

# UNBLOX

Running Royalties? [Read this](#)

SCS O/V Responses	2
SCS Warrant Specific Responses	3
SCS Impacts	4
Increased Influence-- More cooperation on the development of maritime law in other ways	5
FONOPS	6
Codifying ECS & EEZ-- Beating Russia to the Arctic	8
Codifying ECS & EEZ-- Legal Certainty Allows US to Sell Arctic Land	10
Codifying ECS & EEZ-- Legal Certainty Catalyzes Investment	11
Lawsuits	12
Whales	13
Overfishing	14
Tech Transfers	15
Undersea Cables	16
Marine Research	17
Royalties	18
Phytoplankton-- Iron Dumping	20
Royalties-- Aid Bad	21
South China Sea	22
Military Constraints	23
Piracy	24
PSI	27
Military Flexibility-- Obligates our military to help other countries	28
<a href="#">(Arctic) Drilling and Mining Bad</a>	29
We Leave	31
Politics Disad	

## SCS O/V Responses

1. The United States will not adamantly oppose China within UNCLOS because if we wanted to, we'd be doing so already by sanctioning China like we do with every other country that pisses us off. [Cheng of the Heritage Foundation](#) writes that opposition to China in or out of UNCLOS is optically and functionally the same, so the fact that we're not doing so means we've made a calculated bet that it is not worth angering China over a local maritime dispute, and that if the US were to join UNCLOS, it will not create multilateral coalitions or use its veto to do so.
2. But even if the US does, this point becomes offense for us. That's because [Fuchs of the National Interest](#) writes that the U.S. influencing other countries to oppose China or worse yet, suing China themselves through UNCLOS would "play to the suspicions of hardliners in China who view international legal regimes as a vehicle for advancing U.S. interests," be seen as a hostile act, and likely lead to the exacerbation of the current trade war.
3. But even if the US did use UNCLOS to oppose China, China doesn't get mad, and the court rules in the US' favor, China is a serial treaty violator and won't even care if the case goes against them. Even if they lose, [Fuchs of the National Interest](#) writes that China will defy the tribunal's ruling against it just like they did with the Philippines ruling that went against them that Xi Jinping made a point of using as waste paper because China's importance to the global economy and world order precludes it from international organizations punishing it beyond a slap on the wrist.
4. Even if they didn't, Fuchs furthers that Beijing's commitment to rejecting a decision in the South China Sea won't be swayed by US accession to UNCLOS as they have made a calculation that whatever reputational damage defying the ruling will cause is worth it to secure the country's strategic interests.

## SCS Warrant Specific Responses

On the warrant level, this point is probably moot because of its nonuniqueness.

### US Gains the Legal Tools to Sue China Warrant

1. **The US joining has no legal bearing.** Delink this argument because according to [Fuchs of the National Interest](#), US accession gives us no more legal authority than we already have because the US is not a claimant in the lawsuit against China, and their hypocrisy argument carries no legal weight either. Beyond that, since our allies vote with us anyway, the one vote we get in the 160+ member UNCLOS assembly means almost nothing. Thus, there is no way we fundamentally alter Chinese policy through UNCLOS, and it does not solve.

### US Gets Soft Power Influence Warrant

1. **Soft power does not matter.** The countries that control international law are simply those that have large militaries and economic power, not those with “international legitimacy.” [MacShane of the Globalist](#) furthers that soft power is a myth because countries will always act in their own self-interest, meaning that the U.S. does not need to join UNCLOS to influence China-- we already have the tools to pressure countries, and UNCLOS will not change our degree of actual influence.
2. **The US probably has some degree of influence either way**, evidenced by the fact that we were able to affect major changes in the treaty when we weren't in it in 1994 for our own exclusive benefit, which that our non-party status to UNCLOS does not undermine the international community's willingness to listen to US concerns. That's why [Mazza of the Diplomat](#) explains that these disputes are about power politics and neither China nor the United States will allow them to be settled in court, rendering UNCLOS irrelevant in their resolution.
3. Even if they refute the delinks, TURN it because [Groves of the Heritage Foundation](#) writes that the U.S. is likely to break UNCLOS or be accused of breaking it even if we don't, which will diminish our international credibility

## SCS Impacts

## War

1. This impact is really, really silly and has an incredibly low probability of materialization-- 3 reasons why  
*First*, because [Pietrucha of War on the Rocks](#) that a war would harm China economically far more than it would harm the U.S. due to our trade imbalance  
*Second*, because [Rusi of EYAL](#) writes that the Chinese people overwhelmingly oppose an American war  
*And third*, because the ends don't justify the means, which is why sinology expert [Arthur Waldron](#) explains that a U.S.-China war won't erupt over a local maritime dispute because "they're not idiots."
2. **But even if it did happen a U.S.-China War would likely only be a token conflict, as both sides are disincentivized from being truly deadly due to the promise of Mutually Assured Destruction for both of the world's largest countries.**

## Trade

1. The UNCLOS case against China is about U.S. intelligence and reconnaissance operations in China's EEZ-- China has never opposed free trade in the South China Sea, and never will because [Valencia of the East Asia Forum](#) writes that it would be shooting itself in the foot since its economy is most reliant on trade through the SCS.
2. China is highly disincentivized from interrupting commercial trade through the SCS, because it would be a clear violation of FONOPS that would at a best diminish the foreign goodwill that is crucial to their emergence in the interconnected global economy and construction of the massive Silk Road infrastructure project, and at worst lead to the threat of punishment in international courts and establish anti-China resentment among the international judgement tribunal that would hurt it in future, more important cases. Indeed, [Cui of the IMF](#) quantifies that China has a massive trade surplus, more than 8% of its GDP. As such, its dependent on other countries for its economic growth.

Indeed, after the Trump Tariffs, the [South China Morning Post](#) reported that Beijing had ordered state media to tone down its criticism and rhetoric against Donald Trump. No matter how antagonistic or tense the situation becomes, Beijing will never try to cut off trade because ultimately China will suffer.

3. But even if you buy this silly impact look to [Austin of the Diplomat](#), who explains that ships could simply go around the SCS through the Sunda or Lombok Straits at minimal added

cost, which is a route already used by many oil tankers, meaning that trade won't be disrupted because there are easy and cost-efficient alternatives.

