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Weaponisation of Outer Space in the Light of the Outer Space Treaty, Part B (3)

Author: Dr. Sa'id Mosteshar
Chambers of Dr Sa'id Mosteshar, United Kingdom, SM@Mosteshar.com

OUTER SPACE: ARENA FOR WAR OR PEACE

Abstract

Proposals for weapons based in space, or passing through space, have been made over a number of years, notably by the United States. Because of a shift in policy by the US and other countries, as well as advances in technology, there is an urgent need to address the legality and international implications of weaponising space.

Weaponisation of outer space can occur in many different ways. In order to determine whether such activities are legal, we must define space weaponisation and how it is implemented. Currently, there exists no clear definition of the acts that constitute space weaponisation.

The Outer Space Treaty does not appear to prohibit weapons in space per se, but examination of the context in which it was agreed and the discussions at the time introduces a strong element of ambiguity.

How the issues are resolved and whether space will be reserved for peaceful purposes can only be examined in the light of the political, military and international relations imperatives of each contender in the field. China's destruction of a satellite in January 2007 and the subsequent destruction of another in February 2008 by the United States need to be assessed in the context of their policy implications and international consequences.

This Paper will identify the issues, propose some definitions of space weaponisation, contrast the stances of different countries and examine both the current state of the law and potential developments in the future. It will consider UN Resolutions and support for new treaties proposed.

The Author aims to present a Paper that will contribute to focused discussion on the future of outer space as an arena for peaceful human cooperation and not a new theatre for conflict.