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### 1ac – advantage 1: debris

#### Satellite internet constellations accelerate collision risks – more close encounters and less transparency means bad decisions are inevitable.

Pultarova 21 “SpaceX Starlink satellites responsible for over half of close encounters in orbit, scientist says” Tereza Pultarova [Master's in Science from the International Space University, France, to her Bachelor's in Journalism and Master's in Cultural Anthropology from Prague's Charles University. She worked as a reporter at the Engineering and Technology magazine, freelanced for a range of publications including Live Science, Space.com, Professional Engineering, Via Satellite and Space News and served as a maternity cover science editor at the European Space Agency.], August 18, 2021 <https://www.space.com/spacex-starlink-satellite-collision-alerts-on-the-rise> SM

SpaceX Starlink satellites responsible for over half of close encounters in orbit, scientist says

Starlink satellites might soon be involved in 90% of close encounters between two spacecraft in low Earth orbit.

Operators of satellite constellations are constantly forced to move their satellites because of encounters with other spacecraft and pieces of space junk. And, thanks to SpaceX's Starlink satellites, the number of such dangerous approaches will continue to grow, according to estimates based on available data.

SpaceX's Starlink satellites alone are involved in about 1,600 close encounters between two spacecraft every week, that's about 50 % of all such incidents, according to Hugh Lewis, the head of the Astronautics Research Group at the University of Southampton, U.K. These encounters include situations when two spacecraft pass within a distance of 0.6 miles (1 kilometer) from each other.

Lewis, Europe's leading expert on space debris, makes regular estimates of the situation in orbit based on data from the Socrates (Satellite Orbital Conjunction Reports Assessing Threatening Encounters in Space ) database. This tool, managed by Celestrack, provides information about satellite orbits and models their trajectories into the future to assess collision risk.

Lewis publishes regular updates on Twitter and has seen a worrying trend in the data that reflects the fast deployment of the Starlink constellation.

"I have looked at the data going back to May 2019 when Starlink was first launched to understand the burden of these megaconstellations," Lewis told Space.com. "Since then, the number of encounters picked up by the Socrates database has more than doubled and now we are in a situation where Starlink accounts for half of all encounters."

The current 1,600 close passes include those between two Starlink satellites. Excluding these encounters, Starlink satellites approach other operators’ spacecraft 500 times every week.

In comparison, Starlink's competitor OneWeb, currently flying over 250 satellites, is involved in 80 close passes with other operators' satellites every week, according to Lewis' data.

And the situation is bound to get worse. Only 1,700 satellites of an expected constellation of tens of thousands have been placed into orbit so far. Once SpaceX launches all 12,000 satellites of its first generation constellation, Starlink satellites of all close approaches, Lewis’ calculations suggest will be involved in 90%

**Chart, line chart

Description automatically generated**

A graph showing the number of close encounters between Starlink satellites and spacecraft of other operators plotted by Professor Hugh Lewis based on data from the Socrates database.A graph showing the number of close encounters between Starlink satellites and spacecraft of other operators plotted by Professor Hugh Lewis based on data from the Socrates database. (Image credit: Hugh Lewis)

The risk of collision

Siemak Hesar, CEO and co-founder of Boulder, Colorado, based Kayhan Space, confirms the trend. His company, which develops a commercial autonomous space traffic management system, estimates that on average, an operator managing about 50 satellites will receive up to 300 official conjunction alerts a week. These alerts include encounters with other satellites as well as pieces of debris. Out of these 300 alerts, up to ten might require operators to perform avoidance maneuvers, Hesar told Space.com.

Kayhan Space bases their estimates on data provided by the U.S. Space Surveillance Network. This network of radars and telescopes, managed by the U.S. Space Force, closely monitors about 30,000 live and defunct satellites and pieces of debris down to the size of 4 inches (10 centimeters) and provides the most accurate location data of the orbiting objects.

The size of this catalog is expected to increase ten times in the near future, Hesar added, partly due to the growth of megaconstellations, such as Starlink, and partly as sensors improve and enable detection of even smaller objects. The more objects in the catalog mean more dangerously close encounters.

"This problem is really getting out of control," Hesar said. "The processes that are currently in place are very manual, not scalable, and there is not enough information sharing between parties that might be affected if a collision happens."

Hesar compared the problem to driving on a highway and not knowing that there has been an accident a few miles ahead of you. If two spacecraft collide in orbit, the cloud of debris the crash generates would threaten other satellites travelling through the same area.

"You want to have that situational awareness for the other actors that are flying in the neighbourhood," Hesar said.

Bad decisions

Despite the concerns, only three confirmed orbital collisions have happened so far. Earlier this week, astrophysicist and satellite tracker Jonathan McDowell, who's based at the Harvard-Smithsonian Center for Astrophysics in Cambridge, Massachusetts, found evidence in Space-Track data that the Chinese meteorological satellite Yunhai 1-02, which disintegrated in March this year, was actually hit by a piece of space debris.

The worst known space collision in history took place in February 2009 when the U.S. telecommunication satellite Iridium 33 and Russia's defunct military satellite Kosmos-2251 crashed at the altitude of 490 miles (789 kilometres). The incident spawned over 1,000 pieces of debris larger than 4 inches (10 cm). Many of these fragments were then involved in further orbital incidents.

Lewis is concerned that with the number of close passes growing, the risk of operators at some point making a wrong decision will grow as well. Avoidance maneuvers cost fuel, time and effort. Operators, therefore, always carefully evaluate such risks. A decision not to make an avoidance maneuver following an alert, such as that made by Iridium in 2009, could, however, clutter the orbital environment for years and decades.

"In a situation when you are receiving alerts on a daily basis, you can't maneuver for everything," Lewis said. "The maneuvers use propellant, the satellite cannot provide service. So there must be some threshold. But that means you are accepting a certain amount of risk. The problem is that at some point, you are likely to make a wrong decision."

Hesar said that uncertainties in the positions of satellites and pieces of debris are still considerable. In case of operational satellites, the error could be up to 330 feet (100 meters) large. When it comes to a piece of debris, the uncertainty about its exact position might be in the order of a mile or more.

"This object can be anywhere in this bubble of multiple kilometres," Hesar said. "At this point, and for the foreseeable future, avoidance is our best recourse. People that say 'I'm going to take the risk', in my humble opinion, that's an irresponsible thing to do."

Starlink monopoly

Lewis is concerned about the growing influence of a single actor — Starlink — on the safety of orbital operations. Especially, he says, as the spaceflight company has entered the satellite operations world only recently.

"We place trust in a single company, to do the right thing," Lewis said. "We are in a situation where most of the maneuvers we see will involve Starlink. They were a launch provider before, now they are the world's biggest satellite operator, but they have only been doing that for two years so there is a certain amount of inexperience."

SpaceX relies on an autonomous collision avoidance system to keep its fleet away from other spacecraft. That, however, could sometimes introduce further problems. The automatic orbital adjustments change the forecasted trajectory and therefore make collision predictions more complicated, according to Lewis.

"Starlink doesn't publicize all the maneuvers that they're making, but it is believed that they are making a lot of small corrections and adjustments all the time," Lewis said. "But that causes problems for everybody else because no one knows where the satellite is going to be and what it is going to do in the next few days."

#### LEO collisions due to constellations take out ISR and other military assets – debris cascades into different altitudes and triggers Kessler Syndrome.

Wong 19 “Congested Outer Space: Increased Deployment of Small Satellite Constellations Could Hamper Military Space Operations” 2019 Arthur Wong [Strategic Development of Forces Division, SHAPE. Prior to working at SHAPE he has worked at NATO HQ, within the Defence Investment Division on interoperability for NATO’s multinational battlegroups.] <https://www.japcc.org/congested-outer-space/> SM

Since the production of a large number of small satellites in a factory environment will lower the cost of the overall programme, companies such as SpaceX, Amazon and OneWeb have been creating a satellite constellation within the LEO and Medium Earth Orbit (MEO).8, 9 OneWeb is a new company which plans to create an initial constellation of 648 satellites to provide global satellite internet broadband services. Each satellite weighs approximately 150 kg and will be programmed to operate in 20 different orbital planes at an altitude of 1,200 km.10 Creating a large constellation within the LEO could mitigate transmission delays and latency due to their closer range to ground stations while allowing users to send and receive data in a timely manner. The first six of the 648 satellites were launched in early 2019 with more launches scheduled to occur throughout this year.

Both SpaceX and Amazon have also announced their intention of creating a separate constellation for internet communication systems. SpaceX satellite constellations, named Starlink, will be the largest constellation ever built when it is completed. The constellations consist of nearly 12,000 satellites in more than 20 different orbital planes.11 The altitude of Starlink will range between 550 km to 1,150 km. SpaceX aims to have a minimum of 2,200 satellites in the next five years and achieve initial commercial operation by 2020.12 Amazon’s version of constellation, named Kuiper, has also been seeking approval from the Federal Communications Commission (FCC) to launch more than 3,200 satellites between 590 km to 630 km in the LEO.13

Space Debris Threat Increases in the LEO

The usage of cube satellite has provided positive impacts in various fields, ranging from environmental studies to offering worldwide internet access in rural areas through communication constellations. However, the current space environment is becoming congested. Hundreds of satellites have already been scheduled to launch each year before the construction of the constellation programme by OneWeb, SpaceX and Amazon. To further worsen the space debris situation in the LEO, direct-ascent Anti-Satellite Testing (ASAT) was conducted in recent years and more debris will be created through such testing. During the Chinese ASAT in 2007, some debris from the collision was blasted outward away from the Earth, causing a potential threat to satellites above the altitude where the ASAT testing occurred.14 Nine years after the incident happened, there are still more than 3,000 traceable pieces in orbit.

