

Chapter 16

Dilemmas for Planetary Defense Posed by the Current International Law Framework



Nikola Schmidt and Martin Švec

16.1 Introduction

We have not dedicated substantial space to international law in this book, however, we could not omit the topic entirely while writing about planetary defense in a multidisciplinary manner. The planetary defense endeavor is clearly dependent on more than just one aspect of knowledge. Astronomers can tell us where asteroids are, engineers can design machines to deflect them and political scientists can imagine the best governance structures for achieving public support, but it is international law that tells us where we stand now, and what is or is not possible to do if a threat eventuates tomorrow. The point of international law, for example in the case of nuclear mitigation methods, is to tell us whether it is even worth studying them since, according to international treaties, we will never get the chance to test them in space.

Can we use the traditional collective security measures in the case of an asteroid threat? Is the Security Council the right body to decide? Does an asteroid threat constitute a challenge to the concept of global ‘peace and security’? Should states have the right to use the provision of self-defense to legitimize unilateral action against an asteroid? Is a multilateral action necessarily legitimate if some states do not agree? These and many other dilemmas are discussed below.

N. Schmidt (✉)

Department of Political Science, Institute of Political Studies, Faculty of Social Sciences,
Charles University, Prague, Czech Republic
e-mail: nikola.schmidt@fsv.cuni.cz

M. Švec

Masaryk University, Brno, Czech Republic