

# Legal Complications of Private Planetary Defence Missions

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# Outline

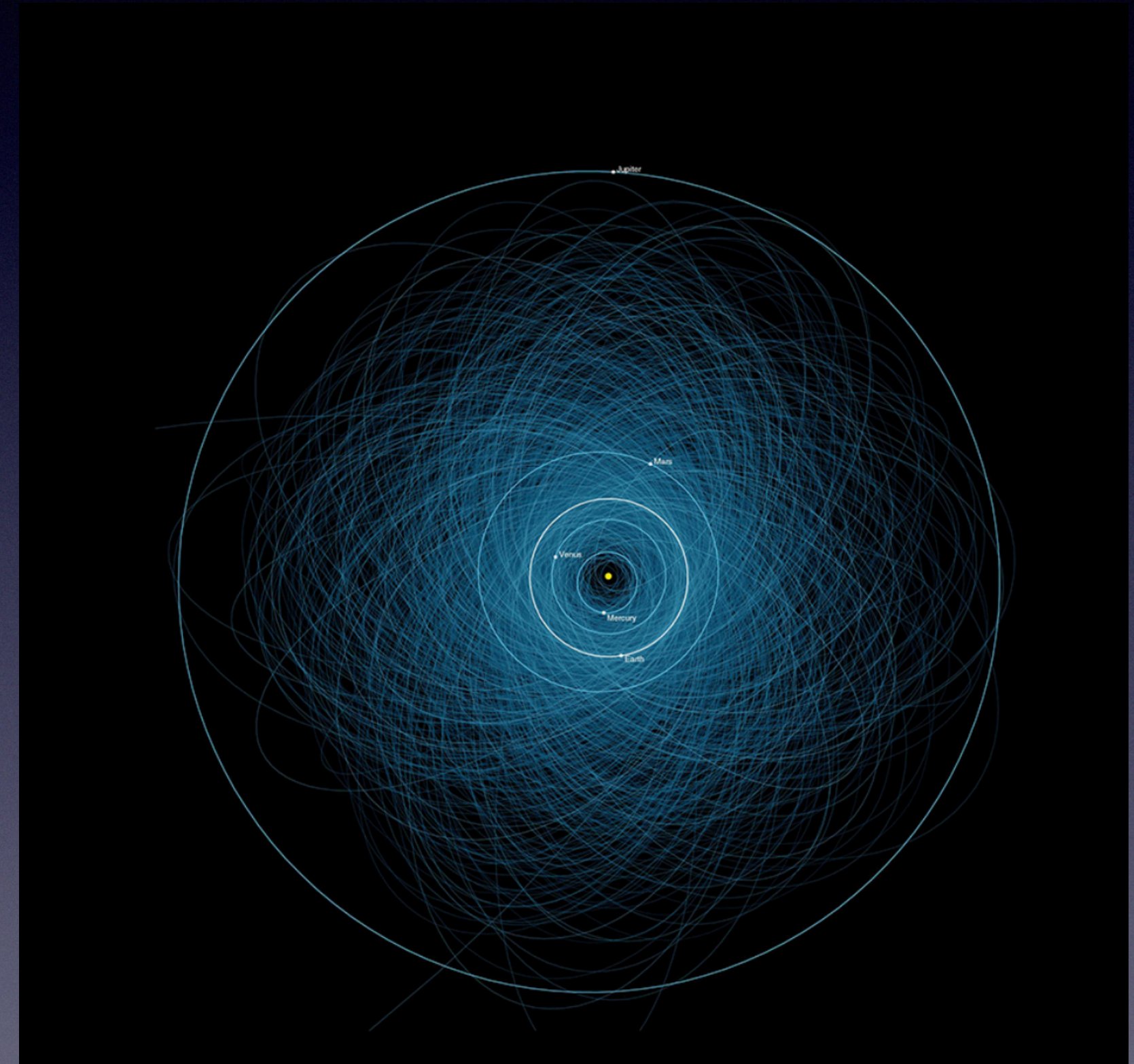
- Why does it matter?
- Brief overview of Liability in Planetary Defence Missions
- International Law
- National Law
- Victim Rights?



“Apollo 17 Astronauts Capture Iconic Blue Marble 50 Years Ago,”(December 7 1972, last updated December 7 2022) NASA, online: < <https://www.nasa.gov/image-feature/apollo-17-astronauts-capture-iconic-blue-marble-50-years-ago>>.

