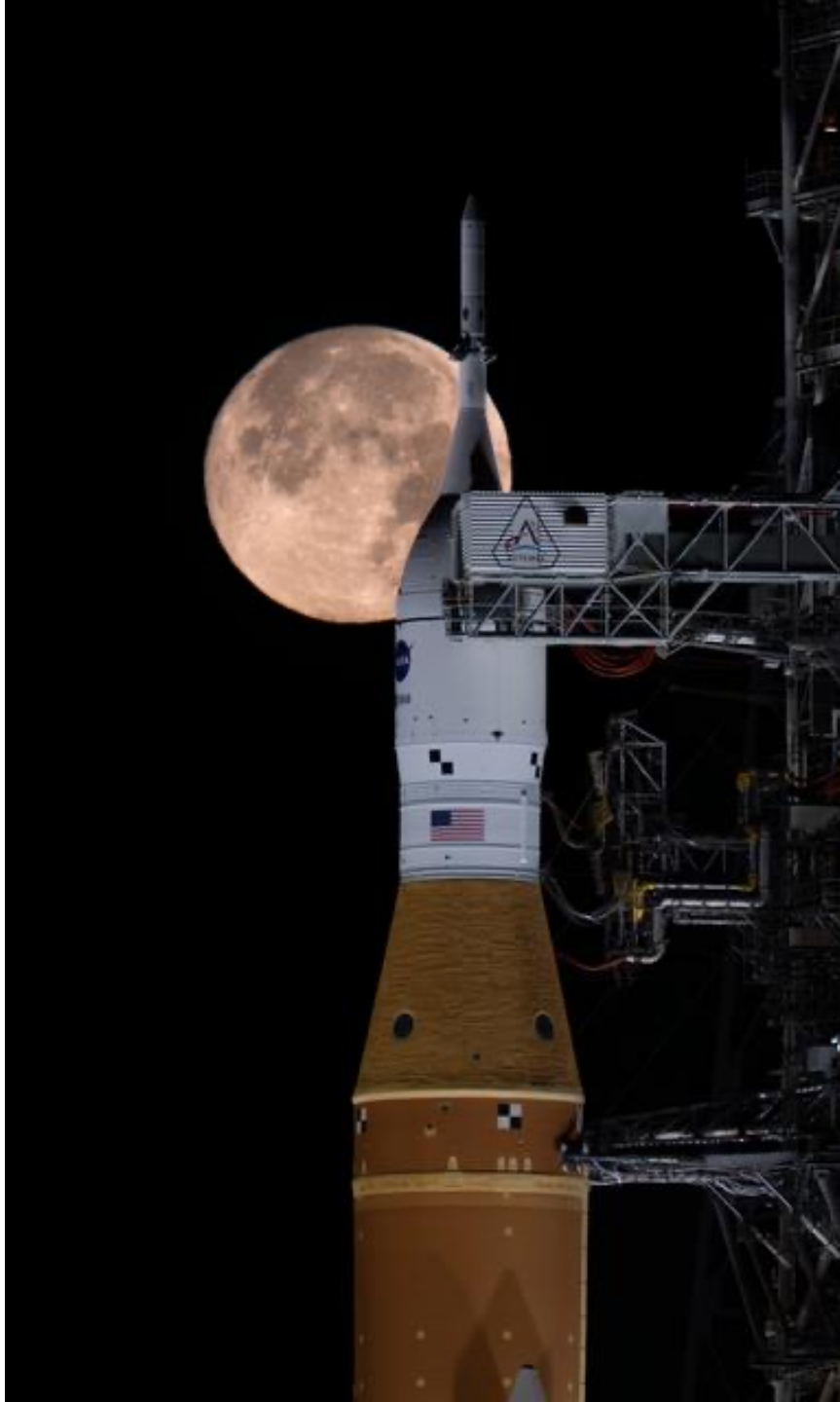
The 1979 United Nations Moon Agreement: a Law for the Moon?

Status 01/01/2025 (source: UNOOSA.org)	
Armenia, Australia, Austria, Belgium, Chile, Kazakhstan, Kuwait, Lebanon, Mexico, Morocco, The Netherlands, Pakistan, Peru, Philippines, Türkiye, Uruguay, Venezuela	17 ratifications (States parties)
France, Guatemala, India, Romania	4 signatures
Saudi Arabia	1 withdrawal
UNGA resolution 34/68 adopted by consensus	treaty entered into force on 11/07/1984



Law for the Moon
(1979 UN Moon Agreement)
(1)

- scope: celestial bodies *of the Solar System*, incl. their orbit (Art. 1 UNMA)
- use: exclusive peaceful purposes (Art. 3 UNMA)
- due regard to the interests of next generations & socio-economic development (Art. 4 UNMA)
- periodic sharing of scientific results (beyond States parties) (Art. 5 UNMA)
- coordination of activities through UNSG (Art. 5 UNMA)
- reporting of danger for human life or of non-terrestrial organic life (Art. 5 UNMA)
- preserving environmental balance on the Moon (Art. 7 UNMA)
- prior notification of placement of NPS on the Moon (Art. 7 UNMA)
- scientific reserve areas (Art. 7 UNMA)



Law for the Moon

(1979 UN Moon Agreement)
(2)

- freedom of settlement on the Moon surface or in the Moon underground (Art. 8 & Art. 9 UNMA)
- sheltering obligation (Art. 10 UNMA)
- exploitation of the Moon's mineral resources: only expressly permitted under the UNMA under a dedicated international framework ("Commun Heritage of Mankind") (Art. 11 UNMA)



Common Heritage for Mankind

What is it about?

