

AFF

We affirm Resolved: the United States should accede to the United Nations Convention on the Law of the Sea without reservations.

Contention One is The South China Sea

China has militarized the South China Sea.

Oona A Hathaway, 9-14-2017, "Making war illegal changed the world. But it's becoming too easy to break the law," Guardian,

<https://www.theguardian.com/news/2017/sep/14/making-war-illegal-changed-the-world-but-its-becoming-too-easy-to-break-the-law> //EH

In 2014, Russia seized Crimea from Ukraine, the first conquest of one state by another in Europe since the second world war. In April this year, the new US president, Donald Trump, launched his own attacks on the Syrian military in retaliation for chemical weapons attacks. Meanwhile, **China has intimidated its neighbours into passivity while it transforms submerged reefs in the South China Sea into modern military installations over which it claims sovereign control.** With these developments, only two members of the UN security council are not at present directly implicated in illegal uses of force: France and the UK. Yet both cheered Trump's April strikes in Syria. The French president Emmanuel Macron declared that the use of chemical weapons would cross a red line, and suggested France would also respond with force. These breaks with the charter are not without precedent. Nato's intervention in Kosovo in 1999, the so-called "war on terror" after the 9/11 attacks, and the US-led invasion of Iraq in 2003 had already set the stage.

In 2016, an international court created by UNCLOS ruled that China's SCS claims are against international law. However, China has ignored the ruling, pushing on in the region like nothing happened.

Zachary Keck, 6-25-2018, "China Just Sent A Major Warning To The US In The South China Sea," The National Interest, <https://taskandpurpose.com/south-china-sea-anti-air-exercises/> //AM

It was scheduled to join them again this year but the United States withdrew the invitation, citing China's militarization of the South China Sea. **China's continued militarization of disputed features in the South China Sea only serve to raise tensions and destabilize the region.** As an initial response to China's continued militarization of the South China Sea we have disinvited the PLA Navy from the 2018 Rim of the Pacific (RIMPAC) Exercise," a spokesperson for the Department of Defense said last month.

US accession would stop China's aggression in the SCS due to multilateralism.

Christopher Mirasola, 3-15-2015, "Why the US Should Ratify UNCLOS: A View from the South and East China Seas," Harvard National Security Journal, <http://harvardnsj.org/2015/03/why-the-us-should-ratify-unclos-a-view-from-the-south-and-east-china-seas/> //AM

Third, aside from ad hoc diplomacy and negotiations within Association for South East Asian Nations (ASEAN), whose decisions require unanimity, **UNCLOS is one of the few multilateral mechanisms that can directly address territorial disputes in the seas.** General Dempsey, Chairman of the Joint Chiefs of Staff, noted that ratifying **UNCLOS, "gives us another tool to effectively resolve conflict at every level."** While it is true that ratifying UNCLOS hasn't vindicated Japan, for example, in its dispute with China, the treaty has only enjoyed widespread support for sixteen years. Given this short history, it is almost

surprising that the Philippines has already asserted this type of claim against China through UNCLOS to bolster its relatively weak strategic position.

Anders Corr, 7-13-2016, "Enforce Law Of The Sea Ruling: Stand With The Philippines Now, Or Later Face China Alone," Forbes,

<https://www.forbes.com/sites/anderscorr/2016/07/13/enforce-law-of-the-sea-ruling-stand-with-the-philippines-now-or-later-face-china-alone/> //AM

