

Geneva Center for Security Policy (GCSP)  
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# Session 7: Dual use and verification

## **Introductory reflections on space law and dual use and verification**

Kai-Uwe Schrogl  
President, International Institute of Space Law (IISL)

[iisl.space](https://iisl.space)



# 1. Dual use is not explicitly dealt with in the outer space treaties

- From the travaux préparatoires of the 1967 OST it is clear that drafters were completely aware of dual use nature of space activities.
- No segregation of military and civilian uses as in air space (ICAO) and frequency allocation (ITU).
- Only concrete mentioning of “military” activities in Art. IV,2 regarding the non-militarization of the Moon and other celestial bodies.
- No request for military/civilian denomination in the 1976 Registration Convention
- Also, the 1982 UNGA Remote Sensing Principles have clearly a dual use background.



## 2. Have we already systematically checked the arms control and disarmament treaties from the Cold War and Détente era?

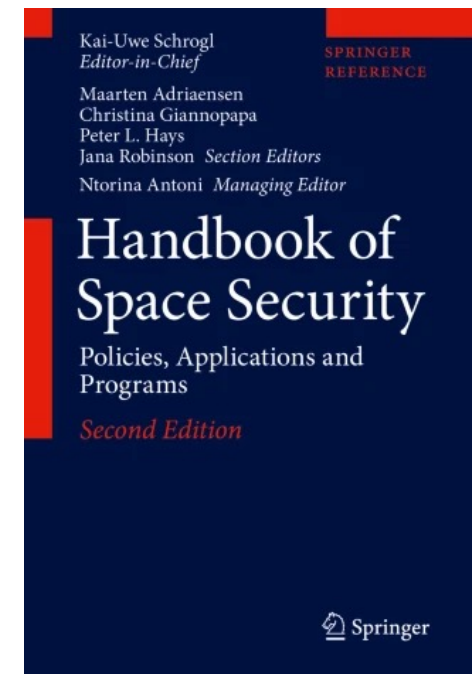
- Which treaties have comparable features, applicable to space?
- How have they have negotiated and what made them work? Why did some of them fail?
- How can lessons be drawn from a bipolar world for a multipolar world today Or head we back to bipolar)?
- How to regulate behaviour instead of technologies/weapons?
- How to verify without getting entangled in conflicting interpretations?
- Where are the “red telephone lines” for space (in particular in the age of AI)?





### 3. There is excellent groundwork for TCBM for space – but why isn't it used?

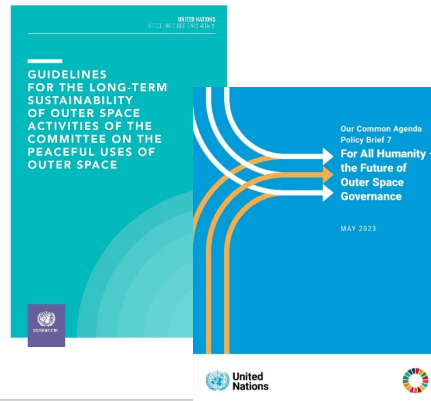
- Group of Governmental Experts on Transparency and Confidence-Building Measures in Outer Space Activities, Report A/68/189 of 29 July 2013.
- Numerous publications by NGOs and think tanks (from Jana Robinson 2010 to Mick Gleason 2024).





## 4. Verification and enforcement

- Verification only possible through common access to situational awareness – is this realistic?
- Accelerating securitization of space activities leads rather to reluctance in cooperation and transparency as well as a lack in or deterioration of confidence.
- Enforcement is the big general issue in space law and might be developed through STM and potentially further to the primary forums (UNCOPUOS, CD), as in ITU (see the co-intro and the results from its recent SSF).
- Also, the ICJ is well aware (IISL Moot Courts).



## 5. A learning example: Ecocide

- The Ecocide concept: introducing a punishable crime, enforced under the Rome Statutes of the International Criminal Court:  
<https://www.stopecocide.earth/>
- Nobody would have expected that this would gain such an astonishing successful traction.
- Extension/transfer of the Ecocide concept/understanding to space (ASAT and mega-constellations)?





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