## 1

#### Interpretation: Appropriation is permanently taking property for exclusive use.

Stephen **Gorove 69**, Interpreting Article II of the Outer Space Treaty, 37 Fordham L. Rev. 349 (1969). Available at: https://ir.lawnet.fordham.edu/flr/vol37/iss3/2

With respect to the concept of appropriation the basic question is what constitutes "appropriation," as used in the Treaty, especially in contradistinction to casual or temporary use. The term "appropriation" is used most frequently to denote the taking of property for one's own or exclusive use with a sense of permanence. Under such interpretation the establishment of a permanent settlement or the carrying out of commercial activities by nationals of a country on a celestial body may constitute national appropriation if the activities take place under the supreme authority (sovereignty) of the state. Short of this, if the state wields no exclusive authority or jurisdiction in relation to the area in question, the answer would seem to be in the negative, unless, the nationals also use their individual appropriations as cover-ups for their state's activities.5 In this connection, it should be emphasized that the word "appropriation" indicates a taking which involves something more than just a casual use. Thus a temporary occupation of a landing site or other area, just like the temporary or nonexclusive use of property, would not constitute appropriation. By the same token, any use involving consumption or taking with intention of keeping for one's own exclusive use would amount to appropriation.

#### Violation: mega constellations are not appropriation.

Christopher D. **Williams 95**, Space: The Cluttered Frontier, 60 J. Air L. & Com. 1139 (1995) https://scholar.smu.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1384&context=jalc

Article II of the treaty allows for a more interesting argument. This article states, "[o] uter space.., is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means." 68 In a sense, space debris may constitute a form of appropriation of outer space. Because two objects cannot occupy the same space (orbit) at the same time, placing debris in space removes the possibility of another object using that location.69 This approach is related to the view of outer space as a commons. Some argue that Articles I and II of the Outer Space Treaty provide a structure for use of outer space similar to a terrestrial commons, thus encouraging spacefaring nations to take maximum advantage of the resource of space in the shortest time possible. 70 As with a terrestrial commons, the use or consumption of the resource by one party necessarily precludes that use by another member of the commons. Thus, the placement of debris in orbit may in fact constitute an appropriation. However, as in the case of accidental fragmentary debris, this appropriation may be entirely out of the control of any party. In addition, if the premise of the argument is valid, then any space object, not just space debris, would constitute an appropriation of outer space in violation of Article II. This clearly was not intended by the drafters of the treaty.

#### Vote neg:

#### 1 – Limits - Expanding the topic to anything that involves merely launching something into the atmosphere expands the topic into numerous new tech areas which undermines core neg prep.

#### 2 - Topic literature - Our definition has intent to define and exclude in the context of the OST, which is the core of all topic research and the only predictable source.

#### Fairness – Debate is a competitive activity governed by rules. You can’t evaluate who did better debating if the round is structurally skewed, so fairness is a gateway to substantive debate.

#### DTD – Time spent on theory cant be compensated for, the 1nc was already skewed, and its key to deterring abuse.

#### Prefer Competing interps -

#### 1. reasonability is arbitrary and invites judge intervention.

#### 2. it Causes a race to the bottom where debaters push the limit as to how reasonably abusive, they can be.

#### No RVI’s -

#### 1. Chills some debaters from reading theory against abusive postions.

#### 2. incentivizes theory baiting where you can just bait theory to win.

## 2

#### Constellations key to Precision Ag – key to food sustainability and increasing food supply to account for exponential population growth.

Greensight 21 3-15-2021 "Can Starlink Save the World by Connecting Farms?" <https://www.greensightag.com/logbook/can-starlink-save-the-world-by-connecting-farms/> (Data Management Consulting Firm)//Elmer

GreenSight innovates in a number of different areas, but one of the areas we are most passionate about is in agriculture. We’ve deployed our drone intelligence systems all over the world at all sorts of different facilities. One of the most challenging has been deployments at farms, and one of the biggest challenges has been connectivity. Connected farms are a requirement to feed the world, and Starlink will make that happen. Most urban and suburban households in the United States have had easy and reasonably inexpensive access to high speed internet access for 20 years. It is easy to forget that the situation is not the same for rural areas of the country. Many areas have no access to high speed, “broadband”, internet access, with some having only dialup internet access in their homes. According to the 2015 FCC broadband report, only 53% of rural households have access to high speed internet, even using low standards for “high” speed. On average farms have even less access, and that doesn’t even include high speed connectivity out in their fields. Cellular service is spotty especially on large farms in primarily agricultural areas, and legacy satellite systems provide slow upload speeds at expensive prices. Utilizing modern internet connected technologies and cloud based systems that require constant, high speed access can be a challenge at best and potentially impossible. A 2016 research study by Goldman and Sachs projected that by 2050, the world’s food production efficiency needs to increase by 50% to support our growing population. This paper backs up this conclusion with a lot of research, but the fundamental conclusion is that farming land area is unlikely to increase nor will the number of farmers. Increased global food production increases must come from productivity boosts. Researchers feel that productivity improvements from chemistry and genomics are unlikely to yield significant increases as they have in the past. They predict that the most likely area for these improvements are with precision farming techniques, notably precision planting and precision application of chemicals and water. The term “Precision Agriculture” was coined in the late 1960s and 1970s in seminal research that projected that in the future farming would be driven by data with inputs and practices varied and optimized based on weather, measurements from the field, and accurate year over year yield measurements. Since then, many tools and technologies have been developed that have made true precision agriculture more and more practical. Precision RTK GPS can guide equipment with precision better than an inch. Drones and satellite mapping of fields using remote sensing can map out health and detect problems with the crops. In field IoT sensors will stream live data (such as our partners Soil Scout). Soil genomics and analysis can analyze macro and micro nutrient content of the soil and track the genetics of the soil microbiome (like our friends at Trace Genomics). Robotic and automated farming equipment (like our partners at Monarch Tractor and Husqvarna are building) can vary applications and planting according to precomputed variable rate application maps. Despite all these breakthroughs, precision farming techniques still have a low penetration. There are many reasons for this (more than could be discussed in this article!) but one of them is inadequate connectivity. Most of these modern technologies rely on access to the internet and in many cases it just isn’t possible. For decades subsidies and programs have been rolled out to improve rural connectivity but the reality is that connecting up far flung areas is expensive, often labor intensive, and consequently from a pure business standpoint does not make sense for the connectivity providers. Even as infrastructure expands to more remote areas, there will always remain large swaths of rural america where conventional connectivity infrastructure is highly impractical. Most of GreenSight’s data processing is done in the cloud. Several gigabytes of imagery data are uploaded from our aircraft after every flight to be processed and delivered to our customers. Our custom artificial intelligence analyses the data and informs farmers to problem areas. From many remote farm fields, uploading can be a slow process. We’ve invested heavily in the portability of our systems and our upcoming next generation aircraft will be capable of onboard processing, but despite this connectivity will still be needed to make data available for farmers and other automated agriculture systems. Advanced sensing systems like ours have to be able to integrate with connected robotic sprayers, harvesters and tractors, unlocking the productivity potential of precision agriculture. Humanity needs precision agriculture, and connected data-driven systems will be a big part of that revolution. Beyond the global necessity, the economics for farmers work too! A 2018 USDA studies indicate that connecting US farmland will unlock $50B in industry revenue. We are extremely excited about Starlink and its potential to bring cost effective internet connectivity to farms and rural areas. Starlink levels the playing field for rural areas, enabling high speed connectivity everywhere. No longer will farmers have to wait for high speed wired connectivity to come to their area or install a complex mesh network on their property. IoT data can be streamed from fields as easily as it now streams from urban homes. Starlink will be a catalyzing force for chance, advancing access to precision agriculture globally and contributing to solving global food challenges.

#### Food Insecurity goes nuclear – escalates multiple hotspots.

Cribb 19 Julian Cribb 8-23-2019 “Food or War” <https://www.cambridge.org/core/books/abs/food-or-war/hotspots-for-food-conflict-in-the-twentyfirst-century/1CD674412E09B8E6F325C9C0A0A6778A> (principal of Julian Cribb & Associates who provide specialist consultancy in the communication of science, agriculture, food, mining, energy and the environment. , His published work includes over 8000 articles, 3000 media releases and eight books. He has received 32 awards for journalism.)//Elmer

