**COPUOS CP**

**Shell**

**Text: The United Nations Committee on the Peaceful Uses of Outer Space (COPUOS)’s Legal Subcommittee ought to do (the aff)**

**Normal means for treaties involves solely the signatory countries**

**Berkeley Law Library 16**

Berkeley Law (It’s the handbook from the Berkeley law library, just a basic definition), 2016-2-23 (date from source code), "Treaties and International Agreements," Berkeley Law Library, https://www.law.berkeley.edu/library/guide.php?id=65, // HW AW

Treaties can be referred to by a number of different names: international conventions, international agreements, covenants, final acts, charters, protocols, pacts, accords, and constitutions for international organizations. Usually these different names have no legal significance in international law. **Treaties may be bilateral (two parties) or multilateral (between several parties) and a treaty is usually only binding on the parties to the agreement.** An agreement "enters into force" when the terms for entry into force as specified in the agreement are met. Bilateral treaties usually enter into force when both parties agree to be bound as of a certain date.

**The CP competes off of actor spec – they had complete control over how and who implements the aff, especially in this topic since the actor was not specified in the resolution. The actor is a key, debatable element and a change poses an opportunity cost, which is sufficient for competition.**

**COPUOS has jurisdiction and has passed treaties on similar topics in the past**

**UNOOSA**

UNOOSA (united nations outer space committee), 2021 (no date but written about the 2021 conference), "COPUOS 2021 Session," UNOOSA, <https://www.unoosa.org/oosa/en/ourwork/copuos/index.html>  // HW AW

The Committee on the Peaceful Uses of Outer Space (COPUOS) was set up by the General Assembly in 1959 to govern the exploration and use of space for the benefit of all humanity: for peace, security and development. The Committee was tasked with reviewing international cooperation in peaceful uses of outer space, studying space-related activities that could be undertaken by the United Nations, encouraging space research programmes, and **studying legal problems arising from the exploration of outer space**. The Committee was **instrumental in the creation of the five treaties and five principles of outer space**. International cooperation in space exploration and the use of space technology applications to meet global development goals are discussed in the Committee every year. Owing to rapid advances in space technology, the space agenda is constantly evolving. The Committee therefore provides a unique platform at the global level to monitor and discuss these developments. The Committee has two subsidiary bodies: the [Scientific and Technical Subcommittee](https://www.unoosa.org/oosa/en/ourwork/copuos/stsc/2020/index.html), and the [Legal Subcommittee](https://www.unoosa.org/oosa/en/ourwork/copuos/lsc/2019/index.html), both established in 1961. The Committee reports to the [Fourth Committee of the General Assembly](http://www.un.org/en/ga/fourth/), which adopts an annual resolution on international cooperation in the peaceful uses of outer space.

**COPUOS is losing legitimacy due to an inability to reach consensus and thereby pass policies – the plan restores faith, discourages weak agreements, solves space debris, sustainability, and security issues**

**Masson-Zwaan 19**

Tanja Masson-Zwaan (deputy director of institute of air and space at Leiden University), 2019, "SYNOPSIS ON THE NEW SPACE RACE: NEW STATES IN SPACE " Cambridge, https://www.cambridge.org/core/services/aop-cambridge-core/content/view/E68383DE71B60A711EE1E4578CA303A8/S2398772319000138a.pdf/new\_states\_in\_space.pdf, // HW AW

The “old” space race started in 1957 and involved mainly the United States and the Soviet Union. These states led the development of the initial international agreements adopted in the framework of the UN Committee on the Peaceful Uses of Outer Space (COPUOS).1 Within less than two decades, between 1967 and 1984, five international treaties were adopted and entered into force.2 At the time, COPUOS had less than twenty-five member states and agreement was reached relatively easily. Gradually, the group of space actors grew, but space activity remained state-centered and involved a relatively small number of states, while private-entity involvement was mostly limited to the telecommunication sector in the United States. Today, the landscape is entirely different. Not only are more and more states interested and involved in exploring and using outer space, but private entities also have entered the scene, and the trend of privatization and commercialization of space activities is expected to gain more speed in years to come. As the number of states active—or wishing to become active—in outer space has grown, so has the membership of COPUOS, which today counts nearly ninety states.3 It has thus **become more difficult to reach consensus, which has been the working method of COPUOS from the start**. As a consequence of the growing number and diversity of stakeholders, in recent decades the **agreements among states about the use and exploration of outer space have taken the form of principles and other UN resolutions, rather than legally binding treaties**. At the same time, a growing number of new topics require states’ attention. With constant advances in technology, new capacities and activities emerge at high speed, such as ever-smaller satellites, large constellations of hundreds or even thousands of satellites, the prospect of suborbital flights, reusable launch vehicles, on-orbit servicing, and the use of resources from asteroids or the Moon. These developments were not foreseen in the early days of space exploration. Although the UN space treaties and resolutions provide the basic legal framework, some form of further elaboration is now needed to provide clear and predictable standards to govern these new activities. Issues such as the continuing congestion of outer space, the problems related to the mitigation and remediation of space debris, the long-term sustainability of space activities, space traffic management, space situational awareness, and the security of critical space infrastructure will also increasingly require the attention of the international community of states. In this changed landscape with new states, private entities, new activities, and new concerns, it is useful to look at how emerging space nations view the rules that were laid down in the past, the issues that will require regulation in the future, and whether there are any special concerns that influence their positions.4 The main principles of international space law are embodied in the Outer Space Treaty of 1967 (OST). The treaty has been widely adopted and states have consistently acted in accordance with its principles.5 In addition, states have not publicly contested those principles, proposed amendments, or withdrawn from the treaty. Thus, at least parts of the treaty could be considered to have reached the status of customary international law, meaning that they are binding on all states, including nonparties. The following sections highlight principles that are not likely to be contentious for new space states and then identify current principles and future issues that may raise more concerns.

