**We Affirm**

**Resolved:** The United States should accede to the United Nations convention on the law of the sea without reservations.

**Our First Contention is Foreign Aid**

[**Shakashita writes for The Hill**](http://thehill.com/opinion/energy-environment/385450-trump-ramps-up-arctic-drilling-leases-where-an-oil-spill-would-be)that Trump just leased around a half dozen companies to drill in the arctic which means drilling is around the corner. This is only logical as [**Slav**](https://oilprice.com/Energy/Crude-Oil/Will-Enis-Arctic-Efforts-Be-Profitable.html) **explains** that drilling in the arctic has been profitable with companies like Eni reaching reserves of 139 percent and are likely to be setting trend for other companies. This is extremely important as **Article 82** of UNCLOS states that royalties being paid on oil would be made annually increasing over time. **Harrison of Oxford Academia writes in 2017[[1]](#endnote-1)** that royalties are soon to be triggered with recent commercialization of oil in the arctic by Canada and The United States. A common argument made by UNCLOS opposition is that these royalties will go to undemocratic and brutal regimes which is problematic as the U.S does not want to affiliate with fueling international genocides. Although, **Houck of PSU writes[[2]](#endnote-2)** that the only way to certainly prevent this aid from going to corrupt nations and state sponsors of terrorism is by United States participation in the International Seabed Authority or ISA. **An investigation by the World Trade Organization concludes[[3]](#endnote-3)** that 0.1 percent of US foreign aid really goes to corruption. **Houck furthers** that accession grants the United States the legal power to block these regimes access to the funds and puts it safely in the hands of countries who need it.

**There are two impacts of increasing US foreign aid**

**First, is reducing poverty**

**Gharib of NPR** **writes in** **2017** that typically when the United States doles out foreign aid, it does so through projects such as providing tools and infrastructure. Additionally, the government conducts evaluations to make sure money only goes into programs that show results. **Senbeta of the Journal of International Development** **finds[[4]](#endnote-4)** that every 1% increase in aid, decreases poverty by 1.8%. This is extremely important as **Worthington of The Guardian states[[5]](#endnote-5)** that foreign aid can and has saved millions of lives in developing countries while also benefitting the donor’s economy.

**Second, is democratization**

**Bermo of Brookings Institute writes[[6]](#endnote-6)** that aid from democratic nations increases democratic influence in the recipient. This is important as nations that could be receiving foreign aid by the U.S are more likely to act with U.S interests such as human rights in mind. Countries applicable for royalties are developing countries who could use democratic influence in these early stages.

**Our Second Contention is Preventing TOTAL CHINESE HEGEMONY**

**UNCLOS does this in two ways**

**First is gaining back US alliances**

[Valencia](https://thediplomat.com/2018/04/the-south-china-sea-reality-is-slowly-sinking-in/) **of The Diplomat** **explains** that in the status quo the US passiveness surrounding the instability in the South China Sea has caused American allies to lose hope of US intervention against China. [**Vanecko**](https://www.unclosdebate.org/sites/unclos7/files/UNCLOSdebate.org-Backfile-Jan2015.pdf) **of NWC explains** that when the US joins UNCLOS, it will show nations that it is committed to their interests in South China Sea and let them create their own assertions with the US. [Mazza](https://www.forbes.com/sites/insideasia/2017/05/04/trumps-white-house-invitation-to-philippines-president-rodrigo-duterte-foolish-or-forward-thinking/#674f556225ef) **of Forbes recalls** how the Philippines have been separating from the U.S and showing signs of substituting us with the overpowering hegemon China. Under UNLCOS, the US is able to return to its state as the powerful and legitimate ally furthering international interests.

**Second is by increasing multilateral solutions**

In the status quo China does not listen to court rulings as [Graham](https://thediplomat.com/2016/07/of-course-china-like-all-great-powers-will-ignore-an-international-legal-verdict/) **from The Diplomat** **explains** **in 2016** that China says that previous court rulings have no power over them because they concern issues of sovereignty. However, **Peters concludes** that if the United States is to ratify UNCLOS, we could use our legal standing under the Treaty and our own economic muscle to punish China for their territorial claims. **Beech from Time Magazine states[[7]](#endnote-7)** that China does not work with the United States in the South China Sea because of America’s AWOL status in the treaty. When the U.S accedes, it grants international legitimacy needed to work in the South China Sea.

**The impact is preventing conflict**

With United States rapid militarization, the US must give peace a chance and use non-militaristic talks. Absent access to UNCLOS’s dispute mechanisms and international rulings, the only way the US can enforce maritime law is through aggressive military action. **Valencia writes that** current U.S militarization is extremely ineffective but seems to be never ending. Instead of increasing the tensions between hegemons. **Peters states** that if the United States ratifies UNCLOS, we could use our legal understanding and economic power to solve the South China Sea disputes. Through lawsuits and international pressure, The United States will be able to solve the dispute and steer away from further conflict with China in the region. **Webster of the Diplomat explains[[8]](#endnote-8)** that there is a huge risk of unnecessary naval conflict in the status quo. He furthers that the chance of miscalculation is extremely high with current U.S navy aggression which could be replaced with peaceful negotiations through UNCLOS.

