#### 1

#### un-disclosed affs are a voting issue –

#### Interpretation—the aff must disclose the plan text on the wiki or by email 30 minutes before the round Violation—they didn’t Standard is prep and clash—two internal links— a) neg prep—5 minutes of prep is not enough to put together a coherent 1nc or update generics—30 minutes is necessary to learn a little about the affirmative and piece together what 1nc positions apply and cut and research their applications to the affirmative b) aff quality—plan text disclosure discourages cheap shot affs. If the aff isn’t inherent or easily defeated by 20 minutes of research, the case should lose—this will answer the 1ar’s claim about innovation—with 30 minutes of prep, there’s still an incentive to find a new strategic, well justified aff, but no incentive to cut a horrible, incoherent aff that the neg can’t check against the broader literature.

#### Drop the debater—only way to check abuse

#### Competing interpretations—reasonability is arbitrary and invites judge intervention which causes a race to the bottom of questionable argumentation

#### Testing – they make it impossible to adequately test the aff without adequate pre-round prep – favors newness over engagement – disclosure solves their offense – you can break new affs, you just have to disclose the plan text personally or disclose it on the wiki before round

#### I could not ask, no contact info– screenshot in doc:

Graphical user interface, text, application, email

Description automatically generated

#### Negative ground – they make negative ground concessionary to the goodwill of the aff and results in extremist generics that heavily skew ground in favor of the aff this destroys educational value of debate, if we only read generics, we learn nothing – means no portable skills, in 10 years, we won’t care who won one round about space, we’ll care about what we learned.

#### Fairness, they make it infinitely more difficult to be neg, I have no prep time and am forced to try to find applicable generics, whereas they can see all my previous positions on my wiki. (outweighs bc fairness is he internal link to education, if we can’t be fair no equitable learning can take place)

#### Vote based on who preserves the educational value of debate – outweighs all else.

#### No RVIs – they don’t get to win for following the rules

#### At in round adaptation: fairness thumps, it’s the internal link to education so

### Space Settlement DA

#### Space Settlement is coming now and prevents inevitable extinction. Settlement requires private industry.

**Gesl 18** [Paul M. Gesl (Maj, USAF JD), “PREPARING FOR THE NEXT SPACE RACE: Legislation and Policy Recommendations for Space Colonies,” A Research Report Submitted to the Faculty In Partial Fulfillment of the Graduation Requirements for the Degree of MASTER OF OPERATIONAL ARTS AND SCIENCES (April 2018). <https://apps.dtic.mil/sti/pdfs/AD1053024.pdf>] CT