Future Food Wars The mounting threat to world peace posed by a food, climate and ecosystem increasingly compromised and unstable was emphasised by the US Director of National Intelligence, Dan Coats, in a briefing to the US Senate in early 2019. 'Global environmental and ecological degradation, as well as climate change, are likely to fuel competition for resources, economic distress, and social discontent through 2019 and beyond', he said. 'Climate hazards such as extreme weather, higher temperatures, droughts, floods, wildfires, storms, sea level rise, soil degradation, and acidifying oceans are intensifying, threatening infrastructure, health, and water and food security. Irreversible damage to ecosystems and habitats will undermine the economic benefits they provide, worsened by air, soil, water, and marine pollution.' Boldly, Coats delivered his warning at a time when the US President, Trump, was attempting to expunge all reference to climate from government documents. 23 Based upon these recent cases of food conflicts, and upon the lessons gleaned from the longer history of the interaction between food and war, several regions of the planet face a greatly heightened risk of conflict towards the mid twentyfirst century. Food wars often start out small, as mere quarrels over grazing rights, access to wells or as one faction trying to control food supplies and markets. However, if not resolved quickly these disputes can quickly escalate into violence, then into civil conflagrations which, if not quelled, can in turn explode into crises that reverberate around the planet in the form of soaring prices, floods of refugees and the involvement of major powers — which in turn carries the risk of transnational war. The danger is magnified by swollen populations, the effects of climate change, depletion of key resources such as water, topsoil and nutrients, the collapse of ecosystem services that support agriculture and fisheries, universal pollution, a widening gap between rich and poor, and the rise of vast megacities unable to feed themselves (Figure 5.3). Each of the world's food 'powderkeg regions' is described below, in ascending order of risk. United States In one sense, food wars have already broken out in the United States, the most overfed country on Earth. Here the issue is chiefly the growing depletion of the nation's mighty ground- water resources, especially in states using it for food production, and the contest over what remains between competing users — farmers, ranchers and Native Americans on the one hand and the oil, gas and mining industry on the other. Concern about the future of US water supplies was aggravated by a series of savage droughts in the early twentyfirst century in the west, south and midwest linked to global climate change and declining snow- pack in the Rocky Mountains, both of which affect not only agriculture but also the rate at which the nation's groundwater reserves recharge. 'Groundwater depletion has been a concern in the Southwest and High Plains for many years, but increased demands on our groundwater resources have overstressed aquifers in many areas of the Nation, not just in arid regions', notes the US Geological Survey.24 Nine US states depend on groundwater for between 50 per cent and 80 per cent of their total freshwater supplies, and five states account for nearly half of the nation's groundwater use. Major US water resources, such as the High Plains aquifers and the Pacific Northwest aquifers have sunk by 30—50 metres (100—150 feet) since exploitation began, imperilling the agricultural industries that rely on them. In the arid south- west, aquifer declines of 100—150 metres have been recorded (Figure 5.4). To take but one case, the famed Ogallala Aquifer in the High Plains region supports cropping industries worth more than US $20 billion a year and was in such a depleted state it would take more than 6000 years to replace by natural infiltration the water drawn from it by farmers in the past 150 years. As it dwindles, some farmers have tried to kick their dependence on ground- water other users, including the growing cities and towns of the region, proceeded to mine it as if there was no tomorrow.25 A study by Kansas State University concluded that so far, 30 per cent of the local groundwater had been extracted and another 39 per cent would be depleted by the mid century on existing trends in withdrawal and recharge.26 Over half the US population relies on groundwater for drinking; both rural and urban America are at risk. Cities such as New Orleans, Houston and Miami face not only rising sea levels — but also sinking land, due to the extraction of underlying ground- water. In Memphis, Tennessee, the aquifer that supplies the city's drinking water has dropped by 20 metres. Growing awareness of the risk of a nation, even one as large and technologically adept as the USA, having insufficient water to grow its food, generate its exports and supply its urban homes has fuelled tensions leading to the eruption of nationwide protests over 'fracking' for oil and gas — a process that can deplete or poison groundwater — and the building -of oil pipe- lines, which have a habit of rupturing and also polluting water resources. The boom in fracking and piping is part of a deliberate US policy to become more self-reliant in fossil fuels.27 Thus, in its anxiety to be independent of overseas energy suppliers, the USA in effect decided to barter away its future food security for current oil security — and the price of this has been a lot of angry farmers, Native Americans and concerned citizens. The depletion of US groundwater coincides with accelerating climate risk, which may raise US temperatures by as much as 4—5 oc by 2100, leading to major losses in soil moisture throughout the US grain belt, and the spread of deserts in the south and west. Food production will also be affected by fiercer storms, bigger floods, more heatwaves, an increase in drought frequency and greater impacts from crop and livestock diseases. In such a context, it is no time to be wasting stored water. The case of the USA is included in the list of world 'hot spots' for future food conflict, not because there is danger of a serious shooting war erupting over water in America in the foreseeable future, but to illustrate that even in technologically advanced countries unforeseen social tensions and crises are on the rise over basic resources like food, land and water and their depletion. This doesn't just happen in Africa or the Middle East. It's a global phenomenon. Furthermore, the USA is the world's largest food exporter and any retreat on its part will have a disproportionate effect on world food price and supply. There is still plenty of time to replan America's food systems and water usage — but, as in the case of fossil fuels and climate, rear-guard action mounted by corporate vested interests and their hired politicians may well paralyse the national will to do it. That is when the US food system could find itself at serious risk, losing access to water in a time of growing climatic disruption, caused by exactly the same forces as those depleting the groundwater: the fossil fuels sector and its political stooges. The probable effect of this will, in the first instance, be a decline in US meat and dairy production accompanied by rising prices and a fall in its feedgrain exports, with domino effects on livestock industries worldwide. The flip-side to this issue is that America's old rival, Russia, is likely to gain in both farmland and water availability as the planet warms through the twentyfirst century — and likewise Canada. Both these countries stand to prosper from a US withdrawal from world food markets, and together they may negate the effects of any US food export shortfalls. Central and South America South America is one of the world's most bountiful continents in terms of food production — but, after decades of improvement, malnutrition is once more on the rise, reaching a new peak of 42.5 million people affected in 2016. 28 'Latin America and the Caribbean used to be a worldwide example in the fight against hunger. We are now following the worrisome global trend', said regional FAO representative Julio Berdegué. 29 Paradoxically, obesity is increasing among Latin American adults, while malnutrition is rising among children. 'Although Latin America and the Caribbean produce enough food to meet the needs of their population, this does not ensure healthy and nutritious diets', the FAO explains. Worsening income inequality, poor access to food and persistent poverty are contributing to the rise in hunger and bad diets, it adds.30 'The impact of climate change in Latin America and the Caribbean will be considerable because of its economic dependence on agriculture, the low adaptive capacity of its population and the geographical location of some of its countries', an FAO report warned.31 Emerging food insecurity in Central and Latin America is being driven by a toxic mixture of failing water supplies, drying farmlands, poverty, maladministration, incompetence and corruption. These issues are exacerbated by climate change, which is making the water supply issue worse for farmers and city people alike in several countries and delivering more weather disasters to agriculture. Mexico has for centuries faced periodic food scarcity, with a tenth of its people today suffering under-nutrition. In 2008 this rose to 18 per cent, leading to outbreaks of political violence. 2 In 2013, 52 million Mexicans were suffering poverty and seven million more faced extreme hunger, despite the attempts of successive governments to remedy the situation. By 2100 northern Mexico is expected to warm by 4—5 oc and southern Mexico by 1.5—2.5 oc. Large parts of the country, including Mexico City, face critical water scarcity. Mexico's cropped area could fall by 40—70 per cent by the 2030s and disappear completely by the end of the century, making it one of the world's countries most at risk from catastrophic climate change and a major potential source of climate refugees.33 The vanishing lakes and glaciers of the high Andes confront montane nations — Bolivia, Peru and Chile especially — with the spectre of growing water scarcity and declining food security. The volume of many glaciers, which provide meltwater to the region's rivers, which in turn irrigate farmland, has halved since 1975.34 Bolivia's second largest water body, the 2000 square kilometres Lake Poopo, dried out completely.35 The loss of water is attributed partly to El Niho droughts, partly to global warming and partly to over-extraction by the mining industries of the region. Chile, with 24,000 glaciers (80 per cent of all those in Latin America) is feeling the effects of their retreat and shrinkage especially, both in large cities such as the capital Santiago, and in irrigation agriculture and energy supply. Chile is rated by the World Resources Institute among the countries most likely to experience extreme water stress by 2040.36 Climate change is producing growing water and food insecurity in the 'dry corridor' of Central America, in countries such as El Salvador, Guatemala and Honduras. Here a combination of drought, major floods and soil erosion is undermining efforts to raise food production and stabilise nutrition. Food production in Venezuela began falling in the 1990s, and by the late 2010s two thirds of the population were malnourished; there was a growing flood of refugees into Colombia and other neighbouring countries. The food crisis has been variously blamed on the Venezuelan government's 'Great Leap Forward' (modelled on that of China — which also caused widespread starvation), a halving in Venezuela's oil export earnings, economic sanctions by the USA, and corruption. However, local scientists such as Nobel Laureate Professor Juan Carlos Sanchez warn that climate impacts are already striking the densely populated coastal regions with increased torrential rains, flooding and mudslides, droughts and hurricanes, while inland areas are drying out and desertifying, leading to crop failures, water scarcity and a tide of climate refugees.37 These factors will tend to deepen food insecurity towards the mid century. Venezuela's climate refugees are already making life more difficult for neighbouring countries such as Colombia. Deforestation in the Brazilian Amazon has, in recent decades, removed around 20 per cent of its total tree cover, replacing it with dry savannah and farmland. At 40 per cent clearance and with continued global warming, scientists anticipate profound changes in the local climate, towards a drying trend, which will hammer the agriculture that has replaced the forest.38 Brazil has already wiped out the once- vast Mata Atlantica forest along its eastern coastline, and this region is now drying, with resultant water stress for both farming and major cities like Säo Paulo. Brazil's outlook for 2100 is for further drying — tied to forest loss as well as global climate change — increased frequency of drought and heatwaves, major fires and acute water scarcity in some regions. Moreover, as the Amazon basin dries out, if will release vast quantities of C02 from its peat swamps and rainforest soils. These are thought to contain in excess of three billion tonnes of carbon and could cause a significant acceleration in global warming, affecting everyone on Earth. 39 Latin America is the world capital of private armies, with as many as 50 major guerrilla groups, paramilitaries, terrorist, indigenous and criminal insurgencies over the past half century exemplified in familiar names like the Sandanistas (Nicaragua), FARC (Colombia) and Shining Path (Peru). 40 Many of these drew their initial inspiration from the international communist movement of the mid twentieth century, while others are right-wing groups set up in opposition to them or else represent land rights movements of disadvantaged groups. However, all these movements rely for oxygen on simmering public discontent with ineffectual or corrupt governments and lack of fair access to food, land and water generally. In other words, the tendency of South and Central America towards internal armed conflict is supercharged significantly by failings in the food system which generate public anger, leading to sympathy and support for anyone seen to be challenging the incumbent regimes. This is not to suggest that feeding every person well would end all insurgencies — but it would certainly take the wind of popular support out of a lot of their sails. In that sense the revolutionary tendency of South America echoes the preconditions for revolution in France and Russia in the eighteenth and twentieth centuries. Central Asia The risk of wars breaking out over water, energy and food insecurity in Central Asia is high.41 Here, the five main players — Kazakhstan, Uzbekistan, Turkmenistan, Tajikistan and Kyrgyzstan — face swelling populations, crumbling Soviet-era infrastructure, flagging resource cooperation, a degrading land- scape, deteriorating food availability and a changing climate. At the heart of the issue and the region's increasingly volatile politics is water: 'Without water in the region's two great rivers — the Syr Darya and the Amu Darya — vital crops in the down- stream agricultural powerhouses would die. Without power, life in the upstream countries would be unbearable in the freezing winters' , wrote Rustam Qobil. Central Asia's water crisis first exploded onto the global consciousness with the drying of the Aral Sea — the world's fourth largest lake — from the mid 1960s43, following the damming and draining of major rivers such as the Amu Darya, Syr Darya and Naryn. It was hastened by a major drought in 200844 exacerbated by climate change, which is melting the 'water tower' of glacial ice stored in the Tien Shan, Pamir and Hindu Kush mountain ranges that feed the region's rivers. The Tien Shan alone holds 10,000 glaciers, all of them in retreat, losing an estimated 223 million cubic metres a year. At such a rate of loss the region's rivers will run dry within a generation.45 Lack of water has already delivered a body blow to Central Asia's efforts to modernise its agriculture, adding further tension to regional disputes over food, land and water. 'Water has always been a major cause of wars and border conflicts in the Central Asian region', policy analyst Fuad Shahbazov warned. This potential for conflict over water has been exacerbated by disputes over the Fergana valley, the region's greatest foodbowl, which underwent a 32 per cent surge in population in barely ten years — while more and more of it turned to desert.46 The Central Asian region is ranked by the World Resources Institute as one of the world's most perilously water-stressed regions to 2040 (Figure 5.6). With their economies hitting rock bottom, corrupt and autocratic governments that prefer to blame others for their problems and growing quarrels over food, land, energy and water, the 'Stans' face 'a perfect storm', Nate Shenkkan wrote in the journal Foreign Policy 47 Increased meddling by Russia and China is augmenting the explosive mix: China regards Central Asia as a key component of its 'Belt and Road' initiative intended to expand its global influence, whereas Russia hopes to lure the region back into its own economic sphere. Their rival investments may help limit some of the problems faced by Central Asia — or they may unlock a fresh cycle of political feuding, turmoil and regime change.48 A 2017 FAO report found 14.3 million people — one in every five — in Central Asia did not have enough to eat and a million faced actual starvation, children especially. It noted that after years of steady improvement, the situation was deteriorating. This combination of intractable and deteriorating factors makes Central Asia a serious internal war risk towards the mid twentyfirst century, with involvement by superpowers raising the danger of international conflict and mass refugee flight. The Middle East The Middle East is the most water-stressed region on Earth (see Figure 5.5 above). It is 'particularly vulnerable to climate change. It is one of the world's most water-scarce and dry regions, with a high dependency on climate-sensitive agriculture and a large share of its population and economic activity in flood-prone urban coastal zones', according to the World Bank. 49 The Middle East — consisting of the 22 countries of the Arab League, Turkey and Iran — has very low levels of natural rainfall to begin with. Most of it has 600 millimetres or less per year and is classed as arid. 'The Middle East and North Africa [MENA] is a global hotspot of unsustainable water use, especially of ground- water. In some countries, more than half of current water withdrawals exceed what is naturally available', the Bank said in a separate report on water scarcity. 50 'The climate is predicted to become even hotter and drier in most of the MENA region. Higher temperatures and reduced precipitation will increase the occurrence of droughts. It is further estimated that an additional 80—100 million people will be exposed by 2025 to water stress', the Bank added. The region's population of 300 million in the late 2010s is forecast to double to 600 million by 2050. Average temperatures are expected to rise by 3—5 oc and rainfall will decrease by around 20 per cent. The result will be vastly increased water stress, accelerated desertification, growing food insecurity and a rise in sea levels displacing tens of millions from densely popu- lated, low-lying areas like the Nile delta.51 The region is deemed highly vulnerable to climate impacts, warns a report by the UN Development Programme. 'Current climate change projections show that by the year 2025, the water supply in the Arab region will be only 15 per cent of levels in 1960. With population growth around 3 per cent annually and deforestation spiking to 4 per cent annually... the region now includes 14 of the world s 20 most water-stressed countries.'52 The Middle Fast/North Africa (MENA) region has 6 per cent of the world's population with only 1.5 per cent of the world's fresh water reserves to share among them. This means that the average citizen already has about a third less water than the minimum necessary for a reasonable existence — many have less than half, and populations are growing rapidly. Coupled with political chaos and ill governance in many countries, growing religious and ethnic tensions between different groups — often based on centuries-old disputes — a widening gap between rich and poor and foreign meddling by the USA, Russia and China, shortages of food, land and water make the Middle East an evident cauldron for conflict in the twentyfirst century. Growing awareness of their food risk has impelled some oil-rich Arab states into an international farm buying spree, purchasing farming, fishing and food processing companies in countries as assorted as South Sudan, Ethiopia, the Philippines, Ukraine, the USA, Poland, Argentina, Australia, Brazil and Morocco. In some food-stressed countries these acquisitions have already led to riots and killings.53 The risk is high that, by exporting its own food—land—water problems worldwide, especially to regions already facing scarcity, the Middle East could propagate conflicts and government collapses around the globe. This is despite the fact that high-tech solar desalination, green energy, hydroponics, aquaponics and other intensive urban food production technologies make it possible for the region to produce far more of its own food locally, if not to be entirely self-sufficient. Dimensions of the growing crisis in the Middle East include the following. Wars have already broken out in Syria and Yemen in which scarcity of food, land and water were prominent among the tensions that led to conflict between competing groups. Food, land and water issues feed into and exacerbate already volatile sentiment over religion, politics, corruption, mismanagement and foreign interference by the USA, China and Russia. The introduction of cheap solar-powered and diesel pumps has accelerated the unsustainable extraction of groundwater throughout the region, notably in countries like Libya, Egypt, Saudi Arabia and Morocco. 54 Turkish building of new dams to monopolise waters flowing across its borders is igniting scarcity and potential for conflict with downstream nations, including Iraq, Iran and Syria. 55 Egypt's lifeline, the Nile, is threatened by Ethiopian plans to dam the Blue Nile, with tensions that some observers consider could lead to a shooting war. 56 There are very low levels of water recycling throughout the region, while water use productivity is about half that of the world as a whole. There is a lack of a sense of citizen responsibility for water and food scarcity throughout the region. Land grabs around the world by oil-rich states are threatening to destabilise food, land and water in other countries and regions, causing conflict. A decline in oil prices and the displacement of oil by the global renewables revolution may leave the region with fewer economic options for solving its problems. There is a risk that acquisition of a nuclear weapon by Iran may set off a nuclear arms race in the region with countries such as Saudi Arabia, Syria and possibly Turkey following suit and Israel rearming to stay in the lead. This would translate potential food, land and water conflicts into the atomic realm. Together these issues, and failure to address their root causes, make the Middle East a fizzing powder keg in the twentyfirst century. The question is when and where, not whether, it explodes — and whether the resulting conflict will involve the use of weapons of mass destruction, including nuclear, thus affecting the entire world. China China is the world's biggest producer, importer and consumer of food. Much of the landmass of the People's Republic of China (PRC) is too mountainous or too arid for farming, but the rich soils of its eastern and southern regions are highly productive provided sufficient water is available and climate impacts are mild. Those, however, are very big 'ifs'. In 1995, American environmentalist Lester R. Brown both Eked and aroused the PRC Communist Party bosses with a small, hard-hitting book entitled Who Will Feed China? Wake-Up Call for a Small Planet.57 In it he posited that Chinese population growth was so far out of control that the then-agricultural system could not keep up, and China would be forced to import vast amounts of grain, to the detriment of food prices and availability worldwide. His fears, so far, have not been realised — not because they were unsoundly based, but because China managed — just — to stay abreast of rising food demand by stabilising and subsidising grain prices, restoring degraded lands, boosting agricultural science and technology, piping water from south to north, developing high-intensity urban farms, buying up foreign farmland worldwide and encouraging young Chinese to leave the country. What Brown didn't anticipate was the economic miracle that made China rich enough to afford all this. However, his essential thesis remains valid: China's food supply will remain on a knife-edge for the entire twentyfirst century, vulnerable especially to water scarcity and climate impacts. If the nation outruns its domestic resources yet still has to eat, it may well be at the expense of others globally. Some western commentators were puzzled when China scrapped its 35-year 'One Child Policy' in 2015, but in fact the policy had done its job, shaving around 300 million people off the projected peak of Chinese population. It was also causing serious imbalances, such as China's huge unmarried male sur- plus. Furthermore, rising urbanisation and household incomes meant Chinese parents no longer wanted large families, as in the past. Policy or no policy, China's birthrate has continued to fall and by 2018 was 1.6 babies per woman — well below replacement, lower than the USA and nearly as low as Germany. Its population was 1.4 billion, but this was growing at barely 0.4 per cent a year, with the growth due at least in part to lengthening life expectancy. 58 For China, female fertility is no longer the key issue. The critical issue is water. And the critical region is the north, where 41 per cent of the population reside. Here surface and ground- waters — which support not only the vast grain and vegetable farming industries of the North China Plain but also burgeoning megacities like Beijing, Tianjin and Shenyang — have been vanishing at an alarming rate. 'In the past 25 years, 28,000 rivers have disappeared. Groundwater has fallen by up to 1—3 metres a year. One consequence: parts of Beijing are subsiding by 11 cm a year. The flow of the Yellow River, water supply to millions, is a tenth of what it was in the 1940s; it often fails to reach the sea. Pollution further curtails supply: in 2017 8.8 per cent of water was unfit even for agricultural or industrial use', the Financial Times reported.59 On the North China Plain, annual consump- tion of water for all uses, including food production, is about 27 billion cubic metres a year — compared with an annual water availability of 22 billion cubic metres, a deficit that is made up by the short-term expedient of mining the region's groundwater. 60 To stave off disaster, the PRC has built a prodigious network of canals and pipelines from the Yangtse River in the water-rich south, to Beijing in the water-starved north. Hailed as a 'lifeline', the South—North Water Transfer Project had two drawbacks: first, the fossil energy required to pump millions of tonnes of water over a thousand kilometres and, second, the fact that while the volume was sufficient to satisfy the burgeoning cities for a time, it could not supply and distribute enough clean water to meet the needs of irrigated farming over so vast a region in the long run, nor meet those of its planned industrial growth.61 Oft-mouthed 'solutions' like desalination or the piping of water from Tibet or Russia face similar drawbacks: demand is too great for the potential supply and the costs, both financial and environmental, prohibitive. China is already among the world's most water-stressed nations. The typical Chinese citizen has a 'water footprint' of 1071 cubic metres a year — three quarters of the world average (1385 cubic metres), and scarcely a third that of the average American (2842 cubic metres).62 Of this water, 62 per cent is used to grow food to feed the Chinese population — and 90 per cent is so polluted it is unfit to drink or use in food processing. Despite massive investment in water infrastructure and new technology, many experts doubt that China can keep pace with the growth in its demand for food, at least within its own borders, chiefly because of water scarcity.63 Adding to the pressure is that China's national five-year plans for industrialisation demand massive amounts more water — demands that may confront China with a stark choice between food and economic growth. 'The Chinese government is moving too slowly towards the Camel Economy. It has plans, incentives for officials; it invests in recycling, irrigation, pollution, drought resistant crops; it leads the world in high voltage transmission (to get hydro, wind and solar energy from the west of China). None of this is sufficient or likely to be in time', the Financial Times opined. As the world's leading carbon emitter, China is more responsible for climate change than any other country. It is also, potentially, more at risk. The main reason, quite simply, is the impact of a warming world on China's water supply — in the form of disappearing rivers, lakes, groundwater and mountain glaciers along with rising sea levels. To this is coupled the threat to agriculture from increasing weather disasters and the loss of ecosystem services from a damaged landscape. 65 China is thus impaled on the horns of a classic dilemma. Without more water it cannot grow its economy sufficiently to pay for the water-conserving and food-producing technologies and infrastructure it needs to feed its people. Having inadvertently unleashed a population explosion with its highly successful conversion to modern farming systems, the challenge for China now is to somehow sustain its food supply through the population peak of the mid twentyfirst century, followed by a managed decline to maybe half of today's numbers by the early twentysecond century. It is far from clear whether the present approach — improving market efficiency, continuing to modernise agricultural production systems, pumping water, trying to control soil and water losses and importing more food from overseas will work. 66 China has pinned its main hopes on technology to boost farm yields and improve water distribution and management. Unfortunately, it has selected the unsustainable American industrial farming model to do this — which involves the massive use of water, toxic chemicals, fertilisers, fossil fuels and machines. This in turn is having dreadful consequences for China's soils, waters, landscapes, food supply, air, climate and consumer health. Serious questions are now being asked whether such an approach is not digging the hole China is in, even deeper. Furthermore, some western analysts are sceptical whether the heavy hand of state control is up to the task of generating the levels of innovation required to feed China sustainably.67 Plan B, which is to purchase food from other countries, or import it from Chinese-owned farming and food ventures around the world, faces similar difficulties. Many of the countries where China is investing in food production themselves face a slow-burning crisis of land degradation, water scarcity, surging populations and swelling local food demand. By exporting its own problems, China is adding to their difficulties. While there may be some truth to the claim that China is helping to modernise food systems in Africa, for example, it is equally clear that the export of food at a time of local shortages could have dire consequences for Africans, leading to wars in Africa and elsewhere. How countries will react to Chinese pressure to export food in the face of their own domestic shortages is, as yet, unclear. If they permit exports, it could prove cata- strophic for their own people and governments — but if they cut them off, it could be equally catastrophic for China. Such a situation cannot be regarded as anything other than a menace to world peace. Around 1640, a series of intense droughts caused widespread crop failures in China, leading to unrest and uprisings which, in 1644, brought down the Ming Dynasty. A serious domestic Chinese food and water crisis today — driven by drought, degradation of land and water and climate change in northern China coupled with failure in food imports — could cause a re-run of history: 'The forthcoming water crisis may impact China's social, economic, and political stability to a great extent', a US Intelligence Assessment found. The adverse impacts of climate change will add extra pressure to existing social and resource stresses.' 68 Such events have the potential to precipitate tens, even hundreds, of millions of emigrants and refugees into countries all over the world, with domino consequences for those countries that receive them. Strategic analysts have speculated that tens of millions of desperate Chinese flooding into eastern Russia, or even India, could lead to war, including the risk of international nuclear exchange. 69 Against such a scenario are the plain facts that China is a technologically advanced society, with the foresight, wealth and capacity to plan and implement nationwide changes and the will, if necessary, to enforce them. Its leaders are clearly alert to the food and water challenge — and its resolution may well depend on the extent of water recycling they are able to achieve. As to whether the PRC can afford the cost of transitioning from an unsustainable to a sustainable food system, all countries have a choice between unproductive military spending and feeding their populace. A choice between food or war. It remains to be seen which investment China favours. However, it is vital to understand that the problem of whether China can feed itself through the twentyfirst century is not purely a Chinese problem. It's a problem, both economic and physical, for the entire planet — and it is thus in everyone's best interest to help solve it. For this reason, China is rated number 3 on this list of potential food war hotspots. Africa Food wars — that is, wars in which food, land and water play a significant contributing role — have been a constant in the story of Africa since the mid twentieth century, indeed, far longer. In a sense, the continent is already a microcosm of the world of the twentyfirst century as climate change and resource scarcity com- bine with rapid population growth to ratchet up the tensions that lead competing groups to fight, whether the superficial distinc- Mons between them are ethnic, religious, social or political. We have examined the particular cases of Rwanda, South Sudan and the Horn of Africa — but there are numerous other African conflicts, insurgencies and ongoing disturbances in which food, land and water are primary or secondary triggers and where famine is often the outcome: Nigeria, Congo, Egypt, Tunisia, Libya, Mali, Chad, the Central African Republic, the Maghreb region of the Sahara, Mozambique, Cote d'Ivoire and Zimbabwe have all experienced conflicts in which issues of access to food, land and water were important drivers and consequences. The trajectory of Africa's population in the first two decades of the twentyfirst century implies that the number of its people could quadruple from 1.2 billion in 2017 to 4.5 billion by 2100 (Figure 5.6). If fulfilled, this would make Africans 41 per cent of the world population by the end of the century. The UN Popula- tion Division's nearer projections are for Africans to outnumber Chinese or Indians at 1.7 billion by 2030, and reach 2.5 billion in 2050, which represents a doubling in the continent's inhabitants in barely 30 years. 70 While African fertility rates (babies per woman) remain high by world standards — 4.5 compared with a global average of 2.4 — they have also fallen steeply, from a peak of 8.5 babies in the 1970s. Furthermore, the picture is uneven with birthrates in most Sub-Saharan countries remaining high (around five to six babies/woman), while those of eight, mainly southern, countries have dropped to replace- ment or below (i.e. under 2.1). As has been the case around the world, birth rates tend to drop rapidly with the spread of urban isation, education and economic growth — whereas countries which slide back into poverty tend to experience rising birth- rates. Food access is a vital ingredient in this dynamic: it has been widely observed that better-fed countries tend to have much lower rates of birth and population growth, possibly because people who are food secure lose fewer infants and children in early life and thus are more open to family planning. So, in a real sense, food sufficiency holds one of the keys to limiting the human population to a level sustainable both for Africa and the planet in general. Forecasting the future of Africa is not easy, given the complexity of the interwoven climatic, social, technological and political issues — and many do not attempt it. However, the relentless optimism of the UN and its food agency, the FAO, is probably not justified by the facts as they are known to science — and may have more to do with not wishing to give offence to African governments or discourage donors than with attempting to accurately analyse what may occur. Even the FAO acknowledges however that food insecurity is rising across Sub-Saharan Africa as well as other parts. In 2017, conflict and insecurity were the major drivers of acute food insecurity in 18 countries and territories where almost 74 million food-insecure people were in need of urgent assistance. Eleven of these countries were in Africa and accounted for 37 million acutely food insecure people; the largest numbers were in northern Nigeria, Demo- cratic Republic of Congo, Somalia and South Sudan the agency said in its Global Report on Food Crises 2018.71 The FAO also noted that almost one in four Africans was undernourished in 2016 — a total of nearly a quarter of a billion people. The rise in undernourishment and food insecurity was linked to the effects of climate change, natural disasters and conflict according to Bukar Tijani, the FAO's assistant director general for Africa. 72 Even the comparatively prosperous nation of South Africa sits on a conflict knife-edge, according to a scientific study: 'Results indicate that the country exceeds its environmental boundaries for biodiversity loss, marine harvesting, freshwater use, and climate change, and that social deprivation was most severe in the areas of safety, income, and employment, which are significant factors in conflict risk', Megan Cole and colleagues found. 73 In the Congo, home to the world's second largest tropical forest, 20 years of civil war had not only slain five million civilians but also decimated the forests and their ecological services on which the nation depended. Researchers found evidence that reducing conflict can also help to reduce environ- mental destruction: 'Peace-building can potentially be a win for nature as well, and.. conservation organizations and govern- ments should be ready to seize conservation opportunities'. 74 As the African population doubles toward the mid century, as its water, soils, forests and economic wealth per capita dwindle, as foreign corporations plunder its riches, as a turbulent climate hammers its herders and farmers — both industrial and traditional — the prospect of Africa resolving existing conflicts and avoiding new ones is receding. The mistake most of the world is making is to imagine this only affects the Africans. The consequences will impact everyone on the planet. A World Bank study has warned that 140 million people will have to leave just three regions of the world as climate refugees before 2050 — and the vast majority of these, some 86 million, would be displaced from their homes in Sub-Saharan Africa. 75