Increased Influence-- More cooperation on the development of maritime law in other ways

1. **Soft power does not matter.** The countries that control international law are simply those that have large militaries and economic power, not those with "international legitimacy." For reference, [BRICS Business Magazine](#) reports that Hungary, Slovakia, and Romania are in the top 20 in the global index for soft power while the U.S. is not, even though they are clearly not the shapers of future global policy while the U.S. is. [MacShane of the Globalist](#) furthers that soft power is a myth because countries will always act in their own self-interest, meaning that the U.S. does not need to join UNCLOS to influence China-- we already have the tools to pressure countries, and UNCLOS will not change our degree of actual influence.
2. Even if they refute the delinks, TURN it because according to [Groves of the Heritage Foundation](#), the U.S. is likely to violate UNCLOS when acting in its own best interests, especially given its stringent climate protection laws, which will diminish our international credibility. Even if it doesn't legitimately break the treaty, the U.S. will still be exposed to criticisms, which regardless of their truthfulness will hurt the its image.
3. The United States joining UNCLOS gives it very minimal unique influence in ITLOS tribunals-- Its allies are already all voting for what the U.S. wants, so the only vote that the U.S. uniquely gets upon accession is its own, which doesn't matter for much when the Assembly is composed of more than 160 members

## FONOPS

### 1. Turn: FONOPS increase conflict by giving China an excuse to militarize

[Gomez of the Cato Institute](#): “FONOPS will not resolve SCS territorial disputes. In fact, this approach likely will complicate U.S.-Chinese relations and make a peaceful settlement of territorial disputes more difficult. A FONOP also is likely to spark a Chinese backlash, hindering a peaceful resolution of SCS disputes. As MIT’s [Taylor Fravel](#) observed, a FONOP “gives China an opportunity to assert that the United States is the country ‘militarizing’ the South China Sea,” providing Beijing with an excuse to respond in kind.”

### 2. Neighboring countries don’t want

[Bateman of the East Asia Forum](#): Neighboring countries in the SCS don’t want FONOPs, don’t want countries to “Rock the boat” by conducting FONOPS and provoking conflict

3. [Dutton 18](#): China hasn’t made a specific legal claim that can be actually challenged, so there’s literally no point to FONOPs

4. Turn: China prefers bilateral negotiations: Doesn’t like other countries getting involved in a regional issue, as other countries try to get their interests represented which makes achieving a meaningful solution more difficult.

Indeed, the Chinese Ambassador to the Philippines said in a [China Daily](#) interview “China prefers “peaceful means and bilateral talks”, Ambassador Zhao said.”

Moreover, China specifically rejected international solutions, saying “it neither accepts nor participates in international arbitration unilaterally pushed forward by the Philippines on the South China Sea disputes.”

## REM Mining Good

1. Delink because legal certainty is nonunique.
  - a. Companies have bought the land that has been offered by the US-- The “legal certainty” argument is just corporate propaganda for companies to have absolute certainty versus the relative certainty they have in the status quo as 1980 Deep Seabed Act Authorizes, 65 leases for the Gulf of Mexico sold under Trump
  - b. Non-unique bc collect via foreign subsidiaries in the squo-- eg. Lockheed Martin. They won’t go back because [O’Keefe of the Orlando Sentinel](#) writes that despite recent deregulation, U.S. offshore drilling laws remain among the strictest in the world, ensuring safety at the expense of profits.
2. There will never be a profit incentive to mine the deep-sea, so companies simply won’t. [Beauleiu of AGU Publications](#) writes in June 2017 that no deep-sea mining is happening right now, and that there are still many expensive uncertainties and technological gaps that need to be addressed for an commercial extraction operation to be viable. But even if technological improvements lower the price of extraction, there are two reasons why deep-sea mining for REMs still won’t happen:
  1. Innovation in terrestrial oil drilling is outpacing that of deep sea mining, which is why oil prices are still falling and it will never make business sense to seriously fund deep-sea mining
  2. [Heaven of the Financial Post](#) reports that Japan was able to find a semi-infinite supply of rare-earth minerals off their coast and not in the deep-sea, undermining the need for deep-sea miningThe efficacy of these reasons was further proven when Nautilus, the only company with serious exploratory deep-sea mining probes, was [forced into bankruptcy this June](#). Thus, you can completely delink this argument.
3. Turn it because deep-sea mining is environmentally detrimental. [Niner of Frontier Science](#) explains that it will come at a huge cost to marine biodiversity, and it trades off with investment in reducing the environmental harms of existing mining that [MIT](#) reports have “significantly reduced its environmental impact.” Biodiversity outweighs because [Sukhdev of the Guardian](#) explains that it is a prerequisite to effective solutions to climate change, which is why the [UN itself](#) explains that the “case for saving species [is] ‘more powerful than climate change’”

SCS Prolif

[South China Morning Post](#): Phillipines won't bother trying to militarize, countries know they're outgunned by China.

Prolif good

What even is the link?



## Codifying ECS & EEZ-- Beating Russia to the Arctic

1. Russia is not going to infringe on our Arctic land claims
  - a. USSR–USA Maritime Boundary Agreement-- Divides the land between Alaska and Konchalka between the US and Russia
  - b. Russia has not tried to infringe on our land claims since the agreement
  - c. Claims also overlap w/ Sweden and Norway
2. CLCS doesn't hear claims that contrast-- Leaves it to the countries to evaluate, which is what is happening in the status quo anyway
3. CLCS asked Russia to revise its claim since it overlapped
4. Unclear what we'll add-- Another vote to something we'll already oppose
  - a. We can nominate scientists who can verify whether Russia's claims are legitimate
  - b. HOWEVER, we already have scientific influence and other countries do too as per the rejection of the initial Russian claim
5. Not viable right now to extract stuff in the Arctic
  - a. Super-deep → Very cost-inefficient
  - b. Fracking pushing the price of oil down → Disincentive only increases

[Konyshev of the Russia Direct](#)-- Under international law, common law prevails over codified law. This allows the U.S. to bypass the Convention and is all the more reason to not consider it a universal source of law on Arctic issues.

[Wesley of the Naval Postgraduate School](#)--[Through its statement in its declaration of Article 298] Moscow declared that it would accept delimitation of disputed boundaries only on a bilateral basis, negotiated outside the UNCLOS regime.

