# US PIC

#### CP Text: All states, with the exception of the United States, ought to establish an international public trust obligation towards protection of outer space as a refusal of the appropriation of outer space by private entities.

#### Chinese investments are catching up and the US needs private companies to maintain space dominance – Chinese space dominance risks extinction. Autry and Kwast 19:

Greg Autry, Steve Kwast {Greg Autry is a clinical professor of space leadership, policy, and business at Arizona State University’s Thunderbird School of Global Management. He served on the 2016 NASA transition team and as the White House liaison at NASA in 2017. He is the chair of the Safety Working Group for the U.S. Federal Aviation Administration’s Commercial Space Transportation Advisory Committee. Steve Kwast is a Lieutenant General and commander of Recruiting, Training, Educating and Development for the Air Force. He is an astronautical engineer and Harvard Fellow in Public Policy., }, 19 - ("America Is Losing the Second Space Race to China," Foreign Policy, 8-22-2019, https://foreignpolicy.com/2019/08/22/america-is-losing-the-second-space-race-to-china/)//marlborough-wr/

The current U.S. space defense strategy is inadequate and on a path to failure. President Donald Trump’s vision for a Space Force is big enough. As he said on [June 18](https://www.whitehouse.gov/briefings-statements/remarks-president-trump-meeting-national-space-council-signing-space-policy-directive-3/), “It is not enough to merely have an American presence in space. We must have American dominance in space.” But the Air Force is not matching this vision. Instead, the leadership is currently focused on incremental improvements to existing equipment and organizational structures. Dominating the vast and dynamic environment of space will require revolutionary capabilities and resources far deeper than traditional Department of Defense thinking can fund, manage, or even conceive of. Success depends on a much more active partnership with the commercial space industry— and its disruptive capabilities. U.S. military space planners are preparing to repeat a conflict they imagined back in the 1980s, which never actually occurred, against a vanished Soviet empire. Meanwhile, China is executing a winning strategy in the world of today. It is burning hard toward domination of the future space markets that will define the next century. They are planning infrastructure in space that will control 21st-century telecommunications, energy, transportation, and manufacturing. In doing so, they will acquire trillion-dollar revenues as well as the deep capabilities that come from continuous operational experience in space. This will deliver space dominance and global hegemony to China’s authoritarian rulers. Despite the fact that many in the policy and intelligence communities understand exactly what China is doing and have been trying to alert leadership, Air Force leadership has convinced the White House to fund only a slightly better satellite command with the same leadership, while sticking a new label onto their outmoded thinking. A U.S. Space Force or Corps with a satellite command will never fulfill Trump’s call to dominate space. Air Force leadership is demonstrating the same hubris that Gen. George Custer used in convincing Congress, over President Ulysses S. Grant’s better experience intuition, that he could overtake the Black Hills with repeating rifles and artillery. That strategy of technological overconfidence inflamed conflict rather than subduing it, and the 7th Cavalry were wiped out at the Battle of the Little Bighorn. The West was actually won by the settlers, ranchers, miners, and railroad barons who were able to convert the wealth of the territory itself into the means of holding it. They laid the groundwork that made the 20th century the American Century and delivered freedom to millions of people in Europe and Asia. Of course, they also trampled the indigenous people of the American West in their wake—but empty space comes with no such bloody cost. The very emptiness and wealth of this new, if not quite final, frontier, however, means that competition for resources and strategic locations in cislunar space (between the Earth and moon) will be intense over the next two decades. The outcome of this competition will determine the fate of humanity in the next century. China’s impending dominance will neutralize U.S. geopolitical power by allowing Beijing to control global information flows from the high ground of space. Imagine a school in Bolivia or a farmer in Kenya choosing between paying for a U.S. satellite internet or image provider or receiving those services for free as a “gift of the Chinese people.” It will be of little concern to global consumers that the news they receive is slanted or that searches for “free speech” link to articles about corruption in Western democracies. Nor will they care if concentration camps in Tibet and the Uighur areas of western China are obscured, or if U.S. military action is presented as tyranny and Chinese expansion is described as peacekeeping or liberation. China’s aggressive investment in space solar power will allow it to provide cheap, clean power to the world, displacing U.S. energy firms while placing a second yoke around the developing world. Significantly, such orbital power stations have dual use potential and, if properly designed, could serve as powerful offensive weapons platforms. China’s first step in this process is to conquer the growing small space launch market. Beijing is providing nominally commercial firms with government-manufactured, mobile intercontinental ballistic missiles they can use to dump launch services on the market below cost. These start-ups are already [undercutting](https://foreignpolicy.com/2019/04/02/beijing-is-taking-the-final-frontier-space-china/) U.S. pricing by 80 percent. Based on its previous success in using dumping to take out U.S. developed industries such as solar power modules and drones, China will quickly move upstream to attack the leading U.S. launch providers and secure a global commercial monopoly. Owning the launch market will give them an unsurmountable advantage against U.S. competitors in satellite internet, imaging, and power. The United States can still build a strategy to win. At this moment, it holds the competitive advantage in every critical space technology and has the finest set of commercial space firms in the world. It has pockets of innovative military thinkers within groups like the [Defense Innovation Unit](https://www.diu.mil/news-events), under Mike Griffin, the Pentagon’s top research and development official. If the United States simply protects the intellectual property its creative minds unleash and defend its truly free markets from strategic mercantilist attack, it will not lose this new space race. The United States has done this before. It beat Germany to the nuclear bomb, it beat the Soviet Union to the nuclear triad, and it won the first space race. None of those victories was achieved by embracing the existing bureaucracy. Each of them depended on the president of the day following the only proven path to victory in a technological domain: establish a small team with a positively disruptive mindset and empower that team to investigate a wide range of new concepts, work with emerging technologies, and test innovative strategies. Today that means giving a dedicated Space Force the freedom to easily partner with commercial firms and leverage the private capital in building sustainable infrastructure that actually reduces the likelihood of conflict while securing a better economic future for the nation and the world.

