# Neg

TEXT: The Outer Space Treaty ought to be amended to establish an international legal trust system governing outer space.

The Legal trust would include private property rights and would ensure the sustainable development as well as the equitable distribution of space resources.

Finoa ’20 – Ivan Finoa [Department of Law, University of Turin], “An international legal trust system to deal with the new space era,” 71st International Astronautical Congress (IAC) – The CyberSpace Edition, (12-14 October 2020). <<https://d1wqtxts1xzle7.cloudfront.net/66728932/_IAC_20_E7.VP.8.x58518_An_international_legal_trust_system_to_deal_with_the_new_space_era_BY_IVAN_FINO-with-cover-page-v2.pdf?Expires=1642044926&Signature=asvt6StaK5n9UnpXuJIlo4ziI839WzFYjDZy37bm70ObGy3vFJyHwWNGxhn2beze4QzYDPPX0pVEXAwYvDaINVNxN01Ify8YwG5loNRddlat-grf3iawic7KvwqPowxFe2GuemVvbB-KW8ZVBxigwS-gelSKIVy4KYR9UgiDrM6e6deEBnUTcULSwmsH-JdHNg13ytZ3vNVMMlxZW2MPOCRuB2WlOHdCLoC86VqafSoMwuec-d~Aisbgyt5F2vO-GjvI60bR7h2MSp0iT6P7apIDUUpHUsDGbvcdxp22HSxXdlvr7lSqtLnL5rKxujGDYq~R9B~WuGiorVL2hn74UQ__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA>>CT

Considering the worsening climate change, in the future outer space might be our last Noah’s Ark. Now, humans must look to space as an opportunity to support growing resource requirements. Asteroids are rich in metals, which could be transported back to Earth. Unfortunately, the existing international legal framework discourages investments in the space economy. Once an enterprise invests billions of dollars in discovering and developing a mining site, it cannot claim any ownership because of the non-appropriation principle stipulated in Article 2 of the Outer Space Treaty (OST). Thus, other entities could legally access and exploit the same resource without any participation in the initial financial investment, increasing the risk of potential conflict. Bearing this in mind, the question arises, which legal regime could ensure effective allocation of resources, avoiding a chaotic space race to acquire valuable assets? The aim of this research is to argue that the first two articles of OST should be amended, to set up an international legal trust system which would guarantee different kinds of rights, dependently on the nature of the celestial body. E.g., property rights could be preferable to a lease over asteroids, as they could be exploited to their disappearance. This proposed system would be led by the United Nations Office for Outer Space Affairs (UNOOSA), as the main trustee. The co-trustees would be the nations of the world. Prior to initiating any space activity, every entity would send a request to their national government. If all the legal parameters are respected, the nation would forward the operational request to the UNOOSA. In the case of acceptance, UNOOSA would record the permit on an international public registry. The country in which the company has been registered would investigate whether the activities of its national company are consistent with the permit. This would be the ordinary model. The extraordinary model would be when the applicant for the space activity is a state, then the trustee would be the UN. All lucrative activities would be subject to benefit-sharing. Finally, this research will demonstrate the valuable outcome of the International Legal Trust System and its advantages for all humankind. Private companies would rely on property rights, while the benefit-sharing could be used to finance the 17 Sustainable Development Goals adopted by the UN in 2015, which address peace, climate change, inequalities and poverty.

### NC Shell – Russia Fill-In DA

#### Russian space program powerless without a Sino-Russian space alliance right now, but in order to circumvent the plan, China helps Russia fill in as the US’s space leader

Luke Harding {Guardian foreign correspondent. His book [Shadow State](https://guardianbookshop.com/shadow-state-9781783352050.html) is published by Guardian Faber.}, 21 - ("The space race is back on – but who will win?," Guardian, 7-16-2021, https://www.theguardian.com/science/2021/jul/16/the-space-race-is-back-on-but-who-will-win)//marlborough-wr/