[Groves of Heritage](#)-- The Russian claim extends the Baker–Shevardnadze line from the Bering Strait all the way to the North Pole, likely resulting in an excessive ECS claim in the central Arctic. However, Russia's potentially excessive claim is located to the north of the limits of the U.S. ECS area. While the Russian claim may overlap with Canada's ECS claim, it does not overlap any U.S. ECS area.<sup>37</sup>

In short, there is no conflict between the United States and Russia regarding the division of Arctic resources, including hydrocarbons. even if there were a conflict, Russia's claim cannot be approved by the CLCS and would not be recognized by the United States (or Canada).

## Codifying ECS & EEZ-- Legal Certainty Allows US to Sell Arctic Land

1. TURN: Arctic drilling hurts the environment
2. US already claiming Arctic and putting icebreakers there as a founding member of the Arctic council
3. CLCS doesn't hear claims that contrast-- Leaves it to the countries to evaluate, which is what is happening in the status quo anyway
  - a. Our claims literally overlap w Canada & Norway
4. Not viable right now to extract stuff in the Arctic
  - a. Super-deep → Very cost-inefficient
  - b. Fracking pushing the price of oil down → Disincentive only increases
5. Mitigate the impact because even if deep sea mining is viable and its development is somehow imminent, the impact is exceptionally short term. According to [Dudley of Forbes](#), green tech will become cheaper than investment in oil by 2020, which completely takes out the link because [Groves](#) writes that royalties won't be collected on these renewables.

## Codifying ECS & EEZ-- Legal Certainty Catalyzes Investment

1. Companies have bought the land that has been offered by the US-- The “legal certainty” argument is just corporate propaganda for companies to have absolute certainty versus the relative certainty they have in the status quo as 1980 Deep Seabed Act Authorizes, 65 leases for the Gulf of Mexico sold under Trump
2. Non-unique bc collect via foreign subsidiaries in the squo-- eg. Lockheed Martin. They won't go back because [O'Keefe of the Orlando Sentinel](#) writes that despite recent deregulation, U.S. offshore drilling laws remain among the strictest in the world, ensuring safety at the expense of profits.
1. There will never be a profit incentive to mine the deep-sea, so companies simply won't. [Beauleiu of AGU Publications](#) writes in June 2017 that no deep-sea mining is happening right now, and that there are still many expensive uncertainties and technological gaps that need to be addressed for an commercial extraction operation to be viable. But even if technological improvements lower the price of extraction, there are two reasons why deep-sea mining for REMs still won't happen:
  3. Innovation in terrestrial oil drilling is outpacing that of deep sea mining, which is why oil prices are still falling and it will never make business sense to seriously fund deep-sea mining
  4. [Heaven of the Financial Post](#) reports that Japan was able to find a semi-infinite supply of rare-earth minerals off their coast and not in the deep-sea, undermining the need for deep-sea mining

The efficacy of these reasons was further proven when Nautilus, the only company with serious exploratory deep-sea mining probes, was [forced into bankruptcy this June](#). Thus, you can completely delink this argument.

## Lawsuits

1. Other countries wouldn't uniquely sue us when they haven't yet sued Russia and China, who are both a) currently in UNCLOS and b) much worse violators of its environmental standards
2. [Hudzik of the University of Washington](#)-- The US already "complies with and exceeds" all of UNCLOS' environmental standards, so no one will sue/even if they did, it'd have such a low chance of winning that it would not drive any reform
3. [Boom of the Conversation](#): Lawsuits under UNCLOS are very difficult because countries need to prove that if it were not for the US, climate change would not be an impact.
4. [Boom of the Conversation](#): Small island countries don't have lawyers and usually don't attempt litigation because they would probably lose. Instead, they try to focus on new regulations and policies to try to prevent climate change instead of direct lawsuits. (This makes more sense, because multiple countries contribute to climate change. Suing the US won't actually do anything)
5. TURN their version of the impact. US Energy Information Agency reports that 30% of US energy from coal. As a result, the closure of coal plants would cause a spike in energy prices by decreasing the supply of energy, thrusting many into poverty and rendering them unable to afford basic necessities. Laura Lopez of the Hill thus finds that a 10% increase in energy prices would put more than 840,000 people into poverty.

## Whales

1. The US does not care about the whales! According to [Moore of the International Business Times](#) we kill the sixth most out of any country, so much so that [Peterson of the Huffington Post](#) claims we wage a “war against the whales.” No way we’ll prosecute other countries for their whaling when we are reaping its benefits too.
2. Countries won’t listen-- [Perry of the Times](#) reports that Japan has defied international tribunals to continue its “gruesome” whaling program, and there is no reason why other countries wouldn’t simply follow suit as Japan has not been reprimanded.
3. [McLaughlin of UC Berkeley](#): American cannot impose unilateral economic sanctions on countries, and this is the only way America can and has actually enforced the IWC’s rules according to [Dyer of Politifact](#).
  - a. Sanctions force progress
  - b. [Department of Conservation of New Zealand](#): Sanctions the only way to actually penalize countries for violating IWC rules.
4. Mitigate the impact because the damage is done and is irreparable. [Wahlquist of the Guardian](#) writes that even if all whale hunting was fully stopped for the next 80 years, whale populations wouldn’t even be able to reach half of their pre-hunting levels by 2100.
5. [Pynn of Hakai Magazine](#)-- The scientific consensus is that it is still unclear to what extent whale poop stimulates phytoplankton growth, if at all, and if so, it probably does so on a marginal level that will not singlehandedly dent climate change
6. Phytoplankton are actually bad. That’s because [Gannon of Live Science](#) explains that growing the numbers of “good phytoplankton” is outweighed by the inevitable growth accompanying it of harmful species like *Alexandrium tamarense*, which produces a neurotoxin so potent that consumption of even one cell is deadly for marine animals and kill likely be detrimental to commercial species of fish if its growth is encouraged

Biodiversity outweighs because [Sukhdev of the Guardian](#) explains that it is a prerequisite to effective solutions to climate change, which is why the [UN itself](#) explains that the “case for saving species [is] ‘more powerful than climate change’”

## Overfishing

### 1. UNCLOS has done nothing to resolve the crisis of overfishing

[Wood of the The Property and Environmental Research Center](#) finds in 2018 that over 90% of the world's fisheries are either at capacity or being overfished. If anything, **turn** the argument as Wood explains heavy regulation on fisheries is actually ineffective, because the measures these fisheries take to circumvent the regulations actually does more harm. Moreover, Wood explains that these regulations give competitive advantages to fishermen that try to circumvent regulations and creates adverse incentives.