In 2009, two satellites collided at a speed of 10 km/s at an altitude of 800 km. This was the first time a collision had happened between two satellites. The incident created more than 1,000 pieces of debris larger than 10 cm. Such activity could initiate a chain reaction, creating more collisions from the initial impact. This phenomenon is known as the Kessler Syndrome.15

From early 2019, there were approximately 34,000 pieces of debris larger than 10 cm (similar to the size of a cube satellite) and more than 900,000 pieces of debris ranging from one cm to 10 cm in size. Objects that are smaller than one cm in size are expected to be more than 100 million within the LEO.16 Despite the small size of the space debris, they are travelling at a speed of more than seven km/s. At this speed, tiny objects could harm any large satellite orbiting in the LEO. While satellites can increase their physical hardening to protect the on-board instruments from impact, some satellites cannot be hardened due to the size and dimensional constraints. Furthermore, hardened materials would also increase the overall cost of the satellite.

Constellation in the Making Could Impact Space-Based Military Assets

The previous examples revealed the congestion of the LEO. With companies continuing to launch thousands of small satellites, the chances of a collision in space will continue to increase. This will hinder space-based Intelligence, Surveillance and Reconnaissance (ISR) support to provide valuable information to military operations. A majority of the ISR assets are orbiting in the LEO. NATO relies on space-based assets to assist its operations. Increasing the number of spacecraft in the LEO could raise problems and threats to military assets as well as access to space assets to support operations. If the orbital path of these smaller objects were not tracked by the Space Operation Centre regularly, larger satellites or manned-space stations could be penetrated by the non-propulsion satellites, making them a potential kinetic kill vehicle.

Most satellites within the 600 km region of the LEO are affected by the atmospheric drag, which is helping to bring down some of the obsolete satellites. However, satellites orbiting above 800 km are less likely to be affected by the atmospheric drag, making cube satellites or small satellites without propulsion systems difficult to deorbit once they have reached the EOL.17, 18 The altitude for some of the OneWeb, Starlink and Kuiper constellations is planned to be above the atmospheric drag region. Despite this, Starlink satellites will have propulsion system for orbital manoeuvre and EOL deorbiting, tracking the full constellation with 12,000 satellites could be challenging for the company and the Combined Space Operations Center (CSpOC).19 Additionally, there is the possibility of losing contact with satellites before they reach their EOL. Envisat, an 8,210 kg satellite that is currently drifting at an altitude of 785 km, poses a collision threat with other satellites. Envisat was expected to decommission in 2014 but the European Space Agency (ESA) lost contact with the satellite in 2012.20 If no interaction will be made with the Envisat, it is expected to stay in orbit for the next 150 years.21

#### Collisions with early warning satellites causes miscalc and goes nuclear – magnified by the Kessler effect

Blatt 20 [Talia, joint concentration in Social Studies and Integrative Biology at Harvard, specialization in East Asian geopolitics and security issues] “Anti-Satellite Weapons and the Emerging Space Arms Race,” Harvard International Review, May 26, 2020, <https://hir.harvard.edu/anti-satellite-weapons-and-the-emerging-space-arms-race/> TG

Despite their deterrent functions, ASATs are more likely to provoke or exacerbate conflicts than dampen them, especially given the risk they [pose](https://thebulletin.org/2019/06/arms-control-in-outer-space-the-russian-angle-and-a-possible-way-forward/) to early warning satellites. These satellites are a crucial element of US ballistic missile defense, capable of [detecting missiles](https://www.globalsecurity.org/space/world/japan/warning.htm) immediately after launch and tracking their paths.

Suppose a US early warning satellite goes dark, or is shut down. Going dark could signal a glitch, but in a world in which other countries have ASATs, it could also signal the beginning of an attack. Without early warning satellites, the United States is much more susceptible to nuclear missiles. Given the strategy of counterforcing—[targeting](https://www.belfercenter.org/sites/default/files/files/publication/isec_a_00273_LieberPress.pdf) nuclear silos rather than populous cities to prevent a nuclear counterattack—the Americans might believe their nuclear weapons are imminently at risk. It could be [twelve hours](https://books.google.com/books?id=ET8lDwAAQBAJ&pg=PA1&lpg=PA1&dq=%22Protecting+Space+Assets%22+johnson-freese&source=bl&ots=6Oq0IdeBjw&sig=ACfU3U1G6Hj8QdP4JlCRNxA6i5XplZwHyg&hl=en&sa=X&ved=2ahUKEwj1n-jT2YzpAhUugnIEHUuMCu4Q6AEwA3oECAkQAQ#v=onepage&q=%22Protecting%20Space%20Assets%22%20johnson-freese&f=false) before the United States regains satellite function, which is too long to wait to put together a nuclear counterattack. The United States, therefore, might move to mobilize a nuclear attack against Russia or China over what might just be a piece of debris shutting off a satellite.

Additionally, accidental warfare, or strategic miscalculation, is uniquely likely in space. It is [much easier](https://books.google.com/books?id=VyXTDwAAQBAJ&pg=PA339&lpg=PA339&dq=space+offense+dominant&source=bl&ots=Mw0bgJ51qf&sig=ACfU3U3DeZiEHpr9nfszlCbJZIoyyssIpg&hl=en&sa=X&ved=2ahUKEwjrs-WD3IzpAhVulHIEHbL0AE4Q6AEwCXoECAoQAQ#v=onepage&q=space%20offense%20dominant&f=false) to hold an adversary’s space systems in jeopardy with destructive ASATs than it is to [sustainably defend](https://www.cnas.org/publications/commentary/the-us-military-should-not-be-doubling-down-on-space) a system, which is expensive and in some cases not technologically feasible because of limitations on satellite movement. Space is therefore [considered](https://books.google.com/books?id=VyXTDwAAQBAJ&pg=PA339&lpg=PA339&dq=space+offense+dominant&source=bl&ots=Mw0bgJ51qf&sig=ACfU3U3DeZiEHpr9nfszlCbJZIoyyssIpg&hl=en&sa=X&ved=2ahUKEwjrs-WD3IzpAhVulHIEHbL0AE4Q6AEwCXoECAoQAQ#v=onepage&q=space%20offense%20dominant&f=false) offense-dominant; offensive tactics like weapons development are prioritized over defensive measures, such as [improving GPS](https://www.politico.com/story/2018/04/06/outer-space-war-defense-russia-china-463067) or making satellites more resistant to jamming.

As a result, countries are left with poorly defended space systems and rely on offensive posturing, which increases the risk that their actions are perceived as aggressive and incentivizes rapid, risky counterattacks because militaries cannot rely on their spaced-based systems after first strikes.

There are several hotspots in which ASATs and offensive-dominant systems are particularly relevant. Early warning satellites [play](https://www.politico.com/story/2018/04/06/outer-space-war-defense-russia-china-463067) a central role in US readiness in the event of a conflict involving North Korea. News of North Korean missile launches comes from these satellites. Given North Korea’s [history](https://www.bbc.com/news/world-asia-pacific-11813699) of nuclear provocations, unflinchingly hostile rhetoric towards the United States and South Korea, and diplomatic opacity, North Korea is always a threatening, unknowable adversary, but recent developments have magnified the risk. With the health of Kim Jong-un [potentially in jeopardy](https://apnews.com/f5d302ae65b03838173e40848223b771), a succession battle or even civil war on the peninsula [raises the chances](https://www.express.co.uk/news/world/1273890/Kim-Jong-un-dead-North-Korea-nuclear-weapon-news-latest-death-US) of loose nukes. If the regime is terminal, traditional MAD risk calculus will become moot; with nothing to lose, North Korea would have no reason to hold back its nuclear arsenal. Or China [might decide](https://foreignpolicy.com/2020/04/28/kim-jong-un-china-north-korea/) to seize military assets and infrastructure of the regime. If the US does not have its early warning satellites because they have been taken out in an ASAT attack, the US, South Korea, and Japan are all in imminent nuclear peril, while China could be in a position to fundamentally reshape East Asian geopolitics.

The South China Sea is another hotspot in which ASATs could risk escalation. China [is developing](https://missiledefenseadvocacy.org/missile-threat-and-proliferation/todays-missile-threat/china-anti-access-area-denial-coming-soon/) Anti-Access Area Denial (A2/AD) in the South China Sea, a combination of long range radar with air and maritime defense meant to deny US freedom of navigation in the region. Given the disputed nature of territory in the South China Sea, the United States and its allies do not want China to successfully close off the region.

