# September-October ‘18

#### Resolved: The United States should accede to the United Nations Convention on the Law of Seas

To Do: A/2: Navy Restricted

# A/2: NEG

## OV

### Thucydides Trap OV

#### Graham 15 of the Atlantic finds a war with China in the status quo is more likely than not, because tensions are so high any hint of miscalculation could trigger conflict escalation. This is especially proven as according to the CNA, just last month, China sent its navy into the region and the US responded by sending its navy into the region. This is why the article concludes that tensions are actively increasing in the status quo. THEY ARE LITERALLY CAUSING THEIR OWN IMPACT

#### No risk of solvency in the NC and it’s try or die for the AFF.

## A/2: China

### A/2: China Conflict General

1. **Delink: UNCLOS does nothing. Fus of the National Interest in 2016 explains that since the US is not a claimant of the South China Sea, the UNCLOS provides no additional tools for the US to use in resolving disputes.**
2. **Delink: China doesn’t care about the UNCLOS. Fuchs furthers that all joining would do is deprive China of a talking point that the US is being hypocritical. China has already made its decision that defending its sovereignty and control of the South China Sea outweighs any reputational damage suffered by disregarding the tribunal’s ruling.**
3. **Turn: Hard power increases the chance of war. Thornberry from case writes that the South China Sea is on the brink of conflict. This is crucial, as the CNA explains just last month, China sent its navy into the region and the US responded by sending our navy. The article concludes that tensions are actively increasing in the status quo, if you negate there is no risk of offense.**
4. **Turn: Boats have to sail in a straight line and with their flag raised under UNCLOS. This reduces Miscalc.**

Channel News Asia, 6-3-2018, "US weighs more South China Sea patrols to confront 'new reality' of China," https://www.channelnewsasia.com/news/asia/us-weighs-more-south-china-sea-patrols-to-confront--new-reality--of-china-10346796

SINGAPORE: **The United States is considering intensified naval patrols in the South China Sea in a bid to challenge China's growing militarisation of the waterway, actions that could further raise the stakes in one of the world's most volatile areas. The Pentagon is weighing a more assertive programme of so-called freedom-of-navigation operations close to Chinese installations on disputed reefs**, two U.S. officials and Western and Asian diplomats close to discussions said.

Michael Fuchs and Trevor Sutton. "UNCLOS Won't Help America In The South China Sea." The National Interest. The Center for the National Interest, 3 August 2016. Web. Accessed 8 July 2018 <http://nationalinterest.org/feature/unclos-wont-help-america-the-south-china-sea-17235> // VK

**First, while the United States has a strong interest in peaceful resolution of competing territorial claims in the South China Sea, it is not itself a claimant, and thus UNCLOS would provide no additional tools for the United States to use in addressing disputes in the South China Sea.** While U.S. ratification of UNCLOS would allow U.S. nationals to serve on arbitration panels, such representatives are expected to exercise independent reasoning and do not take instructions from member governments. **If anything, the presence of an American on the panel would have played to the suspicions of hardliners in China who view international legal regimes as a vehicle for advancing U.S. interests.** If this sounds farfetched, consider that the Chinese ambassador to ASEAN recently accused Washington of “staying behind the arbitration case as the manipulator, and doing whatever it can to ensure that the Philippines wins the case.”
Second, **the only thing that the United States would achieve by joining UNCLOS**—at least from the perspective of modifying Chinese behavior—**would be to deprive Beijing of its talking point that U.S. exhortations to claimant states to comply with UNCLOS amount to “hypocrisy.” Deprived of this talking point, there’s no reason to believe that Beijing would submit to the tribunal’s authority.** Although U.S. ratification of UNCLOS would be a boost to the prestige of the convention, **Beijing has evidently made a calculated judgment that defending its perceived sovereignty and the strategic value of physical control of large stretches of the South China Sea outweighs whatever reputational damage it suffers as a result of flouting the tribunal’s decision.**

### A/2: Strake “4 Reasons why SQ is fine”

1. On their first link about how CHina is supposedly realigning with UNCLOS. THIS is not true 1) if it were true then they wouldn’t be increasing the expansion in SCS which is illegal under UNCLOS and 2) CH is reshaping UNCLOS to fit their interests, it's not that they all a sudden care about unclos they just see it as a potential way to justify their actions, not working. But this is offense for us as the Center for American Progress tells us that if we join we can force UNCLOS to counter CH aggression, either way we benefit in aff world
2. Group the rest of the three together; their all about how other countries are supporting China right now, three responses
	1. CH is negotiating one on one, don’t let them misconstrue it as region wide negotiations. this is important because in 1on1 china can force what it wants to be the terms of the deal. continue on this path and CH gets legal justification for its actions in the SCS.
	2. Negotiations have failed so far. Obv. the issue hasn’t been resolved, here's why. 1) the smaller countries aren’t united and 2) the US isn’t working multinationally and 3) any time the US says something CH accuses us of being hippocratic, preventing other countries from joining our side. All 3 issues get solved back in pro world.
	3. Arg is simply not true. they can’t give you a single evidence that says peace is increasing in SCS, cause its not true. CFR tells us that Military spending by countries in the region is up by 57%, and OO tells us last week that our actions are causing the trouble.

OVERALL, continue on the path they suggest and we’re gonna get in a war real quick.

(if they say CoC as an example of multilat then respond to that)

### A/2: Chinese Appeasement

#### Link makes no sense. Other countries know the US is completely against China’s interpretation. If we join it sends the message that we want to actually counter China.

#### Even if it does somewhat appease China, the AFF is comparatively better, because now the US has the capability to reshape maritime law and have a say in opposing China’s expansion.

## A/2: Mining

### A/2: Royalties Bad

#### Mitigate: Most of the gas we collect doesn’t get taxed. James Houck of Penn State writes in 2013 that most of the oil and gas that maybe recovered would be in the first six years and thus would not ever be subject to royalty payments. Basically, we drill everything before we have to pay. (DP)

1. **Heavily Mitigate the impact. This is because their impact is sending 92 billion dollars over 50 years split amongst a lot of developing nations every-year , this means they have to prove to you that marginal amount of aid sent every year is enough to substantially trigger their harmful impacts.**
2. **Turn: Acevedo of the Chicago Policy review in 2016 finds that a 1% increase in aid to a country increases their GDP by .0031%. This is important, because for every rogue nation they try to identify there are 20 other countries, who extremely benefit from this aid.**
3. **Turn: If we ratify LOST, then we get to control where the aid goes.** **Andrew Langer from the RCP writes in 2012 that if the US accedes to UNCLOS we would gain access to the permanent seat on the ISA , which means we would have 100% veto power over where the aid would go. This means because the US controls where the aid goes, the aid would be conditional and only go to places where the aid would be beneficial and not corrupt regimes.**

Andrew Langer 2012

https://www.realclearpolitics.com/articles/2012/11/28/the\_case\_for\_ratification\_of\_the\_law\_of\_the\_sea\_treaty\_116272-full.html

There have been some troubling Ailinsky-esque tactics at play by those who would rather raise money from, and get their names in front of, the grassroots conservative movement – by spreading disinformation -- than acknowledge that this particular treaty is not like others, and is actually critical to U.S. national security interests and to rebuilding our badly damaged economy. Here are the most common ways that conservatives have been misled about the facts of this treaty, along with the facts that the conservative movement needs to know in order to help in this urgent course correction: **Myth: Ratifying the treaty does not benefit the US. Fact: The opposite is true. Ratifying this treaty benefits the U.S. more than any other nation. Once ratified, the U.S. receives the largest Exclusive Economic Zone (area where the U.S. and only the U.S. can mine and drill the seabed) and also gives the US 100% veto power over all ISA funding disbursements.**

Acevedo of the Chicago Policy Review in 2016 finds

Ivonne Acevedo, Chicago Policy Review, "Does Foreign Aid Have an Effect on Economic Growth? New Research Adds to the Debate – Chicago Policy Review", 6/15/2016, http://chicagopolicyreview.org/2016/06/15/does-foreign-aid-have-an-effect-on-economic-growth-new-research-adds-to-the-debate/

**The results show that a one percent increase in the aid to gross net income (GNI) ratio increases annual real per capita GDP growth by 0.031 percentage points.** Additionally, the authors find that accelerated reductions in aid as a result of crossing the threshold on average have a negative effect on growth. Indeed, reducing the aid to GNI ratio by one percentage point at the period of crossing the threshold, on average, reduces the real per capita GDP growth by approximately 0.35 percentage points. Based on these estimates, the authors argue that the significant impact of foreign aid on growth could be explained by improving economic policies and governance quality among the countries in the sample.

James **Houck, 13**, (), " The Opportunity Costs of Ignoring the Law of Sea Convention in the Arctic", Penn State, 2013, https://elibrary.law.psu.edu/cgi/viewcontent.cgi?article=1240&amp;context=fac\_works, DOA-6-28-2018 (MO)

**Opponents argue that U.S. royalty payments will go to an inefficient and corrupt “UN-style bureaucracy**” and that the United States will lose control over the money upon transfer to the ISA.136 As former Senator Jim DeMint asked, “how is it in the interests of the United States to turn the royalties over to an unaccountable international bureaucracy [when the royalties] will be distributed to countries that may be our enemies, like Sudan.”137 These arguments have proven a successful rallying point for UNCLOS opponents and a potential political millstone for senators who might otherwise be inclined to support the convention. The arguments have retained force **despite the fact that the United States itself originally conceived the royalty plan under the Nixon Administration, with the full support of U.S. industry—support that has remained consistent**

**across nearly four decades.**Royalties were proposed as a modest concession in return for agreement on the U.S.-sponsored extended continental shelf regime.138 Indeed,**most of the oil and gas that may be recovered would be in the first six years and thus would not ever be subject to royalty payments**. 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.**

### A/2: Mining Land Split

#### O/w-Cardin-On net, land gain would be 1.5 times the size of Texas under UNCLOS

Ben Cardin, 7-15-2011, "The South China Sea Is the Reason the United States Must Ratify UNCLOS," Foreign Policy, https://foreignpolicy.com/2016/07/13/the-south-china-sea-is-the-reason-the-united-states-must-ratify-unclos/

But just like when we helped forge UNCLOS more than 40 years ago, we have much to gain from joining today. W**e shaped the treaty to** be very **favor**able to **the** **U**nited **S**tates: **we reserved the only permanent seat on the international council that will oversee deep seabed mining, including potentially rich sources of untapped energy resources, minerals, and precious metals. That permanent seat remains** embarrassingly **vacant, and decisions are being made about seabed mining in international waters without U.S. participation.** Moreover, **the estimated additional area the U**nited **S**tates **could claim sovereignty under the continental shelf expansion provisions of the treaty is an area across the Atlantic and Pacific seaboards**[**estimated**](https://www.congress.gov/congressional-report/108th-congress/executive-report/10)**at roughly one and a half times the size of Texas.**

#### Countries still too afraid to go in now, half of the designated land is better than their no land in the squo

## A/2: Military Capabilities

### A/2: Have to put Subs with Flags

#### That was under old regulations of article 58

#### They say prevent miscalc, but if China sees it as us spying on them if anything it increases the chance of miscalc.

#### Miscalc is already inevitable as well tell you from the OV. The only RISK you reduce it is by increasing soft power coop between both countries

### A/2: SQ working (OV)

Overall: their argument is that the status quo is working and preventing, but

1. For the past 20 years China has only continued to grab more and more islands. Tensions are literally skyrocketing. THEY OBVIOUSLY ARE NOT WORKING
2. Their end impact is that the US presence in the region is preventing smaller countries from militarizing, but right now in the status quo the Council for Foreign Relations writes that military spending in the SE Asia region is up by 57%. What that means is that RN IN THEIR WORLD COUNTRIES ARE MILITRIZING, SO OBVIOUSLY THEY’RE AREN’T WORKING, THEY ARE THE PROBLEM.

They aren’t working, offense for us

### A/2: FONOPS / NGZ

1. Military leaders and the military stance in general support joining UNCLOS. Obviously they’ve done the analysis and decided that its better for our military to join. Pref their opinion cause its legit their career to know and analysis this stuff.
2. Don’t prove Brightline as to how much hard power goes down under UNCLOS that their impacts trigger. Other bases in the area exist to check back Chinese Agression.
3. Specifically on No-Go Zones China can declare. Obviously China can only declare a no-go zone in an area which they have a legal right to. So sure they can declare a no-go zone off their mainland but it’s not like US ships were there in the first place. But what they can’t do is declare no-go zones around all these new islands because they don’t have the legal right to. Therefore the US can still go through the region. We only have to follow the legal interpretation, these aren’t legal, therefore the US military will ignore these areas.
4. Even if you buy the argument that No go zones will come in place, SQUO isn’t solving. SCMP writes that the US strategy has no end-game, and thus has not been effective so far. Think about logically. If the US is never willing to engage China militarily, which is true because insofar as the US HAS NEVER ENGAGED China militarily in the SCS, then China can just continue grabbing more islands until they have full control. THEY NO RISK OF SOLVING
5. The Diplomat in 2018 writes that Japan, Australia, United Kingdom, and France are going to start doing FONOPS in the area as well. This has three implications:
	1. It delinks them because these countries are in UNCLOS and are also doing FONOPS
	2. It non-uniques them cause other countries can do FONOPS, they don’t prove US key
	3. It turns them because the Diplomat says more parties involved means higher risk of misclac, so if we prevent US military from going in, then we reduce chance of misclac leading to war
6. Turn: PressTV 2017 writes that these FONOPS have only started a positive feedback loop where every time we do one of these ops China responds by grabbing more territory. They are literally trying to solve a problem they cause.

SCMP, https://www.scmp.com/comment/insight-opinion/united-states/article/2149366/south-china-sea-tensions-does-us-have-endgame

**But the more serious problem for US policy in the South China Sea is that it does not have a strategic endgame, short of war. So far, the US response has not been effective. China has persisted in its claims and actions in its own “near seas” despite US warnings.**

https://thediplomat.com/2018/08/submarines-in-the-south-china-sea-conflict/

**The claimant states’ submarines aren’t the only ones in play: the United States, Japan, Australia, United Kingdom, and France have all begun or announced freedom of navigation operations in the South China Sea. These patrols are aimed at curtaining China’s reach and bolstering support for allies in the region. The large number of state parties, however, increases the chance of an accident or provocation.** Forays into China’s claimed exclusive economic zone have already drawn the ire of Chinese state and military officials. And accidents have occurred, such as the [collision of a Chinese submarine](https://www.cfr.org/report/armed-clash-south-china-sea) with a U.S. sonar array in 2009.

<https://www.presstv.com/DetailFr/2018/06/08/564274/Aggressive-US-strategy-in-AsiaPacific-region-will-backfire>

**“The US in turn has taken the defensive actions of China as an excuse to pursue more aggressive policies in the region under the guise of ‘freedom of navigation’ exercises. This has led to a tit-for-tat response from China whereby it has reinforced its presence on the reclaimed territory it claims. The US has used this predictable response of China in defense of its vital interests as a cynical ploy to challenge China in its own backyard,” the academic observed.**

### A/2: Piracy

**5 responses.**

**First, delink. Ashraw finds that a 2008 UN security council resolution gave countries the authority to “undertake any means necessary to stop Somali piracy.” That supersedes UNCLOS.**

**2nd, de-link them as currently naval counter piracy operations aren’t working with Somalia. CNN in 2018 finds that due to problems in coordination and other structural issues, naval containment strategies will never solve piracy, rather CNN concludes you need solutions that address the root of the problem inside of Somalia. Prefer our CFR turn because we are the only side that provides any kind of improvement over the status quo.**

**3rd, delink. Adriansen in 2010 writes that we currently follow the 1958 Geneva Convention rules on anti-piracy ops. This is crucial as she finds that there is literally no difference between the 1958 convention and UNCLOS. That’s why she conludes that counter-piracy efforts will not be affected by joining UNCLOS.**

**4th turn: the CFR in 2008 finds 2 reasons why Acceding to UNCLOS would help counter piracy operations. A because it gives the legal permission for states to arrest, seize, and prosecute pirates, and B because it allows countries to conduct counter piracy operations in the territorial seas of failed states, such as Somalia.** **This is why The Diplomat in 2012 concludes that ratifying the treaty allows the US to cooperate with other countries in fighting Somalian Piracy.**

**5th, UNCLOS solves itself:  Ashfaw from the JTLP finds that although pirates have the ability under UNCLOS to evade pursuers by going back into their territory, the US can find a way around it. Specifically they find the US could use article 100 to force nations to cooperate in counter piracy operations. That means that the US can still run interdiction efforts.**

**Capt. (Ret.) Gail Harris, The Diplomat, 3-23-2012, "U.S. Must Remove UNCLOS Handcuffs," Diplomat, https://thediplomat.com/2012/03/u-s-must-remove-unclos-handcuffs/**

And **ratifying the treaty saves the United States boatloads of cash.** Approving it would allow us to reduce our military expenditures yet maintain naval strength at a time when our nation’s debt keeps climbing. One example is over piracy. **The total economic costs of Somali piracy in 2011 were** [**approximately $7 billion**](http://www.huffingtonpost.com/2012/02/08/somali-piracy-costs-shipping-industry-governments-7-billion-2011_n_1263253.html) **by some estimates. Signing the treaty would allow the U.S. to better coordinate anti-piracy and anti-terrorism efforts alongside the international community.** Instead of policing the world’s waters by ourselves, we could share the burden.