### 2. US Already solved

Wood furthers that the United States, a country not in UNCLOS, has actually uniquely solved overfishing through catch shares by giving fishermen a stake in the long term health of a fishery. Wood explains that fishermen in the US are given "catch shares," and if the fishery begins to perform poorly in the long term the fishermen suffer, thus creating an incentive for fishermen to not damage the fishery.

Ultimately, Wood concludes that this is likely to nearly eliminate the problem of overfishing in the US. Indeed, in contrast to the 90% of fisheries overfished from UNCLOS countries, [Whittle of the Seattle Times](#) finds that only 35 out of the 235 fisheries in the US are overfished, the lowest number ever recorded.

## Tech Transfers

1. Not enforced by ISA
2. 1994-- *Recommended*
  - a. No fucking shit the US isn't going to do it
2. There will never be a profit incentive to mine the deep-sea, so companies simply won't. [Beauleiu of AGU Publications](#) writes in June 2017 that no deep-sea mining is happening right now, and that there are still many expensive uncertainties and technological gaps that need to be addressed for an commercial extraction operation to be viable. But even if technological improvements lower the price of extraction, there are two reasons why deep-sea mining for REMs still won't happen:
  5. Innovation in terrestrial oil drilling is outpacing that of deep sea mining, which is why oil prices are still falling and it will never make business sense to seriously fund deep-sea mining
  6. [Heaven of the Financial Post](#) reports that Japan was able to find a semi-infinite supply of rare-earth minerals off their coast and not in the deep-sea, undermining the need for deep-sea mining

The efficacy of these reasons was further proven when Nautilus, the only company with serious exploratory deep-sea mining probes, was [forced into bankruptcy this June](#). Thus, you can completely delink this argument.



## Undersea Cables

1. Already illegal under international law to damage the cable
2. Act of war if a nation decided to do this
  - a. Literally only done once bc Sierra Leone wanted to screw up Mauritania's elections and Mauritania while they were literally fighting each other
    - i. Only effective bc Mauritania only had one, which brings us to...
3. U.S. has like 35, they're circular, could just make them a little slower

## Marine Research

1. TURN it because [Rudolf of the New York Times](#)-- Deep sea drilling destroys coral reefs, which outweighs the original contention because while they impact to a very small subset of marine research, destroying the coral reefs means destroying all of what is by far the most promising source of lifesaving drugs for all researchers
2. Can research through foreign establishments
3. Severely mitigate for two reasons.
  - a. Most research takes place on the high seas, which is legal in both worlds because of customary maritime law. But even when research needs to get done in EEZs,
  - b. Most countries already let US researchers in automatically, including Australia according to the [University of Western Australia](#), which is where almost all of the coral reefs are. And due to its absence from UNCLOS, the US has negotiated bilateral agreements with most of the other countries that matter to grant free passage for researchers.
4. The impact is very tentative and nebulous

## Royalties

### Link Takeouts

1. **Non-unique bc collect via foreign subsidiaries in the squo-- eg. Lockheed Martin.** They won't go back because [O'Keefe of the Orlando Sentinel](#) writes that despite recent deregulation, U.S. offshore drilling laws remain among the strictest in the world, ensuring safety at the expense of profits.
2. **Even if/when deep sea mining does happen, it won't happen in the U.S. ECS where companies would have to pay royalties.** According to the [Deep Sea Mining Campaign](#), the most likely and profitable destinations for mining, currently under exploratory lease, include the Indian Ocean, Red Sea, and deep into the Pacific, but nothing inside the U.S. ECS.
3. There will never be a profit incentive to mine the deep-sea, so companies simply won't. [Beauleiu of AGU Publications](#) writes in June 2017 that no deep-sea mining is happening right now, and that there are still many expensive uncertainties and technological gaps that need to be addressed for an commercial extraction operation to be viable. But even if technological improvements lower the price of extraction, there are two reasons why deep-sea mining for REMs still won't happen:
  7. Innovation in terrestrial oil drilling is outpacing that of deep sea mining, which is why oil prices are still falling and it will never make business sense to seriously fund deep-sea mining
  8. [Heaven of the Financial Post](#) reports that Japan was able to find a semi-infinite supply of rare-earth minerals off their coast and not in the deep-sea, undermining the need for deep-sea miningThe efficacy of these reasons was further proven when Nautilus, the only company with serious exploratory deep-sea mining probes, was [forced into bankruptcy this June](#). Thus, you can completely delink this argument.

### Impact Responses

3.
  - a) Royalty aid is a uniquely bad and unaccountable form of aid for two reasons:

**First**, the U.S. cannot dictate where it goes as [UNCLOS Articles 160-162](#) explain that the one hundred plus-member, developing-country majority Assembly has the final say.

**Second**, because [Groves](#) explains that the UN imposes no guidelines for how the royalties should be spent and doesn't even require the disclosure of spending, leaving no obstacle to leaders using it to enrich themselves or their militaries.

b) Royalties are actually bad for developing countries for two reasons:

First, because they breed corruption

According to [The Economist](#), most aid ends up in the hands of the world's most corrupt and unaccountable governments, as they are often the reason for their countries needing aid in the first place.

Worse yet, it strengthens existing corruption because [Jablonski of London School of Economics](#) finds that African governments use aid money to buy votes through politically motivated patronage projects. As a result, [Nikolova of the Washington Post](#) finds that a 10% increase in aid increases corruption by 12.2%.

This corruption is detrimental. [The World Bank](#) explains that it is the single largest barrier to growth in the third world, and [Gupta of the IMF](#) quantifies that poverty increases by 2.3% for every 10% increase in it.

Second, because they undermine local business

[Lyons of the International Journal](#) corroborates that countries that become used to receiving large sums of money promote unproductive political projects at the expense of local business because they have "free" money at their disposal, preventing growth in the long-term.

