

GEORGIA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW

---

VOLUME 48 2020 NUMBER 3

---

TABLE OF CONTENTS

**ARTICLES**

STRUCTURING THE GOVERNANCE OF SPACE ACTIVITIES WORLDWIDE  
*Frans G. von der Dunk* ..... 645

NEW WAYS AND MEANS TO STRENGTHEN THE RESPONSIBLE AND  
PEACEFUL USE OF OUTER SPACE  
*David Kuan-Wei Chen* ..... 661

SET THE CONTROLS FOR THE HEART OF THE MOON: IS EXISTING  
LAW SUFFICIENT TO ENABLE RESOURCE EXTRACTION ON THE  
MOON?  
*Mark J. Sundahl & Jeffrey A. Murphy* ..... 683

LEGAL CONSIDERATIONS AND FUTURE OPTIONS FOR SPACE  
SITUATIONAL AWARENESS  
*Mariel Borowitz* ..... 695

**CONFERENCE: THE FUTURE OF SPACE GOVERNANCE**

*Hosted by the Dean Rusk International Law Center and the Georgia Journal of  
International and Comparative Law on October 28, 2019 in Athens, Georgia*

THE FUTURE OF SPACE GOVERNANCE  
*Melissa J. Durkee* ..... 711

SPACE GOVERNANCE 3.0  
*Brian R. Israel* ..... 715

REFLECTIONS ON SPACE GOVERNANCE BY CHINA AND JAPAN  
*Saadia M. Pekkanen*..... 731

SOME LEGAL CONSIDERATIONS REGARDING THE FUTURE OF  
SPACE GOVERNANCE  
*Prof. Joanne Irene Gabrynowicz, Emerita* ..... 739

WHO HAS THE POWER? A CRITICAL PERSPECTIVE ON SPACE GOVERNANCE AND NEW ENTRANTS TO THE SPACE SECTOR  
*Dr. Cassandra Steer*..... 751

IN SUPPORT OF GLOBAL ACCOUNTABILITY FOR PRIVATE COMMERCIAL SPACE ACTORS  
*Julia Selman Ayetey* ..... 761

NATIONAL AND INTERNATIONAL SECURITY IN SPACE: INTERNATIONAL LAW IMPLICATIONS OF SPACE FORCE AND PLANETARY DEFENSE  
*Dr. Andrea Harrington* ..... 767

**NOTES**

REFOCUSING TO REVIVE: THE RESPONSIBILITY TO PROTECT IN INTERNATIONAL ATROCITY PREVENTION  
*Sarah Frances Plunkett*..... 773

SPEAK UP, OR NOT: LACK OF FREEDOM OF SPEECH PROTECTION IN VIETNAM, ITS GLOBAL IMPACT, AND PROPOSED SOLUTIONS FOR ADEQUATE REMEDIES  
*H. Grant Doan* ..... 803

EU CRYPTO CURRENCY REGULATION: CREATING A HAVEN FOR BUSINESSES OR FOR CRIMINALS?  
*Blake Hamil* ..... 833

GEORGIA JOURNAL OF INTERNATIONAL AND COMPARATIVE LAW

VOLUME 48

2020

NUMBER 3

**EXECUTIVE BOARD**

2019–2020

*Editor in Chief*

LAUREN ELIZABETH LISAUSKAS

*Executive Managing Editor*  
ADDISON SMITH

*Executive Editors*  
H. GRANT DOAN  
SELENA JULIA SANTIAGO  
JAMES LYLE RICHARDS, III

*Senior Managing Editor*  
SAVANNAH BRIANNE PHINNEY

*Executive Articles Editor*  
HANNA CECELIA KARIMPOUR

*Executive Conference Editor*  
ASHLEY LAUREN HENSON

*Executive Notes Editor*  
CAITLIN FELT MAY

*Senior Articles Editor*  
SAMUEL LENNARD HATCHER

*Senior Conference Editor*  
CAROLINE JENKINS MELTON

*Senior Notes Editor*  
JACK LEWIS DONLON

*Executive Online Editor*  
JORDAN A. KLUMPP

**MANAGING BOARD**

*Conference Editors*

VICTORIA HEATHER BARBINO  
KAREN JEAN KERECHANN

*Articles Editors*

ELEANOR B. EASTHAM  
BLAKE AUSTIN HAMIL  
PHILLIP ROSS HARRIS  
ERIN PAIGE MCGONIGLE

HUEL MCKINLEY O'KELLEY, IV  
DEVON ELLEN PAWLOSKI  
GREGORY GARDNER PRESTON  
DAN H. VO

*Notes Editors*

CONNOR W. DOOLEY  
SYDNEY A. HAMER  
EMMA SOPHIA NOELLE HAMLET  
MEGAN ELIZABETH HOWARD  
DAVID JACKSON IAN  
SAMUEL C. KENNON