CFR in 2008

https://cfrd8-files.cfr.org/sites/default/files/pdf/2009/04/LawoftheSea\_CSR46.pdf

The convention is now open for amendment and could be changed by countries hostile to U.S. interests if the United States does not participate in the process. The terms of the convention require accepting the treaty in toto, and joining now would allow the United States to lock in an agreement most favorable to its interests—and also gain the ability to apply maximum leverage against other states on strategic oceans issues. The longer it remains a nonparty, the more the United States cedes its negotiating strength. – **The convention provides two essential and immediate components for responding to piracy off the coast of Somalia. First, the convention permits any state to arrest pirates, seize pirate vessels, and prosecute pirates in the courts of the interdicting naval authority. Second, and equally important, the convention protects the sovereign rights of ocean-going states that participate in antipiracy naval operations in the territorial seas of failed states such as Somalia. This is critical for building international naval flotillas for combating the growing pirate problem in the Indian Ocean.**

2.

Sara Ashfaw in 2010

Ashfaw, Sarah. "Something for Everyone: Why the United States should Ratify the Law of the Sea Treaty ." Journal of Transnational Law and Policy.

Not only does the Convention provide a clear definition of piracy and basis for capture and prosecution of pirates, it also imposes an affirmative obligation upon parties to make efforts to curtail piracy.144 **Critics of the Convention argue that it actually impedes the United States’ ability to chase and capture pirates because a ship must cease pursuit if the ship it is chasing enters its own or a third state’s territorial waters.145 They assert that this provision provides pirates with a safe haven to retreat to undeterred, and that the Convention prevents non-territorial state ships from pursuing the pirates.146 This is troubling largely because of the strong presence of Somali pirates.147 For example, under this provision, Somali pirates can attack ships and if they risk getting captured, rush back into their own state’s territorial waters where they would be safe. Somalia, a nation plagued by its own problems of lawlessness and poverty, is in no position to apprehend these criminals.148 In such a circumstance, however, the United States can assert that Article 100 of Part VII of the Convention, which imposes upon member parties the duty to cooperate in the repression of piracy, gives it the authority to continue pursuit.149 Somalia is a party to the Convention and where it cannot assist in apprehending and trying pirates, it must cooperate with others who can.** This includes permitting states that are working to repress piracy by pursuing pirates to do so within Somalia’s territorial waters.**150 Furthermore, a December 2008 United Nations Security Council resolution called upon states to actively assist in combating piracy off of the coast of Somalia and gives them the authority to “undertake all necessary measures ‘appropriate in Somalia’ ” in furtherance of this end for a period of one year.**151 I**n April of 2010, the United Nations Security Council adopted a resolution that calls upon states to criminalize piracy under their domestic law and consider prosecution of and imprisonment of apprehended Somali pirates.**152 This resolution also seeks a report from the Secretary General of the United Nations to present options for purposes of “prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia.”153 Given this explicit guidance to counter piracy coupled with the Convention’s anti-piracy provisions, criticism that the Convention would preclude apprehending pirates does not hold up.

3.

CNN in 2018

https://www.cnn.com/2017/05/25/africa/piracy-resurgence-somalia/index.html

There is broad agreement among piracy experts that complacency has contributed to the current surge. B**ut adhering to BMP4 alone is unlikely to resolve the issue long term. Farrell points to a lack of co-ordination between naval fleets and security forces such as EU NAVFOR, which have a range of remits and priorities including prevention of drug smuggling and people trafficking. He adds that pirates often receive light sentences for their crimes, which have little deterrence value.** Dr. Afyare Elmi, a political scientist at Qatar University who has published several papers on piracy, **believes that conditions on land must be addressed. "We have been relying on offshore containment, but the best way to combat piracy is through onshore solutions," he says. "The best way is to invest in the national government, to build capacity at national level.” A strong Somali government would be able to maintain effective policing and coast guard services, he argues, and implement new counter piracy legislation.** Such a government could also be a valuable partner for international bodies, which have limited co-ordination with the current regime that is seen as weak and ineffective. B**eyond this, Elmi would like to see causes of piracy addressed such as poverty -- the country is wracked by famine - and illegal fishing. He hopes for international assistance to prevent the plundering of Somali fish stocks, which is often cited as a grievance by pirates. Such longstanding, deep-rooted issues will not be easily resolved. But if the current wave of piracy continues, it could focus minds on Somalia's plight.**

Adriansen, 2010, University of Oslo, "Combating Piracy off the Coast Of Somalia. Jurisdiction over Interdiction and Prosecution," https://www.duo.uio.no/bitstream/handle/10852/18655/101238.pdf?sequence=3, DOA 7-13-2018, DJK

A law addressing the issue of piracy can be traced back to the Seventeenth Century. The English act on piracy enacted in 1698 was probably the first law of piracy at the national level. Other States such as Germany and the United States then followed suit to enact their laws of piracy. These older pieces of legislation show that when piracy was first criminalized by law, it was punishable only within the domestic legal domain of a state. Later, the piracy issue came into the international scene since it threatened transnational maritime commerce and transportation. The first legal document governing piracy in international law was the 1856 Treaty of Paris, which ended privateering7 by commissioned pirate ships. The 1889 Montevideo Convention accepted the principle that the suppression of piracy was the responsibility of mankind. The Nyon Agreement of 1937 defined the unidentified attacks in the Mediterranean as ―acts of piracy‖. However, the most important treaty which codified the international law of piracy was the 1958 Geneva Convention on the High Seas8 , which contains eight provisions concerning the suppression of piracy on the High Seas. The 1982 UN Convention on the Law of the Sea (UNCLOS) simply incorporates the anti-piracy provisions of the 1958 Convention without any change 9 Those few states who have yet to ratify UNCLOS, are party to the 1958 Geneva Convention on the High Seas, and are thus bound by the same regulations on piracy.

### A/2: Tech Transfers

#### Already taken out of the treaty. Terminal Defense.

#### Not true anymore. Sandalow 4 of Brookings writes that

David B. **Sandalow,** 8-19-**2004**, 4, Law of the Sea Convention: Should the U.S. Join?, Brookings, https://www.brookings.edu/research/law-of-the-sea-convention-should-the-u-s-join/, 7-10-2018//ALP

The agreement addresses in full all concerns identified by President Reagan a decade earlier. **Technology transfer requirements—a principal objection in 1982—were deleted from the agreement.**

### A/2: ISR Probes disappear

1. Delink: Hudzik in 2010 of Washington University writes that some of the biggest supporters of the treaty comes from the intelligence community and the highest ranks of the US military. No reason why they would support a treaty a treaty that hurts the US’s military. Prefer this analysis because it comes from people who’s careers have been to know and analysis this stuff, compared to just a high schoolers analysis.
2. Turn: Valencia 2017 writes that ISR probes increase tensions, and strain US-China relations. Remember the analysis we make that right now China is increasing their aggression, which means that the current US strategy isn’t working. THEY DON’T HAVE ANY SOLVENCY. This is why you affirm on a risk of solvency that diplomacy works and stops conflict. Only chance of stopping war, try or die.

**1: Doesn’t make a lot of sense. Hudzik 10 of Washington University writes that**

Hudzik 2010 (Elizabeth M. Hudzik, lawyer in St Louis, Missouri. January 2010. “A Treaty on Thin Ice: Debunking the Arguments Against U.S. Ratification of the U.N. Convention on the Law of the Sea in a Time of Global Climate Crisis”, Washington University Global Studies Law Review. http://openscholarship.wustl.edu/law\_globalstudies/vol9/iss2/6 . DOA: July 7, 2018.) ALP

Though national security remains a top U.S. priority, **opponents of UNCLOS have overstated the degree to which the treaty would endanger** that **security.** First, major concerns appear to stem from a misreading of articles 19 and 20.81 Additionally, **the provisions at issue were negotiated with the input and consent of the U.S. intelligence community (including the National Security Council) and were approved by the Central Intelligence Agency and the Department of Defense.82 In fact, some of the strongest supporters of the treaty come from the intelligence community and the highest ranks of the U.S. military**.83

**This means obviously UNCLOS doesn’t have that much of an impact if the intelligence community supports it.**

**2: Turn, increases tensions. Valencia 17 of the Diplomat writes**

Mark J. Valencia, April 24 2017, Do US Actions in the South China Sea Violate International Law?, The Diplomat, https://thediplomat.com/2017/04/do-us-actions-in-the-south-china-sea-violate-international-law/, DOA: July 11, 2018//ALP

**There have been several “dangerous” incidents resulting from these ISR probes.** As I have noted before, **the U.S.-China relationship was strained by the EP-3. incident as well as the Bowditch (2001), Impeccable (2009), and Cowpens (2013) incidents. In August 2014, and again in September 2015, Chinese jet fighters intercepted U.S. intelligence-gathering aircraft over the South China and Yellow Seas.**

### A/2: General Sovereignty Lost

1. This is coming from a vocal minority in the senate of extreme republicans who see any treaty as a loss in sovereignty. These are literally the same people who oppose the Paris Agreement, its not a big deal.
2. Every military leader supports the treaty, its clear the educated agree that this is the right path.
3. Borgenson of CFR turns the argument in three ways:
	1. Not joining means no seat at important decision making bodies, if we want to keep our freedom, then we better be there when the rest of the world decides on it
	2. Not joining weakens the US’s position during negotiations over critical maritime issues such as Arctic drilling rights (DON’T READ IF THEY ARE RUNNING ARCTIC)
	3. Undercuts the US ability to respond to new challenges, such as piracy in the Indian Ocean.

WE NEED TO JOIN RIGHT NOW OR OUR FUTURE SOVEREINGTHY WILL DROP, BORGENSON CONCLUDES THAT EVERY DAY WE WAIT TO JOIN THE TREATY THE COST GETS HIGHER.

https://cfrd8-files.cfr.org/sites/default/files/pdf/2009/04/LawoftheSea\_CSR46.pdf

Continuing to treat most parts of the convention as customary international law, as the United States does now, **literally leaves it without a seat at the table in important decision-making bodies established by the convention, such as the Commission on the Limits of the Continental Shelf (CLCS); weakens the hand the United States can play in negotiations over critical maritime issues, such as rights in the opening of the Arctic Ocean; and directly undercuts U.S. ability to respond to emerging challenges, such as increasing piracy in the Indian Ocean. Joining or not joining the convention is more than an academic debate. There are tangible costs that grow by the day if the United States remains outside the convention.**

## A/2: Political Tradeoffs

### A/2: UNCLOS = No PSI

1st: Delink: Moor of Virginia University gives two reasons why their argument is not true:

1. We are party to the 1958 Geneva Convention which is much more restrictive than the UNCLOS. This means that we aren’t just unchecked running around boarding random people’s ships. We still have to follow a much more strict set of laws.
2. On intelligence, there is literally no part of UNCLOS that restricts our ability to share intelligence. That means that even if we do join UNCLOS, we still can share our intelligence with others.

Overall, Moore concludes that it’s a giant myth that the convention is harmful to PSI, and that following the convention won’t have any effect on PSI.

The reason why you prefer our analysis here is because Moor cites John Bolton, the guy who created PSI in the first place, which is about as accurate a source as you can get.

2nd: Delink: The only countries against PSI are countries like China/Iran/NK, who obviously don’t like PSI because their own nukes are being stopped. No other countries hates PSI, because everyone agrees it’s good for the world.

3rd, Delink. Sandalow in 2004 writes that under UNCLOS the US can cite 4 different reasons to do a interdiction. Same set as we do right now, either world we can stop those nukes.

4th, Delink. Only contextualized harm is that the US maybe loses the ability to physically interdict. But we can still give intel to other members, and they can carry out the interdictions. This is crucial as Kane in 2013 writes that countries like Germany and Italy have carried out interdictions on their own.

5th, Delink. Wolfe in 2018 writes that Article 19 of UNCLOS explains that you only get the right to innocent passage if you are innocent, meaning in good faith and order/security of the region. Carry nukes obviously violates this, and this means the US can still run interdictions.

6th: turn the argument:

Rogers in 2012 writes that by acceding to UNCLOS you get rid of the only argument preventing further expansion of PSI, that the US doesn’t follow international law. This is important, as Roger writes that “the net result will be more partners, more intelligence, more preemptive actions that help protect us from this most serious threat.” The warrant comes from Walsh who finds that countries can’t justify to their domestic legislators that they should support a country who doesn’t respect the convention.

7th: Turn the argument again. As Vanecko of Newport explains, many critical Pacific countries such as Indonesia and Malaysia would like to support PSI, but are unable to “convince their legislatures that PSI interdiction activities are not illegal under the UNCLOS, especially when the leading PSI nation who pulls all the weight, the United States, refuse to accede to the convention. Acceding leads to two impacts:

1. Proves enemies wrong. The idea that we cannot do PSI and UNCLOS is literally just a myth created by countries who we interdict. A 10 second look at the Wikipedia page for PSI shows literally every country is part of PSI, except for China/Iran/NK. Hmm, wonder why.
2. Recruits new members for PSI like Indonesia. The Narrative is that PSI gets stronger in our world.

Vanecko

http://www.dtic.mil/dtic/tr/fulltext/u2/a546081.pdf

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 leading PSI nation, the United States, refuse to become a party to the Convention.”77 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.

Moore

**Myth: The convention is harmful to the Proliferation Security Initiative (PSI). Again, this is false. The PSI has already been negotiated explicitly in conformance with the convention, and not surprisingly so, since the nations with which we coordinate in that initiative are parties to the convention. This charge apparently rests on the false belief that if the United States does not adhere to the convention, it will be free from any constraints in relation to oceans law.** Again, this is a false assumption; we are today a party to the 1958 Geneva Convention that is much more restrictive than the 1982 convention now before the Senate. This charge is also misguided as it fails to understand the critically important interest we have in protecting navigational freedoms on, in and above the world's oceans. The convention allows our vessels to get on station, a capability that is essential before any issue even arises about boarding. Moreover, we emphatically do not want a legal regime that would permit any nation to seize U.S. commercial vessels in the world's seas. That would be a massive loss of U.S.

sovereignty! The PSI was carefully constructed with parties to the 1982 convention, using the flag state, port state and other jurisdictional provisions of the 1982 convention precisely to avoid this problem. Nor is this charge at all realistic in failing to note that nothing in the Law of the Sea Convention could or does trump our inherent rights to individual and collective self-defense. **Most recently, we note, Under-Secretary of State John Bolton, a principal architect of the PSI, testified to the Senate that adhering to the convention will not harm the PSI.**

Rogers, Will. Security at Sea: The Case for Ratifying the Law of the Sea Convention . Center for a New American Security: Washington, D.C., April 25, 2012 (11p). [ More (

**In particular, ratifying LOSC will strengthen programs such as the Proliferation Security Initiative (PSI), since key partner and potential partner countries often voice skepticism over U.S. commit- ments to these transnational programs in light of the U.S. failure to ratify the convention.** President George W. Bush launched PSI in 2003 to leverage existing national laws to improve interception of materials in transit and halt WMD-related financial flows**. LOSC ratification will give PSI a stronger legal foundation under international law by removing “the bogus argument that PSI is a renegade regime that flies in the face of international law,”** according to Rear Admiral William D. Baumgartner, former U.S. Coast Guard Judge Advocate General. **“The net result will be more partners, more intelligence, more preemptive actions that help protect us from this most serious threat.”19 Indeed, removing this excuse for other countries’ non-participation in programs to counter proliferation would benefit the United States diplomatically and could help in negotiating future innovative solutions and programs.**

Sandalow 4 (David B. Sandalow, David Sandalow is the Inaugural Fellow at the Center on Global Energy Policy and co-Director of the Energy and Environment Concentration at the School of International and Public Affairs at Columbia University. He launched and directs the Center’s U.S.-China Program and has written, most recently, on topics including energy diplomacy and energy finance. Mr. Sandalow has served in senior positions at the White House, State Department and U.S. Department of Energy. He came to Columbia from the U.S. Department of Energy, where he served as Under Secretary of Energy (acting) and Assistant Secretary for Policy &amp; International Affairs. Prior to serving at DOE, Mr. Sandalow was a Senior Fellow at the Brookings Institution, as well as Energy &amp; Climate Change Working Group Chair at the Clinton Global Initiative. He has served as Assistant Secretary of State for Oceans, Environment &amp; Science and a Senior Director on the National Security Council staff, 8-19-2004, Brookings, &quot;Law of the Sea Convention: Should the U.S. Join?,&quot; https://www.brookings.edu/research/law-of-the- sea-convention-should-the-u-s-join/, DOA 7-8-2018) RH

In addition, some columnists and think tank analysts have argued that U.S. accession to the Convention would interfere with the Proliferation Security Initiative (PSI), under which the United States and more than a dozen allies have agreed to interdict some ships that may present a nonproliferation risk. In fact**, the Convention expands the list of justifications for ship interdictions set forth in its predecessor, the 1958 Convention on the High Seas, to which the United States has been a party for more than forty years. Among the many legal bases** that may be applicable to interdictions under the PSI are the jurisdiction of coastal states in their territorial seas, **the right to board stateless vessels, an agreement concerning high-seas boarding with a flag state** (the country of origin of an oceangoing vessel) **and the inherent right of self-defense.** Indeed several allies have recently expressed concern about the U.S. failure to ratify the Convention, asserting that this failure could weaken the PSI.

