International Humanitarian Law

Youth Action Campaign

2024-2025

Space Law and Armed Conflict

Handbook for JROTC Cadets

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Module 1: American Red Cross IHL Youth Action Campaign

Thank you for participating in the International Humanitarian Law (IHL) Youth Action Campaign!

The IHL Youth Action Campaign is an American Red Cross sponsored program that encourages youth and young adults to learn about the rules of armed conflict and empowers them to explore IHL through peer-to-peer campaigns.

JROTC is partnering with the American Red Cross to raise awareness on this topic with your community. As cadets, you are perfectly positioned to learn about the laws of war and can best educate your community about them. We look forward to seeing your creative campaigns come to life and learning about your experiences teaching your peers about IHL.

IHL Youth Action Campaign Program Structure

The IHL Youth Action Campaign encourages youth and young adults ages 13-24 to learn about International Humanitarian Law and empowers participants to explore IHL topics through peer-to-peer education campaigns. As a team member for the IHL Youth Action Campaign, you will go through a training on IHL, learn how to build a campaign, and conduct both in-person and social media activities to promote awareness about IHL in your communities. Each team focuses locally but contributes to a larger movement of IHL advocates that are educating thousands of people.

After the campaigns are complete, JROTC teams will compete to be selected to win awards and to attend the IHL Youth Action Campaign Summer Summit at American Red Cross National Headquarters in Washington, D.C.

International Humanitarian Law

IHL is the body of international law that governs armed conflicts. When fighters follow these rules carefully, there is less suffering for the victims of armed conflicts.
- Fewer civilian deaths.
- Fewer refugees and internally displaced persons.
- Less destruction of societal infrastructure like hospitals and schools.
- A greater opportunity to rebuild after the conflict.

IHL acknowledges the reality of war while attempting to protect lives and preserve humanity.

> The definition of an armed conflict:
>
> "An armed conflict exists whenever there is a resort to armed force between states or protracted armed violence between governmental authorities and organized armed groups or between such groups within a state."

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The American Red Cross

The mission of the American Red Cross is to prevent and alleviate human suffering in the face of emergencies by mobilizing the power of volunteers and the generosity of donors.

Many people associate the American Red Cross with disaster relief, emergency preparedness and blood donations. It often comes as a surprise that the American Red Cross was founded as a response to the humanitarian challenges faced in war. As a national society of the International Red Cross/Red Crescent Movement, the American Red Cross has the mandate to educate the public about IHL. As participants of the IHL Youth Action Campaign, you become our partners in promoting IHL and helping us to carry out this mandate.

The Story of Clara Barton – Founder of the American Red Cross

Clara Barton was working as a recording clerk in the U.S. Patent Office in Washington, D.C. when the first units of federal troops began to appear in the city in 1861. The Civil War had just begun, and as the troops poured in, the residents in the capital were alarmed and confused. In the chaos, Barton perceived an immediate need to provide personal assistance to the men in uniform, some of whom were already wounded.

She started by taking supplies to the young men of the Sixth Massachusetts Infantry who had been attacked in Baltimore, Maryland, by southern sympathizers. Barton provided clothing and assorted foods and supplies to the sick and wounded soldiers as well as personal support to the men in hopes of keeping their spirits up. She read to them, wrote letters for them, listened to their personal problems, and prayed with them.

Knowing that she was needed most on the battlefield, she traveled to northern Virginia in August 1862. After the battle at Cedar Mountain, she appeared at a field hospital at midnight with a wagon-load of supplies drawn by a four-mule team. The surgeon on duty, overwhelmed by the human disaster surrounding him, later recalled:

> "I thought that night if heaven ever sent out a[n] . . . angel, she must be one— her assistance was so timely."

She became known as the "Angel of the Battlefield" as she risked her life to treat the sick and wounded. Once while treating a patient, a bullet went through her sleeve. She recounted:

> "I always tried . . . to succor the wounded until medical aid and supplies could come up—I could run the risk; it made no difference to anyone if I were shot or taken prisoner."

In 1869, Clara Barton traveled to Europe where she was introduced to the International Red Cross/Red Crescent Movement. When the Franco-Prussian War broke out in 1870, Barton was again called to action. Though not yet allied to the Red Cross, Clara Barton served with International Red Cross volunteers and even fashioned a cross with a red ribbon to protect herself with the newly recognized emblem.

Inspired by her experiences with the Red Cross in Europe, Barton traveled back to the United States of America and formed the American Red Cross. Clara Barton served as the president for thirteen years, working to alleviate human suffering in face of emergencies.

The Battle of Solferino: The Story of Henry Dunant

On June 24, 1859, the Austrian and the French armies clashed at Solferino, a town in northern Italy. After only 16 hours, 36,000 men lay dead or wounded. On the evening after the battle, Henry Dunant, a young Swiss citizen, arrived in Solferino. Here is some of what he remembered:

> *"The stillness of the night was broken by groans, by stifled sighs of anguish and suffering. Heart-rending voices were calling for help. (...) When the sun came up, (...) bodies of men and horses covered the battlefield; (...) The poor wounded men (...) were ghastly pale and exhausted. (...) Some, who had gaping wounds already beginning to show infection, were almost crazed with suffering. They begged to be put out of their misery."*

As Dunant wandered among wounded soldiers, he realized how little attention anyone was paying to them. He gathered a group of locals and organized them into teams to take food and water to the wounded. He organized a field hospital in a church, collected linen for bandages, brought food and medical supplies from neighboring towns, and directed volunteers to fetch water in buckets. He further recruited tourists, a journalist, a count, and a chocolate manufacturer, who soon were dressing wounds, carrying water and writing farewell letters to families of the dying men. All the helpers, Dunant observed, had forgotten the nationality of the men they tended.

Horrified by the condition of the soldiers and inspired by the actions of the volunteers, Dunant realized the importance of creating a neutral organization to tend to the wounded and sick during war. A few years later, Dunant helped to start the International Committee of the Red Cross and inspired the formation of The Red Cross and Red Crescent Movement. He said:

> *"Would it not be possible in time of peace and quiet to form relief societies for the purpose of having care given to the wounded in wartime by zealous, devoted and thoroughly qualified volunteers?"*

The Structure of The Red Cross/Red Crescent Movement

Henry Dunant's commitment to humanitarian values inspired the creation of the **Red Cross/Red Crescent Movement** (the Movement).

The Movement consists of the International Committee of the Red Cross (ICRC), the International Federation of the Red Cross (IFRC) and over 190 national societies, including the American Red Cross.

Though these organizations are separate, they remain equal partners in the Red Cross/Red Crescent Movement.

National Societies

National humanitarian organizations dedicated to the Movement's Seven Fundamental Principles.

ICRC

International Committee of the Red Cross

Protects the lives and dignity of the victims of armed conflict.