**Revitalizing COPUOS solves great power space conflict – it is the single organization that has enough member states, legitimacy, and empirical success to ensure peace – it stopped the first space race, it can do it again**

**McMillan 7-14-**21

Anne Mcmillan (journalist trained in law, chai tea enthusiast), 7-14-2021, "The final frontier – 21st century space race," International Bar Association, <https://www.ibanet.org/the-final-frontier> , // HW AW

As far as international oversight is concerned, the UN Committee on the Peaceful Uses of Outer Space (COPUOS) is the main forum governing the exploration and use of space. But it has failed to achieve an agreement on the interpretation of the broad concepts outlined in the OST, and legal developments since 1979 have been in the form of soft law guidelines and principles. Perhaps multinational initiatives led by individual states, such as the recent US-sponsored Artemis Accords, signal an alternative route. These envisage a series of bilateral agreements between the US and individual countries in the context of planned future exploration of the Moon, Mars, comets and asteroids. Nacimiento thinks such initiatives could help to develop space law. ‘There is some indication that international space law may develop in a different form, meaning not necessarily within the United Nations Committee on the Peaceful Uses of Outer Space and via multilateral international treaties. The Artemis Accords signed in October 2020 are one very recent example of how space law could develop in the future.’ However, not all states support the US-led initiative and so far the Artemis accords have only been signed by eight countries. Predictably China and Russia are prominent critics, objecting in particular to a suggestion in Artemis to create ‘safety zones’ around national lunar exploration sites, arguing that this amounts to a creeping claim of sovereignty. Nacimiento concedes that the provision for such zones under Artemis ‘could be in conflict with existing international law prohibiting any form of national appropriation of celestial bodies. It remains to be seen how these Accords work in practice and if they develop into generally recognized principles of cooperation.’ Although much of Artemis reflects existing international law, its future is likely to depend on as much as law itself. The mere fact that the process is led by the US seems to have stoked the fires of competing states, with the head of Russia’s space agency dubbing it ‘too US-centric’. Consequently, China and Russia signed an agreement this year to set up a rival system for exploration of the Moon, planning to establish a joint ‘International Lunar Research Station’. This, like the US-led effort, seeks to attract international partners. Monthly number of objects in Earth orbit by object type As China-Russia cooperation increases, Russia-US cooperation is waning. For many years the International Space Station has been a beacon for international cooperation in space, notably as a forum for detente between Russia and the US. However, it will eventually be de-orbited, possibly as soon as 2024, and with its demise will go a touchstone of cooperation between historical rivals. Clearly, events in space exploration have moved on since the 1967 OST which reduced tensions between Russia and the US. But now, with China as a significant new player, we seem to be witnessing a reignition of the space race. ‘The UN, notably its COPUOS, is still the best forum for all discussions on where the OST and the rest of the framework might need further elaboration, interpretation and implementation, comprising basically all the spacefaring nations,’ says von der Dunk. Based on experience, are international bodies helping to reduce friction in space?

**The term global commons leads to a false sense of security when in actuality makes whatever is supposedly being protected exploited**

**Clancy 98** (The Tragedy of the Global Commons, Spring 1998, <https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1136&context=ijgls> pecial Assistant to the Deputy Secretary of State, US Department of State, Indiana Journal of global legal studies)//HWLND

**The inherent problem in this communal property is** the idea put forth byGarrett Hardin in his 1968 article entitled The Tragedy of the Commons." Hardin theorized **that in communal property systems, each individual enjoys the benefit of exploiting the resource to its maximum, while the cost of this increased utilization is spread out over all users.  Consequently, there is incentive for individual over exploitation**.  Applying this theory to global expanses shows that "the disadvantage inherent in this doctrine is that nations are free to make maximum use of resources because no outside mechanism exists to force their acceptance of external costs, either the cost of resource degradation or the cost of resource depletion."'" Much like the herding commons depicted in Hardin's essay, **global commons are susceptible to overuse**. 19 This problem is indeed a serious one. **Global commons become, in effect, a target for over exploitation.** Moreover, critics have addressed the problems of free riders and the Prisoner's Dilemma in dealing with commons.2 " **The end result is the same, however. These global commons fall victim to the predatory interest of individual exploiting natio**