Sam Kane, 7-9-2013, Center for Arms Control and Non-Proliferation, "Fact Sheet: The Proliferation Security Initiative (PSI)," https://armscontrolcenter.org/fact-sheet-the-proliferation-security-initiative-psi/, DOA 7-13-2018, DJK

— For instance, national authorities can stop a ship because of a customs violation, and subsequently use that infraction as grounds for seizing the vessel’s cargo. • For various reasons, many PSI participants are reluctant to discuss the specifics of the interdiction operations that they conduct. However, several officials associated with the initiative have lauded its success, with Acting Under Secretary of State for Arms Control and International Security John Rood declaring, in 2008, that “we literally had dozens of successful interdictions…” • A few examples of PSI’s more high-profile successes: — **In October 2003, German and Italian forces cooperated on the successful interdiction of a German-registered ship, sent by the AQ Khan proliferation network, that was carrying nuclear enrichment technology to Libya.** — In 2007, four PSI member states interdicted a vessel carrying ballistic missile technology to Syria. — In June 2011, US naval forces intercepted a Belize-flagged ship carrying North Korean missile technology, and forced it to return to North Korea.

**Wolf 08** (Charles Wolf, Jr., Brian G. Chow, Gregory S. Jones, 2008, National Defense Research Institute, Enhancement by Enlargement, https://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND\_MG806.pdf, 7-17-2018) ED

Our purpose in raising this question is to suggest that the right of innocent passage is not unqualified, and that UNSCR 1540 itself opens up possibilities and scenarios that qualify it. Moreover, **UNCLOS (Article 19) explicitly introduces general qualifications to the right of innocent passage by plainly acknowledging that passage is not “innocent” if it is “prejudicial to the peace, good order or security of the coastal state,” or is not “in conformity . . . with other rules of international law.”** That there is ample room for different interpretations of several nouns and adjectives in this quotation highlights the qualifications that may be associated with “innocent passage.” For example, it may be justifiable to interpret the illegitimate transport of WMD/missile items as prejudicial to peace or security and therefore as voiding the right of innocent passage.

### A/2: Legally Binding to Future Amendent

#### Turn. If we link into multilateralism then it only increases our ability to have other countries to follow us in shaping future policy.

#### O/W on clarity of impact. You really don’t know what's going to happen in their world in terms of which policies are going to be passed and how those policies are going to affect the United States. What you do know is once you affirm the resolution you prevent millions of people from going into poverty from tensions in the South China Sea.

### A/2: Lawsuits Bad

#### Patrick Bonner finds that right now the US is at a much higher risk of having an environmental lawsuit than if they were in UNCLOS because right now the Us already follows most of the UNCLOS requirements and by joining it would only legitimize our efforts to abide by the environmental standards.

Bonner, Patrick, 2013 " U.S. would not be exposing itself to liability for environmental damage in international courts by ratifying UNCLOS," No Publication, https://www.unclosdebate.org/argument/854/us-would-not-be-exposing-itself-liability-environmental-damage-international-courts, Date Accessed 7-10-2018 // WS

Finally, as I have noted previously, those who are rightly concerned about international litigation against the United States should be much more concerned about subjecting the United States and U.S. businesses to international claims if the United States were to try to claim the resources on its extended continental shelf or on the deep seabed without becoming party to the Law of the Sea Convention. In my view, the risk of environmental litigation against the United States if it joins the Convention is low. The risk of international litigation against the United States if it were unilaterally to claim the resources on its extended continental shelf or on the deep seabed, without becoming party to the Convention, is much higher.

### A/2: Submarine Surveillance

1. De-Link. These restrictions on submarines having to sail with their flags up only apply within the territorial waters of another country, which is 12 nautical miles offshore. Our technology is advanced enough to have surveillance operations even if we’re not in their territorial waters.
2. De-Link. Oliver 2009 writes that the argument they make that ships have to be at the top of the water and fly their flag is only on innocent passage, NOT espionage. They don’t link in.
3. De-Link. Oilver continues that we’ve been a party of the Geneva convention of 1958 which has the EXACT same restrictions as UNCLOS. That means that if the status quo is legal under the Geneva convention, then it’ll be legal under UNCLOS.
4. Mitigate: Don’t contextualize the terminal impact here. How much intel are we going to lose? Intel gained through Submarines is old school stuff. The real place for intel gathering is spys and cyberwarfare. Really not gaining but intel from Submarines.
5. Turn: Literally every head of US Navy and intelligence agencies all testify in favor of joining UNCLOS, because Borgenson of the CFR writes that UNCLOS actually significantly empowers US intel gathering abilities because of the rights UNCLOS provides. The reason why this turn overwhelms their case is because these officials are literally the number one source on this issue, there is no one more qualified to ask.
6. Turn: US surveillance risks interception. Newshub writes in 2016 that whenever this happens it increases tensions.

**Oliver 09** [Oliver, John T, &quot;National Security and the U.N. Convention on the Law of the Sea: U.S. Coast Guard Perspectives&quot;, ILSA Journal of International and Comparative Law, Vol. 15, No. 2 (2008- 2009): 573-586, AR]

**The specific argument that the Convention would prevent the United States 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 flag when engaged in innocent passage.** This is correct, so far as it goes. But the minority report then concludes that this would &quot;fail to protect the significant role submarines have played, especially during the Cold War, in gathering intelligence very close to foreign shorelines.&quot;**What the minority report fails 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.39 Moreover, the collection of intelligence in any guise within the territorial sea is not &quot;innocent passage.&quot; Such operations are called espionage, not 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 twelve nm 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.42 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, ranking minority member of the Foreign Relations Committee, has argued, it would be unprecedented for the Senate to deny to our nation&#39;s military and national security leadership a tool that they have unanimously claimed that they need, especially during a time of war.43

**Submarines only navigate on the surface w/ flag in territorial sea**

<http://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf> // VK

Article 20

Submarines and other underwater vehicles

**In the territorial sea, submarines and other underwater vehicles are required to navigate on the surface and to show their flag.**

<https://cfrd8-files.cfr.org/sites/default/files/pdf/2009/04/LawoftheSea_CSR46.pdf>

**Lastly, the heads of the U.S. Navy and intelligence agencies have testified before the Senate Intelligence Committee that the convention does not impede intelligence-gathering activities; on the contrary, the rights afforded to the United States by the convention significantly empower U.S. intelligence-gathering abilities.**

Newshub, 5-20-2016, "US surveillance increases tensions with China," https://www.newshub.co.nz/home/world/2016/05/us-surveillance-increases-tensions-with-china.html, 7-17-2018

Beijing has demanded an end to US surveillance near China after two of its fighter jets carried out what the Pentagon said was an "unsafe" intercept of a US military reconnaissance aircraft over the South China Sea.The incident, likely to increase tension in and around the contested waterway, took place in international airspace on Tuesday as the plane carried out "a routine US patrol," a Pentagon statement said.A US Defence official said two Chinese J-11 fighter jets flew within 50 feet (15 metres) of the US EP-3 aircraft.The official said the incident took place east of Hainan island."Initial reports characterised the incident as unsafe," the Pentagon statement said."It must be pointed out that US military planes frequently carry out reconnaissance in Chinese coastal waters, seriously endangering Chinese maritime security," China's Foreign Ministry spokesman Hong Lei Hong told reporters.

### A/2: Endless Legal Disputes ??

1. Endless military disputes are logically more likely to lead to war than legal disputes, that means to prevent war we need to stop military disputes.
2. Status Quo isn’t fine. Investor spending is dropping due to fear of conflict and countries in SE Asia have increased by 57% in their “new normalcy”. Obviously the status quo not only impacts things like trade but countries are building up their militaries. Sticking with the status quo is just going to lead to war.
3. On the Mitchel Evidence, 4 years after their study he concludes the opposite, in fact finding that joining UNCLOS REDUCES the chance of war by 400%. Literally link turns the entire case.

## A/2: Arctic Drilling Bad

1

### A/2: Indigeninous

1. **Casper 9** of Natural Resources Journal indicates that positive impacts may include income from oil leasing royalties and oil industry-related employment opportunities filtering to local communities, thus improving living standards and access to essential services.
2. **Frances 17** of the Hill explains that “72 percent of Alaskan natives support oil and gas development in the Arctic.”

Kristin Casper obtained her Juris Doctor from the University of New Mexico School of Law in 2009, Natural Resources Journal, 2009 [Oil and Gas Development in the Arctic: Softening of Ice Demands Hardening of International Law, <http://www-lexisnexis-com.proxy.emerson.edu/hottopics/lnacademic/?shr=t&csi=271800&sr=%22Oil%20and%20Gas%20Development%20in%20the%20Arctic:%20Softening%20of%20Ice%20Demands%20Hardening%20of%20International%20Law.%22+AND+DATE+IS+2009>] MH

While oil and gas exploration and exploitation on the Arctic coastal states' continental shelves will occur far from local human populations, Arctic communities and peoples are nonetheless far from immune to the impacts caused by the exploration and exploitation. **Positive impacts may include income from oil leasing royalties and oil industry-related employment opportunities filtering to local communities, thus improving living standards and access to essential services.** However, exploration and exploitation may also adversely affect the lifestyles of indigenous peoples. n50 For example, indigenous peoples' right to marine resources, such as fisheries, may conflict with offshore oil and gas activities. n51 Discharges from offshore oil and gas activities and oil spills threaten the Arctic flora and fauna on which Arctic communities and indigenous peoples depend. n52 While this article primarily looks at the need for Arctic marine environmental protection, the importance of protecting Arctic communities and indigenous peoples from the negative side effects of oil and gas development should not be discounted.

LUCAS FRANCES, The Hill, 1/23/17 [Ban on offshore Arctic energy is out-of-step with views of the people who matter most, <http://thehill.com/blogs/congress-blog/energy-environment/315722-ban-on-offshore-arctic-energy-is-out-of-step-with>] MH

Significantly our poll also canvassed Native groups, including those on Alaska’s North Slope, for the first time. As the communities which would see the most direct impact of development, their opinions have often been misrepresented by environmental groups that have frequently justified a ban in their name. When announcing its moratorium, the White House even cited the need to protect Arctic waters “which many Alaska Native communities rely (on) for subsistence use and cultural traditions”.

But our survey demonstrated that this argument is completely out-of-step with Alaskan Natives’ actual views, 72 percent of whom support oil and gas development in the Arctic. And having been burned by “special interest groups (that) continue to use our people and culture as a backdrop for their fundraising agendas or to further their anti-development views,” as Wainwright Mayor John Hopson, Jr. put it, it is unsurprising that almost 80 percent of Native respondents believe that their opinions should be prioritized.

### A/2: Card Dump Drilling Link (ZERO CONTRADICTIONS)

First, on the link of legal certainty, 4 responses here.

**First, Non-Unique: New Republic in 2018 writes that Trump is moving to lease off areas of the Arctic to companies to drill. This proves A) Companies are interested in mining right now regardless of the legal certainty and B) don’t need UNCLOS to start drilling.**

**Second, Non Unique: groves says bilat treaties solve for artic oil drilling**

**Third, delink, drilling won’t happen regardless. the Sierra Club writes that oil investors controlling 2.5 tril in assests sent a letter to oil companies that arctic drilling would not be profitable or make sense financial. That means the investment money needed to make arctic drilling happen won’t come even if there is the needed legal certainty.**

**Fourth, Turn. Their link is legal certainty. But this is where you can CA our 1st contention about Lawsuits because under the same logic legal certainty goes down as a result of these enviro lawsuits. We prevent arctic drilling.**

Specifically on the impact, 3 responses:

**First, Non Unique – Bello 17 of City University reports Russia plans to drill in the region starting by 2019. Any oil spilling harms/environment will happen regardless of US involvement.**

**Second, Turn. Doty writes if anything acceding would add US legitimacy and allows them to prevent the over-expansion of other countries into the ocean that would hurt the environment through challenges to claims.**

**Third turn, Forbes writes that the profitability of Fossil Fuels is going down right now, and that green energy is cheaper. The reason why green energy isn’t fully supplying our energy is that we don’t have enough supply. This is where it becomes super important to affirm, as Dwyer in 2009 writes that not joining UNCLOS is holding back the full potential of off-shore wind farms. Environment America writes that off-shore wind farms have the potential to solve back for 40% of carbon dioxide emissions.**

**The reason why you should weigh our turn over their contention is because**

1. **Probable, because Sierra club says that investors want to invest in green energy, not fossil fuels**
2. **Clarity of link, dwyer literally says that the future of off-shore drilling will depend on UNCLOS, whereas UNCLOS isn’t really relevant to arctic drilling**

**Then, OVERALL ON THE ENTIRE CONTENTION. Outweigh on timeframe. Companies don’t go in immediately if they’re not ready. Ebinger continues that even if countries access these resources, they’re all the exploration stage and would take 10-15 years before the oil can actually reach commercial production stage. They need to develop tech and then set up. Meanwhile tensions decrease trade and spike food prices immediately.**

**Lou Del Bello**, Dec. 16 20**17** (Lou Del Bello is a freelance journalist from Italy with a background in environmental issues. She is studying for an MA in science journalism at City University in London.)“Russia Is Drilling the Arctic for Liquefied Natural Gas.” *Futurism* [futurism.com/russia-drilling-liquefied-natural-gas/](http://futurism.com/russia-drilling-liquefied-natural-gas/). DOA: 7/8/18 //DP

**Russia**n President Vladimir Putin’s latest **move in this direction is a** colossal **plant that will extract liquefied natural gas (LNG),** helping Russia become the world’s biggest exporter of the chilled fuel ahead of Qatar, which currently leads the market. **The plant, worth $27 billion, is located in the remote Yamal Peninsula above the Arctic circle** and was realized in partnership with France’s Total and China’s CNPC. **By** the start of **2019, the plant will extract 16.5 million tonnes per year.** The project’sdeputy director Dmitry Monakov said that producing LNG in permafrost was easier than in warmer climes: “Nature itself helps us to more effectively liquefy gas with the help of such low temperatures,” he told AFP.

On the flip side, acceding to the treaty would add legitimacy to America’s challenges to the claims of other countries.  The ability to challenge serves the dual functions of protecting American claims in the Arctic Ocean and preventing the over-expansion of other countries into areas that could be environmentally sensitive.  The right to challenge is particularly valuable in pursuit of conservation goals – such challenges can be supported both by zone-based rights and by the limited protection-of-common-heritage rights guaranteed in lesser-cited provisions of the Convention.  Russia placed a flag on the ocean floor over the North Pole, on the [dubiously-supported grounds that it is part of the Russian continental shelf](http://www.asil.org/insights071108.cfm).

Doty, D., & Doty, D. (2012). *The Polarized North: Ending the Debate on UNCLOS*. *Senseandsustainability.net*. Retrieved 17 July 2018, from http://www.senseandsustainability.net/2012/06/28/crying-unclos-in-the-arctic/

**Groves Bilat**

https://www.heritage.org/global-politics/report/accession-convention-the-law-the-sea-unnecessary-advance-arctic-interests

**Yet history has repeatedly and definitively debunked the notion that recognition of U.S. ECS claims is contingent on U.S. membership in UNCLOS or on the approval of an international commission. To the contrary, through bilateral treaties with the Cook Islands, Cuba, Mexico, Russia, the United Kingdom, and Venezuela, the United States has successfully established its various maritime boundaries and the limits of its continental shelf and ECS.**

**Dwyer of the Minnesota Journal of International Law writes in 2009,**

Currently, proposed offshore wind projects are located within the territorial waters. But as technology improves and the incentives for wind power increase, installations will be pushed further offshore into what would be the EEZ. But **before** such **developments [for wind farms in the EEZ] can be contemplated,**, **UNCLOS must be implemented to secure the rights to develop wind power and provide clarity in the law that governs such sites**. **The rights currently enjoyed by the United States** to its continental shelf **are not sufficient to** adequately **protect the** exclusive and positive **right to develop offshore wind projects in those waters.** But ratification of UNCLOS will guarantee U.S. rights to develop the EEZ. If the US fails to ratify UNCLOS, it can still build offshore turbines within the EEZ. The problem is that there would be no internationally recognized governing law. Unsettled law leads to poor economic efficiency. The lack of a governing law in the EEZ limits the incentive to develop offshore wind projects. Current offshore projects within the territorial waters already face uncertainty in U.S. law, which has been a significant obstacle to their success. **Uncertainty in the international law** applicable to the EEZ **may be too great a risk for developers. Developers have no reason to believe the United States would protect their interests over diplomatic relations or shipping concerns.** UNCLOS provides, at the very least, a suggestion for how those disputes should be resolved and an indication for how they can be avoided, so constructing a coherent approach to developing offshore wind in the EEZ is possible.

