

# A/2 PSI

## Delink: Other treaties can be used (MR)

[Song from the Institute of European and American Studies in 2007](#)

The potential impact of U.S. accession to UNCLOS on the implementation of the PSI was one of the concerns raised by some opponents of the Convention. They argued that the ability of the United States to pursue the goals of the PSI would be hindered by accession to UNCLOS. Reportedly, Republican Senators James Inhofe (Okla.) and John Ensign (Nev.) hold this view. Paul Weyrich, Chairman and CEO of the Free Congress Foundation, opposed U.S. accession to the UNCLOS, because, among other things, President's Bush's PSI would not be recognized, and would thus be prohibited by the Convention. It is argued that these views are arbitrary and shaky, and lack persuasive reasoning. It is incorrect to argue that the PSI is barred by the UNCLOS. After all, **there are 18 states fully participating in PSI** and more than 70 countries which have expressed their support for the Initiative and most of these countries are party to the UNCLOS. Moreover, while the UNCLOS is considered the most important legal instrument in dealing with the rights and obligations of states in the oceans, **there are other international treaties, regimes, and frameworks that can be relied upon if interdiction actions** against suspect vessels that carry or transport "WMD, their delivery systems and related materials" to and from "states and non-states of proliferation concern" **are necessary.**

UN Resolution 1540 is one such example (BW)

## 2. Delink: Factually inaccurate (JF)

[Song from the Institute of European and American Studies in 2007](#)

However, **officials from the U.S. Navy, the Department of Defense, and the Department of State**, who testified at the six hearings on UNCLOS held during the 108th Congress, **clarified: that PSI is consistent with UNCLOS; that U.S. accession to the Convention would not present any difficulties for implementation of the Initiative; and that the United States becoming a party to UNCLOS would strengthen the interdiction efforts under the PSI.**

## 3. Turn: The U.S. joining UNCLOS adds legitimacy to PSI, allowing other countries to join

[Vanecko 2011 \(MR\)](#)

As former Vice Chief of Naval Operations Admiral Walsh testified to in 2007, **many critical Pacific countries would like to support PSI, but are unable to "convince their legislatures that PSI interdiction activities will only occur in accordance with international law, including the Law of the Sea Convention, when the United States, refuse to become a party to the Convention.**"<sup>77</sup> The legitimacy obtained through ratification of UNCLOS would solve this problem immediately. Recruiting countries to PSI is just the first step, however, as enhanced legitimacy has second-order effects.

[Belcher 2009 Lowy Institute for International Policy \(JF\)](#)

**Most of these missing critical states cite legal concerns as their reasons for non-participation in the PSI. Many have expressed concern over the US's failure to ratify UNCLOS**, which regulates activity at sea, even though the US treats this convention as customary international law. Australia should also renew efforts to urge the **US to ratification** [of] the UN Convention on the Law of the Sea (**UNCLOS**), which **would reinforce the legitimacy of US-led maritime operations.** PSI states could strengthen the legality of interdictions by pushing the limits of Article 27 of UNCLOS.

## 4. Turn, accession allows the U.S. to spark change from the inside (VR)

[Friedman, Benjamin and Daniel Friedman](#). How the Law of the Sea Convention Benefits the United States . Bipartisan Security Group: Washington, D.C., November 2004

Moreover, current U.S. nonproliferation policy relies on the Convention. The Proliferation Security Initiative, an effort among more than 20 states, led by the United States, to share intelligence and stop weapons shipments, must conform to the Law of the Sea Convention. The other states in the PSI are party to the Convention.<sup>13</sup> **In their Statement of Interdiction Principles, the PSI parties agree to adhere to international law.**<sup>14</sup> In effect, this agreement means that when the United States works with allies as part of the PSI, it agrees to observe the rights of innocent passage and freedom of the seas. This agreement costs America nothing, because it already recognizes those rights. The United States could, of course, forcibly violate established rights of free passage in order to interdict weapons shipments. But this policy would be disastrous for two reasons. First, it would undermine the right of free passage, which is essential to U.S. trade and force projection. Second, it would destroy the Proliferation Security Initiative. **The PSI cannot work without the cooperation of our allies, and their cooperation depends on the Initiative's adherence to the Law of the Sea. Instead of fighting proliferation outside of international law, America can use international law to fight proliferation. One way to allow interdiction of weapons shipments is to alter the Convention to make proliferation grounds for interdiction on the high seas or in coastal waters.** It would take a long negotiating effort, but the United States might succeed. By staying outside the Convention, the United States forgoes this opportunity but remains bound by the legal restrictions on interdiction.