#### Nuke war causes extinction AND outweighs other existential risks.

PND 16. internally citing Zbigniew Brzezinski, Council of Foreign Relations and former national security adviser to President Carter, Toon and Robock’s 2012 study on nuclear winter in the Bulletin of Atomic Scientists, Gareth Evans’ International Commission on Nuclear Non-proliferation and Disarmament Report, Congressional EMP studies, studies on nuclear winter by Seth Baum of the Global Catastrophic Risk Institute and Martin Hellman of Stanford University, and U.S. and Russian former Defense Secretaries and former heads of nuclear missile forces, brief submitted to the United Nations General Assembly, Open-Ended Working Group on nuclear risks. A/AC.286/NGO/13. 05-03-2016. <http://www.reachingcriticalwill.org/images/documents/Disarmament-fora/OEWG/2016/Documents/NGO13.pdf> //Re-cut by Elmer

Consequences human survival 12. Even if the 'other' side does NOT launch in response the smoke from 'their' burning cities (incinerated by 'us') will still make 'our' country (and the rest of the world) uninhabitable, potentially inducing global famine lasting up to decades. Toon and Robock note in ‘Self Assured Destruction’, in the Bulletin of Atomic Scientists 68/5, 2012, that: 13. “A nuclear war between Russia and the United States, even after the arsenal reductions planned under New START, could produce a nuclear winter. Hence, an attack by either side could be suicidal, resulting in self assured destruction. Even a 'small' nuclear war between India and Pakistan, with each country detonating 50 Hiroshima-size atom bombs--only about 0.03 percent of the global nuclear arsenal's explosive power--as air bursts in urban areas, could produce so much smoke that temperatures would fall below those of the Little Ice Age of the fourteenth to nineteenth centuries, shortening the growing season around the world and threatening the global food supply. Furthermore, there would be massive ozone depletion, allowing more ultraviolet radiation to reach Earth's surface. Recent studies predict that agricultural production in parts of the United States and China would decline by about **20 percent** for four years, and by 10 percent for a decade.” 14. A conflagration involving USA/NATO forces and those of Russian federation would most likely cause the deaths of most/nearly all/all humans (and severely impact/extinguish other species) as well as destroying the delicate interwoven techno-structure on which latter-day 'civilization' has come to depend. Temperatures would drop to below those of the last ice-age for up to 30 years as a result of the lofting of up to 180 million tonnes of very black soot into the stratosphere where it would remain for decades. 15. Though human ingenuity and resilience shouldn't be underestimated, human survival itself is arguably problematic, to put it mildly, under a 2000+ warhead USA/Russian federation scenario. 16. The Joint Statement on Catastrophic Humanitarian Consequences signed October 2013 by 146 governments mentioned 'Human Survival' no less than 5 times. The most recent (December 2014) one gives it a highly prominent place. Gareth Evans’ ICNND (International Commission on Nuclear Non-proliferation and Disarmament) Report made it clear that it saw the threat posed by nuclear weapons use as one that at least threatens what we now call 'civilization' and that potentially threatens human survival with an immediacy that even climate change does not, though we can see the results of climate change here and now and of course the immediate post-nuclear results for Hiroshima and Nagasaki as well.

