# Round 1 – NC Peninsula

### T

#### Interpretation: the affirmative may not specify a type of appropriation

#### ‘The’ indicates that appropriation is generic – no spec is allowed

Merriam Webster’s 19 Online Dictionary, https://www.merriam-webster.com/dictionary/the

4 -- used as a function word before a noun or a substantivized adjective to indicate reference to a group as a whole <the elite>

#### Violation: they spec Large Satellites in the LEO

#### Standardss

#### 1] Limits – they can spec infinite different types of appropriation like space mining, satellite orbit types, colonization, etc. This takes out functional limits – it’s impossible for me to research every possible combination of entities, governments, and appropriation.

#### 2] TVA solves – just read your aff as an advantage to a whole rez aff – we don’t stop them from reading new FWs, mechanisms or advantages. PICs aren’t aff offense – a] it’s ridiculous to say that neg potential abuse justifies the aff being non-T b] There’s only a small number of pics on this topic c] PICs incentivize them to write better affs that can generate solvency deficits to PICs

#### Topicality is a voting issue that should be evaluated through competing interpretations—it tells the negative what they do and do not have to prepare for. Reasonability is arbitrary and unpredictable, inviting a race to the bottom and we’ll win it links to our offense.

#### No RVIs—it’s your burden to be fair and T—same reason you don’t win for answering inherency or putting defense on a disad.

### CP

#### States ought to:

#### --Announce that appropriation of outer space by private actors violates the Outer Space Treaty and that this is a settled matter of customary international law

#### --Announce that this action is taken pursuant to *opinio juris* (the belief that the action is taken pursuant to a legal obligation) and that non-compliant actors are in violation of international law

#### --Fully comply, not appropriating outer space in a manner inconsistent with these proclamations

#### Solves the Aff.

[Fabio](https://kluwerlawonline.com/journalarticle/Air+and+Space+Law/33.3/AILA2008021) **Tronchetti 8**. Dr. Fabio Tronchetti works as a Co-Director of the Institute of Space Law and Strategy and as a Zhuoyue Associate Professor at Beihang University, “The Non–Appropriation Principle as a Structural Norm of International Law: A New Way of Interpreting Article II of the Outer Space Treaty,” Air and Space Law, Volume 33, No 3, 2008, <https://kluwerlawonline.com/journalarticle/Air+and+Space+Law/33.3/AILA2008021>, RJP, **DebateDrills**.

The non–appropriation principle represents the fundamental rule of the space law system. Since the beginning of the space era, it has allowed for the safe and orderly development of space activities. Nowadays, however, the principle is under attack. Some proposals, arguing the need for abolishing it in order to promote commercial use of outer space are undermining its relevance and threatening its role as a guiding principle for present and future space activities. This paper aims at safeguarding the non–appropriative nature of outer space by suggesting a new interpretation of the non–appropriation principle that is based on the view that this principle should be regarded as a customary rule of international law of a special character, namely ‘a structural norm’ of international law.

#### That competes ---

#### 1] Widespread support for OST overhaul means a new treaty is likely---top military leaders are pushing it.

Theresa **Hitchens 21**. Theresa Hitchens is the Space and Air Force reporter at Breaking Defense. The former Defense News editor was a senior research associate at the University of Maryland’s Center for International and Security Studies at Maryland (CISSM). Before that, she spent six years in Geneva, Switzerland as director of the United Nations Institute for Disarmament Research (UNIDIR). “US Should Push New Space Treaty: Atlantic Council,” Breaking Defense, April 12, 2021, <https://breakingdefense.com/2021/04/us-should-push-new-space-treaty-atlantic-council/>, RJP, **DebateDrills**

WASHINGTON: The US should push hard to overhaul the entire international legal framework for outer space — including replacing the foundational [1967 Outer Space Treaty (OST),](https://breakingdefense.com/tag/outer-space-treaty/) a new report from the Atlantic Council says.

As it moves to do so, the US also should more aggressively court allies with an eye to establishing a “collective security alliance for space” among likeminded countries to “deter aggression” and defend “key resources and access.”

“The 1967 Treaty is dated. It was written, literally, in a different era,” said former Air Force Secretary Deborah Lee James in an Atlantic Council briefing today. “At present it is too broad, and in some cases it’s probably overly specific.”

The year-long study, [“The Future of Security In Space: A Thirty-Years US Strategy”](https://www.atlanticcouncil.org/wp-content/uploads/2021/04/TheFutureofSecurityinSpace.pdf)was co-chaired by James and retired Marine Corps Gen. Hoss Cartwright, former vice chair of the Joint Chiefs of Staff. In essence, it argues that the US needs to lead international efforts to craft a new rules-based regime to govern all space activities — from exploration to commercial ventures to military interactions. As the two argued in a recent [op-ed in Breaking D,](https://breakingdefense.com/2021/03/the-space-rush-new-us-strategy-must-bring-order-regulation/) “Great-power competition among the United States, China, and Russia has launched into outer space without rules governing the game.”

“The international law of space, centered on the 1967 Outer Space Treaty, is outdated and insufficient for a future of space in which economic activity is primary. The international community needs a new foundational space treaty, and the United States should precipitate its negotiation,” the study argues.

James elaborated that the idea would be to craft a more expansive treaty that covers emerging issues like debris mitigation and removal and [commercial extraction of resources](https://breakingdefense.com/tag/space-resource-extraction/) from the Moon and/or asteroids. That said, she stressed that the US should not abandon the OST — which has been signed by 193 nations — unless and until something new is there to replace it.

#### 2] Space law is typically treaty-based---Russian and Chinese proposals prove.

Stephanie **Nebehay 8**. Reporter, Reuters, “China, Russia to Offer Treaty to Ban Arms in Space,” Reuters, January 26, 2008, <https://www.reuters.com/article/us-arms-space/china-russia-to-offer-treaty-to-ban-arms-in-space-idUSL2578979020080125>, RJP, **DebateDrills**

GENEVA (Reuters) - China and Russia will submit a joint proposal next month for an international treaty to ban the deployment of weapons in outer space, a senior Russian arms negotiator said on Friday.

Valery Loshchinin, Russia’s ambassador to the United Nations-sponsored Conference on Disarmament, said the draft treaty would be presented to the 65-member forum on February 12.

Russian Foreign Minister Sergei Lavrov is due to address the Geneva forum, which constitutes the world’s main disarmament negotiating body, on that day. Loshchinin gave no details on the proposal which has been circulated to some senior diplomats.

Tensions between Russia and the United States have deepened in recent years over U.S. plans to revive its stalled “Star Wars” program from the 1980s with a new generation of missile defense shields.

Nuclear and other weapons of mass destruction are banned from space under a 1967 international treaty. But Washington’s plans have stirred concerns about non-nuclear arms in space.

#### 3] Treaties are the foundation of space law.

Sophie **Goguichvili et. al 21**. Program Associate, the Wilson Center, “The Global Legal Landscape of Space: Who Writes the Rules on the Final Frontier?” The Wilson Center, October 1, 2021, <https://www.wilsoncenter.org/article/global-legal-landscape-space-who-writes-rules-final-frontier>, RJP, **DebateDrills**

As previously mentioned, a series of treaties adopted by the U.N. General Assembly (UNGA) form the foundation of the global space governance system. The first and most significant of these treaties is the “Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Other Celestial Bodies,” more commonly known as the **Outer Space Treaty**or**OST** for short (1967). The Outer Space Treaty is considered the most comprehensive space treaty and provides the basic framework for international space law, namely: the exploration and use of outer space for peaceful purposes by all States for the benefit of mankind (Art. I); the outlaw of national appropriation or claims of sovereignty of outer space or celestial objects (Art. II); a ban on the placement of weapons of mass destruction in orbit or on celestial bodies (Art. IV); that astronauts should be regarded as the envoys of mankind (Art. V); and that States are required to supervise the activities of their national entities (Art. VI).

#### We solve better, since CIL is far superior to treaties for space AND causes follow-on.

Koplow, 9 – Professor of Law, Georgetown University Law Center.