**[Albiman of FEMS](#) thus quantifies that a 10% increase in foreign aid decreases long-term GDP per capita by 1.2%**

For these reasons, [Nishat of the University of Karachi](#) writes that every 1% increase in foreign aid results in a 0.6% increase in long-term poverty. We definitively control the direction of the link because [Mallik of SEF](#) finds in a metastudy that aid negatively affects five out of the six poorest countries in Africa.

## Phytoplankton-- Iron Dumping

1. No one else drops phytoplankton under UNCLOS even though it says we should do “everything in our power” to combat ocean acidification-- We won’t have to, and countries have no sound legal ground for suing us for not doing so
2. Literally banned under international law after a 2008 lawsuit on the grounds that we don’t know enough about the consequences on the marine environment-- Not allowed!

Royalties-- Aid Bad

### Link Takeouts

1. Non-unique bc collect via foreign subsidiaries in the squo-- eg. Lockheed Martin. They won't go back because [O'Keefe of the Orlando Sentinel](#) writes that despite recent deregulation, U.S. offshore drilling laws remain among the strictest in the world, ensuring safety at the expense of profits.
2. Even if/when deep sea mining does happen, it won't happen in the U.S. ECS where companies would have to pay royalties. According to the [Deep Sea Mining Campaign](#), the most likely and profitable destinations for mining, currently under exploratory lease, include the Indian Ocean, Red Sea, and deep into the Pacific, but nothing inside the U.S. ECS.
4. There will never be a profit incentive to mine the deep-sea, so companies simply won't. [Beauleiu of AGU Publications](#) writes in June 2017 that no deep-sea mining is happening right now, and that there are still many expensive uncertainties and technological gaps that need to be addressed for an commercial extraction operation to be viable. But even if technological improvements lower the price of extraction, there are two reasons why deep-sea mining for REMs still won't happen:
  9. Innovation in terrestrial oil drilling is outpacing that of deep sea mining, which is why oil prices are still falling and it will never make business sense to seriously fund deep-sea mining
  10. [Heaven of the Financial Post](#) reports that Japan was able to find a semi-infinite supply of rare-earth minerals off their coast and not in the deep-sea, undermining the need for deep-sea miningThe efficacy of these reasons was further proven when Nautilus, the only company with serious exploratory deep-sea mining probes, was [forced into bankruptcy this June](#). Thus, you can completely delink this argument.

3. Aid is actually a good thing for two reasons:

**Meshaka of UN University-- 2018 metastudy of >140 studies, finds that aid empirically relieves poverty**

READ FIRST TWO

### **First, because it decreases corruption.**

In general, aid decreases corruption because [Stockemer of the Canadian Journal](#) explains that it leads to increased scrutiny and monitoring of the recipient government. Royalty aid is additionally effective at destroying corruption because it offers countries an incentive to crack down on corrupt practices in an effort to receive the aid over rivals and curry international favor. That's important because [Naim of the Atlantic](#) writes that the single best way to sustainably and reliably fight corruption on a wide scale is to offer countries strong incentives to weed out local corruption.

Indeed, [Tavares of Economic Letters](#) quantifies that a 1% increase in aid decreases corruption by 2%.

This corruption is detrimental. [The World Bank](#) explains that it is the single largest barrier to growth in the third world because it costs Africa 150 billion dollars a year, and [Gupta of the IMF](#) quantifies that poverty increases by 2.3% for every 10% increase in third world corruption.

### **Second, by catalyzing growth**

Because it provides much-needed capital for local businesses and increases consumption, [Sachs of UChicago](#) writes that a 10% increase in aid increases GDP growth by 3.5%

For these reasons [Alvi of Western Michigan University](#) quantifies that a 1% increase in aid reduces the proportion of people living in poverty by 1.8%. In a metastudy analyzing more than 140 studies on the topic, [Mekasha of United Nations University](#) confirms the direction of the link, finding that aid “robustly” increases growth and decreases poverty.

### **Third, by democratizing countries**

Foreign aid democratizes countries, As [Rueckert of the Global Citizen](#) explains that foreign aid programs are tied to programs for reform. For example, Anita Chaudhary, a villager in Nepal, was making less than \$800 a year through farming. However, Rueckert explains that after a USAID package came in with temporary assistance as well as infrastructure development, she now makes twice as much as she did before. The USAID program also came with a program called “Partnership for local development,” and with the extra money she no longer only had to worry about where the next meal was coming from, and became politically active.

Rueckert explains that Chaudhary is just one case, and quantifies that millions of women have already been empowered by foreign aid, catalyzing the fight for human rights.

#### **Fourth, by reducing extremism**

The Borgen Project explains that foreign aid acts as a buffer to prevent extremism. When citizens of a country are abandoned by their government and starving, the only choice they have is to turn to extremist groups for food and shelter. However, foreign aid combats this by providing a minimum standard of life, preventing people from joining extremist groups as they are content with their current life.

Aid rarely goes to corruption countries, as [Kenny from the Center of Global Development](#) quantifies that less than one third of aid contracts show signs of misuse, fraud, or corruption.

[Truman Center](#) '17 - US would have permanent veto power against non democratic countries, and Alesina of the [American Economic Review](#) finds that democracies are more likely to receive aid from the US



## South China Sea

1. **China recognizes that accession means nothing for the litigation of the current case against them.** According to [Fuchs of the National Interest](#), UNCLOS gives us no more legal authority than we already have because the US is not a claimant in the current lawsuit against China.
2. Even if China views us as threatening, their arg is still **nonunique at best** bc we'll always be seen as threatening to China as their media demonizes us and they see our warships as threatening.
  - a. **At worst, turn it** bc UNCLOS provides a forum for diplomacy and possible compromise. According to [Bower of CSIS](#), China has been open to arbitration measures like walking back their claims in the SCS when the U.S. emphasizes the rule of law, but our non-party status to UNCLOS has weakened our position and undermined our authority. [Mitchell of OSU](#) corroborates that "UNCLOS is successful for bringing third parties to the conflict management table, which... facilitate[s] long run stability... [and] is also effective for preventing the onset of new disagreements over maritime areas."
    - i. **Version of this response for if they read that failed negotiations under UNCLOS double the propensity for conflict:**

This card is very miscut. Let's talk about what [Mitchell of OSU's](#) analysis actually says, which supports our side. Their analysis is probably based on some flukey misreading of one of the tables at the end of the article, so prefer her own analysis when she summarizes the article's results by literally writing that this is, if anything, a point for our side because "UNCLOS is successful for bringing third parties to the conflict management table, which may facilitate the long run stability of agreements reached to resolve maritime claims... [and] UNCLOS is also effective for preventing the onset of new disagreements over maritime areas."
- (Links about U.S. warships restoring order)
3. U.S. warships protected under Article 298, which according to the [ISDP](#) China has literally used to claim military surveillance protections for themselves. They won't threaten the status of U.S. warships right now because it would compromise their own military operations.
4. But if you don't buy that, then turn it. [Stewart of Reuters](#) reports that the whole reason that China is angry in the first place is the presence of U.S. warships, not trade. In fact,

[Laurenceson of the National Review](#) reports that trade is less of an issue for them and is only focused on due to excessive media attention. That means that even if warships go away, all it does is appease China, decreasing tension and the risk for war.