# Salvage law CP

#### CP: States should apply the maritime law of salvage to space debris.

Salter ’16 - Alexander William Salter [Assistant Professor of Economics, Rawls College of Business, Texas Tech University], “SPACE DEBRIS: A LAW AND ECONOMICS ANALYSIS OF THE ORBITAL COMMONS,” 19 STAN. TECH. L. REV. 221 (2016). <https://www-cdn.law.stanford.edu/wp-content/uploads/2017/11/19-2-2-salter-final\_0.pdf> AT

Assuming a nation-state, even under current international space law, wished to supervise a space debris removal mission, how would it do so? A crucial question concerns the division of responsibility between the private and public sectors. Some impetus would almost certainly fall on the public sector. At a minimum, the public sector’s role involves further clarification of the legal framework —the “rules of the game” —for space debris at the national level. Using the United States as an example, clarifying the framework may be as simple as announcing that the law of salvage, as it exists in current maritime law, will apply to its own space debris. In other words, any private party under the jurisdiction of the United States that wishes to remove US space debris may do so and is entitled to whatever value is recovered thereby.

Companies such as Deep Space Industries and Planetary Resources are planning long-term asteroid mining projects, which will probably require space infrastructure for in-situ manufacturing or, at least, repairs. Because much debris contains valuable material, the chance to access such material without bearing the costs ordinarily associated with bringing it into orbit can be a significant incentive. Building this infrastructure would involve moving existing debris to a parking orbit rather than destroying it, of course. Most important, those companies would be able to remove clearly identifiable US space debris only, and the US government would be liable for any accidents caused by removal operations that damage other nations’ space objects.

#### Net benefit: Debris is an expensive resource. The problem is effort, which the cp solves through incentives.

Dom **Galeon, 18** - ("Reconsidering space debris: Can space junk be useful?," Futurism, 02-08-2018, 1-6-2022https://futurism.com/reconsidering-space-debris-space-junk-useful)//AW

In short, there’s just too much litter floating around the planet to be safe in the long term. But what if we could look at space debris in a different light? After all, most of space junk is comprised of the quite-expensive materials that are used to build rockets and satellites. Could space junk therefore be a floating resource that remains un-utilized? “These objects are made out of very specific materials that are very expensive to produce, and it is tempting to think of them as a resource just waiting to be used,” Grey explained. “The problem with this idea comes from the effort needed to catch and utilize these “resources.”” Grey explained that objects in low Earth orbit move extremely fast, around 7 kilometers (4.3 miles) per second. That makes them difficult to catch; building rockets designed to run down such speedy debris would be too costly for the effort. This doesn’t mean that these pieces of space junk should just be left floating out there. In fact, various efforts to clean space debris are already in the works. “The mechanisms that are being developed at the moment focus on very simple techniques and echo the techniques used for centuries to catch large wild animals such as harpoons and nets,” Grey explained. “These have still to be tested in orbit but a number of missions are planned in the near future, such as ESA’s e.Deorbit.” Scientists and engineers from the NASA Innovative Advanced Concepts (NIAC) Program suggest something similar: using a spacecraft thinner than human hair that can wrap around space debris like a net. Other consider zapping space debris with laser. All of these concepts, as Grey noted, remain largely on the drawing board.

# Asteroid Mining DA

#### The private sector is essential for asteroid mining – competition is key and government development is not effective, efficient, or cheap enough. Thiessen 21:

Marc Thiessen, 6-1, 21, Washington Post, Opinion: SpaceX’s success is one small step for man, one giant leap for capitalism, https://www.washingtonpost.com/opinions/2020/06/01/spacexs-success-is-one-small-step-man-one-giant-leap-capitalism/