**Thus, we urge you to affirm**

1. **Rowland** J, 12-1-**2017**, "Article 82 of UNCLOS: The day of reckoning approaches," **OUP Academic**, https://academic.oup.com/jwelb/article-abstract/10/6/488/4060652

To date, **Article 82 has not been triggered. Recent petroleum discoveries beyond 200 nautical miles off Canada's east coast, however, have the potential for commercial development and may well be the first in the world to trigger Article 82**. If so, Canada's approach to the implementation of Article 82 could be precedent-setting, with significant implications for the international offshore industry and for potential recipients of required payments. [↑](#endnote-ref-1)
2. James W. **Houck**, **Penn State Law, “**The Opportunity Costs of Ignoring the Law of Sea Convention in the Arctic” **2013**

The “UN-style bureaucracy” argument has also endured despite the fact that **opponents have presented no evidence that the ISA is either inefficient, overstaffed, or corrupt at any time throughout the nearly 19 years since its founding in 1994. The argument that the ISA could transfer U.S. contributions to terrorists and other anti-U.S. interests also has great emotional appeal. However, the assertion is not based on fact** 139 and has been rebutted repeatedly.140 UNCLOS **opponents have suggested in direct contradiction of the convention’s express terms that the assembly might somehow be able to circumvent the express provisions preserving U.S. influence in the council.** The argument is spurious but remains a pillar of opposition strategy. Fortunately, to date the ISA has not yet taken up implementation of Article 82. But **only if the United States is a party can it ensure that payments would not go to terrorists or other anti-U.S. interests.**

 [↑](#endnote-ref-2)
3. Charles **Kenny**, 1-23-2017, "How Much Aid is Really Lost to Corruption?," Center For Global Development, https://www.cgdev.org/blog/how-much-aid-really-lost-corruption

**The World Bank’s Sanctions Evaluation and Suspension Office keeps track of cases where World Bank investigations have uncovered evidence of fraud and corruption.** An analysis of cases between 2007 and 2012 found sanctionable fraud or corruption in 157 contracts worth $245 million, of which less than a fraction of contracts showed evidence of sanctionable corruption. The World Bank’s lending volume is about $40 billion a year, **so this suggests less than a third of contracts collectively worth about 0.1 percent of volumes over the period involved discovered and sanctionable corruption.** [↑](#endnote-ref-3)
4. Aberra **Senbeta** , **Journal of International Development** , **2011**

For all measures of poverty, in both specifications, the variable of interest—foreign aid— enters negatively and significantly. **This indicates that aid** **plays a positive role in reducing poverty**. The finding that **aid has poverty‐reducing effects even after controlling for average income is noteworthy** and has important policy implications. It means that despite the controversy surrounding the aid–growth relation, **the direct effect of aid indeed helps reduce poverty** even though its effects on growth remain uncertain. When we use the headcount index, **a one‐percentage‐point increase in aid to a recipient country reduces the proportion of people living below the poverty line by 1.8 percent. This result is consistent with the findings of Mosley and Suleiman (2007) who find that aid reduces headcount poverty by a similar magnitude in a cross‐country analysis of 49 countries**. Interestingly, if this direct effect of aid on poverty is taken into account, poverty‐efficient allocation of aid calculated by Collier and Dollar (2002) would have an even stronger poverty‐reducing effect. 9The negative and significant estimates of the aid parameter in columns (3) through (6) suggest that aid helps even the poorest of the poor who survive on a dollar a day or less. The estimate in column (3) indicates that **a one‐percentage‐point increase in aid reduces the average income shortfall of the poor by 3 per cent**. Although the poverty mitigation effect of aid is significant in our study, we believe that our estimates understate the potential impact. This is because we are assessing the direct effect of aid but are using all types of aid flows, whether aimed at poverty reduction or not. [↑](#endnote-ref-4)
5. Samuel **Worthington**, 2-14-**2011**, "US foreign aid benefits recipients – and the donor," Guardian, <https://www.theguardian.com/global-development/poverty-matters/2011/feb/14/us-foreign-aid-cuts>

The Microsoft founder and philanthropist Bill Gates put it in simple terms last week: "**The 1% we spend on aid for the poorest not only saves millions of lives, it has an enormous impact on developing economies – which means it has an impact on our economy**." President George W Bush saw the value of foreign assistance and launched the biggest programme to combat Aids and malaria. The defence secretary, Robert Gates, has also been a champion of foreign assistance, urging Congress to sustain civilian-led aid programmes, particularly in conflict zones like Afghanistan and Pakistan. [↑](#endnote-ref-5)
6. Sarah **Bermeo**, 1-30-**2017**, "Aid is not oil: The source of non-tax revenue affects its impact on democratization," **Brookings**, <https://www.brookings.edu/blog/future-development/2017/01/30/aid-is-not-oil-the-source-of-non-tax-revenue-affects-its-impact-on-democratization/>

