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REQUEST FOR THE INCLUSION OF AN ITEM IN THE PROVISIONAL AGENDA  
OF THE TWENTY-SIXTH SESSION

PREPARATION OF A TREATY CONCERNING THE MOON

Letter dated 27 May 1971 from the Minister for Foreign Affairs of the  
Union of Soviet Socialist Republics addressed to the Secretary-General

On instructions from the Government of the Union of Soviet Socialist Republics I would request the inclusion of an item in the agenda of the twenty-sixth session of the General Assembly of the United Nations entitled "Preparation of a treaty concerning the Moon".

In recent years major new advances have been made in space research. On the basis of modern science and technology, extensive research programmes relating to the Moon are being undertaken. The missions of United States astronauts and the experiments conducted by the USSR with the help of Lunokhod-1 and other automatic devices have opened up new prospects for mankind in the exploration of the Moon. These achievements will promote the further expansion of activities by States on the Moon.

At all stages of space exploration, the Soviet Union has invariably advocated the progressive development of international law on outer space in the interests of all peoples. Establishing a solid international legal basis for the activities of States in outer space serves the cause of peace and helps to strengthen mutual understanding and co-operation among States. It will be recalled that it was the initiative of the Soviet Union which led to the conclusion 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 Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space.

The Soviet Government is of the opinion that steps should be taken now towards the further elaboration and formulation of rules of international law to govern the activities of States on the Moon. As the Earth's only natural satellite, the Moon has an important role to play in the conquest of outer space and it should be used exclusively in the interests of peace and for the benefit of all mankind. It is essential that the activities of States on the Moon should not be allowed to become a source of international conflict and that a legal basis should be established for potential uses of the Moon. The conclusion of an appropriate international treaty would serve this purpose.

I am transmitting to you a draft Treaty concerning the Moon, which is based on generally accepted rules of international law, including the Charter of the United Nations and agreements relating to outer space concluded earlier. It contains the following basic provisions:

(1) The exploration and use of the Moon are to be carried out with due regard to the interests of present and future generations.

(2) In accordance with the principles of the Charter of the United Nations, the threat or use of force or any other hostile activities on the Moon as well as the use of the Moon to carry out such activities in relation to the Earth are prohibited.

(3) The prohibition against the installation on the Moon of nuclear weapons and other weapons of mass destruction and against any other activities involving the use of the Moon for military purposes is reaffirmed.

(4) The Moon is to be explored and used by means which ensure that any adverse changes or contamination of the lunar environment are avoided.

(5) The surface and subsoil of the Moon cannot become the property of States, international intergovernmental or non-governmental organizations, national organizations or juridical or natural persons.

(6) States Parties are to take all possible steps to safeguard the life and health of any man on the Moon.

A treaty based on the above principles would be an important contribution to the formation and development of international space law. The conclusion of such a treaty would promote the further elaboration of rules of international law relating to the activities of States in the exploration of celestial bodies.

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The Government of the Union of Soviet Socialist Republics trusts that at its twenty-sixth session the General Assembly will give due attention to the item "Preparation of a treaty concerning the Moon".

Since the United Nations Committee on the Peaceful Uses of Outer Space and its Legal Sub-Committee are to hold sessions before the opening of the twenty-sixth session of the General Assembly, I would ask you to bring the Soviet draft Treaty concerning the Moon to the attention of those bodies.

I would request you, Sir, to regard this letter as an explanatory memorandum under rule 20 of the rules of procedure of the General Assembly and to circulate it, together with the text of the draft Treaty, as an official document of the United Nations.

(Signed) A. GROMYKO  
Minister for Foreign Affairs of the Union of  
Soviet Socialist Republics

ANNEX

Treaty Concerning the Moon

The States Parties to this Treaty,

Noting the gains made by States in the exploration of the Moon,

Recognizing that the Moon as the only natural satellite of the Earth, has an important role to play in the conquest of outer space,

Desiring to prevent the Moon from becoming a scene of international conflict,

Determined to promote the further development of co-operation among States in the exploration and use of the Moon and its subsoil and of circumlunar space,

Recalling 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 provisions of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return 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 with a view to further progress in the conquest of outer space,

Have agreed on the following:

Article I

1. States Parties shall pursue their activities on the Moon and in circumlunar space in accordance with international law, including the Charter of the United Nations.

2. In accordance with the principles of the Charter of the United Nations, the use of force in any form or the threat of force, as well as any other hostile actions or threat of such actions, shall be prohibited on the Moon. The use of the Moon to commit any of the aforementioned actions in relation to the Earth or space objects shall also be prohibited.