It was one small step for man, one giant leap for capitalism. Only three countries have ever launched human beings into orbit. This past weekend, SpaceX became the first private company ever to do so, when it sent its Crew Dragon capsule into space aboard its Falcon 9 rocket and docked with the International Space Station. This was accomplished by a company Elon Musk started in 2002 in a California strip mall warehouse with just a dozen employees and a mariachi band. At a time when our nation is debating the merits of socialism, SpaceX has given us an **incredible testament to the power of American free enterprise.** While the left is advocating unprecedented government intervention in almost every sector of the U.S. economy, from health care to energy, **today Americans are celebrating the successful privatization of space travel.** If you want to see the difference between what government and private enterprise can do, consider: It took a private company to give us the first space vehicle with touch-screen controls instead of antiquated knobs and buttons. It took a private company to give us a capsule that can fly entirely autonomously from launch to landing — including docking — without any participation by its human crew. It also took a private company to invent a reusable rocket that can not only take off but land as well. When the Apollo 11 crew reached the moon on July 20, 1969, Neil Armstrong declared “the Eagle has landed.” On Saturday, SpaceX was able to declare that the Falcon had landed when its rocket settled down on a barge in the Atlantic Ocean — ready to be used again. That last development will save the taxpayers incredible amounts of money. The cost to NASA for launching a man into space on the space shuttle orbiter was $170 million per seat, compared with just $60 million to $67 million on the Dragon capsule. The cost for the space shuttle to send a kilogram of cargo into to space was $54,500; with the Falcon rocket, the cost is just $2,720 — a decrease of 95 percent. And while the space shuttle cost $27.4 billion to develop, the Crew Dragon was designed and built for just $1.7 billion — making it the lowest-cost spacecraft developed in six decades. SpaceX did it in six years — far faster than the time it took to develop the space shuttle. ***The private sector does it better, cheaper, faster and more efficiently than government***. Why? Competition. Today, SpaceX has to compete with a constellation of private companies — including legacy aerospace firms such as Orbital ATK and United Launch Alliance and innovative start-ups such as Blue Origin (which is designing a Mars lander and whose owner, Jeff Bezos, also owns The Post) and Virgin Orbit (which is developing rockets than can launch satellites into space from the underside of a 747, avoiding the kinds of weather that delayed the Dragon launch). In the race to put the first privately launched man into orbit, upstart SpaceX had to beat aerospace behemoth Boeing and its Starliner capsule to the punch. It did so — for more than $1 billion less than its competitor. **That spirit of competition and innovation will revolutionize space travel in the years ahead.** Indeed, Musk has his sights set far beyond Earth orbit. Already, SpaceX is working on a much larger version of the Falcon 9 reusable rocket called Super Heavy that will carry a deep-space capsule named Starship capable of carrying up to 100 people to the moon and eventually to Mars. Musk’s goal — the reason he founded SpaceX — is to colonize Mars and make humanity a multiplanetary species. He has set a goal of founding a million-person city on Mars by 2050 complete with iron foundries and pizza joints. Can it be done? Who knows. But this much is certain: **Private-sector innovation is opening the door to a new era of space exploration**. Wouldn’t it be ironic if, just as capitalism is allowing us to explore the farthest reaches of our solar system, Americans decided to embrace socialism back here on Earth?

#### Space regulation scares investors away and spills over to other space activities. Freeland 05

Steven Freeland (BCom, LLB, LLM, University of New South Wales; Senior Lecturer in International Law, University of Western Sydney, Australia; and a member of the Paris-based International Institute of Space Law). “Up, Up and … Back: The Emergence of Space Tourism and Its Impact on the International Law of Outer Space.” Chicago Journal of International Law: Vol. 6: No. 1, Article 4. 2005. JDN. <https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1269&context=cjil>

V. THE NEED FOR CELESTIAL PROPERTY RIGHTS? ¶ The fundamental principle of "non-appropriation" upon which the international law of outer space is based stems from the desire of the international community to ensure that outer space remains an area beyond the jurisdiction of any state(s). Similar ideals emerge from UNCLOS (in relation to the High Seas) as well as the Antarctic Treaty, 42 although in the case of the latter treaty, it was finalised after a number of claims of sovereignty had already been made by various States and therefore was structured to "postpone" rather than prejudice or renounce those previously asserted claims.43 In the case of outer space, its exploitation and use is expressed in Article I of the Outer Space Treaty to be "the province of all mankind," a term whose meaning is not entirely clear but has been interpreted by most commentators as evincing the desire to ensure that any State is free to engage in space activities without reference to any sovereign claims of other States. This freedom is reinforced by other parts of the same Article and is repeated in the Moon Agreement (which also applies to "other celestial bodies within the solar system, other than the earth")." Even though both the scope for space activities and the number of private participants have expanded significantly since these treaties were finalised, it has still been suggested that the nonappropriation principle constitutes "an absolute barrier in the realization of every kind of space activity., 4 ' The amount of capital expenditure required to research, scope, trial, and implement a new space activity is significant. To bring this activity to the point where it can represent a viable "stand alone" commercial venture takes many years and almost limitless funding. From the perspective of a private enterprise contemplating such an activity, it would quite obviously be an important element in its decision to devote resources to this activity that it is able to secure the highest degree of legal rights in order to protect its investment. Security of patent and other intellectual property rights, for example, are vital prerequisites for private enterprise research activity on the ISS, and these rights are specifically addressed by the ISS Agreement between the partners to the project and were applicable to the experiments undertaken by Mark Shuttleworth when he was onboard the ISS.46

#### Asteroid mining can happen with private sector innovation and is key to solve a laundry list of impacts--climate change, economic decline and asteroid collisions. Taylor 19

Chris Taylor [journalist], 19 - ("How asteroid mining will save the Earth — and mint trillionaires," Mashable, 2019, accessed 12-13-2021, https://mashable.com/feature/asteroid-mining-space-economy)//ML