## 5. De-link them because few countries are exporting anyways (VR)

[Mark J. Valencia, 5-31-2003](#), The Proliferation Security Initiative: A Glass Half-Full, No Publication,

Perhaps the greatest obstacle to PSI effectiveness is the dual-use nature of WMD materials and technologies. **Few if any countries export "turn-key" weapons of mass destruction. The harsh reality is that countries and nonstate actors can build their own weapons of mass destruction from items that have civilian application.** This means that it is very difficult to make decisions regarding "good cause" for interdiction and that such decisions will inevitably be politically influenced and based on who is sending or receiving the shipment. **Moreover, a proliferation of interdictions of dual-use materials may hamper legitimate commerce and thus engender opposition, even from allies.**

# A/2 Hydrothermal Vents

1. Mining will only occur on inactive vents because the equipment would be damaged mining active vents for two reasons
  - a. High water temperatures as these vents only exist because of geological movement and activity that's caused by magma heating under the Earth's crust
  - b. Low pH levels by hydrothermal vents that make the water very acidic

## [Moss 18](#) (EH)

Polymetallic nodules generally occur in volcanically active areas, in close proximity to hydrothermal vents (basically the underwater equivalent of geysers). Hydrothermal vents warm the surrounding ocean, leading to unique and as yet little understood communities of marine life.

But the industry claims that **only inactive vents are likely to be targeted by mining operations, as high water temperatures and low PH levels around active vents would damage mining equipment.** A much greater impact is anticipated as a result of mining for cobalt-rich crusts. These crusts occur in a thin layer (approximately 25cm thick) over a broader area of sea floor, usually around seamounts, submerged ridges and plateaus. The International Seabed Authority estimates that as much as 1.7% of the ocean floor may be covered in cobalt-rich crusts.

2. Vent ecosystems are quickly regenerative

## [Drew 09](#) (EH)

Just as each vent site is different, so are the ecosystems they foster. What each has in common are conditions that would be incredibly hostile to most other life—utter darkness, intense ocean pressure, hot acidic fluids. Yet most host rich communities of life, including microbes that harness energy from chemicals, instead of from sunlight as plants do. Scientists have observed that **after undersea volcanic eruptions kill off animals around a vent, life can be quick to recolonize the habitats.** \*One argument that can be made—but we need to be careful about it—is that **hydrothermal systems naturally are violent environments anyway, and therefore we can do what we like because the biological communities will always recover,** ” said German.

3. Methane consumed by vent organisms consists of less than 0.3% of global of methane emissions

## [Boetius and Wenzhoefer, 2013](#)

At seeps, a recent review of existing data estimated that 0.02 Gt **(20 million metric tons) of methane-C is consumed annually** in the sediment with an additional **0.02 Gt methane-C escaping annually** into the hydrosphere.

**On the other hand, the methane global initiative quantifies that Global anthropogenic methane emissions for 2010 were estimated at 6,875 million metric tons (6.785 gt)** of CO<sub>2</sub> equivalent

# A/2 Biodiversity

## Turn: New biodiversity treaty being worked on and negotiated by UN under the framework of UNCLOS

[Payne 2018 Harvard Law Review](#) (YZ)

Concerned that a global agreement is needed to protect this biodiversity, on December 24, 2017, **United Nations member states initiated a treaty negotiation with the goal of allowing sustainable use of the ocean while still conserving its marine biological diversity. The negotiation is focused on four key issues of marine “biological diversity of areas beyond national jurisdiction” (BBNJ) Diplomats** lawyers, and scientists **will work to define the rules for activities** including: genetic prospecting; establishing protected areas and other marine spatial planning; environmental impact assessment for activities with potentially significant impacts; and marine scientific information sharing and other aspects of capacity building and technology transfer. Scheduled to begin in September 2018, the negotiation is budgeted for two years — which is a pretty short time to reach an agreement that will affect about 230 million square kilometers, or 46 percent of Earth’s surface. This kind of coherence may in fact derive from the constitutional system in which **the new BBNJ instrument** will be located. It **will be an implementing agreement to** the 1982 United Nations Convention on the Law of the Sea **UNCLOS** (which has actually been called the “constitution for the oceans”). UNCLOS could be loosely analogized to the U.S. Constitution in the way it creates institutions and a structure for governance and establishes important fundamental principles.