## Military Constraints

1. Houck of the Naval Law Review writes that Article 298 allows the United States to “opt out” of any articles that that it deems may comprise its “military and law enforcement activities,” a designation which is subject to no approval from any other party to UNCLOS. As a result, the US can simply bypass any clauses that could potentially interfere with military operations, as Houck furthers we “would almost certainly” do, meaning that UNCLOS is at worst neutral and at best beneficial for the army.
2. But turn the argument because UNCLOS *is* beneficial, as the military themselves do the weighing analysis for you. Because [Johnson of the Diplomat](#) writes that UNCLOS “offers the legitimacy of the rule of law to our actions,” and [Sandalow of Brookings](#) writes that it cements the freedom of navigation on which US Navy operations depend, [Bower of CSIS](#) writes that the UNCLOS has enjoyed “two decades of overwhelming support from every branch of the U.S. military.”

## Piracy

### O/V Responses

1. Houck of the Naval Law Review writes that Article 298 allows the United States to “opt out” of any articles that it deems may comprise its “military and law enforcement activities,” a designation which is subject to no approval from any other party to UNCLOS. As a result, given that counter piracy is conducted with the navy and constitutes international law enforcement, the US can simply bypass any clauses that could potentially interfere with antipiracy operations, which Houck furthers we “would almost certainly” do, delinking their entire argument.
2. Second, TURN the argument. That’s because the type of antipiracy our opponents claim to promote is ineffective. Indeed, [Do of the World Bank](#) explains that “because of the high cost of [current] counter-measures, in the long run they... [are] unsustainable,” writing that international cooperation is necessary to fight piracy at its root cause by punishing its enablers. UNCLOS solves for this as [Rodgers of the Center for American Security](#) writes that Article 100 of UNCLOS “imposes the duty to cooperate in the repression of piracy,” directing the US’ energy towards more effectual multilateral solutions opposed to our rogue and sporadic interdictions in the status quo. As a result, [Kelley of the Minnesota Law Review](#) writes that in addressing piracy, “UNCLOS... [is a] tool, not a hindrance, when properly understood.”
3. *Severely* mitigate the argument. That’s because [Whitlock of the Washington Post](#) writes that the US “has drawn the [anti-piracy] line at cases involving American interest,” and [Turse of the Nation](#) furthers that efforts we have taken up have constituted an utter “failure.” That means that even if you take them at their best and say joining UNCLOS completely stops US antipiracy, that barely means anything.

## Interdiction Warrant

1. In practice, UNCLOS does not curtail interdictions as our opponents claim it does. [Kelley of the Minnesota Law Review](#) writes that there are three separate ways to justify territorial interdictions under UNCLOS, and no country has ever been sued over an interdiction of pirates. In fact, under it, [France Diplomatique](#) writes that France has literally been able to conduct antipiracy operations on Somali land.
2. This warrant is also completely nonunique, as [Ivey of the Dartmouth Law Journal](#) writes that the US has acceded to the 1958 Convention of the Law of the Sea with almost the same policies on interdiction as current UNCLOS. Ivey furthers that the provisions not covered there are now customary international law, meaning that the US is subject to the same restrictions on interdiction regardless of its party status to UNCLOS.
3. [The American Society for International Law](#) writes that interdictions can just occur under SUA, a completely separate 1988 antipiracy treaty the US is a party to providing for interdictions within territorial waters, making it a viable justification for interdicting pirates regardless of the US' party status to UNCLOS.
4. Even if you buy none of that, the [UN Security Council](#) has issued and annually renewed a special mandate for ships to conduct interdictions within the territorial waters of Somalia that overrules UNCLOS and lets them interdict as much as they see fit.

## Extradition Warrant

1. [Kelley of the Minnesota Law Review](#) writes that “most states rightly justify [universal extradition of pirates]... in territorial waters under their ratification of SUA,” a 1988 treaty that the US has acceded to completely separate of UNCLOS. As such, he furthers that all the relevant cases have simply cited SUA as the justification for extraditing pirates to be tried, and the US can continue to do so regardless of its party status to UNCLOS.
2. [Kelley](#) furthers that “The supposed prohibition on transfers might in fact be a paper tiger, and a toothless one at that... UNCLOS party members have not denounced the practice. Neither has the ITLOS issued an advisory opinion on the matter. Accused pirates have not yet asserted defenses that they were wrongly brought within the prosecuting state’s jurisdiction.” That means that *even if* our opponents win that universal extradition is unsupported under some interpretations of UNCLOS, it doesn’t matter because restrictions on it have never even come close to being enforced, which is why Kelley writes that the US has exhibited an “apparent lack of concern over the matter.”

## Impact

4. Turn it because piracy is actually good for two reasons:
  - a. First, it generates attention and backlash towards the fractured political conditions within Somalia. Scott of Fair Observer writes that during the peak years of Somalia piracy, countries united across the planet and foreign aid doubled in 2011 compared to the previous decade.
  - b. Second, it constitutes a progressive wealth transfer. Scott furthers that as ransom money poured into Somalia, “it [went] into the local economy, creating jobs and wealth and fueling micro economies along the coast.” This significant transfer of wealth affected real estate development, sent basic wages through the roof, employed 15 thousand and even created its own investment market

PSI

Neg Version

1. This argument is completely nonunique. [Taft of the U.S. Committee on Armed Forces](#) explains that the US is already a party to the 1958 Convention on the Law of the Sea, which has the exact same policies pertaining to PSI as UNCLOS and may in fact be *more* restrictive. That means you can delink the argument because accession means nothing, and if anything turn it.
2. Delink it again because [Ivey of the Dartmouth Law Journal](#) writes that all PSI's members except for the US are parties to UNCLOS, and have not had their participation in PSI impeded by UNCLOS. That shows that our opponent's concerns will never materialize in the real world.