Congressman Randy Forbes (R-VA) wrote "Should China respond rashly to the ruling, Washington should leave no doubt about its intention to stand with our treaty allies and partners to resist aggression and uphold both our values and interests." One mid-level official, who commented privately, said "We are where we are now because of the World community's reluctance to confront Beijing 4-6 years ago when it was aggressing Japan in the Senkakus and the Philippines in the SCS. If we do not confront Beijing now, we will be facing even more severe aggression 4-6 years from now." China reacted to the court ruling, even before it was made, by saying it was invalid, null and void, and would be ignored. China reiterated this position after the ruling yesterday. This puts the ball back into the court of the law-abiding countries. **The U.S. and our allies are the only countries with the power to enforce the PCA ruling. The ruling is in favor of a U.S. treaty ally, the Philippines. Thus it is doubly incumbent on the U.S., since China has refused to abide by the ruling, to organize allied enforcement of the ruling.** Not doing so would be to shirk our duties as a member of the international community, as an ally of the Philippines, and ultimately in our own defense. If China succeeds in flaunting international law and territorial claims in this case, neither will they be deterred in 10 or 20 years, when they are much more powerful economically and militarily, from claiming even more. Enforcement of the international ruling is ultimately necessary for the defense of not only Philippine, but U.S. territory. Several steps should be taken to enforce the ruling such that war is averted. First, the U.S. should obtain commitments from allies, including E.U. countries, the U.K., Japan, Australia, India, and South Korea, to assist in a coalition to enforce UNCLOS in the South China Sea. Second, the U.S. and allies should jointly inform China that we intend to enforce the ruling, and thereby give China an opportunity to comply quietly and save face.

This coalition would pressure China into making some concessions

M. TAYLOR FRAVEL, December 2011, "China's Strategy in the South China Sea," ISEAS - Yusof Ishak Institute,

<https://www.jstor.org/stable/pdf/41446232.pdf?refreqid=excelsior%3Ae3c282bf31d50eac82043be2fa4e117e> //AM

Compromise is possible because pressing a claim to another state's land carries some price or opportunity cost, usually unrealized military, economic or diplomatic assistance. When these costs outweigh the value of the land at stake, compromise becomes more attractive than delay, and a state will trade concessions for aid from a territorial opponent to counter the more pressing threat that it faces. **In the South China Sea, China should be most likely to compromise when improved ties with claimant states become more important than the islands or maritime rights being contested.** Although such a shift is unlikely, **it might occur if China seeks to prevent the formation of a counterbalancing coalition, especially one led by the United States. In this scenario, China would offer some concessions in the dispute to improve ties with these states.** Such cooperation in an offshore island dispute is not unprecedented. In 1957, Mao ordered the transfer of the disputed White Dragon Tail (Bailongwei) Island in the Tonkin Gulf to North Vietnam. At the time, Mao hoped to strengthen his ally, Ho Chi Minh, in the broader context of China's rivalry with the United States.

More parties involved leads to a higher chance of success.

French 14 Howard W. French, 11-2014, "China's Dangerous Game," Atlantic Magazine,

<https://www.theatlantic.com/magazine/archive/2014/11/chinas-dangerous-game/380789/> //DF

Likening today's fast-rising China to the fast-rising Germany of a century ago, he continues, "Only a militarily nonthreatening and diplomatically conciliatory grand strategy could have served Germany well—accelerating its peaceful rise to new heights of cultured prosperity." This, Luttwak writes, "is perfectly obvious in retrospect. But by 1907, and indeed long before, that best strategy had become simply unthinkable for Germany's political elite." **The more China sees a coordinated response to its military buildup and naval forays, the more likely it might be to turn toward diplomacy, and to stop seeking overwhelming**

superiority in the region. And yet, of course, that is not the only possibility, as Luttwak's analogy makes plain. The biggest question today is whether or not China's political elite under Xi Jinping, an unusually assertive new leader, has crossed a line similar to the one that German elites did a century ago, or may soon cross it.

Jansen Tham, The Diplomat, 5-10-2018, "Is the South China Sea Dispute a Foregone Conclusion?," Diplomat, <https://thediplomat.com/2018/05/is-the-south-china-sea-dispute-a-foregone-conclusion/> (NK)