## 3

#### CP Text: States should

#### implement cooperative active debris removal measures aimed at mitigating debris from mega-constellations.

#### cooperate on the development of a cloud-based infrastructure system between private and public entities with the purpose of advancing overall cyber security and create a protected mandatory reporting system for government contractors and critical infrastructure employees

#### dismantle their antisatellite weapon systems and stop all development of space weapons

#### adopt a system of market share liability in regard to the creation of debris in outer space by private entities

#### 1st plank solves Cyber-Attacks.

**Robertl and Vocl 21** [Christopher Robertl and Vince Vocl. Christopher is the Senior Vice President of Cyber Intelligence and Supply Chain Security Policy at the U.S. Chamber of Commerce. Vince VocI is the Executive Director Cyber Policy and Operations at the U.S. Chamber of Commerce. 5-14-2021, accessed on 8-8-2021, U.S. Chamber of Commerce, "4 Ways U.S. Government Leaders Can Protect IP and Personal Data", <https://www.uschamber.com/on-demand/cybersecurity/how-can-the-government-help-protect-intellectual-property-and-personal-data>] Adam

During the past several months, U.S. adversaries have carried out significant cyber-enabled espionage campaigns, impacting a wide range of public and private sector targets. With our nation’s cybersecurity at risk, government leaders have quickly turned to legislative solutions to protect our intellectual property and personal data.

Protected Mandatory Reporting Can Help Thwart Increasingly Sophisticated Cyberattacks

Since the [Cybersecurity Information Sharing Act of 2015](https://www.cisa.gov/publication/cybersecurity-information-sharing-act-2015-procedures-and-guidance#:~:text=of%20Mass%20Destruction-,Cybersecurity%20Information%20Sharing%20Act%20of%202015%20Procedures%20and%20Guidance,indicators%20with%20the%20Federal%20Government.) was passed, companies facing data breaches have been encouraged to share this information with the U.S. government. Yet cyberattacks have only become more sophisticated since then, according to [Sen. Mark Warner](https://www.warner.senate.gov/public/), chairman of the Senate Select Committee on Intelligence.

“There is an evolving belief that the 2015 structure, on a voluntary basis, is not giving us the level of comprehensive security that we need,” said Warner. “The bad guys, when they’re focused, they’re going to have a fairly high probability of getting in.”

In response, the Committee on Intelligence is working on a bipartisan level to create a structure that would mandate reporting for government contractors and critical infrastructure employees.

“Some of the privacy and other kinds of counter-incentives don’t take place,” Sen. Warner noted, adding that affected companies would have limited immunity and anonymized information. “We can pulse the overall system in a way that will allow [the] public sector and private sector to respond in a more comprehensive way.”

The U.S. Seeks to Work With Its Allies to Establish Cyber Incident Notification Systems

After creating a limited mandatory reporting system in the country, Warner hopes that the U.S. can work with its allies to establish similar notification systems as well as multilateral cyber norms.

“If our adversaries violate these norms and we can find appropriate attribution, there will be consequences to their actions,” Warner explained. “Our failure to have norms [and] a more robust notification system in existence … has allowed, in many ways, Russia and China to launch cyberattacks with virtual impunity.”

“This is a problem of protecting intellectual property … [and] personal information,” he continued. “As long as we can provide that level of limited immunity with anonymity so that those reports are then not made public, I think we can earn industry support.”

The U.S. Cyberspace Solarium Commission Outlines Priorities for 2021

In 2019, the U.S. Cyberspace Solarium Commission was chartered to manage cyber risk and significant cyber events at home and abroad. With several of the Commission’s recommendations being codified into law in 2020, this year has seen a renewed focus in engaging the private sector.

“We’re looking at ways that [we] can get to a common cloud-based environment between federal government agencies, state, local, tribal, territorial and the private sector, basically to get common visibility,” said Solarium commissioner [Frank J. Cilluffo](https://www.solarium.gov/commissioners/frank-cilluffo).

“We’re also going to be zeroing in on what we’re calling SICI (systemically important critical infrastructure) ... which will basically hone in on the most critical of our critical infrastructures, our lifeline sectors, and establish a set of … benefits and burdens to truly get to that partnership between the public and private sector,” Cilluffo added.

Public and Private Sector Collaboration Is Crucial to Cybersecurity Advancement

“We want to make sure that at the end of the day, our companies, our national security agencies and our citizens as a whole are enhancing their overall cybersecurity efforts,” stated Cilluffo. “The bottom line is, we need to follow up our ideas with the resources.”

“This is not going to be accomplished through Washington alone,” he stressed. “The private sector needs a front-row seat at his table and ultimately will be most critical to any success going forward.”

[Mark Montgomery](https://www.solarium.gov/about/staff/mark-montgomery), executive director of the Cyberspace Solarium Commission, agreed that partnership between the public and private sectors would be crucial for success in 2021.

“We actually have to build, pay for and establish infrastructure for collaboration,” Montgomery noted. “Once you do that, the companies will see that their equities are protected … and their opinions matter, and then we’ll get things done.”

#### 2nd solves for Mega-constellation Impacts.

Hardy 20, Brian Patrick. Long-term effects of satellite megaconstellations on the debris environment in low earth orbit. Diss. 2020. (Master of Science in Aerospace Engineering in the Graduate College of the University of Illinois at Urbana-Champaign)//Elmer

The results of this thesis demonstrate that satellite megaconstellations have the potential to leave a significant mark on the LEO debris environment, even centuries after they cease operations. Various test cases for the Starlink megaconstellation were analyzed in a new, medium-fidelity simulation for orbital debris evolution, and a variety of PMD and ADR rates for Starlink were considered. It was shown that if Starlink adheres only to the minimum regulatory requirement of 90% PMD for large constellations, then LEO debris levels will grow almost twice as fast as the baseline scenario with no megaconstellations. Improving Starlink’s PMD rate to 95% would lead to only 19% more debris, while 99% PMD is the preferred option that prevents any significant debris contributions at all. Importantly, Starlink’s choice of PMD strategy will affect its own collision risk very little over the short term, but the impact will be noticeable on multi-century timescales by the overall LEO environment. Finally, in scenarios with 90% and 95% PMD, active debris removal of non-operating Starlink satellites yields significant, if limited, benefits. The 90% PMD scenario combined with an ADR rate of 5 Starlink satellites per year, for example, is able to reduce debris levels to those seen for the 95% PMD scenario. This result suggests that active debris removal could be a viable mitigation strategy for megaconstellations with sub-optimal PMD rates.

#### 3rd plank solves second advantage – states won’t posses asat capability to escalate.

#### 4th plank incentivizes sustainable use of space.

Mark **Sundahl 00**, Ph.D. from Brown, 2000; J.D. candidate, Hastings College of the Law, 2001; B.A., University of California, Los Angeles, 1993, **2000**,“Unidentified Orbital Debris: The Case for a Market-Share Liability Regime” 24 HastingsInt'l & Comp. L. Rev. 125

Market-share liability will benefit the space industry by (1) **providing compensation** to the injured party where none existed before, (2) **creating an incentive for states to mitigate debris production**, (3) creating an **equal incentive to remove existing debris**, (4) **promoting the registration and tracking** of space objects, (5) **encouraging states to cooperate** in the prevention of collisions, and (6) **ultimately lowering the economic barrier to entering** the space industry. The immediate benefit of market-share liability will be the creation of a compensation system where none now exists. Currently, the victims of unidentified debris damage must absorb the cost of any collision while the parties who created the debris incur no liability. A market-share liability amendment will fill this gap in the Liability Convention. Of greater importance in the long run is the fact that marketshare liability would create an incentive for states to reduce the production of large debris. The production of trackable debris will increase a state's contribution index and, hence, its liability exposure. Launching entities would therefore take measures to minimize large debris production in order to minimize liability. Venting excess fuel, for example, would reduce the risk of explosions in orbit." A state can also reduce its contribution index by deorbiting defunct satellites. This can be achieved by either retrieving the satellites or by propelling the "dead" satellites into the Earth's atmosphere so that they are vaporized. 5 Market-share liability will not only promote debris mitigation measures but also encourage the improvement of debris removal technologies. Entities will be able to reduce their contribution index, as explained above, by removing debris that is already in orbit. Currently, debris can be removed by sending the Space Shuttle to retrieve defunct satellites. Other options include using an Earthbased laser to push objects out of their orbits so that they reenter the Earth's atmosphere and are destroyed. The Orion laser is currently being developed for this purpose by the United States government.'56 One commentator has even suggested using a "giant Neff ball" to catch debris, in effect "sweeping" the orbits clean.57 Those states and private entities that do not have easy access to debris retrieval technology or do not have a laser of their own would be able to buy these services from the United States. The United States and Russia, as well as other states, would also have a two-fold incentive to improve their systems for registering, tracking, and cataloguing space objects. First, states would strive to **improve their tracking capabilities** so that they would be able to show that another state owned a specific debris fragment that caused damage. Once the responsible state is identified, only that state would be liable. Second, the United States and Russia would be eager to identify as many pieces of debris as possible that belong to each other. The United States, for example, would want to increase the number of catalogued fragments identified as Russian. By doing so, the Russian contribution index would grow and the contribution index of all other states would simultaneously fall. Improvements in tracking capabilities would be beneficial because they would allow a fairer apportionment of liability and would assist in debris evasion. Spacefaring states would also make efforts to improve **debris evasion** technology out of the fear of incurring liability. After all, the most effective method of avoiding liability is to ensure that collisions do not occur. More effective evasion capabilities could be achieved by establishing a communications system whereby states with tracking facilities, such as the United States, could warn other states when their satellites or spacecraft were in the path of approaching debris. Upon receiving this information, the spacecraft owner would be able to engage in evasive maneuvers. This warning system could make use of sensitive ground-based debris detection technology as well as debris-detecting satellites.

## 4

#### Private companies are set to mine in space – new tech and profit motives make space lucrative.

Gilbert 21, (Alex Gilbert is a complex systems researcher and PhD student in Space Resources at the Colorado School of Mines, “Mining in Space is Coming”), 4-26-21, Milken Institute Review, https://www.milkenreview.org/articles/mining-in-space-is-coming // MNHS NL

