# 1NC Lexington Round 5

## 1

### DA

#### Xi is tightening control over the PLA but completing goals are critical.

Krishnan 21 – Ananth, 11/18/21, [‘Xi tightened control over the PLA’, TheHindu, <https://www.thehindu.com/news/international/xi-tightened-control-over-the-pla/article37549460.ece>] Justin

The new resolution on history passed last week by China’s ruling Communist Party has said that President Xi Jinping had tightened control over the military to address the party’s “obviously lacking” leadership of the armed forces under his predecessors.

The full text of the resolution, released on Tuesday evening, listed some of the actions taken by the People’s Liberation Army (PLA) under Mr. Xi, who is also the chairman of the Central Military Commission. These included what the document described as “major operations related to border defence”.

No specifics

It did not specify what those major operations were. China has unresolved land borders with India and Bhutan. In April 2020, the PLA mobilised two divisions and carried out multiple transgressions across the Line of Actual Control (LAC) in Eastern Ladakh, sparking the worst crisis along the border in many years. Talks to resolve the tensions are still on-going.

“The armed forces have remained committed to carrying out military struggles in a flexible manner to counter military provocations by external forces, and they have created a strong deterrent against separatist activities seeking ‘Taiwan independence,’” the resolution said.

“They have conducted major operations related to border defence, protecting China’s maritime rights, countering terrorism and maintaining stability, disaster rescue and relief, fighting COVID-19, peacekeeping and escort services, humanitarian assistance, and international military cooperation.”

Last week’s resolution on history was only third such document putting forth the official view on party history, following resolutions passed by Mao Zedong in 1945 and Deng Xiaoping in 1981.

The new resolution dealt more with the future than the past. It essentially reaffirmed the official view on history, saying that the “basic points and conclusions” of past resolutions “remain valid to this day.”

It repeated the conclusion reached in 1981 on Mao’s errors noting that “mistakes were made” and that “Mao Zedong’s theoretical and practical errors concerning class struggle in a socialist society became increasingly serious” leading to the disasters of the Cultural Revolution.

Criticism of predecessors

Much of the new resolution focuses on emphasising Mr. Xi’s leadership and calling for the party to support his “core” status. It only briefly mentioned Mr. Xi’s predecessors Jiang Zemin and Hu Jintao, and implicitly critcised some aspects of their leadership including on military matters.

“For a period of time, the party’s leadership over the military was obviously lacking,” it noted. “If this problem had not been completely solved, it would not only have diminished the military’s combat capacity, but also undermined the key political principle that the party commands the gun.”

The document said Mr. Xi’s leadership had tightened supervision on the military including boosting “troop training and battle preparedness”, and it repeated China’s stated goals of completing the modernisation of its armed forces by 2035 and building a “world class” military by 2050, which observers see as meaning on par with the U.S.

‘Working vigorously’

“To build strong people’s armed forces, it is of paramount importance to uphold the fundamental principle and system of absolute party leadership over the military, to ensure that supreme leadership and command authority rest with the party Central Committee and the Central Military Commission (CMC), and to fully enforce the system of the CMC chairman assuming overall responsibility,” the resolution said, adding that “setting their sights on this problem, the Central Committee and the CMC have worked vigorously to govern the military with strict discipline in every respect.”

#### The commercial space sector is one of the PLAs central goals – the plan is a 180.

Bartholomew & Cleveland 19 – Carolyn and Robin, 4/25/19, Chairmen and Vice Chairmen. Section is written from Michael A. McDevitt, US Congressperson, [“HEARING ON CHINA IN SPACE: A STRATEGIC COMPETITION?,” <https://www.uscc.gov/sites/default/files/transcripts/April%2025%2C%202019%20Hearing%20Transcript%20%282%29.pdf>] Justin

As the Chairman said, China is determined to become a leading space power, which requires continuing to boost its innovation capabilities, both in its civilian and military sectors. The People’s Liberation Army is closely involved in most if not every aspect of China’s space program, from helping formulate and execute national space goals to overseeing China’s human spaceflight program. Coverage of China’s space program must treat seriously the implications of the reality that in many cases the boundaries between the military and civil silos of China’s program are thin, if they exist at all.

Our second panel today will address the application of what China calls its “military-civil fusion” strategy to its space sector. Military-civil fusion, a strategic concept designed to harness civilian sector innovation to power China’s military and technological modernization with the goal of leapfrogging the United States and becoming a technological powerhouse. Space has been designated as an especially important sector for military-civil fusion, and the impacts of this campaign on China’s burgeoning commercial space sector—itself a recipient of generous government support and protection—will be crucial as Chinese companies increasingly seek to compete in the international marketplace. Military-civil fusion is especially worthy of attention due to its continued reliance on technology transfer, by hook or by crook, to fuel China’s industrial and military growth.

Our third and final panel today will examine China’s military space and counterspace activities. Since its direct-ascent kinetic antisatellite test in 2007, which was responsible for a large amount of all space debris currently in Earth’s orbit, China has continued to invest in a variety of offensive antisatellite capabilities. Indeed, China’s counterspace arsenal contains many options: earlier this month, Acting Secretary of Defense Patrick Shanahan said China “has exercised and continues to develop” jamming capabilities; is deploying directed-energy counterspace weapons; has deployed an operational ground-based antisatellite missile system; and is prepared to use cyberattacks against U.S. space systems.

#### That triggers backlash – they don’t support restrictions on the space sector and will do everything to convince leaders not to do the plan.

Cheng 14 [Dean Cheng, Senior Research Fellow in the Asia Studies Center at the Heritage Foundation, Former Senior Analyst at the China Studies Division of the Center for Naval Analyses, Former Senior Analyst with Science Applications International Corporation, “Prospects for U.S.-China Space Cooperation”, Testimony before the Committee on Commerce, Science, and Transportation, United States Senate, 4/9/2014, https://www.heritage.org/testimony/prospects-us-china-space-cooperation]

At the same time, space is now a sector that enjoys significant political support within the Chinese political system. Based on their writings, the PLA is clearly intent upon developing the ability to establish “space dominance,” in order to fight and win “local wars under informationized conditions.”[8] The two SOEs are seen as key parts of the larger military-industrial complex, providing the opportunities to expose a large workforce to such areas as systems engineering and systems integration. It is no accident that China’s commercial airliner development effort tapped the top leadership of China’s aerospace corporations for managerial and design talent.[9] From a bureaucratic perspective, this is a powerful lobby, intent on preserving its interests. China’s space efforts should therefore be seen as political, as much as military or economic, statements, directed at both domestic and foreign audiences. Insofar as the PRC has scored major achievements in space, these reflect positively on both China’s growing power and respect (internationally) and the CCP’s legitimacy (internally). Efforts at inducing Chinese cooperation in space, then, are likely to be viewed in terms of whether they promote one or both objectives. As China has progressed to the point of being the world’s second-largest economy (in gross domestic product terms), it becomes less clear as to why China would necessarily want to cooperate with other countries on anything other than its own terms. Prospects for Cooperation Within this context, then, the prospects for meaningful cooperation with the PRC in the area of space would seem to be extremely limited. China’s past experience of major high-technology cooperative ventures (Sino–Soviet cooperation in the 1950s, U.S.–China cooperation in the 1980s until Tiananmen, and Sino–European space cooperation on the Galileo satellite program) is an unhappy one, at best. The failure of the joint Russian–Chinese Phobos–Grunt mission is likely seen in Beijing as further evidence that a “go-it-alone” approach is preferable. Nor is it clear that, bureaucratically, there is significant interest from key players such as the PLA or the military industrial complex in expanding cooperation.[10] Moreover, as long as China’s economy continues to expand, and the top political leadership values space efforts, there is little prospect of a reduction in space expenditures—making international cooperation far less urgent for the PRC than most other spacefaring states. [FOOTNOTE] [10]It is worth noting here that the Chinese Ministry of Foreign Affairs is not a part of the CCP Politburo, a key power center in China. Thus, the voice of the Ministry of Foreign Affairs is muted, at best, in any internal debate on policy. [END FOOTNOTE] If there is likely to be limited enthusiasm for cooperation in Chinese circles, there should also be skepticism in American ones. China’s space program is arguably one of the most opaque in the world. Even such basic data as China’s annual space expenditures is lacking—with little prospect of Beijing being forthcoming. As important, China’s decision-making processes are little understood, especially in the context of space. Seven years after the Chinese anti-satellite (ASAT) test, exactly which organizations were party to that decision, and why it was undertaken, remains unclear. Consequently, any effort at cooperation would raise questions about the identity of the partners and ultimate beneficiaries—with a real likelihood that the PLA would be one of them.