David A. Koplow, “ASAT-isfaction: Customary International Law and the Regulation of Anti-Satellite Weapons,” Michigan Journal of International Law. Volume 30, Summer 2009. <http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1452&context=facpub>

Finally, the Article concludes with some policy recommendations, suggesting mechanisms for the world community to press forward with autonomous efforts to promote stability and security in outer space, even in the face of recalcitrance from the leading space powers. I would certainly support the negotiation and implementation of a comprehensive new treaty to prevent an arms race in outer space, and a carefully drafted, widely accepted accord could accomplish much, well beyond what customary law alone could create. But the treaty process, too, has costs and disadvantages, and the world need not pursue just one of these alternatives in isolation.

If the absence of global consensus currently inhibits agreements that countries could already sign, perhaps the world community can nevertheless get some "satisfaction" via the operation of CIL, constructing a similar (although not completely equivalent) edifice of international regulation of ASATs based simply on what countries do.

### CP

#### CP: The United States Federal Government should establish warning zones in geosynchronous orbit around private satellites.

#### Solves ASAT proliferation + the aff but doesn’t violate or change the OST and current space norms.

Cerny et. al 21[Michael B. Cerny is an Oxford MPhil candidate and has a Bachelor’s in International Relations from Emory University, Raphael J. Piliero is a Fulbright Scholar in Taiwan and has a Bachelors from Georgetown University. David Bernstein has a Bachelors from Georgetown, Brandon W. Kelley is the Associate Director of Debate at Georgetown , May 2021,*Space and Missile Wars: What Awaits*, Chapter 5: Countering Co-Orbital ASATs: Warning Zones in GEO as a Lawful Trigger for Self-Defense https://npolicy.org/wp-content/uploads/2021/05/Space\_and\_Missile\_Wars.pdf, 12-18-2021 amrita]

Ascertaining intent is at the heart of addressing the risks posed by co-orbital ASATs. Chow writes that prohibiting passage through a zone around a satellite is impossible because of the difficulty distinguishing between co-orbital ASATs and civilian satellites, and the necessity of these forms of passage for regular satellite operations.408 In a maritime context, warning zones allow ships to navigate a similar dilemma. In the global War on Terror, it can be difficult for navies to distinguish between threatening and peaceful civilian seacraft, so warning zones have been applied by navies to ascertain the intent of seacraft as they pass through a warning zone.409 By establishing a "defense bubble" around the naval vessels, warning zones allow commanders to ascertain the intent of incoming seacraft, whether they be warships, small boats, or jet skis.410 Furthermore, by direct ing all maritime traffic around the zone and requiring that all traffic passing through the zone communicate their intentions, commanders are able to clarify any threats and determine the need to invoke self-defense.411 Upon notice, state or civilian seacraft might avoid entering the zone itself or choose to do so while communicating their intent to the United States Navy.412 **The unilateral establishment of warning zones around U**nited **S**tates satellites **presents a** potential **solution to** the threat of **co-orbital ASATs without violating Articles I and II of the OST**. First, the establishment of warning zones would not limit ‘free access’ to the area of the zone as specified by Article I. According to the general practice of warning zones, the establishment of the zone itself does not limit another state from entering the area. Furthermore, the penetration of the zone by another state does not license the use of force by the state enforcing the zone. As explained by the Commander’s Handbook— "Specifically, when operating in international waters, commanders may assert notice (via notices to airmen and notices to mariners) that within a certain geographic area for a certain period of time dangerous military activities will be taking place. Commanders may request that entities traversing the area communicate with them and state their intentions. Moreover, such notice may include reference to the fact that if ships and aircraft traversing the area are deemed to represent an imminent threat to US naval forces, they may be subject to proportionate measures in self-defense. Ships and aircraft are not required to remain outside such zones and force may not be used against such entities merely because they entered the zone. Commanders may use force against such entities only to defend against a hostile act or demonstrated hostile intent, including interference with declared military activities."413 **Warning zones** would **also avoid the ‘national appropriation’ principle** under Article II. Referring back to the initial three qualifications of the treaty, the first of these qualifications is that national appropriation is prohibited "by claim of sovereignty."414 As our previous analysis suggests, warning zones would not constitute a claim of sovereignty because they do not grant any sovereign right over the area of outer space. As a result, we direct our analysis towards the secondary and tertiary qualifications of what constitutes national appropriation "by means of use or occupation," or "by any other means."415

#### Ground-based asats are already developed and here to stay BUT co-orbital ASATs and space-based weapons are what truly causes nuclear war

Chow 17’Chow, Brian G. "Stalkers in space: Defeating the threat." *Strategic Studies Quarterly* 11.2 (2017): 82-116.

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The United States has 554 operational satellites, the largest number of satellites among all countries and organizations in the world (see table 1).1 While these space capabilities offer great advantages for the US military, they simultaneously create great vulnerabilities. The Department of Defense (DOD) is increasingly concerned, particularly about the space threat from China. In its annual reports to Congress, Military and Security Developments Involving the People’s Republic of China for 2013,2 2014,3 2015,4 and 2016,5 the DOD has warned repeatedly: “PLA [People’s Liberation Army] writings emphasize the necessity of ‘destroying, damaging, and interfering with the enemy’s reconnaissance . . . and communications satellites,’ suggesting that such systems, as well as navigation and early warning satellites, could be among the targets of attacks designed to ‘blind and deafen the enemy.’ ” Gen John Hyten, the former head of Air Force Space Command, said without space assets, the United States would be forced to revert to industrial age warfare: “It’s Vietnam, Korea and World War II”—no more precision missiles and smart bombs.6 Hyten was also quoted as saying that “China will soon be able to threaten US satellites in every orbital regime, from low Earth orbit a few hundred miles above the Earth, to geosynchronous orbit more than 20,000 miles up—where some of the military’s most important satellites circle the Earth. . . . Now we have to figure out how to defend those satellites.”7 As threats from ground-based ASATs (such as traditional threats from ballistic missiles, lasers, and jammers and the newer cyber attacks8 ) grow, it is easy to continue focusing on these much more well-known ASATs and ignore China’s developing co-orbital ASAT—hereafter what this article refers to as space stalkers. In November 2015, the U.S.-China Economic and Security Review Commission released its annual report to Congress stating that “since 2008, China has tested increasingly complex space proximity capabilities.”9 It confirmed what it and others have been suggesting, that “China’s recent space activities indicate it is developing co-orbital antisatellite systems to target US space assets. These systems consist of a satellite armed with a weapon such as an explosive charge, fragmentation device, kinetic energy weapon, laser, radio frequency weapon, jammer, or robotic arm.”10 Space objects capable of rendezvous proximity operations and particularly equipped with a robotic arm could pose a game-changing threat as these objects could be placed in orbit during peacetime. During a crisis, such as China seizing Taiwan or territorial disputes in the South China Sea, these space objects could be maneuvered to tailgate US satellites and become space stalkers. They could simultaneously attack multiple critical satellites from such a close proximity that the United States would not have time to react. The space stalkers could destroy enough critical satellites to force the United States back toward General Hyten’s warning of fighting primitive “industrial age warfare” with greatly increased collateral damage. On 29 November 2016, CNN broadcast the documentary “War in Space: The Next Battlefield,” based on interviews of more than 10 high-ranking military personnel of the entire chain of command for space warfare. These interviews described the concerns of senior space officials about the threat from “kamikaze and kidnapper satellites launched by Russia and China.”11 Geosynchronous satellites have long been considered safe from attacks, especially simultaneous attacks, since direct-ascent ASAT ballistic missiles would typically take about four hours to reach geosynchronous satellites.12 However, these satellites could soon be under serious threat. Setting up the space stalkers to be co-orbital with, and in close proximity to, their prey is the easiest way to coordinate simultaneous attacks. If China could place these highly maneuverable space stalkers in close proximity to multiple US critical satellites, simultaneous attacks would be possible with little advance warning, leaving the United States inadequate time to save the targeted satellites. The space-stalking threat is unique and cannot be mitigated by focusing on and responding to traditional satellite threats. Even if the United States could perfectly deter and defend against all the traditional ASAT threats and the newer cyber attacks, adversaries could still use multiple stalkers to mount a devastating first strike against critical US satellites. Thus, the United States must specifically deal with the emerging spacestalker threat.