The International Federation of the Red Cross

Inspires, encourages, facilitates, and promotes the humanitarian activities of the national societies.
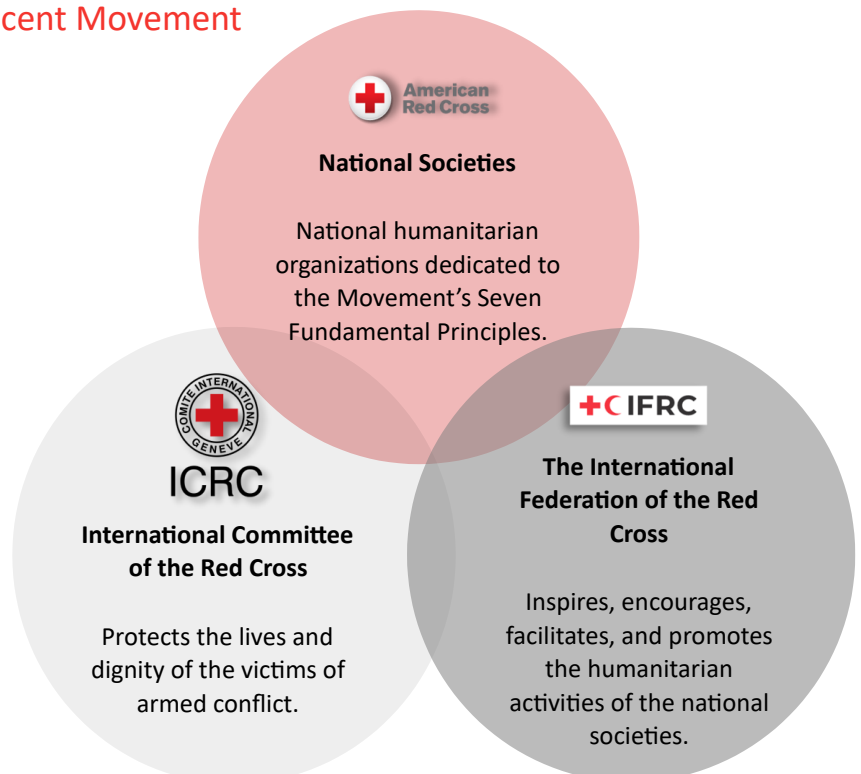
The Seven Fundamental Principles of the Movement

The Seven Fundamental Principles of the Movement are the values that guide The Movement's mission to alleviate human suffering. As volunteers of the American Red Cross, it is important that we use these principles while implementing the campaigns. We can also practice these principles in our own lives.

Humanity
Prevent human suffering wherever it is found
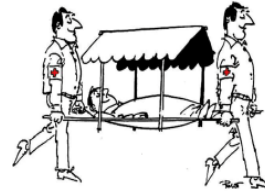
Impartiality
Relieve suffering based on needs, without discrimination

Voluntary Service
Voluntary participation and not for personal gain
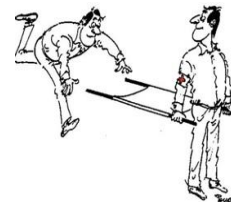
Neutrality
Take no sides in hostilities and controversies

Unity
Only one Red Cross or Red Crescent society in each country, open to all

Independence
Maintain autonomy from governments

Universality
Red Cross and Red Crescent societies operate worldwide, and all societies are equal

Module 2: International Humanitarian Law

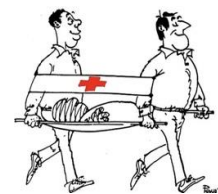As long as there have been armed conflicts there have been rules that governed armed conflicts. As armed conflicts have evolved, so have these rules. **International humanitarian law** is a set of rules that seek, for humanitarian reasons, to limit the effects of armed conflict.

IHL acknowledges the reality of armed conflict. During armed conflicts, actions that would never be allowed in peacetime, like killing someone, suddenly become lawful. IHL attempts to protect lives and preserve humanity when it seems like all other rules have broken down. It protects people who are not or are no longer participating in hostilities, like civilians or the sick and the wounded, and restricts the means and methods of warfare in order to limit certain weapons and strategies from causing unnecessary suffering.

IHL is made up of **international treaty law** and **customary international law**. International treaty law includes formal international agreements like the Geneva Conventions. Customary international law is developed when a significant number of nations consistently do a certain practice to the point that it is eventually recognized as an obligation on all nations, despite the fact that it is not written in a formal treaty. It is similar to the way that many people in the United States tend to walk on the right side of the sidewalk. People do this not because it is a written law, but simply because it is a social norm that helps decrease confusion when two people are walking towards each other. When enough nations adhere to the same practice and that practice inspires a sense of obligation to comply with the practice, the practice becomes accepted as customary international law.

IHL has been at the heart of the International Red Cross/Red Crescent Movement since its inception. The Movement continues to promote IHL and educate the public about the laws of armed conflict.

The Geneva Conventions

A year after the International Committee of the Red Cross was founded in Switzerland, the first treaty that championed its ideas was signed by twelve governments in the first Geneva Convention in 1864.

A convention is an international agreement between nations. The Geneva Convention of 1864 contained ten brief articles that protect medical personnel and wounded combatants during armed conflicts. It took Clara Barton eighteen years to lobby the U.S. government until President Chester Arthur signed the 1864 Geneva Convention and the Senate ratified them. After the Geneva Convention of 1864, additional treaties in The Hague and Geneva were developed to offer further protections applicable in armed conflicts.

The next major development in IHL occurred after the atrocities of World War II. The Geneva Conventions of 1949 aimed to prevent the atrocities of World War II from ever occurring again by providing the first universally accepted codification of laws that govern armed conflicts. Every nation in the world has signed the 1949 Geneva Conventions and has adopted them as law. These treaties became the cornerstone of modern International Humanitarian Law. The Additional Protocols of 1977 are two additional documents that added to the 1949 Geneva Conventions and further developed the laws that govern armed conflict. However, unlike the 1949 Geneva Conventions, they have not been as widely accepted. Some countries, including the United States, have not ratified them.

These are only a few of the international agreements that make up international humanitarian law. Other treaties and customary international law contribute to a robust body of law that protects the victims of armed conflict.

The United States of America played a key role in drafting the Geneva Conventions and has historically promoted the adoption of international laws that govern armed conflict.

What Happens When IHL is Violated?

States must incorporate the Geneva Conventions into domestic law so violations of IHL can be handled domestically. In the U.S., most of these cases are handled internally through military courts.

Only grave breaches of IHL are considered war crimes, and the Geneva Conventions require that states prosecute war crimes. If states are unwilling or unable to hold a trial for a war crime, and have ratified the Rome Statute, the International Criminal Court could try the case. The United States has signed but not ratified the Rome Statute, so Americans that commit war crimes are not tried by the international Criminal Court.

The Four Principles of IHL

There are four principles that form the foundation upon which IHL is built. Sometimes there are clearly right and wrong military actions, but often decisions become difficult in the fog of war. These four principles are at the heart of IHL and guide the decisions parties to a conflict make.

The Principle of Military Necessity

Combatants can engage in military acts necessary to defeat the enemy, provided their actions are not otherwise unlawful under IHL. If achieving a legitimate military objective is not the purpose of their actions or if their actions violate other provisions of IHL, then their actions do not adhere to the Principle of Military Necessity.

Put another way, combatants cannot just attack anyone or anything for no reason. Their actions must have a purpose and the outcome must create a military advantage. They must make the case that the outcome will lead to a military advantage and that the actions are legal under IHL. For example, if during an armed conflict the enemy is just a few miles away, then destroying a bridge to keep the enemy from crossing would probably be in alignment with the Principle of Military Necessity. On the other hand, there is likely no military advantage to destroying a bridge when the enemy is a thousand miles away and is in no danger of crossing it anytime soon, or even at all. That act would be in violation of the Principle of Military Necessity.

The reason that the Principle of Military Necessity is discussed first is because if a military action does not adhere to this principle, there is absolutely no reason to move forward with a military action. There must be an anticipated military advantage to be gained by the action, otherwise the military action is unlawful.

A real-life example of the Principle of Military Necessity in practice was during World War II when the U.S. conducted its first bombing mission in Europe on July 4, 1942. The U.S. targeted German airfields, because they were being used for military action by the German military. Even though the airfields had civilian uses as well, the military use of the airfields determined their status as valid military targets.

The Principle of Distinction

The Principle of Distinction states that all parties to a conflict must distinguish between civilians and combatants and also between military objectives and civilian objects. Combatants must also distinguish themselves from the civilian population while engaged in an attack.

In armed conflicts, there are three categories of people to help distinguish who should be attacked and who should be protected:

- **Combatants** are members of a state's armed forces. They can legally engage in the fighting and can be lawfully targeted. If captured, they must be treated as **Prisoners of War** and cannot be criminally charged for their lawful military actions. Combatants are required to distinguish themselves from civilians, for example, by wearing uniforms.

