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The relationship between space law and cyberlaw, and other recent developments in space law (5)

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CRITICAL ASSESSMENT OF SPACE LAW RELATED RULES OF TALLINN MANUAL 2.0 ON THE
INTERNATIONAL LAW APPLICABLE TO CYBER OPERATIONS

Abstract

Cyber Security Law is of direct relevance for Outer Space and its issues have already become part of outer-space infrastructure. Among the considerable works on this subject, Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations (hereafter Tallinn 2.0) has paid attention to the relevance of Cyber Security Law and Space Law. It has superseded 2013 "Tallinn Manual on the International Law Applicable to Cyber Warfare". This project has been drafted in the form of the articulated Rules with the detailed commentary. Just like the first version of Tallinn, it can be predicted that Tallinn Manual 2.0 Rules could be a useful resource for both States and International organizations to cope with the legal aspects. On the one hand, it has expanded the cyber legal issues throughout the various topics of international law. On the other hand, among the various fields of international law, Tallinn 2.0 also contains an independent chapter called "Space Law" which sets out Rules 58-60 out of 154 Rules. Moreover, Tallinn 2.0 also comprises those Rules in the other chapters including the chapter "International Telecommunication Law" which has implications for space law. However, there are unknown selection criteria in Tallinn 2.0. It does not explain how those rules have been selected, while it was appropriate if the other relevant rules which directly connected to space law had been provided. It may be argued that the space law Rules of Tallinn 2.0 are not complete and have some drawbacks and there are also some misconceptions of those Rules in the commentary and need to be critically evaluated in accordance with the current space law. This article tries to shed some light on the space law related cyber Rules.