# A/2 China

## 1. De-Link, China doesn't want to challenge the US (VR)

[Ratner 2017](#)

Besides, **China is** itself **deeply risk-averse and has backed down in almost every instance in which the United States has stood firm on interest and principle**. President Xi Jinping is likely aware that a war with the United States would severely damage both China's economic development and its aspirations for national reunification. Despite loose talk about China's 'core interests', recent experience suggests that **China could** certainly **be compelled into a more moderate approach in the South China Sea**, if only the United States and its partners were willing to make a serious go of it. Promoting the misperception of China as ready to run up the escalation ladder is both wrong and counterproductive: China has instead been pushing on an open door, surprised at its ability to do so cost-free. As a more general comment, I tend to think Hugh's analyses would benefit from less certainty about the futility of deterrence, and greater scepticism of China's own willingness to fight.

# A/2 Pull out ships

## **No tribunal will be able to judge the US military**

John D. **Negroponte** Deputy Secretary Department of State, CQ Congressional Testimony 9-27-07

**Myth: The Convention would permit an international tribunal to second-guess the U.S. Navy.**

**Reality: No international tribunal would have jurisdiction over the U.S. Navy. U.S. military activities, including those of the U.S. Navy, would not be subject to any form of dispute resolution. The Convention expressly permits a party to exclude from dispute settlement those disputes that concern "military activities."** The United States will have the exclusive right to determine what constitutes a military activity.

## **2. Turn, the Navy becomes more effective when you affirm (VR)**

[David B. Sandalow, 8-19-2004, Law of the Sea Convention: Should the U.S. Join? Brookings,](#)

U.S. military operations depend on naval mobility. **By codifying navigational and overflight freedoms long asserted by the United States, the Convention improves access rights in the oceans for our armed forces, reducing operational burdens and helping avert conflict.**

## **Any restrictions from UNCLOS are already in place (JM)**

[Committee on Foreign Relations](#)

The specific argument that the convention would prevent the U.S. from using its submarines to collect intelligence is fallacious. Several sources, including the minority views in the Senate Committee on Foreign Relations, note that Article 20 of the convention requires submarines and other underwater vehicles to navigate on the surface and show their flags when engaged in innocent passage. This is correct, so far as it goes. But the minority report then concludes that this would not especially during the Cold War—in gathering intelligence close to foreign shorelines.

**What the minority report and other critics fail to mention is that the 1958 Convention on the Territorial Sea and the Contiguous Zone, to which the United States has long been party, contains exactly the same restriction.**<sup>15</sup>

Moreover, the collection of intelligence in any guise within the territorial sea does not fall within the ambit of innocent passage. The United States would never accept foreign submarines or foreign warships engaging in intelligence-gathering operations in the territorial sea off of San Diego or Norfolk. Indeed, when President Reagan signed a proclamation extending the U.S. territorial sea to 12 nautical miles on December 27, 1988, consistent with the convention, one of the first things that the Coast Guard did was to advise a Soviet military vessel gathering intelligence just a few miles off of Pearl Harbor to leave the area immediately.<sup>16</sup>

The U.S. military and intelligence communities are well aware that the convention would have a positive impact on our national security. Moreover, as Senator Richard Lugar, at the time of this writing, ranking minority member of the Foreign Relations Committee, has argued, it would be unprecedented for the Senate to deny to our nation's military and national security leadership a tool that they have unanimously claimed that they need, especially during a time of war.

# A/2 ISR

## UNCLOS restriction of ISR doesn't apply to the EEZ (NO)

[Article 58 Rights and duties of other States in the exclusive economic zone,](#)

**In the exclusive economic zone, all States** whether coastal or land-locked, **enjoy** subject to the relevant provisions of this Convention, the **freedoms** referred to in article 87 **of navigation and overflight** and of the laying of submarine cables and pipelines, and other internationally lawful uses of the sea related to these freedoms, such as those associated with the operation of ships, aircraft and submarine cables and

pipelines, and compatible with the other provisions of this Convention

## 3. Non-Unique. US can still use ISR from the EEZ (NO)

[Global Security,](#)