#### Independently causes cyberwar and satellite hacking which escalates.

Falco 19 “Opinion: Our satellites are prime targets for a cyberattack. And things could get worse.” Gregory Falco [Gregory Falco is a cyber research fellow at Harvard University’s Belfer Center and a postdoctoral security researcher at the Massachusetts Institute of Technology’s Computer Science and Artificial Intelligence Laboratory. He is the founder and chief executive of NeuroMesh, a tech security company.] May 7, 2019 <https://www.washingtonpost.com/opinions/our-satellites-are-prime-targets-for-a-cyberattack-and-things-could-get-worse/2019/05/07/31c85438-7041-11e9-8be0-ca575670e91c_story.html> SM

One minute. That’s how long it took me last month to demonstrate to a major broadcasting company and production team how to access and restart a leading satellite Internet provider’s control system. Five minutes is how long it took me to demonstrate how to gain full control of it.

Hackers are always improving their ability to break into our digital infrastructure. Yet the computer systems running our satellites haven’t kept up, making them prime targets for an attack. This makes our space assets a massive vulnerability — and it could get much worse if we’re not careful.

This past weekend, SpaceX won approval from the Federal Communications Commission to increase the number of low-flying satellites as part of its Starlink project so that they can provide faster Internet access to the world. Unfortunately, access will be faster for both legitimate users and hackers alike. The FCC does not require applicants to publicly demonstrate how they will secure these satellites or the Internet they plan to provide. SpaceX, like other private space companies, has shared virtually no information about its cybersecurity efforts or plans.

This is extremely disconcerting, considering the potential ramifications of a satellite being hacked. The most mundane outcome is that the satellite will no longer function, but the other extreme is for an attacker to break into a satellite and take over any thrusters (which SpaceX has insisted its satellites will have) and then propel the satellite into critical infrastructure and military satellites in other orbits. In other words, attackers could possibly use the hacked satellite as a kinetic weapon.

There has long been a void of attention to securing space infrastructure, ranging from space-faring rovers to satellite ground-control systems that manage all the space-based assets. Virtually no policy or oversight agency exists concerning securing space assets — something I’ve discussed with government leadership to little avail. While the FCC regulates communications, it should not necessarily be responsible for all things space security. Perhaps the new Space Development Agency could be.

This leaves space security in the hands of the private sector, which is exploiting the recent ease of access to space. The advent of small satellites known as CubeSats offers the chance to launch a satellite into orbit for as little as $30,000 . And because the government wants to encourage economic activity in this area, requirements to do so are extremely light. This leaves those who are creating the satellites responsible for the cybersecurity of their assets, which is not usually part of the rocket scientist’s traditional skill set.

As a space cybersecurity researcher, I am excited about the renewed interest in space from both the commercial and exploratory perspectives. But we need to be strategic about the security of these space systems. Unlike “Internet of things” devices such as baby monitors, which we purchase for less than $100 and discard or sell once a new model comes out, satellites often remain in orbit for much longer and are less dispensable. So if we don’t consider the cybersecurity of the space asset now, we’ll likely be dealing with the ramifications of that for several years to come. The lack of government intervention in satellite security does not mean that we can ignore cybersecurity as an issue.

Private space companies such as SpaceX, OneWeb and Blue Origin need to join the conversation about cybersecurity and help consumers understand that they are taking it seriously (if they are). (Blue Origin’s founder and owner, Jeff Bezos, also owns The Post.) Right now, there are several job openings for information security analysts at private space companies, indicating that they are likely hurting for talent and are behind in figuring out their security. This isn’t surprising given that space is hard, and traditional IT experts don’t have the right skill sets for a space cybersecurity job. Space systems have unique requirements that are more akin to an industrial control system, such as an energy smart meter, than to an email server.

Private space companies need to start a dialogue with the security research community about their particular challenges so that we can help. They should also be transparent with the FCC that they need help in securing their infrastructure. The last thing we need is for China or Russia to take over SpaceX’s satellites and wreak havoc on our space assets.

#### Empirics prove it’s possible and likely by state and nonstate actors – especially true given private sector cost cutting.

Akoto 20 “Hackers could shut down satellites -- or turn them into weapons” February 13, 2020 William Akoto [a postdoctoral research fellow at the University of Denver.] <https://www.upi.com/Top_News/Voices/2020/02/13/Hackers-could-shut-down-satellites-or-turn-them-into-weapons/4091581597502/> SM

Feb. 13 (UPI) -- Last month, SpaceX became the operator of the world's largest active satellite constellation. As of the end of January, the company had 242 satellites orbiting the planet with plans to launch 42,000 over the next decade. This is part of its ambitious project to provide Internet access across the globe. The race to put satellites in space is on, with Amazon, U.K.-based OneWeb and other companies chomping at the bit to place thousands of satellites in orbit in the coming months.

These new satellites have the potential to revolutionize many aspects of everyday life -- from bringing Internet access to remote corners of the globe to monitoring the environment and improving global navigation systems. Amid all the fanfare, a critical danger has flown under the radar: the lack of cybersecurity standards and regulations for commercial satellites, in the United States and internationally. As a scholar who studies cyber conflict, I'm keenly aware that this, coupled with satellites' complex supply chains and layers of stakeholders, leaves them highly vulnerable to cyberattacks.

If hackers were to take control of these satellites, the consequences could be dire. On the mundane end of scale, hackers could simply shut down satellites, denying access to their services. Hackers could also jam or spoof the signals from satellites, creating havoc for critical infrastructure. This includes electric grids, water networks and transportation systems.

Some of these new satellites have thrusters that allow them to speed up, slow down and change direction in space. If hackers took control of these steerable satellites, the consequences could be catastrophic. Hackers could alter the satellites' orbits and crash them into other satellites or even the International Space Station.

Commodity parts

Makers of these satellites, particularly small CubeSats, use off-the-shelf technology to keep costs low. The wide availability of these components means hackers can analyze them for vulnerabilities. In addition, many of the components draw on open-source technology. The danger here is that hackers could insert back doors and other vulnerabilities into satellites' software.

The highly technical nature of these satellites also means multiple manufacturers are involved in building the various components. The process of getting these satellites into space is also complicated, involving multiple companies. Even once they are in space, the organizations that own the satellites often outsource their day-to-day management to other companies. With each additional vendor, the vulnerabilities increase as hackers have multiple opportunities to infiltrate the system.

Hacking some of these CubeSats may be as simple as waiting for one of them to pass overhead and then sending malicious commands using specialized ground antennas. Hacking more sophisticated satellites might not be that hard either.

Satellites are typically controlled from ground stations. These stations run computers with software vulnerabilities that can be exploited by hackers. If hackers were to infiltrate these computers, they could send malicious commands to the satellites.

History of hacks

This scenario played out in 1998 when hackers took control of the U.S.-German ROSAT X-Ray satellite. They did it by hacking into computers at the Goddard Space Flight Center in Maryland. The hackers then instructed the satellite to aim its solar panels directly at the sun. This effectively fried its batteries and rendered the satellite useless. The defunct satellite eventually crashed back to Earth in 2011. Hackers could also hold satellites for ransom, as happened in 1999 when hackers took control of the U.K.'s SkyNet satellites.

Over the years, the threat of cyberattacks on satellites has gotten more dire. In 2008, hackers, possibly from China, reportedly took full control of two NASA satellites, one for about two minutes and the other for about nine minutes. In 2018, another group of Chinese state-backed hackers reportedly launched a sophisticated hacking campaign aimed at satellite operators and defense contractors. Iranian hacking groups have also attempted similar attacks.

Although the U.S. Department of Defense and National Security Agency have made some efforts to address space cybersecurity, the pace has been slow. There are no cybersecurity standards for satellites and no governing body to regulate and ensure their cybersecurity. Even if common standards could be developed, there are no mechanisms in place to enforce them. This means responsibility for satellite cybersecurity falls to the individual companies that build and operate them.

As they compete to be the dominant satellite operator, SpaceX and rival companies are under increasing pressure to cut costs. There is also pressure to speed up development and production. This makes it tempting for the companies to cut corners in areas like cybersecurity that are secondary to actually getting these satellites in space.

#### Nuke war causes extinction – Ice Age, famines, and war won’t stay limited

Edwards 17 [Paul N. Edwards, CISAC’s William J. Perry Fellow in International Security at Stanford’s Freeman Spogli Institute for International Studies. Being interviewed by EarthSky. How nuclear war would affect Earth’s climate. September 8, 2017. earthsky.org/human-world/how-nuclear-war-would-affect-earths-climate] Note, we are only reading parts of the interview that are directly from Paul Edwards -- MMG

In the nuclear conversation, what are we not talking about that we should be?