Concluding that

**The future of offshore wind will** likely **depend on ratification of UNCLOS.**. Offshore wind is in its infancy in the United States, but has great potential to supply a large portion of the nation's energy needs.66 To [supply a large portion of the nation’s energy], accomplish this development, the United States will need to expand farther offshore.67 While expansion would require new advances in offshore wind technology, such expansion is economically viable.66 The incentives to pursue such expansion will likely increase as the pressure to combat global warming increases and fossil fuel prices continue to rise.69 By ratifying UNCLOS now, the United States can secure its future in offshore wind energy. UNCLOS, unlike the 1958 conventions, incorporates legal recognition for offshore wind power.7 " It also expands on the law necessary to protect offshore resources and developments. Furthermore, it provides an arbitration forum to resolve conflicts between countries that relate to the law of the sea.

**Environment America quantifies that**

Assuming **[If]** that **wind energy** generation **grows** over time **to meet 30 percent of the nation’s electricity needs by 2030,** that **[and] a significant and rising amount of that energy comes from offshore wind energy**, that onshore wind energy is distributed across the United States in a manner similar to wind energy built to date, and that wind energy displaces fossil fuel-generated power (see Methodology),**America can** achieve significant reductions in global warming pollution. If America were to set a course for generating 30 percent of its electricity in 2030 using wind power, the nation would **avert** 705 million metric tons of carbon dioxide in 2025 and **968 million metric tons of carbon dioxide pollution in 2030,**. That’s equivalent to: • 24 percent of forecast U.S. power plant carbon dioxide emissions in 2025 and 36 percent of forecast power plantemissions in 2030. 24 • The annual carbon dioxide emissions from 185 typical coal-fired power plants in 2025 and from 254 coal plants in 2030. 25 • Emissions from nearly 150 million of today’s vehicles by 2025 and more than 200 million of today’s vehicles by 2030. 26 • 10 percent of America’s 2005 emissions of global warming pollution by 2025 and 13 percent of those emissions by 2030. 27 • 2.5 percent of 2005 global carbon dioxide emissions in 2025, and 3.5 percent of those emissions in 2030. 28 Achievement of 30 percent wind energy by 2030 would result in **[and results in] carbon dioxide emissions from electricity generation 40 percent lower than in 2005**. The EPA’s proposed Clean Power Plan calls for reductions in power plant pollution of 30 percent relative to 2005 levels by 2030. Rapid development of wind energy, therefore, can help enable many states to achieve the emission reduction goals of the EPA’s Clean Power Plan while taking a strong step to prevent the worst impacts of global warming. 29

https://www.forbes.com/sites/energyinnovation/2018/01/23/cheap-renewables-keep-pushing-fossil-fuels-further-away-from-profitability-despite-trumps-efforts/#4f7cf40c6ce9

https://www.sierraclub.org/press-releases/2018/05/gwich-nation-joined-institutional-investors-call-defend-arctic-refuge

### A/2: Preventing Russia from going in bc sanctions?

**Actually because of low oil prices, which are volatile**

Eu Ambassador, 2-22-2018, "What has frozen Russian projects in the Arctic: sanctions or oil prices?: EADaily," EADaily, https://eadaily.com/en/news/2018/02/22/what-has-frozen-russian-projects-in-the-arctic-sanctions-or-oil-prices

"Have the sanctions stopped the work in the Arctic? I would say that this is a big exaggeration. The only operating Prirazlomnoye field was put into operation before the sanctions, and work is still continuing on it. **At the time of imposing the sanctions, seismic survey operations were carried out on the rest of the projects, and even then, even at $ 110 per barrel of oil, they were unprofitable for the development**," senior analyst of the National Energy Security Fund Igor Yushkov said. “The idea was that oil prices would rise to $120-130 within 70 years, and the development of technologies would reduce the cost price. **When oil prices fell to $40, there was no question of active development of the Arctic at all.** Now the companies, if they even do the work, but minimal, and only within the framework of the existing license agreements. No wonder they asked the Ministry of Natural Resources to postpone active work for a later period." The expert believes that the **low oil prices have suspended the work of Russian companies in the Arctic.** "As for technology, equipment manufacturing and respective competencies are rapidly spreading around the world. Yes, indeed, Norwegian technologies are unrivaled all over the world, (by the way Norway is not part of the EU), but the Chinese are catching up with them. An example is a Chinese drill rig for Rosneft and Statoil in the Sea of Okhotsk. And in five-year time, it is quite possible that they will be able to compete quite freely with the West," said the expert.

## ATA

## Theory

### AFF = No Enforcement

#### Interpretation-On the 2018 National Debate Forum September-October Public Forum Debate Topic, the negative must grant the affirmative fiat into enforcement of the United Nations Convention on the Law of the Sea

#### They make \_\_\_\_\_\_\_ argument

#### Standards

#### Ground skew-the majority if not all AFF arguments are predicated on us being able to enforce the treaty correctly and carry out the conditions as the resolution intended. If the AFF is unable to enforce certain parts of the treaty then it coopts our ground as there is no way we can access our impacts.

#### -Ground skew is key to education because if we can’t access and debate our impacts then there is no way we can have an educational discussion about our arguments.

#### -Ground skew is also key to fairness because if we have access to significantly less ground then we are starting off the debate at a significant disadvantage to engage with all the arguments they NEG can read

#### Voters

#### -Fairness is a voter since debate is a competitive activity-no debater ought to have an advantage otherwise you’re picking the better cheater.

#### -Education is a voter since it’s why schools fund debate and also provides portable skills for the real world. This is a framework warrant, not a reason to drop the debater.

#### Framing-No RVI-Allowing the RVI puts us into a double bind where either we read theory and lose off the RVI or we go for substance and lose to their abusive AC/NC position.

### A/T Paraphrasing Bad

Counterinterpretation: Public Forum teams may paraphrase cards if they do not misconstrue the claim of the author.

Standards:

1. Solves all abuse: as long as our paraphrasing does not misconstrue the evidence, that solves back for all the potential abuse coming from paraphrasing. The judge can call for the card after the round for proof. This puts the burden of proof onto you: you have to prove how I have misconstrued a card in order for you to get access to any of the theoretical offense from your shell, or I don’t link into the abuse. Means I solve better for fairness impacts.
2. Substantive Clash: being able to paraphrase is uniquely good for clash in PF. Multiple warrants:
	1. Paraphrasing means we can be more efficient because we can get through the argument of a card faster rather than having to read the card itself. Cutting down cards doesn’t solve because we still have to use the language of the author, which might be clunky and slow. Means carding is uniquely bad because teams will be incentivized to cut out parts of the card to be more efficient, which leads to a higher chance of misconstruing of evidence.
	2. Paraphrasing means we can fit the argument of the card better under our contention, so this makes it easier for you and the judge to understand arguments and adjudicate the round. Leads to better substantive clash because all of our offense is clear rather than having esoteric cards in which the author’s argument is unclear.
	3. Cutting cards down is slow because you have to bold and underline certain parts of the card and then shrink the size of the other text. This means we waste time cutting down cards rather than actually making more arguments and finding more cards.

Substantive clash controls the internal link to education because it’s the whole point of public forum debate: to have a substantive debate. Education from the topic is more relevant to our lives than theoretical education, and we uniquely need substantive education in PF because the topic changes every month. This is also a reason to reject your shell on face because you are trying to avoid engagement. You could have just engaged in the case and responded to my arguments. Means you’re more abusive.

1. Norms: it’s an engrained norm in PF to paraphrase cards: means your shell is uniquely bad for PF because many people paraphrase. Shows that you’re just reading this shell to get access to the ballot, which is a reason for the judge to drop the shell on face. Go read this shell in LD, you tryhard.
2. Your shell is infinitely regressive: saying we shouldn’t paraphrase because it can lead to misconstruing evidence is nonunique because cutting cards also means we manipulate the wording of the card. Even directly quoting would be bad because things can be taken out of context. Means there will always be abuse in your world too, so your shell is nonunique.

AND, if I win offense to a counterinterp, vote for me.

**1. Reciprocity:** my opponent can win on either theory or substance, while I need to win defense on theory and then win substance to win, forcing me to do twice as much work to win. Reciprocity key to fairness since it ensures equal access to the ballot.

**2. Time-Skew: A.** Using time on theory puts me at a disadvantage on the substantive debate, thus skewing the round before we even get to substance, meaning that the ONLY fair place to vote is on theory and **B.** It takes very little time to spew out a million abuse stories, but I have to spend lots of time beating theory back since it’s a game over issue for me, RVIs rectify this. Time is key since it constrains our ability to debate and win

**3.** Without the threat of losing on RVIs, debaters can run theory against any argument they choose, creating a proliferation of bad theory that detracts from substantive education.

**4.** If I’m winning a counter-interp then that means I’m the better debater on the highest layer of the flow, theory, so don’t force me to also have to be the better substantive debater.

**5.** If I win my counter-interp, then that shows that my opponent’s interp was attempting to exclude my legitimate, fair, arguments. To arbitrarily exclude certain arguments is the definition of an abusive practice and precludes legitimate ground which is key to fairness because it dictates my ability to form arguments and win. This also links to education because it proves my opponent was preventing substantive, educational ground on the topic.

6. Competing interps justifies an RVI because if the goal of theory is creating the best norms for debate then you should vote me up for supporting the better interp.

# A/2: AFF

## OV

### Frozen Conflict OV

#### Comparatively, negating sees a much smaller chance of conflict. Stashwick from case indicates that conflict for the past 3 decades has been frozen largely due to our presence in the region. This uniquely changes when you negate because Khalilzad finds when you implement no-go zones in the region it takes away the American security blanket, forcing our allies to feel insecure, and begin arming which increases tensions and the chance of miscalculation.

## A/2: China

### A/2: SCS

#### China is adamant about not backing down in the squo because they still want some sort of power projection, meaning the only way to pressure them or deter them is by putting a gun to their head through the US military.

#### They’re advocating for some sort of diplomatic approach but the problem is according to the National Interest, since the US has no land claims in the South China Sea, UNCLOS provides no additional tools for us to use to resolve disputes. (in lab file)

#### NC uniqueness outweighs. We’ve seen no conflict for the last 20 years in the South China Sea and the last time we came even close was specifically because the US decreased our troop presence in the region.

#### Thornberry from Foreign Affairs finds China refuses to resolve disputes through diplomacy and rather only tries to posture even more. There is absolutely no risk of offense in the AFF. If China is belligerent right now then they will care even less once we make them belligerent about their foreign policy.

### A/2: Bilat Investment Treaty

1. New York times 2018: trump killed off bilat invest treaty, its over

One obstacle, of course, is that Mr. Trump seems dead set against any such institution or arrangement. His administration has prematurely killed off the Trans-Pacific Partnership, as well as prospects for a bilateral investment treaty with China. And it is trying to do in the W.T.O.

1. Bipartisan issues in congress why they hate the treaty, also china hates, the scmp reports 2017

https://www.scmp.com/news/china/diplomacy-defence/article/2123205/getting-china-us-investment-treaty-approved-will-be

### A/2: Multilateral Solvency

“so if we join UNCLOS the **avengers** are gonna form to fight china, with like what, Malaysia and vitenam? Countries the size of Hawaii?”

An an overview on the entire contention:

Countries top priority is its immediate regional sovereignty. This is why FONOPS are a better way to access cooperation with our allies. Lan of the AMTI writes that our FONOPS help reassure our allies in the region. Our case tells you these go away in their world. So, if countries lose the one thing that reassures them of US backing, then they’re not going to be willing to work with us in the future.

On the link of the US and other Countries working together:

There are three reasons why a coalition wouldn’t form:

1. First, Countries aren’t willing to stand up to China regardless. Rappler in 2017 writes that China sends a ton of foreign aid and does debt diplomacy with these small countries. That’s why even if we were to join UNCLOS countries won’t join our coalition.
2. Second, Even if we were to form a coalition, it wouldn’t work. National Interest in 2015 writes that ASEAN is super fractured because every country in the region has completely different interests, and thus the region as a whole is fractured. That’s why they find that China literally has zero regard for what these small countries think as a whole. They don’t solve.
3. Third, Even if their argument was true, the US won’t lead multilat efforts. Trump doesn’t have a vested interest in the area. For example Bloomberg in 2018 writes trump skipped a summit in the region. He doesn’t want to work with other countries, he wants to work on his own.

On the link of negotiations, 2 responses.

1. Turn: Hard Power pre-reqs all negotiations. Stastwick from case indictates that as a result of our hard power in the region, it forced China to attend talks with ASEAN. Prefer this turn over their case because it’s already happened, much higher on probability than their crazy link chain.
2. Outweigh on Clarity of Impact. The idea of a multilateral approach is so vague, they don’t tell you whos going to be involved, how its going to form, and how its going to solve for the South China sea. Don’t let them get away with just making a super unclear link.

https://www.bloomberg.com/news/articles/2018-08-31/trump-to-skip-asia-summits-as-doubts-over-u-s-commitment-linger

President **Donald Trump will skip two major summits in Asia in November, a move that could stoke concerns in the region about the U.S.’s reliability as a counterweight to China. Trump’s absence is also likely to fuel concerns among Asian leaders who want the U.S. to push back against China’s increasing economic and military might.** Trump administration officials have been promoting a new “Indo-Pacific” strategy to bolster its commitment to the fast-growing region, after **Trump withdrew from the Trans-Pacific Partnership trade deal and questioned the cost of security alliances with Japan and South Korea. “His absence would doubtlessly solidify the impression that America has essentially abandoned its traditional presence in the Asia Pacific, not to mention the non-starter Indo-Pacific**,” said Oh Ei Sun, senior adviser for international affairs at the Asian Strategy and Leadership Institute in Kuala Lumpur. **“Not a good move when trying to show the region how important the Indo-Pacific strategy is,”** [Conor Cronin](https://www.csis.org/people/conor-cronin%22%20%5Co%20%22Conor%20Cronin%22%20%5Ct%20%22_blank), research associate at the Center for Strategic and International Studies in Washington, said on Twitter. [**Walter Lohman**](https://www.heritage.org/staff/walter-lohman)**,** director of the Asian Studies Center at the conservative Heritage Foundation, **simply tweeted “Mistake.”**

<https://www.rappler.com/newsbreak/in-depth/139167-west-philippine-sea-countries-support-china>

**Most of those supporting China’s position on the arbitration are heavily dependent on Chinese aid and investment, and many are small or land-locked, making them less invested in the regime of international maritime law**

<https://nationalinterest.org/blog/the-buzz/why-asean-cant-stand-china-13238>)

Although ASEAN plans to achieve the economic pillar of building a regional community by the end of 2015, **integration on the political-security pillar has been slow, partly due to the ASEAN principles of non-interference and non-confrontational bargaining that slow consensus building. ASEAN’s continuation of the same policies towards China since the 1990s has been unsuccessful in keeping China from pushing the region toward instability and threatening ASEAN’s integration. For example, when China forced a confrontation with the Philippines over the**[**Second Thomas Shoal**](http://thediplomat.com/2014/04/second-thomas-shoal-the-new-battleground/)**only nine days before a round of Code of Conduct consultations in 2014, China showed it had little regard for ASEAN’s goal of a cooperative regional order.** While ASEAN lacks consensus on many political and security issues (China chief among them), ASEAN’s growing centrality in the Asia-Pacific demonstrates its continuing value for regional integration and institutionalization of dialogue. Through ASEAN, relatively weak states, like Laos and Cambodia, have aggregated power in the international system. Also, as champions of ASEAN highlight, the organization can help produce a stable regional order in a contentious part of the world, such as when it united behind the nonaligned movement during the Cold War. Nonetheless, **China has exploited divisions among ASEAN members and applied economic pressure, both positive and negative, to keep countries from coming to a**[**consensus**](http://www.wsj.com/news/articles/SB10001424052702303627504579558913140862896)**on maritime security in their own backyard. Moreover, weak leadership on political and security issues has left ASEAN without a united approach on China’s aggression in the South China Sea. This is a major reason why ASEAN remains divided on China—there is no leading nation to overcome economic, political, and cultural differences and forge an overarching consensus.**

<https://amti.csis.org/usefulness-redundant-fonops/>

**It is in U.S. interests to make it clear to all parties that the United States is constantly monitoring the situation and remains deeply engaged in the region’s affairs. Conducting FONOPs is not the only way of sending this signal, but it is one clear way of doing so. By executing repeated and regular FONOPs at different locations and at different points in time, Washington underscores its rejection of Beijing’s excessive territorial claims and its commitment to upholding the region’s rules-based order.** It is therefore critical that the United States makes repeated FONOPs, and not just irregular, ad hoc ones. **Suddenly ending these supposedly “redundant” FONOPs could be calamitous, as the United States might inadvertently send the wrong signal to Beijing.** After all, no one at the time knew that [Acheson’s speech at the National Press Club](https://www.hoover.org/research/green-yellow-or-red-what-color-was-dean-achesons-speech) would encourage North Korean aggression. **This is why U.S. officials have repeatedly and publicly emphasized U.S. security commitments to allies, rather than letting the mutual defense treaties speak for themselves. If repeating one’s defense commitment is not considered a redundant behavior, it is unclear why conducting repeated FONOPs should be considered redundant. By the same logic, when it comes to FONOPs, conducting one too many is surely better than conducting one too few.**

### A/2: US Hypocrisy

#### De-Link on Historical Analysis. Valencia of the Japan Times writes that China has already been accused of being hypocritical in violating international law in the South China Sea region that they themselves ratified. Problematically, they still maintain considerable international support, meaning countries will always support them regardless of how much China doesn't follow the standards it demands of others. Even if you affirm, countries will still support.