**The AN/APY-10** maritime, littoral and overland **surveillance radar is a new design supporting the U.S. Navy's next-generation** multimission **patrol aircraft, the P-8A Poseidon.** Raytheon is an industry team member of the U.S. Navy P-8A program, led by Boeing. Raytheon's AN/APY-10 was newly designated by the Navy

because of extensive modifications over previous AN/APS-137 radars. These improvements were made by reducing size, weight and power; increasing MTBF; and adding additional target track capability, a new color weather avoidance mode, and room for technology growth. The AN/APY-10 RADAR system is a multi-mission maritime and overland surveillance RADAR. It is capable of performing long-range surface search and target tracking, periscope detection, ship imaging and classification using synthetic aperture radar and inverse synthetic aperture radar.

**This next generation radar system has** high mean-time-between-failure of 475 hours videooutputs/interfaces and a color weather mode capable of detecting in all weather conditions. The performance of the maritime **target detection capability** has a RADAR cross section **ranging from** 1 to 10,000 square meters at **29 to 200 nautical miles.**

# A/2 Appeasement Bad

## 1. Chinese interpretation not supported by UNCLOS (NO)

[Pedrozo 2009](#),

As previously discussed, coastal states lack security interests in the EEZ. **Nothing in UNCLOS supports the PRC position.** Similarly, **the Chinese position that the freedom of overflight** reflected in UNCLOS article 58 **is a narrow right, including only the right to transit the airspace above the EEZ, is not supported by UNCLOS,** other international agreements, or state practice. On the contrary, the negotiating history of UNCLOS and state practice before, during, and after UNCLOS support the conclusion that freedoms of navigation and overflight in the EEZ are broad freedoms; it is coastal-state rights in the EEZ that are narrowly limited. As we have seen, UNCLOS article 58 is quite clear: all states enjoy the freedoms of navigation and overflight and other internationally lawful uses of the seas related to these freedoms, such as those associated with the operation of ships and aircraft. Long-standing state practice supports the position that surveillance and reconnaissance operations conducted in international airspace beyond the twelve-nautical-mile territorial sea are lawful activities. Since the end of World War II, surveillance and reconnaissance operations in international airspace have become a matter of routine. Many nations, including the PRC, engage in such activities on a routine basis. Moreover, as previously discussed, UNCLOS article 19.2(c) prohibits intelligence-gathering activities by ships engaged in innocent passage through the territorial sea—as noted above, no similar prohibition is contained in part V of UNCLOS, and therefore, surveillance and reconnaissance activities are permitted in the EEZ. **The PRC has an obligation under UNCLOS article 56 to exercise its limited resource-related rights in the EEZ with due regard for the rights of other states to engage in lawful military activities, including surveillance and reconnaissance operations, in the zone.**



## A/2 Increased chance of militarization

AT: Mitchell evidence (2.6x disputes): She finds the opposite 6 years later

[Mitchell 14](#)

Two primary mechanisms for managing competitive interstate claims to maritime areas are evaluated: the creation of private ownership of maritime zones in the form of Exclusive Economic Zones (EEZs) and the creation of a global institution, the United Nations Convention on the Law of the Sea (UNCLOS), to establish standards for maritime claims and dispute resolution procedures. Analyses of maritime claims in the Western Hemisphere and Europe from 1900 to 2001 show that declared EEZs help states reach agreements over maritime conflicts in bilateral negotiations, while **membership in UNCLOS prevents the outbreak of new maritime claims and promotes third-party management efforts of maritime conflicts. Neither mechanism influences the probability of militarized conflicts over maritime areas.**

## A/2 Military Tech Transfer

**Non-unique. China is already stealing U.S. naval technology in squo.**

[Pickrell 2018 Business Insider](#) (SL)

Davidson warned that **China is "stealing technology in just about every domain and trying to use it to their advantage." In June,** The Washington Post [broke](#) news that **Chinese government hackers stole a boatload of submarine warfare secrets from a US Navy contractor.** "They have new submarines on both the ballistic missile side and the attack submarine side, and they're achieving numbers in the build of those submarines as well," the admiral told Congress. **"They're also pursuing other technologies to give them better insights into our operations in the undersea domain."**

# A/2 War Breaks out

**Both sides have nuclear weapons - nuclear deterrence/mutually assured destruction makes war impossible (BW)**

[National University of Singapore 2016](#)