Article II

1. The Moon shall be used by all States Parties exclusively for peaceful purposes.

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2. States Parties undertake not to place in orbit around the Moon any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or to install such weapons on the surface of the Moon or in its subsoil.

3. 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 prohibited.

### Article III

1. States Parties shall strive to co-operate in matters relating to activities on the Moon. Such co-operation may be on either a multilateral or a bilateral basis.

2. Each State Party shall engage in the exploration and use of the Moon with due regard to the interests of present and future generations and with respect for the rights of other States Parties as specified in this Treaty.

3. A State Party which has reason to believe that another State Party is violating its obligations under this Treaty may request consultations between the States Parties concerned.

### Article IV

1. States Parties shall explore and use the Moon by reasonable means avoiding the disruption of the existing balance of the lunar environment.

2. States Parties shall explore and use the Moon in such a way as to prevent adverse changes in the lunar environment and its contamination through the introduction of extralunar matter. Where necessary, consultations shall be held between the States Parties concerned.

### Article V

1. States Parties may pursue their activities in the exploration and use of the Moon anywhere on the surface of the Moon, in its subsoil or in circumlunar space.

2. For these purposes States Parties may, in particular:

- land their space objects on the Moon, launch them from the Moon and place them in circumlunar orbit;

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- dispose their vehicles, equipment and personnel anywhere on the surface of the Moon, in its subsoil or in circumlunar space.

Vehicles and personnel of States Parties may move freely over the surface of the Moon, through its subsoil and in circumlunar space.

3. Actions of States Parties in accordance with paragraphs 1 and 2 of this article should not interfere with the activities of other States Parties on the Moon. Where such interference may occur, the States Parties concerned shall undertake consultations.

#### Article VI

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

2. Stations shall be installed in such a manner that they do not impede the free access of vehicles and personnel of other States Parties pursuing activities on the Moon to all areas of the Moon, as provided for in 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 VII

1. States Parties undertake to adopt all practicable measures to safeguard the life and health of men on the Moon. For this purpose they shall regard any person on the Moon as an astronaut within the meaning of the 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, irrespective of the duration of the stay of such person on the Moon, the place where he is situated on the Moon, his formal membership of the crew of a spacecraft and other similar circumstances.

2. It shall be the duty of States Parties to offer shelter in their stations, vehicles, installations or other facilities to persons in distress on the Moon who are part of the personnel of other States Parties.

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3. In pursuing activities on the Moon, States Parties shall take the necessary steps to exchange information on any phenomena they discover in outer space, including the Moon and other celestial bodies, which could endanger the life or health of men on the Moon, as well as information on any signs of organic life.

#### Article VIII

1. Neither States, international intergovernmental or non-governmental organizations and national organizations having the status of juridical persons or not, nor natural persons, may claim the surface or subsoil of the Moon as their property. The emplacement of vehicles or equipment on the surface of the Moon or in the subsoil thereof, including the construction of installations integrally connected with the surface or subsoil of the Moon, shall not create a right of ownership over portions of the surface or subsoil of the Moon.

2. Portions of the surface or subsoil of the Moon may not be the object of concession, exchange, transfer, sale or purchase, lease, hire, gift or any other arrangements or transactions with or without compensation between States, international intergovernmental and non-governmental organizations or national organizations having the status of juridical persons or not, or of arrangements or transactions between natural persons.

#### Article IX

In accordance with article VIII 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, States Parties shall retain ownership of articles of their property delivered to the surface of the Moon or to circumlunar space, including structures, vehicles and equipment.

#### Article X

A State Party which learns of the crash landing, forced landing or other unintended landing on the Moon of a space object that does not belong to it, or the crash of component parts of such an object shall inform the State Party to which the space object or component parts belong, and the Secretary-General of the United Nations.

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#### Article XI

In addition to the provisions of article VII 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, a State Party shall be liable for damage resulting from its act or omission or from an act or omission of its personnel on the Moon to the property or personnel of other States Parties on the Moon, unless it is established that the damage occurred through no fault of the said State or of its personnel on the Moon.

#### Article XII

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of ....., which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force and other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

#### Article XIII

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments

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upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

Article XIV

Any State Party to the Treaty may give notice of its withdrawal from the Treaty one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

Article XV

This Treaty, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in ..., at the cities of ..., the ... day of ... one thousand nine hundred and seventy-....

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