International regime guaranteeing:

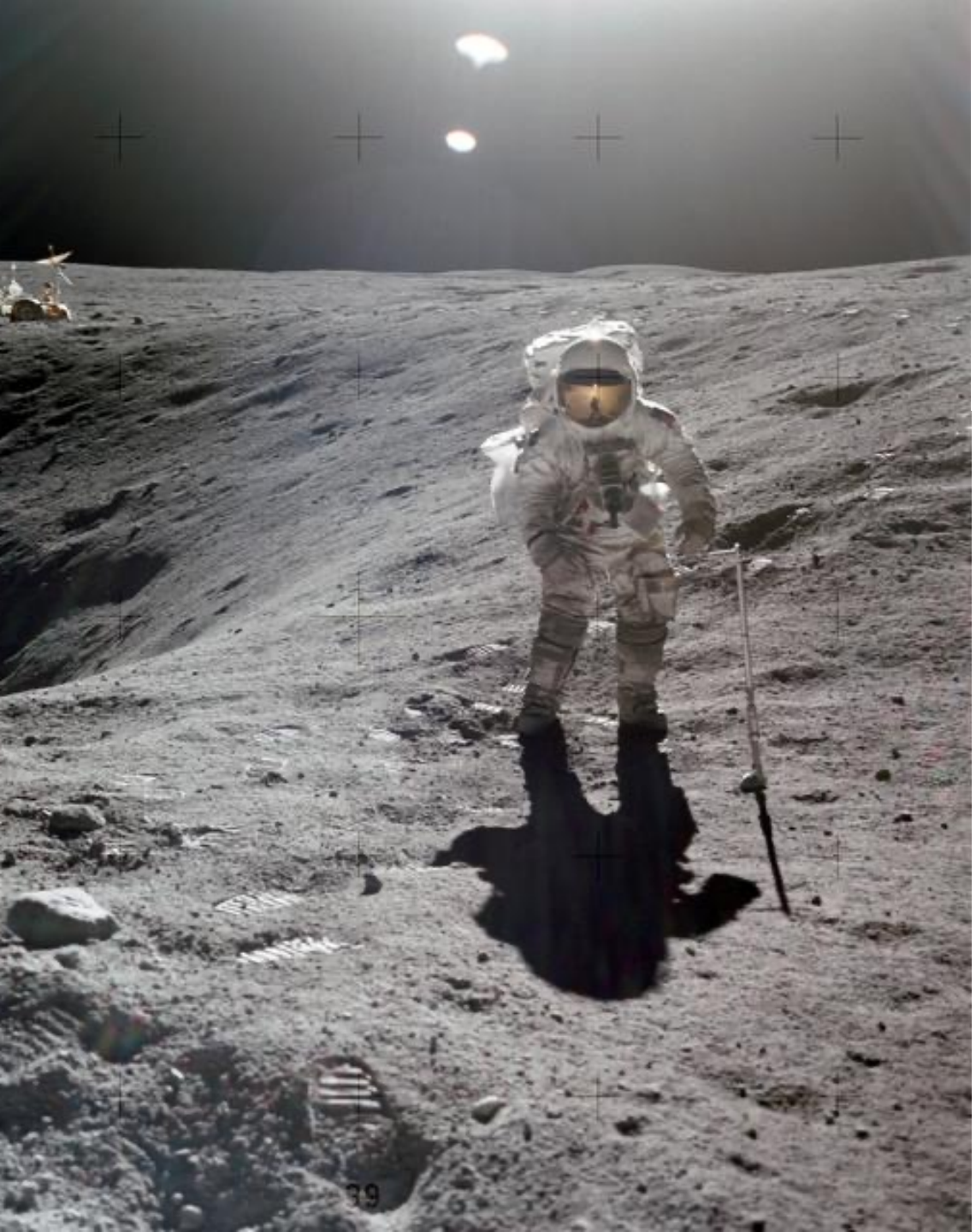
(a) The orderly and safe development of the natural resources of the Moon;

(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

+ transparency over natural resources found on the Moon



Other Law(s) for the Moon (?)

- Principles adopted in multilateral fora (UNCOPUOS, Artemis Accords, etc.)
- Tribal law applicable to natural resources and natural features
- Recognition of the cultural dimension of the outer space environment (Ecocide in Belgian Criminal Code 2026)
- Protection of scientific interests in observation, studying and exploring the Moon and the other celestial bodies
- Global law based on the recognition of a general principle of preservation or rational use of common natural resources ?

Thank you.

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