

Space treaty 1967 as being “evidently inadequate” a mere fifteen years after its entry in to force”.<sup>31</sup>

### **The Registration Convention 1975<sup>32</sup>**

The Registration Convention establishes a mandatory system of registration for space objects launched into orbit and beyond. Three reasons have been advanced for the establishment of a central registry: effective management of traffic; enforcement of safety standards; and imputation of liability for damage.

Though the central registry is the most significant feature of the Treaty, it fulfils several other important objectives. Launching countries must maintain a national registry (Article II). Article IV of the Convention requires mandatory reporting to the Secretary-General of the United Nations of information on a number of data, such as the date and location of the launch, changes in orbital parameters after the launch, and the recovery date of the spacecraft. This information is to be transmitted “as soon as practicable”(Article IV(3)). Furthermore, States are not obliged to reveal the true function of a satellite, only the “general function of the space object” is to be reported (Article IV(1)(e))

It is worth mentioning that so far no registered launchings have ever been described as serving military purposes or having a military function.

### **Moon Treaty 1979<sup>33</sup>**

Of the five multilateral treaties devoted entirely to outer space, the Moon Treaty is the most recent and enjoys the least support. As of July 1999, only nine nations have ratified the Moon Treaty.<sup>34</sup> Objections to provisions regarding the establishment of an international regime to govern the exploitation of the Moon’s natural resources when feasible, and differences over the interpretation of the Moon’s natural resources as “the common heritage of mankind” have kept space faring nations and others from ratification

Article 3 of the Treaty contains the only provision addressed to military activity. This article forbids the placement of weapons of mass destruction including nuclear weapons on the moon itself, in orbit around the moon, or trajectories to and around the moon, and on other celestial bodies (Article 3(3)). Article 3(2) prohibits “any threat or use of force or any other hostile act or threat of hostile act on the moon” Given the fact that the treaty already specified that activity on the Moon must occur pursuant to international law, and the provision on the “threat or use of force” simply echoes the language of Article 2(4) of the UN Charter.

Paragraph 4 forbids “the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvres” on the moon.

---

<sup>31</sup> “Technology Momentum, the Fuel That Feeds the Nuclear Arms Race”, an Address by the Right Honourable P.E. Trudeau, to the Second United Nations Special Session on Disarmament, New York, 18 June 1982, Statements and Speeches, External Affairs, Canada.

<sup>32</sup> Convention on the Registration of Objects Launched into Outer Space, 1023 U.N.T.S. 15, 28 U.S.T. No.8480. Opened for signature on 14 January 1975; entered into force on 15 September 1976.

<sup>33</sup> Agreement on the Activities of States on the Moon and Other Celestial Bodies, (1979) I.L.M. 1434. Opened for signature on 5 December 1979; entered into force 11 July 1984.

<sup>34</sup> Australia, Austria, Chile, Mexico, Morocco, Netherlands, Pakistan, Philippines and Uruguay.