

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Safety Zones on Celestial Bodies and in Outer Space (5)

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AS BROTHERS AND NOT AS WARRIORS ON THE MOON

Abstract

There are only a few sources of law providing guidance on how actors should behave on the Moon. The UN treaties on space, the Artemis Accords, the Russian-Chinese lunar research agreement, and customary international law all give some guidance – often basic – as to how lunar actors shall coordinate, cooperate, and avoid tensions and conflict on the Moon and on other celestial bodies. However, these sources are simply neither robust nor comprehensive enough to fully address and regulate emerging, near-term lunar activities such as a returned human lunar presence, space mineral resource utilization, moon-based science, and related lunar activities.

This paper will give an overview of and summarize the current state of lunar space law relevant to safety zones and other coordination activities. It will discuss normative gaps and other deficiencies in the law, and will offer some predictions as to how lunar space law might develop in a sustainable fashion.

In creating new and peaceful norms for the Moon, we should be guided by the words of President Lyndon B. Johnson at the signing of the Outer Space Treaty on January 27th, 1967, who remarked:

"This treaty means that the moon and our sister planets will serve only the purposes of peace and not of war... It means that astronaut and cosmonaut will meet someday on the surface of the moon as brothers and not as warriors for competing nationalities or ideologies."