Space exploration is back. after decades of disappointment, a combination of better technology, falling costs and a rush of competitive energy from the private sector has put space travel front and center. indeed, many analysts (even some with their feet on the ground) believe that commercial developments in the space industry may be on the cusp of starting the largest resource rush in history: mining on the Moon, Mars and asteroids. While this may sound fantastical, some baby steps toward the goal have already been taken. Last year, NASA awarded contracts to four companies to extract small amounts of lunar regolith by 2024, effectively beginning the [era of commercial space mining](https://payneinstitute.mines.edu/wp-content/uploads/sites/149/2020/09/Payne-Institute-Commentary-The-Era-of-Commercial-Space-Mining-Begins.pdf). Whether this proves to be the dawn of a gigantic adjunct to mining on earth — and more immediately, a key to unlocking cost-effective space travel — will turn on the answers to a host of questions ranging from what resources can be efficiently. As every fan of science fiction knows, the resources of the solar system appear virtually unlimited compared to those on Earth. There are whole other planets, dozens of moons, thousands of massive asteroids and millions of small ones that doubtless contain humungous quantities of materials that are scarce and very valuable (back on Earth). Visionaries including Jeff Bezos [imagine heavy industry moving to space](https://www.fastcompany.com/90347364/jeff-bezos-wants-to-save-earth-by-moving-industry-to-space) and Earth becoming a residential area. However, as entrepreneurs look to harness the riches beyond the atmosphere, access to space resources remains tangled in the realities of economics and governance. Start with the fact that space belongs to no country, complicating traditional methods of resource allocation, property rights and trade. With limited demand for materials in space itself and the need for huge amounts of energy to return materials to Earth, creating a viable industry will turn on major advances in technology, finance and business models. That said, there’s no grass growing under potential pioneers’ feet. Potential economic, scientific and even security benefits underlie an emerging geopolitical competition to pursue space mining. The United States is rapidly emerging as a front-runner, in part due to its ambitious Artemis Program to lead a multinational consortium back to the Moon. But it is also a leader in creating a legal infrastructure for mineral exploitation. The United States has adopted the world’s first spaceresources law, recognizing the property rights of private companies and individuals to materials gathered in space. However, the United States is hardly alone. Luxembourg and the United Arab Emirates (you read those right) are racing to codify space-resources laws of their own, hoping to attract investment to their entrepot nations with business-friendly legal frameworks. China reportedly views space-resource development as a national priority, part of a strategy to challenge U.S. economic and security primacy in space. Meanwhile, Russia, Japan, India and the European Space Agency all harbor space-mining ambitions of their own. Governing these emerging interests is an outdated treaty framework from the Cold War. Sooner rather than later, we’ll need [new agreements](https://issues.org/new-policies-needed-to-advance-space-mining/) to facilitate private investment and ensure international cooperation. Back up for a moment. For the record, space is already being heavily exploited, because space resources include non-material assets such as orbital locations and abundant sunlight that enable satellites to provide services to Earth. Indeed, satellite-based telecommunications and global positioning systems have become indispensable infrastructure underpinning the modern economy. Mining space for materials, of course, is another matter. In the past several decades, planetary science has confirmed what has long been suspected: celestial bodies are potential sources for dozens of natural materials that, in the right time and place, are incredibly valuabl**e**. Of these, water may be the most attractive in the near-term, because — with assistance from solar energy or nuclear fission — H2O can be split into hydrogen and oxygen to make rocket propellant, facilitating in-space refueling. So-called “rare earth” metals are also potential targets of asteroid miners intending to service Earth markets. Consisting of 17 elements, including lanthanum, neodymium, and yttrium, these critical materials (most of which are today mined in China at great environmental cost) are required for electronics. And they loom as bottlenecks in making the transition from fossil fuels to renewables backed up by battery storage. The Moon is a prime space mining target. Boosted by NASA’s mining solicitation, it is likely the first location for commercial mining. The Moon has several advantages. It is relatively close, requiring a journey of only several days by rocket and creating communication lags of only a couple seconds — a delay small enough to allow remote operation of robots from Earth. Its low gravity implies that relatively little energy expenditure will be needed to deliver mined resources to Earth orbit. The Moon may look parched — and by comparison to Earth, it is. But recent probes have confirmed substantial amounts of water ice lurking in [permanently shadowed craters](http://lroc.sese.asu.edu/posts/1105) at the lunar poles. Further, it seems that solar winds have implanted significant deposits of helium-3 (a light stable isotope of helium) across the equatorial regions of the Moon. Helium-3 is a potential fuel source for second and third-generation fusion reactors that one hopes will be in service later in the century. The isotope is packed with energy (admittedly hard to unleash in a controlled manner) that might augment sunlight as a source of clean, safe energy on Earth or to power fast spaceships in this century. Between its water and helium-3 deposits, the Moon could be the resource stepping-stone for further solar system exploration. Asteroids are another near-term [mining target](https://foreignpolicy.com/2016/04/28/the-asteroid-miners-guide-to-the-galaxy-space-race-mining-asteroids-planetary-research-deep-space-industries/). There are all sorts of space rocks hurtling through the solar system, with varying amounts of water, rare earth metals and other materials on board. The asteroid belt between the orbits of Mars and Jupiter contains most of them, many of which are greater than a kilometer in diameter. Although the potential water and mineral wealth of the asteroid belt is vast, the long distance from Earth and requisite travel times and energy consumption rule them out as targets in the near term. The prospects for space mining are being driven by technological advances across the space industry. The rise of reusable rocket components and the now-widespread use of off-the-shelf parts are lowering both launch and operations costs. Once limited to government contract missions and the delivery of telecom satellites to orbit, private firms are now emerging as leaders in developing “NewSpace” activities — a catch-all term for endeavors including orbital tourism, orbital manufacturing and mini-satellites providing specialized services. The space sector, with a market capitalization of $400 billion, could grow to as much as $1 trillion by 2040 as private investment soars.

#### Private entity appropriation is key to sustained space exploration.

**Brehm 15**, Andrew. (Andrew R. Brehm is a litigator who focuses his practice on a broad range of legal issues for clients in the transportation and recreation industries. Mr. Brehm litigates a variety of disputes including those involving catastrophic injury, disfigurement and wrongful death, commercial contracts, and construction defects. Mr. Brehm also represents clients on labor employment related issues in class action and FLSA collective action cases. Mr. Brehm’s complex litigation work frequently involves litigation that addresses independent contractor issues and other labor and employment issues impacting the transportation industry. PROFILE Mr. Brehm is actively involved in the various local and regional bar associations. Prior to joining Scopelitis. Garvin, Light, Hanson & Feary, Mr. Brehm spent two years as a judicial clerk for The Honorable Rebecca F. Dallet and the Honorable Christopher R. Foley of the Milwaukee County Circuit Court. While in law school, Mr. Brehm’s note on private property rights in outer space was selected for publication by the Wisconsin International Law Journal. Mr. Brehm served as managing editor for the law journal.) "Private Property in Outer Space: Establishing a Foundation for Future Exploration." University of Wisconsin Law School Digital Repository, 2015, repository.law.wisc.edu/s/uwlaw/media/77012.//JQ

In modem times, space exploration has consistently been viewed as a vehicle for societal advancement in terms of technology, science, and knowledge of our universe. Until recently, however, we have been almost entirely unaware of the economically and commercially valuable resources in outer space. Now, through years of increasingly advanced space exploration and scientific research, we have begun to gain an understanding of the true value of these resources. For example, asteroids are rich in ruthenium, rhodium, osmium, iridium, and platinum.' These elements are extremely rare on Earth and are important materials in developing electronics? As such, each of these platinum group elements draws a high market price, creating incentives to explore space for entrepreneurs and investors alike.'

There is little doubt that the private space race is underway. Even with much uncertainty surrounding private property rights and international space law, the discovery of valuable resources in outer space has led to the emergence of various private companies seeking to capitalize in an untapped market. In 2012, a group of billionaire investors, including Google executives Larry Page and Eric Schmidt, Hollywood director James Cameron, and Ross Perot, Jr., announced the launch of Planetary Resources, a private company that intends to mine resource-rich asteroids.' In addition to the valuable platinum group elements contained in asteroids, Planetary Resources hopes to mine hydrogen fuels from the asteroids that can be used to launch deeper space expeditions.5 In January 2013, Deep Space Industries formed with a similar mission to extract and harvest materials from asteroids, and an end goal of using the materials to support outer space communities and fuel further exploration.6 In 2011, Microsoft billionaire Naveen Jain announced the creation of Moon Express, a private space exploration entity that plans to mine for platinum and titanium on the Moon.7

Additionally, in 2011, venture start-up Shackleton Energy Company launched fund-raising efforts, ultimately seeking to mine the Shackleton Crater in the Moon's south pole for fuels to propel deeper space expeditions.8 Other private space mining start-ups have followed suit.9

Each of these private entities has the potential to propel space exploration and technological advances in the pursuit of a deeper understanding of our cosmos. Further, the short-term benefit of private space expeditions is exponential in terms of lowering the cost of electronics, lessening the taxpayer burden of funding space activities, and incentivizing more advanced levels of space exploration.1° Without a clear system of private property acquisition in outer space, however, the private space race is not likely to get far off of the ground. The celestial resources that have incentivized numerous space-mining start-ups have little or no value to investors if mining companies cannot establish legal rights to the resources mined. Without the legal right to use water and hydrogen mined from celestial bodies, and to alienate platinum group elements, the potential profitability of private space expeditions collapses along with the goals of deeper space exploration and settlement. Now more than ever, the issue of private property rights in outer space has significant real-world implications.

#### Squo private companies are willing to invest, but the plan crosses a perception barrier which destroys investment.

Shaw 13 - Lauren E, J.D. from Chapman University School of Law, ”Asteroids, the New Western Frontier: Applying Principles of the General Mining Law of 1872 to Incentive Asteroid Mining”, JOURNAL OF AIR LAW AND COMMERCE, Volume 78, Issue 1, Article 2, <https://scholar.smu.edu/cgi/viewcontent.cgi?article=1307&context=jalc> // recut MNHS NL

To some, the mining of asteroids might sound like the premise of a science fiction novel' or the solution to the heartwrenching, fictional scenario depicted in the film Armageddon.2 To others, it evokes a fantastical idea that may come to fruition in a distant reality. However, impressively funded companies have plans to send spacecraft to begin prospecting on asteroids within the next two years.' The issues associated with the mining of asteroids should be addressed before these plans are set in motion. Much has been written about the issues that might arise from allowing nations to own these space bodies and the minerals they contain; one such issue is the impact on international treaties.4 However, little has been written about the applicability of preexisting mining laws-which provide a basic property right scheme for the private sector-such as the General Mining Law of 1872 (Mining Law) to the management of asteroid mining.' The literature to date on how to legally address asteroid mining is minimal.' The articles that do address it propose the creation of different systems, such as a "property rights-based system that relies on the doctrine of first possession"7 or an international authority that would regulate mining operations.' Implementing a scheme that offers ownership of extracted resources without bestowing complete sovereignty is necessary to avoid an impending legal limbo-that is, an outer space "Wild West" equivalent where there is neither certainty nor security in who owns what.9 If private sector miners of asteroids know this right already exists, they will have more incentive to extract resources.' 0 This, in turn, would increase the chances of successful missions, resulting in numerous scientific and explorative benefits, along with the potential replenishment of key elements that are becoming increasingly depleted on Earth yet are still needed for modern industry. Scientists speculate that key elements needed for modern industry, including platinum, zinc, copper, phosphorus, lead, gold, and indium, could become depleted on Earth within the next fifty to sixty years." Many of these metals, such as platinum, are chemical elements that, unlike oil or diamonds, have no synthetic alternative.12 Once the reserves on Earth are mined to complete depletion, industries will be forced to recycle the existing supply of minerals, which will result in increased costs due to increased scarcity.' 3 However, evidence is accumulating that asteroids only a few hundred thousand miles away from Earth may be composed of an abundance of natural resources-including many of the minerals being mined to depletion on Earth-that could lead to vast profits." Most of the minerals being mined on Earth, including gold, iron, platinum, and palladium, originally came from the many asteroids that hit the Earth after the crust cooled during the planet's formation.'

#### Commercial mining solves extinction from scarcity, climate, terror, war, and disease.

Pelton 17—(Director Emeritus of the Space and Advanced Communications Research Institute at George Washington University, PHD in IR from Georgetown).. Pelton, Joseph N. 2017. The New Gold Rush: The Riches of Space Beckon! Springer. Accessed 8/30/19.