# Why?

- Liability, Who pays?
- From the beginning



# Liability

- SMPAG, Ad Hoc Legal Working Group Report
- States are Liable for Damages, severally and jointly

# International (Private) Actors?

*“Each **State Party to the Treaty that launches or procures the launching** of an object into outer space, including the moon and other celestial bodies, and each State Party from whose territory or facility an object is launched, is **internationally liable** for damage to another State Party to the Treaty or to its natural or juridical persons by such object or its component parts on the Earth, in air or in outer space, including the moon and other celestial bodies.”*

Article VII of the Outer Space Treaty

# Liability Convention

*"A launching State shall be **absolutely liable** to pay compensation for damage caused by its space object on the surface of the earth or to aircraft flight."*

*"In the event of damage being caused elsewhere than on the surface of the earth to a space object of one launching State or to persons or property on board such a space object by a space object of another launching State, the latter **shall be liable** only if the damage is **due to its fault** or the fault of persons for whom it is responsible."*

Articles II and III of the Liability Convention

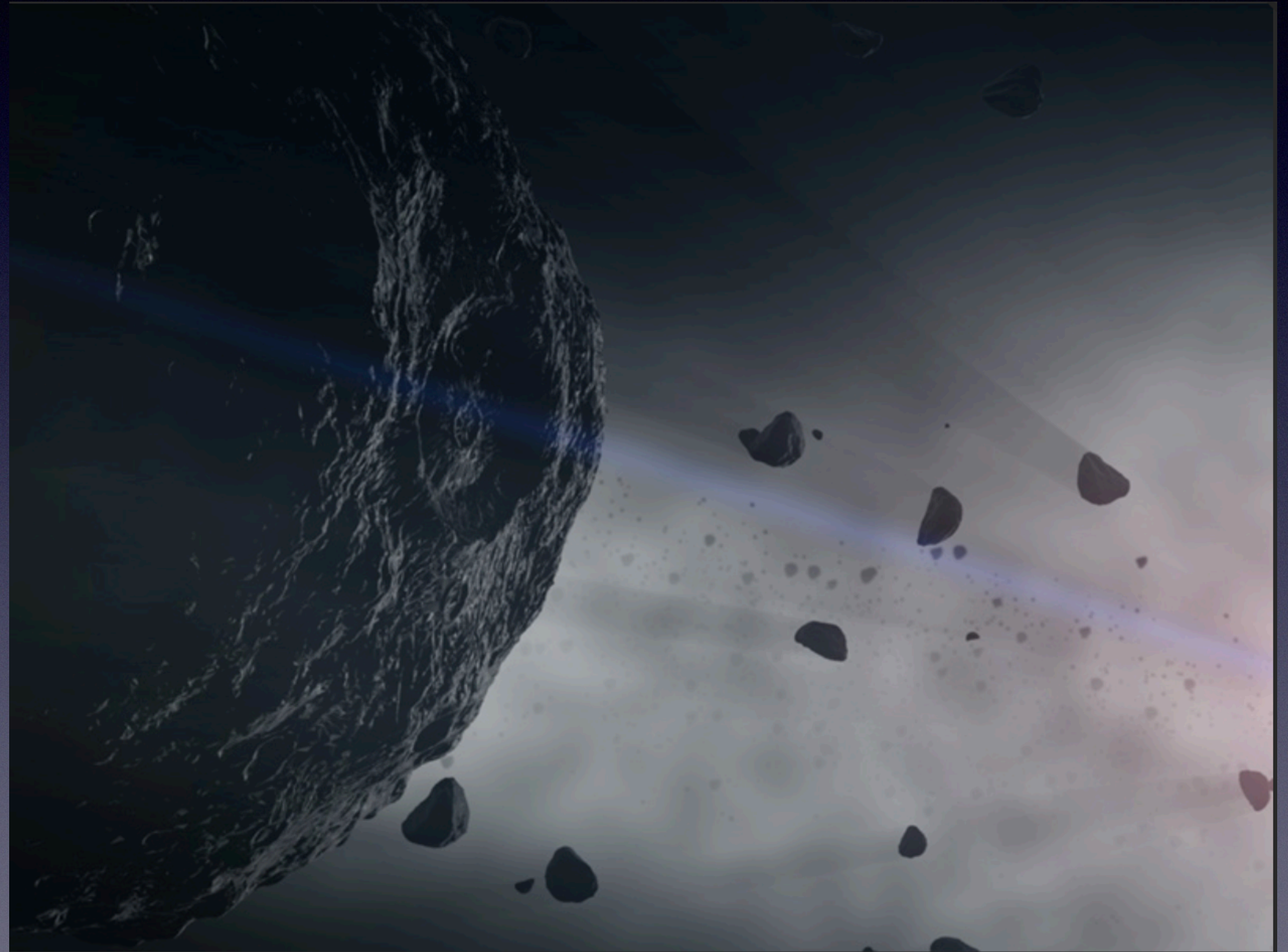
# National Laws

<u>Nothing</u>	<u>Compensation</u>	<u>Insurance</u>
Canada	Sweden	U.S.A.
Norway		France
		U.K.

Luxembourg

# What else?

- Traditional
- Contracts





# What about the Victims?

- National Law in National Courts
  - U.S.A. and U.K. and Luxembourg
- “Go to your State and have them represent you internationally”

# Questions?

- Waiver?
- “Your State”
  - A. Citizen?
  - B. Resident?
  - C. Sovereignty?



# Conclusion

- States are Liable
- Private Actors should compensate
- Victims must be considered



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*Thank you!*