### DA

#### The plan requires amending the OST —but that causes strategic bargaining to extract concessions.

Salter 16 [Alexander William Salter is an Assistant Professor of Economics at the Rawls College of Business at Texas Tech University, "SPACE DEBRIS: A LAW AND ECONOMICS ANALYSIS OF THE ORBITAL COMMONS", 19 STAN. TECH. L. REV. 221 (2016), [https://law.stanford.edu/wp-content/uploads/2017/11/19-2-2-salter-final\_0.pdf 12-24-2021](https://law.stanford.edu/wp-content/uploads/2017/11/19-2-2-salter-final_0.pdf%2012-24-2021) recut amrita]

V. MITIGATION VS. REMOVAL Relying on international law to create an environment conducive to space debris removal initially seems promising. The Virginia school of political economy has convincingly shown the importance of political-legal institutions in creating the incentives that determine whether those who act within those institutions behave cooperatively or predatorily.47 In the context of space debris, the role of nation-states, or their space agencies, would be to create an international legal framework that clearly specifies the rules that will govern space debris removal and the interactions in space more generally. The certainty afforded by clear and nondiscriminatory48 rules would enable the parties of the space debris “social contract” to use efficient strategies for coping with space debris. However, this ideal result is, in practice, far from certain. To borrow a concept from Buchanan and Tullock’s framework,49 the costs of amending the rules in the case of international space law are exceptionally high. Although a social contract is beneficial in that it prevents stronger nation-states from imposing their will on weaker nation-states, **it also creates incentives for the main spacefaring nations to block reforms that are overall welfare-enhancing but that do not sufficiently or directly benefit the stronger nations.** The 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies (more commonly known as the Outer Space Treaty) is the foundation for current international space law.50 All major spacefaring nations are signatories. Article VIII of this treaty is the largest legal barrier to space debris removal efforts. This article stipulates that parties to the treaty retain jurisdiction over objects they launch into space, whether in orbit or on a celestial body such as the Moon. This article means that American organizations, whether private firms or the government, cannot remove pieces of Chinese or Russian debris without the permission of their respective governments. Perhaps contrary to intuition, consent will probably not be easy to secure. A major difficulty lies in the realization that much debris is valuable scrap material that is already in orbit. A significant fraction of the costs associated with putting spacecraft in orbit comes from escaping Earth’s gravity well. The presence of valuable material already in space can justifiably be claimed as a valuable resource for repairs to current spacecraft and eventual manufacturing in space. As an example, approximately 1,000 tons of aluminum orbit as debris from the upper stages of launch vehicles alone. Launching those materials into orbit could cost between $5 billion and $10 billion and would take several years.51 Another difficulty lies in the fact that no definition of space debris is currently accepted internationally. This could prove problematic for removal efforts, if there is disagreement as to whether a given object is useless space junk, or a potentially useful space asset. **Although this ambiguity may appear purely semantic, resolving it does pose some legal difficulties. Doing so would require consensus among the spacefaring nations. The negotiation process for obtaining consent would be costly.** Less obvious, but still important, is the 1972 Convention on International Liability for Damage Caused by Space Objects, normally referred to as the Liability Convention. The Liability Convention expanded on the issue of liability in Article VII of the Outer Space Treaty. Under the Liability Convention, any government “shall be absolutely liable to pay compensation for damage caused by its space objects on the surface of the Earth or to aircraft, and liable for damage due to its faults in space.”52 In other words, if a US party attempts to remove debris and accidentally damages another nation’s space objects, the US government would be liable for damages. More generally, because launching states would bear costs associated with accidents during debris removal, those states may be unwilling to participate in or permit such efforts. In theory, insurance can partly remediate the costs, but that remediation would still make debris removal engagement less appealing. A global effort to remediate debris would, by necessity, involve the three major spacefaring nations: the United States, Russia, and China.53 However, any effort would also require—at a minimum—a significant clarification and—at most —a complete overhaul of existing space law.54 One cannot assume that parties to the necessary political bargains would limit parleying to space-related issues. Agreements between sovereign nation-states must be self-enforcing.**55 To secure consent, various parties to the change in the international legal-institutional framework may bargain strategically and may hold out for unrelated concessions as a way of maximizing private surplus.** **The costs, especially the decision-making costs, of changing the legal framework to secure a global response to a global commons problem are potentially quite high.**

#### Russia and China will *absolutely* use negotiations to push for the PPWT—that allows for US satellites to go kaput.

Bowman + Thompson 3-31 [Bradley Bowman is the senior director of the Center on Military and Political Power at the Foundation for Defense of Democracies, Jared Thompson is a U.S. Air Force major and visiting military analyst at the Foundation for Defense of Democracies, Russia and China Seek to Tie America’s Hands in Space, 03-31-2021,Foreign Policy,https://foreignpolicy.com/2021/03/31/russia-china-space-war-treaty-demilitarization-satellites/, 12-24-2021 amrita]

Saying one thing and doing the opposite is, unfortunately, common in international diplomacy. Beijing and Moscow, however, seem to have a unique proclivity for the practice. Consider the actions of the United States’ two great-power adversaries when it comes to anti-satellite weapons. China and Russia have sprinted to develop and deploy both ground-based and space-based weapons targeting satellites while simultaneously pushing the United States to sign a treaty banning such weapons. To protect its vital space-based military capabilities—including communications, intelligence, and missile defense satellites—and effectively deter authoritarian aggression, Washington should avoid being drawn into suspect international treaties on space that China and Russia have no intention of honoring. The Treaty on the Prevention of the Placement of Weapons in Outer Space and of the Threat or Use of Force Against Outer Space Objects (PPWT), which Beijing and Moscow have submitted at the United Nations, is a perfect example. PPWT signatories commit “not to place any weapons in outer space.” It also says parties to the treaty may not “resort to the threat or use of force against outer space objects” or engage in activities “inconsistent” with the purpose of the treaty.On the surface, that sounds innocuous. Who, after all, wants an arms race in space? The reality, however, is that China and Russia are already racing to field anti-satellite weapons and have been for quite some time. “The space domain is competitive, congested, and contested,” Gen. James Dickinson, the head of U.S. Space Command, said in January. “Our competitors, most notably China and Russia, have militarized this domain.” Beijing already has an operational ground-based anti-satellite missile capability. People’s Liberation Army units are training with the missiles, and the U.S. Defense Department believes Beijing “probably intends to pursue additional [anti-satellite] weapons capable of destroying satellites up to geosynchronous Earth orbit.” That is where America’s most sensitive nuclear communication and missile defense satellites orbit and keep watch. Similarly, Moscow tested a ground-based anti-satellite weapon in December that could destroy U.S. or allied satellites in orbit. That attack capability augments a ground-based laser weapon that Russian President Vladimir Putin heralded in 2018. In a moment of candor, Russia’s defense ministry admitted the system was designed to “fight satellites.” To make matters worse, both countries are also working to deploy space-based—or so-called “on-orbit”—capabilities to attack satellites. Meanwhile, at the United Nations and other international forums, **China and Russia are pushing the PPWT and advocating for a “no first placement” resolution—saying all governments should commit not to be the first to put weapons in space.** Yet more than two years ago, the U.S. Defense Intelligence Agency noted that both China and Russia were already putting in space capabilities that could be used as weapons. **The PPWT would thus protect their weapons while tying Washington’s hands.** In a thinly veiled attempt to mask their intentions, the two countries claim that their on-orbit capabilities are simply for peaceful purposes—for assessing the condition of broken satellites and conducting repairs as needed**. This “dual-use” disguise permits Beijing and Moscow to put into orbit ostensibly peaceful or commercial capabilities that those countries can actually use to disable or destroy U.S. military and intelligence satellites.** China, for example, has tested several so-called scavenger satellites, which use grappling arms to capture other satellites. China has also demonstrated the capability to maneuver a satellite around the geosynchronous belt, allowing its satellites to sidle up to other satellites in space. Not to be outdone, Russia deployed a pair of “nesting doll” satellites that shadowed a U.S. satellite in space. One Russian satellite birthed another, with Russia’s defense ministry claiming its purpose was to assess the “technical condition of domestic satellites.” But later, the second satellite conducted a weapons test, firing what appeared to be a space torpedo. The Kremlin never explained how a fast-moving one-time projectile provided superior inspection benefits compared with the other Russian satellite flying persistently nearby. A well-crafted treaty that clearly defines acceptable and unacceptable actions in space and includes tough and realistic inspection and verification mechanisms could promote security and stability. But **the PPWT is** decidedly **not that** kind of **treat**y. For starters, the proposed treaty **does not** explicitly **prohibit the ground-based anti-satellite weapons** that China and Russia have already fielded. **Nor does the proposed treaty prevent the deployment of space-based weapons under the cloak of civilian or** **commercial capabilities**. The PPWT also does not prohibit the development, testing, or stockpiling of weapons on Earth that could be quickly put into orbit. Even if these deficiencies were addressed, **the PPWT lacks** any **verification plan to ensure compliance**. Instead, the treaty calls for “transparency and confidence-building measures” implemented on a “voluntary basis.” In other words, Beijing and Moscow want **the U**nited **S**tates **to trust but never verify**.