Are We Humans Doomed to Extinction? What will we do when Earth’s resources are used up by humanity? The world is now hugely over populated, with billions and billions crammed into our overcrowded cities. By 2050, we may be 9 billion strong, and by 2100 well over 11 billion people on Planet Earth. Some at the United Nations say we might even be an amazing 12 billion crawling around this small globe. And over 80 % of us will be living in congested cities. These cities will be ever more vulnerable to terrorist attack, natural disaster, and other plights that come with overcrowding and a dearth of jobs that will be fueled by rapid automation and the rise of artifi cial intelligence across the global economy. We are already rapidly running out of water and minerals. Climate change is threatening our very existence. Political leaders and even the Pope have cautioned us against inaction. Perhaps the naysayers are right. All humanity is at tremendous risk. Is there no hope for the future? This book is about hope. We think that there is literally heavenly hope for humanity. But we are not talking here about divine intervention. We are envisioning a new space economy that recognizes that there is more water in the skies that all our oceans. Th ere is a new wealth of natural resources and clean energy in the reaches of outer space—more than most of us could ever dream possible. There are those that say why waste money on outer space when we have severe problems here at home? Going into space is not a waste of money. It is our future. It is our hope for new jobs and resources. The great challenge of our times is to reverse public thinking to see space not as a resource drain but as the doorway to opportunity. The new space frontier can literally open up a “gold rush in the skies.” In brief, we think there is new hope for humanity. We see a new a pathway to the future via new ventures in space. For too long, space programs have been seen as a money pit. In the process, we have overlooked the great abundance available to us in the skies above. It is important to recognize there is already the beginning of a new gold rush in space—a pathway to astral abundance. “New Space” is a term increasingly used to describe radical new commercial space initiatives—many of which have come from Silicon Valley and often with backing from the group of entrepreneurs known popularly as the “space billionaires.” New space is revolutionizing the space industry with lower cost space transportation and space systems that represent significant cost savings and new technological breakthroughs. “New Commercial Space” and the “New Space Economy” represent more than a new way of looking at outer space. These new pathways to the stars could prove vital to human survival. If one does not believe in spending money to probe the mysteries of the universe then perhaps we can try what might be called “calibrated greed” on for size. One only needs to go to a cubesat workshop, or to Silicon Valley or one of many conferences like the “Disrupt Space” event in Bremen, Germany, held in April 2016 to recognize that entrepreneurial New Space initiatives are changing everything [ 1 ]. In fact, the very nature and dimensions of what outer space activities are today have changed forever. It is no longer your grandfather’s concept of outer space that was once dominated by the big national space agencies. The entrepreneurs are taking over. The hopeful statements in this book and the hard economic and technical data that backs them up are more than a minority opinion. It is a topic of growing interest at the World Economic Forum, where business and political heavyweights meet in Davos, Switzerland, to discuss how to stimulate new patterns of global economic growth. It is even the growing view of a group that call themselves “space ethicists.” Here is how Christopher J. Newman, at the University of Sunderland in the United Kingdom has put it: Space ethicists have offered the view that space exploration is not only desirable; it is a duty that we, as a species, must undertake in order to secure the survival of humanity over the longer term. Expanding both the resource base and, eventually, the habitats available for humanity means that any expenditure on space exploration, far from being viewed as frivolous, can legitimately be rationalized as an ethical investment choice. (Newman) On the other hand there are space ethicists and space exobiologists who argue that humans have created ecological ruin on the planet—and now space debris is starting to pollute space. Th ese countervailing thoughts by the “no growth” camp of space ethicists say we have no right to colonize other planets or to mine the Moon and asteroids—or at least no right to do so until we can prove we can sustain life here on Earth for the longer term. However, for most who are planning for the new space economy the opinion of space philosophers doesn’t really fl oat their boat. Legislators, bankers, and aspiring space entrepreneurs are far more interested in the views of the super-rich capitalists called the space billionaires. A number of these billionaires and space executives have already put some very serious money into enterprises intent on creating a new pathway to the stars. No less than five billionaires with established space ventures—Elon Musk, Paul Allen, Jeff Bezos, Sir Richard Branson, and Robert Bigelow—have invested millions if not billions of dollars into commercializing space. They are developing new technologies and establishing space enterprises that can bring the wealth of outer space down to Earth. This is not a pipe dream, but will increasingly be the economic reality of the 2020s. These wealthy space entrepreneurs see major new economic opportunities. To them space represents the last great frontier for enterprising pioneers. Th us they see an ever-expanding space frontier that offers opportunities in low-cost space transportation, satellite solar power satellites to produce clean energy 24h a day, space mining, space manufacturing and production, and eventually space habitats and colonies as a trajectory to a better human future. Some even more visionary thinkers envision the possibility of terraforming Mars, or creating new structures in space to protect our planet from cosmic hazards and even raising Earth’s orbit to escape the rising heat levels of the Sun in millennia to come. Some, of course, will say this is sci-fi hogwash. It can’t be done. We say that this is what people would have said in 1900 about airplanes, rocket ships, cell phones and nuclear devices. The skeptics laughed at Columbus and his plan to sail across the oceans to discover new worlds. When Thomas Jefferson bought the Louisiana Purchase from France or Seward bought Alaska, there were plenty of naysayers that said such investment in the unknown was an extravagant waste of money. A healthy skepticism is useful and can play a role in economic and business success. Before one dismisses the idea of an impending major new space economy and a new gold rush, it might useful to see what has already transpired in space development in just the past five decades. The world’s first geosynchronous communications satellite had a throughput capability of about 500 kb / s. In contrast, today’s state of the art Viasat 2 —a half century later— has an impressive throughput of some 140 Gb/s. Th is means that the relative throughput is nearly 300,000 greater, while its lifetime is some ten times longer (Figs. 1.1 and 1.2 ). Each new generation of communications satellite has had more power, better antenna systems, improved pointing and stabilization, and an extended lifetime. And the capabilities represented by remote sensing satellites , meteorological satellites , and navigation and timing satellites have also expanded their capabilities and performance in an impressive manner. When satellite applications first started, the market was measured in millions of dollars. Today commercial satellite services exceed a quarter of a billion dollars. Vital services such as the Internet, aircraft traffi c control and management, international banking, search and rescue and much, much more depend on application satellites. Th ose that would doubt the importance of satellites to the global economy might wish to view on You Tube the video “If Th ere Were a Day Without Satellites?” [ 2 ]. Let’s check in on what some of those very rich and smart guys think about the new space economy and its potential. (We are sorry to say that so far there are no female space billionaires, but surely this, too, will come someday soon.) Of course this twenty-fi rst century breakthrough that we call the New Space economy will not come just from new space commerce. It will also come from the amazing new technologies here on Earth. Vital new terrestrial technologies will accompany this cosmic journey into tomorrow. Information technology, robotics, artificial intelligence and commercial space travel systems have now set us on a course to allow us humans to harvest the amazing riches in the skies—new natural resources, new energy, and even totally new ways of looking at the purpose of human existence. If we pursue this course steadfastly, it can be the beginning of a New Space renaissance. But if we don’t seek to realize our ultimate destiny in space, Homo sapiens can end up in the dustbin of history—just like literally millions of already failed species. In each and every one of the five mass extinction events that have occurred over the last 1.5 billion years on Earth, some 50–80 % of all species have gone the way of the T. Rex, the woolly mammoth, and the Dodo bird along with extinct ferns, grasses and cacti. On the other hand, the best days of the human race could be just beginning. If we are smart about how we go about discovering and using these riches in the skies and applying the best of our new technologies, it could be the start of a new beginning for humanity. Konstantin Tsiokovsky, the Russian astronautics pioneer, who fi rst conceived of practical designs for spaceships, famously said: “A planet is the cradle of mankind, but one cannot live in a cradle forever.” Well before Tsiokovsky another genius, Leonardo da Vinci, said, quite poetically: “Once you have tasted flight, you will forever walk the earth with your eyes turned skyward, for there you have been, and there you will always long to return.” The founder of the X-Prize and of Planetary Resources, Inc., Dr. Peter Diamandis, has much more brashly said much the same thing in quite diff erent words when he said: “The meek shall inherit the Earth. The rest of us will go to Mars.” The New Space Billionaires Peter Diamandis is not alone in his thinking. From the list of “visionaries” quoted earlier, Elon Musk, the founder of SpaceX; Sir Richard Branson, the founder of Virgin Galactic; and Paul Allen, the co-founder of Microsoft and the man who financed SpaceShipOne, the world’s first successful spaceplane have all said the future will include a vibrant new space economy. Th ey, and others, have said that we can, we should and we soon shall go into space and realize the bounty that it can offer to us. Th e New Space enterprise is today indeed being led by those so-called space billionaires , who have an exciting vision of the future. They and others in the commercial space economy believe that the exploitation of outer space may open up a new golden age of astral abundance. They see outer space as a new frontier that can be a great source of new materials, energy and various forms of new wealth that might even save us from excesses of the past. Th is gold rush in the skies represents a new beginning. We are not talking about expensive new space ventures funded by NASA or other space agencies in Europe, Japan, China or India. No, these eff orts which we and others call New Space are today being forged by imaginative and resourceful commercial entrepreneurs. Th ese twenty-fi rst century visionaries have the fortitude and zeal to look to the abundance above. New breakthroughs in technology and New Space enterprises may be able to create an “astral life raft” for humanity. Just as Columbus and the Vikings had the imaginative drive that led them to discover the riches of a new world, we now have a cadre of space billionaires that are now leading us into this New Space era of tomorrow. These bold leaders, such as Paul Allen and Sir Richard Branson, plus other space entrepreneurs including Jeff Bezos of Amazon and Blue Origin, and Robert Bigelow, Chairman of Budget Suites and Bigelow Aerospace, not only dream of their future in the space industry but also have billions of dollars in assets. These are the bright stars of an entirely new industry that are leading us into the age of New Space commerce. These space billionaires, each in their own way, are proponents of a new age of astral abundance. Each of them is launching new commercial space industries. They are literally transforming our vision of tomorrow. These new types of entrepreneurial aerospace companies—the New Space enterprises—give new hope and new promise of transforming our world as we know it today. The New Space Frontier What happens in space in the next few decades, plus corresponding new information technologies and advanced robotics, will change our world forever. These changes will redefi ne wealth, change our views of work and employment and upend almost everything we think we know about economics, wealth, jobs, and politics. Th ese changes are about truly disruptive technologies of the most fundamental kinds. If you thought the Internet, smart phones, and spandex were disruptive technologies, just hang on. You have not seen anything yet. In short, if you want to understand a transition more fundamental than the changes brought to the twentieth century world by computers, communications and the Internet, then read this book. There are truly riches in the skies. Near-Earth asteroids largely composed of platinum and rare earth metals have an incredible value. Helium-3 isotopes accessible in outer space could provide clean and abundant energy. There is far more water in outer space than is in our oceans. In the pages that follow we will explain the potential for a cosmic shift in our global economy, our ecology, and our commercial and legal systems. These can take place by the end of this century. And if these changes do not take place we will be in trouble. Our conventional petro-chemical energy systems will fail us economically and eventually blanket us with a hydrocarbon haze of smog that will threaten our health and our very survival. Our rare precious metals that we need for modern electronic appliances will skyrocket in price, and the struggle between “haves” and “have nots” will grow increasingly ugly. A lack of affordable and readily available water, natural resources, food, health care and medical supplies, plus systematic threats to urban security and systemic warfare are the alternatives to astral abundance. The choices between astral abundance and a downward spiral in global standards of living are stark. Within the next few decades these problems will be increasingly real. By then the world may almost be begging for new, out of- the-box thinking. International peace and security will be an indispensable prerequisite for exploitation of astral abundance, as will good government for all. No one nation can be rich and secure when everyone else is poor and insecure. In short, global space security and strategic space defense, mediated by global space agreements, are part of this new pathway to the future.

## CASE

#### Space debris creates existential deterrence and a taboo.

**Bowen 18** [(Bleddyn, lecturer in International Relations at the University of Leicester) “The Art of Space Deterrence,” European Leadership Network, February 20, 2018, https://www.europeanleadershipnetwork.org/commentary/the-art-of-space-deterrence/] TDI

Fourth, the ubiquity of space infrastructure and the fragility of the space environment may create a degree of existential deterrence. As space is so useful to modern economies and military forces, a large-scale disruption of space infrastructure may be so intuitively escalatory to decision-makers that there may be a natural caution against a wholesale assault on a state’s entire space capabilities because the consequences of doing so approach the mentalities of total war, or nuclear responses if a society begins tearing itself apart because of the collapse of optimised energy grids and just-in-time supply chains. In addition, the problem of space debris and the political-legal hurdles to conducting debris clean-up operations mean that even a handful of explosive events in space can render a region of Earth orbit unusable for everyone. This could caution a country like China from excessive kinetic intercept missions because its own military and economy is increasingly reliant on outer space, but perhaps not a country like North Korea which does not rely on space. The usefulness, sensitivity, and fragility of space may have some existential deterrent effect. China’s catastrophic anti-satellite weapons test in 2007 is a valuable lesson for all on the potentially devastating effect of kinetic warfare in orbit.

#### Squo solves debris — ADR, debris tracking, and maneuverability improvements will mitigate the impact far before we reach Kessler.

Kurt 15 (Joseph; Juris Doctor candidate, William & Mary School of Law, 2016; B.A. Marquette University, 2000; *Triumph of the Space Commons: Addressing the Impending Space Debris Crisis Without an International Treaty*; William & Mary Environmental Law and Policy Review; <https://pdfs.semanticscholar.org/0bd4/c4059d5a5ad2faa42ce5977548d900df8f8c.pdf>; accessed 10/4/19; MSCOTT)

III. REASONS FOR HOPE: WHY INTERNATIONAL ACTORS WILL AVOID A TRAGEDY OF THE SPACE COMMONS WITHOUT A COMPREHENSIVE TREATY A binding international regime—i.e., a comprehensive treaty— governing space debris might well be the most prudent international response to the issue.89 But for all the reasons discussed above, anything approaching a comprehensive agreement is nowhere in sight.90 If the need for such a regime is as dire as many commentators suggest,91 perhaps panic is in order. However, this Part argues that in addition to the significant obstacles to achieving a comprehensive treaty to deal with space debris, there is perhaps an even more compelling reason why there has been almost no progress in this direction: the space debris problem can be effectively addressed without a binding treaty. This claim flies in the face of common underlying assumptions about solving tragedies of the commons.92 Nevertheless, Part III of this Note will examine the space debris problem through three (overlapping) lenses that each suggest that nations with interests in space will cooperate to avoid a catastrophe in Earth’s orbit. Section A will demonstrate that realistic solutions to the problem are entirely feasible—and on the horizon. Section B, using the issue of global climate change as a point of comparison, will argue that political cooperation can be achieved without the force of international law. And Section C, informed by the practical and political considerations of the first two sections, will apply economic theories that also suggest that future international cooperation is highly likely to resolve the issue of space debris. A. Practical Considerations: Feasible Solutions to the Space Debris Problem Are on Their Way One key question in assessing whether an international treaty is a requisite for solving the space debris problem is just how difficult it will be to fashion a remedy. The more complex and costly are feasible solutions, the more likely it is that a comprehensive regime is necessary to bind the various actors together.93 A good place to begin is to determine just how imminent is the onset of the cascade of exponentially more frequent debris-creating collisions, known as the Kessler Syndrome.94 To be certain, no one can be sure—this phenomenon being subject to highly complex probabilities.95 Indeed, experts’ estimates of when such a cascade will become irreversible vary widely.96 The National Research Council produced a report in 2011 that suggested that “space might be just 10 or 20 years away from severe problems.”97 In fact, the cascading effect has already begun, albeit at a modest pace.98 However, Donald Kessler, who first described the eponymous effect in 1978, has significantly recalibrated his own outlook over the years.99 Originally, Kessler predicted that catastrophe would result by the year 2000.100 That date long passed, Kessler now speaks of a century-long process that “we have time to deal with.”101 Nevertheless, few would disagree with Cristophe Bonnal of the Centre National d’Études Spatiales (“CNES”), the French space agency, who says that it is “not yet clear” how much time we have to act.102 None of this is to say that interested parties should not act with great dispatch to address the space debris problem. Even if catastrophe is not on the immediate horizon—as some have suggested—Heiner Klinkrad, the European Space Agency’s leading authority on space debris points out that “[t]he longer you wait, the more difficult and far more expensive” any solution will be.103 The additional slack in plausible timelines is cause for optimism when one considers the progress being made towards remediating the problem of space debris. Such remediation entails a three-pronged approach: preventive measures to reduce the creation of new debris,104 space debris tracking technologies,105 and active debris removal (“ADR”).106 In an effort to address the first prong, the United Nations General Assembly in 2007 endorsed the COPUOS Space Debris Mitigation Guidelines.107 The recommended measures include design changes which would avoid the previously common practice of releasing debris during standard operations, refraining from intentional destruction of space objects, and limiting the risk of collisions through avoidance maneuvers and delaying launch times.108 As the COPUOS document points out, many of these practices had already been adopted by spacefaring nations.109 Compliance with the COPUOS Mitigation Guidelines is voluntary and has not been universal;110 however, many nations do take steps beyond those called for in the Mitigation Guidelines, recognizing the importance of redressing the issue.111 That said, even if no nation ever again launched a single object into outer space, the operation of the Kessler Syndrome would ensure that, over time, continuing collisions amongst already present objects would result in Earth’s orbit being rendered unusable.112 Improvements in space debris tracking technology are another partial solution that promises to help actors avoid collisions by identifying orbital debris in the path of satellites or spacecraft.113 There are limits on the effectiveness of such tracking, however, including the inability of some optical systems to track objects at night.114 Moreover, commonly employed systems cannot continually track objects smaller than thirty centimeters in diameter.115 New systems are being developed, however, that will use lasers that can track the location of objects as small as a softball— sometimes to within one meter.116 Such technology is still at the planning stage for NASA,117 but Lockheed Martin is teaming up with an Australianbased company on a laser-tracking project already in the works.118 Another promising development comes from scientists at the Massachusetts Institute of Technology, who are working on soccer-ball-sized robots designed to travel alongside the ISS, investigating potentially harmful space debris along the way.119