We are not talking enough about the climatic effects of nuclear war. The “nuclear winter” theory of the mid-1980s played a significant role in the arms reductions of that period. But with the collapse of the Soviet Union and the reduction of U.S. and Russian nuclear arsenals, this aspect of nuclear war has faded from view. That’s not good. In the mid-2000s, climate scientists such as Alan Robock (Rutgers) took another look at nuclear winter theory. This time around, they used much-improved and much more detailed climate models than those available 20 years earlier. They also tested the potential effects of smaller nuclear exchanges. The result: an exchange involving just 50 nuclear weapons — the kind of thing we might see in an India-Pakistan war, for example — could loft 5 billion kilograms of smoke, soot and dust high into the stratosphere. That’s enough to cool the entire planet by about 2 degrees Fahrenheit (1.25 degrees Celsius) — about where we were during the Little Ice Age of the 17th century. Growing seasons could be shortened enough to create really significant food shortages. So the climatic effects of even a relatively small nuclear war would be planet-wide. What about a larger-scale conflict? A U.S.-Russia war currently seems unlikely, but if it were to occur, hundreds or even thousands of nuclear weapons might be launched. The climatic consequences would be catastrophic: global average temperatures would drop as much as 12 degrees Fahrenheit (7 degrees Celsius) for up to several years — temperatures last seen during the great ice ages. Meanwhile, smoke and dust circulating in the stratosphere would darken the atmosphere enough to inhibit photosynthesis, causing disastrous crop failures, widespread famine and massive ecological disruption. The effect would be similar to that of the giant meteor believed to be responsible for the extinction of the dinosaurs. This time, we would be the dinosaurs. Many people are concerned about North Korea’s advancing missile capabilities. Is nuclear war likely in your opinion? At this writing, I think we are closer to a nuclear war than we have been since the early 1960s. In the North Korea case, both Kim Jong-un and President Trump are bullies inclined to escalate confrontations. President Trump lacks impulse control, and there are precious few checks on his ability to initiate a nuclear strike. We have to hope that our generals, both inside and outside the White House, can rein him in. North Korea would most certainly “lose” a nuclear war with the United States. But many millions would die, including hundreds of thousands of Americans currently living in South Korea and Japan (probable North Korean targets). Such vast damage would be wrought in Korea, Japan and Pacific island territories (such as Guam) that any “victory” wouldn’t deserve the name. Not only would that region be left with horrible suffering amongst the survivors; it would also immediately face famine and rampant disease. Radioactive fallout from such a war would spread around the world, including to the U.S. It has been more than 70 years since the last time a nuclear bomb was used in warfare. What would be the effects on the environment and on human health today? To my knowledge, most of the changes in nuclear weapons technology since the 1950s have focused on making them smaller and lighter, and making delivery systems more accurate, rather than on changing their effects on the environment or on human health. So-called “battlefield” weapons with lower explosive yields are part of some arsenals now — but it’s quite unlikely that any exchange between two nuclear powers would stay limited to these smaller, less destructive bombs.

### 1ac – advantage 2: war

#### Megaconstellations drive numerous scenarios for conflict

Victoria Samson 22 [Victoria Samson is the Washington office director for the Secure World Foundation, an organization that focuses on space sustainability, and she has over 20 years of experience in military space and security issues. Previously, Ms. Samson was a senior analyst for the Center for Defense Information. She also was a senior policy associate at the Coalition to Reduce Nuclear Dangers, a consortium of arms control groups. Earlier, she was a researcher at Riverside Research Institute, where she worked on war-gaming scenarios for the Missile Defense Agency “The complicating role of the private sector in space”, Bulletin of the Atomic Scientists, 78:1, 6-10, 2022. DOI: 10.1080/00963402.2021.2014229]

At this exact moment, we are seeing the increasing dominance of commercial actors in space – specifically the rise of mega-constellations, or large numbers of small satellites flying in formation to provide global coverage for a variety of governmental and commercial uses, including both communications and Earth observation. Consequently, the fundamental nature of space is changing, to one of a domain dominated by commercial actors. This change will have major consequences for international stability, both in terms of how it demonstrates that the old governance structure for space is being left behind – and how it highlights Russia’s declining rank in global space powers. Certain orbits may be effectively taken over by a handful of entities, and there will be competition for useful portions of the electromagnetic spectrum. With eyes on the sky everywhere, there will be little or no room for state secrets – for better or worse. This is happening at the same time that Russia’s space identity is floundering, which may further upset the stability of the domain of space. As of November 2021, there are roughly 4,800 active satellites in orbit around Earth, around 1,850 of which belong to just one entity: SpaceX’s Starlink mega-constellation (Thompson 2021). This change has happened very quickly, as Starlink satellites just began to be launched in May 2019 (O’Callaghan 2019). This is only the first wave of the mega-constellations as well. While it is hard to say exactly how many satellites will be launched as part of this new use of space, there are requests or plans for mega-constellations that could mean well over 100,000 new satellites could potentially be in low Earth orbit. While not all of these satellites will be launched, even a small fraction of that proposed number will fundamentally shift the situation so that the major actors in space will no longer be nation-states (as has been the case to date) but the private sector, changing the timbre of the space domain. This leads to challenges in discussing space security issues: Space is a shared, international domain; if we cannot include all the stakeholders in the discussions, we will not come to complete solutions to the problems. But first, some background. A little history The commercial sector is not new to space. Commercial entities have been active in space for decades now; in fact, it was a dispute over what should be the extent of their role in space that shaped part of the 1967 Outer Space Treaty. Article VI of that treaty notes: States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities . . .. The activities of nongovernmental entities in outer space, including the moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. (Outer Space Treaty 1967) This was a compromise between the United States and the USSR, in which the latter argued that there was no such thing as commercial space. Having language requiring state actors to carry out “authorization and continuing supervision” gave the United States the flexibility it wanted to develop a commercial space sector while ensuring that there would still be national oversight. A lack of coordination One way in which the rise of these mega-constellations may complicate international security in space is through concerns about these satellites hampering access to certain orbits. While slots in geosynchronous Earth orbit are set by the International Telecommunication Union, there is no international entity coordinating orbital slots at low Earth orbit. This means that, given the potentially tens of thousands of satellites that could be launched given company plans, certain orbits could be de facto ceded to a handful of entities – in defiance of Article II of the Outer Space Treaty, which says that space “is not subject to national appropriation.” Consequently, this could lead to strife or competition over certain orbits. It is possible that, given the number of satellites that companies are asking the United States’ Federal Communications Commission for broadcasting rights to, certain orbits may reach their carrying capacities – meaning that they are at the maximum number of satellites that can be operated, as defined by physical and radiofrequency interference aspects. This could lead to disputes over which country has the right to use certain orbits, or, alternatively, resentment when one country’s commercial sector essentially takes over a particular orbit. Competition over parts of the electromagnetic spectrum is another possible path for international security issues to arise from mega-constellations. Satellites are only as good as their ability to receive and communicate information, which requires spectrum; if one or a few entities from one country use up all the readily accessible spectrum for specific capabilities at certain orbits, that could possibly lead to confrontation as well. For the most part, the companies launching mega-constellations are largely based in the West, which can shape the global perception of their effects and intent – although there have been some plans for at least one Chinese company to launch a mega-constellation of potentially 13,000 satellites, and the South Koreans have expressed interest in their own mega-constellation. Moving away from the specific governance challenges presented by mega-constellations, there are also concerns that there may be a destabilizing effect when the commercial sector takes on capabilities that used to be solely done by governments. However, the case is not clear-cut; commercial capabilities in space could actually enhance international security and stability, depending on what they are and how they are carried out. For example, space situational awareness (SSA), or the tracking and providing of knowledge about the space environment and human activities in space, is a capability that used to be just something that a handful of governments could provide but is now becoming more widely available through a burgeoning commercial sector. This actually can help shore up stability in several ways. First, these commercial providers – whose business, after all, is selling images of what you see looking up at space – are often freer to share information than some government sources may be able to, due to the sensitivity of their sources or information. Therefore, with a healthy private sector in space, multiple sources of space situational awareness could be used to confirm official statements about activities on-orbit and thereby be a source of verifying agreed-upon responsible behaviors. Since space is a public good, there is an argument to be made from the perspective of spaceflight safety that there should be a minimum amount of SSA offered to all space actors, with commercial SSA being used as a complement to activities in orbit that require more accurate SSA (such as in-orbit servicing, active debris removal, and so forth). This is presently being done by the US government, which shares warnings about potential close approaches or conjunctions to all space operators. The concern is more about whether governments will use the rise of commercial space situational awareness as an excuse to eventually cut back on sharing their own SSA data. One complication arising from the proliferation of commercial SSA capabilities is that it lays waste to the idea that objects in space can remain classified, because with multiple SSA systems coming online – not just commercial ones but also global national SSA capabilities – it is becoming impossible to keep objects in orbit a secret. With activities in orbit becoming more visible and shared outside of government circles, this could be stabilizing, in that multiple sources of SSA can demonstrate good behavior and verify agreements, by shining a spotlight on national security-related activities that countries might have otherwise preferred to keep under wraps. Another capability that used to be solely held by governments is Earth observation – looking down at Earth from space. There has been a real explosion in the number of commercial companies providing Earth observations in recent years, including Planet, Maxar, and Spire, to name just a few of the many companies with satellites that monitor changes on Earth by taking pictures of our planet much more often. This change, due largely to a decreased cost to access to space, smaller satellites, and more frequent launches, has resulted in higher revisit rates and therefore improved and more up-to-date imaging of Earth. ne side effect of this development is that opensource intelligence has been pushed forward; it has propelled a lot of the awareness about China’s new missile silos fields, for example (Korda and Kristensen 2021). There are concerns about possibly sharing information about militarily sensitive sites, leading to a recent decision by the US Commerce Department to put new restrictions on how frequently – and for how long – commercial remote sensing satellites can spend over these types of sites (Hitchens 2021). But the core of the issue is that this sort of capability is no longer the sole provenance of government entities, and government policies need to recognize this. If one tries to limit the capabilities of the US commercial sector, what ends up happening is that the capabilities are driven overseas, beyond the control of the US government. This capability is out there in the commercial sector, whether the United States likes it or not. Policy makers need to accept this and reflect this new reality. Along those lines, space is often almost ritually automatically stamped as classified; for example, sensitive military satellites are often not acknowledged in the US government’s catalogue of space objects. However, this does not make the existence of those satellites a secret, and if the average amateur satellite watcher in their backyard can detect these satellites – which is the case – then imagine what foreign powers can do. By classifying these objects, the United States complicates the sharing of information and limits complete understanding of the space domain while not actually accomplishing its goal of keeping information about these satellites out of the public domain. What it all means for geopolitical changes This shift toward the dominance of space by commercial entities is leaving Russia behind, a fact that has destabilizing security implications as well. Russia does not have much of a commercial space sector, which is not surprising, given its historical antipathy toward the private sector in space. Russia’s civil space program is struggling to find its footing and has had some extremely public quality control lapses recently (Axe 2021). Roscosmos – the Russian State Corporation for Space Activities, the organization in charge of Russia's civil space program – has been racked with allegations of corruption, to the point where the Russian government has made reporting on the doings of Roscosmos off-limits to foreigners (Moscow Times 2021). Russian launch vehicles are no longer the sole conduit for access to the International Space Station, effectively reducing one place where the United States and Russia were cooperating in space. In fact, the International Space Station itself is coming up on the end of its lifetime. While there is interest in extending it, at some point, the space station will be retired, eliminating one of the most effective forms of space diplomacy that we have seen in the space age. At present, it would appear that the next space station that NASA might contribute to is one created by a commercial consortium, solidifying even more the role of the commercial sector in space. This development leaves open one obvious pathway for Russia to maintain geopolitical dominance and national prestige in space: through its military space capabilities. By continuing to invest in its counterspace capabilities and programs, Russia can prove its relevance in the new world order that is shaping up right now. This has very clear implications for global security and stability, as Russian counterspace efforts shape the United States’ military space programs and plans (and vice versa). This was underlined for the international community on November 15, 2021, when astronauts on the International Space Station were told to take cover in their Soyuz (Russian) and Dragon (US) spacecraft in order to protect themselves from incoming space debris. The culprit? Russia admitted to having held a test that destroyed one of its own derelict satellites (Roulette 2021). The impact by a direct-ascent interceptor of Russia’s Nudol ground-based system resulted in an estimated 1,500 trackable pieces of debris; furthermore, it was done at an altitude (approximately 480 kilometers) where the debris will be around for years, if not a decade or more. That is not the only counterspace capability Russia has been developing of late. Russia has been working since 2010 to test technologies for rendezvous and proximity operations that might become the basis for some sort of co-orbital anti-satellite capability; some of these technologies might be linked to a co-orbital anti-satellite program dating back to the Cold War-era (Secure World Foundation 2021). Additionally, Russia appears to be working on a new co-orbital program called Burevestnik. While it is possible that some of Russia’s work here could be used to develop the ability to inspect or surveil other satellites, there have been two tests where two sub-satellites have been deployed at a high velocity, which indicates that there might be a weapons element to at least some of their rendezvous and proximity operations work. Russia has integrated electronic warfare into its military operations, giving it the capability to jam area GPS receivers (but not the ability to use radiofrequency interference to interfere with the satellites themselves). Russia has also been working on a legacy program that is attempting to create an airborne-laser platform that could target optical sensors of satellites. Stepping away from Russia’s domestic investments in counterspace capabilities, it is possible that this vulnerability in Russia’s stature stems at least in part from the changing nature of space – which may be a factor in its interest in allying with China on space-related issues. Russia and China have their own complicated relationship, independent of the United States, and this alliance has not always been present. For example, Russia allowed the United States to keep China out of the International Space Station, something that the United States could not have accomplished if Russia – as a major partner of the International Space Station and responsible for half of the station – was not nominally on-board with the idea. This makes the memorandum of understanding that Russia and China signed in March 2021 to develop an International Lunar Research Station even more striking, because it puts the two together to cooperate in lunar exploration (Jones 2021). A return to the rivalries of the Space Age? In fact, it seems that we are seeing the possible creation of a new bipolar world order in space. But unlike during the early part of the Space Age when the two poles consisted of the United States and the USSR, this new one has the United States on one side and China (with Russia) on the other. China is working on its own space station, the Tiangong, which it can use for soft power outreach and diplomatic initiatives (much like how the International Space Station has been used by the United States). Meanwhile, Russia and China have encouraged countries to join them in their lunar research initiative, which could counter US plans to get back to the moon. The United States has been promoting the Artemis Accords as a way to ensure that lunar exploration and use are done in a manner consistent with the principles enshrined in the Outer Space Treaty. While 14 countries have signed onto the Accords to date (with France indicating in November 2021 that it was interested in doing so as well), neither Russia nor China have signed on and both have expressed concerns about the Accords (Smith 2021). Additionally, while in theory the International Lunar Research Station and Artemis Accords are not contradictory and countries could participate in both, it is unclear whether that could happen in reality. The fundamental nature of space is changing to one of a domain that is dominated by commercial actors. This change will have consequences for international stability, both in terms of how it demonstrates that the old governance structure for space is being left behind as the domain evolves and how it highlights Russia’s declining rank in global space powers. It is important to work to develop new governance of space to meet the emerging needs of this ecosystem. Otherwise, we run the risk of inadvertent escalation and even conflict in space that can extend down to Earth.

