

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
Interactive Presentations - IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (IPB)

Author: Ms. Chen Wenzhen  
Shenzhen University, China

Ms. Wenxi Ou  
Shenzhen University, China

FROM CONCEPTION TO PRACTICE: FURTHER DEVELOPMENT OF DISPUTE SETTLEMENT  
MECHANISMS FOR COMMERCIAL SPACE ACTIVITIES

**Abstract**

The trend towards commercial space industry has put forward more requirements for dispute settlement mechanisms. Commercial space activities involve multiple subjects, complex interests and specialized disputes, requiring more comprehensive and effective dispute settlement mechanisms. In the five international law treaties on space law, the Outer Space Treaty and the Moon Agreement mention consultations to avoid the occurrence of a dispute; the Liability Convention stipulates specific procedures for disputes concerning damage caused by outer space objects. The Charter of the United Nations applicable to space activities provides peaceful means such as negotiation, conciliation and arbitration. However, most dispute settlement mechanisms available under public international law are either not open to non-state actors or are otherwise unsatisfactory. Considering the inadequacy of traditional dispute resolutions to space disputes, the Permanent Court of Arbitration has adopted a set of Optional Rules for Arbitration of Disputes Relating to Space Activities. And Dubai International Financial Center has established the first Space Court in 2021. Each of these developments represents a promising prospect for the future disputes resolution relating to commercial space activities. The key is that whether the optional rules will be positively received by outer space operators. Regarding the commercialization of space activities, the importance of efficiently applying existing settlement mechanisms has significantly grown. Different dispute settlement rules should be provided and fully interpreted, taking into account differences in subjects and contents of disputes. In the next phase of development, proposing specialized disputes settlement detailed regulations in response to the technical character and specificity of commercial space activities. The dynamics of the space industry are changing. The interdisciplinary and transnational nature of commercial activities in outer space offers more possibilities for legal analysis and research. Professional and reliable dispute resolution mechanisms will comply with the expectations of the users of the corresponding method of dispute settlement. Complementing pre-existing dispute settlement mechanisms will promote further development of commercial space industry, facilitate international cooperation and contribute to a proactive, more holistic and practical approach to protecting peace and safety in outer space.