China's Position on International Space Law:
Balancing Peaceful Rhetoric and Strategic Ambition

Introduction

The increasing congestion and commercialization of outer space have catalyzed a renewed focus on the legal frameworks governing human activities beyond Earth. In recent years, China has emerged as an increasingly influential player in the global space domain. In public statements and multilateral engagements, the Chinese government has presented a cooperative approach on international space law, emphasizing the peaceful use of outer space, multilateral cooperation, and law-based governance. China's official space policy positions are grounded in global space governance frameworks such as the 1967 Outer Space Treaty. Reflecting this renewed momentum, China continues to advocate for equitable and law-based space governance at the 64th Session of the Legal Subcommittee of the United Nations Committee on the Peaceful Uses of Outer Space (UN COPUOS). Nonetheless, as this report will detail, Chinese practice has deviated from its official positions and undermined space safety.

Advancing Strategic Norms: China's Legal Posture at the 2025 COPUOS Session

The 64th Session of the Legal Subcommittee of the UN COPUOS, which took place in Vienna from May 5 to 16, 2025, brought together delegates from UN Member States, international organizations, and accredited observers to advance discussions on legal frameworks that promote the peaceful and sustainable use of outer space. On the opening day, Ambassador Li Song (李松), China's Permanent Representative to the United Nations Office in Vienna, articulated China's evolving approach to outer space governance and reiterated its commitment to international space law. His address focused on reaffirming China's support for international legal norms and multilateral cooperation, while outlining Beijing's ambitions for peaceful space exploration and global partnerships.

Li emphasized the importance of safeguarding the foundational principles of the Outer Space Treaty amid rapid advancements in space technology and increasing geopolitical competition. "As humanity's frontier expands with unprecedented speed," Li noted, "new challenges for outer space governance are emerging. The international community must respond with true multilateralism and collective action." China also reaffirmed its stance against unilateralism and coercive behavior in space affairs, calling instead for the continued strengthening of the UN's role in space governance. Li stressed that the legal order in outer space must be preserved and further developed, grounded in international treaties and cooperative mechanisms. He called on all nations to adhere to the principles of peaceful use, non-weaponization, and equitable access to space. As a "responsible major power," China pledged to fulfill its treaty obligations in good faith and promote

the rule of law in outer space. Li further highlighted China's active role in international cooperation, including its partnership with the UN Office for Outer Space Affairs (UNOOSA) to facilitate global access to the Chinese Space Station. The first round of international scientific experiments, jointly selected by China and UNOOSA, is currently being implemented onboard the station, which is expected to soon host its first foreign astronaut.

According to Li, China also continues to expand collaboration under its International Lunar Research Station (ILRS) initiative, which has attracted participation from 17 governments and over 50 research institutions worldwide. This expanding network of cooperation, while framed as open and inclusive, also serves as a platform through which China can shape emerging norms around lunar governance outside existing treaty mechanisms like the Moon Agreement. Li mentioned that during the 10th China Space Day on April 24, the launch of the Shenzhou-20 (神舟二十号) crewed spacecraft and the announcement of new opportunities for international collaboration in China's Mars exploration program underscored Beijing's efforts to position itself as a norm entrepreneur in space governance and multilateral cooperation. Li underscored China's commitment to peaceful space exploration and multilateral governance, stating that "the benefits of outer space should serve all humanity, especially the people of the Global South." This rhetoric reflects China's broader strategy of aligning its narrative with the foundational principles of international space law while simultaneously advancing alternative governance frameworks that reinforce national autonomy and strategic influence.

Tension Between Stated Positions and Observed Practice

International space law is built upon five key treaties developed under the auspices of the United Nations. The Outer Space Treaty is the foundational legal instrument of outer space law and is supported by four supplementary agreements: the 1968 Rescue Agreement**,** 1972 Liability Convention, 1975 Registration Convention, and 1979 Moon Agreement. While China is a signatory to the first four of these agreements, its observed behavior consistently reveals a prioritization of national interests and sovereignty, sometimes at the expense of compliance with the terms and spirit of these agreements. China abstained from the Moon Agreement, a position it shares with the United States and Russia. This alignment reflects skepticism toward internationalizing control over lunar and asteroid resources.

Outer Space Treaty

Ambassador Li's remarks during the COPOUS Session were couched in China's endorsement of the 1967 Outer Space Treaty. Originally conceived during the Cold War, the treaty was built to foster cooperation, prevent conflict, and ensure that outer space remained the "province of all mankind." The Outer Space Treaty promotes the peaceful use of space, prohibits national appropriation of celestial bodies, and bans the placement of nuclear weapons or other weapons of mass destruction in orbit. It also guarantees the freedom of scientific investigation and access to all areas of celestial bodies. China ratified the Outer Space Treaty in 1983.

Anti-satellite (ASAT) tests are the most prominent example of the disconnect between China's public stance and observed behavior regarding the Outer Space Treaty. In 2007, China tested a direct-ascent weapon against one of its own defunct weather satellites, generating a large debris field that threatened orbital safety and continues to pose long-term risks to space operations. This prompted calls by the international community for clearer norms on responsible behavior in space. The test also raised questions about China's interpretation of Article IX of the Outer Space Treaty, which mandates the avoidance of harmful contamination and interference with other space activities. Chinese officials maintain that their space program contributes to the peaceful use of outer space, even as the country invests heavily in capabilities that could potentially disrupt other nations' space assets. This dual-track approach, paying lip service to cooperation while engaging in strategic competition, echoes China's broader posture in global governance.