The biggest challenge to US space supremacy comes not from [Russia](https://www.theguardian.com/world/russia) – heir to the Soviet Union’s pioneering space programme, which launched the Sputnik satellite and got the first human into space in the form of Yuri Gagarin – but from China. In 2011 Congress prohibited US scientists from cooperating with Beijing. Its fear: scientific espionage. Taikonauts are banned from visiting the ISS, which has hosted astronauts from 19 countries over the past 20 years. The station’s future beyond 2028 is uncertain. Its operations may yet be extended in the face of increasing Chinese competition. In its annual threat assessment this April, the office of the US Director of National Intelligence (DNI) described China as a “near-peer competitor” pushing for global power. It warns: “Beijing is working to match or exceed US capabilities in space to gain the military, economic, and prestige benefits that Washington has accrued from space leadership.” The Biden administration suspects Chinese satellites are being used for non-civilian purposes. The People’s Liberation Army integrates reconnaissance and navigation data in military command and control systems, the DNI says. “Satellites are inherently dual use. It’s not like the difference between an F15 fighter jet and a 737 passenger plane,” Hilborne says. Once China completes the Tiangong space station next year, it is likely to invite foreign astronauts to take part in missions. One goal: to build new soft-power alliances. Beijing says interest from other countries is enormous. The low Earth orbit station is part of an ambitious development strategy in the heavens rather than on land – a sort of belt and rocket initiative. According to Alanna Krolikowski, an assistant professor at the Missouri University of Science and Technology, a “bifurcation” of space exploration is under way. In one emerging camp are states led by China and Russia, many of them authoritarian; in the other are democracies and “like-minded” countries aligned with the US. Russia has traditionally worked closely with the Americans, even when terrestrial relations were bad. Now it is moving closer to Beijing. In March, China and Russia [announced plans to co-build an international lunar research station](https://www.theguardian.com/science/2021/mar/10/china-and-russia-unveil-joint-plan-for-lunar-space-station). The agreement comes at a time when Vladimir Putin’s government has been increasingly isolated and subject to western sanctions. In June, Putin and his Chinese counterpart Xi Jinping renewed a friendship treaty. Moscow is cosying up to Beijing out of necessity, at a time of rising US-China bipolarity. These rival geopolitical factions are fighting over a familiar mountainous surface: the moon. In 2019 a Chinese rover landed on its far side – a first. China is now planning a mission to the moon’s south pole, to establish a robotic research station and an eventual lunar base, which would be intermittently crewed. Nasa, meanwhile, has said it intends to put a woman and a person of colour on the moon by 2024. SpaceX has been hired [to develop a lander](https://www.theguardian.com/science/2021/apr/17/nasa-spacex-moon-spacecraft-elon-musk). The return to the moon – after the last astronaut, commander Eugene Cernan, said goodbye in December 1972 – would be a staging post for the ultimate “giant leap”, Nasa says: sending astronauts to Mars. Krolikowski is sceptical that China will quickly overtake the US to become the world’s leading spacefaring country. “A lot of what China is doing is a reprisal of what the cold war space programmes did in the 1960s and 1970s,” she said. Beijing’s recent feats of exploration have as much to do with national pride as scientific discovery, she says. But there is no doubting Beijing’s desire to catch up, she adds. “The Chinese government has established, or has plans for, programmes or missions in every major area, whether it’s [Mars](https://www.theguardian.com/science/mars) missions, building mega constellations of telecommunications satellites, or exploring asteroids. There is no single area of space activity they are not involved in.” “We see a tightening of the Russia-China relationship,” Krolikowski says. “In the 1950s the Soviet Union provided a wide range of technical assistance to Beijing. Since the 1990s, however, the Russian space establishment has experienced long stretches of underfunding and stagnation. China now presents it with new opportunities.” Russia is poised to benefit from cost sharing, while China gets deep-rooted Russian technical expertise. At least, that’s the theory. “I’m sceptical this joint space project will materialise anytime soon,” says Alexander​ Gabuev, a senior fellow at the Carnegie Moscow Centre. Gabuev says both countries are “techno-nationalist”. Previous agreements to develop helicopters and wide-bodied aircraft saw nothing actually made, he says.