Mark J. Valencia, 7-21-2017, "Hypocrisy in the South China Sea," Japan Times, https://www.japantimes.co.jp/opinion/2017/07/21/commentary/world-commentary/hypocrisy-south-china-sea/#.W01m89JKg2x

There is a big difference between reasoning and rationalization. Reasoning is the use of facts and logic to derive a conclusion regarding a given issue. Rationalization is the use of reasoning to justify a preconceived conclusion. Many countries have rationalized their positions regarding their claims and actions in the South China Sea. Indeed there are no “innocents” — only degrees of rationalization. **For its policies and actions in the South China Sea, China has been accused of being aggressive; bullying other claimants; violating the 2002 ASEAN-China Declaration on Conduct of the Parties in the South China Sea (DOC) as well as international law and norms; militarizing the features it occupies; threatening freedom of navigation; damaging the environment and causing ASEAN disunity.** But China argues that what it calls the Nansha (the Spratlys) and their “adjacent waters” have been under its sovereignty since “time immemorial.” According to China’s rationalized perspective, the former Western colonies have been stealing its fish and oil and gas in collaboration with outside Western companies and powers. Moreover, to China, other claimants like the Philippines, Malaysia and Vietnam have committed similar transgressions. Indeed, in the 1970s and ’80s while the United States, Japan and Australia remained silent, they occupied features there that China considered its sovereign territory. They then altered the features by adding to them, built structures, ports and airstrips, and allowed access for their militaries. In China’s view they appropriated the largest and most useful features under spurious claims leaving only the dregs and submerged features.

Daniel Flitton, 6-6-2016, "South China Sea dispute: China is trading aid for support for claims," Sydney Morning Herald, https://www.smh.com.au/world/south-china-sea-dispute-china-is-trading-aid-for-support-for-claims-20160606-gpc7qf.html

**China** has **launched a major** charm **offensive across the south Pacific to win diplomatic support for its** chain of **artificial islands. Vanuatu has become the first country in the Pacific to publicly pledge** "full understanding and **support**" for **Beijing's stance in the** increasingly tense **S**outh **C**hina **S**ea **dispute.** **China**, which **has recently** surged to become [**one of the biggest foreign aid donors**](http://www.smh.com.au/world/chinas-aid-splurge-in-the-pacific-20150304-13unn3.html) **in a region traditionally dominated by Australia, has also targeted Samoa, Tonga and Papua New Guinea in a bid to win their backing.** But an earlier claim to have won Fiji's support backfired after it was quickly repudiated by the Fijian government. The tiny Pacific nations are being duchessed ahead of an [expected international arbitration ruling on Beijing's territorial claims](https://www.smh.com.au/world/court-verdict-looms-in-philippines-v-china-dispute-in-south-china-sea-20160302-gn8i4n) - a decision China has already promised to ignore. China has constructed runways and deep sea ports on several coral atolls inside the disputed waters after dredging the sea floor, sparking a legal challenge by the Philippines.

### A/2: Outside Treaty Cooperation (Multilateral)

#### Doesn’t make logical sense. Other countries might not work on other initiatives like PSI or environmental regulations because of UNCLOS, but no one has explicitly stated they will not work on China with UNCLOS.

#### If I am a country in the region and I am on the brink of conflict because China is advancing into my territory, the last thing I’m going to say is that I’m not going to defuse the conflict because the US isn’t helping me with my outside initiatives.

### A/2: Trade Decrease (Impact)

#### The SCMP finds in the status quo the US and China have reached a consensus and compromised on trade. At that point they’re already working together. Uniqueness controls the directionality of the link. If you affirm the resolution, you only risk reversing this trend.

1. **Lauren in 2017 writes that even if the South China Sea were to be closed to trade it wouldn’t have a huge impact, as trade would quickly shift to other routes. In fact, she finds that while examing past historical events of closures that trade wasn’t affected that much. Prefer this de-link on historical analysis.**
2. **CP in 2017 writes that if the SCS were to close China would lose 80% of their Oil Imports. China won’t close the Sea because it will literally end themselves. Also Logically countries have a vested interest in maintaining trade which a) means there won’t be conflict and b) no one will close off trade.**
3. **A/T Specific tension spikes: This argument is complete BS.**
	1. **Can’t quantify how much trade will decrease**
	2. **No historical example from the past 100 years where we’ve seen short term decreases in trade**

South China Morning Post, 5-3-2018, "US and China still divided as trade talks fail to make breakthrough," https://www.scmp.com/news/china/diplomacy-defence/article/2144705/no-breakthrough-some-consensus-china-us-trade-talks

**China and the United States wrapped up their first round of trade talks** on Friday with no breakthrough, agreeing only to have more dialogue to ease tensions. Top of Form A short statement released by state-run Xinhua said both sides were still “very divided” on some issues and “more work needed to be done”. **The two sides “reached some consensus” and exchanged views on expanding US exports to China, bilateral investment, intellectual property protection and the imposition of tariffs**, the statement said, without elaborating. A separate statement by China’s commerce ministry said Beijing also protested against [a US ban on Chinese tech giant ZTE buying American components](https://www.scmp.com/business/companies/article/2142002/us-slaps-zte-seven-year-components-ban-breaching-terms-sanctions). The US delegation said it would report back to US President Donald Trump on the matter, according to the ministry.

**Laurenceson-2017- International Trade disruption is only short term, would quickly shift to safety**

But the other reasons for skepticism are sound. First is the centrality of maritime trade to China’s economic development strategy. China depends on maritime trade both on the export and the import side; exported goods go to Japan, the United States, and Europe, while imported materials come from Africa and the Middle East. Disruption to this trade hurts China first and foremost, whether in the medium or the short term. China is a member in good standing of the liberal international maritime order, for the reason that China benefits as much as anyone from that order. **Second, it is not obvious that a closure of** the South China Sea **to international maritime trade would have catastrophic, or even significant, economic effects.** Based on work by John Quiggin on the [impact of the closure of the Suez Canal](http://johnquiggin.com/2016/03/20/keeping-sea-lanes-open-a-benefit-cost-analysis/) after the Six Day War, **Laurenceson argues that maritime trade would shift out of the South China Sea in case of a conflict, without incurring severe disruption in anything but the very short term.** Japan and South Korea do not face the problem of routine, peacetime threat to their lines of maritime supply.

**China Power-2017- Even if the disturbance isn’t short term, the long term disturbance that they would advocate for would be fucking key to fucking over China**

China Power Team. "How much trade transits the South China Sea?" China Power. August 2, 2017. Updated October 27, 2017. Accessed July 9, 2018. https://chinapower.csis.org/much-trade-transits-south-china-sea/

Energy or commodity disruptions could have even more far-ranging economic consequences for the global marketplace. This is especially true for China – the world’s top crude oil importer. **In 2016, almost** [**80 percent**](http://www.reuters.com/article/china-economy-trade-crude-idUSL3N1HK1DG?rpc=401&) **of China’s oil imports passed through the South China Sea** via the Strait of Malacca. For an oil-hungry country like China, **a long-term closure would present a worrisome economic and political scenario.**

### A/2: FDI (Impact)

The biggest problem comes from the UN Conference on Trade in 2018 writes that FDI in ASEAN countries rose by 11% in the past year. That means the status quo is solving, they don’t prove uniqueness. In order for them to link into their impact, they have to prove that FDI will increase by more than 11% and even then the impact is super marginal.

2nd, the best way to maintain FDI is to maintain peace. So, if we link into our contention of FONOPS keeping the peace in the region then we link into the impact. Peace is a pre-req to FDI.

FDI in East Asia was stable at $265 billion, with a decline in inflows to Hong Kong (China) and an all-time high in China (figure 1). **In South-East Asia, FDI in the ASEAN countries rose by 11% to $134 billion, propelled by an increase in flows to most member countries and a strong rebound in Indonesia.** Meanwhile, inflows to South Asia contracted by 4% to $52 billion, with a decline in FDI to India. FDI to West Asia continued its downward trend (to $26 billion), with inflows to the region declining almost continuously since 2008.

### A/2: Conflict

#### Murphy finds that while China has been expanding for the past two decades, conflict has never erupted. They risk reversing that when you change the status quo of Hard Power a.k.a acceding to UNCLOS.

#### Zero clarity of impact. They never tell you how much they actually decrease tensions. Insofar if you decrease tensions a little for them but the risk of war is still high then it’s still a reason for you to negate because we’re the only side that can check China if there is any sort of conflict.

#### Turn: Khalilzad from case finds the most likely scenario for conflict is if our regional allies feel insecure and militarize which causes an arms race and increases the chance of miscalculation.

### A/2: 12 out of 16

1. 12 instances is when a rising power challenges a existing power, but the US is challenging China in their area, not relevant.
2. Need specific warrants on why were in the 12 and not the 4

### A/2: Chinese Monopoly – Hikes prices on Dev Nations

#### Japan has found enough REMs on their coastlines to cater to 780 years of demand. SCMP finds that this deposit has the “potential to supply these metals on a semi-infinite basis to the world”, this Breaks the Chinese monopoly.

#### Jennings in 2017 writes that China receives a net negative in aid since it often sends more aid to Africa than it receives back. This means that they logically won’t increase prices on Africa because then the Aid is useless.

South China Morning Post, 7-11-2018, "Japan just found enough rare minerals for 780 years of local demand," https://www.scmp.com/news/asia/east-asia/article/2141445/discovery-rare-earth-minerals-japan-coast-secures-780-years

**Japan’s industrial evolution over the next several hundred years has received a major boost with confirmation that millions of tonnes of rare earth minerals exist just off the country’s coast.** News of the valuable discovery – which potentially frees Japanese firms from costly foreign mineral imports – came on April 10 when scientists from the University of Tokyo and the Japan Agency for Marine-Earth Science and Technology (JAMSTEC) published findings in the UK journal *Scientific Reports*. **The study said mud from the seabed off the Ogasawara Islands**, some 2,000km southeast of Tokyo, **contains high concentrations – in some cases nearly 8,000 parts per million – of rare earth elements and yttrium (REY). “**This REY-rich mud has great potential as a rare-earth metal resource because of the enormous amount available and its advantageous mineralogical features,” the report stated. **Researchers defined a 400 sq km stretch of seabed that they estimate contains 16 million tonnes of rare earth oxides, including enough yttrium to cater 780 years of domestic demand, 620 years worth of europium, 420 years of terbium and 730 years of dysprosium.** Europium is vital in the development of phosphors and ceramics and has applications in the defence and nuclear sectors. Terbium and dysprosium are also critical in defence technologies, ceramics and advanced magnets.The research goes as far as to claim the large deposit “has the potential to supply these metals on a semi-infinite basis to the world”.

Ralph Jennings, 12-22-2017, "China Is Giving More Foreign Aid Than It Gets," Forbes, https://www.forbes.com/sites/ralphjennings/2017/12/22/china-is-giving-more-foreign-aid-than-it-gets/#776bebb94f35

It’s easy to be skeptical of China’s overseas aid as a gambit to control smaller countries. The Chinese 4-year-old, $900 billion [belt-and-road initiative](https://www.forbes.com/sites/alexandrawrage/2017/05/23/one-belt-one-road-many-bribes/) aimed at building public infrastructure all over Asia effectively widens trade routes from China into Europe. **China’s development aid to Africa totaled 47% of its total foreign assistance in 2009 alone, and from 2000 to 2012 it funded 1,666 official assistance projects in 51 African countries**, [according to the Brookings Institution](https://www.brookings.edu/blog/order-from-chaos/2016/07/19/chinese-foreign-assistance-explained/). China’s a [major miner](https://www.forbes.com/sites/timtreadgold/2016/01/14/going-home-chinese-mining-companies-losing-billions-of-dollars-as-they-retreat/#6387bc532aef) in Africa, and aid for public infrastructure makes that business easier. Still, **China gives more than it receives in aid and it’s moving up in the charts toward the levels of historically bigger donors such as the United States and Western Europe. In 2014, China received a net negative $947 million in assistance and the following year a net negative $332 million**, the [Organization for Economic Co-operation and Development says here](http://www.oecd.org/statistics/datalab/oda-recipient-sector.htm). Those figures imply **it gave more than it took**. The World Bank and Asian Development Bank, two major donors in China’s region, still see enough issues to keep supporting Beijing as foreign donors have done since at least the 1940s. The largely Japanese-funded Asian Development Bank is offering help with low-carbon urban transport as a “new focus” as support for education and elderly “become emerging priorities,” a spokesperson for the bank says. It lends about $1.5 billion to China annually. The World Bank has gradually stepped up concessional loans to China over the past five years, with [$2.47 billion lent in 2017](http://www.worldbank.org/en/country/china/overview). Its goals for China include better urban mass transit and cuts in air pollution. The [United Nations Development Program](http://www.cn.undp.org/) separately chips in for poverty relief in China.

## A/2: Arctic

### A/2: Prevent Arctic Conflict by Separating Land

#### Non-Unique. Arctic Council has been very good at negotiating deals to prevent conflict. HNN in 2016 writes that even after sanctions were placed on Russia, cooperation increased on the arctic. He even goes on to say multiple international institutions have been set up to resolve issues. This A) proves that conflict isn’t just going to magically happen and B) Cooperation is happening in the status quo, they don’t prove uniqueness to joining UNCLOS.

#### Delink: No one is going to go to war because it risks resource extraction.

1. **Delink, conflict will never happen, prefer historical analysis. HNN furthers that in 2005 that a Russia ship literally left a Norway Arctic harbor while being held in captive, and the countries literally just worked it out, and it had zero impact on long term relations. If a ship leaving foreign control without permission doesn’t trigger war, I don’t know what can.**
2. **Turn: The American Security Project observes that if the US was to rush into mining in the arctic, it would create an “arms race” destroying the current cooperative relationship that the US and Russia have in the Arctic.**

#### Outweigh on clarity of impact. No conflict scenarios, but we give you three hotspots within the South China Sea region.

http://www.highnorthnews.com/analysis-the-arctic-conflict-truth-fantasy-or-a-little-bit-of-both/

Since all the other members of the Arctic Council have imposed sanctions against Russia, one could imagine that this has an impact on Arctic cooperation. It has partly occurred. The meetings of the Arctic Chiefs of Defense Staff ended after the annexation of Crimea and the economic cooperation also suffered some setbacks. Researchers started to wonder whether Arctic cooperation would completely come to an end. **The most interesting aspect from a researcher’s point of view, however, is that the administrative and political cooperation continued and became even stronger after the annexation of Crimea. In general, the forums between the states in the region, in which both the Western states and Russia are members, continue their cooperation. A legally binding agreement, which promotes scientific cooperation between the parties has been just concluded under the auspices of the Arctic Council. Based on the work of the council, new international institutions have also been set up; organizations dealing with economic matters (Arctic Economic Council), marine security (Arctic Coast Guard Forum) and oil pollution prevention at sea (Arctic Offshore Regulators Forum).**

**HNN furthers,**

It is very rare that **single events escalate into worse conflicts than a mild war of words, which is quickly lost in the mists of time. A case in point is when a Russian fishing vessel Elektron escaped in 2005 from the Norwegian Coast Guard to the Russian territorial waters, after having been arrested for illegal fishing. While the case lingered for some time, it did not affect general long-term Russian-Norwegian relations in the Arctic.**

<https://www.americansecurityproject.org/wp-content/uploads/2015/02/Ref-181-Americas-Role-in-the-Arctic.pdf>

Today, neither the U.S. Navy nor the U.S. Coast Guard have the infrastructure, the ships, nor the political ambition to be able to sustain surface operations in the Arctic in a similar manner. While the Department of Defense’s 2013 Arctic Strategy provides an important outline for U.S. defense operations in the region, it fails by stating: “**There is some risk that the perception that the Arctic is being militarized may lead to an “arms race” mentality that could lead to a breakdown of existing cooperative approaches to shared challenges**.” When the other players are actively expanding their capability, to so obviously ignore the challenge is a problem

### A/2: Arctic Drilling Econ Impacts

1. **Non-Unique: New Republic in 2018 writes that Trump is moving to lease off areas of the Arctic to companies to drill. This proves A) Companies are interested in mining right now regardless of the legal certainty and B) don’t need UNCLOS to start drilling.**
2. **Mitigate their impact:** **Ebinger of Brookings finds that resources in the Arctic are mostly speculative and that most of the resources are actually located in the littoral states’ continental shelves. There is only one area that countries aren’t allowed to mine in yet and there is little interest for it.**
3. **Mitigate their impact: According to Stewart of Greenpeace in 2012, finding oil in the arctic is very complicated and has cost oil companies up to 1 billion dollars to drill a handful of wells without finding any oil.**

**4****. Outweigh on Timeframe in two ways:**

**A. Ebinger continues that even if countries access these resources, they’re all the exploration stage and would take 10-15 years before the oil can actually reach commercial production stage.**

**B. Stewart furthers the oil in the arctic is estimated to only fill up three years worth of demand.**

New Republic 2018

https://newrepublic.com/article/148095/trump-putin-race-arctic-oil

**Over the last month, Trump has moved to open more of the U.S. Arctic to oil development. On Friday, he took the first step of “an aggressive effort to drill for oil in the Arctic National Wildlife Refuge, one of the country’s most pristine and environmentally sensitive areas,”**[**according to**](https://www.washingtonpost.com/news/energy-environment/wp/2018/04/19/trump-just-took-the-first-step-of-an-aggressive-effort-to-drill-in-the-arctic/?utm_term=.ccf7864b0b0f)***The Washington Post*. The 19 million-acre portion of Alaskan coast had been off-limits to oil developers since 1980, when Congress designated it as protected wilderness. But that changed in December, when Congress passed a tax bill that included a provision allowing drilling in ANWR’s coastal plain. Now, Trump has started the process of leasing that plain to oil and gas companies. He plans to formally issue leases as soon as next year.**

**Ebingeer**(2018). *Brookings.edu*. Retrieved 17 July 2018, from <https://www.brookings.edu/wp-content/uploads/2016/07/Offshore-Oil-and-Gas-Governance-text-revised.pdf>

The assumption that rising interest in oil and gas resources in the Arctic is outpacing the adequacy of the existing governance framework was questioned by some in the course of our discussions. This view was voiced most often by officials in, or working closely with, oil and gas companies. They argue that **while some analysts are eager to portray the Arctic as a lawless region with a race for resources, this is not the case. Even the most authoritative source for oil and gas resource estimates in the Arctic**—the USGS survey—**is rather speculative and indicates that most resources are located in the continental shelf of the five littoral states.** Thus, **any exploration and commercial production of offshore oil and gas are regulated as part of those nations’ EEZs, and thus under their respective national laws.** In addition, international treaties and conventions are also relevant to the EEZs, namely UNCLOS. **There is** really **only the “high Arctic” outside the jurisdiction of the littoral states, i.e. beyond the 200 mile EEZs, which is not governed, and there is no activity and little interest to date** in this area.