#### The PPWT prohibits space-based missile defense

Jack M. Beard 16, Associate Professor of Law at the University of Nebraska College of Law, Feb 15 2016, "Soft Law ’s Failure on the Horizon: The International Code of Conduct for Outer Space Activities", University of Pennsylvania Journal of International Law, Vol. 38, No. 2, 2016, <https://digitalcommons.unl.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1086&context=spacelaw>

B. Avoid Arms Control Traps in Space

Any successful effort to achieve legally binding restrictions on military activities or weapons in space must focus on specific, definable, and limited objectives or run afoul of issues that have historically ensured deadlock among suspicious and insecure adversaries.306 Some seemingly desirable goals, however, are likely to ensure failure.

The first such problematic goal involves attempting to use arms control agreements or other instruments to comprehensively ensure peace in space. Unfortunately, the integration of modern military systems on earth, sea, air and space guarantees that at some point states seeking to disrupt or deny the ability of an adversary (such as the United States) to project power will find space capabilities to be a particularly appealing target, especially in the early stages of a crisis or conflict.307 The presence of so many things of military value in space thus makes actions by an adversary to neutralize, disrupt or destroy these things likely during a major conflict on earth.308

The second problematic arms control goal in space that seems certain to ensure stalemate involves attempting to define and prohibit military technologies with a view to broadly prevent the weaponization of space. Clearly defining a space weapon for purposes of any legally binding arms control agreement is a daunting task, one which is made particularly challenging by the “essentially military nature of space technology.”309 As noted, space technologies are routinely viewed as dual-use in nature, meaning that they can be readily employed for both civilian and military uses. Determining the ultimate purpose of many space technologies may thus depend on discerning the intentions of states, a process perhaps better suited for psychological than legal evaluation. 310

Further complicating the classification of space military technologies is the inherent difficulty in distinguishing most space weapons on the basis of their offensive and defensive roles or even their specific missions.311 For example, this problem lies at the heart of debates over the status and future of ballistic missile defense (BMD) programs, since the technology underlying BMD systems and offensive ASAT weapons is often indistinguishable.312 Vague and broad soft law instruments do not resolve this problem, but create instead their own confusion and insecurity. Vague and broad provisions in legally binding agreements that do not or cannot distinguish between these missions are similarly problematic.

These issues, particularly difficulties in distinguishing ASAT and BMD systems, have figured prominently in complicating negotiations on space weapons over previous decades.313 Similarly, these concerns were a significant factor in initial U.S. opposition to the arms control measure proposed by China and Russia (the PPWT) since it prohibits states from placing any type of weapon in outer space (regardless of its military mission), thus effectively prohibiting the deployment of ballistic missile defense systems. 314 Furthermore, even if clear legal restrictions could be developed, verifying compliance with respect to technology in orbit around Earth would be very difficult (a point conceded even by China with respect to its own proposed PPWT).315

#### Escalates—extinction.

Shanahan 19[Patrick M. Shanahan is an Acting Secretary of Defense from January to June 2019, previously vice president and general manager of Boeing Missile Defense Systems, Jan 2019, "2019 MISSILE DEFENSE REVIEW", US Department of Defense, https://media.defense.gov/2019/Jan/17/2002080666/-1/-1/1/2019-MISSILE-DEFENSE-REVIEW.PDF]

U.S. Homeland Missile Defense will Stay Ahead of Rogue States’ Missile Threats Technology trends point to the possibility of increasing rogue state missile threats to the U.S. homeland. Vulnerability to rogue state missile threats would endanger the American people and infrastructure, undermine the U.S. diplomatic position of strength, and could lead potential adversaries to mistakenly perceive the United States as susceptible to coercive escalation threats intended to preclude U.S. resolve to resist aggression abroad. Such misperceptions risk undermining our deterrence posture and messaging, and could lead adversaries to dangerous miscalculations regarding our commitment and resolve. It is therefore imperative that U.S. missile defense capabilities provide effective protection against rogue state missile threats to the homeland now and into the future. The United States is technically capable of doing so and has adopted an active missile defense force-sizing measure for protection of the homeland. DoD will develop, acquire, and maintain the U.S. homeland missile defense capabilities necessary to effectively protect against possible missile attacks on the homeland posed by the long-range missile arsenals of rogue states, defined today as North Korea and Iran, and to support the other missile defense roles identified in this MDR. This force-sizing measure for active U.S. missile defense is fully consistent with the 2018 NPR, and in order to keep pace with the threat, DoD will utilize existing defense systems and an increasing mix of advanced technologies, such as kinetic or directed-energy boost-phase defenses, and other advanced systems. It is technically challenging but feasible over time, affordable, and a strategic imperative. It will require the examination and possible fielding of advanced technologies to provide greater efficiencies for U.S. active missile defense capabilities, including space-based sensors and boost-phase defense capabilities. Further, because the related requirements will evolve as the long-range threat posed by rogue states evolves, it does not allow a static U.S. homeland defense architecture. Rather, it calls for a missile defense architecture that can adapt to emerging and unanticipated threats, including by adding capacity and the capability to surge missile defense as necessary in times of crisis or conflict. In coming years, rogue state missile threats to the U.S. homeland will likely expand in numbers and complexity. There are and will remain inherent uncertainties regarding the potential pace and scope of that expansion. Consequently, the United States will not accept any limitation or constraint on the development or deployment of missile defense capabilities needed to protect the homeland against rogue missile threats. Accepting limits now could constrain or preclude missile defense technologies and options necessary in the future to effectively protect the American people. As U.S. active defenses for the homeland continue to improve to stay ahead of rogue states’ missile threats, they could also provide a measure of protection against accidental or unauthorized missile launches. This defensive capability could be significant in the event of destabilizing domestic developments in any potential adversary armed with strategic weapons, and as long-range missile capabilities proliferate in coming years. U.S. missile defense capabilities will be sized to provide continuing effective protection of the U.S. homeland against rogue states’ offensive missile threats. The United States relies on nuclear deterrence to address the large and more sophisticated Russian and Chinese intercontinental ballistic missile capabilities, as well as to deter attacks from any source consistent with long-standing U.S. declaratory policy as re-affirmed in the 2018 NPR.

### Case

#### **Their evidence concedes that the challenge is defining large constellations**

Takaya et al 18 “The Principle of Non-Appropriation and the Exclusive Uses of LEO by Large Satellite Constellations” Yuri Takaya-Umehara [Visiting researcher at the University of Tokyo since April 2017. She was affiliated to the Kobe University to provide a course on space law to post-graduate students (2011-2017). She chairs a working group on the formulation of global norms in space law organized by the Keio University since 2018. She obtained her Ph.D. degree at the IDEST of Paris XI University in France, LL.M. at the Leiden University in the Netherlands.] Quentin Verspieren [Ph.D. in public policy @ The University of Tokyo, Assistant Professor of Space Policy @UTokyo, General Manager, Global Strategy @ArkEdge Space Inc., Associate Research Fellow @ESPI] Goutham Karthikeyan [The University of Tokyo & Institute of Space and Astronautical Science, Japan Aerospace Exploration Agency (ISAS-JAXA)] 2018 https://www.researchgate.net/publication/328094878\_The\_Principle\_of\_Non-Appropriation\_and\_the\_Exclusive\_Use\_of\_LEO\_by\_Large\_Satellite\_Constellations SM

* LSC = large satellite constellations
* Outlines “L”SC thresholds

By investigating expected large satellite constellation projects and by reviewing existing interpretations of international space law, this paper argues that the exclusive use of specific LEO orbits by a large constellation of satellite could constitute a violation of the non-appropriation principle by means of occupation and by means of use, drawing a parallel between orbits as resources and the exploitation of tangible mineral resources in space. Based on this, the important question to be raised is what constitutes an exclusive use of a specific orbit. In other words, an important hurdle in the concrete evaluation of whether a planned or established constellation potentially violates the non-appropriation principle through an exclusive use of LEO resides in the lack of clear definition on what can be considered an exclusive use. While the authors claim that legal issue can be clearly solved in abstracto, it naturally shifts towards a regulatory challenge.