#### Russia and China are in a space arms race- the plan causes China to bow out and Russia wins

Bradley Bowman, Jared Thompson {Bradley Bowman, the senior director of the Center on Military and Political Power at the Foundation for Defense of Democracies, and Jared Thompson, a U.S. Air Force major and visiting military analyst at the Foundation for Defense of Democracies, }, 20 - ("Russia and China Seek to Tie America’s Hands in Space," Foreign Policy, 11-12-2020, https://foreignpolicy.com/2021/03/31/russia-china-space-war-treaty-demilitarization-satellites/)//marlborough-wr/

Consider the actions of the United States’ two great-power adversaries when it comes to anti-satellite weapons. China and Russia have [sprinted](https://thedispatch.com/p/we-must-work-to-prevent-a-space-pearl) to develop and deploy both ground-based and space-based weapons targeting satellites while simultaneously pushing the United States to sign a treaty banning such weapons. To protect its vital space-based military capabilities—including communications, intelligence, and missile defense satellites—and effectively deter authoritarian aggression, Washington should avoid being drawn into suspect international treaties on space that China and Russia have no intention of honoring. The Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force Against Outer Space Objects (PPWT), which Beijing and [Moscow](https://undocs.org/en/CD/2181) have submitted at the United Nations, is a perfect example. PPWT signatories [commit](https://undocs.org/pdf?symbol=en/CD/1985) “not to place any weapons in outer space.” It also says parties to the treaty may not “resort to the threat or use of force against outer space objects” or engage in activities “inconsistent” with the purpose of the treaty. On the surface, that sounds innocuous. Who, after all, wants an arms race in space? The reality, however, is that China and Russia are already racing to field anti-satellite weapons and have been for quite some time. “The space domain is competitive, congested, and contested,” Gen. James Dickinson, the head of U.S. Space Command, [said](https://www.defense.gov/Explore/News/Article/Article/2483340/commander-lists-5-tasks-to-ensuring-continued-space-superiority/) in January. “Our competitors, most notably China and Russia, have militarized this domain.” Beijing already has an [operational ground-based anti-satellite missile capability](https://www.dia.mil/Portals/27/Documents/News/Military%20Power%20Publications/Space_Threat_V14_020119_sm.pdf#page=3). People’s Liberation Army units are training with the missiles, and the U.S. Defense Department [believes](https://media.defense.gov/2020/Sep/01/2002488689/-1/-1/1/2020-DOD-CHINA-MILITARY-POWER-REPORT-FINAL.PDF#page=90) Beijing “probably intends to pursue additional [anti-satellite] weapons capable of destroying satellites up to geosynchronous Earth orbit.” That is where America’s most sensitive nuclear communication and missile defense satellites orbit and keep watch. Similarly, Moscow [tested](https://www.spacecom.mil/News/Article-Display/Article/2448334/russia-tests-direct-ascent-anti-satellite-missile/) a ground-based anti-satellite weapon in December that could destroy U.S. or allied satellites in orbit. That attack capability augments a ground-based laser weapon that Russian President Vladimir Putin [heralded](https://tass.com/defense/1034344) in 2018. In a moment of candor, Russia’s defense ministry admitted the system was designed to “fight satellites.” To make matters worse, both countries are also working to deploy space-based—or so-called “[on-orbit](https://www.dia.mil/Portals/27/Documents/News/Military%20Power%20Publications/Space_Threat_V14_020119_sm.pdf#page=3)”—capabilities to attack satellites.

#### This link turns their first scenario, and unchecked Russian influence risks extinction

Fisher ‘15 (Max, Foreign affairs columnist @ VOX, "How World War III became possible," 6/29, http://www.vox.com/2015/6/29/8845913/russia-war)