The above three factors – Beijing's sharpened focus on national security, lack of American resolve to balance China in the SCS, and ASEAN's prioritization of peace and stability over sovereignty considerations – have contributed to the bleak state of affairs today. What does this mean for security in Southeast Asia? From the realist perspective, **as Beijing accrues naval dominance in the SCS, the rules meant to regulate its behavior are likely to matter less and less – underscoring the geopolitical truism that 'might is right.'** While China foreswears the use of coercive force on its Southeast Asian neighbors and may indeed have no offensive intentions today, it has now placed itself in a position to do so in future. In other words, **while it had no capacity nor intent to threaten Southeast Asian states previously, it has developed the requisite capabilities today.** Under a different Chinese leader, or when regional geopolitics shifts to one more antagonistic to Beijing's interests, there is a very real chance that its hitherto benign intent could change. If that happens, **there would be nothing stopping China from 'teaching its neighbours a lesson' – like how it taught Vietnam and India painful lessons during the 1979 Third Indochina War and the 1962 Sino-Indian border war respectively.** While acquiescing to preserve today's regional peace and stability makes sense, Southeast Asian states must realize the trade-off that doing so engenders potential costs of military confrontations with China tomorrow – confrontations stacked in Beijing's favor given its entrenched regional military influence henceforth.

David Stout, 5-10-2014, "The Last Time China Got Into a Fight With Vietnam, It Was a Disaster," **Time Magazine**, <http://time.com/100417/china-vietnam-sino-vietnamese-war-south-china-sea/> (NK)

In the winter of 1978, when Deng Xiaoping made his threat of a "lesson," more than 80,000 Chinese troops were sent across the border into Vietnam. Chinese Deputy Defense Minister Su Yu boasted of being able to take Hanoi in a week, but the untested and under-equipped People's Liberation Army (PLA) met fierce resistance from battle-hardened Vietnamese forces deployed across the frontier's limestone karsts. The Chinese were slaughtered by local militia from positions that had been utilized for centuries against invaders from the north. "More Chinese soldiers were getting killed because they were fighting like it was the old times," says Vietnamese veteran Nguyen Huu Hung, who witnessed the PLA's human waves being mown down near the city of Lang Son. "They were in lines and just keep moving ahead ... they didn't run away." **it would take just six weeks for Beijing to call off its "self-defensive counteroffensive." Teaching the Vietnamese a lesson turned out to be a costly affair. Official casualty statistics have never been released by either Beijing or Hanoi; however, analysts have estimate that as many as 50,000 soldiers died during the confrontation.** "I heard that [China] said they wanted to teach Vietnam a lesson, but I can't see what the lesson was," says Hung. "Our job was to fight against them. But the losses, to be honest, were huge." When the Chinese began their pullout in early March, the retreating troops implemented a barbaric scorched-earth policy. Every standing structure in their path was destroyed. Any livestock they encountered were killed. Bitterness was sown.

C2 is Securing a Renewable Future

[//AM](http://www.rareearthtechalliance.com/What-are-Rare-Earths)

Rare earth metals are a series of chemical elements found in the Earth's crust that are vital to clean energy.

However, reserves of these metals are declining.

Moss 18 Jacques Moss, 8-1-2018, "Renewable Energy's Deep Sea Mining Conundrum," No Publication, [//DF](https://knect365.com/energy/article/9c1b0a6e-e73e-4360-9485-adf5cf141b33/renewable-energys-dee-p-sea-mining-conundrum)

Presently, around 90% of the world's production of rare earth minerals takes place in China. It's a market the country has had cornered since the early 1990's. This has given China immense sway over the development of the renewable energy industry and over other high-tech forms of manufacturing. The geopolitical implications in a world dependent on renewables to meet the majority of its energy needs are obvious. If that concerns you, the good news is that by then we may not need to worry

about a repeat of Chinese embargoes of rare earths. **China's stocks are depleting quickly**. According to a whitepaper released by the Chinese government in 2012, **the country's reserves are likely to last only another 20 years, based on current patterns of consumption. The richest seams have already been mined, which means that the remaining reserves will be more expensive to extract**. So the question remains – where are the resources needed to bring about the energy transition going to come from?