How much, exactly? We’re only just beginning to guess. [Asterank](http://www.asterank.com/), a service that keeps track of some 6,000 asteroids in NASA’s database, prices out the estimated mineral content in each one in the current world market. More than 500 are listed as “>$100 trillion.” The estimated profit on just the top 10 asteroids judged “most cost effective” — that is, the easiest to reach and to mine, subtracting rocket fuel and other operating costs, is around $1.5 trillion.¶ Is it ours for the taking? Well, here’s the thing — we’re taking it already, and have been doing so since we started mining metals thousands of years ago. Asteroid strikes are the only reason rare metals exist in the Earth’s crust; the native ones were all sucked into our planet’s merciless iron core millions of years ago. Why not go to the source?¶ As a side project, space mining can grab water from the rocks and comets — water which, with a little processing makes rocket fuel. Which in turn makes even more currently unimaginable space operations possible, including ones that could give the planet all the energy it needs to avert climate catastrophe. Cislunar space — the bit around us and the moon, the local neighborhood, basically — is about to get very interesting.¶ It’s hard, even for the most asteroid-minded visionaries, to truly believe the full scope of this future space economy right now. Just as hard as it would have been in 1945, when an engineer named Vannevar Bush first proposed [a vast library of shared knowledge that people the world over would access via personal computers](https://en.wikipedia.org/wiki/Memex), to see that mushroom into a global network of streaming movies and grandmas posting photos and trolls and spies who move the needle on presidential elections. ¶ No technology’s pioneer can predict its second-order effects.¶ The space vision thing is particularly difficult in 2019. Not only do we have plenty of urgent problems with democracy and justice to keep us occupied, but the only two companies on the planet to have gone public with asteroid-mining business plans, startups that seemed to be going strong and had launched satellites already, were just bought by larger companies that are, shall we say, less comfortable executing on long-term visions.¶ Planetary Resources was founded in 2012 in a blaze of publicity. Its funding came from, among others, Larry Page, Eric Schmidt, Ross Perot, and the country of Luxembourg. It had inked an orbital launch deal with Virgin Galactic. And it was sold last October to a blockchain software company. (To 21st century readers, this paragraph would look like I’m playing tech world mad libs.)¶ In January, the other company, Deep Space Industries, also partly funded by Luxembourg (way to get in the space race, Luxembourg!), was sold to Bradford Space, owned by a U.S. investment group called the American Industrial Acquisition Corporation. Maybe these new overlords plan on continuing their acquisitions' asteroid mining endeavors rather than stripping the companies for parts. Both companies have been notably silent on the subject. “The asteroid mining bubble has burst,” [declared The Space Review](http://www.thespacereview.com/article/3633/1), one of the few online publications to even pay attention.¶ That’s also to be expected. After all, anyone trying to build Google in 1945 would go bankrupt. Just as the internet needed a half-dozen major leaps forward in computing before it could even exist, space industry needs its launch infrastructure.¶ Currently, the world’s richest person and its most well-known entrepreneur, Jeff Bezos and Elon Musk, respectively, are working on the relatively cheap reusable rockets asteroid pioneers will need. (As I was writing this, Bezos announced in an email blast that one of his New Shepherd rockets had flown to space and back five times like it was nothing, delivering 38 payloads for various customers while remaining entirely intact.) ¶ Meanwhile, quietly, Earth’s scientists are laying the groundwork of research the space economy needs. Japan’s Hayabusa 2 spacecraft has been in orbit around asteroid Ryugu for the last year and a half, learning everything it can. (Ryugu, worth $30 billion according to Asterank, is the website's #1 most cost-effective target.) The craft dropped [tiny hopping robot rovers](https://www.space.com/41941-hayabusa2-asteroid-rovers-hopping-tech.html) and a [small bomb](https://www.space.com/japan-hayabusa2-asteroid-bomb-video.html) on its target; pictures of the small crater that resulted were released afterwards.¶ Officially, the mission is to help us figure out how the solar system formed. Unofficially, it will help us understand whether all those useful metals clump together at the heart of an asteroid, as some theorize. If so, it’s game on for asteroid prospectors. If not, we can still get at the metals with other techniques, such as optical mining (which basically involves sticking an asteroid in a bag and drilling with sunlight; sounds nuts to us, but [NASA has proved it in the lab](https://www.nasa.gov/directorates/spacetech/niac/2017_Phase_I_Phase_II/Sustainable_Human_Exploration/)). It’ll just take more time.¶ Effectively, we’ve just made our first mark at the base of the first space mineshaft. And there’s more to come in 2020 when Hayabusa 2 returns to Earth bearing samples. If its buckets of sand contain a modicum of gold dust, tiny chunks of platinum or pebbles of compressed carbon — aka diamonds — then the Duchy of Luxembourg won’t be the only deep-pocketed investor to sit up and take notice.¶ The possibility of private missions to asteroids, with or without a human crew, is almost here. The next step in the process that takes us from here to where you are? Tell us an inspiring story about it, one that makes people believe, and start to imagine themselves mining in space. How would you explain the world-changing nature of the internet to 1945? How would you persuade them that there was gold to be mined in Vannevar Bush’s idea? You’d let the new economy and its benefits play out in the form of a novel.¶ As Hayabusa dropped a bomb on Ryugu, Daniel Suarez was making the exact same asteroid the target of his fiction. Suarez is a tech consultant and developer turned New York Times bestselling author. His novels thus far have been techno-thrillers: his debut, [Daemon](https://www.amazon.com/dp/B003QP4NPE/ref=dp-kindle-redirect?_encoding=UTF8&btkr=1), a novel of Silicon Valley’s worst nightmare, AI run rampant, made more than a million dollars.¶ So it was a telling shift in cultural mood that Suarez’s latest thriller is also a very in-depth description of — and thinly-disguised advocacy for — asteroid mining. In [Delta-v](https://www.amazon.com/Delta-v-Daniel-Suarez-ebook/dp/B07FLX8V84/ref=sr_1_1?crid=UMNUUSR3NCBX&keywords=delta-v&qid=1556930756&s=digital-text&sprefix=delta-v%2Cdigital-text%2C204&sr=1-1), published in April, a billionaire in the 2030s named Nathan Joyce recruits a team of adventurers who know nothing about space — a world-renowned cave-diver, a world-renowned mountaineer — for the first crewed asteroid mission.¶ Elon Musk fans might expect this to be Joyce’s tale, but he soon fades into the background. The asteroid-nauts are the true heroes of Delta-v. Not only are they offered a massive payday — $6 million each for four years’ work — they also have agency in key decisions in the distant enterprise. Suarez deliberately based them on present-day heroes. The mission is essential, Joyce declares, to save Earth from its major problems. First of all, the fictional billionaire wheels in a fictional Nobel economist to demonstrate the actual truth that the entire global economy is sitting on a [mountain of debt](https://www.washingtonpost.com/opinions/the-247-trillion-global-debt-bomb/2018/07/15/64c5bbaa-86c2-11e8-8f6c-46cb43e3f306_story.html?noredirect=on&utm_term=.5fb3ff1155d9). It has to keep growing or it will implode, so we might as well take the majority of the industrial growth off-world where it can’t do any more harm to the biosphere.¶ Secondly, there’s the climate change fix. Suarez sees asteroid mining as the only way we’re going to build [solar power satellites](https://en.wikipedia.org/wiki/Space-based_solar_power). Which, as you probably know, is a form of uninterrupted solar power collection that is theoretically more effective, inch for inch, than any solar panels on Earth at high noon, but operating 24/7. (In space, basically, it’s always double high noon). ¶ The power collected is beamed back to large receptors on Earth with large, low-power microwaves, which researchers think will be harmless enough to let humans and animals pass through the beam. A space solar power array like [the one China is said to be working on](https://www.forbes.com/sites/scottsnowden/2019/03/12/solar-power-stations-in-space-could-supply-the-world-with-limitless-energy/#2d3f78a54386) could reliably supply 2,000 gigawatts — or over 1,000 times more power than the largest solar farm currently in existence. ¶ “We're looking at a 20-year window to completely replace human civilization's power infrastructure,” Suarez told me, citing the report of the Intergovernmental Panel on Climate Change on the coming catastrophe. Solar satellite technology “has existed since the 1970s. What we were missing is millions of tons of construction materials in orbit. Asteroid mining can place it there. Nathan Joyce shouts at a group of “Mars-obsessed” entrepreneurs in Delta-V, Mars is basically filled with toxic sand and is thus looking increasingly impossible to colonize. (Sorry, Mark Watney from The Martian, those potatoes would probably kill you.)