#### China backlash to Starlink escalate tensions and repression – causes Sino-Indian war

Goodwins 21 “Starlink's latent China crisis could spark a whole new world of warcraft” Rupert Goodwins [British writer, broadcaster and technology journalist, Executive Editor @ ZDNet UK], March 15, 2021 <https://www.theregister.com/2021/03/15/starlink_china_crisis/> SM

Let's skip forward to the end of 2022, when the majority of the 10k-plus planned satellites will probably be up supplying the whole global market. Normally, if you want to run an internet service in a country, you have to have a company there to pacify the bureaucrats. Starlink's happily done this with the UK so it'll probably keep that Pirate Bay block – in space, nobody can hear you stream.

The fun comes, as ever, in China, the world leader in mucking about. It does not like the open internet; it loves the filtered, monitored, machine of state-controlled internet. It has already said it will be building its own global orbital 13k-strong fleet of internet satellites. And by no coincidence, in the same timeframe of 2025-ish, China plans to have a reusable version of its Long March 8 rocket, burning cryogenic oxygen and kerosene just like Musk.

The chances are astronomically high that China will not let Elon play within its borders, for commercial and ideological reasons. If China then markets its own system globally, which it will hugely want to do, then we're into the Chinese state-subsidised competitor versus the blocked free-market American, only with direct access to everyone. You thought Huawei was a bit of a firework?

But wait, there's more. While everyone's been concentrating on the frickin' lasers as Starlink's killer feature, researchers have pointed out that it can be just as efficient to turn users' ground stations into inter-satellite relays too. Instead of shooting lasers at each other, these satellites find idle bandwidth on users within mutual range, and talk to each other that way. This ad-hoc mesh system can vastly improve coverage even when there are no gateways in the immediate vicinity, especially when combined with laser links to form an optimal path. The total bandwidth and coverage into areas with no gateways is hugely enhanced.

So what? Well, it looks as if you can get a good link from the ground to a Starlink satellite when it's just 25 degrees above the horizon – which means you can connect to a ground station in one hop over a thousand kilometres long. Which means that most of mainland China, potentially all of it, will be accessible by Starlink without needing any satellites overhead the country at all.

That spells trouble. If banned, Starlink will turn off downlinks from satellites over China. If it did not, China would have an excuse to jam them – not a particularly good one, and it would massively heighten any tensions, but technically doable and politically survivable. It gets a lot trickier if China decides to jam all Starlink satellites within range, not just overhead. That will extend a circle of denial thousands of kilometres around the Middle Kingdom – something that China's neighbours will not like. In the case of India, where fast rural bandwidth is at the heart of many economic plans, the not-liking already extends to a smouldering border war in all but name. That would not go well.

China can and will ban ownership and use of Starlink radios by its citizens, but it's very difficult and expensive to police such things – much harder than exerting control over a physical infrastructure you own and run. Especially when you're encouraging your citizens to use what will almost certainly be a close clone of Starlink. And China can make it very hard for its citizens to have Starlink accounts – but if you have open net access and crypto, so what?

There is no doubt that providing a new global decentralised high-speed public internet service will have political dimensions. Elon knows this, and knows that if he does play hardball the Chinese EV market won't be Tesla-shaped. He could stop steering beams into China from outside. There are a lot of variables. But if you think that Starlink will just mean a lot of nice low-latency first-person virtual shoot-em-ups from log cabins in Alaska, think again. The real shoot-em-ups may be on their way. ®

#### Sino-India war goes nuclear.

Rachman 20 “Erosion of nuclear deterrence makes India-China relations critical” GIDEON RACHMAN [Gideon Rachman became chief foreign affairs columnist for the Financial Times in July 2006. He joined the FT after a 15-year career at The Economist, which included spells as a foreign correspondent in Brussels, Washington and Bangkok.] September 7, 2020 <https://www.ft.com/content/311694ac-d1a4-4d92-a850-97e161ad887c> SM

Erosion of nuclear deterrence makes India-China relations critical

Countries with nuclear weapons are moving closer to military confrontation

My generation grew up in the shadow of a possible nuclear war. I was born a few months after the Cuba missile crisis — the closest humanity has come to nuclear Armageddon. The Campaign for Nuclear Disarmament was a big political force as I was growing up.

