

IISL COLLOQUIUM ON THE LAW OF OUTER SPACE (E7)  
Application of space law to cyber activities (4)

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CYBER SECURITY IN SPACE: A TRIGGER FOR THE DEFECTIVE AND A REVISIT OF THE  
LIABILITY REGIME

**Abstract**

Cyber security is not only an indispensable component for the decent performance of space systems nowadays, but also plays a pivotal role in national security. Nevertheless, matters related with liability regime of cyber activities taking for space systems are not stipulated in any of the five space treaties dated from the 1960s to the 1970s. The Liability Convention regulates liability regime for damages happening between one space object and the other, however, it's impossible for any reasons to take a cyber attack, a conduct, as a space object, a physical matter. It seems that when it comes to cyber activities in space the application of the Liability Convention is restrained, however, for damages caused by cyber attack in space the international law provides more. Consequently, the paper examines two scenarios for a cyber attack and analyzes the liability regime of each in accordance with international law. It is concluded that for cyber attack that directly penetrates into a space system of the other country and causes damage to the other's space assets, the former shall bear state responsibility under such wrongful acts under international law; while for an attack that manipulates the other country's space object and causes damage to space object of a third country, the country who attacks, though under Liability Convention is not a launching state, shall be taken as the "indirectly actual offender" and shall be the liable party under Liability Convention.