

Workshop on Space Law

**“Activities of States in Outer Space in Light of New Developments:
Meeting International Responsibilities and Establishing
National Legal and Policy Frameworks”**

Regulations of Space Activities in China: Legal and Policy Aspects

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Madame Chair, Dear colleagues,

Please allow me to thank the Royal Thai Government, UNOOSA and ESA, the co-organizers of the workshop, for their thoughtful arrangement and generous hospitality. It is a honor for me to address this workshop and share with you China's experience in the regulation of outer space activities, and I am pleased to welcome you, Professor Marboe as our Chairwoman and Professor Kopal and other space law gurus to enlighten us.

In recent years, China made several breakthroughs in its outer space endeavour and got a high publicity both domestically and internationally. While the whole industry has the drive to fast track space science and technology, the government role in defining national space strategy has become a hot topic for debate. Among other issues, national space policy and domestic space law as vehicles for government involvement are two widely discussed within the space sector.

¹ The opinions expressed in this presentation are those of the author personally and do not necessarily reflect those of any government, organization, or individual with which the lecturer is associated.

I China's Space Policy

Unlike United States and ESA-EU, China does not adopt a practice of issuing National Space Policy. To comprehend China's aims, principles and programs in use and exploitation of outer space, there are two White Papers to start with, China's Space Activities 2000² and China's Space Activities 2006³. In 2007, the China Commission of Science, Technology, and Industry for National Defense promulgated two eleventh Five-year Plans (2006-2010), one addresses Space Industry Development⁴, the other is on Space Science Development⁵. In some specific areas such as satellite application and remote sensing, several opinions⁶ and guidelines⁷ were adopted, which might serve as references to the implementation of the national Space Policy.

Based on the above-mentioned documents, China's Space Policy can be summarized as follows: firstly, the Chinese space activities are deeply rooted in independent innovations and many if not all of its achievements are home-grown; secondly, China strives for a sustainable development of its space industry with a comprehensive and integrated management; thirdly, China are open to international exchange and cooperation in outer space; fourthly, China believes in non-weaponization as a major means of maintaining outer space for peaceful purposes. Those principles have guided the development of China's space activities for decade and delivered a robust and open space industry. The year of 2011 will usher China into a new Five-Year period, the Chinese Government is mapping up its twelfth Five-Year Plan. With Space industry more mainstreamed in the whole social and economic development and innovation highlighted in the policy blueprint, we might have a good chance to expect a dynamic and far-reaching national Space Policy.

² <http://www.cnsa.gov.cn/n615709/n620681/n771967/69198.html>

³ <http://www.cnsa.gov.cn/n615709/n620681/n771967/79970.html>

⁴ <http://www.cnsa.gov.cn/n615708/n620168/n620180/122804.html> (Chinese version only)

⁵ <http://www.cnsa.gov.cn/n615709/n620682/n639462/94761.html>

⁶ Statements on the promotion of the development of satellite application industry, see <http://www.cnsa.gov.cn/n615708/n620168/n620180/130839.html> (Chinese version only)

⁷ COSTIND Guideline on the study projects of civil application technology of remote sensing satellite <http://www.cnsa.gov.cn/n615708/n620168/n620180/69332.html> (Chinese version only)

II China's Space Law

China's campaign for a national space law dates back to the 1990s. From then on, awareness of space law has been raised prominently, and China already had two Ministerial-level Regulations on the registration of space objects and Licensing of space activities⁸. In the year of 2010, a newly adopted Administrative Regulation on Space Debris Management was implemented by the space industry. Due to the reshuffle of Government Departments, the aforementioned Regulations on registration and Licensing are in need of adapting to the new Administration structure. A bill of comprehensive Law on Space activities has been tabled by legislators in this year's session of Chinese National Assembly⁹. The related Ministries, Departments and Agencies, as well as industries and academic are in close consultation on that legislative initiative.

Besides the domestic legislations and regulations, bilateral treaties and agreements constitute an integral part of Space Law regime in China. Till the end of 2009, China has concluded 44 treaties with 19 Countries in the field of outer space cooperation. The treaties are negotiated and signed in the name of the Chinese Government or China National Space Administration, and cover a vast area of mutual cooperation, from Space science research to satellite development and technology application. Most of the treaties are project-oriented, setting up a steering mechanism, spelling out clear

⁸ http://www.spacelaw.olemiss.edu/library/space/China/Laws/JSL_33.2_China%20Law.pdf

See also: LING Yan, Comments on the Chinese Space Regulations, 7 Chinese J. Int'l L. 681

⁹ <http://news.sohu.com/20100312/n270774326.shtml> (Chinese version only)

responsibilities for each Party and drawing up a roadmap for the whole program. Within the framework of bilateral agreements and under the guidance of the bilateral steering mechanism, China had a fruitful cooperation with Brazil, Russian Federation, France, ESA, Venezuela and other Countries.

Madam Chair,

Before closing my introduction, please allow me to present a 5-minute video clip on the Chinese lunar probe satellite Chang'e II, which was launched on October First of this year.

Thank you, Madam Chair, thank you all for your attention.