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**LEGAL FRAMEWORK OF THE UNITED NATIONS SECURITY COUNCIL'S ROLE
IN DECISION AND IMPLEMENTATION OF PLANETARY DEFENSE ACTION**

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Extended Abstract

The preservation of humanity is a vital and paramount objective for all nations of the world. It is therefore essential that states participate in actions aimed at preventing catastrophic threats to the international community. One of the most critical threats facing humanity today is the possibility of a Near-Earth Object (NEO) colliding with our planet. In such a scenario, the consequences could be catastrophic, leading to the possible extinction of all life on Earth. It is therefore imperative that all states participate in planetary defense measures to prevent such a catastrophic event. The obligation of states to participate in these actions should be considered central and non-negotiable. The need for international cooperation in this regard cannot be overstated, as no single state can effectively address such a global threat alone.

The United Nations Charter is a fundamental document that provides the legal framework for international cooperation and peace. Its provisions recognize the importance of promoting and maintaining international peace and security and call for the use of peaceful means to settle disputes between nations. In this regard, the Charter also provides for the collective responsibility of all States to cooperate in the maintenance of international peace and security.

The obligation of states to participate in planetary defense measures can be derived from the provisions of the Charter, in particular from Article 1(1), which states that one of the purposes of the United Nations is the maintenance of international peace and security. The catastrophic threat posed by a NEO collision with our planet constitutes a significant threat to international peace and security, and it is therefore the responsibility of all states to cooperate in preventing such an event.

The United Nations Security Council is one of the six principal organs of the United Nations, established in 1945 with the primary responsibility for maintaining international peace and security. It consists of 15 members, five of which are permanent members - China, France, Russia, the United Kingdom and the United States - and ten non-permanent members elected for two-year terms. The Security Council is the principal organ of the United Nations, with the power to make binding decisions that apply to all member states. Article 25 of the UN Charter states that decisions of the UN Security Council are legally binding on all Member States and supersede any conflicting obligations under international law, including treaty obligations (as stated in Article 103 of the UN Charter).

In the context of planetary defense, the decision-making power of the UN Security Council can be crucial in the event of a NEO impact. With its decision-making authority, the UNSC can act quickly and effectively to prevent or mitigate the impact of a NEO without the need to create a new entity or structure. This power is particularly important as the UNSC is able to convene quickly in the event of an emergency, given that Article 28(1) of the UN Charter requires each Member State to have a representative at the seat of the UN organization. The role of the Security Council is crucial in coordinating international efforts to prevent the potential impact of a Near Earth Object (NEO). According to Article 39 of the Charter, the Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression, and shall make recommendations or decide on measures to be taken in accordance with Articles 41 and 42 for the purpose of maintaining or restoring international peace and security. This provision plays a crucial role in the context of planetary defense, as it provides a legal basis for the Security Council to take action to prevent catastrophic threats to the international community.

Article 41 of the United Nations Charter gives the Security Council the authority to impose non-military measures, such as economic sanctions or diplomatic measures, against states or entities that pose a threat to international peace and security. This provision may also be relevant in the context of planetary defense. In the event of the detection of a near-Earth object (NEO) that poses a significant risk to the survival of humankind, the Security Council may consider imposing economic sanctions or diplomatic measures against a state or entity that obstructs international efforts to prevent the impact of the NEO. Such non-military measures can also be used to encourage states to develop and implement national policies and legal frameworks to support planetary defense activities. For example, the Security Council could use diplomatic measures to encourage a state to establish a national space agency or to enact legislation that supports planetary defense efforts. It is important to note that the use of non-military measures under Article 41 should be proportionate and tailored to the situation at hand. The Security Council should ensure that the measures imposed do not undermine the well-being of the population or exacerbate the catastrophic threat.

Article 42 gives the Security Council the prerogative to use force to avert or mitigate the effects of a NEO. Under this provision, if the Security Council considers that the measures provided for in Article 41 would be inadequate or have proved inadequate, it may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockades and other operations by air, sea or land forces of Members of the United Nations. In the context of planetary defense, the use of military force may be necessary in the event of a NEO impact. While non-military measures, such as cooperation and collaboration among Member States, are the preferred means of preventing or mitigating the effects of a NEO, there may be situations where military force is necessary to ensure the safety of humanity. It is important to note that the UNSC's authority to use military force is limited by the principle of sovereignty. The UNSC cannot use military force against a state without that state's consent, unless it is acting under Chapter VII of the UN Charter, which provides for the use of military force in situations of threat to international peace and security.

The responsibility of Member States to make military forces available to the United Nations Security Council for the maintenance of international peace and security is set out in Article 43 of the United Nations Charter. All Members of the United Nations are obliged to undertake to make available to the Security Council, at its call and in accordance with a special agreement or agreements, such forces, assistance and facilities, including rights of passage, as may be necessary for the purpose of

maintaining international peace and security. The Security Council may therefore request Member States to make available to the Council, on a voluntary basis, armed forces and other facilities for the conduct of military operations to maintain or restore international peace and security. The terms and conditions under which Member States would make their forces available would be subject to agreement between the UN and the Member States concerned. It is important to note that the use of military forces by member states under Article 43 is subject to the authority of the UN Security Council, which retains overall control of the operation. The specific terms and conditions of Member States' contributions would be agreed between the Member States concerned and the UN, and the operation would be conducted under the direction and control of the UN Security Council.

Article 49 of the United Nations Charter states that "the Members of the United Nations shall render each other mutual assistance in carrying out the measures decided upon by the Security Council". This means that all UN member states have an obligation to assist the Security Council in carrying out its decisions. The concept of mutual assistance is rooted in the principle of collective security, which is a cornerstone of the UN system. It recognises that the security of one state is inextricably linked to the security of all other states and therefore requires collective action to address common threats.

Any obligation set forth in the Charter takes precedence over obligations derived from other international agreements, according to Article 103 of the Charter of the United Nations. The decisions of the Security Council, which are binding on Member States, are taken primarily on the basis of political considerations. All Member States are obliged to comply with these decisions under Article 103. Moreover, since Article 25 requires Member States to implement the decisions of the Security Council, the obligation under Article 103 remains in force regardless of any other obligations arising from other treaties or agreements, even if they conflict with general UN obligations.