

Return to the Moon (02)
Poster Session (P)

Author: Mr. Sameer Dawar
National Law University, Delhi, India, sameerdawar04@gmail.com

THE "RETURN TO THE MOON" ERA AND RELATED LEGAL MATTERS WITH RESPECT TO
ITS EXPLORATION**Abstract**

Encouragement of space exploration is particularly evident in the 1967 Outer Space Treaty. When Neil Armstrong landed on the moon in 1967 and said "one small step for man one giant leap for mankind," the moon in the coming years created a permanent extended human presence in space. Countries like US have already announced in its American Space Policy with one of the goals being "Return to the moon by 2020". Plans to exploit the moon resources in the speech of the then US president Bush (January 2004) have given a new impetus to the future of regime of lunar natural resources. Plans on behalf of NASA and USA are already in pipeline. A series of robotic missions to the moon will explore the lunar surface. Using the Crew Exploration vehicle, humans will conduct extended lunar missions as early as 2015. An extended human presence on the Moon could reduce the costs of further exploration, since lunar based spacecraft could escape the Moons lower gravity using less energy at less cost than Earth- based vehicles. Further, the version of NASA explains that human missions to the moon will serve as precursors for human missions to Mars and other destinations, testing new sustainable exploration approaches.

At the same time, these endeavours on part of US, NASA and host of other countries which will follow raise certain legal issues like:

1. Sovereignty and jurisdiction after human presence on the moon
2. Private and State ownership rights
3. The principles of 'free access' and 'principle of common heritage of mankind upon utilizing the moons resources in the light of Outer Space treaty and the Moon treaty
4. Effect of military space activities on exploration and use of the Moon

Thus the paper will firstly review the past missions, and goals of planned future missions such as the United State's and NASA's and staging posts which enable human missions will be discussed. Secondly, the paper will examine the legal basis for the announced US Moon exploration initiative. Also it shall discuss the legal issues in space law and international law as discussed above upon staging 'posts' on the moon. Finally it shall make some recommendations towards international coordination and cooperation.