

53rd IAA HISTORY OF ASTRONAUTICS SYMPOSIUM (E4)
“Can you believe they put a man on the moon?” The Apollo Program. (3)

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THE MOON AGREEMENT 40 YEARS LATER

Abstract

After the previous adoption of the Outer Space Treaty, the Astronaut Rescue Agreement, the Liability Convention and the Registration Convention, the Moon Agreement was concluded in 1979. This was of course preceded by the 1969 Apollo XI Moon landing – as well as the following Apollo lunar missions. Mention should also be made of the Soviet Lunokhod missions of the 1970s. The Moon Agreement was elaborated on by the Legal Subcommittee from 1972 to 1979. It was adopted by the General Assembly in 1979. Unlike the previous treaties, however, the Moon Agreement has not found widespread acceptance. It was not until June 1984 that the fifth country, Austria, ratified the Agreement, allowing it to enter into force in July 1984. As of January 2018, there are only 18 states are parties to the treaty. It has not been ratified by any state that engages in self-launched manned space exploration or has plans to do so. While the Agreement reaffirms and elaborates on many of the provisions of the Outer Space Treaty as applied to the Moon and other celestial bodies, it also provides that the Moon and its natural resources are the common heritage of mankind and that an international regime should be established to govern the exploitation of such resources and share the benefits. These provisions are partly considered reasons for the reluctance by space powers to ratify the treaty and therefore its negligible effect. The paper will look at the drafting history, adoption, ratification process and the success/failure of the agreement.