

IAF SYMPOSIUM ON SECURITY, STABILITY AND SUSTAINABILITY OF SPACE ACTIVITIES
(E9)Interactive Presentations - IAF SYMPOSIUM ON SECURITY, STABILITY AND SUSTAINABILITY
OF SPACE ACTIVITIES (IP)

Author: Ms. Iva Ramuš Cvetkovič
Slovenia, iva.ramus@gmail.com

VIOLENCE, TERRORISM AND CYBER-THREATS: PHILOSOPHICAL, CRIMINOLOGICAL AND
LEGAL PERSPECTIVES**Abstract**

The technological development has shaped the philosophical, criminological and legal Thought in the last 100 years. One of the major turning points of the 20th century forming the global society's understanding and perception of violence was the use of nuclear weapons at the end of World War II, which was, for example, carefully articulated in Hannah Arendt's essay 'On violence' and has, inter alia, had a significant impact on the first and most important space law treaty – the Outer Space Treaty (OST). OST in its Article IV specifically prohibits placing nuclear weapons or weapons of mass destruction in orbit, on celestial bodies or in outer space. Today, the nature of violence has changed. With massive digitalization and automatization processes and with the rise of artificial intelligence (AI) in 21st century, violent threats became more subtle, less tangible and extremely difficult to detect. They have not, however, become less deadly. With the increasing reliance of society on space activities, space technology suddenly became both the target and the means of violence. To give an example: terrorist attacks, aimed at spreading fear and destabilizing society, can now achieve those results without perpetrators even coming near their victims - either by targeting space infrastructure essential for everyday life on Earth or by using space objects to create damaging results remotely. This paper will first address the most recent philosophical views on violence. Secondly, it will, from a criminological perspective, connect them to the threats arising from the AI, big data, automatized surveillance and military operations and terrorist cyber-threats. Lastly, it will assess whether the existing international legal framework governing space activities is sufficient to limit the violent threats arising from space technology. In this regard it will focus on the shortcomings of both OST and Liability Convention (LIAB). Regarding OST, it will examine whether Article IV provides sufficient guarantees against new forms of weapons. Regarding LIAB, it will address the new trends with the potential to create difficulties for victims to claim compensation for damages. Such trends are the increasing involvement of the Non-State Actors (NSAs) in space activities and the intangibility of damages in cyber-space. NSAs cannot be directly liable under LIAB and intangible damages (e.g., violation of the right to privacy) are not recoverable under LIAB. By combining all three perspectives, the paper will conclude by identifying the new legal challenges of this century related to space technology and violence.