Stewart’12

Ben Stewart, 2-23-2012, "10 Reasons Why Arctic Oil Drilling Is a Really Bad, Stupid Idea," Greenpeace USA, https://www.greenpeace.org/usa/top-10-reasons-why-arctic-oil-drilling-is-a-really-bad-stupid-idea/, 7-10-2018

An Arctic Ocean oil rush would be nothing short of disastrous for people, wildlife and the climate. Here are ten of the biggest reasons why.1. It’s extremely dangerous.The [Arctic environment](https://en.wikipedia.org/wiki/Climate_of_the_Arctic) is one of the harshest in the world, and everything we do there is more complicated than anywhere else.2. Our climate can’t afford it.As the impacts of [climate change](http://www.greenpeace.org/international/en/campaigns/climate-change/arctic-impacts/) become more visible and the danger becomes greater, drilling for and burning more fossil fuels is pretty much the last thing we should be doing, especially somewhere as fragile as the Arctic.3. **Relief wells are harder to drill.In the case of a blowout, like happened with Deepwater Horizon, a relief well must be drilled, but the arrival of winter ice cuts the drilling season short.** This means oil could be left gushing unstopped for up to two years.4. Oil recovery is near impossible in ice.Standard spill technology like booms become useless in thick ice. According to a senior official at a Canadian firm specializing in oil spill response, [there is really no solution or method today that were aware of that can actually recover [spilt] oil from the Arctic.](http://www.sikunews.com/News/Canada-Northwest-Territories/No-one-knows-how-to-clean-up-an-Arctic-oil-spill-7692)5. There isn’t nearly enough oil spill response capacity.The Arctic is remote it has a small population, and few facilities available. About 6,000 ships were used to skim oil in the Deepwater Horizon disaster. [Cairn Energy had a mere 14 ships available](http://www.cairnenergy.com/investors/key-facts/) in the Baffin Bay in Greenland; [Shell has named only nine](http://www-static.shell.com/static/usa/downloads/alaska/2011_community_meetings.pdf) in their oil spill response plan for the Chukchi Sea.6. Nature is even less capable of absorbing oil there than in lower latitudes.Lack of sunlight in winter and cold weather means that oil will take more time to break down. Oil will stay locked under the sea ice. More than 20 years after the Exxon Valdez disaster in Alaska, oil can still be found in the environment of Prince William Sound.7. The local wildlife is very vulnerable to oil.Many bird species migrate to the Arctic in summer, as well as whales and seals. Polar bears and [Arctic foxes, which rely heavily on marine and coastal resources to live](http://www.npolar.no/en/species/arctic-fox.html), will be directly impacted by industrialization.8. **It’s hugely expensive.Because of the extreme nature of operating on the frontiers of the world’s last great wilderness, looking for Arctic oil is incredibly expensive. In the last two years, Cairn Energy has spent more than $1 billion dollars to drill a handful of wells and still found no oil.9. It’s only a three-year fix.The U.S. Geological Survey estimates the Arctic could hold up to 90 billion barrels of oil. This sounds a lot, but that would only satisfy three years of the worlds oil demand.** These giant, rusting rigs with their inadequate oil spill response plans are risking the future of the Arctic for three years worth of oil. Surely its not worth taking such a risk?10. We don’t really need to.Automakers are perfectly capable of making only fuel-efficient vehicles. If companies like [Volkswagen stopped blocking key efficiency laws](http://vwdarkside.com/en/pages/vw-report), fuel-efficient vehicles **would become the norm. This way, we would reduce our need for oil, help the planet, and save consumers some gas money.**

### A/2: Arctic Resources (General)

#### Non-Unique. Pedrozo of the Journal for Maritime Law writes while joining UNCLOS would probably reduce uncertainty over land claims, it is certainly legal for the US to go in and get resources right now and that no part of international law states the US cannot join. Mitigates their link greatly b/c the only distinction from the affirmative and negative world is how certain we are about our arctic borders.

#### Non-Unique. Groves of the Heritage Foundation writes that its literally a myth that we need UNCLOS to mine, and that we literally have 6 bilateral treaties in the status quo with countries like Russia and the UK to drill in the artic. Literally entirely non-unique.

#### Non-Unique. If we are so desperate for oil then we will eventually go to the Arctic out of necessity. Prefer our impacts that outweigh on more uniqueness.

[Pedrozo, Raul](https://www.unclosdebate.org/author/2/raul-pedrozo). "A Response to Cartner’s and Gold’s Commentary on “Is it Time for the United States to Join the Law of the Sea Convention?”." [Journal of Maritime Law & Commerce](https://www.unclosdebate.org/citations/source/Journal%20of%20Maritime%20Law%20%26%20Commerce). Vol. 42, No. 4 (October 2011): 487-510. Page 491

**While** I agree completely with Cartner and Gold that **UNCLOS “reduces uncertainty and confusion for all states parties”** claiming an extended continental shelf**, the United States must be prepared to act unilaterally if the Senate does not give** advice and **consent** in the near future. Clearly, as indicated in the NWC Global Shipping Game report, accession to UNCLOS would provide greater certainty and predictability “of the future security and political environment that industry desires in order to invest in economic development of the Arctic region.” However, **even without U.S. accession, if there is money to be made, U.S. industry will invest in the region if the U.S. Navy is there to guarantee and protect access.** Therefore, while **unilateral action may not be the “best” option, it remains a viable (and perhaps the only) option and we should not undercut our ability to claim an extended continental shelf** based on the 1958 Continental Shelf Convention **by allowing Administration officials to incorrectly state that the United States can only claim an extended continental shelf if we join UNCLOS.** Fortunately, not all Administration officials are misinformed on the law. While recognizing the importance of UNCLOS, Margaret Hayes, the chair of the Department of State Extended Continental Shelf Interagency Task Force, acknowledged that “**the existence of an extended continental shelf does not depend on a coastal nation having joined the convention**” and “**that there are other ways to establish what the outer limits might be** (emphasis added).”

GROVES

Yet history has repeatedly and definitively debunked the notion that recognition of U.S. ECS claims is contingent on U.S. membership in UNCLOS or on the approval of an international commission. To the contrary, through bilateral treaties with the Cook Islands, Cuba, Mexico, Russia, the United Kingdom, and Venezuela, the United States has successfully established its various maritime boundaries and the limits of its continental shelf and ECS.

### A/2: Russia Needs US Tech

1. **Non-Unique: New Republic writes in 2018 that Sanctions from the West placed on Russia prevent Russia from getting drilling tech from Europe and America. Regardless of decision no tech to Russia.**

New Republic, 2018

https://newrepublic.com/article/148095/trump-putin-race-arctic-oil

**More important, Trump’s sanctions make Western oil companies broadly wary to invest in Russia**, said Victoria Herrmann, president of the The Arctic Institute, a think tank. **The Obama administration and the European Union had already placed sanctions on Russia in 2014 that**[**prohibited the country’s use of drilling equipment**](http://www.atlanticcouncil.org/blogs/new-atlanticist/targeting-russia-s-oil-why-sanctions-will-ultimately-work)**and technology from America and Europe.** “These new sanctions are an indication that the general relationship [between Russia and the U.S.] is not going to improve in the coming years,” Herrmann said. “And you don’t want to invest in something that’s uncertain, because oil takes a long time to extract and sell.”

### A/2: US = Prevent Oil Spills

1. Stewart of GreenPeace finds in 2012 that no solutions exist for oil spills in the Arctic as there is not adequate technology or response capacity. Non-uniques their entire impact.
2. Delink: Langlois 14 writes that there’s a 75% chance of at least 1 major oil spill in the Arctic if large scale drilling were to occur. The best way to prevent any spills is to not drill at all. But that’s not feasible because other countries are mining, and oil spills don’t discriminate based on country.
3. They don’t explain warrant why the US is a better actor to prevent oil spills. US presence could be even worse because the government is rolling back environmental regulations.

Stewart 12

Ben Stewart, 2-23-2012, "10 Reasons Why Arctic Oil Drilling Is a Really Bad, Stupid Idea," Greenpeace USA, https://www.greenpeace.org/usa/top-10-reasons-why-arctic-oil-drilling-is-a-really-bad-stupid-idea/, 7-10-2018

**An Arctic Ocean oil rush would be nothing short of disastrous for people, wildlife and the climate.** Here are ten of the biggest reasons why.1. It’s extremely dangerous.The [Arctic environment](https://en.wikipedia.org/wiki/Climate_of_the_Arctic) is one of the harshest in the world, and everything we do there is more complicated than anywhere else.2. Our climate can’t afford it.As the impacts of [climate change](http://www.greenpeace.org/international/en/campaigns/climate-change/arctic-impacts/) become more visible and the danger becomes greater, drilling for and burning more fossil fuels is pretty much the last thing we should be doing, especially somewhere as fragile as the Arctic.3. Relief wells are harder to drill.In the case of a blowout, like happened with Deepwater Horizon, a relief well must be drilled, but the arrival of winter ice cuts the drilling season short. This means oil could be left gushing unstopped for up to two years.4. Oil recovery is near impossible in ice.**Standard spill technology like booms become useless in thick ice. According to a senior official at a Canadian firm specializing in oil spill response,** [**there is really no solution or method today that were aware of that can actually recover [spilt] oil from the Arctic.**](http://www.sikunews.com/News/Canada-Northwest-Territories/No-one-knows-how-to-clean-up-an-Arctic-oil-spill-7692)**5. There isn’t nearly enough oil spill response capacity.The Arctic is remote it has a small population, and few facilities available. About 6,000 ships were used to skim oil in the Deepwater Horizon disaster.** [**Cairn Energy had a mere 14 ships available**](http://www.cairnenergy.com/investors/key-facts/) **in the Baffin Bay in Greenland;** [**Shell has named only nine**](http://www-static.shell.com/static/usa/downloads/alaska/2011_community_meetings.pdf) **in their oil spill response plan for the Chukchi Sea.**6. Nature is even less capable of absorbing oil there than in lower latitudes.Lack of sunlight in winter and cold weather means that oil will take more time to break down. Oil will stay locked under the sea ice. More than 20 years after the Exxon Valdez disaster in Alaska, oil can still be found in the environment of Prince William Sound.7. The local wildlife is very vulnerable to oil.Many bird species migrate to the Arctic in summer, as well as whales and seals. Polar bears and [Arctic foxes, which rely heavily on marine and coastal resources to live](http://www.npolar.no/en/species/arctic-fox.html), will be directly impacted by industrialization.8. It’s hugely expensive.Because of the extreme nature of operating on the frontiers of the world’s last great wilderness, looking for Arctic oil is incredibly expensive. In the last two years, Cairn Energy has spent more than $1 billion dollars to drill a handful of wells and still found no oil.9. It’s only a three-year fix.The U.S. Geological Survey estimates the Arctic could hold up to 90 billion barrels of oil. This sounds a lot, but that would only satisfy three years of the worlds oil demand. These giant, rusting rigs with their inadequate oil spill response plans are risking the future of the Arctic for three years worth of oil. Surely its not worth taking such a risk?10. We don’t really need to.Automakers are perfectly capable of making only fuel-efficient vehicles. If companies like [Volkswagen stopped blocking key efficiency laws](http://vwdarkside.com/en/pages/vw-report), fuel-efficient vehicles would become the norm. This way, we would reduce our need for oil, help the planet, and save consumers some gas money.

There is a 75% chance of at least 1 major oil spill in the Arctic

Krista **Langlois**, High Country News, "Drilling the Arctic comes with a 75 percent chance of a large oil spill", 10 Dec. **2014**, accessed 16 July 2018, 1<https://www.hcn.org/articles/drilling-the-arctic-comes-with-a-75-percent-chance-of-a-large-oil-spill> // VK

Further, it’s “assumed,” based on “considerable historical data” and “statistical estimates,” that two large spills greater than 1,000 barrels of oil will occur **if the leases are developed. There’s a 75 percent chance of one or more large spills occurring over the 77-year period**, and a 25 percent chance of no spills occurring.

### A/2: Oil Independency

1. Neuhauser 18 finds that US oil imports have dropped 60% next year and are at their lowest levels since 1958 because we are increasing domestic oil production, which means Arctic drilling is not key to oil independence.

Alan **Neuhauser**, US News, "EIA: U.S. Net Oil Imports to Drop to Lowest Levels in 60 Years", 10 July **2018**, accessed 16 July 2018, <https://www.usnews.com/news/national-news/articles/2018-07-10/eia-us-net-oil-imports-to-drop-to-lowest-levels-in-60-years> // VK

**U.S. NET OIL IMPORTS are projected to drop by nearly 60 percent next year compared to 2017, falling to their lowest levels since 1958**, the U.S. Energy Information Administration said Tuesday in its latest Short-Term Energy Outlook.
"That certainly is eye-popping," says Patrick DeHaan, head of petroleum analysis for GasBuddy.
Net imports are expected to fall from an average of 3.7 million barrels per day last year to 2.4 million bpd this year and 1.6 million bpd next year – "a pretty staggering number," he says.
**The reduction in net imports of foreign oil** – a measure of the amount of oil imported versus the amount of oil exported – **is being driven by record-setting production** that is poised to see U.S. producers extract more oil per day next year than the last record set in 1970.

### A/2: Venezuela Money Flow

Non-Unique. New Republic writes in 2018 that US companies are dropping their investment in Rosnet and stopping co-ventures with them right now. The brightline is that Rosnet loses some amount of money, this meets that brightline, thus Non-Unique.

https://newrepublic.com/article/148095/trump-putin-race-arctic-oil

**Oil companies are already leaving Russia as a result of the sanctions. In February, ExxonMobil announced it was leaving a valuable venture with Rosneft, Russia’s largest oil company, to drill millions of acres on and offshore in Russia’s Arctic.** This was a huge blow to Putin, who had “personally blessed the arrangement, which envisioned decades of exploration in some of Russia’s richest, untouched fields,” according to [Bloomberg](https://www.bloomberg.com/news/articles/2018-02-28/exxon-quitting-russian-oil-ventures-frozen-by-u-s-eu-sanctions). ExxonMobil cited sanctions as the reason for its withdrawal.

## A/2: Environment

### A/2: Overfishing

#### We do it in the status quo, intent stays the same because there is little political capital to enforce this issue. No political capital especially because if it creates economic incentives then politicians are more likely to enforce it.