**The main deterrent is the threat of nuclear retaliation. While clashes between ruling powers and rising powers – as the US and China are now, respectively – have led to war in the past, these instances occurred before the nuclear age.**

Mr Gideon Rachman, who is the chief foreign affairs columnist for the Financial Times, noted that both the US and China now possess nuclear weapons. He said: "The stakes were much lower in the past. The leadership of both countries are rational, and neither wants a conflict – one hopes that because they are both nuclear powers, that it won't come to war." Mr Rachman said, however, that the tensions between the two countries were unlikely to lead to war: "Rising powers do tend to clash with established powers, and this has led to war in 12 out of 16 cases since the 1500s. But these instances were before the nuclear age, when the stakes were much lower. One hopes that because both China and the US are nuclear powers, it won't come to war."

**Economic Interdependence (BW/NA)**

[Minxin Pei, Foreign Affairs 2014,](#)

At first glance, this designation seems reasonable. The United States and China are clearly not allies. They share no overriding security interests or political values, and their conceptions of world order fundamentally clash. Whereas Beijing looks forward to a post-American, multipolar world, Washington is trying to preserve the liberal order it leads even as its relative power wanes. Meanwhile, numerous issues in East Asia, such as tensions over Taiwan and disputes between Beijing and Tokyo, are causing U.S. and Chinese interests to collide more directly. Yet the two countries are not really adversaries, either. They

**do not see each other as implacable ideological or security threats. And the fact that their economies are so deeply intertwined makes both countries hell-bent on avoiding conflict.**

**Foreign entanglement makes it difficult for the United States to engage in war with China (JF)**

[Lee Kuan Yew School of Public Policy, 2016](#)

**The US's other foreign entanglements and priorities may also dissuade it from war with China**

Mr Rachman noted: "The Chinese may have overstepped the mark (in the South China Sea), but they have been quite intelligent in making each move small enough to make it hard for the US to respond aggressively. The US also has all these other things going in the Middle East, including its fight against ISIS (the Islamic State of Iraq and the Levant, a terrorist group)."

# A/2 Arctic Drilling

## T: Allows the US to shape environmental regulations

Donald Loren (TIME), 2016 (DS)

The primary argument cited against Arctic drilling is that the environmental risks of a spill would have a potentially catastrophic impact on the fragile ecology of the far north. But that position ignores an important point: Other countries continue to explore for resources in Arctic waters, regardless of what we do here. Norway in fact opened up new parts of the Barents Sea earlier this summer. **The most effective way to ensure that development of global resources takes places in a safe and responsible manner is through the creation of a robust set of international regulations** that lay out exactly how industry must respond in the event of a spill. **America can only claim a mandate to shape these regulations if we allow development in our own portion of the Arctic**

## T: Drilling Our Own Oil is better than importing

Smith from the Washington Post in 2010

In contrast, there are relatively high environmental costs associated with importing oil as opposed to producing it in the United States. There are three problems with importing oil: First, spills from tankers and barges are the largest human-caused source of oil in the oceans. Oil is more likely to be spilled from a tanker than from a platform, and tankers have the potential to cause catastrophic spills. The groundings of the Exxon Valdez (off Alaska), the Castillo de Bellver (South Africa), the Amoco Cadiz (France), the Irenes Serenade (Greece) and the Torrey Canyon (Britain), to name a few, all had severe effects on local ecosystems. Second, **the countries from which we import oil have lower environmental standards than the United States has. In particular, many foreign oil producers choose to vent methane -- a powerful greenhouse gas -- directly into the atmosphere** rather than spend extra money to capture or flare it. Mexico, for example, produces less than half the oil that the United States produces but emits six times as much methane. Third, **shipping oil to the United States requires burning a huge amount of diesel oil, the exhaust from which is greenhouse gas pumped into the atmosphere.** Just as environmentalists argue that eating locally grown food is better for the planet because it saves transportation costs and energy, locally produced oil has less of a negative impact. Depending on the country of origin and the tanker size, **1 percent to 3 percent of the oil in every tanker is consumed merely for delivery.**

## T: Reduces Use of Coal

[Nong 2018](#)

**The increased supply of oil and natural gas [from the Arctic] leads to a fall in oil and gas prices.** The real price of crude oil decreases by 4.45% in Scenario 1 and 4.4% in Scenario 2; the reductions in the price for natural gas are 1.28% and 1.22%, respectively (Table 1). The real price of electricity decreases because prices of most energy commodities decline, excluding the price of coal. The reductions in electricity prices are small in both scenarios due to changes in the coal sector, which accounts for approximately 40% of electricity generation in the U.S. The price of coal increases due to substitution of non-coal energy commodities (i.e., a composite of crude oil, natural gas and petroleum products). When industries substitute other energy resources for coal, it will immediately decrease demand for coal. This will lead to a coal surplus and the price for coal will fall.

