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LEGAL ASPECTS OF CYBER SECURITY AND ITS RELATIONSHIP WITH SPACE SECURITY

Abstract

Outer space and cyberspace are relatively new areas of human endeavor. The security aspects of outer space, for example satellite systems, cannot be overlooked. However cyber security law and information technology issues have already become part of outer space infrastructure, in which cyber threats against space-based system raise numerous attention. Bringing together the cyber security and outer space communities would be essential steps for achieving a structured, effective and responsive framework to cyber-threats to outer space systems. On this regard, the intersection of space and cyber legal norms is of great concern, and such origin could also be found in the 1967 Outer Space Treaty (OST), from which article 9 prohibits “harmful interference” with other states’ activities in outer space, a term which includes undue interference with the use of the electromagnetic frequency spectrum resource utilized for satellite communications. This article provides a brief overview of the problems and coming threats of cyber security, which also relates to the outer space security, and then turns to analyzing how these two branches of law, governing cyberspace and outer space respectively, could interact with each other. In addition, the author will illustrate the Chinese approaches on cyber security law, especially when it covering outer space as an instance. And finally, give some suggestions about how to face these challenging activities in two connected realms and the envisaged legal regime together.