1. **Non-Unique. Being solved back right now. Black 2013 of the Ocean Conservancy writes that America is solving overfishing right now by passing new laws to help rebuild fishers. In addition, Black continues that 43% of overfished populations have been rebuilt already and another 31% is on track to be rebuilt.**
2. **Non-Unique. They argue that the US will increase its credibility and others will follow our fishing standards in the affirmative world, but we already have a lot of global influence. UNCLOS isn’t going to significantly change things.**
3. **Delink. They never prove why other countries will follow our standards. These fishing companies just want to find the cheapest way to catch as much fish as possible and don’t care about our regulations.**
4. **Delink. We’re rolling back environmental protections right now, so joining UNCLOS would have no positive impact.**

#### Being solved back for now. Black 13 of Ocean Conservancy writes that

Madeline Black, 7-23-2013, "Don't Mess With Success," Ocean Conservancy, https://oceanconservancy.org/blog/2013/07/23/dont-mess-with-success/?\_ga=2.189515819.1869152529.1531694129-423533949.1531542649, 7-15-2018, DJK

Together Americans are solving a problem—overfishing—and we can’t afford to stop now. Ending overfishing means sustainable fishing for generations to come. It means healthy seafood on our dinner plates and sustained livelihoods across the country. Our nation’s vital fisheries law, the Magnuson-Stevens Fisheries Conservation & Management Act, has already helped rebuild fish populations like New England scallops, Mid-Atlantic bluefish, Pacific lingcod and Gulf red snapper. A new report by the National Research Council says 43 percent of overfished populations have been rebuilt already or will be rebuilt within a decade. And if we continue to allow the Magnuson-Stevens Act to work, another 31 percent of these populations are on track toward rebuilding as well. The report also highlights the challenges and complexities of trying to evaluate fisheries science and make decisions about catch limits and other management measures. In the face of those challenges, however, we are seeing success and must continue on this path for the long haul.

### A/2: Green energy

#### O/w clarity of impact. You know when you negate you increase international coop and have a chance at deescalating conflict but when you affirm, they don’t tell you how much they’re going to slow down climate change as a result.

### A/2: Oil Independence

#### Non-unique: Worland of Time in 2017 find that if current trends continue, the U.S. can become a net energy exporter by 2026.

Justin Worland, Time Magazine, January 5, 2017 “U.S. Could Become ‘Energy Independent’ by 2026, Report Finds” <http://time.com/4624001/energy-independent-crude-oil/>accesed July 10, 2018. AM

“**The U.S. could become a net energy exporter by 2026 as crude oil and natural gas production continues to increase in the country**, according to a new report. The landmark achievement—often referred to as “energy independence” by politicians—means the U.S. would export more energy resources like crude oil than it imports. The Energy Information Administration (EIA) report evaluates a number of factors that might affect the U.S. energy industry including the pace of technological growth, the level of economic growth and oil and gas prices. In some cases, like fast-paced technology development, net exports would grow dramatically. In other cases, like low oil prices, net imports would expand. The reference case, which assumes current regulations remain intact and trends continue, shows the U.S. exporting slightly more energy than it imports.”

#### (DON’T READ IF YOU RUN ARCTIC DRILLING ON NEG) Big oil doesn’t even want to drill in the Arctic, as Worland of Time Magazine explains that the growth of oil resources elsewhere has lowered the incentive to drill here.

Justin Worland, Time Magazine, November 6, 2017, “Republicans Want to Allow Drilling in an Alaskan Wildlife Reserve But Oil Companies Might Not be Interested”, <http://time.com/5011486/anwr-arctic-national-wildlife-refuge-oil-drilling/>, Accessed July 10, 2018. AM

**“The declining interest in ANWR follows rapid growth in oil resources elsewhere in the U.S. Fracking technology, which first exploded in use around a decade ago, fundamentally shifted the U.S. energy market allowing oil companies reach vast reserves of oil previously thought inaccessible**. The opening of offshore drilling has also contributed to the shift in dynamics.“

#### (Sketchy) Big oil is investing in clean tech in the status quo, arctic drilling would change this. Hirtenstein of Bloomberg reports in 2017 that big oil has recently invested $6.2 billion in clean energy. Problematically, the NRDC explains that drilling in the Arctic would undercut these efforts, greatly worsening climate change. [[1]](#footnote-1)

Anna Hirtenstein, Bloomberg, October 24, 2017, “Big Oil Is Investing Billions to Gain a Foothold in Clean Energy”, <https://www.bloomberg.com/news/articles/2017-10-24/big-oil-is-investing-billions-to-gain-a-foothold-in-clean-energy>, Accessed July 10, 2018. AM

“**Oil majors**more than doubled the number of acquisitions, project investments and venture capital stakes, to 44 in 2016 from 21 the year before, according to research published Tuesday by Bloomberg New Energy Finance. In the last 15 years, they’ve completed 428 transactions and **spent $6.2 billion building stakes in clean energy companies.**“

Franz Matzner, National Resources Defense Council, March 29, 2017 “New “Stop Arctic Ocean Drilling Act” a Testament to Resolve”, <https://www.nrdc.org/experts/franz-matzner/new-stop-arctic-ocean-drilling-act-testament-resolve>, accessed July 10, 2018. AM

“An oil spill in the Arctic would devastate an ecosystem rich in biodiversity and home to some of our planet’s most charismatic megafauna including polar bears, walruses, and bowhead whales. It would place at risk the livelihood and traditional culture of indigenous Arctic residents, already threatened by the worst climate change has wrought on the globe thus far. All while digging our carbon pollution hole deeper. The extraction of the Arctic’s oil has been specifically identified as incompatible with a safe climate future. Capital and political investment in**Arctic drilling would undercut the accelerating clean energy transition and hamper our ability to mitigate the worst effects of climate change.**All the while developing sustainable, domestic jobs that are not susceptible to the boom-and-bust cycles of oil prices. “

## A/2: Politics

### A/2: Veto Power

#### Groves-if the council gets majority vote, they can overcome an American veto

[Groves, Steven](https://www.unclosdebate.org/author/192/steven-groves). [The U.S. Can Mine the Deep Seabed Without Joining the U.N. Convention on the Law of the Sea](http://www.heritage.org/research/reports/2012/12/the-us-can-mine-the-deep-seabed-without-joining-the-un-convention-on-the-law-of-the-sea) . [Heritage Foundation](https://www.unclosdebate.org/organization/191/heritage-foundation): Washington, D.C., December 04, 2012 (18p). Page 12

Proponents of U.S. membership in UNCLOS claim that, if the United States joins the convention, it will have the power to prevent adverse decisions against U.S. companies because the U.S. will hold a permanent seat on the Council.67 Yet a permanent seat is of questionable utility because the United States would have only one vote on the Council, and none of the aforementioned decisions requires consensus.68 For example, the Council may deny an application for an exploration license submitted by a U.S. company, even over the recommendation of the Legal and Technical Commission, if two-thirds of the Council objects to the application.69 Granting an international organization the power to restrict and regulate U.S. access to polymetallic nodules and sulfides, cobalt-rich crusts, and rare earths will not advance U.S. national interests. Joining UNCLOS, however, would do just that by placing the interests and operations of U.S. mining companies at the discretion and control of the Authority and the Council.

### A/2: Influencing Future Policy

1. Non-Unique: Just because the US joins doesn’t mean China is going to stop trying to influence other countries. Just look to the UN, on panels where both the US and China are on, both engage with each other. China isn’t scared of the US on foreign policy.
2. Non-Unique: Countries will follow whatever hegemon they need. Right now countries aren’t supporting China or the US because they like their policy, they follow them because they are economically interdependent on them. Forbes backs this up by finding that countries that support China’s South China Sea claims are also countries that rely on Chinese Foreign Aid.
3. De-Link: Even if they get to the very brink of the impact, where every single country is on the US’s side, China will still ignore. They can’t give you a single example of China following a US led policy. Just look to the tribunal ruling. The US and a ton of other countries backed the ruling, and China just said they don’t believe in the ruling. There is no scenario where China actually follows US led policy.
4. Turn: Countries will ally with the US if the US can guarantee their security. Think about it this way. A kid is much more likely to stand up to a bully if there’s a teacher there with him that can keep the bully in check. The US navy is the teacher in this situation. That means you prefer our link into checking China through hard power, because it links into their impact of other countries fighting China.

## A/2: Royalties

### A/2: Royalties

#### Outweigh on timeframe. Impact starts occurring after five years.

#### No enforcement. Countries like Canada have already mined resources past the 200 nautical miles designated by UNCLOS, but still haven’t paid royalty fees required by article 82. Make them show unique probability of them enforcing once the US joins.

#### Turn: If you do grant them access to the link, Groves of the Heritage Foundation writes the UNCLOS includes a specific clause requiring nations to donate royalty fees to developing and landlocked countries. Problematically, a large chunk of the countries receiving the royalties are either corrupt, undemocratic, or even state sponsors of terrorism. Outweighs AC on probability because right now, 13 of the 20 most corrupt regimes in the world are party to UNCLOS.

#### Moyini in ’07 writes even if it isn’t a corrupt, the majority of money still goes to the top. Prefer Moyini over their authors because he’s specifically talking about resource based developmental aid.

#### $92 billion over 50 years goes to the developing nations meaning annually each developing country doesn't get that much aid. Prefer us because conflict and tensions/trade have drastic status quo impacts.

Rowland J Harrison, 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?redirectedFrom=fulltext

**Article 82 of the** United Nations Convention on the Law of the Sea (**UNCLOS**) **obligates coastal states to make payments to the international community in respect of the exploitation of non-living resources of the extended continental shelf beyond 200 nautical miles.** Payments are to begin at the rate of 1 per cent in the sixth year of production, increasing by 1 per cent per year to a maximum of 7 per cent in the twelfth year. The payments are to be made through the International Seabed Authority to parties identified by the Authority “on the basis of equitable sharing criteria, taking into account the interests and needs of developing States, particularly the least developed and land-locked among them.” **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. **The implementation of Article 82 presents many issues. The most significant is: Who will bear the cost of satisfying the coastal state's obligation: the coastal state or industry?** Several other issues with practical implications for industry arise from specific elements of Article 82. The goal of this article is to identify and generate discussion of the issues within industry, with a view to contributing to their resolution by government.

Steven Groves

, xx-xx-xxxx, Heritage Foundation, "U.N. Convention on the Law of the Sea Erodes U.S. Sovereignty over U.S. Extended Continental Shelf," https://www.heritage.org/report/un-convention-the-law-the-sea-erodes-us-sovereignty-over-us-extended-continental-shelf

**If the U.S. becomes a member of the U**nited **N**ations **C**onvention on the **L**aw **o**f the **S**ea, **it will be required to transfer a large portion of the royalties generated on the U.S.** extended **continental shelf** to the International Seabed Authority. **These royalties may likely total tens or even hundreds of billions of dollars. The Authority may then distribute those funds to** developing and landlocked **nations, including some that are corrupt, undemocratic, or even state sponsors of terrorism.** Instead of diverting U.S. revenues to such dubious purposes, the U.S. government should retain any wealth derived from the U.S. extended continental shelf for the benefit of the American people.

Moyini, Yakobo. “IGAD Environment and Natural Resources Strategy.” Igad.int, Intergovernmental Authority on Development , 2007, [igad.int/attachments/159\_IGAD\_ENR\_Strategy.pdf](https://l.messenger.com/l.php?u=http%3A%2F%2Figad.int%2Fattachments%2F159_IGAD_ENR_Strategy.pdf&h=AT333qcfIPV_l-ghDD-vpND1trqldBPXeG94zQtDmIvEJB-XuK8KR6KWnb1HuPVMVKixjgIUUX0Qzn6XQoXlPLybshgmdxblKrSeo_YA7tI5OQ9k8vdg4WsiNr3-zFxEtVKrsA).
“In most IGAD countries, the revenues that governments receive from the utilisation of natural resources are based on some arbitrary ‘royalty’ figure or percentage. The amounts paid to governments are often nowhere near the true economic values of these resources. Furthermore, the sharing of even the little that is received by government with the communities where the resources occur – derivation funds – is almost non-existent, or sub-optimal, indicating very low level of governance in environment and natural resources. While the IGAD member states have developed fairly comprehensive laws and regulations governing environment and natural resources management, degradation still occurs due to the low level of enforcement of the laws. The task/process of enforcement is quite expensive and member states may not have the wherewithal to support it. Therefore, there is urgent need to identify suitable incentives and disincentives measures to complement regulatory enforcement.”

### A/2: Aid Shocks

#### Foreign aid has bipartisan support, so even if Trump doesn’t approve of it, the Republican-dominated Congress does, and they’ve promised to come to the rescue if Trump tries to cut the budget.Francis; Foreign Policy; 2016But other U.S. officials and experts said it was too early to make any firm predictions — and that congressional Republicans would come to the rescue if necessary. They said the need to counter Islamist extremists and to prevent the outbreak of epidemics could temper any bid by the next administration to jettison major elements of the foreign-assistance budget.Francis; Foreign Policy; 2016“There is real bipartisan support for … global development, diplomacy, and foreign assistance,” she said. Republican lawmakers tend to support the view that foreign aid contributes to the national security of the United States, something Trump has made a top priority. The 2016 Republican convention platform says, “International assistance is a critical tool for advancing America’s security and economic interests by preventing conflict, building stability, opening markets for private investment, and responding to suffering and need with the compassion that is at the heart of our country’s values.” It specifically praises the Millennium Challenge Corp., created under Bush, to hand out aid when countries meet certain economic and political benchmarks.

## A/2: Other Countries

### A/2: Telecommunications Wire Cut

#### Russia’s intent doesn't go away. Always have the incentive to tap into our econ info. Functions as terminal D

#### Eaton of the Christian Science Monitor finds that overall, one cut takes just hours to repair, the impact is marginal at best.

Joshua Eaton 2015 Christian Science Monitor 15, 11-4-2015, "Why the Russian threat to undersea cables is overblown," <https://www.csmonitor.com/World/Passcode/2015/1104/Why-the-Russian-threat-to-undersea-cables-is-overblown>MMY

"Unfortunately, accidental **submarine cable cuts**, along with acts of telecom sabotage, **occur with varying degrees of regularity,"** Mr. Madory wrote. "**In either case, service is generally restored in hours**, days or weeks and life carries on."

#### Russia wouldn’t do it. If cutting one cable really takes out that much of a nation’s internet then there would definitely be some sort of significant retaliatory response

#### Outweigh on clarity of link. Treaty is really vague we have no idea how severe the enforcement mechanism is and how much of a deterrent it is.

#### Outweigh on clarity of impact. Don’t know the specific terminalization of this.

### A/2: Strait of Hormuz

#### No reason for the US to believe Iran would do it (for long periods of time). They would be lucky to survive a week without US trade.

#### Need to give warrants why US needs to be going through. We can just go to alternative sources. Need to show why Iran is unique for some reason.

#### We have a strategic oil reserve after the OPEC situation. US is prepared to deal with this. Not a big deal.

#### Leverage never worked. Every single time they’ve threatened us they have never gone through because we’re too important to their economy.

#### Regional actors would get mad. International community would intervene because they are so important to the global economy.

1. **Delink: Jafari from al-monitor in 2018 contextualizes that the reason why Rouhani made threats to close the strait was to appease hardliners in the country.**

**Jafari 2018**

Mindful of the history of Iranian threats to close the strait and the domestic context of Rouhani’s recent remarks, it seems as though **the aim of the president’s warning was primarily to mollify hard-liners at home.** As the achievements of the 2015 nuclear deal continue to unravel, Rouhani seems to be moving closer to his archrivals to at the very least reduce the domestic pressures on his administration.

### A/2: Preventing Oil Dependence on Middle East

#### After 1970s when OPEC increased oil prices, the US diversified its economy to become less dependent on it.

#### The US has oil reserves, decreases our reliance

#### OPEC will retaliate by artificially decreasing prices

#### \*\*If they delink turns then it means we are oil dependent in the status quo

### A/2: REM (Africa CAMPS)

#### We will still mine in Africa because it is cheap there so we will mine until supply runs out

#### Children would just work at another labor camp

#### No one will care if we mine for REMs in the middle of the ocean

#### Green energy investment stalled in status quo, no demand for

#### . Caused by subsidies and increasing energy prices

Steve Goreham, 2-6-2018, Global Investment in Renewable Energy has Stalled,” WUWT

These efforts resulted in a rapid rise in renewable deployments across the world. From 2004 to 2011, global renewable energy investment [grew](https://about.bnef.com/blog/runaway-53gw-solar-boom-in-china-pushed-global-clean-energy-investment-ahead-in-2017/) at a 26.7 percent compounded annual rate. By the end of 2012, more than 200,000 wind turbines were operating worldwide. Germany alone boasted more than one million solar rooftop installations. But **since 2011, investment in renewables has stalled. From 2011 to 2017, global green energy investment grew at only 0.7 percent per year—essentially flat.** According to Bloomberg New Energy Finance, **2017 investment in renewables** [**grew**](https://about.bnef.com/blog/runaway-53gw-solar-boom-in-china-pushed-global-clean-energy-investment-ahead-in-2017/) **only 1 percent in the US, but was down 16 percent in Japan, down 20 percent in India, down 26 percent in Germany, and down 56 percent in the United Kingdom.** Investment in China was up 26 percent, supporting a meagre 3 percent global renewable investment growth in 2017. European nations have the highest per person renewable investment in the world and extensive experience with renewables. Europe invested over $100 billion each year in renewable energy in 2010 and 2011. But **last year Europe’s renewable investment was only $57.4 billion, down 50 percent from the record years of 2010‒2011.** So why is renewable investment faltering? One answer is that **renewable projects are heavily dependent upon subsidies, and subsidies are being cut. The combination of rising electricity prices and budget-busting subsidy bills is forcing nations to cut back.** Europe invested $850 billion dollars in renewables from 2000 to 2014 and continues to pay a huge ongoing price. **Residential electricity prices** [**climbed**](https://www.amazon.com/Outside-Green-Box-Sustainable-Development/dp/0982499647/ref%3Dsr_1_1?s=books&ie=UTF8&qid=1517246748&sr=1-1&keywords=steve+goreham) **to three times the US price in Spain and four times the US price in Denmark and Germany. German consumers pay an EEG levy in their electric bills, amounting to €25 billion a year to subsidize renewable energy.** Environment minister Peter Altmaier [estimates](https://www.reuters.com/article/us-germany-energy/german-green-revolution-may-cost-1-trillion-euros-minister-idUSBRE91J0AV20130220) that cumulative renewable subsidies paid by German consumers will total an astonishing one trillion euros by 2040.