  Sometimes there are people who choose to fight, but who do not have the legal authority to engage in armed conflict. These are often armed groups that are not associated with a government, and in fact often fight government. These people are not considered combatants, because their actions are not legal. How to classify them can get very complicated, so for our purposes, we'll stick with these three categories of people.

- **Non-combatants** are members of armed forces who are medical personnel and chaplains. They may not engage in the fighting and cannot be intentionally targeted. If captured, they must be returned to their side unless they stay to attend to the Prisoners of War from their own countries. The word chaplain as used in IHL applies to all religions.

- **Civilians** include everyone else. In fact, everyone must be assumed to be a civilian, unless there is evidence otherwise. Civilians cannot be directly targeted by parties to a conflict. If civilians participate in an armed conflict, such as participating in a rebel group, they lose their protections as civilians for such time as they directly participate in hostilities.

IHL also divides objects into classes:

- **Military Objectives** are objects which by their "nature, location, purpose, or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage."

- **Civilian Objects** are all objects unless they are distinctly military objectives.

When parties to a conflict conduct an attack, they must distinguish between civilians and combatants and civilian objects and military objectives. Only combatants and military objectives may be deliberately attacked. To use indiscriminate weapons or strategies that cannot distinguish between the status of people or objects is strictly prohibited under IHL.

> *In 2015, trucks driving oil for ISIS were determined to be valid military objectives by the U.S. However, the drivers of the trucks were civilians, so the U.S. was challenged to destroy the trucks while complying with the principle of distinction and sparing the civilian drivers. The U.S. decided to release leaflets over the moving trucks that essentially said, "Get out of your trucks and run away from them." This warning allowed the truck drivers to get away from their trucks before they were attack. This way the U.S. could direct their attack only on the military objectives, while protecting the civilian drivers, thereby abiding by the Principle of Distinction.*

The Principle of Proportionality

Combatants must not engage in an attack where the anticipated loss of civilian life, injury to civilians, or damage to civilian objects is excessive in relation to the direct and concrete military advantage that is anticipated by conducting the attack. Even though civilians cannot be targeted purposefully, IHL recognizes that civilians and civilian objects may be inadvertently harmed. This is often referred to as **collateral damage.** Parties to a conflict are obligated to take measures to minimize collateral damage.

The Principle of Proportionality requires parties to a conflict to consider if the collateral damage expected to be caused by a military attack is excessive in relation to the anticipated military advantage. Proportionality is one of the hardest principles to understand and apply because it is a judgement call. There is no recognized metric of the worth of a military advantage in relation to the loss of civilian lives and property.

The Principle of Proportionality is put into practice every day during the current conflict in Afghanistan. For example, US commanders are told that they cannot bomb a place if the commander believes that there will be even one civilian casualty. This is part of the US Secretary of Defense zero-civilian casualty policy for the conflict in Afghanistan. The policy isn't because the law says there must be zero incidental loss of civilian life, but rather because the Secretary of Defense has determined that at this point in the conflict, it isn't proportional to have incidental loss of civilian life and that the US can find ways to accomplish the mission without the loss of civilian life. In other words, by this policy he has made the proportionality decision that obtaining a military objective in this conflict is not proportional to the loss of life for even one civilian.

The Principle of Limiting Unnecessary Suffering

The Principle of Limiting Unnecessary Suffering prohibits means and methods of warfare that would cause unnecessary suffering to combatants or civilians. Means of warfare include tools or weapons used to carry out military attacks. Methods of warfare are the strategies and tactics used when carrying out an attack. This principle recognizes that in armed conflicts a certain amount of suffering will necessarily take place. The idea behind this principle is that the means and methods of warfare should not be designed to cause more suffering than necessary to accomplish military goals.
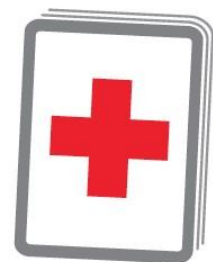
For example, to shoot a combatant with a normal bullet will cause suffering and maybe even death. While unfortunate, this is permissible under IHL. However, to shoot a combatant with a bullet that is designed to break apart into tiny fragments that are impossible for medical personnel to remove just so that the person will suffer in pain for years, is impermissible. If the only reason to use this type of bullet is to make people suffer more than if they were shot with a regular bullet, then it violates the Principle of Limiting Unnecessary Suffering.

Parties to a conflict should uphold the Principle of Limiting Unnecessary Suffering by conducting reviews of their methods and means of warfare.

A real-life example of the Principle of Limiting Unnecessary Suffering can be seen in the treaty to ban chemical weapons. Chemical weapons, including poisonous gas, had been used in warfare starting in World War I and continued to be used through the Iran-Iraq conflict in the 1980s. These weapons caused a great deal of long-term suffering without increasing military advantage. States joined together and agreed to no longer develop or use this means of warfare and to destroy existing stockpiles of these weapons.

Feasible Precautions

The four principles of IHL are implemented by taking feasible precautions to avoid violating IHL during military operations. To be feasible, precautions must be practicable considering the circumstances ruling at the time.

Precautions when conducting an attack may require that the attacker consider:

1. Cancelling an attack when it is clear the attack will result in a violation of IHL.
2. Choice of military objectives to attack — the objective that results in the least danger to civilians should be chosen.
3. Timing of the attack.
4. Type of weapons used to carry out the attack.

Precautions against the effects of an attack may require that the attacker consider:

1. Removing the civilian population and civilian objects from the vicinity of military objectives.
2. Avoiding placing military objectives near or within densely populated areas.
3. Conducting certain attacks at night to reduce casualties.
4. Publishing a warning of an impending attack via social media or SMS to residents of the target zone.

Red Cross + Red Crescent Movement

ICRC

The International Committee of the Red Cross (or ICRC for short) work is based on the Geneva Conventions of 1949, their Additional Protocols, its Statutes, and the resolutions of the International Conferences of the Red Cross and Red Crescent. The organization is independent and neutral. It promotes respect for international humanitarian law and its implementation in national law.
In the climate and conflict context, the ICRC has provided reports, blogs, and other research on the impacts and challenges. The ICRC has also advocated for better environmental protection by armed forces during conflicts. Together with the International Federation of the Red Cross, the ICRC has led the development of a guide for humanitarian organizations as they respond to these crises and rally for collective action.

American Red Cross (National Societies)

The American Red Cross provides disaster relief and humanitarian need both domestic and internationally. The ARC issued statements unequivocally acknowledging climate change and its commitment to responding to the humanitarian disasters that ensue. Additionally, the ARC has taken steps to reduce its carbon footprint and advocate for those who disproportionately suffer its effects.

The ARC raises awareness about the effects of climate change and conflict through dissemination and campaigns like this one! By collecting research and spreading awareness in the public, the ARC hopes to create action through these programs.

The International Federation of the Red Cross, or IFRC, is the world's largest humanitarian network, comprising 192 national red cross and red crescent societies that work to save lives, build community resilience, strengthen localization, and promote dignity around the world. The IFRC and its 192 national societies work to prevent and lessen the impacts of crises and disasters with a focus on saving lives, reducing suffering, and upholding human dignity.

The IFRC recognizes the connection between climate change and increases in the frequency, intensity, and unpredictability of severe weather events with rises in small-scale conflict and violence. This allows the IFRC to invest in disaster risk reduction and climate adaptation before a weather event occurs. Effective use of technology and innovation allow for proactive early action and predictive financing. Efficient coordination across regions and global networks ensures humanitarian demands are met by improving locally-led action. The IFRC uses these strategies to organize effective responses to disasters that can reduce the likelihood of conflicts.