Table 2 provides emission levels for each energy sector for both scenarios. Except for the electricity generation sector, emission levels of the other energy sectors reported in Table 2 change in line with fluctuations of their output levels. This is because emissions released by these sectors mainly come from their production processes and/or fugitive emissions that are generated during extraction and transportation activities. In addition, there is no energy substitution possibility for these sectors. **The electricity generation sector** on the other hand, **uses a variety of energy inputs. The highest emissions-intensive input is coal,** which is also mainly used in the electricity generation process. **As a result, when oil and natural gas become cheaper relative to coal, the electricity generation sector tends to use more oil and natural gas with less coal,** thereby **reducing its emissions level.** Also, only the electricity generation sector has a high emissions level from its combustion activities. However, the percentage change reduction in its emissions level is relatively small for both scenarios, declining **by 13.4 Mt CO<sub>2</sub>-e in Scenario 1, and 21.6 Mt CO<sub>2</sub>-e in Scenario 2.**

**TURN: Since international treaties have the force of law, accession would allow lawsuits which ensure the release of toxic substances is minimized “to the fullest possible extent” (BW/NA)**

[Iain Murray 13 National Center for Policy Analysis](#)

**Those who are concerned that the marine environment is being damaged by pollution could put their case before the Tribunal, but the obligations of Part XII would have a special effect on the United**

**States, where citizens may sue to ensure the government follows its laws. Under the U.S. Constitution, international treaties have the force of law. Ratifying LOST would therefore enable environmental groups to sue to ensure the release of toxic substances is minimized “to the fullest possible extent” if there is a chance the material will enter the marine environment.**

Consider: The nation's coal-fired power plants release mercury into the atmosphere. Some of this mercury consolidates in rivers, and eventually reaches the ocean. As a result, fish that swim in the ocean have slightly higher levels of mercury in their systems. Sharks that eat these fish have even higher mercury concentrations. The concern that pregnant mothers who eat shark meat are damaging the cognitive development of their unborn children has led environmentalists to demand that the U.S. Environmental Protection Agency issue regulations to reduce the risk to unborn children. However, consider what the Treaty text implies. There is no requirement to prove that the emissions actually cause significant harm. If the substance emitted is "harmful" to any degree, states are simply required to minimize emissions "to the fullest possible extent." To all practical purposes, taking the Treaty at its word would require the closure of most if not all coal-fired electricity generation in the United States. This kind of activism has not taken place in any of the other signatory states, likely because they offer fewer opportunities for concerned citizens to require their governments to follow the spirit and word of the Treaty. In the United States, however, environmental groups would probably sue the day after formal ratification, and the courts would be unlikely to throw out their challenges.

# A/2 incentive to invest

## Costs are too high to be reasonable (BW/NA)

[Keith Schneider, 2018 LA Times](#)

With characteristic flamboyance, the Trump administration has set in motion a grand scheme to lure energy companies to explore for oil and gas across virtually all of America's outer continental shelf, a deep marine domain encompassing billions of acres of ocean bottom. Drawing a distinction from the Obama administration's concerns about climate change and restricting offshore fossil energy development, Interior Secretary Ryan Zinke cast President Trump's offshore drilling campaign as a study in American strength. "We're embarking on a new path for energy dominance in America," Zinke said. "We are going to become the strongest energy superpower." Yet like other marquee directives that Trump has issued in the past year to empower the domestic fossil fuel industry, the offshore plan may not bear out its grand ambitions. **Many energy analysts already are predicting that exorbitant costs, flat prices, civic opposition, climate concerns and new transportation technology make major new offshore drilling enterprises, at least outside the Gulf of Mexico, unlikely.**

## We have enough Permian shale oil to last 79 years that's already recoverable - no incentive to drill for more expensive arctic drilling (BW/NA)