This regulatory challenge consists in first defining qualitatively what is the exclusive use of an orbit before translating this definition into measurable, technical rules. In this paper, the authors define an exclusive use of an orbit by a state40 as any use that would prevent/hinder the usage of the same orbit by any other state. Translating this definition into an applicable regulation could consist in defining a threshold of orbital collision risk or a threshold of density of satellites along an orbit based on its altitude, shape, relative velocity of neighbouring objects, etc. It is however not the purpose of this space law paper. What is more appropriate here is to think about which organization or forum would be in charge of elaborating this technical definition. Serious candidates could be the ITU, with excellent track-record in dealing with the use of the GEO region but which would have to review its “first come, first served” principle, or the UNCOPUOS, aiming for the widespread adoption of a new piece of international law. Moreover, even if its rules suffer from a low implementation rates, the IADC would be an appropriate discussion platform thanks to its very deep technical focus.6. Conclusion

The various announced projects of LSC, also called mega-constellations, push existing regulations and practices to their limit, forcing researchers and practitioners around the world to rethink the applicability of existing space law principles to this new trend. In this paper, the authors, after providing background information on current LSC plans as well as recalling the legal status of the LEO region, investigate whether the deployment of an LSC having an exclusive use of an orbit constitutes a violation of the nonappropriation principle as stated in OST Article II. This paper concludes that:

♣ The exclusive use of an orbit by an LSC constitutes a violation of the non-appropriation principle by means of occupation due to the innate nature of orbit being a specific location in space that can be occupied, but most notably by means of use, considering orbits as “limited natural resources” and invoking parallels with the exploitation of natural resources in outer space;

♣ ITU’s “first come, first served” principle is reaching its limits with current LSC projects and should be re-evaluated;

♣ The main challenge ahead is not legal but technical and regulatory and consists in defining precisely what can constitute an exclusive use of an orbit and in translating such definition into a clear regulation or code of conduct.

#### Private companies use and have historically used legal ambiguities to appropiate outer space

Stockwell 20’Legal ‘Black Holes’ in Outer Space: The Regulation of Private Space Companies Written by Samuel Stockwell This PDF is auto-generated for reference only. As such, it may contain some conversion errors and/or missing information. For all formal use please refer to the official version on the website, as linked below. Legal ‘Black Holes’ in Outer Space: The Regulation of Private Space Companies https://www.e-ir.info/2020/07/20/legal-black-holes-in-outer-space-the-regulation-of-private-space-companies/ SAMUEL STOCKWELL, JUL 20 2020

Lunar rock samples from the Apollo missions containing rare Earth resources, such as Helium-3 which produces more power and less waste than traditional nuclear reactors on Earth, have since fuelled incentives for extraterrestrial resource mining (Brearley, 2006: 44-46). This was further facilitated by suggestions that near-earth objects (NEOs) like the so-called ‘Anteros asteroid’ could comprise of over five trillion dollars’ worth of magnesium silicate and aluminium (Kramer, 2017: 131). Envisaging appropriation concerns that might arise from the future extraction of space assets by spacefaring nations, Article II of the UN OST declared that: “Outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means” (UN, 1967). The emphasis on claims of national sovereignty were intimately tied to the Cold War context at the time, where space activities were under the exclusive monopoly of governmental agencies and initiated for goals of military dominance or national prestige (Sachdeva, 2017: 210). However, the privatisation of the space industry that has occurred since the 1980s has meant that the legislation leaves an enormous amount of legal ambiguity and interpretation regarding the regulation of private resource mining in space. As Shaer (2016) demonstrates, the Article II provision fails to address either the exploitation of space for financial gain or the property claims of commercial enterprises (Shaer, 2016: 47). Nevertheless, Article VI of the UN OST asserts that: “States shall be responsible for national space activities whether carried out by governmental or non-governmental entities” (UN, 1967; own emphasis). Some scholars have suggested that this clause significantly restrains the activities of private space corporations by incentivising states to regulate their domestic organisations for fear of liability concerns (Abeyratne, 1998: 168). However, the US government recently enacted a piece of legislation which exploited this clause, in order to circumvent its own restrictions and strengthen US economic influence in space. The passage of the 2015 SPACE Act enabled US citizens to privately “possess, own, transport, use, and sell the resources” they obtain in outer space, whilst making careful consideration to deny national sovereign claims over such materials (Leon, 2018: 500). Yet, regardless of whether it is an American private company or public venture, the US is still satisfying its geopolitical interests; by exclusively siphoning off extra-terrestrial resources for American gain, the nation’s soft power is thereby extended at the expense of spacefaring adversaries such as China (Basu & Kurlekar, 2016: 65). Indeed NewSpace actors cleverly played on these strategic concerns prior to the bill’s passage, with billionaire space entrepreneur Robert Bigelow asserting that the biggest danger wasn’t private enterprises on the Moon, but that “America is asleep and does nothing, while China comes along… surveying and laying claim [to the Moon]” (Klinger, 2017: 222). The US government’s support for private space companies is also likely to lead to the reinforcement of Earth-bound wealth inequalities in space. Many NewSpace actors frame their long-term ambitions in space with strong anthropogenic undertones, by offering the salvation of the human race from impending extinction through off-world colonial developments (Kearnes & Dooren: 2017: 182). Yet, this type of discourse disguises the highly exclusive nature of these missions. Whilst they seem to suggest that there is a stake for ordinary citizens in the vast space frontier, the reality is that these self-described space pioneers are a member of a narrow ‘cosmic elite’ – “founders of Amazon.com, Microsoft, Pay Pal… and a smattering of games designers and hotel magnates” (Parker, 2009: 91).

Your blatt evidence is about ASATs and offense dominant systems causing miscalc – not debris

Very least alt causes I read blue

#### Collisions with early warning satellites causes miscalc and goes nuclear – magnified by the Kessler effect

Blatt 20 [Talia, joint concentration in Social Studies and Integrative Biology at Harvard, specialization in East Asian geopolitics and security issues] “Anti-Satellite Weapons and the Emerging Space Arms Race,” Harvard International Review, May 26, 2020, <https://hir.harvard.edu/anti-satellite-weapons-and-the-emerging-space-arms-race/> TG

Despite their deterrent functions, ASATs are more likely to provoke or exacerbate conflicts than dampen them, especially given the risk they [pose](https://thebulletin.org/2019/06/arms-control-in-outer-space-the-russian-angle-and-a-possible-way-forward/) to early warning satellites. These satellites are a crucial element of US ballistic missile defense, capable of [detecting missiles](https://www.globalsecurity.org/space/world/japan/warning.htm) immediately after launch and tracking their paths.

Suppose a US early warning satellite goes dark, or is shut down. Going dark could signal a glitch, but in a world in which other countries have ASATs, it could also signal the beginning of an attack. Without early warning satellites, the United States is much more susceptible to nuclear missiles. Given the strategy of counterforcing—[targeting](https://www.belfercenter.org/sites/default/files/files/publication/isec_a_00273_LieberPress.pdf) nuclear silos rather than populous cities to prevent a nuclear counterattack—the Americans might believe their nuclear weapons are imminently at risk. It could be [twelve hours](https://books.google.com/books?id=ET8lDwAAQBAJ&pg=PA1&lpg=PA1&dq=%22Protecting+Space+Assets%22+johnson-freese&source=bl&ots=6Oq0IdeBjw&sig=ACfU3U1G6Hj8QdP4JlCRNxA6i5XplZwHyg&hl=en&sa=X&ved=2ahUKEwj1n-jT2YzpAhUugnIEHUuMCu4Q6AEwA3oECAkQAQ#v=onepage&q=%22Protecting%20Space%20Assets%22%20johnson-freese&f=false) before the United States regains satellite function, which is too long to wait to put together a nuclear counterattack. The United States, therefore, might move to mobilize a nuclear attack against Russia or China over what might just be a piece of debris shutting off a satellite.