#### Warming causes extinction.

Bill McKibben 19, Schumann Distinguished Scholar at Middlebury College; fellow of the American Academy of Arts and Sciences; holds honorary degrees from 18 colleges and universities; Foreign Policy named him to their inaugural list of the world’s 100 most important global thinkers. "This Is How Human Extinction Could Play Out." Rolling Stone. 4-9-2019. https://www.rollingstone.com/politics/politics-features/bill-mckibben-falter-climate-change-817310/

Oh, it could get very bad. In 2015, a study in the Journal of Mathematical Biology pointed out that if the world’s oceans kept warming, by 2100 they might become hot enough to “stop oxygen production by phyto-plankton by disrupting the process of photosynthesis.” Given that two-thirds of the Earth’s oxygen comes from phytoplankton, that would “likely result in the mass mortality of animals and humans.” A year later, above the Arctic Circle, in Siberia, a heat wave thawed a reindeer carcass that had been trapped in the permafrost. The exposed body released anthrax into nearby water and soil, infecting two thousand reindeer grazing nearby, and they in turn infected some humans; a twelve-year-old boy died. As it turns out, permafrost is a “very good preserver of microbes and viruses, because it is cold, there is no oxygen, and it is dark” — scientists have managed to revive an eight-million-year-old bacterium they found beneath the surface of a glacier. Researchers believe there are fragments of the Spanish flu virus, smallpox, and bubonic plague buried in Siberia and Alaska. Or consider this: as ice sheets melt, they take weight off land, and that can trigger earthquakes — seismic activity is already increasing in Greenland and Alaska. Meanwhile, the added weight of the new seawater starts to bend the Earth’s crust. “That will give you a massive increase in volcanic activity. It’ll activate faults to create earthquakes, submarine landslides, tsunamis, the whole lot,” explained the director of University College London’s Hazard Centre. Such a landslide happened in Scandinavia about eight thousand years ago, as the last Ice Age retreated and a Kentucky-size section of Norway’s continental shelf gave way, “plummeting down to the abyssal plain and creating a series of titanic waves that roared forth with a vengeance,” wiping all signs of life from coastal Norway to Greenland and “drowning the Wales-sized landmass that once connected Britain to the Netherlands, Denmark, and Germany.” When the waves hit the Shetlands, they were sixty-five feet high. There’s even this: if we keep raising carbon dioxide levels, we may not be able to think straight anymore. At a thousand parts per million (which is within the realm of possibility for 2100), human cognitive ability falls 21 percent. “The largest effects were seen for Crisis Response, Information Usage, and Strategy,” a Harvard study reported, which is too bad, as those skills are what we seem to need most. I could, in other words, do my best to scare you silly. I’m not opposed on principle — changing something as fundamental as the composition of the atmosphere, and hence the heat balance of the planet, is certain to trigger all manner of horror, and we shouldn’t shy away from it. The dramatic uncertainty that lies ahead may be the most frightening development of all; the physical world is going from backdrop to foreground. (It’s like the contrast between politics in the old days, when you could forget about Washington for weeks at a time, and politics in the Trump era, when the president is always jumping out from behind a tree to yell at you.) But let’s try to occupy ourselves with the most likely scenarios, because they are more than disturbing enough. Long before we get to tidal waves or smallpox, long before we choke to death or stop thinking clearly, we will need to concentrate on the most mundane and basic facts: everyone needs to eat every day, and an awful lot of us live near the ocean. FOOD SUPPLY first. We’ve had an amazing run since the end of World War II, with crop yields growing fast enough to keep ahead of a fast-rising population. It’s come at great human cost — displaced peasant farmers fill many of the planet’s vast slums — but in terms of sheer volume, the Green Revolution’s fertilizers, pesticides, and machinery managed to push output sharply upward. That climb, however, now seems to be running into the brute facts of heat and drought. There are studies to demonstrate the dire effects of warming on coffee, cacao, chickpeas, and champagne, but it is cereals that we really need to worry about, given that they supply most of the planet’s calories: corn, wheat, and rice all evolved as crops in the climate of the last ten thousand years, and though plant breeders can change them, there are limits to those changes. You can move a person from Hanoi to Edmonton, and she might decide to open a Vietnamese restaurant. But if you move a rice plant, it will die. A 2017 study in Australia, home to some of the world’s highest-tech farming, found that “wheat productivity has flatlined as a direct result of climate change.” After tripling between 1900 and 1990, wheat yields had stagnated since, as temperatures increased a degree and rainfall declined by nearly a third. “The chance of that just being variable climate without the underlying factor [of climate change] is less than one in a hundred billion,” the researchers said, and it meant that despite all the expensive new technology farmers kept introducing, “they have succeeded only in standing still, not in moving forward.” Assuming the same trends continued, yields would actually start to decline inside of two decades, they reported. In June 2018, researchers found that a two-degree Celsius rise in