[Tsvetana Paraskova June 2018, Oilprice](#)

The United States has again outstripped Saudi Arabia as the holder of the world's biggest recoverable oil resources with current technology, largely **due to the doubling of fracking operations in the Permian [West Texas],** according to data by research consultancy Rystad Energy. **The U.S. added nearly 50 billion barrels in 2017 and now has an estimated 310 billion barrels of recoverable oil, which are equal to 79 years of U.S. production at the current pace of output,** Rystad said. Apart from the Permian, where more reserves per well are drilled, new areas and formations that have been geologically proved boosted the U.S. recoverable oil resources last year, according to the Norway-based energy consultancy. "Texas alone now holds more than 100 billion barrels of recoverable oil, 90% of which is from shale or other tight formations, ie. from wells that require hydraulic fracturing to produce commercial quantities of oil," said Rystad Energy. The "recoverable oil" figures include expected production from future discoveries that Rystad deems likely. Out of 1 trillion barrels of yet undiscovered oil globally, shale oil makes up close to 300 billion barrels, according to Rystad Energy's database. Some 78 percent of these yet-to-be-discovered oil resources are in non-OPEC countries.

## A/2 Legal Certainty

**We tried already - there's no profitable oil reserves on our ECS (BW/NA)**

[Keith Schneider, 2018 LA Times](#)

But getting at those reserves tests the limits of exploration and production technology, and it is expensive. In the early 1980s, a consortium of oil companies explored in Alaska's Beaufort Sea, an area that the administration plans to open but abandoned the effort when wells came up dry, and costs soared over \$2 billion. In 2015, Royal Dutch Shell, after spending \$7 billion, abandoned its program of exploring for oil in the nearby Chukchi Sea after its drilling rig was battered by ice and storms and protests against drilling erupted on the West Coast. The cost and difficulty of oil and gas exploration on the U.S. outer continental shelf is so high that some respected oil industry analysts have discouraged major companies from even trying. A recent study by Rystad Energy, a Norwegian consultancy that tracks the economics of development, found that trends in oil demand and weak pricing made developing new fields in the Atlantic and the

Arctic impractical for decades\

# A/2 Oil Spills

## 1. Oil spill cleanup technology, specifically for the arctic, has been increasing since 2013 and is now much more efficient

[Joel Bourne Jr.](#), National Geographic, 2013 (DS)

As ice melt opens the Arctic to exploration and shipping, **researchers are testing drones, sensors, skimmers, and dispersants for tackling oil spills in icy waters.**

Some of **the new technology**, which included military-style drone aircraft and an unmanned underwater vehicle dubbed the Jaguar by its developers at Woods Hole Oceanographic Institution, **was designed to hunt and track oil trapped in or under ice. Other devices, such as oil skimmers and ROVs (remotely operated vehicles), were more robust Arctic versions of tools that took center stage during the 2010 Deepwater Horizon disaster in the Gulf of Mexico,** the largest maritime oil spill in U.S. history.

## Link Turn: UNCLOS enforces environmental regulations , US presence is critical (PG)

[Borgersen '09 council of foreign relations](#)

The changes in the extent of Arctic sea ice will also have profound consequences for the world's climate, increasing the retention of solar heat and reducing the vital temperature gradient between the warmer tropics and colder polar regions, thus altering ocean currents and weather patterns throughout the Northern Hemisphere. Attempts to mitigate climate change are the subject of separate international discussions. There is a strong argument to be made that acceding to the Law of the Sea Convention would strengthen America's diplomatic hand in those negotiations. Quite apart from that, however, the far-reaching changes to ocean ecosystems that are occurring as a result of climate change provide an answer to the question "Why now?" **Full U.S. participation in the convention is vital as the international**

**community adjusts to a rapidly changing ocean environment.** The need to find ways to help humankind adapt to a changing climate will become

increasingly important. Efforts to restore the natural resilience of marine ecosystems and species through their protection, maintenance, and restoration will be a central part of that effort. **Given the geopolitical context of the Arctic region, U.S. leadership will be crucial.** The Arctic offers a particularly sobering environmental imperative. As

its ecosystem comes under increasing strain from climate change, melting sea ice will expose it to unprecedented pressures that will accompany increased human access. **Concerted international engagement to ensure effective and integrated ecosystem-based management of human activities in the Arctic is essential. Acceding to the convention would help the United States advance new governance initiatives in this important region, such as shipping-traffic schemes through the Bering Strait, coordinated sea route authorities, and possibly even the establishment of a marine scientific park at the North Pole. The convention provides solid legal bedrock on which to build elegant and effective governance structures for the future Arctic.**



