

Planetary Defence – Legal Overview and Assessment

Space Mission Planning Advisory Group (SMPAG) Ad- Hoc Working Group on Legal Issues, Report of 2020

Technical Presentation, 9 June 2021

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Overview

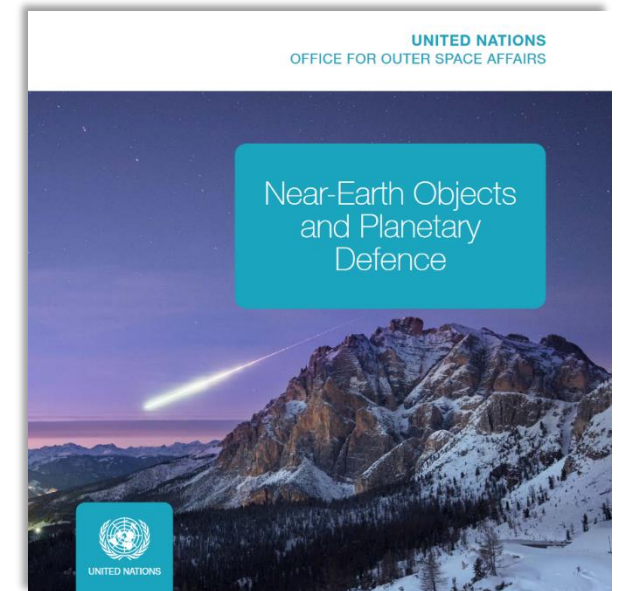
- The Space Mission Planning Advisory Group (SMPAG)
- The SMPAG Ad-Hoc Working Group on Legal Issues
- The Report of 2020
- Contents of the Report of 2020
- Conclusions

The Space Mission Planning Advisory Group (SMPAG)

Pursuant to General Assembly resolution 71/90 of 6 December 2016, UNOOSA acts as secretariat to SMPAG, which works on laying out the framework, timeline and options for initiating and executing space mission response activities, as well as promoting opportunities for international collaboration on research on technology and techniques for NEO deflection.

Both IAWN and SMPAG submit an annual report to COPUOS and its Scientific and Technical Subcommittee under the agenda item on NEOs. In 2016, SMPAG also agreed to establish the SMPAG Ad Hoc Working Group on legal issues to address possible legal questions related to the work plan items of SMPAG.

Source: UNOOSA, Near-Earth Objects and Planetary Defence (2018) page 13, <https://undocs.org/pdf?symbol=en/ST/SPACE/73>



The SMPAG Ad-Hoc Working Group on Legal Issues

Mandate of 2016:

- Describe the existing legal context, in particular international law, relevant to the work of SMPAG.
- Identify, formulate and prioritize relevant legal questions and issues requiring clarification.
- Where necessary, suggest possible ways forward to deal with legal questions and issues.
- Provide legal advice to SMPAG as required.

Contributors, legal experts

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The Report of 2020

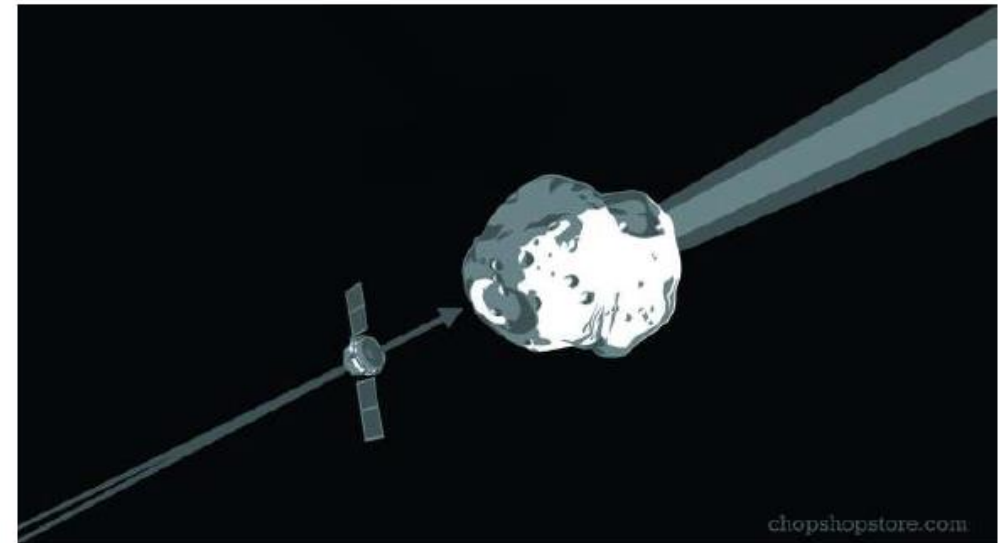
Available at:

https://www.cosmos.esa.int/documents/336356/336472/SMPAG-RP-004_1_0_SMPAG_legal_report_2020-04-08.pdf

Presentation to STSC and excerpts of the Report:
A/AC.105/C.1/2021/CRP.10 (21 April 2021)

Planetary Defence Legal Overview and Assessment

Report by the Space Mission Planning Advisory Group
(SMPAG) Ad-Hoc Working Group on Legal Issues to
SMPAG



Version: 4th of February 2020

This report was written in 2017 to 2019 by the members of the SMPAG Ad-Hoc Working Group on Legal Issues for the Space Mission Planning Advisory Group (SMPAG). SMPAG is endorsed by the United Nations General Assembly.

NOTE: The views expressed in this Report are the views of the members of the Ad-Hoc Working Group on Legal Issues and do not express the views of national governments, ministries or agencies.

Contents of the Report of 2020

- Obligation to Inform and to Act
- Legality of Planetary Defence Methods
- Responsibility
- Liability
- Considerations for Decision Bodies

Conclusions

- **Existing international (space) law rules** are applicable to planetary defence activities
- **International coordination** is advisable to increase acceptance and diminish political concerns
- **Early preparation** is necessary to solve technical and legal issues

Ad-hoc Working Group on Legal Issues to be continued, terms and conditions are currently under consideration by SMPAG, new members are welcome. If interested, please contact SMPAG Chair, Detlef Koschny (Detlef.Koschny@esa.int) and Team Coordinator, Alissa J. Haddaji (alissa.haddaji@cfa.harvard.edu)

Thank you for your
attention!

For more information see SMPAG homepage:

<https://www.cosmos.esa.int/web/smpag>