For these reasons, former [US ambassador to the UN John Bolton](#) has testified that US accession to UNCLOS "would not have any negative impact whatsoever on PSI."

3. Turn it because US accession increases the effectiveness of PSI. This is true for two reasons:
  - a. First, it legitimizes it and increases recruitment. [Walsh of the Senate Foreign Relations Committee](#) explains that "critically important democratic Pacific countries have indicated a desire to support our counter-proliferation efforts, but they tell us that so long as we are not a Party to the Law of the Sea Convention, they will not be able to convince their legislatures to endorse PSI."
  - b. Second, [Michael Mullen, Vice Chief of Naval Operations of the Navy](#), explains that UNCLOS' reinforcement and codification of freedom of navigation rights will increase the US' ability to support the objectives of PSI.

-----

1. Turn the impact-- Proliferation is good. Two reasons why:
  - a. First, Ken of the Journal of International Affairs writes that it deters conflict by bolstering Mutually Assured Destruction.
  - b. Second, it deescalates existing conflict by increasing the perception of the risks of war and promoting diplomacy, which is why Gartzke of Columbia finds that nuclear armed countries empirically have less intense conflicts



### Aff Version

1. Make them tell you why when 90 other countries are already parties to PSI, having a couple more island nations is important to its operation
2. Turn it because [Yokoi of World Maritime University](#) writes that UNCLOS undermines PSI because it prohibits countries from interdicting WMDs in territorial waters, EEZs, and even the high seas due to its rules protecting ships from interdictions unless they are seen committing a crime, which the mere transport of nukes is not
3. Mitigate the impact because [Valencia of the Arms Control Association](#) writes that PSI has largely been ineffective and ineffectual, and explains that there are copious loopholes involving ways to transport nukes that are perfectly legal under it.

-----

2. Turn the impact-- Proliferation is good. Two reasons why:
  - a. First, Ken of the Journal of International Affairs writes that it deters conflict by bolstering Mutually Assured Destruction.
  - b. Second, it deescalates existing conflict by increasing the perception of the risks of war and promoting diplomacy, which is why Gartzke of Columbia finds that nuclear armed countries empirically have less intense conflicts

## Military Flexibility-- Obligates our military to help other countries

1. Houck of the Naval Law Review writes that Article 298 allows the United States to “opt out” of any articles that it deems may comprise its “military and law enforcement activities,” a designation which is subject to no approval from any other party to UNCLOS. As a result, the US can simply bypass any clauses that could potentially interfere with military operations, as Houck furthers we “would almost certainly” do, meaning that UNCLOS is at worst neutral and at best beneficial for the army.
2. But turn the argument because UNCLOS *is* beneficial for military operations on net, as the military themselves do the weighing analysis for you. Because [Johnson of the Diplomat](#) writes that UNCLOS “offers the legitimacy of the rule of law to our actions,” and [Sandalow of Brookings](#) writes that it cements the freedom of navigation on which US Navy operations depend, [Bower of CSIS](#) writes that the UNCLOS has enjoyed “two decades of overwhelming support from every branch of the U.S. military.”

(Arctic) Drilling and Mining Bad

The Deep Sea Version of This Arg

5. There will never be a profit incentive to mine the deep-sea, so companies simply won't. [Beauleiu of AGU Publications](#) writes in June 2017 that no deep-sea mining is happening right now, and that there are still many expensive uncertainties and technological gaps that need to be addressed for an commercial extraction operation to be viable. But even if technological improvements lower the price of extraction, there are two reasons why deep-sea mining for REMs still won't happen:

11. Innovation in terrestrial oil drilling is outpacing that of deep sea mining, which is why oil prices are still falling and it will never make business sense to seriously fund deep-sea mining
12. [Heaven of the Financial Post](#) reports that Japan was able to find a semi-infinite supply of rare-earth minerals off their coast and not in the deep-sea, undermining the need for deep-sea mining

The efficacy of these reasons was further proven when Nautilus, the only company with serious exploratory deep-sea mining probes, was [forced into bankruptcy this June](#). Thus, you can completely delink this argument.

6. But if there is deep-sea mining, you can turn their case-- UNCLOS regulates drilling and mining to make it more environmentally friendly.
  - a. Legal certainty for deep-sea drilling and mining is nonunique because Congress' 1980 Deep Seabed Act authorizes companies to exploit resources on the continental shelf well beyond the depth of 650 feet.
  - b. However, UNCLOS makes this deep-sea extraction comparatively better for the environment. [Gross of Vox](#) writes that last year, UNCLOS established a regulatory body within it with the authority to enforce conservation rules and sanction misconduct. In fact, [Woody of News Deeply](#) writes this committee is in the process of passing a resolution to the treaty putting deep-sea habitats completely off-limits to mining if the environmental impact cannot be determined due to a lack of scientific data, or if the data concludes that mining is potentially adverse as they say it is. All their cards about how UNCLOS lacks protections of deep-sea mining are outdated.

The US will have to follow these rules upon accession, because [Groves of the Heritage Foundation](#) writes that joining UNCLOS will open up the U.S. to environmental lawsuits if we don't from a number of nations enthusiastic to get environmental reparations from us. [Bandow of the CATO](#)

Institute explains that merely the threat of being sued, since rulings from ITLOS are unappealable and overrule domestic law, is enough to push the follow UNCLOS' rules.

7. TURN: [Thompson of Forbes](#) writes that if the US was not dependent on Middle Eastern oil, it would cripple oil states' economies and likely lead to state collapse. This will push millions into poverty immediately and outweighs their point on strength of link and timeframe.