#### An unhinged PLA triggers Himalayan war – goes global

Chellaney 17 [Dr. Brahma Chellaney, Professor of Strategic Studies at the Center for Policy Research and Fellow at the Robert Bosch Academy, PhD in International Studies from Jawaharlal Nehru University, “Why the Chinese Military’s Rising Clout Troubles Xi Jinping”, The National, 9/9/2017, https://www.thenational.ae/opinion/why-the-chinese-military-s-rising-clout-troubles-xi-jinping-1.626815?videoId=5754807360001]

China’s president Xi Jinping has stepped up his domestic political moves in the run-up to the critical 19th national congress of the Chinese Communist Party next month, but he is still struggling to keep the People’s Liberation Army (PLA) in line. China’s political system makes it hard to get a clear picture, yet Mr Xi’s actions underscore the troublesome civil-military relations in the country. Take the recent standoff with India that raised the spectre of a Himalayan war, with China threatening reprisals if New Delhi did not unconditionally withdraw its forces from a small Bhutanese plateau, which Beijing claims is Chinese territory. After 10 weeks, the face-off on the Doklam Plateau ended with both sides pulling back troops and equipment from the site on the same day, signalling that Beijing, not New Delhi, had blinked. The mutual-withdrawal deal was struck just after Mr Xi replaced the chief of the PLA’s joint staff department. This key position, equivalent to the chairman of the US joint chiefs of staff, was created only last year as part of Mr Xi’s military reforms to turn the PLA into a force “able to fight and win wars”. The Doklam pullback suggests that the removed chief, Gen Fang Fenghui, who has since been detained for alleged corruption, was an obstacle to clinching a deal with India. To be sure, this was not the first time that the PLA’s belligerent actions in the Himalayas imposed diplomatic costs on China. A classic case happened when Mr Xi reached India on a state visit in September 2014. He arrived on Indian prime minister Narendra Modi’s birthday with a strange gift for his host, a predawn Chinese military encroachment deep into India’s northern region of Ladakh. The encroachment, the worst in many years in terms of the number of intruding troops, overshadowed Mr Xi’s visit. It appeared bizarre that the military of an important power would seek to mar the visit of its own head of state to a key neighbouring country. Yet Chinese premier Li Keqiang’s earlier visit to New Delhi in 2013 was similarly preceded by a PLA incursion into another part of Ladakh that lasted three weeks. Such provocations might suggest that they are intentional, with the Chinese government in the know, thus reflecting a preference for blending soft and hard tactics. But it is also possible that these actions underscore the continuing “disconnect between the military and the civilian leadership” in China that then US defence secretary Robert Gates warned about in 2011. During his 2014 India trip, Mr Xi appeared embarrassed by the accompanying PLA encroachment and assured Mr Modi that he would sort it out upon his return. Soon after he returned, the Chinese defence ministry quoted Mr Xi as telling a closed-door meeting with PLA commanders that “all PLA forces should follow the president’s instructions” and that the military must display “absolute loyalty and firm faith in the party”. Recently Xi conveyed that same message yet again when he addressed a parade marking the 90th anniversary of the PLA’s creation on August 1, 1927. Donning military fatigues, Mr Xi exhorted members of his 2.3-million-strong armed forces to “unswervingly follow the absolute leadership of the party.” Had civilian control of the PLA been working well, would Mr Xi repeatedly be demanding “absolute loyalty” from the military or asking it to “follow his instructions”? China does not have a national army; rather the party has an army. So the PLA has traditionally sworn fealty to the party, not the nation. Under Mr Xi’s two immediate predecessors, Hu Jintao and Jiang Zemin, the PLA gradually became stronger at the expense of the party. The military’s rising clout has troubled Mr Xi because it hampers his larger ambition. As part of his effort to reassert party control over the military, Mr Xi has used his anti-corruption campaign to ensnare a number of top PLA officers. He has also cut the size of the ground force and established a new command-and-control structure. But just as a dog’s tail cannot be straightened, asserting full civil control over a politically ascendant PLA is proving unachievable. After all, the party depends on the PLA to ensure domestic order and sustain its own political monopoly. The regime’s legitimacy increasingly relies on an appeal to nationalism. But the PLA, with its soaring budgets and expanding role to safeguard China’s overseas interests, sees itself as the ultimate arbiter of nationalism. To make matters worse, Mr Xi has made many enemies at home in his effort to concentrate power in himself, including through corruption purges. It is not known whether the PLA’s upper echelon respects him to the extent to be fully guided by his instructions. In the past decade, the PLA’s increasing clout has led China to stake out a more muscular role. This includes resurrecting territorial and maritime disputes, asserting new sovereignty claims, and using construction activity to change the status quo. China’s cut-throat internal politics and troubled civil-military relations clearly have a bearing on its external policy. The risks of China’s rise as a praetorian state are real and carry major implications for international security.

#### Extinction.

Caldicott 17 – Helen, 2017, Founder of Physicians for Social Responsibility [“The new nuclear danger: George W. Bush's military-industrial complex,” The New Press]//Elmer

The use of Pakistani nuclear weapons could trigger a chain reac­tion. **Nuclear-armed India, an ancient enemy, could respond** in kind. China, India's hated foe, could react if India used her nuclear weapons, triggering a nuclear [war] ~~holocaust~~ on the subcontinent. If any of either **Russia** or **America**'s 2,250 strategic weapons on hair-trigger alert were launched either **accidentally** or **purposefully** in response, **nuclear winter** would ensue, meaning the **end of most life on earth**.

## 2

### CP

#### Text: States ought to impose a multilateral agreement imposing a per-launch fee system paid by launching states, with proceeds devoted exclusively to financing the cost of orbital debris remediation, including untrackable debris. The United States should provide a substantial one-time monetary contribution to initiate the fund.

#### Counterplan solves debris remediation better and faster

Meghan R. Plantz 12. J.D., University of Georgia, 2012, “Orbital Debris: Out of Space,” 40 GA. J. INT'L & COMP. L. 585

Many theorists propose that the international community either update and enhance or change space law to specifically address the orbital debris problem. Current proposed theories suggest solutions such as providing (1) a direct financial incentive to states to reduce or eliminate debris, or (2) a requirement that forces state actors to compensate other states in the Space community for spacecraft or satellites damaged by unidentified debris.20 Accordingly, the legal frameworks proposed to support and enforce these solutions include: (1) a new United Nation’s treaty, (2) a code of customary international law, (3) a reformed fault-based liability system, (4) a compensation or liability fund, and (5) a market-share liability system.