temperature — which, recall, is what the Paris accords are now aiming for — could cut U.S. corn yields by 18 percent. A four-degree increase — which is where our current trajectory will take us — would cut the crop almost in half. The United States is the world’s largest producer of corn, which in turn is the planet’s most widely grown crop. Corn is vulnerable because even a week of high temperatures at the key moment can keep it from fertilizing. (“You only get one chance to pollinate a quadrillion kernels of corn,” the head of a commodity consulting firm explained.) But even the hardiest crops are susceptible. Sorghum, for instance, which is a staple for half a billion humans, is particularly hardy in dry conditions because it has big, fibrous roots that reach far down into the earth. Even it has limits, though, and they are being reached. Thirty years of data from the American Midwest show that heat waves affect the “vapor pressure deficit,” the difference between the water vapor in the sorghum leaf’s interior and that in the surrounding air. Hotter weather means the sorghum releases more moisture into the atmosphere. Warm the planet’s temperature by two degrees Celsius — which is, again, now the world’s goal — and sorghum yields drop 17 percent. Warm it five degrees Celsius (nine degrees Fahrenheit), and yields drop almost 60 percent. It’s hard to imagine a topic duller than sorghum yields. It’s the precise opposite of clickbait. But people have to eat; in the human game, the single most important question is probably “What’s for dinner?” And when the answer is “Not much,” things deteriorate fast. In 2010 a severe heat wave hit Russia, and it wrecked the grain harvest, which led the Kremlin to ban exports. The global price of wheat spiked, and that helped trigger the Arab Spring — Egypt at the time was the largest wheat importer on the planet. That experience set academics and insurers to work gaming out what the next food shock might look like. In 2017 one team imagined a vigorous El Niño, with the attendant floods and droughts — for a season, in their scenario, corn and soy yields declined by 10 percent, and wheat and rice by 7 percent. The result was chaos: “quadrupled commodity prices, civil unrest, significant negative humanitarian consequences . . . Food riots break out in urban areas across the Middle East, North Africa, and Latin America. The euro weakens and the main European stock markets lose ten percent.” At about the same time, a team of British researchers released a study demonstrating that even if you can grow plenty of food, the transportation system that distributes it runs through just fourteen major choke-points, and those are vulnerable to — you guessed it — massive disruption from climate change. For instance, U.S. rivers and canals carry a third of the world’s corn and soy, and they’ve been frequently shut down or crimped by flooding and drought in recent years. Brazil accounts for 17 percent of the world’s grain exports, but heavy rainfall in 2017 stranded three thousand trucks. “It’s the glide path to a perfect storm,” said one of the report’s authors. Five weeks after that, another report raised an even deeper question. What if you can figure out how to grow plenty of food, and you can figure out how to guarantee its distribution, but the food itself has lost much of its value? The paper, in the journal Environmental Research, said that rising carbon dioxide levels, by speeding plant growth, seem to have reduced the amount of protein in basic staple crops, a finding so startling that, for many years, agronomists had overlooked hints that it was happening. But it seems to be true: when researchers grow grain at the carbon dioxide levels we expect for later this century, they find that minerals such as calcium and iron drop by 8 percent, and protein by about the same amount. In the developing world, where people rely on plants for their protein, that means huge reductions in nutrition: India alone could lose 5 percent of the protein in its total diet, putting 53 million people at new risk for protein deficiency. The loss of zinc, essential for maternal and infant health, could endanger 138 million people around the world. In 2018, rice researchers found “significantly less protein” when they grew eighteen varieties of rice in high–carbon dioxide test plots. “The idea that food became less nutritious was a surprise,” said one researcher. “It’s not intuitive. But I think we should continue to expect surprises. We are completely altering the biophysical conditions that underpin our food system.” And not just ours. People don’t depend on goldenrod, for instance, but bees do. When scientists looked at samples of goldenrod in the Smithsonian that dated back to 1842, they found that the protein content of its pollen had “declined by a third since the industrial revolution — and the change closely tracks with the rise in carbon dioxide.” Bees help crops, obviously, so that’s scary news. But in August 2018, a massive new study found something just as frightening: crop pests were thriving in the new heat. “It gets better and better for them,” said one University of Colorado researcher. Even if we hit the UN target of limiting temperature rise to two degrees Celsius, pests should cut wheat yields by 46 percent, corn by 31 percent, and rice by 19 percent. “Warmer temperatures accelerate the metabolism of insect pests like aphids and corn borers at a predictable rate,” the researchers found. “That makes them hungrier[,] and warmer temperatures also speed up their reproduction.” Even fossilized plants from fifty million years ago make the point: “Plant damage from insects correlated with rising and falling temperatures, reaching a maximum during the warmest periods.”