Why the United States Needs to Think About Space Colonization Now

The United States’ space policies under the previous two Presidential administrations have not matched the ambition of the commercial sector. The author has criticized the National Space Policies of both President Obama and George W. Bush as being too “Earth-Centric.”6 Based on the current state of technologies, **it is easy to dismiss space colonization** as, at best, a problem to worry about tomorrow and, at worst, mere science fiction. **This is irresponsible.** Reaching space is difficult. Colonizing it will be even more difficult; however, we cannot overlook it as a likely possibility. NASA viewed space colonization as an endeavor within humanity’s reach in the 1970s.7 Now **it is** beginning to take shape as **a reality.** In 2015 at the Pioneering Space National Summit, policy makers, industry leaders and advocates agreed that “**The long term goal of** the human **spaceflight and exploration** program of the United States **is to** expand permanent human presence beyond low-Earth orbit in a way that will **enable human settlement and a thriving space economy. This will be** best **achieved through public-private partnerships** and international collaboration (emphasis in original).”8 Additionally, there have been several attempts in Congress to pursue space settlement.**9 Private industry appears to be taking the lead** in this race. Elon Musk, the CEO of SpaceX intends to establish a colony of a million settlers on the surface of Mars.10 SpaceX is targeting the first manned missions to make this a reality to launch in 2024.11 Mr. Musk envisions the full colonization to take 40-100 years.12 Even if this timeline misses its ambitious deadline by a decade, **humanity will be a multi-planetary species in** many **readers’ lifetimes**. It is important to note that Mr. Musk recently stated that SpaceX is “building the first Mars, or interplanetary ship, and I think we’ll be able to do short trips, flights by first half of next year.”13 Even though he joked that the company might miss their timeline, his comments highlight that colonization is an issue that is fast approaching.14 Another factor to consider is that a legal framework needs to be developed before a Martian colony is at its full capacity. Mr. Musk envisions using SpaceX’s BFR to send approximately 100 people per flight to Mars.15 Additionally, SpaceX appears to be planning for humans living on the lunar surface in their Moon Base Alpha.16 SpaceX is not alone in their ambitions. United Launch Alliance (ULA) published their plans to expand the population of humans living and working in space. Their Cis-lunar 1,000 framework is a 30-year plan to develop the cis-lunar economy and grow the population of humans living and working in space from six to 1,000.17 Space **colonization is more important to our species than the economic benefits of a space economy** and the conquests of exploration. The current world population is 7.4 billion people.18 According to the World Wildlife Foundation and the Global Footprint Network, “**the equivalent of 1.7 planets would be needed to produce enough** natural **resources to match our consumption rates and a growing population.”**19 **The problem will likely grow worse as the population** of the planet **continues to grow**. According to the United Nations, the Earth’s population will grow to over 11 billion people by 2100.20 Based partially on this, “Prof **[Stephen] Hawking said it was only a matter of time before** the **Earth** as we know it **is destroyed by an asteroid strike, soaring temperatures or over-population**.”21 Hawking further stated that, “When we have reached similar crisis in or (sic.) history there has usually been somewhere else to colonise (sic.). Columbus did it in 1492 when he discovered the new world. But now there is no new world. No Eutopia (sic.) around the corner. **We are running out of space and the only places to go are other worlds**.”22 The late Professor Hawking is not alone in his view, the National Space Society observed the benefits of expanding into space. “**Outer space holds virtually limitless amounts of energy and raw materials**, which can be harvested for use both on Earth and in space. **Quality of life can be improved directly** by utilization of these resources **and** also **indirectly moving hazardous and polluting industries** and/or their waste products **off planet** Earth.”23 These are just several of the many compelling reasons to colonize space advocated by groups such as the National Space Society and the Space Frontier Foundation.24 ULA appears to be taking steps to meet their ambitions for the future. ULA announced the first step towards making their Cis-lunar 1,000 vision a reality. In October 2017, they announced a partnership with Bigelow Aerospace to launch a habitat to low lunar orbit.25 The launch is expected to be completed before the end 2022.26 Some feel that colonization is going to happen, no matter what governments do.27 If colonization is going to happen, then **it is in** the United **States’ best interest to develop a legal framework that supports the efforts and protect**s our **citizens who** will travel to and **live in these habitats.** This is important for several reasons. First, private corporations appear to have an interest in colonizing space, so it is in humanity’s future whether the government is involved nor not. However, governments can take actions that will accelerate things.28 Second, it is in the best interest of the United States’ economy to support commercial companies that are expanding into space. Third, if the United States does not create a favorable legal framework for space colonization, someone else will. Finally, as humanity expands away from the surface of the Earth, it is important **to create a free society based on the principles of the Rule of Law** rather than some other form of government, or an anarchistic company town.

# Legal Trust CP

## NC Tools

### NC Shell - Short

#### 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.

#### Solves case because a guiding principle for the trust would be the free and peaceful use of space for all humankind. Also, rule of law and mediation prevent conflict over space.

#### Solves orbital debris because the UNOOSA would regulate space activities including limiting satellite launches to sustainable levels, and/or requiring deorbiting/reclamation plans

# CASE

### Conflict Turn

#### Space commercialization is a strong constraint on conflict – solves space war

Wendy N. Whitman **Cobb 20**, is currently an associate professor of strategy and security studies at the US Air Force's School of Advanced Air and Space Studies, 7-21-2020, "Privatizing Peace: How Commerce Can Reduce Conflict in Space," Routledge & CRC Press, <https://www.routledge.com/Privatizing-Peace-How-Commerce-Can-Reduce-Conflict-in-Space/Cobb/p/book/9780367337834> // AAli

By the end of the twentieth century, scholars zeroed in on the democratic peace theory which attempts to explain why democracies do not go to war with other democracies and why, in some analyses, they seem to be more prone to peace in general than non-democracies. Similar to the golden arches, what is it about democracy that seems to induce such peacefulness? Academics have proposed everything from the nature of mediating institutions to the restraint of public opinion, to trade relations. While these variations will be explored further in Chapter 3, of interest here are the versions that focus explicitly on trade, commercial ties, and capitalism. Along these lines, Erik Gartzke argues, "peace ensues when states lack differences worthy of costly conflict."31 If the costs of conflict are too high, then states should be more unlikely to engage in it. To this end, economic globalization can provide the means through which costs are raised. “The integration of world markets not only facilitates commerce, but also creates new interests inimical to war. Financial interdependence ensures that damage inflicted on one economy travels through the global system, afflicting even aggressors."32 Focusing his analysis primarily on the influence of capitalism, Gartzke's findings suggest that states with markets more closely tied to the global economy are far less likely to experience a militarized dispute.