While these proposals attempt to assign fault and liability in orbital debris collisions, they fail to provide a practical long-term solution for the entire international space community. Specifically, they rely on the philosophy that “past polluters pay.” As such, these proposals assign the bulk of the bill to the U.S. and Russia, the predominant space players and polluters in the past. The U.S. and Russia will likely refuse any such payments and proposed regime changes because of the number of other space actors who now share the responsibility of maintaining and remediating the space environment. Without the support of the U.S. and Russia, any regime modification would be futile.

As of 2011, sixty actors utilize the space environment, predominantly through the use of satellites. Ten actors have independent orbital launch capabilities25 and five regularly launch spacecraft belonging to other states lacking such capabilities, thus holding significant control and power over the space community. Consequently, this controlling class of actors has the potential to wield effective market power in the space industry, given the substantial and prohibitive cost to non-launch capable states of establishing such capabilities. Market power enables this class of actors to develop and impose a space regime that forces players in the space community to financially contribute to remediating and protecting the space environment and the impact of space activities on Earth.

This Note argues that the class of states with launch capabilities needs to develop a multilateral agreement among themselves, with provisions for entry by new launch-capable states, to self-impose a launch fee system. Proceeds from this fee system will fund the research and development of remediation technology for the space environment, as well as the reduction of prospective orbital debris. This multilateral agreement uses market power as a controlling means to regulate the space environment. Every state that currently utilizes space, either with launch capabilities or by contracting for such capabilities, will contribute to the shared cost of preserving the space environment and benefit from the results of a cleaner and safer environment.

Part II explains the current orbital debris situation, with a discussion of the nature of the space environment, the sources of orbital debris, the limitations on observing and tracking debris, and the estimated amount of orbital debris. Part II provides a scientific analysis of the estimated damage to a spacecraft upon impact with a piece of orbital debris, as well as the likelihood of an orbital debris collision. Additionally, Part II addresses the international community’s response to the orbital debris problem; specifically the scientific solutions to avoid the problem, such as shielding, tracking and avoidance maneuvers around debris, controlling re-entry of debris into the Earth’s atmosphere, and moving satellites into less congested orbits at the end of their mission life. However, the current international response seeks only to avoid orbital debris collisions rather than actually remedy the fundamental problem.

Part III explains why remediation should take place now rather than waiting for a catastrophic event to occur. Part IV explains the current international laws pertaining to space. Part V analyzes several proposed legal solutions and illustrates their respective flaws. Finally, Part VI posits that the most effective solution to the orbital debris problem is a multilateral agreement between launch-capable states with market power in the space community to impose a launch fee system and create a global space remediation fund.

## 3

### CP

#### Text: States ought to call a global constitutional convention and establish a constitution reflecting intergenerational concern with exclusive authority to end private appropriation of outer space through the production of space debris by private entities and bind participating bodies to its result.

#### The CP applies intergenerational equity to future generations – that’s better than trying to decide now whether the plan is beneficial across deep time – every country would say yes.

Tan 2k [David Tan, LL.M., Harvard Law School; LL.B. (Hons), B.Com., University of Melbourne. Former Tutor in Law, Trinity College, University of Melbourne, “Towards a New Regime for the Protection of Outer Space as the "Province of All Mankind",” 2000, *The Yale Journal of International Law*, Vol. 25, https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1114&context=yjil]

Edith Brown Weiss has advanced the theory of “intergenerational equity,” which provides for generational rights and obligations.158 Her thesis consists of a normative framework of intersecting theories of intergenerational and intragenerational equity that are derived from an underlying planetary trust, embodying the notion that generations act as stewards to sustain the welfare and well-being of all generations. This planetary trust obliges “each generation to preserve the diversity of the resource base and to pass the planet to future generations in no worse condition than it receives it.”159 The principle of the conservation of options requires each generation “to conserve the diversity of the natural and cultural resource base, so that it does not unduly restrict the options available to future generations in solving their problems and satisfying their own values, and should be entitled to diversity comparable to that enjoyed by previous generations.”\*60 The theory of intergenerational equity is an appealing one. Unfortunately, Weiss’s model generally rests upon an intertemporal human rights model for preserving the global environment. This presents many problems, ranging from the questionable existence of the right to a decent environment to the issue of remedies in respect of claims made by future generations against present generations.161

Whether the global awareness of the harm to our sense of intergenerational identity, as evidenced by the various U.N. General Assembly resolutions and numerous international conventions, will be sufficient to mobilize the implementation and enforcement of effective legal measures on behalf of future generations is doubtful. But more importantly, the notions of intergenerational identity and sustainable development will prove to be invaluable concepts in framing the discussion in Part VI.

Current literature has concentrated on the notion of sustainable development as involving the integration of economic and environmental considerations at all levels of decision-making.162 But the outer-space environment has been largely ignored, as if it were simply economic development on Earth that must be environmentally sound. There is no reason, however, why the precautionary principles that emerge from the concept of sustainable development in the Stockholm Declaration, the Rio Declaration, and the World Charter for Nature should not apply equally to the outer-space environment. Few states, if any, will take issue with the proposition that the exploration and use of outer space should be sustainable. It is in the common interest of all states, whether spacefaring or otherwise, to subscribe to a regime that allows for the development of space activities in a manner that leaves the space environment in a substantially unimpaired condition for future generations. One might even ultimately find that the uniqueness and vulnerability of the outer-space environment demand that the international community as a whole recognize sustainable development as a “global ethic”163 that transcends terrestrial boundaries, as a peremptory norm that prohibits “policies and practices that support current living standards by depleting the productive base, including natural resources, and that leaves future generations with poorer prospects and greater risks than our own.”164 We should not confine our actions to those we are now able to determine as directly or indirectly benefiting ourselves or our descendants. On the contrary, we should “cultivate our natural sense of obligation not to act wastefully or wantonly even when we cannot calculate how such acts would make any present or future persons worse off.”165 It seems impossible to find universally agreed-upon limits on the freedom of exploration and use of outer space. Rather than focus on indeterminate rules of custom-formation, we should concentrate on establishing fair and workable arrangements and institutions that can successfully accommodate the competing interests of all nations. With these guidelines in mind, we will now examine new methods of treaty-making that will enhance the willingness of states to participate in an environmental program that seeks to achieve an acceptable balance between pollution control and freedom of space exploration.

#### That solves the aff – it addresses shared anxieties while building political consensus.

Gardiner 14 1 [Stephen M. Gardiner, Professor of Philosophy and Ben Rabinowitz Endowed Professor of Human Dimensions of the Environment at the University of Washington, Seattle, “A Call for a Global Constitutional Convention Focused on Future Generations,” 2014, *Ethics & International Affairs*, Vol. 28, Issue 3, pp. 299-315, https://doi.org/10.1017/S0892679414000379, EA]

A Constitutional Convention

In my view, the above line of reasoning leads naturally to a more specific proposal: that we—concerned individuals, interested community groups, national governments, and transnational organizations—should initiate a call for a global constitutional convention focused on future generations. This proposal has two components. The first component is procedural. The proposal takes the form of a “call to action.” It is explicitly an attempt to engage a range of actors, based on a claim that they have or should take on a set of responsibilities, and a view about how to go about discharging those responsibilities. The second component is substantive. The main focus for action is a push for the creation of a constitutional convention at the global level, whose role is to pave the way for an overall constitutional system that appropriately embodies intergenerational concern.

