

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Space Mining: National Authority? International Authority? Both? (5)

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THE 40TH ANNIVERSARY OF THE MOON AGREEMENT: TIME FOR REFLECTION

Abstract

2019 marks the 40th anniversary of the Moon Agreement. It is, thus, a good occasion to assess the status of the Agreement and its role, if any, in relation to present and future space resources utilization activities. The bottom line issue is that the approach endorsed by the Moon Agreement, that is one of multilateral and international nature, clashes with the unilateral path taken by those countries that have enacted laws to authorize private space mining activities. In light of this situation, the paper will first assess the provisions of the Moon Agreement and their legal status, and then will assess various options to make the Agreement relevant in the years to come. In this context reference will be made to various initiative that directly or indirectly make reference to the Agreement and its provisions.