My children’s generation are much more likely to demonstrate against climate change than nuclear weapons. Leading politicians also no longer worry so much about nukes. Nuclear arms-control negotiations, a staple of the cold war, have fallen into abeyance. But this relatively relaxed attitude is having a paradoxical effect. It seems to be making countries armed with nuclear weapons more willing to risk military confrontation with each other.

There are three international rivalries where tensions between nuclear-weapons states are reaching dangerous levels. The biggest current risk is on the China-India border — where recent clashes have led to 21 Indian fatalities and an unknown number of Chinese casualties. Military tensions are also rising between China and the US in the Pacific. Meanwhile, the crisis in Belarus has led to fears of Russian military intervention, which would put Nato on alert.

The erosion of nuclear deterrence gives rise to two distinct, but related, risks. The first is of a conventional war, which could happen if two nuclear-weapons states believe they can fight each other without the risk of nuclear escalation. The second is of a nuclear war, which could happen if a conventional war escalated unexpectedly.

During the cold war, the US and the USSR were too conscious of the dangers of nuclear warfare ever to risk striking each other directly with conventional weapons. But the Chinese leadership has taken the risk of killing Indian troops, despite India's possession of nuclear weapons — and New Delhi is pushing back.

The deadly clash in the Himalayas over the summer was only the second time that two nuclear-weapons states have fought. The first was the Kargil war between India and Pakistan in 1999. That confrontation did not go nuclear. But it left world leaders profoundly shaken. Bill Clinton, the US president at the time, called the frontline where the two sides had clashed “the most dangerous place in the world”.

There are fewer nuclear-alarm sirens sounding this time around. Most experts take comfort from the fact that India and China both have a policy of “no first use” of nuclear weapons. But if Beijing and New Delhi’s confidence that the other side will not use nuclear weapons persuades China to press home its military advantage, then India may be tempted to alter its policy in an attempt to restore deterrence. Some experts point to the possibility of India deploying tactical nuclear weapons in the Himalayas, or formally renouncing its no-first-use policy.

Threatening to use nuclear weapons is always tempting for a country that fears it might lose a conventional war. Pakistani military doctrine envisages an early resort to nuclear weapons, in the event of an invasion by India that would otherwise lead to defeat.

### 1ac - plan

#### Plan: The appropriation of outer space by private entities is unjust in the case of Large Satellite Constellations in Lower Earth Orbit

Takaya et al 18 “The Principle of Non-Appropriation and the Exclusive Uses of LEO by Large Satellite Constellations” Yuri Takaya-Umehara [Visiting researcher at the University of Tokyo since April 2017. She was affiliated to the Kobe University to provide a course on space law to post-graduate students (2011-2017). She chairs a working group on the formulation of global norms in space law organized by the Keio University since 2018. She obtained her Ph.D. degree at the IDEST of Paris XI University in France, LL.M. at the Leiden University in the Netherlands.] Quentin Verspieren [Ph.D. in public policy @ The University of Tokyo, Assistant Professor of Space Policy @UTokyo, General Manager, Global Strategy @ArkEdge Space Inc., Associate Research Fellow @ESPI] Goutham Karthikeyan [The University of Tokyo & Institute of Space and Astronautical Science, Japan Aerospace Exploration Agency (ISAS-JAXA)] 2018 https://www.researchgate.net/publication/328094878\_The\_Principle\_of\_Non-Appropriation\_and\_the\_Exclusive\_Use\_of\_LEO\_by\_Large\_Satellite\_Constellations SM

* LSC = large satellite constellations
* Outlines “L”SC thresholds

By investigating expected large satellite constellation projects and by reviewing existing interpretations of international space law, this paper argues that the exclusive use of specific LEO orbits by a large constellation of satellite could constitute a violation of the non-appropriation principle by means of occupation and by means of use, drawing a parallel between orbits as resources and the exploitation of tangible mineral resources in space. Based on this, the important question to be raised is what constitutes an exclusive use of a specific orbit. In other words, an important hurdle in the concrete evaluation of whether a planned or established constellation potentially violates the non-appropriation principle through an exclusive use of LEO resides in the lack of clear definition on what can be considered an exclusive use. While the authors claim that legal issue can be clearly solved in abstracto, it naturally shifts towards a regulatory challenge.

This regulatory challenge consists in first defining qualitatively what is the exclusive use of an orbit before translating this definition into measurable, technical rules. In this paper, the authors define an exclusive use of an orbit by a state40 as any use that would prevent/hinder the usage of the same orbit by any other state. Translating this definition into an applicable regulation could consist in defining a threshold of orbital collision risk or a threshold of density of satellites along an orbit based on its altitude, shape, relative velocity of neighbouring objects, etc. It is however not the purpose of this space law paper. What is more appropriate here is to think about which organization or forum would be in charge of elaborating this technical definition. Serious candidates could be the ITU, with excellent track-record in dealing with the use of the GEO region but which would have to review its “first come, first served” principle, or the UNCOPUOS, aiming for the widespread adoption of a new piece of international law. Moreover, even if its rules suffer from a low implementation rates, the IADC would be an appropriate discussion platform thanks to its very deep technical focus.

6. Conclusion

The various announced projects of LSC, also called mega-constellations, push existing regulations and practices to their limit, forcing researchers and practitioners around the world to rethink the applicability of existing space law principles to this new trend. In this paper, the authors, after providing background information on current LSC plans as well as recalling the legal status of the LEO region, investigate whether the deployment of an LSC having an exclusive use of an orbit constitutes a violation of the nonappropriation principle as stated in OST Article II. This paper concludes that:

The exclusive use of an orbit by an LSC constitutes a violation of the non-appropriation principle by means of occupation due to the innate nature of orbit being a specific location in space that can be occupied, but most notably by means of use, considering orbits as “limited natural resources” and invoking parallels with the exploitation of natural resources in outer space;

ITU’s “first come, first served” principle is reaching its limits with current LSC projects and should be re-evaluated;

The main challenge ahead is not legal but technical and regulatory and consists in defining precisely what can constitute an exclusive use of an orbit and in translating such definition into a clear regulation or code of conduct.

### 1ac - fwrk

#### The meta-ethic is moral naturalism. Non-natural moral facts are epistemically inaccessible

Papineau 7 [David, Academic philosopher. He works as Professor of Philosophy of Science at King's College London, having previously taught for several years at Cambridge University and been a fellow of Robinson College, Cambridge, “Naturalism”. [http://plato.stanford.edu/entries/naturalism/](http://plato.stanford.edu/entries/naturalism/))]

Moore took this argument to show that moral facts comprise a distinct species of non-natural fact. However, any such non-naturalist view of morality faces immediate difficulties, deriving ultimately from the kind of causal closure thesis discussed above. If **all physical effects are due to a limited range of natural causes, and if moral facts lie outside this range, then it follow that moral facts can never make any difference to what happens in the physical world** (Harman, 1986). At first sight **this** may seem tolerable (perhaps moral facts indeed don't have any physical effects). But it **has** **very awkward epistemological consequences.** For beings like us, **knowledge of the spatiotemporal world is mediated by physical processes involving our sense organs and cognitive systems. If moral facts cannot influence the physical world, then [we can’t] it is hard to see how we can have any knowledge of them.**

#### No a priori reason—evidence proves.

**Schwartz ND** “A Defense of Naïve Empiricism: It is Neither Self-Refuting Nor Dogmatic.” Stephen P. Schwartz. Ithaca College. pp.1-14.

The empirical support for the fundamental principle of empiricism is diffuse but salient. Our common empirical experience and experimental psychology offer evidence that humans do not have any capacity to garner knowledge except by empirical sources. The fact is that we believe that there is no source of knowledge, information, or evidence apart from observation, empirical scientific investigations, and our sensory experience of the world, and we believe this on the basis of our empirical a posteriori experiences and our general empirical view of how things work. For example, we believe on empirical evidence that humans are continuous with the rest of nature and that we rely like other animals on our senses to tell us how things are. If humans are more successful than other animals, it is not because we possess special non-experiential ways of knowing, but because we are better at cooperating, collating, and inferring. In particular we do not have any capacity for substantive a priori knowledge. There is no known mechanism by which such knowledge would be made possible. This is an empirical claim.

#### Reject deontic meta-ethics for non-internal judgements, like the topic – there’s a massive gap between intention and intrinsic qualities of actions.

#### The standard is maximizing expected wellbeing. Pleasure and pain define intrinsic physical value and disvalue – robust neuroscience.