The substantive idea rests on several key ideas. Still, for the purposes of a basic proposal, I suggest that these be understood in a relatively open way that, as far as is practicable, does not prejudge the outcome of the convention, and especially its main recommendations. First, the convention itself should be understood as “a representative body called together for some occasional or temporary purpose” and “constituted by statute to represent the people in their primary relations.”14 Second, a constitutional system should be thought of in a minimalist sense as “a set of norms (rules, principles or values) creating, structuring, and possibly defining the limits of government power or authority.”15 Third, the “instigating” role of the convention should be to discuss, develop, make recommendations toward, and set in motion a process for the establishment of a constitution. Fourth, its primary subject matter should be the need to adequately reflect and embody intergenerational concern, where this would include at least the protection of future generations, the promotion of their interests (where “interests” is to be broadly conceived so as to include rights, claims, welfare, and so on), and the discharging of duties with respect to them. It may also (and in my view should) include some way of reflecting concern for past generations, including responsiveness to at least certain of their interests and views. However, I will leave that issue aside in what follows.

The proposal to initiate a call for a global constitutional convention has at least two attractive features. First, it is based in a deep political reality, and does not underplay the challenge. It acknowledges the problem as it is, both specific and general, and calls attention to the heart of that problem, including to the failures of the current system, the need for an alternative, and the background issue of responsibility. Moreover, though the proposal is dramatic and rhetorically eye-catching, it is so in a way that is appropriately responsive to the seriousness of the issue at hand, the persistent political inertia surrounding more modest initiatives, and the fact that (grave though concerns about it are) climate change is only one instance of the tyranny of the contemporary (and the wider perfect moral storm), and we should expect others to arise over the coming decades and centuries.

The second attractive feature of the proposal is that, though ambitious, it is not alienating. While it does not succumb to despair in the face of the challenge, neither does it needlessly polarize and divide from the outset (for example, by leaping to specific recommendations about how to fill the institutional gap). Instead, it acknowledges that there are fundamental difficulties and anxieties, but uses them to start the right kind of debate, rather than to foreclose it. As a result, the proposal is a promising candidate to serve as the subject of a wide and overlapping political consensus, at least among those who share intergenerational concern.

Selective Mirroring

To quell some initial anxieties, it is perhaps worth clarifying the open-ended and non-alienating character of the proposal. One temptation would be to view the call for a global constitutional convention as a fairly naked plea for world government, a prospect that would be deeply alienating—indeed anathema—to many. However, that is not my intention. Though it is possible that a global constitutional convention would lead in this direction, it is by no means certain.

At a minimum, no such body could plausibly recommend any form of “world government” without simultaneously advancing detailed suggestions about how to avoid the standard threats such an institution might pose. Moreover, it seems perfectly conceivable, even likely under current ways of thinking, that a global constitutional convention would pursue what we might call a selective mirroring strategy. Specifically, a convention would seek to develop a broader system of institutions and practices that reflected the desirable features of a powerful and highly centralized global authority but neutralized the standing threats posed by it (for example, it might employ familiar strategies such as the separation of powers). In all likelihood, one feature of a selective mirroring approach would be the significant preservation of existing institutions to serve as a bulwark against the excesses of any newly created ones. Whether and how such a strategy might be made effective against the perfect moral storm, and whether something closer to a “world government” would do better, would be a central issue for discussion by the convention.

#### It spills over to foster broader intergenerational representation, but independence is key

Gardiner 14 2 [Stephen M. Gardiner, Professor of Philosophy and Ben Rabinowitz Endowed Professor of Human Dimensions of the Environment at the University of Washington, Seattle, “A Call for a Global Constitutional Convention Focused on Future Generations,” 2014, *Ethics & International Affairs*, Vol. 28, Issue 3, pp. 299-315, https://doi.org/10.1017/S0892679414000379, EA]

One set of guidelines concerns how the global constitutional convention relates to other institutions. The first guideline concerns relative independence:

(1) Autonomy: Any global constitutional convention should have considerable autonomy from other institutions, and especially from those dominated by factors that generate or facilitate the tyranny of the contemporary (and the perfect moral storm, more generally).

Thus, for example, attempts should be made to insulate the global constitutional convention from too much influence from short-term and narrowly economic forces.

The second guideline concerns limits to that independence:

(2) Mutual Accountability: Any global constitutional convention should be to some extent accountable to other major institutions, and they should be accountable to it.

Thus, for example, though the global constitutional convention should not be able to decide unilaterally that national institutions should be radically supplanted, nevertheless such institutions should not have a simple veto on the recommendations of the convention, including those that would result in sharp limits to their powers.

A third guideline concerns adequacy:

(3) Functional Adequacy: The global constitutional convention should be constructed in such a way that it is highly likely to produce recommendations that are functionally adequate to the task.

Thus, for example, the tasks of the global constitutional convention should not be assigned to any currently existing body whose design and authority is clearly unsuitable. In my view, this guideline rules out proposals such as the Royal Society’s suggestion that governance of geoengineering should be taken up by the United Nations’ Commission on Sustainable Development,20 or the Secretary-General’s recommendation of a new United Nations’ High Commissioner for Future Generations.21 Though such proposals may have merit for some purposes (for example, as pragmatic, incremental suggestions to highlight the importance of intergenerational issues), they are too modest, in my opinion, to reflect the gravity of the threats posed by climate change in particular, and the perfect moral storm more generally.

Aims

A second set of guidelines concerns the aims of the global constitutional convention. Here, the perfect moral storm analysis would suggest:

(4) Comprehensiveness: The convention should be under a mandate to consider a very broad range of global, intergenerational issues, to focus on such issues at a foundational level, and to recommend institutional reform accordingly.

(5) Standing Authority: Though the convention may recommend the establishment of some temporary and issue-specific bodies, its focus should be on the establishment of institutions with standing authority over the long term.

These guidelines are significant in that they stand against existing issue-specific approaches to global and intergenerational problems, and encourage not only a less ad hoc but also a more proactive approach. In particular, the global constitutional convention might be expected to recommend institutions that would be charged with identifying, monitoring, and taking charge of intergenerational issues as such. For example, such institutions should address not only specific policy issues (such as climate change, large asteroid detection, and long-term nuclear waste) but also the need to identify similar threats before they arise.

#### Discounting future generations causes extinction – only formalizing a mechanism to weight their concerns solves

Jones et al 18 [Natalie Jones, Mark O'Brien, and Thomas Ryan, University of Cambridge, United Kingdom. Representation of future generations in United Kingdom policy-making. Futures Volume 102, September 2018, Pages 153-163. https://www.sciencedirect.com/science/article/pii/S0016328717301179#sec0005]

Global catastrophic and existential risks pose central challenges for intergenerational justice and the structure of our current democracy. The Global Challenges Report 2016 defines global catastrophic risk as risk of an ‘event or process that, were it to occur, would end the lives of approximately 10% or more of the global population, or do comparable damage’ (Global Challenges Foundation & Global Priorities Project, 2016). A subset of catastrophic risks are ‘existential’ risks, which would end human civilisation or lead to the extinction of humanity (Global Challenges Foundation & Global Priorities Project, 2016). Catastrophic and existential risks may be categorised in terms of ongoing risks, which could potentially occur in any given year (e.g. nuclear war; pandemics), versus emerging risks which may be unlikely today but will become significantly more likely in the future (e.g. catastrophic climate change; risks stemming from emerging technologies). Ongoing risks have existed for some time now and are generally well-understood. However, emerging risks, particularly those arising from technological developments, are less understood and demand increasing attention from scientists and policymakers. These technological developments include advances in synthetic biology, geoengineering, distributed manufacturing and artificial intelligence (AI) (Global Priorities Project, Future of Humanity Institute, Oxford Martin School, Centre for the Study of Existential Risk, 2014). Although the impact of these technologies is still very uncertain, expert estimates suggest a non-negligible probability of catastrophic harm.

