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30 Years of the Moon Agreement: Perspectives (2)

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THE MOON AGREEMENT: AN ILLUSION OR A REALITY?

Abstract

Article 11.1 of the Moon Agreement states that Moon and its resources are the common heritage of mankind and lays down the foundations upon which a future international régime should be established. Nowadays the doctrine is viewing such régime as a set of mutual expectations, rules and regulations, energies veered towards organisation and financial commitments accepted by a group of states.

In this paper the author intends exploring recent doctrine to determine the actual scope of the international régime established by the Moon Agreement. To this end the following questions shall be addressed. Is there in fact an international régime stemming from the 1979 Agreement? Is there any state practice based on the so-called international régime, as mentioned in the Moon Agreement? And what is the role of *opinio juris* in the process of elaboration of this régime?