That is why, analysts will tell you, today's tensions bear far more similarity to the period before World War I: an unstable power balance, belligerence over peripheral conflicts, entangling military commitments, disputes over the future of the European order, and dangerous uncertainty about what actions will and will not force the other party into conflict. Today's Russia, once more the strongest nation in Europe and yet weaker than its collective enemies, calls to mind the turn-of-the-century German Empire, which Henry Kissinger described as "too big for Europe, but too small for the world." Now, as then, a rising power, propelled by nationalism, is seeking to revise the European order. Now, as then, it believes that through superior cunning, and perhaps even by proving its might, it can force a larger role for itself. Now, as then, the drift toward war is gradual and easy to miss — which is exactly what makes it so dangerous. But there is one way in which today's dangers are less like those before World War I, and more similar to those of the Cold War: the apocalyptic logic of nuclear weapons. Mutual suspicion, fear of an existential threat, armies parked across borders from one another, and hair-trigger nuclear weapons all make any small skirmish a potential armageddon. In some ways, that logic has grown even more dangerous. Russia, hoping to compensate for its conventional military forces' relative weakness, has dramatically relaxed its rules for using nuclear weapons. Whereas Soviet leaders saw their nuclear weapons as pure deterrents, something that existed precisely so they would never be used, Putin's view appears to be radically different. Russia's official nuclear doctrine calls on the country to launch a battlefield nuclear strike in case of a conventional war that could pose an existential threat. These are more than just words: Moscow has repeatedly signaled its willingness and preparations to use nuclear weapons even in a more limited war. This is a terrifyingly low bar for nuclear weapons use, particularly given that any war would likely occur along Russia's borders and thus not far from Moscow. And it suggests Putin has adopted an idea that Cold War leaders considered unthinkable: that a "limited" nuclear war, of small warheads dropped on the battlefield, could be not only survivable but winnable. "It’s not just a difference in rhetoric. It’s a whole different world," Bruce G. Blair, a nuclear weapons scholar at Princeton, told the Wall Street Journal. He called Putin's decisions more dangerous than those of any Soviet leader since 1962. "There’s a low nuclear threshold now that didn’t exist during the Cold War." Nuclear theory is complex and disputable; maybe Putin is right. But many theorists would say he is wrong, that the logic of nuclear warfare means a "limited" nuclear strike is in fact likely to trigger a larger nuclear war — a doomsday scenario in which major American, Russian, and European cities would be targets for attacks many times more powerful than the bombs that leveled Hiroshima and Nagasaki. Even if a nuclear war did somehow remain limited and contained, recent studies suggest that environmental and atmospheric damage would cause a "decade of winter" and mass crop die-outs that could kill up to 1 billion people in a global famine.

s

# On Case

### Solvency

1. Solvency deficient—
   1. Public agency can do it or you can do it without giving agencies right to mine. Case is Contingent on Russia and china seeing space as competition. The CP solves because it provides international form for refuting disputes.
   2. Plan text bans just for china. Causality won’t impact story that the us actions pushes china and Russia together and how china is key. Banning china won’t defuse the tensions. Techman card wouldn’t be resolved because Russia and cabaility and terrestial conflict
   3. Reads no solvency evidence. No empirical ev or cards that pplans solve
2. Prefer the CP
   1. means there is not competition for who gets to astroid firsT agency can allocate space resources to countries first
   2. Solves mining adv in gauten ev—still able to mine for astorids, just more efficiently and farly
3. DA turns case: China Russia arms race causes unchecked Russian influence—risk extinction

### Circumvention

#### Russia cheats – gives an asymmetric advantage – constitutional and political constraints prevent US reciprocation

Lambakis 17 [Dr. Steven Lambakis is a national security and international affairs analyst specializing in space power and policy studies. Dr. Lambakis serves as the Editor-in-Chief of Comparative Strategy, a leading international journal of global affairs and strategic studies whose readership includes key policymakers, academics, and other leaders. Dr. Lambakis was educated in the fields of international politics, with special emphasis on arms control and intelligence issues, American government, and U.S. foreign policy at Northern Illinois University in DeKalb, Illinois (B.A., 1982) and the Catholic University of America in Washington D.C. (M.A., 1984, and Ph.D., 1990). Foreign Space Capabilities: Implications for U.S. National Security. September 2017. www.nipp.org/wp-content/uploads/2017/09/Foreign-Space-Capabilities-pub-2017.pdf]

While Russia is making strong technical strides toward having weapons capable of damaging or destroying U.S. satellites, it is using its foreign policy to try to hobble potential U.S. space weapons. For example, Russia (along with China) has advocated for a treaty preventing the placement of weapons in outer space and the threat or use of force against space-based assets. Russia is fully aware that there are no known technologies or capabilities to verify compliance with such a treaty. The purpose in pursuing such arms control agreements is to hobble U.S. weapons and technology development, because of the domestic political opposition such rhetoric might generate and because the United States will comply with any arms control agreement that it signs. The Russians do not have the same constitutional and political constraints in place as the United States to restrain its development of ASATs. Moreover, the Russians are accustomed to violating arms control agreements that it they have signed. Writes defense analyst Mark Schneider: “There is no reason to expect Russia to break a habit of ignoring its arms control and treaty obligations. By doing this, it has gained military advantages for decades.”119