Module 3: Annual Theme: Space Law and Armed Conflict
The History of Humanity in Space
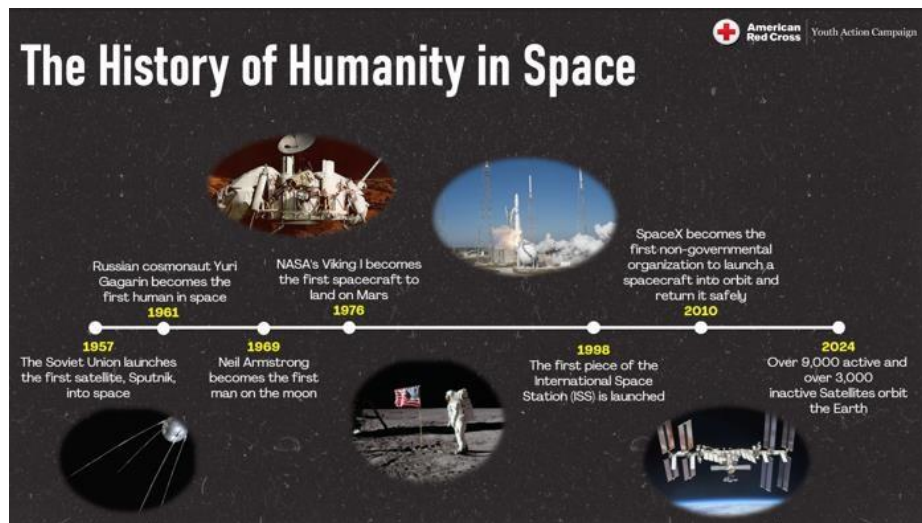
Some of you might recall that the "space race" began when the USSR launched Sputnik I, the world's first satellite. Four years later, the USSR successfully launched the first man, Yuri Gagarin, into space. In 1969, of course, American astronaut Neil Armstrong became the first man on the moon. In 1976, mankind branched out to other planets when NASA's Viking I became the first spacecraft to land on Mars.

Moving forward in time, the first piece of the International Space Station (ISS) was launched in 1998, making it possible for humanity to have an ongoing presence in space. SpaceX's 2010 launch and safe return of

a rocket marked a significant milestone in the privatization of outer space travel. Finally, we arrive at our present moment, where there are over 12,000 satellites, 9,000 of which are active, orbiting the earth.

The History of Military Operations in Space
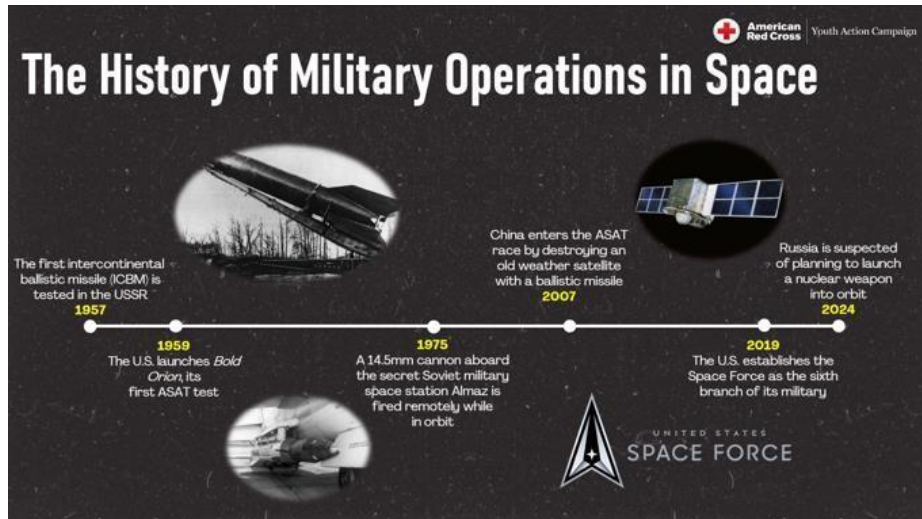
Military technology and outer space have always been linked to one another. The development of the intercontinental ballistic missile, or ICBM, in 1957 gave the USSR the firepower to launch Sputnik into orbit. As soon as a satellite was successfully launched, states began figuring out how to disable those used by their enemies. In 1959, the United States launched Bold Orion, its first anti-satellite, or ASAT, weapon. Bold Orion marked the first interception of a satellite in space. In 1975, a 14.5mm cannon aboard the USSR's secret military space station Almaz was fired remotely in orbit, the only declassified instance of a weapon being fired in space.

Years after the Cold War ended, China entered the ASAT race by destroying an old weather satellite with a ballistic missile. Despite having conducted a similar test in 1985, the US condemned China's actions. In 2019, the U.S. established the space force as the sixth branch of its military, signaling changing views towards space as
a domain of warfare. Finally, in the midst of escalating tensions with the West because of its invasion of Ukraine, various reports allege Russia is planning to launch a nuclear weapon into orbit.

Satellite Usage: Civilian and Military

So, there are thousands of satellites orbiting the earth. You might be wondering, though: What do we use satellites for? Well, satellites serve a variety of both civilian and military functions.
On the civilian side, they are vital to our telecommunications and broadcasting capabilities; satellites provide internet, telephone, and television services. Every time you turn on the TV or Google something on your phone, you are relying on a satellite connection. We similarly rely on satellites for navigation and transportation. Companies like Apple, Google, and Microsoft offer GPS mapping technology that allows users

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to easily navigate their everyday travels. People also rely on GPS for travel via planes and ships, both of which involve complex routes that span the globe.

Civilian satellites are also used for weather forecasting and Earth resources monitoring. Aside from predicting the temperature day-to-day, satellites can track and predict storms, forest fires, and volcanic eruptions. Finally, satellites are vital to space exploration and expanding humanity's understanding of the cosmos. For instance, the Hubble Space Telescope has studied a vast array of cosmic objects astronomers were unable to capture from Earth.

Satellites help militaries identify troop locations and other targets like weapons facilities. Satellites are also used as early warning systems, detecting incoming missile launches and providing vital time for response. Additionally, GPS is used for navigation. Just as it is used by civilians, soldiers use GPS coordinates to orient themselves on and traverse through the battlefield. Moreover, satellites allow militaries to communicate, whether between headquarters and ground forces or among individual units maneuvering in battle. Data networks allow armies to issue commands and act together. Finally, satellites are used in targeting; satellite information is used to deploy ground forces and fire munitions.
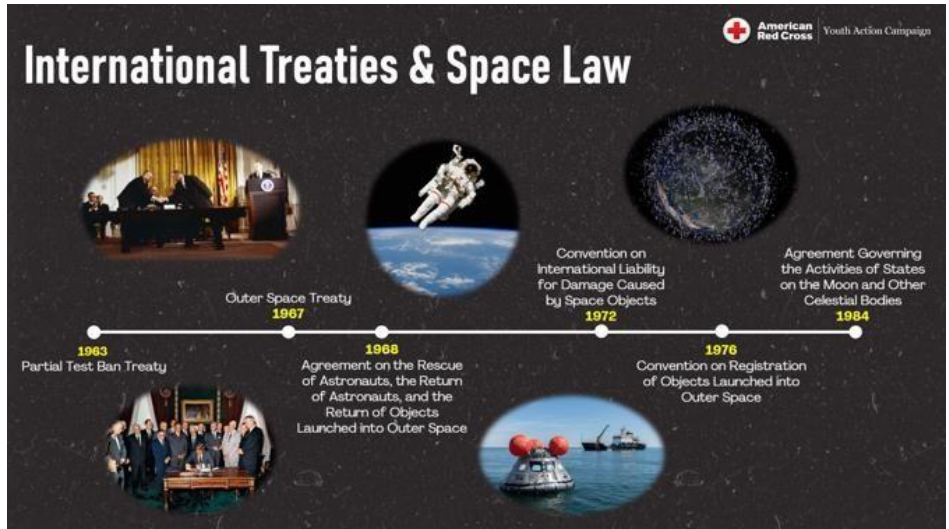
Why do we need Space Law?