Additionally, accidental warfare, or strategic miscalculation, is uniquely likely in space. It is [much easier](https://books.google.com/books?id=VyXTDwAAQBAJ&pg=PA339&lpg=PA339&dq=space+offense+dominant&source=bl&ots=Mw0bgJ51qf&sig=ACfU3U3DeZiEHpr9nfszlCbJZIoyyssIpg&hl=en&sa=X&ved=2ahUKEwjrs-WD3IzpAhVulHIEHbL0AE4Q6AEwCXoECAoQAQ#v=onepage&q=space%20offense%20dominant&f=false) to hold an adversary’s space systems in jeopardy with destructive ASATs than it is to [sustainably defend](https://www.cnas.org/publications/commentary/the-us-military-should-not-be-doubling-down-on-space) a system, which is expensive and in some cases not technologically feasible because of limitations on satellite movement. Space is therefore [considered](https://books.google.com/books?id=VyXTDwAAQBAJ&pg=PA339&lpg=PA339&dq=space+offense+dominant&source=bl&ots=Mw0bgJ51qf&sig=ACfU3U3DeZiEHpr9nfszlCbJZIoyyssIpg&hl=en&sa=X&ved=2ahUKEwjrs-WD3IzpAhVulHIEHbL0AE4Q6AEwCXoECAoQAQ#v=onepage&q=space%20offense%20dominant&f=false) offense-dominant; offensive tactics like weapons development are prioritized over defensive measures, such as [improving GPS](https://www.politico.com/story/2018/04/06/outer-space-war-defense-russia-china-463067) or making satellites more resistant to jamming.

As a result, countries are left with poorly defended space systems and rely on offensive posturing, which increases the risk that their actions are perceived as aggressive and incentivizes rapid, risky counterattacks because militaries cannot rely on their spaced-based systems after first strikes.

There are several hotspots in which ASATs and offensive-dominant systems are particularly relevant. Early warning satellites [play](https://www.politico.com/story/2018/04/06/outer-space-war-defense-russia-china-463067) a central role in US readiness in the event of a conflict involving North Korea. News of North Korean missile launches comes from these satellites. Given North Korea’s [history](https://www.bbc.com/news/world-asia-pacific-11813699) of nuclear provocations, unflinchingly hostile rhetoric towards the United States and South Korea, and diplomatic opacity, North Korea is always a threatening, unknowable adversary, but recent developments have magnified the risk. With the health of Kim Jong-un [potentially in jeopardy](https://apnews.com/f5d302ae65b03838173e40848223b771), a succession battle or even civil war on the peninsula [raises the chances](https://www.express.co.uk/news/world/1273890/Kim-Jong-un-dead-North-Korea-nuclear-weapon-news-latest-death-US) of loose nukes. If the regime is terminal, traditional MAD risk calculus will become moot; with nothing to lose, North Korea would have no reason to hold back its nuclear arsenal. Or China [might decide](https://foreignpolicy.com/2020/04/28/kim-jong-un-china-north-korea/) to seize military assets and infrastructure of the regime. If the US does not have its early warning satellites because they have been taken out in an ASAT attack, the US, South Korea, and Japan are all in imminent nuclear peril, while China could be in a position to fundamentally reshape East Asian geopolitics.

The South China Sea is another hotspot in which ASATs could risk escalation. China [is developing](https://missiledefenseadvocacy.org/missile-threat-and-proliferation/todays-missile-threat/china-anti-access-area-denial-coming-soon/) Anti-Access Area Denial (A2/AD) in the South China Sea, a combination of long range radar with air and maritime defense meant to deny US freedom of navigation in the region. Given the disputed nature of territory in the South China Sea, the United States and its allies do not want China to successfully close off the region.

#### Early warning satelites are located TENS of THOUSANDS OF KILOMETERS above the LEO in high orbit - aff can’t solve.

Acton et al 21’J ames M. Acton Thomas D. MacDonald Pranay Vaddi REIMAGINING NUCLEAR ARMS CONTROL A Comprehensive Approach Carnegie Endownmet for International Peace May 2021MES M. ACTON holds the Jessica T. Mathews Chair and is co-director of the Nuclear Policy Program at the Carnegie Endowment for International Peace. THOMAS D. MACDONALD is a fellow in the Nuclear Policy Program at the Carnegie Endowment for International Peace. He holds a PhD in nuclear science and engineering from MIT. PRANAY VADDI was a fellow in the Nuclear Policy Program at the Carnegie Endowment for International Peace, having formerly worked at the U.S. Department of State on arms control, treaty compliance, verification, nuclear deterrence, and other issues. He returned to the State Department in May 2021. //MonVis RD

Military communication and early-warning satellites in high-altitude orbits play critical roles in enabling nuclear operations—so much so, in fact, that they might be attacked as a prelude to a nuclear strike. However, threats to space-based nuclear C3I capabilities could also arise unintentionally. States periodically reposition their satellites to optimize their performance. If repositioning brought a satellite into proximity with one involved in nuclear operations, it could be misconstrued as preparation for an attack against the latter—especially in a crisis or conflict. To make matters worse, many—perhaps all—satellites involved in nuclear operations are dual-use. As a result, in a conventional conflict, they might be attacked in an attempt to disrupt nonnuclear operations being conducted by their possessor. Such attacks, however, would have the effect of degrading the target state’s nuclear C3I system. Inadvertent threats to, and attacks on, space-based nuclear C3I capabilities would not be preparations for a nuclear war, but they could risk being interpreted as such—potentially sparking catastrophic escalation.1 In fact, the United States has threatened to resort to nuclear use should its nuclear C3I system come under attack.2 China and Russia are probably less reliant on satellites than the United States for nuclear C3I. Even so, attacks by the United States, or even perceived preparations for them, against any Chinese or Russian satellites involved in nuclear operations would still be very provocative—especially if the target were Russia’s early-warning satellites, given its launch-under-attack posture.3 The American and Russian nuclear C3I systems, and perhaps the Chinese system too, use satellites in two different kinds of high-altitude orbits: geostationary and Molniya. Geostationary satellites remain above a fixed point on the Earth’s equator at an altitude of roughly 36,000 kilometers (22,000 miles). The United States uses this orbit for communication satellites involved in nuclear operations (all of which are dual-use).4 An object in a Molniya orbit (a type of highly elliptical orbit) hangs above the Northern Hemisphere at altitudes approaching 40,000 kilometers (25,000 miles) before it quickly traverses the Southern Hemisphere at much lower altitudes. Russia’s early-warning satellites are located in such orbits.5 Its Unified Satellite Communication System (which is likely used for both nuclear and conventional operations) and the United States’ space-based early-warning system (which is definitely dual-use) comprise satellites in both geostationary and Molniya orbits.6 Less is known about the Chinese nuclear C3I system. Various Chinese military communication satellites and at least one possible early-warning satellite operate in geostationary orbit—though it is not known for sure whether any are involved in nuclear operations.7

#### Dichloromethane emissions thump third adv

Perkins 17 Perkins, S. (2017, June 27). New threat to ozone layer found. Science | AAAS. https://www.science.org/content/article/new-threat-ozone-layer-found

The ozone layer—a high-altitude expanse of oxygen molecules that protects us from the sun's ultraviolet rays—has been on the mend for the past decade or so. But a newly discovered threat could delay its recovery. Industrial emissions of a chemical commonly used in solvents, paint removers, and the production of pharmaceuticals have doubled in the past few years, researchers have found, which could slow the healing of the ozone layer over Antarctica anywhere between 5 and 30 years—or even longer if levels continue to rise.

The findings are "frightening" and "a big deal," says Robyn Schofield, an environmental scientist at the University of Melbourne in Australia who was not involved with the work.

The chemical in question is called dichloromethane (CH2Cl2). Natural sources of this substance are small, says Ryan Hossaini, an atmospheric chemist at Lancaster University in the United Kingdom. Thus, he notes, the increase in emissions seen in recent years likely stems from human sources. Between 2000 and 2012, low-altitude concentrations of CH2Cl2 vapor rose, on average, about 8% per year, he adds. Globally, concentrations of CH2Cl2 approximately doubled between 2004 and 2014. Current CH2Cl2 emissions are about 1 million metric tons per year, Hossaini and his team estimate.