Blum et al. 18 [Kenneth Blum, 1Department of Psychiatry, Boonshoft School of Medicine, Dayton VA Medical Center, Wright State University, Dayton, OH, USA 2Department of Psychiatry, McKnight Brain Institute, University of Florida College of Medicine, Gainesville, FL, USA 3Department of Psychiatry and Behavioral Sciences, Keck Medicine University of Southern California, Los Angeles, CA, USA 4Division of Applied Clinical Research & Education, Dominion Diagnostics, LLC, North Kingstown, RI, USA 5Department of Precision Medicine, Geneus Health LLC, San Antonio, TX, USA 6Department of Addiction Research & Therapy, Nupathways Inc., Innsbrook, MO, USA 7Department of Clinical Neurology, Path Foundation, New York, NY, USA 8Division of Neuroscience-Based Addiction Therapy, The Shores Treatment & Recovery Center, Port Saint Lucie, FL, USA 9Institute of Psychology, Eötvös Loránd University, Budapest, Hungary 10Division of Addiction Research, Dominion Diagnostics, LLC. North Kingston, RI, USA 11Victory Nutrition International, Lederach, PA., USA 12National Human Genome Center at Howard University, Washington, DC., USA, Marjorie Gondré-Lewis, 12National Human Genome Center at Howard University, Washington, DC., USA 13Departments of Anatomy and Psychiatry, Howard University College of Medicine, Washington, DC US, Bruce Steinberg, 4Division of Applied Clinical Research & Education, Dominion Diagnostics, LLC, North Kingstown, RI, USA, Igor Elman, 15Department Psychiatry, Cooper University School of Medicine, Camden, NJ, USA, David Baron, 3Department of Psychiatry and Behavioral Sciences, Keck Medicine University of Southern California, Los Angeles, CA, USA, Edward J Modestino, 14Department of Psychology, Curry College, Milton, MA, USA, Rajendra D Badgaiyan, 15Department Psychiatry, Cooper University School of Medicine, Camden, NJ, USA, Mark S Gold 16Department of Psychiatry, Washington University, St. Louis, MO, USA, “Our evolved unique pleasure circuit makes humans different from apes: Reconsideration of data derived from animal studies”, U.S. Department of Veterans Affairs, 28 February 2018, accessed: 19 August 2020, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6446569/>, R.S.]

**Pleasure** is not only one of the three primary reward functions but it also **defines reward.** As homeostasis explains the functions of only a limited number of rewards, the principal reason why particular stimuli, objects, events, situations, and activities are rewarding may be due to pleasure. This applies first of all to sex and to the primary homeostatic rewards of food and liquid and extends to money, taste, beauty, social encounters and nonmaterial, internally set, and intrinsic rewards. Pleasure, as the primary effect of rewards, drives the prime reward functions of learning, approach behavior, and decision making and provides the **basis for hedonic theories** of reward function. We are attracted by most rewards and exert intense efforts to obtain them, just because they are enjoyable [10].

Pleasure is a passive reaction that derives from the experience or prediction of reward and may lead to a long-lasting state of happiness. The word happiness is difficult to define. In fact, just obtaining physical pleasure may not be enough. One key to happiness involves a network of good friends. However, it is not obvious how the higher forms of satisfaction and pleasure are related to an ice cream cone, or to your team winning a sporting event. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure [14].

Pleasure as a hallmark of reward is sufficient for defining a reward, but it may not be necessary. A reward may generate positive learning and approach behavior simply because it contains substances that are essential for body function. When we are hungry, we may eat bad and unpleasant meals. A monkey who receives hundreds of small drops of water every morning in the laboratory is unlikely to feel a rush of pleasure every time it gets the 0.1 ml. Nevertheless, with these precautions in mind, we may define any stimulus, object, event, activity, or situation that has the potential to produce pleasure as a reward. In the context of reward deficiency or for disorders of addiction, homeostasis pursues pharmacological treatments: drugs to treat drug addiction, obesity, and other compulsive behaviors. The theory of allostasis suggests broader approaches - such as re-expanding the range of possible pleasures and providing opportunities to expend effort in their pursuit. [15]. It is noteworthy, the first animal studies eliciting approach behavior by electrical brain stimulation interpreted their findings as a discovery of the brain’s pleasure centers [16] which were later partly associated with midbrain dopamine neurons [17–19] despite the notorious difficulties of identifying emotions in animals.

Evolutionary theories of pleasure: The love connection BO:D

Charles Darwin and other biological scientists that have examined the biological evolution and its basic principles found various mechanisms that steer behavior and biological development. Besides their theory on natural selection, it was particularly the sexual selection process that gained significance in the latter context over the last century, especially when it comes to the question of what makes us “what we are,” i.e., human. However, the capacity to sexually select and evolve is not at all a human accomplishment alone or a sign of our uniqueness; yet, we humans, as it seems, are ingenious in fooling ourselves and others–when we are in love or desperately search for it.

It is well established that modern biological theory conjectures that **organisms are** the **result of evolutionary competition.** In fact, Richard Dawkins stresses gene survival and propagation as the basic mechanism of life [20]. Only genes that lead to the fittest phenotype will make it. It is noteworthy that the phenotype is selected based on behavior that maximizes gene propagation. To do so, the phenotype must survive and generate offspring, and be better at it than its competitors. Thus, the ultimate, distal function of rewards is to increase evolutionary fitness by ensuring the survival of the organism and reproduction. It is agreed that learning, approach, economic decisions, and positive emotions are the proximal functions through which phenotypes obtain other necessary nutrients for survival, mating, and care for offspring.

Behavioral reward functions have evolved to help individuals to survive and propagate their genes. Apparently, people need to live well and long enough to reproduce. Most would agree that homo-sapiens do so by ingesting the substances that make their bodies function properly. For this reason, foods and drinks are rewards. Additional rewards, including those used for economic exchanges, ensure sufficient palatable food and drink supply. Mating and gene propagation is supported by powerful sexual attraction. Additional properties, like body form, augment the chance to mate and nourish and defend offspring and are therefore also rewards. Care for offspring until they can reproduce themselves helps gene propagation and is rewarding; otherwise, many believe mating is useless. According to David E Comings, as any small edge will ultimately result in evolutionary advantage [21], additional reward mechanisms like novelty seeking and exploration widen the spectrum of available rewards and thus enhance the chance for survival, reproduction, and ultimate gene propagation. These functions may help us to obtain the benefits of distant rewards that are determined by our own interests and not immediately available in the environment. Thus the distal reward function in gene propagation and evolutionary fitness defines the proximal reward functions that we see in everyday behavior. That is why foods, drinks, mates, and offspring are rewarding.

There have been theories linking pleasure as a required component of health benefits salutogenesis, (salugenesis). In essence, under these terms, pleasure is described as a state or feeling of happiness and satisfaction resulting from an experience that one enjoys. Regarding pleasure, it is a double-edged sword, on the one hand, it promotes positive feelings (like mindfulness) and even better cognition, possibly through the release of dopamine [22]. But on the other hand, pleasure simultaneously encourages addiction and other negative behaviors, i.e., motivational toxicity. It is a complex neurobiological phenomenon, relying on reward circuitry or limbic activity. It is important to realize that through the “Brain Reward Cascade” (BRC) endorphin and endogenous morphinergic mechanisms may play a role [23]. While natural rewards are essential for survival and appetitive motivation leading to beneficial biological behaviors like eating, sex, and reproduction, crucial social interactions seem to further facilitate the positive effects exerted by pleasurable experiences. Indeed, experimentation with addictive drugs is capable of directly acting on reward pathways and causing deterioration of these systems promoting hypodopaminergia [24]. Most would agree that pleasurable activities can stimulate personal growth and may help to induce healthy behavioral changes, including stress management [25]. The work of Esch and Stefano [26] concerning the link between compassion and love implicate the brain reward system, and pleasure induction suggests that social contact in general, i.e., love, attachment, and compassion, can be highly effective in stress reduction, survival, and overall health.

Understanding the role of neurotransmission and pleasurable states both positive and negative have been adequately studied over many decades [26–37], but comparative anatomical and neurobiological function between animals and homo sapiens appear to be required and seem to be in an infancy stage.

Finding happiness is different between apes and humans

As stated earlier in this expert opinion one key to happiness involves a network of good friends [38]. However, it is not entirely clear exactly how the higher forms of satisfaction and pleasure are related to a sugar rush, winning a sports event or even sky diving, all of which augment dopamine release at the reward brain site. Recent multidisciplinary research, using both humans and detailed invasive brain analysis of animals has discovered some critical ways that the brain processes pleasure.

Remarkably, there are pathways for ordinary liking and pleasure, which are limited in scope as described above in this commentary. However, there are **many brain regions**, often termed hot and cold spots, that significantly **modulate** (increase or decrease) our **pleasure or** even produce **the opposite** of pleasure— that is disgust and fear [39]. One specific region of the nucleus accumbens is organized like a computer keyboard, with particular stimulus triggers in rows— producing an increase and decrease of pleasure and disgust. Moreover, the cortex has unique roles in the cognitive evaluation of our feelings of pleasure [40]. Importantly, the interplay of these multiple triggers and the higher brain centers in the prefrontal cortex are very intricate and are just being uncovered.

Desire and reward centers

It is surprising that many different sources of pleasure activate the same circuits between the mesocorticolimbic regions (Figure 1). Reward and desire are two aspects pleasure induction and have a very widespread, large circuit. Some part of this circuit distinguishes between desire and dread. The so-called pleasure circuitry called “REWARD” involves a well-known dopamine pathway in the mesolimbic system that can influence both pleasure and motivation.