First, war is already being waged in space and, like land and sea warfare, must be governed by laws. The 1991 Gulf War is widely considered the first "space" war because satellites were used for troop navigation, to gather information on enemy troop movements, and as early warning systems against missile attacks. States have continued to utilize space in ongoing conflicts, as well. In the Ukraine conflict, satellites are used to control unmanned drones, to launch precision-guided munitions and cyberattacks, and for high-speed internet on the battlefield. But, as we have established, space objects also provide benefits to the civilian population. In fact, some satellites are what IHL refers to as dual-use objects, meaning they have both military and civilian functions and thus require rules on whether they may be targeted during armed conflict.
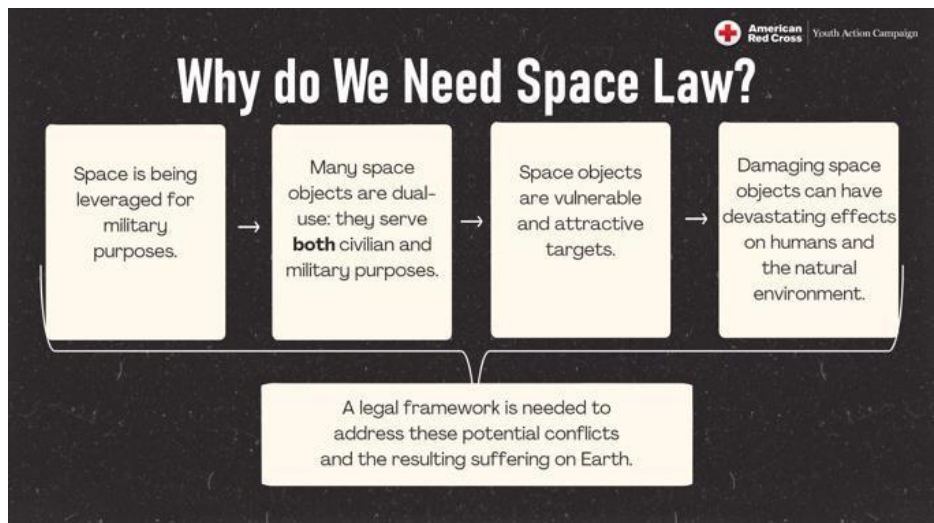
Not only do space objects provide military utility, but they are also good targets. They are limited in number, set on fixed paths which make them easy to track, expensive, and relatively easy to destroy. However, states cannot damage or destroy space objects at will because of the dangers of space debris. Debris that falls to the earth or damages other space objects while remaining in orbit can have catastrophic effects on humans, the natural environment, and critical civilian infrastructure.

International Treaties & Space Law

The international community anticipated the advent of space conflict and developed a robust legal framework to regulate conflict in space. Although some suggest that these international treaties lack specificity, the expansive definitions included within them ensure they will continue to apply to advanced technologies and contemporary methods of warfare.

The first piece of international law regulating conduct in space is the 1963 Partial Test Ban Treaty, which prohibits testing nuclear weapons and explosions in the atmosphere and outer space. The Outer Space Treaty quickly followed in 1967 and provides a framework for international actions in space and a set of core principles.

Shortly before the first moon landing, the Agreement on the Rescue of Astronauts, the Return of Astronauts, and the Return of Objects Launched into Outer Space entered into force in 1968. The agreement ensures that signatory States will take all possible steps to rescue and assist astronauts in distress and promptly return them to the launching state.

As States with space capabilities continued launching objects, they recognized the need to draft a convention assigning liability for damage caused by outer space objects on the surface of the Earth or to aircraft. This recognition brought about the 1972 Convention on International Liability for Damage Caused by Space Objects.

The international community further decided to regulate conduct in space by creating the 1976 Convention on the Registration of Objects Launched in Outer Space. This Convention requires signatory parties to create registries to identify objects launched into space, whether by governmental or non-governmental entities.

The most recent agreement we will discuss entered into force in 1984, the Agreement Governing the Activities of States on the Moon and Other Celestial Bodies, also known as the Moon Agreement. The international community sought stricter regulations of conduct in outer space regarding the Moon and other Celestial Bodies, and drafted the agreement to reaffirm the principles of the Outer Space Treaty.

The Partial Test Ban Treaty (1963)

The Partial Test Ban Treaty, or PTBT, prohibits nuclear weapons tests and nuclear explosions underwater, in the atmosphere, and most importantly for our purposes, in outer space. Underground nuclear tests are permitted, so long as no radioactive debris falls outside the nation conducting the test. The treaty is of unlimited duration and has 123 signatory states.

The Outer Space Treaty (1967)

The Outer Space Treaty, or OST, is the seminal international treaty on space. It emphasizes the use of outer space for peaceful purposes: states party to the treaty must ensure that the exploration and use of outer space shall be carried out for the benefit of all mankind. As such, it forbids establishing military bases, testing weapons, and conducting military maneuvers on celestial bodies Moreover, no state can claim territorial sovereignty in space or place weapons of mass destruction (WMDs) in orbit.

The OST does not, however, prohibit all military operations in outer space. States have interpreted the phrase "peaceful purposes" to include self-defense and reconnaissance. Fortunately, the OST provides that the full breadth of international law, including IHL, applies in space.

The Agreement on the Rescue of Astronauts (1968)

The agreement on the Rescue of Astronauts requires that states take all possible steps to rescue and assist astronauts in distress and promptly return them to their launching authority. Additionally, states must also offer their assistance in recovering space objects that return to Earth outside the launching state's territory.

The Liability Convention (1972)

The Liability Convention holds that the state from which a space object is launched is responsible for any harm caused by the object, regardless of intent. For example, if a satellite launched by State A malfunctions and collides with State B's satellite, State A is responsible.

Rather than focusing on limiting action in space, the convention focuses on restitution for damages and procedures for the settlement of claims.

The Convention on the Registration of Objects Launched into Outer Space (1976)

The Registration Convention requires states and intergovernmental organizations to establish national registries of their space objects that specify the "general function" of each object. This information must also be provided to the UN Secretary -General. To date, 88% of all space objects have been registered in accordance with the convention, indicating widespread compliance.

The Moon Agreement (1984)

The Moon Agreement, which states that the Moon and other celestial bodies should be used exclusively for peaceful purposes, reaffirming one of the core principles of the OST. It also states that the Moon and its natural resources are the common

Applying the Principles

IHL at the most basic level can be understood in terms of its four core principles: military necessity, distinction, proportionality, and preventing unnecessary suffering. Each principle constitutes customary international law that binds all states and applies to any conflict taking place in outer space.

Military Necessity

Military necessity allows parties to a conflict to take measures that are necessary to accomplish a legitimate military purpose which are not otherwise prohibited by international humanitarian law. In armed conflicts, the only legitimate military purpose is to weaken the military capabilities of the opposing party.

Just like on land, in the air, or at sea, parties to a conflict may only take measures in space if doing so would accomplish a legitimate military purpose. For example, a state party to a conflict cannot bomb a hospital: destroying such an object would not weaken militarily another party to the conflict. For the same reason, that state cannot destroy the Hubble Space Telescope; it is used exclusively for civilian scientific purposes and has no legitimate military purpose.

Distinction

The second fundamental principle, distinction, requires that parties to a conflict always distinguish between civilians and combatants and civilian and military objects. As the two images on the slide illustrate, a hospital is a civilian object and therefore may not be targeted, while a tank is military object that may be targeted.

In the context of outer space, issues of distinction most often arise in relation to dual-use satellites – objects that serve both military and civilian functions. For example, a satellite might provide GPS services to both civilians in their homes and to soldiers on the front lines.

Proportionality

The third fundamental principle, proportionality, requires that the harm to civilians and civilian property from an attack not be excessive when weighed against the anticipated military advantage of the attack. We may refer to the "harm to civilians and civilian property" as the "collateral damage" of an attack.