Rescue Agreement

The Rescue Agreement, introduced in 1968, requires states to assist astronauts in distress and return them safely to their country of origin. China's participation in the agreement reflects its official rhetoric of peaceful space exploration and international collaboration. China has expanded human spaceflight capabilities, including its Shenzhou (神舟) spacecraft missions and the ongoing Tiangong (天宫) space station program. However, China's implementation of the Rescue Agreement is informed by national security considerations. The involvement of the People's Liberation Army (解放军) in China's human spaceflight program means that military priorities are often integrated with space rescue operations, adding strategic discretion to China's engagement with the Rescue Agreement. While China has generally adhered to the letter of the agreement, it reserves the freedom to interpret its obligations in ways that ensure sovereign control over space-related rescue missions. Thus, China's engagement with the Rescue Agreement reveals a nuanced balance between international cooperation and strategic autonomy.

Liability Convention

The 1972 Liability Convention holds states internationally liable for damage caused by their space objects, on Earth or in space. China ratified the Liability Convention in 1988, signaling its adherence to international norms regarding responsibility for space-related accidents. Despite its formal commitment to the Convention, China's space activities continue to raise concerns regarding space debris and the uncontrolled reentry of space objects. For instance, in 2021, a Long March 5B (长征五号乙) rocket made an uncontrolled re-entry into Earth's atmosphere, creating concerns about potential damage to satellites and terrestrial infrastructure. The incident sparked a global debate about the risks posed by space debris and the need for more robust space traffic management. While Chinese space authorities framed the incident as compliant with existing international obligations under the Conventions, the episode underscores broader structural gaps in current space governance. Moreover, the Liability Convention's ambiguity in assigning "fault" creates a space for China to define its liability selectively, often according to strategic interests. The Convention does not specify what actions, standards of care, or thresholds count as negligent or responsible behavior. There is also no binding precedent or global legal authority to interpret fault in a uniform way. The lack of enforceable protocols and standardized transparency measures highlights the need for clearer, multilateral mechanisms to manage space debris risks, particularly given the increasing scale and frequency of orbital activities by major spacefaring nations. As China's space program expands, it will likely continue to navigate the convention's provisions with a focus on national security and sovereign control.

Registration Convention

Introduced in 1975, the Registration Convention requires states to register space objects with the United Nations to promote transparency. China has complied with the registration requirements and has submitted data to UNOOSA. However, China's approach to space transparency is strategically selective. While China provides basic registration data for its civilian satellites to comply with the convention, it has been reluctant to disclose detailed information about its military satellites and dual-use technologies. For example, in recent years, China has continued to expand its space infrastructure, including telecommunications satellites and orbital platforms, while choosing to withhold critical details about the military applications of these systems. The Registration Convention thus serves as a diplomatic tool that allows China to promote the legitimacy of its space activities on the global stage while ensuring strategic opacity where necessary.

Moon Agreement

The 1979 Moon Agreement seeks to establish an international regime for the exploitation of lunar and celestial resources. China's rejection of the 1979 Moon Agreement is a defining feature of its space governance approach. The agreement designates the Moon and its resources as the "common heritage of mankind" and calls for an international regime to govern resource extraction. China, however, prefers to maintain sovereignty over its lunar activities, seeing the Moon Agreement as an obstacle to its future space ambitions. China's rejection of the Agreement reflects its broader stance on lunar governance and resource exploitation. As it ramps up its lunar exploration programs, including the Chang'e (嫦娥) missions and the International Lunar Research Station, China has signaled its intention to secure autonomous control over lunar resources. In this regard, China has criticized the Artemis Accords—a set of non-binding principles initiated by the United States to guide civil space exploration and cooperation in accordance with the Outer Space Treaty—as unilateral and exclusive. These bilateral agreements set out principles for the use of lunar resources, including the creation of safety zones, a concept opposed by China due to perceived fragmentation of space law. Instead, China advocates for a multilateral approach to lunar governance through the Committee on the Peaceful Uses of Outer Space, emphasizing equal participation by all nations.

Conclusion

China's approach to international space law reflects a strategy that balances multilateral engagement with the pursuit of national interests. While publicly endorsing peaceful cooperation and adherence to the five core space treaties, Beijing retains significant flexibility in how it interprets and implements these commitments, especially in areas like ASAT development, military-civil fusion, sovereignty over space assets, and lunar resource governance. This posture shows that China is aligning its space activities with national security priorities while maintaining a diplomatic presence in global forums such as UNCOPUOS. However, it also reveals a gap between official positions and operational behavior. Beijing is positioning itself to play a leading role in shaping future space governance through expanded bilateral and multilateral partnerships and initiatives such as the International Lunar Research Station. As global competition over space norms intensifies, particularly with the contrasting vision embodied by the U.S.-led Artemis Accords, China's evolving legal posture and influence in international diplomacy will be central to defining the rules of the road for outer space in the decades ahead.