Like chlorofluorocarbons (CFCs) and several other ozone-destroying chemicals you may have heard of, CH2Cl2 breaks apart when struck by sunlight. The chlorine atoms that are released then dismantle any ozone molecules they interact with. In 1987, an international agreement known as the Montreal Protocol led to a ban on the production and use of CFCs and many related compounds in industrial nations, but it ignored CH2Cl2 because researchers thought it didn't stay intact in the atmosphere long enough to rise into the stratosphere. Recent evidence now suggests, however, that the molecules can reach the lower edge of the stratosphere, which includes the ozone layer, despite its height 8 kilometers above the poles.

To gauge the current and future threat to high-altitude ozone from CH2Cl2, Hossaini and his colleagues used computer simulations. In 2016, their analyses suggest, about 3% of the summer ozone loss in the Antarctic could be traced to CH2Cl2. That seems small, but in 2010 the substance was responsible for only 1.5% of the region's summer ozone loss, Hossaini says. If CH2Cl2 emissions continue to rise at the rate seen in the last decade, recovery of the ozone hole would be delayed about 30 years, the researchers estimate in *Nature Communications*.

But if emissions of CH2Cl2 are held to current levels, healing of the ozone hole would be delayed only 5 years or so, the team finds. Simulations that don't include the effect of CH2Cl2 suggest that high-altitude ozone in the Antarctic will return to pre-1980 levels, the concentration measured before CFCs and other ozone-destroying chemicals were recognized as a problem, in 2065.

The team's analyses "are quite important," says Björn-Martin Sinnhuber, an atmospheric scientist at Karlsruhe Institute of Technology in Germany. "It's clear that concentrations [of CH2Cl2] have increased quite a lot," he notes. But one critical question, he contends, is what will happen to emissions over the long term: "They've been quite variable in recent years, and it's difficult to say how they might evolve."

Although the rapid rise in CH2Cl2 emissions may one day level off, it's also possible that emissions of this multipurpose chemical may accelerate even further. Hossaini and his team also assessed what would happen to high-altitude ozone if CH2Cl2 emissions rose at twice the rate seen in the past decade. The answer? Not good. Antarctic ozone wouldn't recover to pre-1980 levels until well after the year 2100, the analyses suggest.

All this means that scientists now reviewing the Montreal Protocol should consider expanding the agreement to also regulate substances like CH2Cl2 that have atmospheric lifetimes of less than 6 months, Schofield says.

Possibly as important, however, the team's results might also help other researchers identify which sources of CH2Cl2 are contributing most to the recent rise in emissions. That sort of information, Hossaini admits, is sadly lacking as of now.

#### Satellite loss shuts down global fracking

Les Johnson 13, Deputy Manager for NASA's Advanced Concepts Office at the Marshall Space Flight Center, Co-Investigator for the JAXA T-Rex Space Tether Experiment and PI of NASA's ProSEDS Experiment, Master's Degree in Physics from Vanderbilt University, Popular Science Writer, and NASA Technologist, Frequent Contributor to the Journal of the British Interplanetary Sodety and Member of the American Institute of Aeronautics and Astronautics, National Space Society, the World Future Society, and MENSA, Sky Alert!: When Satellites Fail, p. 99-105

Energy, environment, farming, mining, land use. All of these areas and more are now inextricably linked to satellite data and would be devastated should that flow of data stop.

Environmental Monitoring

Oh how complacent we've become. We take for granted that we will have instant images from space showing a volcanic eruption somewhere in the South Pacific within hours of learning that it happened. When the BP oll spill happened in the Gulf of Mexico in 2010, satellite images were used in conjunction with aircraft and ships to monitor the extent and evolving nature of the spill (Figures 10.1 and 10.2).

The data were also used to direct the ships that were attempting to clean up the spill, to warn fishermen of areas in which it would be dangerous to fish, and to generally monitor the extent of the disaster. This is the type of data we get from space in a field known as remote sensing.

Remote sensing is, well, exactly what its name implies. With it, you gather data, or sense, usually in the form of electromagnetic radiation (light), remotely - that is, you are not physically touching what you are looking at. Satellite remote sensing began shortly after we began launching satellites and many industries are now totally dependent upon having the capability.

We use satellites, like the venerable Landsat series, to study the Earth m unprecedented detail. Since 1972, Landsat satellites have taken millions of high resolution images of the Earth's surface, allowing comprehensive studies of how the land has changed due to human intervention (deforestation, agriculture, settlement, etc.) and natural processes (desertification, floods, etc.).

The best way to understand how useful Landsat and similar data can be to governments at all levels is best illustrated by looking at 14then and now" photographs. For example, Africa's Lake Chad has been shrinking for 40 years, as the desert has encroached on this once plentiful inland freshwater lake. Forty years ago, there were about 15,000 square miles of water within the lake. Now, it is less than 500 square miles (Figure 10.3) [1].

And what is the practical side of this particular bit of information?

Governments use this type of satellite imagery to avoid human tragedy. Hundreds of thousands of people, if not millions, depend upon the waters of Lake Chad for agriculture, industry, and personal hygiene. With the lake going dry, how has this impacted on their livelihoods, their families, and their very lives?

The European Space Agency (ESA) is freely providing satellite data to developing countries as they search for new sources of drinking water. For example, ESA assessed data obtained from space over Nigeria to find over 90 new freshwater sources within that country. After ground teams visited the new sites, all were confirmed to contain fresh water. This was no accident. These were satellites with sensors developed for just such purposes in mind [2].

Desertification is but one example of changing climates affecting people's everyday lives. What about more direct observations of our impact on the planet? Figures 10.4 and 10.5 show the scarring of the Earth's surface as a result of surface mining in West Virginia. This is not a polemic against mining; rather, it is an observation that we can use satellite imagery to monitor such mining and be mindful of its impact on the environment.

Other than taking pictures of surface features, like lakes and open pit mines, how are satellites monitoring the Earth's changing climate? In just about every way, by: monitoring global land, sea, and atmospheric temperatures; measuring yearly average rainfall amounts just about everywhere on the globe; measuring glaciation rates; measuring sea surface heights; and more. Remote sensing is more than taking pictures of the Earth in the visible part of the spectrum. We can learn a great deal from looking at part of the spectrum that our eyes cannot see - but our instruments can.

Shown in Figure 10.6 is a composite image of the Earth's surface showing the average land-surface temperature at night. The data came from two NASA satellites, Terra and Aqua, as they orbit the Earth in a polar orbit. (This means that they circle the Earth from top to bottom, passing over both the North and South Poles with each complete orbit.) Terra's orbit is such that it passes from the north to the south across the equator in the morning; Aqua passes south to north over the equator in the afternoon. Taken together, they observe the Earth's surface in its entirety every two days. Data sets such as this exist for just about any day of the year and can show either night-time lows or daytime highs.

By looking in different parts of the spectrum, like the infrared light discussed above, we can make observations as described in Table 10.1.

Pollution Monitoring

As emerging countries industrialize, they also become polluters. Many of these countries are not exactly forthright about releasing air-pollution details to the media, so much of our awareness of the rising pollution there is anecdotal - typically m the form of stories told by people who have visited these countries and seen the extreme pollution at first hand. This, by the way, is not exactly scientific.

Using satellites, and not relying on either the governments in question or second-hand stories, we can accurately assess the pollution levels there and elsewhere. Using satellite images to measure the amount of light absorbed or blocked by fine particulates in the atmosphere, otherwise known as air pollution, you can determine not only what the airborne pollutant might be, but also its size. And, by looking at the overall light blockage, an accurate estimate of the amount of pollution in the air can also be made. Recent studies show that many of these countries are covered in a pollution cloud that countries in the developed world would deem extremely harmful. And how do we know this with scientific certainty? From satellite measurements.

Energy Production

The recent boom in the production of shale oil in the United States and elsewhere is due in large part to the identification and geolocation of promising geologic formations for test drilling and fracking. "Fracking" is a somewhat new term that comes from the phrase "hydraulic fracturing". In fracking, massive amounts of previously unusable reservoirs of oil and natural gas are released for capture, sale, and transport from deposits deep within the Earth - many located at least a mile below the surface. In the United States alone, there may be as much as 750 trillion cubic feet of natural gas within shale deposits releasable by fracking [3]. How do energy companies know where to look for these deposits? In large part, by analyzing satellite imagery.