The proportionality test is the same in outer space as it is on Earth: would the collateral damage be excessive when weighed against the concrete and direct military advantage anticipated? There are a two primary means of eliminating enemy space objects, most of which are satellites, and each creates a different level of collateral damage.

Kinetic weapons are designed to collide with a target or explode in close proximity to it. Direct ascent weapons are launched into orbit and intercept their target within minutes, while co-orbital devices are placed in space and may orbit benignly for years until directed to attack.

Non-kinetic weapons, on the other hand, do not involve collisions or explosions. They include directed energy systems, electromagnetic interference, and cyber attacks. Directed energy systems are high-energy lasers that can be used to burn holes in enemy satellites or dazzle specific sensors, inflicting permanent damage or selective, temporary denial of service. Electromagnetic interference involves jamming vital signals to and from a satellite. Finally, a cyberattack on a satellite could involve scrambling or commandeering a satellite's onboard computers.

Preventing Unnecessary Suffering

The final fundamental principle is preventing unnecessary suffering. IHL seeks to prevent unnecessary suffering by requiring that the means and methods used in warfare not be designed or calculated to cause unnecessary suffering or superfluous injury. Chemical weapons, like the one pictured on this slide, are a prominent example of weapons that cause unnecessary suffering. This principle applies only to combatants.

Given how few, if any, combatants there are in outer space, it might be difficult to picture how the principle of preventing unnecessary suffering applies to outer space. However, weapons designed or calculated to cause unnecessary suffering to combatants on Earth may be fired from space. For instance, a chemical weapon stored on a satellite can be fired down on Earth and unleash its illegal effects on combatants.

Crowded Skies and Due Regard

One of the most significant principles established to prevent severe adverse effects is the Due Regard Principle of the Outer Space Treaty. Article IX of the treaty ensures that states shall "be guided by the principle of cooperation and mutual assistance" in the exploration and use of outer space, and that all activities will be conducted "with due regard to the corresponding interests of all other States party to the Treaty".

Importantly, the Due Regard Principle is reciprocal, meaning that while signatory States are constrained in their actions, their own activities are also protected. Although it may be worrying that the number of active satellites in space increased by over 800% in 12 years, an obligation already exists to limit potential adverse effects down here on Earth.

The most relevant application of the Due Regard Principle concerns space debris. Because of the increased presence of satellites and entities operating in space, the more likely it becomes that collisions will occur. When satellites collide with one or more space objects, as can be expected, they break into thousands of pieces, throwing fragments into orbit. Even the smallest pieces of space debris can cause severe damage to other satellites or to the natural environment down on Earth.

The danger of these collisions has led to the recognition of a theoretical scientific phenomenon known as the Kessler Syndrome. When one satellite collides with another, it increases the number of objects in orbit, causing more collisions to occur. It has been thought that once a major collision occurs, a domino effect will result and lead to an infinite number of collisions between the debris and other satellites. The cascading effects will disrupt countless systems here on earth that rely on technology in orbit and inevitably destroy all activity that has occurred in space. Although an extreme outcome, States party to the treaty must ensure that their actions do not contribute to such significant and severe adverse effects such as the Kessler Syndrome.
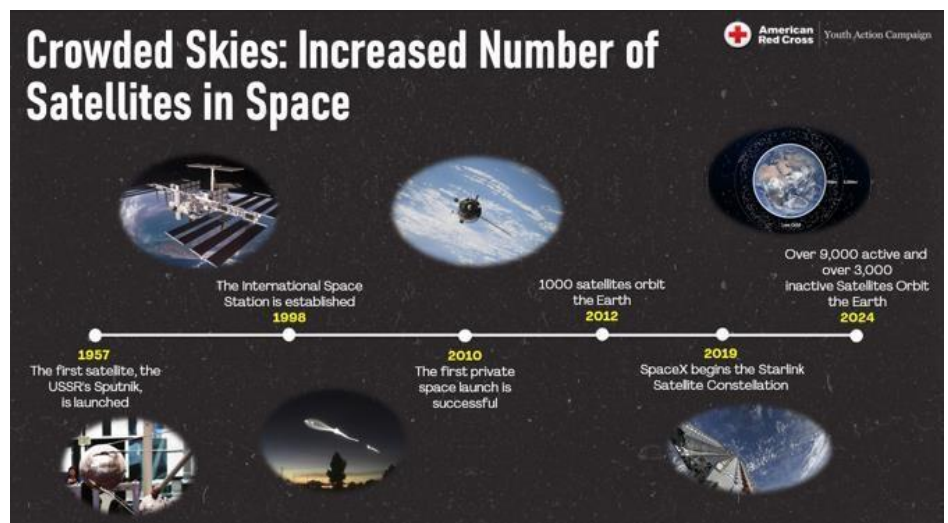
Additional Considerations

Environmental Protections in Space

While the outer space treaties do not explicitly contain protections for the natural environment, the protections and obligations in IHL apply to armed conflicts in outer space and can be utilized to limit significant adverse effects on Earth.

Specifically, IHL prohibits any means and methods of warfare that cause "widespread, long-term and severe effects" to the natural environment. The main international agreement protecting the natural environment is the 1977 Environmental Modification Convention. We'll also examine Additional Protocol I, Articles 35(3) and 55(1) to understand their differences and how each can be utilized to protect the natural environment during an armed conflict in outer space. Importantly, Additional Protocol I is applicable only during a conflict between two state parties, rather than a state party and a non-state armed group, as those are governed by Additional Protocol II. Additional Protocol II only has language to indirectly protect the environment. The prohibition is furthered in Article 55(1) by placing an obligation on states to take care when conducting warfare that their means and methods do not cause widespread, long-term and severe damage to the natural environment and thereby prejudice the health or survival of the population. Included in this provision as well is the clause "or may be expected to cause", again illustrating the foreseeability aspect of the prohibition.

Private Actors

Private actor behavior is regulated in IHL by two main principles: 1) the fact that while the activity is being done by a private company or individual, the state is not absolved from taking responsibility; and 2) private actors must minimize harm when acting to benefit society. This is also known as *Corporate Social Responsibility*.

The Convention on the Registration of Objects Launched into Outer Space, signed in 1976, mandates that states and intergovernmental organizations must establish national registries of their space objects.

Additionally, information on space objects must be provided to the UN Secretary-General for the UN registry. These are voluntary contributions from states. These registries facilitate information exchanges between launching states and their agencies and provide accountability should space activity require monitoring.

Case Studies

Your Coach will walk you through three case studies and discussion questions to test your knowledge!

Module 4: Build Your IHL Campaign

What is a campaign?
A campaign is an organized course of action to reach a particular goal.

What is the goal of the IHL YAC?
To raise awareness in your communities about the rules of war and special theme for the year.

Roles and Responsibilities

Campaign organizers must understand their responsibility as disseminators of knowledge. It is important to take your role seriously by following the Seven Fundamental Principles of the Red Cross Movement and by using accurate information.

The Team
JROTC Cadets will form teams to compete to create the best campaign and have the greatest impact. Your role as a Team Member for the IHL Youth Action Campaign is to educate your community about a special theme within IHL. Find creative ways to engage your peers in discourse about IHL through educational in-person and social media activities.

The Coach
The Coach is the JROTC Instructor, parent, or volunteer who will guide you through the training and help you to implement your IHL Campaign.

Campaign Activities Best Practices
Adapt to your Local Context
Think about the community you are seeking to educate and remember to use the tools, strategies, and language that makes sense for your audience. For example, don't use Facebook if all your friends are on Instagram; don't do a large simulation after school if you know that your peers tend to have sports practice and won't be around; and don't use legal language during your campaign that no one will understand. Be aware of the reality of your community and plan accordingly.

Utilize Multiple Strategies
The best campaigns use multiple methods to reach the same goals. One tactic won't work for everyone in your community, and the more exposure you can give your target population to the topic, the more they will retain the message. Using multiple strategies will also help you to determine what tactics work best for your population.