NICOLE MARIE LAUDICK  
FERNANDA ISABEL MACKAY  
ABBEY CAROLINE PEAVY  
SARAH FRANCES PLUNKETT  
CHELSEA S.C. REESE  
NICOLE H. SONG

PAUL M. SCOTT  
MATHEUS O. TEIXEIRA  
GEORGE WILLIAM THOMAS  
CARTER JAMES TILASHALSKI

**EDITORIAL BOARD**

JANAY SIMONE ALEXANDER  
JARED ROBBINS ALLEN  
SALLY ANN P. ATKINSON  
TIFFANY AU  
GAMBLE BAFFERT II  
MARC BENNETT  
SAMUEL BURTON BREWER  
STEPHANIE L. CALDWELL  
GRACE BRENNAGH CALLANAN  
CAROLINE ELIZABETH CARROLL  
MATTHEW B. CAUDELL  
ALEXA LEE DATO  
MARY FRANCES DENNIS  
EMILY ANDERSON DOUMAR  
SARAH MICHELLE DUDLEY  
NNEKA EWULONU  
*Faculty Advisor*  
MELISSA J. DURKEE

ALLISON LEIGH EVANS  
CONNOR HARRIS FIELDS  
MADISON PAIGE FINLEY  
WILLIAM C. GASKINS, JR.  
JULIA C. GRIFFIS  
PATRICK GORDON GUTHRIE  
CONNOR JANE HARBIN  
MARSHALL HARBIN  
TARAN HARMON-WALKER  
VICTORIA TAYLOR HICKS  
BRANDEN S. HOMAN  
JOSHUA DAVIS JONES  
CAMERON PHILLIP KEEN  
EVAN IVEY LONG  
JOHN NIXON MAHAFFEY  
ALLISON JANE MCGREGOR

BAILEY REID MEYNE  
CHANDLER R. MULFORD  
JACKSON RICHARD NOCK  
ADEBUKOLA C. OLA  
KEVIN RAY PARKER  
ELIZABETH POLAND  
PETER RAFFANTI  
ROSS SMITH  
SPENCER HEATH SMITH  
HOLLY KATHERINE STEPHENS  
MARY-CARTER STEWART  
PATRICK DAVID TESTA  
CULLEN B. THRELKELD  
ANSLEY WHITEN  
JENNA IRENE WOJICKI  
*Publication Specialist*  
KATIE MARIE VOYLES

Cite as GA. J. INT'L & COMP. L.

The *Georgia Journal of International and Comparative Law* is published three times each year at the School of Law, University of Georgia, 225 Herty Drive, Athens, Georgia 30602-6012, U.S.A. Telephone 706-542-7286. Subscriptions, inquiries, and manuscripts should be sent to the above address. Manuscripts should be typewritten and triple-spaced, with footnotes triple-spaced and separate from text in accordance with THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION (20th ed. 2015). These manuscripts cannot be returned. Manuscripts may also be submitted via the ExpressO submission system, which can be found at <http://www.law.bepress.com/expresso>. All opinions expressed in the *Journal* are those of the individual author and may not reflect the views or opinions of the University of Georgia or the Board of Regents of the University System of Georgia.

Subscriptions are renewed automatically upon expiration unless notice to the contrary is received before expiration. Cancellation notice must be received prior to payment. Change of address should include both old and new address with zip codes. The current Volume rate is U.S. \$40.00 domestic and U.S. \$50.00 foreign. Current issues may be purchased by contacting the Senior Managing Editor of the *Georgia Journal of International and Comparative Law* at a cost of \$15.00 (plus \$6.00 for foreign mailing). Back issues are available for purchase from William S. Hein & Co., Inc., 2350 North Forest Road, Getzville, New York 14068-1296, U.S.A., 800-828-7571, <http://www.wshein.com>, or in electronic format through HeinOnline, at <http://heinonline.org>.

Copyright © 2020, The Georgia Journal of International and Comparative Law, Inc. In addition to the rights of fair use granted by law, the author of each article in this issue, except as otherwise expressly provided, has granted permission for copies of that article to be made and used by any non-profit educational institution. Any copies of articles appearing in the *Journal* must be distributed at or below cost and the author and the *Journal* must be identified in addition to the placement of the proper notice of copyright on each copy. Printed by Joe Christensen, Inc., 1540 Adams Street, Lincoln, NE 68521.

The University of Georgia is an equal opportunity/affirmative action institution.

Member of the *National Conference of Law Reviews* and  
the *National Conference of International Law Journals*