## The Arctic Version of This Arg

1. [Groves](#)-- Already have certainty because they just work through subsidiaries from other countries signed onto UNCLOS
2. [Harvey of the Guardian](#)-- Chief of the world's energy watchdog has warned that drilling for oil in the Arctic is not yet commercially viable and we probably need to wait at least 30 years for this to happen because even though the Obama administration has given companies the green light to happen because a) They don't have the technology to break through the ice and b) It's simply not profitable
3. The Arctic will be drilled with or without the U.S.--  
[Johnson of Bloomberg](#) Russia, Canada, Denmark all in the process of submitting claims to drill  
[Harvey of the New Republic](#)-- Arctic drilling would be hugely beneficial to Russia's economy, which is why they will pursue it aggressively  
**[Busvine of Reuters](#)-- MNCs such as Exxon have made 500 billion dollar contracting deals to drill the Arctic using Russian land**
4. No reason why arctic drilling is more profitable than regular drilling. In fact, existing arctic drilling initiatives have failed, as [Wendy Koch of the National Geographic](#) explains that arctic drilling initiatives were shut down by Shell after spending \$7 billion in 2015. Not only is it cheaper to set up drills in the offshore, there's more oil offshore than in the arctic.

Allen of the Journal of Air and Waste Management Association: Oil/Natural gas only 17% of US emissions, arctic drilling would only be a small fraction of that even if it is proven to be feasible. At that point there's almost no impact.

Worland 2017 of Time: Known crude oil reserves in US doubled between 2008 and 2014, decreases oil prices,

## Hurting Indigenous Ppl

TURN it. [Anders of the University of Alaska](#) writes that under the 1971 Alaskan Native Claim Settlement, all drilling that happens in the Arctic generates a huge amount of royalties for these tribes. This revenue is extremely important for the tribes, as Rex Rock, a Inupiat leader, explains that it will help fund crucial infrastructure improvements. Don't let the opponents be paternalistic and try to tell you what native Alaskans want for you when they do the impact weighing themselves,

which is why [Barrett of Bloomberg](#) writes that the majority of Native Alaskans support the Arctic drilling research of Shell and other companies.

### Climate Change Impacts

- 1.. Short-circuit their impacts to climate change because methane seeping isn't actually bad. [Banse of OBP](#)-- New research from last month proves that methane does not actually seep out into the atmosphere from deep sea drilling, [Shively of Pew](#)-- In fact, methane seeping is probably on net good for the environment because it supports oceanic microorganisms
2. But their impact is still nonunique, because the [World Economic Forum](#) writes that since Arctic will become ice free by 2040, all its pockets of methane and other polluting gases trapped in the ice will be released by then anyway
3. But if anything, TURN it again because Russian drilling is uniquely bad for the environment, and for lack of US participation in the Arctic race they have the opportunity to claim more land. [Hirji of Inside Climate News](#) writes that Russia has lax regulations that have led to it having a large propensity to commit oil spills and that have led to lawsuits from environmental advocacy groups.

## We Leave

1. Durable fiat theory debate
2. U.S. disincentivized to because it would be a significant blow to its international credibility
  - a. And even if so, TURN it because this just functions as a dies ex machina that precludes Neg from accessing the worst version of their impacts. This means that if things go badly in the treaty, we can always leave and wipe away their impacts, and if they go well, we almost definitely won't.
3. Limits timeframe of debate but not impacts-- Debate becomes about what happens in the time that we *are* a party to the treaty

## Politics Disad

1. No brightline/solvency-- Who the hell cares about UNCLOS outside of this debate round?
2. TURN it because making an obscure maritime law treaty that enjoys wide academic, bipartisan, and even commercial support is not a very smart political move. In fact, if anything it would hurt the far-right's midterm cause, considering that [BWC writes in 2017](#) that 88 percent of Americans support active engagement at the UN.
3. But even if it did attract voters, it wouldn't attract the special interests that really matter. That's because [Bower of the CSIS](#) writes that UNCLOS enjoys the "overwhelming support due to U.S. businesses," and is important because Gilens and Page of Princeton write that corporate support overwhelmingly determines whether or not a bill passes because it is so important to politicians' reelection, especially since Citizens United.
4. To the extent that we win our offense, it hurts the far-right over the long-term by showing an example of effective multilateralism that highlights how extreme protectionists' stance is
5. TURN: Republicans are better at alleviating poverty. Republicans are in the process of trying to enact a comprehensive agenda called [a Better Way](#) with the goal of eliminating American poverty through 41 policies aimed at making welfare and social services more efficient. As a result, [Stanford Center for Poverty Reduction](#) writes that Republican pro-work programs are the "best insurance against poverty" America has.



## Lawsuits

1. Who is going to sue us? Island nations threatened Australia, never sued. Even if a suit against the US is more likely to win, we will sanction them or something like we threatened Ecuador for the formula stuff.
  - a. Even if they sue us, it won't be about particulate matter, which is the thing that actually kills. It will be about carbon emissions, because that's what affects them!
  - b. Result of lawsuit will be like stop emitting carbon please?
2. TURN the argument because Bandow of the CATO Institute explains that merely the threat of being sued is enough to push the U.S. to pass environmental policies. This is extremely beneficial because Murray writes that UNCLOS would force the US to regulate coal-fired power plants for their emissions of mercury and other toxic chemicals, which [Apt of the Conversation](#) writes cause 52,000 deaths per year.
  - a. This outweighs the original argument because in the short-term we save a substantial number of people's lives, which is a high-magnitude and irreversible impact, and in the long-term we have a high probability risk of solving for climate change, which is literally the biggest impact on this topic because it would kill everyone.
3. Exceptionally limited timeframe-- Taylor, Forbes: In last decade, natural gas a lot cheaper than coal, should just switch out all coal for natural gas, Dudley, Forbes: Renewable energy cheaper by 2020
  - a. Lot of time to do this because lawsuit long
  - b. Econ shock temporary-- Only econ distortions account for the fact that coal is cheaper, better over the long-term
4. We actually save people's lives if we get sued, which outweighs

## Random Card

[South China Morning Post](#)-- France, Britain have same military operations as US, haven't been sued

## Wind Farms

A/T Reduce Hurricanes

[Fischetti of the Scientific American](#): Need at least 78,000 turbines to slow it down, and need to build them all at once. If you don't build enough wind turbines at once, then the wind turbines won't be able to handle hurricanes and they will be badly damaged.

[South China Morning Post](#): Only built to handle weak hurricanes, Typhoon Usagi destroyed wind farms off the coast of Hong Kong

Nonunique: [Dengler of PBS](#): Wind farms built in status quo