In thinking about the space environment today, there are obvious principles of capitalism at work. However, China, a major spacefaring state that has been making capitalist reforms, arguably remains far from a true capitalist country. This is especially true in their space industry which is heavily subsidized by the state and almost wholly integrated with China's military.34 Many other states continue to subsidize space activities heavily as well. A better approach through which to examine conflict in space is presented by an offshoot of the capitalist peace which is termed the commercial peace. The commercial peace thesis emphasizes the role of trade and the connections made through it to explain a lack of conflict. Han Dorussen and Hugh Ward write:

Trade is important not only because it creates an economic interest in peace but also because trade generates 'connections' between people that promote communication and understanding.... Based on these ideas, the flow of goods between countries creates a network of ties and communication links. If two countries are more embedded in this network, their relations should be more

peaceful 35

Given the interconnectedness of the global economy to space-based assets, a version of the commercial peace thesis can be used to argue that the chance of conflict in space is less than is commonly understood or recognized precisely because of the extent to which the global economy has become dependent on space-based assets.

To understand this argument, consider a scenario in which Russia, in preparation for a new assault on Eastern Europe, attacks a key US military satellite with the purpose of disrupting and disabling military communications in Europe. This action would conceivably enable the Russians to undertake their attack under more favorable conditions and prevent a quicker response from America and its allies. However, if the satellite was attacked via an ASAT that kinetically destroyed the US satellite, the debris cloud created from the attack could have disastrous consequences beyond military communications Much like the movie Gravity, the debris cloud could cause a chain reaction, hitting and ~~disabling~~ dismantling other satellites that would in turn disrupt civilian communications, business transactions, and perhaps even Russian military satellites. The economic effects of lost satellites would not be restricted to one country alone; the global economic consequences in terms of lost property (satellites), lost transactions, and financial havoc would echo throughout the world, including in Russia itself. Finally, the attack on one satellite could even ultimately endanger the ISS and its inhabitants, several of which are Russians. Destruction of the ISS would negate billions of dollars in investment from not just Russia, but other countries that have participated in it including Japan, Italy, and Canada. Therefore, an attack on a US military satellite would not just be an attack on one but an attack on all.

While the previous scenario highlights several reasons why it would not be in Russia's best interest to attack a US satellite, this book argues that the economic argument is both the strongest and the most restraining especially as space becomes more congested, competitive, contested, and commercialized. The emergence of private space companies enhances this argument. "In the commercial sector, companies need reliability and legal enforcement mechanisms if they are going to operate profitably in a shared environment."36 In order to foster the growing area of space commercialization, companies must be assured that the activities they undertake in space will be protected in some way or, at a minimum, allowed to proceed to the extent where they can reap the profit. This could be done through international organizations that would provide some sort of space traffic control, but the likelihood of a major international breakthrough on rules regarding space is unlikely in the near term. Therefore, actors must rely on the protections afforded them by an increasingly globalized economy that is ever more dependent on space-based assets.

### No Solvo

#### Government sector will inevitably militarize space

**Shamas & Holden, 2019**, Victor Shamas &, Oslo Metropolitan University, Work Research Institute (AFI), Oslo, Norway; Thomas Holden, Independent scholar, Oslo, Norway, 2019, Palgrave Communications, One giant leap for capitalistkind: private enterprise in outer space, https://www.nature.com/articles/s41599-019-0218-9

On the other hand**, outer space still remains firmly within the domain of the state and is likely to do so for the foreseeable future, with the likely continued importance of military uses of satellite technology and the weaponization of Earth’s orbit**—crucially, the Outer Space Treaty only prohibits nuclear arms and other ‘weapons of mass destruction' in space, not conventional weapons, such as ballistic missiles.

#### Command f their doc, no mention of appropriation, either they are untopical or they don’t apply, NOTHING SAYS APPROPRIATION BAD

1. Rogin card, non unique, that card talks about satellites, already in the squo
2. Gillard – no explanation of debris, no link
3. No link, they only talk about sats which are not appropriation.