Luckily,

Caroline **Houck**, 8-1-2017, "The Arctic Could Be the Next South China Sea, Says Coast Guard Commandant," **Defense One**,

<https://www.defenseone.com/threats/2017/08/arctic-could-be-next-south-china-sea-top-coast-guard-admiral/139917/> //AM

That's a big deal because **the U.S.'s extended continental shelf holds up to** "13% of the world's oil reserves, about a third of the world's gas reserves, and **about a trillion dollars worth of rare earth metals**" that technological advancements will soon make economically feasible to harvest, Zukunft said.

However, companies cannot mine without accession.

Ian **Coles**, 2014, "Rare Earth Elements: Deep Sea Mining and the Law of the Sea," Mayer Brown, https://www.mayerbrown.com/Files/Publication/856c8826-2823-425a-b4df-b4603e4585b1/Presentation/PublicationAttachment/e45fc80e-0207-4e7a-8c13-b6a394ee776f/rare_earth_elements.pdf //AM

In the Area, activities in relation to seabed mining may only be carried out in accordance with the regulations, rules and processes laid down by the ISA (the "Mining Code"). Engaging in prospecting requires a satisfactory undertaking to be given to the ISA that the proposed prospector will comply with the UNCLOS and the Mining Code and will accept verification of compliance by the ISA. **Exploration and exploitation may only be carried out under a contract with the ISA, which may be awarded to state agencies and private mining enterprises sponsored by a State Party to the UNCLOS.** The element of state sponsorship is fundamental to this regime, as it is designed to ensure that a State Party to the UNCLOS is ultimately responsible for the activities of entities which contract with the ISA. To date, the ISA has awarded 19 exploration contracts, each valid for 15 years, with a further three contracts in the pipeline. The rapid increase in activity for the ISA in recent years reflects the renewed interest in deep seabed mining, especially from the private sector.

An increase in REMs is crucial for a transition to renewable energy.

Renee **Cho**, 9-19-2012, "Rare Earth Metals: Will We Have Enough?," State of the Planet, <https://blogs.ei.columbia.edu/2012/09/19/rare-earth-metals-will-we-have-enough/> //EH

Life in the 21st century wouldn't be the same without rare earth metals. Cell phones, iPads, laptops, televisions, **hybrid cars, wind turbines, solar cells and many more products depend on rare earth metals to function**. Will there be enough for us to continue our high-tech lifestyle and transition to a renewable energy economy? Do we need to turn to deep seabed or asteroid mining to meet future demand? **"To provide most of our power through renewables would take hundreds of times the amount of rare earth metals that we are mining today,"** said Thomas Graedel, Clifton R. Musser Professor of Industrial Ecology and professor of geology and geophysics at the Yale School of Forestry & Environmental Studies. There is no firm definition of rare earth metals, but the term generally refers to metals used in small quantities. Rare earth metals include: rare earth elements—17 elements in the periodic table, the 15 lanthanides plus scandium and yttrium; six platinum group elements; and other byproduct metals that occur in copper, gold, uranium, phosphates, iron or zinc ores.

The impact is green tech development.

A transition to renewable energy is already occurring.

Hoium 17 Travis Hoium, 11-24-2017, "How Renewable Energy Will Destroy Fossil Fuels," Motley Fool, <https://www.fool.com/investing/2017/11/24/how-renewable-energy-will-destroy-fossil-fuels.aspx> //DF

There's an energy revolution taking place before our eyes, but it doesn't seem to be getting a lot of attention from the media or investors.