# FW

#### Turn - private space exploration is key to solve all of the aff’s impacts. Rumende 21:

Thevnin Rumende {mechanical engineering junior and Community Voices columnist, }, 21 - ("Opinion: Critics are overlooking the technological benefits of the billionaire space race," Shorthorn, 9-14-2021, https://www.theshorthorn.com/opinion/opinion-critics-are-overlooking-the-technological-benefits-of-the-billionaire-space-race/article\_4cd73e2e-1512-11ec-874b-bb7e3009729b.html)//marlborough-wr/

There has been no shortage of opinion surrounding what has been derisively dubbed by some as the “pointless billionaire space race.” Pundits have not hesitated to express their ire toward what they view as a new pet project for billionaires. Despite the controversy that accompanies the uber-wealthy’s interest in the private space industry, this development and its effects deserve to be treated with more nuance. When discussing the topic of billionaires in space, the hatred and distrust toward these individuals often trumps any positive technological advancements their companies have achieved on the path to civilian space flight. Simply labeling their endeavors in commercial space flight “a rich person’s ‘joyride’” undercuts the sheer immensity of safely ferrying a person to and from the edge of space, and in the case of SpaceX, a private space manufacturer, having docked and undocked with the international space station in low-Earth orbit. While viewing the success of the current era of space transportation, one might overlook the fact that of the 355 astronauts who flew aboard NASA’s space shuttles from 1981 to 2011, 14 were killed. Simply put, many things can and have gone wrong when attempting to enter space, and any step taken closer to a safer launch system benefits all of humanity. However, for some people, they view the contest of private space companies as “a tragically wasteful ego contest,” a distraction from more pressing issues such as proliferating climate catastrophes, inequality, lack of health care and insufficient housing. This view is shortsighted as it fails to recognize the key role space is already playing in combating a host of the aforementioned crises. According to the World Economic Forum, space technology is helping end hunger by imaging vast swathes of agricultural land and by helping produce agricultural indexes, along with ensuring people access to clean water through the monitoring of reservoirs via satellite images. Cheaper and more efficient space launch systems mean deploying even more satellites to help better address these problems. The microgravity environment of space could potentially allow the fabrication of human organs using a 3D bioprinter. With the demand for yearly organ transplants dwarfing the supply, manufacturing organs in space would help address the overwhelming needs of medical patients. The most common contention leveled against these “space billionaires” is that the wealth they accumulate through their endeavors will only serve to enrich them, widening the gap between the haves and the have nots. While these concerns are natural, they often overlook technology’s profound ability to democratize knowledge and reshape society for the better. The private space industry has already significantly reduced the capital investment necessary to embark on projects such as internet satellite constellations. Satellite internet providers have long promised the ability to provide secure internet connectivity to the remaining 3.7 billion unconnected people on the earth, but only now is it attainable. With current technology, nearly a third of the human population could access secure financial accounts and the vast library of human knowledge, once restricted to more developed nations, in under a decade. The significance of these two effects alone toward the advancement of humanity, which could be further advanced through private interests in space, would be incalculable. Like the creation of the internet and the opening of the western frontier in the U.S., the impact that the opening of space will have on the course of humanity is unforeseeable. But the impact is sure to be monumental. We shouldn’t let our distaste of certain billionaires cloud our view of the path that lies ahead. Just as the robber barons of yesteryear played a large role in shaping the nation but are now long forgotten, so too will Jeff Bezos, Elon Musk and Sir Richard Branson.

1. Yes extinction first, Fisher 15 ev turns extinction scenario. More probable in aff world.
2. Neg prevents extinction via the CP—no competition so arms race doesn’t link. Doesn’t get impact
3. Rumende ev gives a laundry list of reasons why private tech exploration is net good-ends hungry, positive technological dcancements, better internet etx.