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Norms and Standards for Safe and Responsible Behaviour in Space (3)

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THE SPACE RUBICON: THE CATCH-22 FOR THE GOVERNMENTS IN PROTECTING  
COMMERCIAL SPACE ASSETS

**Abstract**

The burgeoning commercial space sector, augmented by governments' increasing reliance on satellite technology for intelligence gathering, has highlighted the importance of ensuring the safety and responsibility of space operations. This sector has become invaluable for governments, enhancing communications, situational awareness on battlefields, and the resilience of distributed, space-based capabilities. However, the conflicts in Ukraine and Israel, coupled with the rapid proliferation of private assets driven by reduced launch costs and the emerging global market for space-based services, have blurred the traditional lines between military and civilian space capabilities. This diminishing distinction, now often overlooked and dismissed by adversaries, is gradually making these assets likely strategic targets of military operations.

Governments around the world now face a catch-22 situation of balancing their need and support for private enterprise with the responsibility of protecting national security interests. With the growing number and diversity of space actors and systems, including large constellations of satellites and new kinds of space activities, there is an urgent need to establish clear and widely accepted norms and policies for safe and responsible military and commercial behaviors in space. As it stands, it seems ever the more likely that commercial actors will be caught in the middle of, or even become the catalysts for, the first rapidly escalating space-based conflict. Yet, as we stand on the brink of potentially crossing the 'Space Rubicon,' we find ourselves facing the unknown; real space conflict remains uncharted territory, with unpredictable consequences for global security and space governance once that threshold is crossed.

Against this backdrop, this paper examines the complex relationship between private enterprise and military interests in space and the potential risks and challenges that will continue to arise from the proliferation of commercial space-based dual-use assets. Further, it will explore how contemporary conflicts have highlighted the critical role that these assets play and challenges presented with the term "dual use".

The paper elucidates the 'Space Rubicon' concept by examining actions, such as the intentional destruction of satellites or the deployment of space weapons, that mark this pivotal threshold, thereby enriching the discourse on the potential for irreversible escalation of space conflict. Through this analysis, the paper seeks to contribute to the ongoing dialogue on the norms and standards for safe and responsible behavior in space, and to identify opportunities for collaboration and coordination among government and industry stakeholders.