Avoid Oversimplifying or Overcomplicating your Message
Sometimes oversimplifying a message can lead to misconceptions or stereotypes. For example, if you use images of people from a single armed conflict, you might unintentionally reinforce a bias that this kind of violence only occurs with one group of people.

It is also important not to over-complicate your message at the risk of people misunderstanding your campaign or simply ignoring it. For example, providing youth with a 20-page paper from the ICRC website may cause your peers to quickly lose interest and forget the topic.

Strategy 1: In-person Activities

In-person activities offer the opportunity to educate your peers about International Humanitarian Law through creative and engaging projects. The in-person activity *must include a component of participation*. It can't just be an art display or a video screening; invite peers to join in an activity or conversation. It further needs to track how many people are participating and measure the success of the campaign.

Some examples of in-person activities include:

1. Conduct a scavenger hunt
2. Design a simulation
3. Write a play with audience participation
4. Create an art piece that invites others to contribute
5. Design a board game
6. Conduct a school survey
7. Host a Spoken Word/Open mike night
8. Create a presentation with questions for classrooms
9. Host a movie screening and discussion

Marketing Events

Create a Marketing Timeline: For large events, you will need to begin marketing one month in advance. Start with regular messaging and pick up the consistency as the day gets closer.

Build your Brand: A name and image for your campaign will go a long way. If you create posters, ensure the style and theme are consistent. Design engaging content, using emotional appeals and personal stories can be particularly powerful.

RSVPs: RSVPs can be very useful in allowing you to track if you are reaching your numerical goals. If you are one week out from the event and you only have a few RSVPs, you may need to step up your marketing game.

Use Existing Networks: Reaching large numbers will be easier if you can use existing networks. Ask to have a timeslot at an assembly, or partner with another large event. Work with like-minded organizations and clubs to put something together. You could even partner with other Red Cross activities, like a blood drive or preparedness course to reach more people. Further, word of mouth is the best way to get people to show up. Use your personal networks to spread the word and don't be shy to be persistent with your messaging!

Offer Incentives: Offering incentives can be a good way to encourage participation, but you have to be careful about the way this comes off. For example, you don't want to cheapen the purpose of the campaign by posting flyers that feature pizza, while putting the topic of your campaign in the corner. A good example of using an incentive could be asking a teacher/professor to offer extra credit for attending an event.

Utilize the 40/60 Rule: Marketing is hard work! Ideally, 40% of your time should be spent on content creation for the event and 60% on marketing. Getting people in the door is incredibly important. No matter how great

your program is, it won't do much good if no one shows up. You could even designate members of your team to just focus on marketing.

Strategy 2: Social Media Activities

Your social media activities can reach large audiences and quickly raise awareness about International Humanitarian Law. Social media is most effective when it has a call to action, or it invites the participation of the viewer. However, not all people who see your message will want to engage with the topic. It is, therefore, important to reach large numbers because only a small percentage will be inspired to act. This is why as a team you will count both the views and engagements of your social media reach.

- View: A view is defined as receiving and acknowledging a post and/or taking some low level of action.
- Engagements: A social media engagement is more than just a view. An engagement is defined as seeing a post and demonstrating active participation in IHL discourse.

Ways to engage peers through social media activities:
1. Ask a question to your peers on an IHL topic
2. Ask friends to take a survey on a topic
3. Post a video or image and ask peers how the video or image made them feel
4. Shares of content
5. Get your peers to follow the ICRC's social media accounts
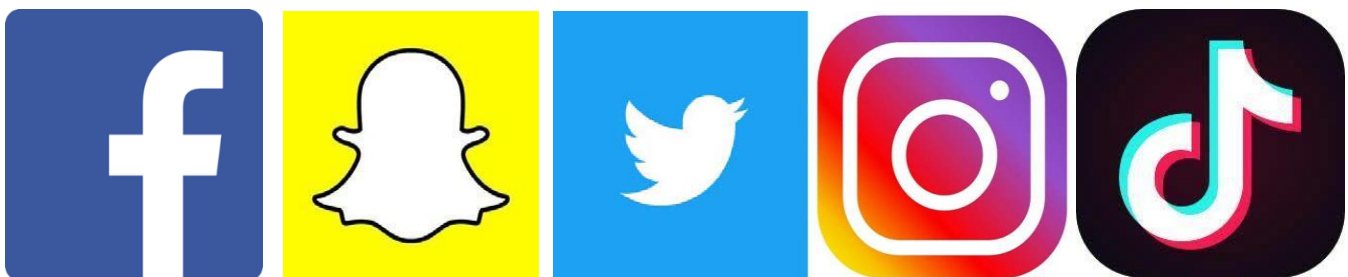
What counts as a *view* or an *engagement* on social media platforms?

Platform		Action	Count
Instagram			
	View	Post a video or photo on your Story, livestream	Views, likes
	Engage	Ask a question, create a poll, write a post that starts a discussion	Responses, comments on a post
Facebook			
	View	Post a photo or video, livestream	Likes
	Engage	Pose a question or create a survey, write a post a that starts a discussion	Responses, comments on a post, shares
SnapChat			
	View	Send Snaps, post on Story	Opened Snap, View on Story
	Engage	Send snaps, post on Story	Response related to topic
Twitter			
	View	Photos, Videos, Posts	Likes
	Engage	Photos, Videos, Posts	Shares, responses
Blog			
	View	Post content	Views, site visits
	Engage	Post content	Comments on blog
Tik Tok			
	View	Post content	Views, likes
	Engage	Post content	Comments
ICRC			
	Engage	Ask friends to follow ICRC social media accounts	Follows/shares of content

Social Media Best Practices

Social media campaigns have the power to communicate messages on a massive scale and quickly raise awareness. Social media platforms are virtual spaces that can empower people to connect, build relationships, and create value through online conversation and collaboration.

Be mindful of School Guidelines, the American Red Cross Brand, and JROTC Brand

Social media impacts people's relationships with each other and institutions. As JROTC cadets participating in an American Red Cross program, you must be aware of how the content you post reflects on these organizations. Please check the content of your social media campaign with your Coach and be sure to follow your school's social media rules.

Use the Seven Fundamental Principles of the Red Cross Movement

Your campaign should be guided by the Seven Fundamental Principles at all times. For example, you must be careful not to compromise our neutrality mandate by posting something that shows a preference for or against a government or armed group. Never post something like, "Stop terrorists from harming medical workers!" because it uses legally inaccurate language and targets one group rather than addressing the problem as a whole. Never refer to a specific armed group in postings as this could put Red Cross and Red Crescent staff members and volunteers in danger abroad. Do not berate individual decision-makers or governments.

Respond to Comments with Caution and Respect

While running a social media campaign, you might receive negative or hurtful comments from people. Report any abuses or episodes of cyber bullying immediately to your Coach. If a comment is just a little negative or reflects a view about IHL that is uninformed, be sure to respond with respect and stick to facts rather than opinions. If someone finds one of your posts harmful or offensive, apologize when appropriate.

Social Media Do's
- Use your own personal pages and profiles
- Check social media content with your Coach
- Use the Seven Fundamental Principles to guide your posts
- Follow the American Red Cross Social Media Guidelines
- Provide accurate facts and information from sources like the ICRC or American Red Cross
- Report abusive or bullying comments to your Coach

Social Media Don'ts
- DO NOT create a new American Red Cross or JROTC page or profile
- DO NOT create content and post it without checking with your Coach

- DO NOT post interpretations or call out specific armed groups or violations of IHL
- DO NOT post opinions or personal beliefs
- DO NOT respond aggressively or defensively if you receive a negative or uninformed comment

Campaign Summary Project PowerPoint or Video

As our partners in disseminating IHL, it is vital that we learn from your valuable experience and are able to share your story. This summary project will also be used to learn about your campaign when determining who will win the competition. Once you have completed your campaign, please create a short video or PowerPoint presentation demonstrating your accomplishments!

