

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Supervision of Space Activities (5)

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EFFECTIVE AND REASONABLE LEGAL MEASURES TO APPROPRIATELY SUPERVISE
PRIVATE NATIONAL SPACE ACTIVITIES**Abstract**

Today, supervision of national space activities is more critical than at any other time in the history of the exploration and use of outer space due to the increasing private space activities. However, as it is expected that more divergent private activities are seen in ever expanding orbits and to even on some celestial bodies within a decade, and that the types and nature of private entities could be too complicated to identify the States that shall authorize and continuingly supervise their space activities, it appears that supervising private national space activities would also be more difficult than at any other time. Therefore, this paper studies effective and reasonable legal measures for States to appropriately supervise their private national space activities in view of (i) ever increasing new kinds of space activities;(ii) activities in newly explored cislunar space; and (iii) multinational, transnational and even possibly non-national space activities. As for issues (i) and (ii), the focus is placed on In-Space Servicing, Assembly and Manufacturing (ISAM), space resources extraction and space tourism and effective and reasonable legal measures to supervise such activities are referred to in both the formality and contents of national supervision systems. This includes the consideration when and if an independent national space law is needed in addition to comprehensive space activities law. As for the issue (iii), it is studied when a space activity becomes national space activity of any one State or more than one States and how it could minimize the situation where no one State is responsible for a private space activity. Considering harmonizing national space legislation is difficult with respect to determine standards to identify “private national activities,” different connections for that purpose are proposed.