# A/2 Indigenous people

## Turn: UNCLOS provides a framework and a louder voice for Indigenous People

[UN Economic and Social Council 2017](#) (YZ)

**The Permanent Forum calls upon Member States to start the work, in the context of the UN Convention on the Law of the Sea (UNCLOS), of creating a place and a voice for Indigenous peoples in the governance of the world.**

oceans. This includes the participation of indigenous peoples in all aspects of the UNCLOS work and decision-making, including the environmental provisions and the delimitation of the continental shelf. It may also include establishing advisory committees of Indigenous peoples to guide the work under UNCLOS, as has been done under the Convention on Biological Diversity. 38.

**The Permanent Forum calls upon the UN bodies and States to ensure that indigenous peoples have a voice equal to states in the development and negotiations of the international agreement to address marine biodiversity.**

in areas beyond national jurisdiction (the BBNJ agreement). States and the UN should guarantee that BBNJ agreement upholds and respect indigenous peoples' role in governing the oceans and the rights set out in the UN Declaration on the Rights of Indigenous peoples.

## Turn: Indigenous people support oil drilling because it provides them with jobs, education and profit

[Shankman 2017 Insideclimate News](#) (YZ)

On the other side is the argument that the revenue oil can help local communities. In testimony before Congress earlier this month, **Matthew Rexford, the tribal administrator for the Native Village of Kaktovik** and the president of the Kaktovik Inupiat Corporation, offered a fiery argument for allowing drilling. &quot; **[states] The oil and gas industry supports our communities by providing jobs, business opportunities and infrastructure investments, has built our schools, hospitals, and has moved our people away from third-world living conditions** —we

refuse to go backward in time,&quot; he said.

[Bull 2015 National Geographic](#) (YZ)

**Many Inupiat leaders now support the drilling, citing financial reasons. Prudhoe Bay, the nation's largest oil field, drives their economy, and taxes on the industry account for nearly all government revenue.** As a result, native corporations representing residents of **six and eight communities at the top of Alaska have signed an agreement allowing them to acquire interest in Shell's offshore Chukchi Sea leases.**

[Congressional Record 2001](#) (YZ)

**Eskimos who actually live in the ANWR** want the same benefit that the Gwich'in seek. As the Kaktovik Inupiat Corporation president Fenton Rexford notes, the Eskimos are tired of using 5-gallon buckets for sanitation, because they don't have toilets, running water, or a sewage system. They also understand the national security issues at stake here. No wonder they **support exploitation by an 8:1 margin....** However, **the Inupiat** (Eskimo) of the North Slope, the only people who have ever lived there or would want to live there, **are by large majority in favor of drilling for oil.**

## Education Lifts Indigenous People out of poverty

[Erik Stegman Huffington Post 2012](#) (BW)

As of 2010, **over a quarter of** American Indians and **Alaska Natives** (AIAN) people **in our country lived in poverty** (28.4 percent). This compares to 15.3 percent nationally.

Much has been written and documented about what poverty on a reservation looks like, but little attention has been paid to real solutions. "Poverty" may be a simple word, but there are many reasons that Americans end up trapped by it. For Native people, the solutions are sometimes even more complex because of the special legal obligations owed to them by the federal government as a result of long-standing treaties and federal Indian policy. Even though many levers exist with the potential to relieve poverty among the AIAN population, education is one area where the federal government itself has the immediate power to focus its resources and leverage change in these communities. As our country continues to recover from the Great Recession, **improving education outcomes**

**for Native kids on reservations would be a huge step forward in moving Native people from** being one of the most

impoverished groups in the country to being part of our nation's future shared prosperity. While 70 percent of adults (age 25 or older) with incomes below **poverty** threshold have at least a high school diploma or equivalent. **Adults without a high school diploma are much more likely than other adults to experience income poverty.** If you're a student in a BIE

school looking at a graduation rate that barely breaks half of your senior class enrollment, your chance of staying in poverty is much higher. This is why education is one of the key indicators that we track for Half in Ten, our campaign to cut poverty in half in 10 years.