**Status quo solves – mitigation and remediation compliance growing.**

**Colombo et. al 18**—Camilla Colombo, PhD, visiting academic in Spacecraft Engineering within Engineering and Physical Sciences at the University of Southampton; Francesca Letizia, PhD, Space Debris Engineer at ESA Space Debris Office; Mirko Trisolini, PhD, Postdoctoral researcher at the Politecnico di Milano Department of Aerospace Engineering; Hugh Lewis, PhD, Professor within Engineering and Physical Sciences at the University of Southampton (“Space Debris: Risk Mitigation,” from Frontiers of Space Risk: Natural Cosmic Hazards & Societal Challenges, Chapter 5, p 128-136)

5.4 MITIGATION MEASURES The space debris problem is nowadays internationally recognized, therefore mitigation measures are being taken and guidelines discussed. These can be divided into two classes: The avoidance or protection measures and the active and passive debris removal measures. The avoidance or protection measures include the design of satellites to withstand impacts by small debris, or the selection of safe procedures for operational spacecraft such as orbits with less debris, specific attitude configurations, or implementing active avoidance maneuvers to avoid collisions. On the other hand, measures for debris removal currently consist in limiting the creation of new debris (by prevention of in-orbit explosions and ensuring spacecraft subsystems reliability), to free some orbital implementing end-of-life disposal maneuvers protected regions, or to reenter in the atmosphere. Active debris removal is also being considered as a mean to stabilize the growth of space debris by removing from orbit some selected noncompliant objects. The e.Deorbit mission will target an ESA-owned derelict satellite in low orbit, capture it with a net or robotic arm technology, and reenter with a controlled atmospheric reentry (Biesbroek et al. 2014). Acknowledging the fact that the projected growth in the number of satellites orbiting the Earth will increase in the future, space agencies and international organizations have been discussing and building a set of guidelines to ensure the sustainability of future space activities. The InterAgency Debris Coordination Committee (IADC) was founded in 1993 by ESA (Europe), NASA (the United States), the Japan Aerospace Exploration Agency (JAXA, Japan), and the Roscosmos Russian Federation. As of January 2017, the IADC also includes the Italian Space Agency (ASI, Italy), the Centre National d'Études Spatiales (CNES, France), the China National Space Administration (CNSA, China), the Canadian Space Agency (CSA, Canada), the German Aerospace Centre (DLR, Germany), the Korea Aerospace Research Institute (KARI, South Korea), the Indian Space Research Organisation (ISRO, India), the National Space Agency of Ukraine (NSAU, Ukraine), and the UK Space Agency (UKSA, United Kingdom). This international cooperation decided a set of space debris mitigation measures (Inter-Agency Space Debris Coordination Commitee, 2002), which includes: 1. Limitation of debris released during normal operations. 2. Minimization of the potential for on-orbit breakups (resulting from stored energy after the completion of mission operations, or during the operational phases of the mission and by avoiding intentional destruction and other harmful activities). 3. Post Mission Disposal in particular in geosynchronous regions and for objects passing through the LEO region. 4. Prevention of on-orbit collisions. The IADC guidelines were presented to the United Nations Committee on the Peaceful Uses of Outer Space (UN COPUOS) and contributed to the creation of the Space Debris Mitigation Guidelines of the Committee on the Peaceful Uses of Outer Space to be considered for the mission planning, design, manufacture and operational phases of spacecraft and launch vehicle orbital stages” (United Nations Office for Outer Space Affairs 2010): 1. Limit debris released during normal operations. 2. Minimize the potential for breakups during operational phases. 3. Limit the probability of accidental collision in orbit. 4. Avoid intentional destruction and other harmful activities. 5. Minimize potential for post-mission breakups resulting from stored energy 6. Limit the long-term presence of spacecraft and launch vehicle orbital stages in the low Earth orbit region after the end of their mission. 7. Limit the long-term interference of spacecraft and launch vehicle orbital stages with the geosynchronous region after the end of their mission. 5.4.1 Mitigation Guidelines for Post Mission Disposal In this section we focus on the third of the measures dictated by the IADC, namely Post Mission Disposal. A “25-year rule” was defined to limit the presence of satellites in the LEO region to no more than 25 years after their decommissioning. The 25-year limit was selected to ensure that a reasonable reduction in lifetime could be achieved without greatly affecting satellite resources. After 25 years a satellite has to be removed from the LEO protected region by placing it in a graveyard orbit or by disposing of it through atmospheric reentry. According to the IADC Space Debris Mitigation Guidelines (Inter-Agency Space Debris Coordination Commitee 2002) if "a spacecraft or orbital stage is to be disposed of by re-entry into the atmosphere, debris that survives to reach the surface of the Earth should not pose an undue risk to people or property.” The low Earth orbit protected region (LEO region) is the spherical shell region that extends from the Earth's surface up to an altitude of 2000 km. The geosynchronous protected region (GEO region) is a segment of a spherical shell with a lower and upper altitude boundary of 200 km below and above the geostationary altitude of 35,786 km, and which is constrained by a latitude sector extending between plus and minus 15 degrees from south to north (Inter-Agency Space Debris Coordination Committee 2002; United Nations Office for Outer Space Affairs 2010). At altitudes below 600 kilometers, spacecraft with a conventional area-to-mass ratio (i.e., conventional satellites have a value of area-tomass ratio around 0.012 m?/kg) will reenter within a few years due to atmospheric drag. Intervention to remove and prevent further creation of debris above that altitude should therefore be the primary focus of passive mitigation measures. As described in the document on the “Requirements on Space Debris Mitigation for ESA Projects” (ESA 2008) and the "ESA Space Debris Mitigation Compliance Verification Guidelines” (ESA 2015), end-of-life measures can be distinguished in: (1) Disposal, (2) passivation, and (3) reentry. Required measures for disposal currently cover spacecraft in LEO and GEO through a series of Operational Requirements (OR) (ESA 2008): "OR-01. Space systems operating in the LEO protected region shall be disposed of by reentry into the Earth's atmosphere within 25 years after the end of the operational phase." "OR-02. Space systems operating in the GEO protected region shall be disposed of by permanently removing them from the GEO protected region.” The GEO disposal orbit should be almost circular (i.e., eccentricity less of equal to 0.005) and with a minimum perigee altitude above the geostationary altitude, which is given as a function of the solar radiation pressure coefficient of the space system at the beginning of its life and its cross-sectional area. This is done to take into account the eccentricity oscillation due to the effects of solar radiation pressure and to ensure that such oscillation would not make the orbit interfere with the GEO protected regions. "OR-03. Where practicable and economically feasible, space systems outside the LEO and GEO protected regions shall implement means of end-of-life orbit disposal to avoid long-term interference with operational orbit regions, such as the Galileo orbit." OR-04. Launcher stages shall also perform end-of-life disposal maneuvers by targeting "direct reentry as part of the launcher sequence.” Alternatively, they should be injected into a LEO orbit with a maximum reentry time of 25 years. As other space systems, they should be removed from LEO and GEO protecting region and orbit that interfere with other operational orbits such as the one of the Galileo orbit. OR-05. Passivation of the system (spacecraft or launcher stage) has to be completed within 2 months of the end of mission. End-of-life measures for reentry include: OR-06. "For space systems that are disposed of by reentry," an "analysis has to be performed to determine the characteristics of fragments surviving to ground impact, and assess the total casualty risk to the population on ground assuming an uncontrolled reentry.” OR-07. Such a casualty risk has to be lower than 10-4 if an uncontrolled reentry is targeted; otherwise if the casualty risk is higher than the threshold of 10-4, "a controlled reentry must be performed such that the impact footprint can be ensured over an ocean area, with sufficient clearance of landmasses and traffic routes." The rate of compliance of missions to the end-of-life mitigation guidelines was analyzed by the ESA Space Debris Office in 2017). Between 2006 and 2015, the rate of compliance of LEO missions (including naturally compliant missions and satellites performing end-of-life maneuvers) was 53.3% for the payloads (corresponding to 60.3% of the payload mass), reaching end of life in the LEO protected region (Frey and Lemmens 2017). The compliant objects, with a lifetime after decommissioning of less than 25 years, include naturally compliant objects due to their initial altitude well inside the Earth's atmosphere (this constitutes the biggest part of the compliant share), compliant objects after a deorbit maneuver, or spacecraft having performed a maneuver leading to a direct reentry. In terms of mass, this share is constantly sloping downward. Between 2007 and 2016, 71.6% of the rocket bodies reaching end of life in the LEO protected region was compliant, and this fraction has remained virtually unchanged for 8 years in a row despite an increase in end-of-life maneuver activity. 5.4.2 Passive End-of-Life Disposal In order to meet the mitigation guidelines LEO satellites at the end of their life would use the remaining propellant to perform either a perigeelowering maneuver (to decrease the orbit perigee well inside the Earth's atmosphere to guarantee a reentry within 25 years) or a direct reentry. Spacecraft in GEO are instead currently re-orbited to quasi circular orbits outside the GEO protected ring, with a perigee line aligned with the SunEarth direction (where possible) in order to bind the long-term oscillations in the eccentricity caused by solar radiation pressure. Recently, ESA funded projects on the design of disposal trajectories for medium Earth orbits (MEO) (Alessi et al. 2014; Rossi et al. 2015), highly elliptical orbits (HEO), and libration Earth orbits (LPO) (Armellin et al. 2014; Colombo et al. 2014; Colombo et al. 2015). These have demonstrated the possibility of exploiting natural orbit perturbations for designing passive mitigation strategies for debris disposal. Disposal strategies enhancing the effects of orbit perturbations have been further analyzed in LEO (Alessi et al. 2017), in MEO (Rosengren et al. 2015; Alessi et al. 2016; Armellin and San-Juan; Daquin et al. 2016; Gkolias et al. 2016), in GEO (Colombo and Gkolias 2017), and in HEO (Colombo et al. 2014; Armellin et al. 2015). Indeed, it was shown that, rather than performing an expensive maneuver to lower the perigee, the optimal maneuver should be given in a way to change the disposal orbit to another neighborhood orbit where the effect of orbit perturbations causes the orbit perigee to enter into the atmosphere. Indeed, the effects of luni-solar perturbation causes long-term oscillation on the eccentricity, which can be exploited so that the spacecraft's trajectory over a long period (from 5 to 70 years, depending on the initial orbit) could lead to natural reentry. This effect can be enhanced by solar radiation pressure, especially if considering a spacecraft equipped with large solar panels or a deployable reflective surface (Lücking et al. 2012, 2013). Moreover, resonances with the Earth's nonuniform potential can enhance the eccentricity growth effects. 5.4.2.1 An Example of End-of-Life Deorbiting Exploiting Luni-Solar Perturbations One of the most beautiful demonstrations of how natural dynamics can be enhanced is given by the INTEGRAL mission designed by ESA, the United States, Russia, the Czech Republic, and Poland. The INTErnational Gamma-Ray Astrophysics Laboratory, launched in 2002, gathered some of the most energetic radiation from space (Eismont et al. 2003). A reentry of this spacecraft with a pure impulsive maneuver would have not been possible due to the limited amount of propellant left onboard. In an ESA-funded study, the end-of-life disposal of INTEGRAL mission--expected to end in 2016-was designed with a time window for disposal between January 1, 2013 and January 1, 2029. Reentry solutions with a delta-velocity requirement below 40-50 m/s were found (Colombo et al. 2014). The main perturbations acting on the dynamics of the reentry were luni-solar perturbations, which affect the evolution of eccentricity, inclination, and anomaly of the perigee measured with respect to the Earth-Moon plane. It was shown that depending on the set of initial elements, which depends on the date the reentry maneuver is performed, the proposed maneuver would then aim at further increasing or decreasing the eccentricity. In particular, if we focus on the natural evolution of the eccentricity under luni-solar perturbation and Earth's oblateness, when the nominal eccentricity is low, the optimal reentry maneuver further decrease the eccentricity value; as a consequence, the following long-term propagation will reach a higher eccentricity, corresponding to a reentry. In this case, the maneuver is more efficient (i.e., lower delta velocity is required) (Colombo et al. 2014). Once the initial disposal maneuver is performed, the spacecraft evolves under natural perturbations and the reentry can then be semicontrolled. The high inclination of HEOs represents an advantage as the final reentry phase can target regions at higher latitudes on the Earth's surface thereby reducing the ground hazard. In the case of HEOs, reentry is caused by luni-solar perturbation (not air drag), therefore the orbit reenter with quite a high eccentricity (high apogee and low perigee) and does not circularize. Due to the oscillations in eccentricity, the next optimal window for injecting the spacecraft into a reentry trajectory is between 2013 and the first half of 2018 for a final reentry in 2028. After that, the required maneuver would increase until reaching a next window for performing the maneuver between the second half of 2021 and the first half of 2026, for a reentry in 2028. These analytical studies were used for high fidelity parametric analyses performed by the ESA (Merz et al. 2015) to investigate the effect of a maneuver at apogee to change the perigee altitude. The final maneuver sequence was given at the beginning of 2015 and split into three major burns plus a touch-up for final fine-tuning. The spacecraft is now on its course to reentry in 2028 (see Figure 5.11).