According to Science Daily (26 February 2009), a new map of the Earth's gravitational field based on satellite measurements makes it much less resource intensive to find new oil deposits. The map will be particularly useful as the ice melts in the oil-rich Arctic regions. The easy-to-find oilfields have already been found. To fuel the growing world economy, those harder-to-find deposits must be located and tapped - which is why satellite imagery is so important. Take away this and other satellite-dependent techniques of oil and gas exploration and the world economy will feel the impact through higher oil and natural gas prices.

#### Fracking makes extinction inevitable---try-or die to shut it off

Rev. Mac Legerton 18, Co-Founder and Executive Director of the Center for Community Action, Member of the Board of Directors of the NC Climate Solutions Coalition, Member of the Board of Directors of the Windcall Institute, “Will The U.S. Blaze A Trail To Mass Extinction?”, APPPL News, 1/15/2018, https://www.apppl.org/news/will-the-u-s-blaze-a-trail-to-mass-extinction/

As an elder, I now realize that there is even a greater threat to humanity and life on Earth than nuclear war—though, unlike a nuclear exchange, this threat is a slow-motion catastrophe. Can you guess what it is? Here’s a clue: it is something with which most people don’t have a personal relationship. Tragically, some persons remain in total denial of its validity, much less its present danger. And that’s the problem – that’s why this threat needs to be more seriously addressed on the local, state, national, and international level.

What is it? It’s the slow-motion but rapidly growing catastrophe of climate change. There’s now good news amidst this seemingly overwhelming challenge. But the answer may surprise you. Today we know what is the #1 preventable cause of climate change. It’s not coal, it’s not nuclear, and it’s not oil and gasoline. It’s actually the use of the very fuel that is touted as being cleaner, greener, and cheaper than all the rest. This fuel is called “Natural Gas”.

Let’s start with its name – “Natural Gas”. What is “natural gas”? There’s actually nothing “natural” about it when it is forcibly extracted from the ground through hydraulic fracturing, commonly known as “fracking”. When something is forcibly ruptured from deep within the earth with the use of toxic chemicals, the last name you would use for it is “natural”.

Fracking disrupts the geologic fault lines causing earthquakes, uses millions of gallons of fresh water that becomes permanently poisoned by unknown, cancer-producing chemicals added to it, creates air pollution during the drilling process, increases the risk of injury and explosions, raises major health risks to both people and place in close proximity to it, and changes the nature of both neighborhoods and landscapes. Fracking also leaves a massive carbon footprint of drilling wells as deep as 8,000 feet and then drilling horizontally over 10,000 feet; On top of all this, it leaks major amounts of gas into the environment.

So, what is this gas? It is 90-95% methane gas which is a hydrocarbon compound made up of one carbon atom and four hydrogen atoms (CH4). It releases carbon into the atmosphere and produces carbon dioxide (C02) just like coal does when it is burned. Methane is not its trace element–it is its undisputed compound of this fossil fuel product. If a compound is 90-95% of a product, it makes sense to call it by that name. Doesn’t it? Well, actually not if you want people to believe and think that it is something that it is not. It is un-natural methane gas produced under massive and highly toxic pressure and hazardous conditions.

Now that we know what this gas is, what does it do to the atmosphere and climate that is so dangerous? This hydrocarbon has properties that block the radiation of heat from Earth’s surface 100 times more effectively than CO2 (released from burning coal) during its first 10 years of release and 86 times more effectively in its first 20 years. Because of the climate emergency underway, the first 10 or 20 years matter most.

When utility companies and the larger fossil fuel companies state that they are committed to lowering carbon emissions, this just isn’t true. They are radically escalating the most dangerous and worst of all fossil fuels in relation to its impact on the climate. Now the industry wants to expand production of methane gas all over the world by calling it “the most environmentally friendly fossil fuel”and a “bridge fuel” that we can safely use until we transition to 100% renewable energy sources.

Why would a major business industry want to call its product by another name? Perhaps for the same reason that the tobacco industry did not like the term “coffin nails” or “cancer sticks” for cigarettes. Honestly, there’s a striking similarity between what are called cigarettes and natural gas. When both were produced and named, their harm was not fully known. Once the industries promoting them learned of their significant harm, they did everything they could to hide this knowledge from the public. They even hired scientists to deny their dangers. The tobacco industry was eventually sued, the truth was acknowledged, and billions of dollars were paid out in the tobacco settlement.

This same scenario that occurred with the tobacco industry needs to occur with methane gas and the fossil fuel industry. The major difference in these two scenarios is that that this fossil fuel product doesn’t just threaten the lives of individuals who voluntarily breathe it in – it threatens the lives of not only every human being, but also all life on the planet. The outcome of this scenario needs to be a moratorium and eventual end to all use of methane gas as an energy source. For the sake of all of us, our communities, and world, the sooner the better. This abomination is different. There is no time to waste.

#### No extinction from Ozone – bounces back, in the meantime wear glasses and sunscreen!

Brian **Martin 82** [Brian Martin (Professor of Social Sciences @ the University of Wollongong) December 1982 “The global health effects of nuclear war” Current Affairs Bulletin, Vol. 59, No. 7, pp. 14-26, online @ http://www.uow.edu.au/arts/sts/bmartin/pubs/82cab/index.html, loghry]/recut TK

Another major threat to ozone comes from nuclear explosions. Nitric oxide is produced essentially by the 'burning' of nitrogen in the atmosphere, and this occurs whenever air temperatures are sufficiently hot: in automobile engines, in aircraft engines and in nuclear explosions. Studies of the creation of oxides of nitrogen by nuclear explosions were first undertaken as part of the SST debate, to determine whether the nuclear weapons tests in the 1950s and 1960s had reduced observed ozone levels.[28] It was only in 1974 that John Hampson made a point which had been overlooked, namely that large-scale nuclear war could cause a major and disastrous reduction in ozone levels.[29] Calculations made in the mid-1970s assuming large nuclear arsenals with many high-yield explosions concluded that reductions of ozone could reach 50 per cent or more in the northern hemisphere, with smaller reductions in the southern hemisphere.[30] But since the number of high-yield weapons in present nuclear arsenals is now smaller, much less oxides of nitrogen would be deposited in the stratosphere by nuclear war than assumed in earlier calculations, and so significant ozone reductions are unlikely.[31] This conclusion remains tentative. The actual behaviour of stratospheric ozone is quite complicated, involving many chemical compounds and numerous chemical reactions, the changing effects of temperature, the angle and intensity of sunlight, and the effect of air motions. Computer models of the effects of nuclear war on ozone are able to take into account only a part of this complexity, and new information about chemical reaction rates in particular have led in the past to periodic revisions in the calculated effects of added oxides of nitrogen. If significant ozone reduction did occur, the most important direct effect on humans would be an increase in skin cancer. However, this is seldom lethal, and could be avoided by reducing exposure to sunlight. Potentially more serious would be effects on crops.[32] Some of the important grains, for example, are sensitive to uv. Whether the net effects on crop yields would be significant is hard to estimate. But whatever the reduction in ozone, ozone levels would return pretty much to normal after a few years.[9] It seems unlikely that in the context of a major nuclear war the changes in uv alone would be of serious concern. In particular, the threat of human extinction raised by Jonathan Schell in The Fate of the Earth,[33] based mostly on effects of increased uv from ozone reduction, seems very small indeed. It is sometimes claimed that nuclear war could destroy ozone to such an extent that humans and animals would be blinded by excess uv. Even if large numbers of high-yield weapons were exploded, this possibility seems very unlikely except for a contribution to snow blindness in the far north. Stratospheric ozone can never be completely removed, but at most reduced greatly. Even if a 50 per cent or more reduction in ozone occurred - and as noted this seems improbable with present nuclear arsenals - protection from uv for humans could be obtained from sunglasses or just ordinary glasses, which absorb uv. For animals, the following considerations are relevant. Ozone levels vary considerably from place to place and from time to time, both seasonally and daily (sometimes by up to 50 per cent). Sunlight at the equator typically passes through only half as much ozone as at the mid-latitudes, yet animals at the equator are not known to go blind more often than elsewhere. Furthermore, most ozone reductions from a nuclear war would be in the mid and high latitudes, where ozone levels are higher to start with and where the 'path length' of sunlight through ozone is increased due to its oblique angle of incidence. But this does not mean complacency is warranted, as the concerns of John Hampson illustrate.