Over the past decade, energy from wind and solar has become so cheap that it's making new fossil fuel plants nearly obsolete. This isn't just happening in the U.S. but in China and India as well, where **coal plants are being shut down in favor of wind and solar energy.** Close behind renewable energy is improving battery technology that's making electric vehicles and energy storage viable options for consumers and businesses. As this combination of technologies improves and grows, it will slowly but surely replace fossil fuel use as we know it today. Let me be clear about what I'm saying: The conditions for the demise of fossil fuels are already in place and a massive disruption of the fossil fuel industry is on the horizon. Electric grid disruption has already begun. Renewable energy changes the energy paradigm for the electric grid, and there will be a lot of casualties in the old world of energy. For example, ever since Thomas Edison invented the light bulb, people have relied on electricity from their electric grid to power their homes and any electric devices they own. For the first time ever, over a million homes are now their own mini-power plants with solar panels on their roofs. Given another year or two, energy storage will begin to be commonplace and removing yourself from the grid altogether will be a viable option for consumers. Utilities, power generators, and companies supplying fuel will all be disrupted in the process. **Gasoline will go the way of the horse and buggy. Rapid advances in battery technology are likely to make gasoline vehicles all but obsolete in a decade or two. Electric vehicles are already cheaper to fuel and maintain than traditional vehicles.** The obstacle to a complete takeover of the auto market is the vehicle's range and the lifecycle of batteries. Tesla (NASDAQ:TSLA) has made the biggest strides in range and lifecycle, offering a 337-mile range for the 100D model. Its warranty also runs for eight years and unlimited miles for new vehicles.

However, this depends on REMs.

Than 18 Ker Than, 1-17-2018, "Critical minerals scarcity could threaten renewable energy future," Stanford Earth, <https://earth.stanford.edu/news/critical-minerals-scarcity-could-threaten-renewable-energy-future> //DF

As population and standards of living rise in the coming decades, finding and developing sustainable sources of the critical and rare minerals crucial for modern electronics and renewable energy technologies will be one of the "most important topics facing humanity." That was the consensus of experts from industry, government agencies, and academia speaking at a mineral resources conference held at Stanford University last month. "Due to the rapidly increasing need for mineral resources as Earth's human population continues to grow exponentially and the need to minimize the environmental and social impacts of mining, it's essential that Stanford be involved in the field of economic geology — the study of the formation, exploration, and utilization of mineral resources," said conference organizer Gordon Brown, the Dorrell William Kirby Professor of Geological Sciences at the university's School of Earth, Energy & Environmental Sciences (Stanford Earth). Critical and rare metals — which include lithium, copper, uranium, gold, and so-called **rare earth elements** (REEs) — are prized for their electronic and magnetic properties and play a crucial role in the production of modern electronics. They are important for everything from smartphones and batteries to advanced weapons systems. Ravenous consumption of metals Rare metals **are especially vital for renewable energy technologies, such as electric cars and solar panels. For example,** a single Tesla vehicle requires about 15 pounds, or a bowling ball's worth, of lithium, and **thin, cheap solar panels need tellurium, one of the rarest elements on Earth.** Lawrence Meinert, the acting deputy associate director of the Energy and Minerals Division of the United States Geological Survey (USGS), called humanity's consumption of metals over the last century "truly mind-boggling." People now use six times more iron per person than 100 years ago, which has required iron ore production to ramp up by a factor of 26.

The development of green tech saves millions of lives.

Rebecca Leber, 2-11-2015, "Obama Is Right: Climate Change Kills More People Than Terrorism ," **New Republic**,

<https://newrepublic.com/article/121032/map-climate-change-kills-more-people-worldwide-terrorism>
//AM

Conservatives like Mike Huckabee ridicule Obama for linking climate change to national security. "I assure you that a beheading is much worse than a sunburn," Huckabee told Fox News on Monday. They will be disappointed to learn that climate change is, in fact, more dangerous.

Twenty governments commissioned an independent report in 2012 from the group DARA

International to study the human and economic costs of climate change. It linked 400,000 deaths worldwide to climate change each year, projecting deaths to increase to over 600,000 per year by 2030.

When scientists attribute deaths to climate change, they don't just mean succumbing to a heat wave or, as Huckabee put it, to sunburn. Heat waves kill many, to be sure, but global warming also devastates food security, nutrition, and water safety. Since mosquitoes and other pests thrive in hot, humid weather, scientists expect diseases like malaria and dengue fever to rise. Floods threaten to contaminate drinking water with bacteria and pollution. **When the report looked at the added health consequences from burning fossil**

fuels—aside from climate change—the number of deaths jumps from 400,000 to almost 5 million per year. Carbon-intensive economies see deaths linked to outdoor air pollution, indoor smoke from poor ventilation, occupational hazards, and skin cancer.