# Legal Trust CP

#### CP 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.

#### The legal trust would incentivize investment in space while preventing conflict and ensuring sustainable development and the equitable distributions of 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

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# Case

## Colonization

#### 1. Infertility stops humans from colonizing space- exposure to radiation

Jerome **Taylor,** reporter for “The Independent”, **2/14**/2011 [“Why infertility will stop humans colonising space”, February 14th, 2011, http://www.independent.co.uk/news/science/why-infertility-will-stop-humans-colonising-space-2213861.html]

The prospect of long-term space travel has led scientists to consider, increasingly seriously, the following conundrum: if travelling to a new home might take thousands of years, would humans be able to successfully procreate along the way? The early indications from Nasa are not encouraging. Space, it seems, is simply not a good place to have sex. According to a review by three scientists looking into the feasibility of colonising Mars, astronauts would be well advised to avoid getting pregnant along the way because of the high levels of radiation that would bombard their bodies as they travelled through space. Without effective shielding on spaceships, high-energy proton particles would probably sterilise any female foetus conceived in deep space and could have a profound effect on male fertility. "The present shielding capabilities would probably preclude having a pregnancy transited to Mars," said radiation biophysicist Tore Straume of Nasa's Ames Research Center in an essay for the Journal of Cosmology. The DNA which guides the development of all the cells in the body is easily damaged by the kind of radiation that would assail astronauts as they journeyed through space. Studies on non-human primates have shown that exposure to ionising radiation kills egg cells in a female foetus during the second half of pregnancy. "One would have to be very protective of those cells during gestation, during pregnancy, to make sure that the female didn't become sterile so they could continue the colony," Dr Straume said. Radiation in space comes from numerous sources but the two types that have Nasa scientists most concerned are solar flares and galactic cosmic rays. Flares are the result of huge explosions in the Sun's atmosphere that catapult highly charged protons across space. The Earth's atmosphere and magnetic field absorbs much of this harmful radiation – but in space astronauts are much more vulnerable. Galactic cosmic rays pose an even greater threat. They are made up of even heavier charged particles. Although Nasa's shields can protect astronauts against most flare radiation, it is unlikely they could do the same against cosmic rays. Until recently, sex had been a taboo subject for Nasa, which has a strict code of conduct stating that "relationships of trust" among astronauts are to be maintained at all times. Only once has a husband and wife been on the same mission – Jan Davis and Mark Lee – and they have remained tight-lipped over whether they joined the 62-mile high club.

#### 2. Health hazards.

**Stross 07**, Charles: technical author, freelance journalist, and author of The Web Architect’s Handbook [“The High Frontier, Redux,” http://www.antipope.org/charlie/blog-static/2007/06/the\_high\_frontier\_redux.html]

We're human beings. We evolved to flourish in a very specific environment that covers perhaps 10% of our home planet's surface area. (Earth is 70% ocean, and while we can survive, with assistance, in extremely inhospitable terrain, be it arctic or desert or mountain, we aren't well-adapted to thriving there.) Space itself is a very poor environment for humans to live in. A simple pressure failure can kill a spaceship crew in minutes. And that's not the only threat. Cosmic radiation poses a serious risk to long duration interplanetary missions, and unlike solar radiation and radiation from coronal mass ejections the energies of the particles responsible make shielding astronauts extremely difficult. And finally, there's the travel time. Two and a half years to Jupiter system; six months to Mars. Now, these problems are subject to a variety of approaches — including medical ones: does it matter if cosmic radiation causes long-term cumulative radiation exposure leading to cancers if we have advanced side-effect-free cancer treatments? Better still, if hydrogen sulphide-induced hibernation turns out to be a practical technique in human beings, we may be able to sleep through the trip. But even so, when you get down to it, there's not really any economically viable activity on the horizon for people to engage in that would require them to settle on a planet or asteroid and live there for the rest of their lives. In general, when we need to extract resources from a hostile environment we tend to build infrastructure to exploit them (such as oil platforms) but we don't exactly scurry to move our families there. Rather, crews go out to work a long shift, then return home to take their leave. After all, there's no there there — just a howling wilderness of north Atlantic gales and frigid water that will kill you within five minutes of exposure. And that, I submit, is the closest metaphor we'll find for interplanetary colonization. Most of the heavy lifting more than a million kilometres from Earth will be done by robots, overseen by human supervisors who will be itching to get home and spend their hardship pay. And closer to home, the commercialization of space will be incremental and slow, driven by our increasing dependence on near-earth space for communications, positioning, weather forecasting, and (still in its embryonic stages) tourism. But the domed city on Mars is going to have to wait for a magic wand or two to do something about the climate, or reinvent a kind of human being who can thrive in an airless, inhospitable environment.

