

58th IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)
Interactive Presentations (IP)

Author: Ms. Jillianne Pierce
Space Foundation, United States, jillianep@gmail.com

TOWARD A NEW NORM OF INTERNATIONAL LAW: SATELLITE IMAGERY AND ITS
INFLUENCE ON THE EVOLUTION OF THE RESPONSIBILITY TO PROTECT DOCTRINE

Abstract

The concept of Responsibility to Protect (R2P) is a relatively new idea, first laid out in 2001 by the International Commission on Intervention and State Sovereignty. Although it was discussed as early as the 1970s, R2P is a developing standard that has not yet risen to the level of *jus cogens*. Member states of the United Nations have recognized the existence of the doctrine, but no treaties have defined required norms of behavior. This paper investigates how the proliferation of remote sensing data from satellites impacts the development of the R2P norm.

The advent of social media has revolutionized reporting and information transfer. Where it once was the case that collecting evidence of mass atrocities was a challenge, information shared via social media has had a profound influence on politics – imagery coming out of the “Arab Spring” protests in 2011 helped catalyze NATO air strikes in Libya.

Similarly, companies like Google SkyBox and PlanetLabs are making data more accessible than ever. Now, even in formerly remote corners of the globe, satellite imagery is making it possible to establish facts about atrocities committed on the ground. As recently as January of this year, satellite images were used to confirm demolition of entire villages in Nigeria by militants. In that regard, satellites provide a new, and perhaps more compelling, tool for bringing mass atrocities to light. But does it heighten the obligation of a state to respond?

This paper examines the use of satellite imagery to recognize humanitarian violations, and how, once detected, the data can be used. This paper considers whether the availability of such data creates or heightens a state’s duty to intervene, and critically analyzes the use of satellite data to justify humanitarian intervention.