

*China's Current Legislative Efforts
to Control and Manage Space
Debris*

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1. Legislation Hierarchy in China

- (1) Constitution (National People's Congress)
- (2) Basic Laws (National People's Congress)
- (3) Other Laws (Standing Committee, NPC)
- (4) Administrative Regulations (State Council)
- (5) Department Rules and Regulations (Ministries or Commissions, SC)
- (6) Local Regulations (Local People's Congress)
- (7) Local Rules (Bureaus or Commissions, Local Administration)

2. China's Legislation to Control and Manage Space Debris Before 2010

- So far, there has not been a comprehensive law to regulate its space activities in China.
- Before 2010, two *Department Rules and Regulations* in China were enacted to address specific issues in its space activities. Some provisions in these *Department Rules and Regulations* show the efforts to control and manage space debris.

- These two *Department Rules and Regulations* are as follows:
- *Instrument of Space Objects Registration and Management*
(Order No. 6 of the Commission of Science, Technology, and Industry for National Defense and the Ministry of Foreign Affairs, 8 February 2001)
- *Interim Instrument of Licensing Civil Space Launch Programs*
(Order No. 12 of the Commission of Science, Technology, and Industry for National Defense, 21 November 2002)

- (1) Instrument of Space Objects Registration and Management
- *Important Provisions:*
- ——Organ in charge of registration (COSTIND)
- ——Scope of space objects
- ——Modification registration (disintegration of space objects, etc.)
- *Significance:*
- ——Establishing China's national registration system
- ——Facilitating relevant organs to know the information about space debris

- (2) Interim Instrument of Licensing Civil Space Launch Programs
- *Important Provisions:*
- ——Organ in charge of civil space launch (COSTIND)
- ——Article 6 (application documents)
- supplementary documents on how to avoid pollution and space debris.
- *Significance:*
- ——Establishing licensing system for civil space launch
- ——First prescribing how to avoid space debris in launch phase

3. New Efforts to Control and Manage Space Debris

- (1) In 2008, COSTIND to State Bureau of Science, Technology and Industry for National Defense (*SBOSTIND*, Ministry of Industry and Information Technology)
- (2) On Jan. 1 2010, a new department regulation entered into force.
- (3) *Interim Instrument of Space Debris Mitigation and Management* (*SBOSTIND*, 15 provisions)

- (4) Main Provisions:
- *Article 1 Purpose*
- ———Generally, this instrument aims to guarantee the normal operation of spacecraft and to protect the space environment.
- ———Particularly, it does mention that this instrument also aims to implement international obligation to control and mitigate space debris.

- *Article 2 Definition of Space Debris*
- ———Almost the same as the one in IADC Guidelines.
- ———Space debris are all man-made objects including fragments and elements thereof, in Earth orbit or re-entering the atmosphere, that are non-functional.
- ———More examples in the definition : non-functional satellites, last stage of rockets.

- *Article 3 Definition of Implementation of Space Debris Mitigation and Management*
- ——Satisfying the need to mitigate space debris
- ——Enabling the spacecraft to avoid collision with space debris and to have necessary protection function.

- *Article 4 Organ in charge of space debris arising from civil spacecraft*
- ———SBOSTIND
- ———Particularly, it mentions that SBOSTIND has the authority to supervise the implementation of space debris mitigation and management and to coordinate the implementation of IADC Guidelines.

- *Article 5 Joint Working Mechanism*
- ———SBOSTIND will establish a joint working mechanism with relevant ministries to coordinate the space debris mitigation and management.

- *Article 6 and 7 Technical Standards*
- ———Technical standards to mitigate and manage space debris.
(IADC Guidelines)
- *Article 8 Relation with Interim Instrument of Licensing Civil Space Launch Programs*
- ———Mitigation and protection measures shall be included in the application documents for licensing.

- *Article 9 Collision Risk Evaluation*
- —Users shall regularly evaluate the risk of collision between spacecraft and space debris.
- *Article 10 and 11 Space Debris Special Research Projects*
- —*Focusing on the technology regarding early-warning, protection and mitigation.*

- *Article 12 Office for Space Debris Management*
- ——— In SBOSTIND, this office is in charge of organizing the above-mentioned special research projects.
- *Article 13 Emergency Plan*
- ——— *Users and developers of spacecraft shall put forward to emergency plan in case of spacecraft disintegration, collision and re-entry.*

- *Article 14 Explanation of this instrument*
- ———SBOSTIND
- *Article 15 Date to take effect*
- ———Jan. 1, 2010.

- (5) Personal Comments on the instrument
- ——First specific legislation in this regard
- ——Basic attitude of China towards space debris
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- *Thank you!*