In this article we rely on two main premises. The first is that future generations are under-represented in current political structures partly due to political ‘short-termism’ or ‘presentism’ (Thompson, 2010). Governments primarily focus on short-term concerns, which mean that they may systematically neglect global catastrophic risks and, accordingly, future generations (Global Priorities Project et al., 2014). The problem of presentism transcends political divisions: people across the political spectrum are concerned about its effects, and should care about mitigating global catastrophic risks. This situation is exacerbated in that the good of mitigating global catastrophic and existential risks is typically global. Individual political actors (even whole countries) bear many costs in providing for such goods, whereas the benefits are dispersed globally. In addition to the benefits of mitigating existential risks being global, many of the beneficiaries are future people who do not exist presently and as such have no voice in the political process. There is a clear lack of incentives to mitigate such risks, and market failure should be expected (Beckstead, 2013).

The second key assumption is that we as a society consider the rights and interests of future generations to be important. It is beyond the scope of this paper to present a complete account of the philosophical arguments on this matter. It is sufficient to note that although significant philosophical problems have been pointed out, chiefly due to the fact that the actions of present people have a causal impact on the values, number and identity of future individuals (Parfit, 1984), there are several theories of intergenerational justice that may support this assumption (Gosseries, 2008).

The need to include explicit pathways in governance structures for accountability to the rights and needs of future generations has been noted (Global Priorities Project et al., 2014). Some thought has been put into how future generations may be represented in relation to environmental risks such as climate change, resource depletion and biodiversity loss; this research is reflected in the sustainable development literature (Brown Weiss, 1990). However, this problem has not been explored in relation to society’s burgeoning awareness of technology-related catastrophic and existential risks. In addition, such pathways have not been fully explored in the United Kingdom (UK) context. This policy paper hopes to fill this gap in the literature.

## Case

### 1NC – AT: Solvency

#### **1] Requires them to define what constitutes debris which they haven’t done – means their impacts are inevitable.**

#### **2] Scenario is non-uq – their ev says it happened in 2009 which should’ve caused escalation**

#### The affirmative has to defend a concrete action to solve debris –

Waters 98 – H. FRANKLIN WATERS, Senior District Judge. Colonia Ins. Co. v. City Nat. Bank, 13 F. Supp. 2d 891 - Dist. Court, WD Arkansas 1998

Arkansas law is clear on the issue that in the realm of unjust enrichment, the word "unjust" means "unlawful." "One is not unjustly enriched by receipt of that to which he is legally entitled. \* \* \* No recovery of money received can be based upon unjust enrichment when the recipient can show a legal or equitable ground for keeping it." Halvorson v. Trout, 258 Ark. 397, 403, 527 S.W.2d 573, 577 (1975) (quoting Whitley v. Irwin, 250 Ark. 543, 550-51, 465 S.W.2d 906, 910-11 (1971)). See also, Jackson County Grain Drying Coop. v. Newport Wholesale Electric, Inc., 9 Ark.App. 41, 46, 652 S.W.2d 638, 640 (1983) (no one shall be allowed to unjustly enrich himself at the expense of another; the word "unjustly" means "unlawfully").

Coleman contends that because he was an employee of AGA, he was entitled to the money he received as remuneration for his services, and, as such, he was not unjustly enriched. The court believes that, based on the reasons set forth above, a genuine issue of material fact exists as to whether Coleman knew that the source of the money he received from Welch and AGA, especially the bonuses and gifts, was plaintiffs' premiums. Therefore, Coleman is not entitled to summary judgment on plaintiffs' unjust enrichment claim.

#### Otherwise zero solvency – they can’t solve the impact of debris without an enforcement mechanism.

#### Circumvention – making it illegal can’t solve the impacts because they don’t have a specific mechanism to do it – proves they can’t solve their impacts. China/Russia don’t like the plan

**Bahney and Pearl 19** [Benjamin Bahney and Jonathan Pearl, 3-26-2019, "Why Creating a Space Force Changes Nothing," BENJAMIN BAHNEY and JONATHAN PEARL are Senior Fellows at the Lawrence Livermore National Laboratory’s Center for Global Security Research and contributing authors to [Cross Domain Deterrence: Strategy in an Era of Complexity](https://archive.md/o/Hlbi1/https:/www.amazon.com/Cross-Domain-Deterrence-Strategy-Era-Complexity/dp/0190908653). Foreign Affairs, [https://www.foreignaffairs.com/articles/space/2019-03-26/why-creating-space-force-changes-nothing accessed 12/10/21](https://www.foreignaffairs.com/articles/space/2019-03-26/why-creating-space-force-changes-nothing%20accessed%2012/10/21)] Adam

As Russia and China continue to push forward, U.S. policymakers may be tempted to use treaties and diplomacy to head off their efforts entirely. This option, although alluring on paper, is simply not feasible. Existing treaties designed to limit military competition in space have had little success in actually doing so. The 1967 Outer Space Treaty bans parties from placing nuclear weapons or other weapons of mass destruction in space, on the moon, or on other celestial bodies, but it has no formal mechanism for verifying compliance, and places no restrictions on the development or deployment in space of conventional antisatellite weapons. Even if it were possible to convince Moscow and Beijing of the benefits of comprehensive space arms control, existing technology makes it extremely difficult to verify compliance with the necessary treaty provisions—and without comprehensive and reliable verification, treaties are toothless. Moreover, regulating the development and deployment of antisatellite weapons is extremely difficult, both because they include such a broad and diverse range of technologies and because many types of antisatellite weapons can be concealed or explained away as having some other use. Unsurprisingly, Russia and China’s draft Treaty on the Prevention of Placement of Weapons in Space, which they have been pushing for several years now, has an unenforceable definition of what constitutes a “weapon” and does nothing at all to address ground-based antisatellite weapons development.

#### Private entities can just launch satellites anyways -- theres no punishment mechanism so the aff can't solve their impacts.

#### Debris build up IS the squo -- we are past the brink as per 1AC Cross -- means they can't solve fast enough,

#### Even minimal satellites cause Kessler syndrome – it only requires 1080 and Starlink is 12,000 minimum

Bernat 20 – Pawel, 2020, Military University of Aviation, [“ORBITAL SATELLITE CONSTELLATIONS AND THE GROWING THREAT OF KESSLER SYNDROME IN THE LOWER EARTH ORBIT,” SAFETY ENGINEERING OF ANTHROPOGENIC OBJECTS, Volume 4, PDF] Justin

5. Orbital satellite constellations and the growing threat of the Kessler syndrome Space 2.0 – the new era of space exploration that we witness now in the 21st century means, in words of Buzz Aldrin, “moving human enterprise into space” (Pyle, 2019, p. xiv). The process of commercialization of outer space has already begun and is not limited to private companies providing technologies and services for national or international space agencies, as it was in the past. On the contrary, private companies from the space sector have now matured to carry out their own independent projects. As for 2020, SpaceX is a company that serves as the best example – it launches satellites to the orbit, both for state and private contractors, it successfully realized two crew missions to the International Space Station, and is in the process of constructing Starlink satellite constellation that will provide high-speed internet access across the planet. Each satellite weighs around 260 kg, is equipped with an ion propulsion system, autonomous collision avoidance system, and orbits Earth at approximately 540-560 km altitude (Starlink, 2020). At the beginning of November 2020, more than 860 Starlink satellites were orbiting the Earth (Jewett, 2020). Immediate plans include launching 12,000 satellites, but they assume a potential later extension to 42,000 (Henry, 2019a). Of course, SpaceX has employed, at least declaratively, all necessary measures to keep the space clean – the satellites are equipped with the deorbiting system, and in the event of inoperability of the propulsion system (Starlink, 2020). The orbital collisions are, however, inevitable. As it was shown before, the possibility of collisions grows with the number of orbital objects. Bastida Virgili with the team compared (2016, p. 154-155) orbital debris environment development without and with a large hypothetical constellation consisting of merely 1080 satellites, distributed across 20 orbital planes at 1,100 km altitude (Fig. 5).

