

3...2...1... LIFT-OFF!

Category: Space Law

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The launch of Artemis II will mark the launch of the first crewed mission to the Moon since 1972. Despite not being a signatory to the Artemis Accords, South Africa has played a vital role in contributing to the success of this mission.

How has South Africa contributed to the recent launch?

South Africa plays a crucial role in NASA's Artemis program by hosting one of three global Lunar Exploration Ground Sites in Matjiesfontein, Western Cape. Strategically chosen for its clear skies, to provide essential tracking and communication for Artemis spacecraft, the site features large antennas for continuous communication with Artemis missions to the Moon and Mars. This South African site forms part of a global network (with locations in the US and Australia) ensuring constant contact with

lunar missions, even at distances up to two million kilometres. The facility will support returning humans to the Moon and lay groundwork for future Mars exploration by providing critical communication links.

What are the Artemis Accords?

The Artemis Accords are a set of non-binding bilateral political commitments between the United States government and other world governments that elaborate on the norms expected to be followed in outer space.

Cooperative activities under these Accords shall be conducted exclusively for peaceful purposes and in accordance with relevant international law. Signatories commit to transparency and to the sharing of scientific information, consistent with Article XI of the Outer Space Treaty.

Furthermore, the Accords call upon signatories to publicly share information regarding their activities and to promote the open exchange of scientific data. In doing so, signatories agree to coordinate with one another to ensure appropriate protection of proprietary or export-controlled information. This provision, however, does not extend to private-sector operations unless such activities are conducted on behalf of a signatory.

Importantly, the Artemis Accords record the shared interpretation of signatories that the extraction and use of space resources should be conducted in a manner that complies with the Outer Space Treaty and in support of safe and sustainable activities. The signatories assert that this does not inherently constitute national appropriation, which is prohibited by the Outer Space Treaty. However, this assertion has been called into question.

Why is South Africa not a signatory?

South Africa has consistently argued that space norms should be developed through multilateral bodies like the United Nations Committee on the Peaceful Uses of Outer Space, where all countries—spacefaring or not—have a formal voice. The Artemis Accords are seen as a US-led framework negotiated outside the UN system. This raises concerns around fairness and inclusivity.

Another concern is the controversy regarding the interpretation of the Outer Space Treaty in terms of the extraction and use of lunar and asteroid resources mentioned above. Such interpretation could enable *de facto* appropriation of space resources by technologically advanced countries and establish patterns that favour these countries before global consensus exists.

Moreover, being a part of BRICS means that South Africa maintains close ties with countries like China and Russia, both of which have not signed the Artemis Accords and are instead backing the International Lunar Research Station (“**ILRS**”). South Africa, however, hasn’t formally joined the ILRS, neither have we ruled out joining the Artemis Accords. We are pushing for broader international agreement on space resources and governance before making any commitments.

Although South Africa is not a signatory to the Artemis Accords, its contribution to the Artemis programme demonstrates that meaningful participation in lunar exploration does not depend solely on formal adherence to the Accords. Our position reflects a principled commitment to multilateralism, equity, and the incremental development of international space law through established United Nations processes. At the same time, our technical and infrastructural contributions underscore our status as a capable and trusted space partner. As international debate around space resource governance continues to evolve, South Africa remains well placed to shape future norms while actively supporting humanity’s return to the Moon.