

composed of representatives of any state party wishing to participate. The Committee is charged with transmitting to the Depositary, a report of its findings which would then be distributed to all state parties. Finally, any party having reason to believe that another party is in breach of its treaty obligations, may lodge a complaint with the UN Security Council. The Council is empowered to initiate its own investigation and parties to the Convention are obligated to cooperate with the Security Council.

xvii) Moon Treaty (1979)

The Agreement Governing the Activities of States on the Moon and Other Celestial Bodies⁵¹ is the most recent agreement dealing directly with outer space. A Resolution was adopted by consensus in the UN General Assembly on 5 December 1979 recommending the Treaty for signature and the Treaty came into force on 11 July 1984.⁵² It should be noted that as of 31 March 1984 there are only four parties to this Treaty. The result of lengthy discussion and compromise, the Moon Treaty is a composite of general principles and specific provisions outlining permissible activity on the moon and other celestial bodies.⁵³ The Treaty is a further elaboration of certain concepts in the Outer Space Treaty. While it does not apply to the earth or earth orbits and while few states are party to the Treaty, the principles it contains regarding space conduct are of great interest.

The Moon Treaty is modeled on the Outer Space Treaty; space activities are to be carried out in accordance with international law in the interest of maintaining peace and security and promoting international cooperation and understanding. Exploration and use is to be carried out for the benefit and in the interests of all nations. All of these principles, while general, are of relevance to space law today.

There are several key articles in the Moon Treaty which serve to establish state conduct for the moon and other celestial bodies. Article IV (1) provides that exploration and use of the moon shall be the province of all mankind and shall be carried out for the benefit and in the interests of all countries regardless of their degree of economic or scientific development. In carrying out activities, states shall be guided by the principle of cooperation and mutual assistance.⁵⁴ Secondly, scientific investigation must be carried out without discrimination and on the basis of equality and in accordance with international law.