#### Means post plan, countries can still launch satellites with assistance from private entities which still causes Kessler

#### Aff doesn’t solve – there’s already millions of undetectable objects and we’ve only been lucky so far

Peter Dockrill 16. Award-winning science & technology journalist. “Space Junk Accidents Could Trigger Armed Conflict, Study Finds.” <https://www.sciencealert.com/space-junk-accidents-could-trigger-armed-conflict-expert-warns>.

The increasingly crowded space in Earth's low orbit could set the stage for an international armed conflict, says a new study. Researchers from the Russian Academy of Sciences warn that accidents stemming from the steady rise in space junk floating around the planet could incite political rows and even warfare, with nations potentially mistaking debris-caused incidents as the results of intentional aggressive acts by others. In a paper published in Acta Astronautica, the team suggests that space debris in the form of spent rocket parts and other fragments of hardware hurtling at high speed pose a "special political danger" that could dangerously escalate tensions between nations. According to the study, destructive impacts caused by random space junk cannot easily be told apart from military attacks. "The owner of the impacted and destroyed satellite can hardly quickly determine the real cause of the accident," the authors write. The risks of such an event occurring are compounded by the sheer volume of debris now orbiting Earth. Recent figures from NASA indicate that there are more than 500,000 pieces of space junk currently being tracked in orbit, travelling at speeds up to 28,160 km/h (17,500 mph). The majority of those objects are small – around the size of a marble – but some 20,000 of them are bigger than a softball. In addition to these 500,000 or so fragments – which are big enough for scientists to know about them – NASA estimates that there are millions of undetectable pieces of debris in orbit that are too small to be monitored. But even extremely small fragments such as these pose a threat – in fact, they're considered a greater risk than trackable debris, as their invisible status means spacecraft and satellites can't do anything to avoid them until it's too late. As NASA observed in 2013: "Even tiny paint flecks can damage a spacecraft when travelling at these velocities. In fact a number of space shuttle windows have been replaced because of damage caused by material that was analysed and shown to be paint flecks… With so much orbital debris, there have been surprisingly few disastrous collisions." While we may have been lucky in the past, we can't rely on that to continue. The study by the Russian team cites the repeated sudden failures of defence satellites in past decades that were never explained. The researchers attribute two possible causes: either unrecorded collisions with space junk, or aggressive actions from adversaries. "This is a politically dangerous dilemma," the authors write.

And the ev literally concludes there were satellites destroyed from debris in the past but no escalation – empirics flow neg

### 1NC – AT: Advantage

#### Space debris includes natural debris which the aff can’t solve – proves their impacts are inevitable so try or die neg

NASA ’21 [https://www.nasa.gov/mission\_pages/station/news/orbital\_debris.html]//pranav

Space debris encompasses both natural meteoroid and artificial (human-made) orbital debris. Meteoroids are in orbit about the sun, while most artificial debris is in orbit about the Earth (hence the term “orbital” debris).

#### Status quo solves AND alt causes – broader privatization and existing debris – Westlake is blue

1AC Muelhaupt et al. 19 – Theodore, Marlon Sorge, Jamie Morin, and Robert Wilson, 6/18/19, Center for Orbital and Reentry Debris Studies, Center for Space Policy and Strategy, The Aerospace Corporation, 30 year Space Systems Analyst and Operator, [“Space traffic management in the new space era,” Journal of Space Safety Engineering, <https://www.sciencedirect.com/science/article/pii/S246889671930045X?via%3Dihub>] Justin

The last decade has seen rapid growth and change in the space industry, and an explosion of commercial and private activity. Terms like NewSpace or democratized space are often used to describe this global trend to develop faster and cheaper access to space, distinct from more traditional government-driven activities focused on security, political, or scientific activities. The easier access to space has opened participation to many more participants than was historically possible. This new activity could profoundly worsen the space debris environment, particularly in low Earth orbit (LEO), but there are also signs of progress and the outlook is encouraging. Many NewSpace operators are actively working to mitigate their impact. Nevertheless, NewSpace represents a significant break with past experience and business as usual will not work in this changed environment. New standards, space policy, and licensing approaches are powerful levers that can shape the future of operations and the debris environment. 2. Characterizing NewSpace: a step change in the space environment In just the last few years, commercial companies have proposed, funded, and in a few cases begun deployment of very large constellations of small to medium-sized satellites. These constellations will add much more complexity to space operations. Table 1 shows some of the constellations that have been announced for launch in the next decade. Two dozen companies, when taken together, have proposed placing well over 20,000 satellites in orbit in the next 10 years. For perspective, fewer than 8100 payloads have been placed in Earth orbit in the entire history of the space age, only 4800 [1] remain in orbit and approximately 1950 [2] of those are still active. And it isn't simply numbers – the mass in orbit will increase substantially, and long-term debris generation is strongly correlated with mass. Table 1. Some announced NewSpace constellations. Operator Number of satellites Altitude (km) Country SpaceX V-band 7518 335–345 US Capella 48 350–650 US Planet Swift 6 350–650 US Black Sky 60 450 US Satellogic NuSat 300 500 Argentina Kepler 140 550 US SpaceX Starlink 1584 550 US Skybox 30 576 US Fleet 100 580 Australia Amazon Kuiper 3236 590–630 US Commsat 800 600 China Kineis 20 600 France Yalini 135 600 Canada Spire 100 651 US Planet Doves 150 675 US Orbcomm 31 750 US Iridium 72 780 US Theia 112 800 US Lucky Star 156 1000 China Telesat LEO 72 1000 Canada Hongyan 300 1100 China Xinwei 32 1100 China SpaceX Starlink 2825 1110–1325 US OneWeb 720 1200 ESA Telesat LEO 45 1248 Canada Astrome Tech 600 1400 India LeoSat 108 1400 US Globalstar 40 1412 US This table is in constant flux. It is based largely on U.S. filings with the Federal Communications Commission (FCC) and various press releases, but many of the companies here have already altered or abandoned their original plans, and new systems are no doubt in work. Although many of these large constellations may never be launched as listed, the traffic created if just half are successful would be more than double the number of payloads launched in the last 60 years and more than 6 times the number of currently active satellites. Current space safety, space surveillance, collision avoidance (COLA) and debris mitigation processes have been designed for and have evolved with the current population profile, launch rates and density of LEO space. By almost any metric used to measure activity in space, whether it is payloads in orbit, the size of constellations, the rate of launches, the economic stakes, the potential for debris creation, the number of conjunctions, NewSpace represents a fundamental change. 3. Compounding effects of better SSA, more satellites, and new operational concepts The changes in the space environment can be seen on this figurative map of low Earth orbit. Fig. 1 shows the LEO environment as a function of altitude. The number of objects found in each 10 km “bin” is plotted on the horizontal axis, while the altitude is plotted vertically. Objects in elliptical orbits are distributed between bins as partial objects proportional to the time spent in each bin. Some notable resident systems are indicated in blue text on the right to provide an altitude reference. The (dotted) red line shows the number of objects in the current catalog tracked by the U.S. Space Surveillance Network (SSN). All the COLA alerts and actions that must be taken by the residents are due to their neighbors in the nearby bins, so the currently visible risk is proportional to the red line.