## Space Debris

#### The use of orbits is not categorized as appropriation of outer space

Elina Morozova {space policy expert, Executive Director of the Intersputnik International Organization of Space Communications} and Yaroslav Vasyanin {space policy expert, author}, 12/23/19 - ("International Space Law and Satellite Telecommunications," Oxford Research Encyclopedia of Planetary Science, accessed 1-13-2022, https://oxfordre.com/planetaryscience/oso/viewentry/10.1093$002facrefore$002f9780190647926.001.0001$002facrefore-9780190647926-e-75;jsessionid=99D12FDA48A8001990BA904013278ACE#acrefore-9780190647926-e-75-bibItem-0033 )//MS

One of the most fundamental principles of international space law states that outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means (General Assembly Resolution 2222, [1966](https://oxfordre.com/planetaryscience/oso/viewentry/10.1093$002facrefore$002f9780190647926.001.0001$002facrefore-9780190647926-e-75;jsessionid=99D12FDA48A8001990BA904013278ACE#acrefore-9780190647926-e-75-bibItem-0033)). In legal terms, it means that outer space, including the Moon and other celestial bodies, is declared to be res extra commercium and therefore states can neither own nor exercise any jurisdiction over any part of outer space. At the same time, placing a telecommunications satellite in the geostationary satellite orbit or deploying a constellation of satellites in other satellite orbits is not considered appropriation. When deploying satellite telecommunications systems, satellite operators do not get any proprietary rights on these orbits, which are essential parts of outer space and can only use them on a temporary basis and in accordance with international space law and the instruments of the International Telecommunication Union. Since the ITU legal regime does not prescribe any limits on how long an operator can use specific orbital slots and planes, their temporary utilization can actually last for decades provided that all the ITU requirements are met.

**Probability – 0.1% chance of a collision.**

Alexander William **Salter**, **Economics Professor at Texas Tech**, **’16**, “SPACE DEBRIS: A LAW AND ECONOMICS ANALYSIS OF THE ORBITAL COMMONS” 19 STAN. TECH. L. REV. 221 \*numbers replaced with English words

The probability of a collision is currently **low**. Bradley and Wein estimate that the **maximum probability** in LEO of a collision over the lifetime of a spacecraft remains **below one in one thousand**, conditional on continued compliance with NASA’s deorbiting guidelines.3 However, the possibility of a future “snowballing” effect, whereby debris collides with other objects, further congesting orbit space, remains a significant concern.4 Levin and Carroll estimate the average immediate destruction of wealth created by a collision to be approximately $30 million, with an additional $200 million in damages to all currently existing space assets from the debris created by the initial collision.5 The expected value of destroyed wealth because of collisions, currently small because of the low probability of a collision, can quickly become significant if future collisions result in runaway debris growth.

**Time frame – Kessler effect 200 years away.**

Peter **Stubbe**, PhD in law @ Johann Wolfgang Goethe University Frankfurt, **’17**, State Accountability for Space Debris: A Legal Study of Responsibility for Polluting the Space Environment and Liability for Damage Caused by Space Debris, Koninklijke Brill Publishing, ISBN 978-90-04-31407-8, p. 27-31

The prediction of possible scenarios of the future evolution of the debris p o p ulation involves many uncertainties. Long-term forecasting means the prediction of the evolution of the future debris environment in time periods of decades or even centuries. Predictions are based on models84 that work with certain assumptions, and altering these parameters significantly influences the outcomes of the predictions. Assumptions on the future space traffic and on the initial object environment are particularly critical to the results of modeling efforts.85 A well-known pattern for the evolution of the debris population is the so-called Kessler effect’, which assumes that there is a certain collision probability among space objects because many satellites operate in similar orbital regions. These collisions create fragments, and thus additional objects in the respective orbits, which in turn enhances the risk of further collisions. Consequently, the number of objects and collisions increases exponentially and eventually results in the formation of a self-sustaining debris belt around the Earth. While it has long been assumed that such a process of collisional cascading is likely to occur only in a very long-term perspective (meaning a time 1 n of several hundred years),87 a consensus has evolved in recent years that an uncontrolled growth of the debris population in certain altitudes could become reality much sooner.88 In fact, a recent cooperative study undertaken by various space agencies in the scope of i a d c shows that the current l e o debris population is unstable, even if current mitigation measures are applied. The study concludes:

Even with a 90% implementation of the commonly-adopted mitigation measures [...] the l e o debris population is expected to increase by an average of **30% in the next 200 years.** The population growth is primarily driven by catastrophic collisions between 700 and 1000 km altitudes and such collisions are likely to occur every 5 to 9 years.89