

57th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
Recent Developments in Space Law (5)

Author: Ms. Jilian Wang  
China Great Wall Industry Corporation(CGWIC), China, lijg@cgwic.com

Mr. Jiangan Li  
China Great Wall Industry Corporation(CGWIC), China, lijg@cgwic.com

A COMPARATIVE STUDY BETWEEN THE PROTOCOL ON SPACE ASSETS AND RELATED  
RULES IN CHINA'S DOMESTIC LAW

**Abstract**

The UNIDROIT Space Assets Protocol to the Convention on International Interests in Mobile Equipment (hereinafter the Space Protocol) was opened for signature on 9 March 2012 at the Diplomatic Conference in Berlin. Thanks to wide participation of academia and government sector in formulation of the text, the Space Protocol crystalizes generally accepted visions for a uniform international legal regime governing security interests in space assets. In order to keep abreast of the global trends reflected in the Protocol and thus to stimulate space assets-based financing, China needs to examine its national legal framework in all related aspects.

The present paper will explore relevant rules in China's domestic law in comparison with specific provisions in the Space Protocol, ranging from jurisdiction, waiver of sovereign immunity, enforcement to registration of security interests etc. In particular, the inconsistency between the Space Protocol and China's national rules will be discussed in details, including China's real estate law, guarantee law, banking law, insurance law, bankruptcy law, state secrets law and state security law. Last but not least, China's space law in the making has also to take into account relevant provisions in the Space Protocol given its broad applicability. Based on the above analysis, the paper will then offer recommendations to harmonize China's domestic law and the Space Protocol.