

Experts assert US holds legal authority to terminate Chinese surveillance balloon



According to national security and legal experts, the Biden administration holds the legal authority to shoot down the Chinese spy balloon detected over Alaska and Montana this week. Cully Stimson, a senior legal fellow and manager of the National Security Law Program at the Heritage Foundation and a 30-year veteran of the Navy Judge Advocate General's Corps, declared that the US has the "absolute legal right to take it down." Stimson explained that this right could be found in various laws of armed conflict within the US and the Geneva Conventions on an international level. He added that US territory includes its airspace until space is reached, and the balloon is well within US airspace, which Pentagon officials estimate is at 60,000 feet.

Bryan Clark, a senior fellow at the Hudson Institute, also affirmed that the US has the legal right to shoot down the balloon as long as it is unmanned and in US airspace, which extends to about 100,000 feet. James Andrew Lewis, the director of the Strategic Technologies Program at the Center for Strategic and International Studies, added that anything under 100,000 feet could be considered fair game.

While the option to take down the balloon is available, the Pentagon has expressed concerns over the possibility of debris landing in residential areas. A senior US official stated that other options exist for bringing it down "when it is deemed safe to do so." Ilan Berman, senior vice president of the American Foreign Policy Council, speculates that the Biden administration is avoiding a confrontation with China by citing the possibility of debris.

Victoria Coates, a senior research fellow for international affairs and security at the Margaret Thatcher Center for Freedom, said that China is likely testing the US by building these surveillance balloons and monitoring its response. Coates added that China's claim that it is collecting weather data near US intercontinental ballistic missile fields is questionable, given its past behavior.

In conclusion, according to national security and legal experts, the Biden administration holds the legal authority to shoot down the Chinese spy balloon detected in US airspace. While the Pentagon is wary of the potential consequences of such an action, the US has the right to defend its national territory. With China's intentions being questioned, the US must make clear that its airspace is sovereign territory.

REFERENCES:

US has 'absolute legal right' to shoot down Chinese spy balloon, say national security experts