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SUPERVISION OF SPACE ACTIVITIES—THE ROLE, PERSPECTIVE AND EXPERIENCE OF
COMMERCIAL SPACE SECTOR

Abstract

Article VI of the Outer Space Treaty stipulates that activities of non-governmental entities in outer space shall require authorization and continuing supervision by the appropriate State Party to the Treaty. However, there had been hardly any concrete requirements or guidance in international instruments as to how States would exert their authority to supervise space activities of those entities under their jurisdiction and control, until the adoption by UNCOPUOS of the 21 LTS Guidelines. In particular, Guideline A.3 encourages States to designate a responsible entity or entities to plan, coordinate and assess space activities, and to establish appropriate communication and consultation mechanisms within and among the competent bodies that oversee or conduct space activities. Furthermore, Guideline A.3 expresses, through States as the intermediary, high expectations for domestic entities themselves in introducing appropriate structures and procedures so as to comply with relevant national and international regulatory frameworks as well as to support the long-term sustainability of outer space activities. It is noticeable that the commercial sector is making ever more solid footprints on the overall human space exploration landscape. Their involvement not only provides the test bed for application of UN space treaties and other international norms for space activities, but also serves as catalyst for national space legislation and thus strengthens the link between international norms and national regulations. This paper attempts to first examine, from the perspective of a space enterprise, how commercial space actors are put in the forefront of adherence and implementation of international regulatory framework for space activities, such as relating to licensing, registration, liability and safety etc. Then we will try to discuss to what extent the management arrangements encouraged by Guideline A.3 have been or can be implemented within the entities, which will facilitate interaction with relevant regulatory bodies in the process of State's supervision of space activities. Guideline A.3's shift of focus to the micro-level of domestic entities' internal structure and decision-making, helps to enhance awareness of space law and policy at the national, regional and international levels, and to address challenges posed by increased involvement of commercial space activities.