In simplest terms, the well-established mesolimbic system is a dopamine circuit for reward. It starts in the ventral tegmental area (VTA) of the midbrain and travels to the nucleus accumbens (Figure 2). It is the cornerstone target to all addictions. The VTA is encompassed with neurons using glutamate, GABA, and dopamine. The nucleus accumbens (NAc) is located within the ventral striatum and is divided into two sub-regions—the motor and limbic regions associated with its core and shell, respectively. The NAc has spiny neurons that receive dopamine from the VTA and glutamate (a dopamine driver) from the hippocampus, amygdala and medial prefrontal cortex. Subsequently, the NAc projects GABA signals to an area termed the ventral pallidum (VP). The region is a relay station in the limbic loop of the basal ganglia, critical for motivation, behavior, emotions and the “Feel Good” response. This defined system of the brain is involved in all addictions –substance, and non –substance related. In 1995, our laboratory coined the term “Reward Deficiency Syndrome” (RDS) to describe genetic and epigenetic induced hypodopaminergia in the “Brain Reward Cascade” that contribute to addiction and compulsive behaviors [3,6,41].

Furthermore, ordinary “liking” of something, or pure pleasure, is represented by small regions mainly in the limbic system (old reptilian part of the brain). These may be part of larger neural circuits. In Latin, hedus is the term for “sweet”; and in Greek, hodone is the term for “pleasure.” Thus, the word Hedonic is now referring to various subcomponents of pleasure: some associated with purely sensory and others with more complex emotions involving morals, aesthetics, and social interactions. The capacity to have pleasure is part of being healthy and may even extend life, especially if linked to optimism as a dopaminergic response [42].

Psychiatric illness often includes symptoms of an abnormal inability to experience pleasure, referred to as anhedonia. A negative feeling state is called dysphoria, which can consist of many emotions such as pain, depression, anxiety, fear, and disgust. Previously many scientists used animal research to uncover the complex mechanisms of pleasure, liking, motivation and even emotions like panic and fear, as discussed above [43]. However, as a significant amount of related research about the specific brain regions of pleasure/reward circuitry has been derived from invasive studies of animals, these cannot be directly compared with subjective states experienced by humans.

In an attempt to resolve the controversy regarding the causal contributions of mesolimbic dopamine systems to reward, we have previously evaluated the three-main competing explanatory categories: “liking,” “learning,” and “wanting” [3]. That is, dopamine may mediate (a) liking: the hedonic impact of reward, (b) learning: learned predictions about rewarding effects, or (c) wanting: the pursuit of rewards by attributing incentive salience to reward-related stimuli [44]. We have evaluated these hypotheses, especially as they relate to the RDS, and we find that the incentive salience or “wanting” hypothesis of dopaminergic functioning is supported by a majority of the scientific evidence. Various neuroimaging studies have shown that anticipated behaviors such as sex and gaming, delicious foods and drugs of abuse all affect brain regions associated with reward networks, and may not be unidirectional. Drugs of abuse enhance dopamine signaling which sensitizes mesolimbic brain mechanisms that apparently evolved explicitly to attribute incentive salience to various rewards [45].

Addictive substances are voluntarily self-administered, and they enhance (directly or indirectly) dopaminergic synaptic function in the NAc. This activation of the brain reward networks (producing the ecstatic “high” that users seek). Although these circuits were initially thought to encode a set point of hedonic tone, it is now being considered to be far more complicated in function, also encoding attention, reward expectancy, disconfirmation of reward expectancy, and incentive motivation [46]. The argument about addiction as a disease may be confused with a predisposition to substance and nonsubstance rewards relative to the extreme effect of drugs of abuse on brain neurochemistry. The former sets up an individual to be at high risk through both genetic polymorphisms in reward genes as well as harmful epigenetic insult. Some Psychologists, even with all the data, still infer that addiction is not a disease [47]. Elevated stress levels, together with polymorphisms (genetic variations) of various dopaminergic genes and the genes related to other neurotransmitters (and their genetic variants), and may have an additive effect on vulnerability to various addictions [48]. In this regard, Vanyukov, et al. [48] suggested based on review that whereas the gateway hypothesis does not specify mechanistic connections between “stages,” and does not extend to the risks for addictions the concept of common liability to addictions may be more parsimonious. The latter theory is grounded in genetic theory and supported by data identifying common sources of variation in the risk for specific addictions (e.g., RDS). This commonality has identifiable neurobiological substrate and plausible evolutionary explanations.

Over many years the controversy of dopamine involvement in especially “pleasure” has led to confusion concerning separating motivation from actual pleasure (wanting versus liking) [49]. We take the position that animal studies cannot provide real clinical information as described by self-reports in humans. As mentioned earlier and in the abstract, on November 23rd, 2017, evidence for our concerns was discovered [50]

In essence, although nonhuman primate brains are similar to our own, the disparity between other primates and those of human cognitive abilities tells us that surface similarity is not the whole story. Sousa et al. [50] small case found various differentially expressed genes, to associate with pleasure related systems. Furthermore, the dopaminergic interneurons located in the human neocortex were absent from the neocortex of nonhuman African apes. Such differences in neuronal transcriptional programs may underlie a variety of neurodevelopmental disorders.

In simpler terms, the system controls the production of dopamine, a chemical messenger that plays a significant role in pleasure and rewards. The senior author, Dr. Nenad Sestan from Yale, stated: “Humans have evolved a dopamine system that is different than the one in chimpanzees.” This may explain why the behavior of humans is so unique from that of non-human primates, even though our brains are so surprisingly similar, Sestan said: “It might also shed light on why people are vulnerable to mental disorders such as autism (possibly even addiction).” Remarkably, this research finding emerged from an extensive, multicenter collaboration to compare the brains across several species. These researchers examined 247 specimens of neural tissue from six humans, five chimpanzees, and five macaque monkeys. Moreover, these investigators analyzed which genes were turned on or off in 16 regions of the brain. While the differences among species were subtle, **there was** a **remarkable contrast in** the **neocortices**, specifically in an area of the brain that is much more developed in humans than in chimpanzees. In fact, these researchers found that a gene called tyrosine hydroxylase (TH) for the enzyme, responsible for the production of dopamine, was expressed in the neocortex of humans, but not chimpanzees. As discussed earlier, dopamine is best known for its essential role within the brain’s reward system; the very system that responds to everything from sex, to gambling, to food, and to addictive drugs. However, dopamine also assists in regulating emotional responses, memory, and movement. Notably, abnormal dopamine levels have been linked to disorders including Parkinson’s, schizophrenia and spectrum disorders such as autism and addiction or RDS.

Nora Volkow, the director of NIDA, pointed out that one alluring possibility is that the neurotransmitter dopamine plays a substantial role in humans’ ability to pursue various rewards that are perhaps months or even years away in the future. This same idea has been suggested by Dr. Robert Sapolsky, a professor of biology and neurology at Stanford University. Dr. Sapolsky cited evidence that dopamine levels rise dramatically in humans when we anticipate potential rewards that are uncertain and even far off in our futures, such as retirement or even the possible alterlife. This may explain what often motivates people to work for things that have no apparent short-term benefit [51]. In similar work, Volkow and Bale [52] proposed a model in which dopamine can favor NOW processes through phasic signaling in reward circuits or LATER processes through tonic signaling in control circuits. Specifically, they suggest that through its modulation of the orbitofrontal cortex, which processes salience attribution, dopamine also enables shilting from NOW to LATER, while its modulation of the insula, which processes interoceptive information, influences the probability of selecting NOW versus LATER actions based on an individual’s physiological state. This hypothesis further supports the concept that disruptions along these circuits contribute to diverse pathologies, including obesity and addiction or RDS.

### 1ac - underview

#### 1AR theory is legit, drop the debater, and the highest layer- we need a way to check infinite NC abuse. 1AR is too short to go for drop the argument and gives the negative too much of an advantage in the 2NR. Even if the shell is 4 minutes, the neg can dump on it for 5:30 and go for 30 seconds of substance and auto win. Only DTD solves and allowing them to weigh against the shell only maximizes abuse.

#### Use a comparative worlds paradigm where the Affirmative must prove the plan is better than the status quo or a competitive policy option.

#### Net benefits:

#### 1] Topic Education – Truth-testing moots topic education because it allows debaters to recycle generic arguments which deny the truth of everything. Outweighs other forms of education – we only have 2 months to debate the topic and can have discussions about other issues out of round.

#### 2] AC tests new strategies in a way that turns power against itself to change the rigid political culture. Prefer abductive methods – avoids dogmatism – key to coalitions of change

#### 3] Frameworks must be reflective, else they replicate stereotypes that are counter-productive to solutions. This requires a praxis, or a dual commitment to theory and practice

#### **4] Reciprocal burdens – proving a deductive argument is false only requires you win defense and proving an inductive argument is false is more difficult because of squo bias. Comparative worlds solves because it eschews the idea that either side unilaterally carries the burden of proof**

**3. Presumption and permissibility affirm –**

**1. Statements are true before false since if I told you my name, you’d believe me.**

**2. Epistemics – we wouldn’t be able to start a strand of reasoning since we’d have to question that reason.**

**3. Illogical – presuming statements false is illogical since you can’t say things like P and ~P are both wrong.**

**4. Presuming obligations is logically safer since it’s better to be supererogatory than fail to meet an obligation.**

**5. Presuming statements false is impossible since we can’t operate in a world where we don’t trust anything.**

**6. To negate means to deny the truth of, which means if there isn’t offense to deny the truth of you should affirm.**

**7. Otherwise we’d have to have a proactive justification to do things like drink water.**

**8. If anything is permissible, then definitionally so is the aff since there is nothing that prevents us from doing it.**