Fig. 1. Objects in LEO orbit by altitude per 10 km altitude bin. Elliptical orbit objects distributed by portion spent in each bin. Some notable existing resident systems are listed on the right. New residents, including some replacement systems, are on the left. (For interpretation of the references to color in this figure, the reader is referred to the web version of this article.) The red line of the current catalog does not represent the complete risk; it indicates the risk we can track and perhaps avoid. A rule of thumb is that the current SSN LEO catalog contains objects about 10 cm or larger. It is generally accepted that an impact in LEO with an object 1 cm or larger will cause damage likely to be fatal to a satellite's mission. Therefore, there is a large latent risk from unobserved debris. While we cannot currently track and catalog much smaller than 10 cm, experiments have been performed to detect and sample much smaller objects and statistically model the population at this size [3]. The (solid) blue line represents the model of the 1 cm and larger debris that is likely mission-ending, usually called lethal but not trackable. If LEO operators avoid collisions with all the objects in the red line, they are nonetheless inherently accepting the risk from the blue line. This risk is already present. The (dashed) orange line is an estimate of the population at 5 cm and larger and is thus an estimate of what the catalog might conservatively be a few years after the Space Fence, a new radar system being built by the Air Force, comes on line (currently planned for 2019) [4]. Commercial companies offering space surveillance services, such as LeoLabs, ExoAnalytics, Analytic Graphics Inc., Lockheed, and Boeing, might also add to the number of objects currently tracked. Space Policy Directive 3 (SPD-3) [13] specifically seeks to expand the use of commercial SSA services. Existing operators can expect a sharp increase in the number of warnings and alerts they will receive because of the increase in the cataloged population. Almost all the increase will come from newly detected debris [5]. The pace of safety operations for each satellite on orbit will significantly change because of the increase in the catalog from the Space Fence. This effect is compounded because the NewSpace constellations described in Table 1 will drastically change the profile of satellites in LEO. The green bars in Fig. 1 represent the number of objects that will be added to the catalog (red or orange lines) from only the NewSpace large LEO constellations at their operational altitudes. This does not include the rocket stages that launch them, or satellites in the process of being phased into or removed from the operational orbits. Neighbors of one of these new constellations may face a radically different operations environment than their current practices were designed to address. Satellites in these large LEO constellations typically have planned operational lifetimes of 5–10 years. Some companies have proposed to dispose of their satellites using low thrust electric propulsion systems, which would spiral satellites down over a period of months or years from operating altitudes as high as 1500 km through lower orbits where the Hubble Space Telescope, the International Space Station, and other critical LEO satellites operate [6]. Similar propulsive techniques would raise replacement satellites from lower launch injection orbits to higher operational orbits. These disposal and replenishment activities will add thousands of satellites each year transiting through lower altitudes and posing a risk to all resident satellites in those lower orbits. More importantly, failures will occur both among transiting satellites and operational constellations, potentially leaving hundreds more stranded along the transit path. Aerospace studies [7–9] have shown that failed satellites, whether they fail during operations or fail during disposal, can pose as great or even greater risk than the many thousands of operational satellites (Fig. 2). Given the rapid flux in the proposed large LEO constellations (LLC), we created a Future Constellations Model (FCM) with elements that represented the characteristics of the different systems being proposed. In our models, almost all the collisions and the resulting debris from those collisions occur because of failed systems. Most large constellation operators intend to perform active collision avoidance for active systems, whether operational or in some stage of check-out or disposal, but failed satellites are assumed to be incapable of maneuver. Fig. 2 also shows that satellites in the disposal phase can contribute to collisions similarly to satellites in the operational phase. Fig 2 Download : Download full-size image Fig. 2. Collisions during operations and disposal over 10 years for various NewSpace Future Constellation Models (FCMs). 4. A notional illustration of workload The highest risk to operational satellites comes from the lethal but non-trackable debris that is depicted in the blue line in Fig. 2. However, operators perform collision avoidance only on the objects that can be tracked and cataloged. Advances in tracking and NewSpace launches will both act to increase this workload. A key element of the problem is that an increase in the LEO population will lead to an increase in close approaches to existing satellites [5], and the potential for accidental collisions. Conjunction prediction, collision probability (Pc), and maneuver planning for most existing satellite operators is a time- and personnel-intensive operation. Orbit analysts, and propulsion, navigation, and communications systems personnel are involved in evaluating and planning maneuvers over several days and must do so even if the ultimate decision is to “fly through” a close approach. Since most existing systems have small numbers of vehicles and the number of conjunctions any given operator experiences is relatively small, COLA remains a manual process. For systems not designed with automated maneuver planning, a COLA assessment that progresses all the way to a maneuver plan can consume considerable effort, whether or not the maneuver is executed. If a large constellation is deployed next to an existing resident system, the existing system may experience many conjunctions and alerts due to its close proximity of the dense new constellation. A sufficiently large constellation will, in effect, form a “shell” where frequent opportunities for conjunctions will be created. For example, Fig. 3 depicts a fictional scenario where 1225 “New” satellites are distributed in 35 planes in circular orbits at 1000 km altitude, at 98° inclination. These are placed near a hypothetical “Old” six-satellite constellation operating in a nearly circular orbit at the same altitude and 63° inclination. Following a common operations practice, we assume that the Old satellite operators flag a conjunction at Pc> 10−7, start COLA assessment with additional tracking at Pc> 10−6, and plan a COLA maneuver when the Pc> 10−5. A conjunction with Pc > 10−4 would typically be considered a significant risk leading most operators to maneuver. Fig 3 Download : Download full-size image Fig. 3. “New” large LEO constellation at same average altitude as “Old” existing constellation. Currently, the Old system in this example would typically see a warning (Pc > 10−6) a few times a month at this altitude, and of those, a few per year might cross the maneuver threshold. For the operations center, this would be multiplied by the number of satellites in the constellation. When the New system parks nearby, the number of COLA alerts jumps substantially. But the number of alerts depends entirely on the error bubble, (covariance) used. If the typical errors of the public external tracking data and the orbit propagation methods that are widely available (General Perturbations, or GP) are used for both constellations, over a 30-day period we see 129 conjunctions that cross the threshold for COLA assessment (Pc> 10−6), and 53 that cross the maneuver planning threshold (Pc> 10−5) (Fig. 4). This is nearly 2 per day. This could be an enormous workload for a manual process. If a high accuracy catalog (Special Perturbations, or “SP”) and a high-fidelity propagator with its typical covariances is used, the number of conjunctions goes from 129 to a more manageable 10. SP data is maintained by the Air Force, but it is not widely available. It is interesting to note that nine of those 10 crossed the maneuver-planning threshold, and of those, four crossed the Pc> 10−4 where many operators would choose to execute a maneuver. Compared to GP, the SP-quality data resulted in far fewer warnings and flagged four very close conjunctions. The operations center would have been able to concentrate on fewer “false alarms”. We also computed the case where GPS-quality owner-operator data was used for both systems, in which we assumed near-real-time owner-operator position data of very high quality was provided by both operators and used in the collision analysis. In this case, NONE of the conjunctions resulted in a warning and no COLA alerts were generated. The closest approach was 99 m, with a Pc of 3.7 × 10−7 using SP. But because of the quality of the GPS-based position data, this conjunction did not raise an alert because the fully-informed operators could be confident that a collision would not occur. Fig 4 Download : Download full-size image Fig. 4. Number of COLA alerts in 30 days for various qualities of position knowledge when a fictional new system is deployed near an existing one. In the example, an operations center for the Old constellation of six satellites could go from about one COLA assessment a week to nearly one per day per satellite, if only the published satellite catalog is available. If a new constellation operates too close to an existing system, the operator workload may become unreasonable using existing processes. But high accuracy data makes this manageable, and GPS-quality owner-operator data for both systems makes the problem vanish. Since these constellations are likely to be operated by different companies or governments, sharing high-quality position data would likely require an active space traffic management organization. Existing operators will not necessarily have large constellations parked nearby, but they will nonetheless be affected by the new activity. The new large constellations’ satellites typically will have relatively short lifetimes and will need frequent replenishment. The traffic transiting up and down will be substantial, and failures could leave stranded objects at intermediate altitudes, permanently increasing the collision risk. 5. Conjunction warning overload NewSpace operators will face a different challenge due to the vast increase in numbers of satellites. While there are likely as many operational plans as there are operators, a large constellation must consider close approaches with itself. Even if there are no neighboring systems, self-conjunctions can occur between two members of the same constellation. Depending on the configuration, a given operator could see hundreds to thousands of self-conjunctions that cross typical warning thresholds each day using current practices. This could be an issue for a space traffic management (STM) agency, even if it is not an issue for the operator. Aerospace models show that for one possible NewSpace constellation, more than 500,000 self-conjunctions each year could result that cross the typical Pc > 10−6 warning threshold. If no action were taken, we would expect 2–3 collisions per year. This is clearly unacceptable. Thus, current tracking accuracy and processes might produce millions of warnings per year for NewSpace operators to prevent half a dozen actual collisions. Under current practices operators would need to sort through an enormous haystack to find the needles, and because a handful of actual collisions will occur, the warnings cannot be ignored.