Please include in your video or presentation:
- What was the problem your campaign was trying to solve?
- What campaign activities did you do?
- How were you successful?
- How many people did you engage through in-person activities? How many views did you get through social media? How many engagements did you get through social media?
- What could you do better next time?
- What was the best part of the IHL Youth Action Campaign, or what accomplishment are you proudest of?

The Competition

Throughout the campaign, teams will track the number of people their team reaches in-person and/or online. Throughout the campaign, teams report their campaign activities through the IHL Youth Action Campaign Website and at the end of the campaign they will create and turn in the Campaign Summary Project. Campaigns must be complete and summary projects turned in by April 1st. The team that has the greatest reach and most compelling campaign within the Red Cross Division where their school is located will be selected a division winner, and the best of the division winners will become national champion. The American Red Cross will pay to send up to five members of the national winning team to Washington D.C. for the Summit.

IHL Youth Action Campaign Checklist

❑ Work through the steps in your Design Thinking Campaign Building Tool and Step-By-Step Activity Plan.

❑ Check your campaign with your Coach.

❑ Implement your campaign!

❑ Track and record data.

❑ Create your Summary Project and compete to go to Washington, D.C.!

Design Thinking Campaign Building Tool

Are you ready to raise awareness about IHL? Use design thinking to build your IHL Youth Action Campaign.

Design thinking is a process of problem solving that puts human experience at the center of finding solutions. Though it will be difficult to implement the entire design thinking process to your campaign, you and your team will go through a simplified version of the steps to design activities that place your community and mission at the heart of your campaign.

You may want to use some large pieces of paper or a whiteboard to explore the steps with your team.

Step 1 - Empathize

The first step of design thinking is to empathize with your community and identify a target audience. Usually, design thinkers will observe their population and conduct interviews. For our purposes, simply explore the following questions with your team:

- Who is your target audience?
- What does your target audience care about?
- Where does your target audience usually gather?
- What kinds of activities does your target audience like to do?
- What social media platforms do they use?
- What gaps of knowledge do they have about IHL?

After reflecting on the questions, describe your target audience here:

Step 2 - Define

Keeping your target audience in mind, define exactly what problem your campaign will address:

- What would you like your community to know about IHL and the special theme?
- What information would be particularly useful or interesting to them?
- What kind of action would you like them to take?
- How can you measure if your goal has been accomplished?

Please write a statement describing the problem you would like to solve:

Please write a statement describing how will you will measure the success of your campaign:

Step 3 - Ideate

Now that you have defined your problem, it is time to brainstorm solutions.

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Part 1. As quickly as possible and without judgement come up with as many in-person and social media activities as you can. Create your own ideas and refer to the activity guides and social media tool kit for support.

Please write down as many ideas as you can in the space below:

Part 2. When you have exhausted the possibilities, go back through the list and evaluate each option:

- Which of these ideas solves your problems best?
- Which ones can you do with the time and resources you have?
- How will you track participation? Will these activities reach the numerical goals you have set?

Part 3. When you have finished evaluating, decide which activities you would like to complete for the campaign, keep in mind that your ideas may change as you continue through the design thinking process.

Please list the activities you would like to include in your campaign below:

Step 4 - Prototype

The next stage of the design thinking process is to map it out. Visualize what the different components of your campaign will look like. Ask your Coach for any materials you might need and draw pictures, build models, and write sample social media posts.

In the next phase you will be testing your ideas in a simplified form on the other participants. Be prepared to explain your plan and how it meets your goals.

Step 5 - Test

The fifth phase of design thinking is testing your product. You may not have time to run through the entire campaign with a sample group but test your ideas the best you can. Test the ideas on the other participants at the training or ask your friends what they think of the activities and social media posts. Make sure to get feedback on the appropriateness of your content, if the activities are feasible, and if the campaign will meet your goals.

Please write your feedback here:

Step 6 - Implement

After you've gotten feedback on your campaign activities, incorporate any changes you would like to make.

The Design Thinking Campaign Building Tool will be submitted to the Coach, and after it is approved, you can continue to plan the various activities of your campaign and complete the Step-by-Step Activity Plan Forms.

Now, implement your campaign!

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Step-by-Step Activity Plan

Team name:

Team members:

Activity Title:

Activity Date(s):

Include a brief description of the activity

What is it?

Explain how this activity addresses the problem you are trying to solve

How does it help?

How many of your peers will you try to reach? How will you track you reach?

What materials will you need?		
How much will it cost?		
Total cost:		

What steps do you need to take?	By when?	By whom?

Campaign Activity Ideas

1. Scavenger Hunt

Create a scavenger hunt where each hidden clue educates participants about IHL. One possibility is to give moral dilemmas within IHL. Ask questions, and if participants guess correctly, provide the clue to the next location. Another format is to mark locations with distinctive images and have the answer to the clue be the image for the next station.

2. Simulation Activity

Your team can take participants through a simulated journey of a humanitarian worker, fighter, or civilian during an armed conflict. Create different scenarios and have participants face challenges while learning about IHL. Use the American Red Cross Raid Cross Program, the ICRC virtual reality tools or create your own simulative experience. Ask your local Red Cross Chapter about these activities.

Teams that do a simulation should use the following statement in communicating the sensitive nature of simulations to participants: Participants should note that some of the activities during the training simulate situations of violence and they may touch on sensitive issues related to armed conflict or situations of insecurity. While the facilitators will take every precaution to ensure that all participants in the simulation are comfortable throughout the activity, participants who would like to opt out of the activity may do so at any time.

*Please note that the use of fake or simulated weapons is strictly prohibited and that before the simulation the audience must be made aware of the nature of the simulation and be given the opportunity to opt out if they do not wish to take part.

3. Theater Performance

Create a play that includes the principles of IHL. Be sure to highlight when IHL is being respected and when it is not. Follow a narrative of a fighter, humanitarian worker, or civilian in an armed conflict and educate the audience about IHL.

4. Interactive Art Display

Design an art display that requires some form of participation. People could be asked to answer a question through art, draw how they feel after watching a video about IHL, or demonstrate their support for the victims of armed conflicts.

5. Board Game

Audience members can progress through a board game by making choices and solving dilemmas faced in an armed conflict. The game could include activities, tasks, and questions. By the end, the board game could also reveal ways in which players can learn more about IHL. The instructions for the board game should be written up so it is easy to understand and can be replicated.

6. School Survey

Your team could design a survey and analyze the results. In order to educate your peers on IHL, have participants take the survey, and then facilitate an activity to increase the knowledge of IHL among the audience members. After the activity is complete, the team can ask the same audience members to take the survey again. Your team can analyze the results and decide if your campaign activity was effective in increasing knowledge of IHL.

7. Flash Mob

Your team could plan and carry out a flash mob demonstration of an IHL principle. Creative scenery, props, and costumes are encouraged. Team members should engage the audience in a conversation and pass out flyers with more information.

8. Spoken Word/ Open Mic

Organize a spoken word night or open mic session and invite peers to participate. A workshop could help participants to learn about IHL and then offer the participants time to write a song, piece of poetry, or monologue.

9. Host a Movie Screening with a Discussion

Screen a movie about armed conflicts, real or fiction. Start with a presentation about IHL to give context and prepare questions for a discussion after the movie is complete.

Movies could include:
- Beasts of No Nation
- The Colors of the Mountains
- Hacksaw Ridge
- Unbroken

Questions could Include:
- What challenges did the characters face during the armed conflict?
- When did IHL apply during the movie?

- Were there instances where IHL was violated? Where it was upheld?
- How could the parties to the conflict in the movie take feasible precautions to lessen collateral damage?

Campaign Activity Data

Name of Activity	Date of activity	How was data tracked?	In-person count
IHL Movie night	1/30/19	Number of people that signed in	24

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