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ON SPACE ASSETS, LAWS AND REGULATIONS, AND NEW POLICIES AFFECTING FUTURE DISASTER MANAGEMENT NEEDS

Abstract

The subject of disaster management has long been discussed by the international community, and has occasionally been directly addressed with legal mechanisms designed to ameliorate human suffering and property damage. This work aims to survey and apply the laws, treaties, declarations, and policies that have been emplaced—past and present—to combat the worst aspects of disasters. Furthermore, it will aim to assess what legal tactics can be employed in future international instruments to reaffirm extant commitments to alleviate humanitarian crises that occur due to natural and man-made disasters. To that end, this work calls for a new international endeavor to integrate myriad space resources to enhance disaster mitigation and relief, emphasizing that both natural and man-made disasters can be better addressed by new cooperative activities. Mutual efforts between States are contemplated by the Outer Space Treaty, among other instruments, and certain of that document's provisions encourage the use of space for the benefit of all mankind, irrespective of economic or technological capacities. Indeed, some international agreements between States already seek to employ cooperation in the use of new space technologies to assist in disaster management. Proposed changes to rules and policies in the United States will also be examined for their potential impact on disaster management, including the possibility of commercializing certain kinds of remote sensing assets (such as weather satellites), and the merits and demerits of such changes will be assessed. Further, while much of the conversation on disaster management looks downwards, towards the Earth, other proposed changes to space situational awareness policies in the United States would have a direct impact on the tracking of orbital debris and avoidance patterns needed to avoid a man-made disaster in space itself. Other relevant tools, such as the Disasters Charter, have a role to play in current and future space asset operations, and will be examined in the light of future disaster management regimes.