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

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

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 – our ev assumes new satellites OR their ev is also super outdated and it should’ve already happened bc it’s been 3 years**

**Stubbe 17** [(Peter, PhD in law @ Johann Wolfgang Goethe University Frankfurt) “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] TDI

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

#### Public sector mining thumps

NASA 19 [“NASA Invests in Tech Concepts Aimed at Exploring Lunar Craters, Mining Asteroids,” NASA, June 11, 2019, <https://www.nasa.gov/press-release/nasa-invests-in-tech-concepts-aimed-at-exploring-lunar-craters-mining-asteroids>] TDI

NASA Invests in Tech Concepts Aimed at Exploring Lunar Craters, Mining Asteroids Robotically surveying lunar craters in record time and mining resources in space could help NASA establish a sustained human presence at the Moon – part of the agency’s broader [Moon to Mars exploration](https://www.nasa.gov/specials/moon2mars/) approach. Two mission concepts to explore these capabilities have been selected as the first-ever Phase III studies within the [NASA Innovative Advanced Concepts](https://www.nasa.gov/niac) (NIAC) program. “We are pursuing new technologies across our development portfolio that could help make deep space exploration more Earth-independent by utilizing resources on the Moon and beyond,” said Jim Reuter, associate administrator of NASA’s Space Technology Mission Directorate. “These NIAC Phase III selections are a component of that forward-looking research and we hope new insights will help us achieve more firsts in space.” The Phase III proposals outline an aerospace architecture, including a mission concept, that is innovative and could change what’s possible in space. Each selection will receive as much as $2 million. Over the course of two years, researchers will refine the concept design and explore aspects of implementing the new technology. The inaugural Phase III selections are: Robotic Technologies Enabling the Exploration of Lunar Pits William Whittaker, Carnegie Mellon University, Pittsburgh This mission concept, called Skylight, proposes technologies to rapidly survey and model lunar craters. This mission would use high-resolution images to create 3D model of craters. The data would be used to determine whether a crater can be explored by human or robotic missions. The information could also be used to characterize ice on the Moon, a crucial capability for the sustained surface operations of NASA’s Artemis program. On Earth, the technology could be used to autonomously monitor mines and quarries. [Mini Bee Prototype to Demonstrate the Apis Mission Architecture and Optical Mining Technology](https://www.nasa.gov/directorates/spacetech/niac/2019_Phase_I_Phase_II/Mini_Bee_Prototype) Joel Sercel, TransAstra Corporation, Lake View Terrace, California This flight demonstration mission concept proposes a method of asteroid resource harvesting called optical mining. Optical mining is an approach for excavating an asteroid and extracting water and other volatiles into an inflatable bag. Called Mini Bee, the mission concept aims to prove optical mining, in conjunction with other innovative spacecraft systems, can be used to obtain propellant in space. The proposed architecture includes resource prospecting, extraction and delivery.

#### No ‘space war’ – Insurmountable barriers and everyone has an interest in keeping space peaceful

**Dobos 19** [(Bohumil Doboš, scholar at the Institute of Political Studies, Faculty of Social Sciences, Charles University in Prague, Czech Republic, and a coordinator of the Geopolitical Studies Research Centre) “Geopolitics of the Outer Space, Chapter 3: Outer Space as a Military-Diplomatic Field,” Pgs. 48-49] TDI

Despite the theorized potential for the achievement of the terrestrial dominance throughout the utilization of the ultimate high ground and the ease of destruction of space-based assets by the potential space weaponry, the utilization of space weapons is with current technology and no effective means to protect them far from fulfilling this potential (Steinberg 2012, p. 255). In current global international political and technological setting, the utility of space weapons is very limited, even if we accept that the ultimate high ground presents the potential to get a decisive tangible military advantage (which is unclear). This stands among the reasons for the lack of their utilization so far. Last but not the least, it must be pointed out that the states also develop passive defense systems designed to protect the satellites on orbit or critical capabilities they provide. These further decrease the utility of space weapons. These systems include larger maneuvering capacities, launching of decoys, preparation of spare satellites that are ready for launch in case of ASAT attack on its twin on orbit, or attempts to decrease the visibility of satellites using paint or materials less visible from radars (Moltz 2014, p. 31). Finally, we must look at the main obstacles of connection of the outer space and warfare. The first set of barriers is comprised of physical obstructions. As has been presented in the previous chapter, the outer space is very challenging domain to operate in. Environmental factors still present the largest threat to any space military capabilities if compared to any man-made threats (Rendleman 2013, p. 79). A following issue that hinders military operations in the outer space is the predictability of orbital movement. If the reconnaissance satellite's orbit is known, the terrestrial actor might attempt to hide some critical capabilities-an option that is countered by new surveillance techniques (spectrometers, etc.) (Norris 2010, p. 196)-but the hide-and-seek game is on. This same principle is, however, in place for any other space asset-any nation with basic tracking capabilities may quickly detect whether the military asset or weapon is located above its territory or on the other side of the planet and thus mitigate the possible strategic impact of space weapons not aiming at mass destruction. Another possibility is to attempt to destroy the weapon in orbit. Given the level of development for the ASAT technology, it seems that they will prevail over any possible weapon system for the time to come. Next issue, directly connected to the first one, is the utilization of weak physical protection of space objects that need to be as light as possible to reach the orbit and to be able to withstand harsh conditions of the domain. This means that their protection against ASAT weapons is very limited, and, whereas some avoidance techniques are being discussed, they are of limited use in case of ASAT attack. We can thus add to the issue of predictability also the issue of easy destructibility of space weapons and other military hardware (Dolman 2005, p. 40; Anantatmula 2013, p. 137; Steinberg 2012, p. 255). Even if the high ground was effectively achieved and other nations could not attack the space assets directly, there is still a need for communication with those assets from Earth. There are also ground facilities that support and control such weapons located on the surface. Electromagnetic communication with satellites might be jammed or hacked and the ground facilities infiltrated or destroyed thus rendering the possible space weapons useless (Klein 2006, p. 105; Rendleman 2013, p. 81). This issue might be overcome by the establishment of a base controlling these assets outside the Earth-on Moon or lunar orbit, at lunar L-points, etc.-but this perspective remains, for now, unrealistic. Furthermore, no contemporary actor will risk full space weaponization in the face of possible competition and the possibility of rendering the outer space useless. No actor is dominant enough to prevent others to challenge any possible attempts to dominate the domain by military means. To quote 2016 Stratfor analysis, "(a) war in space would be devastating to all, and preventing it, rather than finding ways to fight it, will likely remain the goal" (Larnrani 20 16). This stands true unless some space actor finds a utility in disrupting the arena for others.