Comparing aid to oil revenue during the post-Cold War period**, I have found no evidence, on average, that aid flows from member countries of the Organization for Economic Cooperation and Development have impeded democratic change.** Oil revenue, however, is associated with decreased democratic change in developing countries during this time. For aid, this relationship represents a change, as the evidence suggests larger aid flows did thwart democratization during the Cold War. But as the relationship between aid and democratization has changed over time, so has its impact on democratization. The source of aid also matters. Looking at data from 1992 through 2007, I also found that **aid from authoritarian donors is associated with less democratization, while the opposite is true for aid from democratic donors.** The explanation for the varying patterns over time and across donors lies in aid intentions and the ability of donors to alter the composition of aid—a refinement not possible with oil revenue. When the Cold War ended, the strategic importance of many developing country autocrats declined sharply, as did their foreign aid. Although donors still aid non-democratic countries, research shows that **democratic donors vary the composition of aid and the method of delivery based on characteristics of recipient governments.** Through this variation, donors can make aid more or less fungible and influence its impact on democratic change. Now, aid may even possess pro-democratic properties, the magnitude of which varies based on the purpose of the aid flow. **The bottom line for most developing countries is that the relationship between non-tax revenue and the likelihood of democratic change depends on the source of the revenue.** [↑](#endnote-ref-6)
7. Hannah **Beech**, 7-8-**2016**, "Why China Won't Listen to the U.S. on the South China Sea," **Time**, <http://time.com/4397808/south-china-sea-us-unclos/>

Washington’s outsider position undercuts its message as it urges China to respect global maritime norms. After all, China ratified UNCLOS in 1996, even if Beijing now says it rejects any judgment by the Permanent Court of Arbitration. In a speech in Washington earlier this month, retired Chinese top diplomat Dai Bingguo accused the U.S. of “heavy-handed intervention” in the South China Sea. “Accidents could happen,” said the still influential Chinese Communist Party official, “and the South China Sea might sink into chaos and so might the entirety of Asia.” Still, even as Beijing has launched a public-relations blitz ahead of the July 12 ruling, **Chinese state media and diplomatic statements have not highlighted America’s AWOL status in UNCLOS. Perhaps critiquing the U.S. absence is harder when China itself is distancing itself from one of the treaty’s utilized tribunals**. It’s true that even if Congress hasn’t ratified UNCLOS, **the U.S. Navy,** which is the world’s largest, adheres to its principles. American top brass openly support U.S. ratification. “**I think that in the 21st century our moral standing is affected by the fact that we are not a signatory to UNCLOS,” said Admiral Harry Harris**, head of the U.S. Pacific Command, in testimony to the House Armed Services Committee earlier this year. In a June speech at the U.S. Air Force Academy, U.S. President Barack Obama urged Congress to move ahead on UNCLOS. “**If we’re truly concerned about China’s actions in the South China Sea,” he said in his commencement address, “the Senate should help strengthen our case by approving the Law of the Sea convention, as our military leaders have urged.**” But ratifying the convention will require a two-thirds majority in the Senate, an all but impossibility particularly in this contentious election year. The U.S. Navy will continue to ply the high seas, acting as the world’s oceanic policeman by engaging in freedom-of-navigation exercises to ensure open trade routes. But American hypocrisy when it comes to maritime rule of law looks likely to endure. [↑](#endnote-ref-7)
8. Graham **Webste**, 5-20-**2016**, "South China Sea: The Real Questions About US ‘Freedom of Navigation’ Operations," **Diplomat**, <https://thediplomat.com/2016/05/south-china-sea-the-real-questions-about-u-s-freedom-of-navigation-operations/>

For U.S. officials and a majority of reporters and commentators, the U.S. operations are part of a virtuous Freedom of Navigation Program designed to stand up for international law and prevent expansive claims in the waters of the world from gaining legitimacy through acquiescence. The U.S. debate revolves around whether the specific operations make the right legal points strongly enough or, through their behavior, actually lend legitimacy to Chinese claims of sovereignty or maritime rights not clearly supported by the UN Convention on the Law of the Sea. For Chinese officials in the Ministry of Foreign Affairs and the Ministry of National Defense, the U.S. operations are “illegal” in unspecified ways, threatening to Chinese security and sovereignty interests, and part of an effort to use the rhetoric of “freedom of navigation” to stir up trouble and militarize the South China Sea dispute. **They emphasize the risk of accident or miscalculation when U.S. and Chinese forces operate in proximity, and make the case that the Chinese military is acting responsibly while the U.S. ships unnecessarily raise tensions.**  [↑](#endnote-ref-8)