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SOME LEGAL ISSUES ON MANNED SPACE FLIGHT

Abstract

Manned space flight refers to the flight activities of human driving and riding spacecrafts and doing all kinds of exploration, test, research, military and production in space. Among the manned space flight activities, the space station and manned lunar landing activities are the most noticeable. Refer to the space station activities, besides the ones belonged to Soviet Union and the United States alone, the largest project is the international space station constructed by United States and other 15 countries. And it expects that China can have its own independent space station around 2020. With regard to the manned lunar landing, the United States had already completed it in 1960s, and other countries are also eager to try it.

Space law will apply to manned space flight activities. The five United Nations space law treaties, especially the "Rescue Agreement" and "Moon Agreement" are closely related with the manned space flight activities. However, in addition to the 1998 "Intergovernmental Agreement" for the International Space Station, there is no other legal norms related manned space flight. At present there are also no relevant efforts from the intergovernmental bodies for the establishment of legal system concerning manned space flight activities.

But in 1988 several space law authorities from Cologne, Germany, Mississippi, the United States and Moscow, Russia adopted the Draft Convention on Manned Space Flight, and based on the decision of the Board of Directors of the International Institute of Space Law, the Draft was submitted to the UNCOPUOS. And UN COPUOS also seek opinions from national Governments about legal issues of the Aerospace Objects.

The paper will briefly discuss following issues: the sources of law of manned space flight; the rescue of astronauts in outer space; legal issues of Aerospace Objects; application of the law concerning space station, and international cooperation of Chinese space station; the establishment of the lunar exploitation system; the legal framework of Chinese space tourism; and the regulation of manned space flight.