

Legal Implications of National Security Operations in Space: Space Warfare and Law Enforcement

Presented by

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to

***Outer Space Law and Policy & National Concerns
in the 21st Century: A Cantigny Conference***

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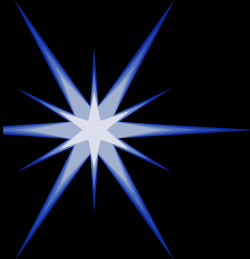
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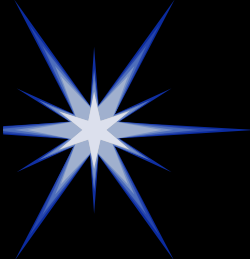


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- **Department of Defense Office of General Counsel**
- **Representatives of the General Counsels of the**
 - **Army, Navy, Air Force**
 - **The National Security Agency**
 - **The Defense Information Systems Agency**
 - **Judge Advocates General of the military services**
 - **Legal Counsel to the Chairman, Joint Chiefs of Staff**



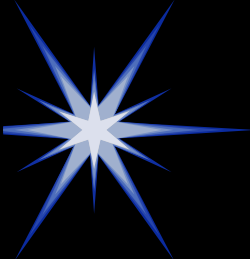


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"There is probably no other field of human endeavor that produced so much international law in such a short period. Within twenty years after the first *Sputnik* launch in 1957, international diplomatic conferences produced four major widely-accepted multilateral space law treaties. Taken together, these treaties provide the foundations of existing space law."



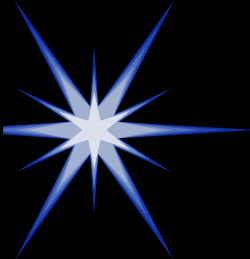


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"The four major space treaties together establish the following principles that are directly relevant to information operations. These principles have been so widely accepted that they are generally regarded as constituting binding customary international law, even for non-parties to these agreements."



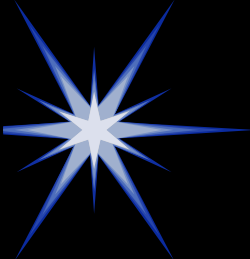


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- **"Space is free for exploration and use by all nations**
- **It is not subject to national appropriation by claim of sovereignty, use, occupation, or any other means.**
- **Activities in space shall be conducted with due regard for the interests of other states"**



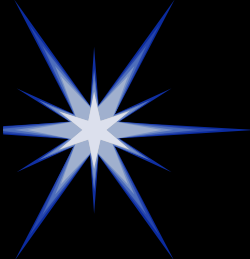


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- **"States that launch space objects are liable for any damage they may do in space, in the air, or on the surface of the Earth...**
 - in space...a 'fault' standard applies
 - damage done on the surface of the Earth and to aircraft in flight...absolute liability applies
- **Space activities are subject to general principles of international law, including the *UN Charter*"**



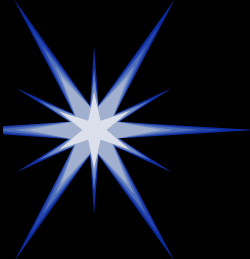


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"The *Outer Space Treaty* provides that the parties will not place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies..."



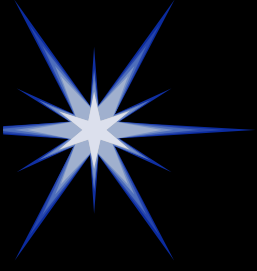


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"The *Limited Test Ban Treaty* prohibits all nuclear explosions in outer space...a party to this agreement may not lawfully explode a nuclear device in outer space in order to disable an adversary's satellites by means of the electro-magnetic pulse generated by a nuclear explosion, or by its other effects"





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**Questions?
Comments?**