#### Space debris is exaggerated - no risk of crisis.

Mark Albrecht & Paul Graziani 16. \*Chairman of the board of USSpace LLC and former head of the White House National Space Council from 1989 to 1992; \*\*CEO and founder of Analytical Graphics, a company that develops software and provides commercial space operations assistance. Space News, May 9th 2016, “Op-ed: Congested space is a serious problem solved by hard work, not hysteria,” http://spacenews.com/op-ed-congested-space-is-a-serious-problem-solved-by-hard-work-not-hysteria

There are over a half million pieces of human-made material in orbit around our planet. Some are the size of school buses, some the size of BB gun pellets. They all had a function at some point, but now most are simply space debris littered from 100 to 22,000 miles above the Earth. Yet, all behave perfectly according to the laws of physics. Many in the space community have called the collision hazard caused by space debris a crisis. Popular culture has embraced the risks of collisions in space in films like Gravity. Some participants have dramatized the issue by producing graphics of Earth and its satellites, which make our planet look like a fuzzy marble, almost obscured by a dense cloud of white pellets meant to conceptualize space congestion. Unfortunately, for the sake of a good visual, satellites are depicted as if they were hundreds of miles wide, like the state of Pennsylvania (for the record, there are no space objects the size of Pennsylvania in orbit). Unfortunately, this is the rule, not the exception, and almost all of these articles, movies, graphics, and simulations are exaggerated and misleading. Space debris and collision risk is real, but it certainly is not a crisis.

#### Not a risk - takes decades.

Corrinne Burns 13. Staff writer, citing NASA astrophysicist Donald Kessler. "Space junk apocalypse: just like Gravity?," 11-15-2013, The Guardian, https://www.theguardian.com/science/blog/2013/nov/15/space-junk-apocalypse-gravity.

What Cuarón is showing us is a phenomenon called [Kessler syndrome](http://en.wikipedia.org/wiki/Kessler_syndrome) – a chain reaction of collisions between orbital technology. Under Kessler conditions, each collision generates a swarm of debris fragments, and each of those fragments then goes on to trigger further collisions. In the hypothetical doomsday scenario, this runaway cascade continues until all satellites in an orbit have been destroyed. That would dramatically impact our way of life back on Earth – no mobile phones, no GPS, no accurate weather forecasting, no satellite broadcasting. It makes for a good movie sequence, but is Kessler syndrome a genuine threat? I asked [Donald Kessler](http://webpages.charter.net/dkessler/) himself. A former Nasa astrophysicist, it was Kessler who, in 1978, [first proposed](http://onlinelibrary.wiley.com/doi/10.1029/JA083iA06p02637/abstract;jsessionid=FCC08CEB545700647897A7E0E65D05B5.f03t04) that a runaway cascade of collisions was a possibility. He'd been studying meteorite collisions and, out of personal curiosity, decided to apply his algorithm to satellites, too. "The results of those calculations surprised me – I didn't realise it could be that bad," he tells me over a crackly telephone line. (Through the wonder of satellite technology, he is speaking to me from the deck of a boat charting the waters of eastern Europe.) "But it's building up as I expected. The cascade is happening right now – the [Kosmos-Iridum collision](http://en.wikipedia.org/wiki/2009_satellite_collision) was the start of the process. It has already begun." Now? Are we in trouble? Not yet. Kessler syndrome isn't an acute phenomenon, as depicted in the movie – it's a slow, decades-long process. "It'll happen throughout the next 100 years – we have time to deal with it," Kessler says. "The time between collisions will become shorter – it's around 10 years at the moment. In 20 years' time, the time between collisions could be reduced to five years." Fortunately, communications satellites are, in the main, situated high up in geosynchronous orbit (GEO), whereas the risk of collisions lies mainly in the much lower, and more crowded, low Earth orbit (LEO).

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

Alexander William **Salter 16**, **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 17**, 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 num ber of objects and collisions increases exponentially and eventually results in the formation of a self-sustaining debris belt aroundthe 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

### asteroids

#### No risk of extinction from asteroids - the probability of one hitting earth is extremely slim and countries developing prevention methods now.

Inigo Monzon 19, IBT Correspondent, 9-2-2019, "Scientist Reveals Truth About Earth’s Chances Of Surviving An Asteroid Impact", International Business Times, 9-2-2019, https://www.ibtimes.com/scientist-reveals-truth-about-earths-chances-surviving-asteroid-impact-2820951, hec)

Dr. Lewiss Dartnell, a professor of science communication, believes that humans have a very good chance of enduring an asteroid impact. Despite what happened to the dinosaurs 66 million years ago, Dartnell thinks that humans are not in danger of going extinct due to an asteroid strike. The professor noted that in order to wipe out all life on Earth, an asteroid has to be hundreds or even thousands of kilometers long. Although NASA has already detected and identified asteroids that are certainly big enough to kill planets, the agency noted that none of these are currently on a collision course with Earth. “The Earth is not going to be destroyed by an asteroid,” Dartnell told Mashable India. “Alright, so a different question might be, could all life on Earth be driven to extinction by asteroids?” “Again, the answer would be that no,” he continued. “There’s no asteroid big enough that on a collision with the Earth could do that.” Dartnell, however, believes that there asteroids out there that can easily take out cities. Despite this, he still believes that chances of city-killers hitting Earth are very slim. One of the currently known asteroids that are capable of destroying entire cities is Apophis. Scientists once thought that his asteroid, which measures about 1,214 feet long, was in danger of colliding with Earth in the next decade. However, after follow-up observations, space agencies ruled out a possible collision between Apophis and Earth in the near future. “If we were very, very unlucky, and they strike over a major city, then they could destroy the city,” Dartnell said. “But the chances of that happening are very unlikely.” “Asteroid Apophis is one of the asteroids that we are tracking and we know that it is not going to impact for the next few decades and will continue on trail,” the professor added. Aside from the asteroid’s slim chances, space agencies from various countries are hatching their own plans to save Earth from getting hit by a massive space boulder.

### Ozone

#### Northland reads blue:

Martin 18 [Sean, a Science Reporter for Express.co.uk, “Ozone layer DECAYING as scientists fear Earth 'heading towards MASS-EXTINCTION'”, via Express, Feb 8, <https://www.express.co.uk/news/science/916405/ozone-layer-destroyed-recovering-mass-extinction-dinosaurs>] brett

News in January broke that the ozone was on its way to recovering as Earth cuts down on CO2 emissions. However, on closer inspection, scientists now say the ozone layer – the part of the atmosphere which protects us from harmful radiation – is continuing to deplete over major cities, and is only really recovering over Antarctica. Chemicals known as CFCs, which are found in aerosols for example, have been destroying the ozone layer since the 1970s. The Montreal Protocol was agreed in 1987 to phase out CFCs, but researchers say it may be too late.Study co-author Professor Joanna Haigh, co-director of the Grantham Institute for Climate Change and the Environment at Imperial College London, said of the study published in Atmospheric Chemistry and Physics: "Ozone has been seriously declining globally since the 1980s, but while the banning of CFCs is leading to a recovery at the poles, the same does not appear to be true for the lower latitudes. "The potential for harm in lower latitudes may actually be worse than at the poles. “The decreases in ozone are less than we saw at the poles before the Montreal Protocol was enacted, but UV radiation is more intense in these regions and more people live there.” In a separate study, researchers have found a thinning ozone layer could have led to a mass extinction 252 million years ago – meaning a depletion of the protective layer of the atmosphere could be more catastrophic than previously thought. During the Permian-Triassic extinction, 75 percent of land animals and 95 percent of marine life died. At the same time, there was a massive volcanic event occurring in a region known as the Siberian Traps. Scientists state the huge eruption, which lasted for a staggering one million years, virtually destroyed the ozone layer which allowed more UV radiation to pierce Earth. Graduate student Jeffrey Benca of the University of California, Berkeley, said of his research published in Science Advances: "During the end-Permian crisis, the forests may have disappeared in part or fully because of increased UV exposure. “With pulses of volcanic eruptions happening, we would expect pulsed ozone shield weakening, which may have led to forest declines previously observed in the fossil record. "If you disrupt some of the dominant plant lineages globally repeatedly, you could trigger trophic cascades by destabilising the food web base, which doesn't work out very well for land animals." As the ozone layer continues to be destroyed in modern times, scientists warn another catastrophic mass extinction could be on the cards. Co-author Cindy Looy of the Science Advances study said: "Palaeontologists have come up with various kill scenarios for mass extinctions, but plant life may not be affected by dying suddenly as much as through interrupting one part of the life cycle, such as reproduction, over a long period of time, causing the population to dwindle and potentially disappear.”

### If time

#### No space debris impact—risk is tiny, and it’s structurally self-correcting in the only orbital bands where it could matter.

Park 18 Ye Joo Park, citing NASA studies on orbital debris, How Dangerous is Space Debris?, Research Association for Interdisciplinary Studies, RAIS Conference Proceedings, November 19-20, 2018, DOI: 10.5281/zenodo.1572516, <https://ssrn.com/abstract=3303541>

While it’s true that there are thousands of space objects directly above Earth in an 800-kilometer band, space is so vast that it’s helpful to pause for a moment and reflect... in the area directly above the entire continental U.S., there are typically only three or four items orbiting above 3.1 million square miles. Therefore, the likelihood of collisions between satellites, spacecraft and orbiting objects is very small (NASA 2018). In fact, in 2013 it was reported that the probability of a collision between an orbiting asset and space debris larger than 1 cm (0.4in.) will be once every 1.5-2 years, according to the Head of the Russian Hall/ History of Space Debris 8 Figure 5 [NASA] Space Agency. This compares with a 2010 estimate giving the likelihood of once every 5 years (Sorokin 2013). The Feasibility of Practically Reducing Space Debris Reducing orbital debris is incredibly difficult. Therefore, the most important action that space experts and policy makers currently recommend is to prevent the unnecessary creation of additional orbital debris. This can be done through prudent vehicle design and operations ((UNOOSA 2014). The International Academy of Astronautics or IAA is a significant, global organization of scientists and space experts from many countries who meet regularly to discuss the importance of space debris as a policy issue. The subject-matter experts of the IAA published their fifth update Situation Report on Space Debris in August 2017 (Bonnal and McKnight 2017). In the executive summary, the IAA reported that if an orbiting satellite impacts with small bits of debris - even as small as 5 mm - the result will be grave, e.g. the collision would likely disrupt or terminate a satellite’s operations (Bonnal and McKnight 2017, 5). The serious warnings expressed in this conclusion are offset by the positive findings of the IAA that there has been a reduction of the space debris created from the two extraordinary satellite destruction events (2007 and 2009) cited earlier in this paper. According to the IAF report, a large amount of debris from the satellite explosions were frictionally burned when reaching the Earth’s atmosphere after gradually sinking due to the scientific principle of atmospheric drag (in the science of Physics), which is a deterioration in the strength of an orbit because of an object hitting gas molecules in space. Small bits of space junk sink as the orbit gets weaker... then they burn. This is a positive trend “for keeping the short-term collision hazard under control at the lower altitudes (i.e., less than 650 km)” (Bonnal and McKnight 2017, 7).

#### Space debris isn’t a threat - current monitoring systems and rules solve.

Dave Mosher 18. Journalist for Business Insider, citing Jesse Gossner, an orbital-mechanics engineer who teaches at the US Air Force's Advanced Space Operations School/ 8-30-2018, "A space junk disaster could cut off human access to space. Here's how." https://www.businessinsider.com/space-junk-kessler-syndrome-chain-reaction-prevention-2018-3

The Kessler syndrome plays center-stage in the movie "Gravity," in which an accidental space collision endangers a crew aboard a large space station. But Gossner said that type of a runaway space-junk catastrophe is unlikely. "Right now I don't think we're close to that," he said. "I'm not saying we couldn't get there, and I'm not saying we don't need to be smart and manage the problem. But I don't see it ever becoming, anytime soon, an unmanageable problem." There is no current system to remove old satellites or sweep up bits of debris in order to prevent a Kessler event. Instead, space debris is monitored from Earth, and new rules require satellites in low-Earth orbit be deorbited after 25 years so they don't wind up adding more space junk. "Our current plan is to manage the problem and not let it get that far," Gossner said. "I don't think that we're even close to needing to actively remove stuff. There's lots of research being done on that, and maybe some day that will happen, but I think that — at this point, and in my humble opinion — an unnecessary expense."

#### Space debris impact is hype

Albrecht 16 – Chairman of the board of USSpace LLC & fmr. head of the National Space Council Mark Albrecht, chairman of the board of USSpace LLC, head of the White House National Space Council from 1989 to 1992, and Paul Graziani, CEO and founder of Analytical Graphics, a company that develops software and provides mission assurance through the Commercial Space Operations Center (ComSpOC), Congested space is a serious problem solved by hard work, not hysteria, 2016, https://spacenews.com/op-ed-congested-space-is-a-serious-problem-solved-by-hard-work-not-hysteria/

Popular culture has embraced the risks of collisions in space in films like Gravity. Some participants have dramatized the issue by producing graphics of Earth and its satellites, which make our planet look like a fuzzy marble, almost obscured by a dense cloud of white pellets meant to conceptualize space congestion. Unfortunately, for the sake of a good visual, satellites are depicted as if they were hundreds of miles wide, like the state of Pennsylvania (for the record, there are no space objects the size of Pennsylvania in orbit). Unfortunately, this is the rule, not the exception, and almost all of these articles, movies, graphics, and simulations are exaggerated and misleading. Space debris and collision risk is real, but it certainly is not a crisis. So what are the facts? On the positive side, space is empty and it is vast. At the altitude of the International Space Station, one half a degree of Earth longitude is almost 40 miles long. That same one half a degree at geostationary orbit, some 22,000 miles up is over 230 miles long. Generally, we don’t intentionally put satellites closer together than one-half degree. That means at geostationary orbit, they are no closer than 11 times as far as the eye can see on flat ground or on the sea: That’s the horizon over the horizon 10 times over. In addition, other than minute forces like solar winds and sparse bits of atmosphere that still exist 500 miles up, nothing gets in the way of orbiting objects and they behave quite predictably. The location of the smallest spacecraft can be predicated within a 1,000 feet, 24 hours in advance. Since we first started placing objects into space there have been 11 known low Earth orbit collisions, and three known collisions at geostationary orbit. Think of it: 135 space shuttle flights, all of the Apollo, Gemini and Mercury flights, hundreds of telecommunications satellites, 1,300 functioning satellites on orbit today, half a million total objects in space larger than a marble, and fewer than 15 known collisions. Why do people worry?