### A/2: PSI countries want us to join

1. US does all navy interdictions in squo, 2 more countries are irrelevant.
2. **Delink.** Nurhasya of the Foreign Ministry in Indonesia in 2017 explains[[2]](#footnote-2) that Indonesia won’t join irregardless of UNCLOS because it believes that the Proliferation Security Initiative would endanger their sovereignty by giving up control of their seas to other militaries. Pref most recent ev
3. UNCLOS is illegal under PSI, less agreement.
4. Probability weighing on impact, terrorist can’t just create a nuke, more than just getting stuff, took NK 30 years
5. Delink: Trump won’t continue PSI, proof comes from the fact that he could have used it against NK but didn’t
6. Delink: Don’t prove that the US isn’t doing interdictions in certain areas right now.
7. T: PSI was created outside int law, flexibility that makes us interdictions rlly good go away in neg world

<https://www.lawfareblog.com/good-news-about-john-bolton>

a/t china joining psi

1. Non-Unique. Goldstein in 2011 writes that the US is encouraging coop with China, so if that’s happening rn then they don’t prove uniq. When China joins PSI.
2. Delink: No chance of China joining anyways.

A/T Patriarchal

* + - 1. US ins’t military intervening with multilat, simply forming a political body
			2. T: multilat is better than unilat, we actually solve back with the issue because countries working together checks each other, more coop leads to better outcome everyone, think to ww2 post, we worked with other countries and everyone was better off

First is the concern for their sovereignty.

**Wolf 08** (Charles Wolf, Jr., Brian G. Chow, Gregory S. Jones, 2008, National Defense Research Institute, Enhancement by Enlargement, https://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND\_MG806.pdf, 7-17-2018) ED

It is almost a truism that **countries that have experienced long periods of colonial rule** (in the case of Indonesia, by the Netherlands for two centuries; in the case of Malaysia, by Britain for nearly as long) **tend to be highly sensitive to real or possible infringement of their sovereignty.** **Indonesia’s sensitivity is especially acute because of its geographic size and dispersal—the country consists entirely of islands whose aggregate land mass** (equal to more than three times the size of Germany) **is interspersed by territorial and international waters coursing over a combined area of land and sea that is as large as the geographic area of the United States. This sensitivity is evident in communications we have had with unofficial, informed, and influential contacts in Indonesia. As these and other sources in Indonesia see matters, PSI may entail initiation of interdiction . . . [of] suspected . . . national flag vessels . . . in international or national territorial waters . . . [that] would potentially interfere [with] Indonesia’s territorial sovereignty . . . [by] internationalization of Indonesian territorial waters . . . and opening space within Indonesia’s territory for external powers in their pursuit of WMD and other sensitive materials and technology.**3

Second is the desire for a perceptually independent foreign policy.

**Wolf 08** **continues:** (Charles Wolf, Jr., Brian G. Chow, Gregory S. Jones, 2008, National Defense Research Institute, Enhancement by Enlargement, https://www.rand.org/content/dam/rand/pubs/monographs/2008/RAND\_MG806.pdf, 7-17-2018) ED

Independent foreign policy. **Because of Indonesia’s colonialist history, zealous concern for protecting its sovereignty, and status as the world’s largest Muslim country, it views with pride its role as an advocate and leader of countries that profess nonalignment and independence in their foreign policies. In the Indonesian context, this means nonalignment with and independence of the United States or, at the least, circumspection in undertaking or appearing to undertake obligations that might compromise a country’s independence as the result of an excessively close link to the United States**7 Notwithstanding the resumption of military-to-military relations between Indonesia and the United States, nor Indonesia’s pervasive admiration for the U.S. economy and many aspects of its society and culture, the ubiquity of **the U.S. economic and military presence in international affairs makes Indonesia especially cautious about too close an embrace, lest it compromise or appear to compromise Indonesian “independence” and “nonalignment.”**

## A/2: Wind Power

Drouin 18 finds that Offshore Wind Power will dominate in the coming future regardless of your vote for three reasons:

* 1. Advances in turbine technology and construction are making wind farms more viable
	2. States are pushing for wind farms, and the farms are also receiving $18.5 million in funding tax credits from the federal government.
	3. There is lots of interest from companies to build wind farms

That’s why 25 offshore wind projects are now being planned, meaning that UNCLOS is not the trigger for their impact.

Roger **Drouin**, Yale School of Forestry and Environmental Studies, "After an Uncertain Start, US Offshore Wind Is Powering Up", 11 Jan. **2018**, <https://e360.yale.edu/features/after-an-uncertain-start-u-s-offshore-wind-is-powering-up>? // VK

After years of false starts and delays, **the offshore wind industry in the United States finally seems to be gaining some momentum.** Although far behind the burgeoning offshore wind energy industry in Europe, **companies such as Statoil, Avangrid, and Ørsted are joining other wind energy developers — both from the U.S. and Europe— to pursue a slate of projects along the U.S. coast.**According to the U.S. Department of Energy, **more than 25 offshore wind projects** with a generating capacity of 24 gigawatts **are now being planned**, mainly off the U.S. Northeast and mid-Atlantic coasts. And although some of these projects may not be built, and only one commercial offshore wind farm has actually been constructed —the tiny, five-turbine “Block Island Wind” project off Rhode Island — **analysts say that U.S. offshore wind is expected to enjoy significant growth in the coming decade.**

“The real nuts-and-bolts of making this industry happen are going to come together in 2018,” says Stephanie McClellan, director of the University of Delaware’s Special Initiative on Offshore Wind.
 Several key factors are driving the long-awaited takeoff of U.S. offshore wind: **Sophisticated turbine technologies** and economies of scale **are driving down costs; advances in construction are allowing wind farms to be built in deeper water** farther offshore, significantly lessening the public’s concern about seeing turbines close to the coast; **states** across the Northeast and the mid-Atlantic, as well as California and Hawaii, **are pushing development of offshore wind projects; and some European wind turbine manufacturers, as well as several U.S. firms, have decided to locate research, development, and wind turbine production facilities in the U.S.**

And to the surprise of some companies and renewable energy analysts, **the Trump administration** — which has aggressively promoted the development of fossil fuels over renewable energy — **seems to be supporting the offshore wind energy sector.**Interior Secretary Ryan Zinke, whose department oversees the federal Bureau of Ocean Energy Management, endorsed offshore wind in his proposed fiscal year 2018 budget and praised the leasing of federal waters to Avangrid for the Kitty Hawk project as a “big win.” In December, U.S. Secretary of Energy **Rick Perry announced** the creation of **a consortium to develop innovative offshore wind technologies. Ninety percent of the announced $18.5 million in federal funding for the consortium will go to research and development, largely to decrease turbine costs and improve turbine efficiency.**President Trump, who once disparaged many aspects of wind power, could still decide to throw up roadblocks to the offshore wind industry. But for now,  analysts are cautiously optimistic about the sector’s prospects, especially since **Congress’s recently passed tax reform bill preserves tax credits for the wind energy industry** for several more years.

## A/2: Rare Earth Metals

### A/2: Chinese Monopoly

1. The biggest overarching problem with their link is the Chinese Monopoly. The [Guardian in 2015](https://www.theguardian.com/world/2015/jan/05/china-scraps-quotas-rare-earth-wto-complaint) writes that when China tried to price-guage REM’s, the WTO ruled against them, and in response China scrapped its quotas on what they could mine. This means even if China hikes up prices in the future, international organizations and pressure will check back. That’s why the China Daily in 2017 tells us that REMs prices are dropping and are expected to in the future.
2. Its Non-unique. The SCMP in 2018 writes that Japan has found enough REMs on their coastlines to cater to 780 years of demand. This means the US doesn’t have to be the country to break the Chinese monopoly, other countries can too, and even if the US doesn’t break it now it will eventually be broken by someone else.

http://www.chinadaily.com.cn/business/2017-10/13/content\_33194368.htm

**Prices of rare earths are set to fall further in the next few months as oversupply and lower prices for other commodities hurt offtake, said experts. "Traders are selling their existing stocks as the State Reserve Bureau, which manages China's strategic stockpiles, did not purchase any rare earths in September and dampened expectations of higher prices," said Xu Ruoxu, an analyst with Shenwan Hongyuan Securities.**

https://www.cnn.com/2018/04/16/asia/japan-rare-earth-metals-find-china-economy-trnd/index.html

### A/2: Companies want Legal Certainty b4 REM Mining

1. Non-Unique. Zhou in 2017 writes that the growth rate of REM is expected to increase by 5% by 2020, and continue for a long term. Zhou furthers that this going to put a lot of pressure on the current supply chain of REM. Eventually we just won’t have enough.
2. De-link. Tong writes that companies can always have an actual member of the ISA lease their claim for the mining. For example, Lockheed Martin has set a precedent of using foreign leases in deep sea mining. Literally the only example they can give of a company who wants to do REM mining is already doing it in other areas. WE DON’T NEED UNCLOS.
3. Delink. Even if US companies start mining, the cost of buying REMS from US companies will always be higher than Chinese companies. The reasoning comes from Bloomberg in 2017 who writes that the economics on the US don’t work cause the costs of doing it in China is sooo much lower. So, if companies will still pay the same rate they do to China, then the cost of REM’s isn’t decreasing, it’s staying the same.
4. Outweigh on timeframe. Mining Weekly in 2018 writes that the complex permit system of the US makes it so it takes 10-15 years in order to get permits. We outweigh on timeframe, conflict could have already happened.

**Zhou 17** (Baolu Zhou, 25 October 2017, MDPI, “Global Potential of Rare Earth Resources and Rare Earth Demand from Clean Technologies,” July 15, 2018) ED

REEs have excellent electronic, optic, catalytic, and magnetic properties that provide solutions for many challenges of modern technology, making them useful for a wide range of applications. Though there are no uniform classifications for rare earth applications, the REE markets are commonly divided into nine sectors: catalysts, polishing, glass, phosphors and pigments, metallurgy, batteries, magnets, ceramics, and others [23–26]. Global REE consumption was estimated at 119,650 metric tons of REO in 2015, with catalysts being the largest segment, followed by magnets, polishing, and others (Figure 2). **The annual growth rate of global REE demand is expected to increase by 5% by 2020, and global demand for REE would continue to maintain growth for a long time along with the increasing growth market of clean energy [2]. Such increasing demand creates great pressure, as well as a challenge to the global supply chain of REE.** This paper aims to evaluate the global potential of rare earth resources, highlight the economic value for current advanced rare earth projects, and analyze the global demand for REE from clean energy technologies in the mid and long term (2016–2030), thus providing a basis for the quantitative analysis of the opportunities, challenges, and constraints to the global REE supply chain and demand in the future.

**Tong 17** (Randy W. Tong, J.D. Candidate, University of the Pacific, McGeorge School of Law, to be conferred May 2017; B.S. Clinical Nutrition, University of California, Davis, 2008, May 2017, University of the Pacific, McGeorge School of Law, “It’s Time to Get Off the Bench: The U.S. Needs to Ratify the Law of the Sea Treaty Before It’s Too Late,” http://www.mcgeorge.edu/Documents/Publications/tong\_TUOPLR472.pdf, 7-13-2018 ) ED

**Lockheed Martin has already sent American jobs outside the U.S. in order to obtain the benefits from ISA Member States.**232 As 2018 approaches, the eyes of the world will turn its focus on Nautilus’ attempt to successfully operate the world’s first deep seabed mining operation.233 The success of the Solwara 1 Project will usher in a new era of opportunity for all, excluding non-ratifying States like the U.S.234 **The probable response by other U.S. companies would be to follow Lockheed Martin’s footsteps, triggering the trend of utilizing foreign subsidiaries to operate deep seabed mining businesses, to the detriment of the United States**.235

**Bloomberg 2018**

<https://www.bloomberg.com/news/articles/2017-12-22/even-with-trump-minerals-order-u-s-miners-seen-trailing-china>

Even if Donald Trump’s initiative on “critical minerals” strengthens the U.S. mining industry, **domestic companies would still struggle to compete with low-cost Chinese competitors**, according to Bloomberg Intelligence. **“Without further details on how the U.S. can actually compete with China on a cost basis, the current cost structure for someone in the U.S. is so much higher that the economics don’t work**,” Richard Bourke, senior analyst at Bloomberg Intelligence in New York, said Thursday by phone. **“The U.S. is not a low-cost producer, so companies need better pricing to be profitable.”**

**Defense News 2018**

https://www.defensenews.com/opinion/2018/05/02/americas-critical-minerals-problem-has-gone-from-bad-to-worse/

The first step to a whole-of-market approach to spur innovation in minerals production is removing regulatory hurdles that dissuade would-be investors. **Most notably, the United States must accelerate its**[**mine permitting process**](https://na01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.miningweekly.com%2Farticle%2Flengthy-permitting-process-affecting-investment-in-us-mining-2018-02-16&data=02%7C01%7Cjaitoro%40mco.com%7C77a242acbcf24bec545608d5aca898cd%7C1d5c96e57ee2446dbed8d0f8c50edea5%7C1%7C1%7C636604762499108893&sdata=Es0IM2XqNcFxBiwlsfgZZKimPu%2BkO6k9iJw08UBjij8%3D&reserved=0)**. The current seven to 10 year timeline is simply untenable. Australia and Canada adhere to similarly stringent environmental guidelines, yet maintain permitting processes that average just two years. The United States’ mine permitting process should not take five times as long.** This easily fixed regulatory problem will go a long way toward attracting new entrants into the minerals supply chain.

### A/2: REM -- > Green Tech

1. Forbes in 2018 writes that by 2020 green energy will be cheaper than oil. That means companies and consumers will eventually switch to green energy regardless of the law simply because it’s the most smart business decision.
2. Eventually when oil actually runs out, then green tech becomes NU because there’s no other choice. Prefer [insert short term impact] impacts that could happen tomorrow.

Forbes 2018

<https://www.forbes.com/sites/dominicdudley/2018/01/13/renewable-energy-cost-effective-fossil-fuels-2020/>

**The cost of renewable energy is now falling so fast that it should be a consistently cheaper source of electricity generation than traditional fossil fuels within just a few years**, according to a new report from the International Renewable Energy Agency (IRENA).

## A/2: Endless Lawsuits (link)

First, Delink: Borgenson of the CFR writes that multiple administration officials have testified that this argument is not true. This is because of two reasons:

* + - 1. There convention’s provisions have no cause for legal action regarding ***land*** *based sources of pollution****.* A.K.A coal.**
			2. The UNCLOS pollution laws only say that states are responsible for addressing pollution under their own laws. They’d have to prove massive amounts of lawsuits in status quo. That’s not happening though.

Second, delink: logically if we join then we have to follow all the regs anyways, so we don’t need lawsuits.

**Second, Link turn: Higher chance of lawsuits in neg world. Patrick Bonner finds that right now the US is at a much higher risk of having an environmental lawsuit than if they were in UNCLOS because right now the US already follows most of the UNCLOS requirements and by joining it would only legitimize the fact that we’re trying to follow the law, thus reduce lawsuits in a pro world.**

https://cfrd8-files.cfr.org/sites/default/files/pdf/2009/04/LawoftheSea\_CSR46.pdf

**Bush administration officials testified before the SFRC that the convention does not apply the Kyoto Protocol to the United States, either directly or indirectly. The convention’s provisions include no cause for legal action regarding land-based sources of pollution; they only represent agreement that states are responsible for addressing pollution under their own laws and enforcement.**

Bonner, Patrick, 2013 " U.S. would not be exposing itself to liability for environmental damage in international courts by ratifying UNCLOS," No Publication, https://www.unclosdebate.org/argument/854/us-would-not-be-exposing-itself-liability-environmental-damage-international-courts, Date Accessed 7-10-2018 // WS

Finally, as I have noted previously, those who are rightly concerned about international litigation against the United States should be much more concerned about subjecting the United States and U.S. businesses to international claims if the United States were to try to claim the resources on its extended continental shelf or on the deep seabed without becoming party to the Law of the Sea Convention. In my view, the risk of environmental litigation against the United States if it joins the Convention is low. The risk of international litigation against the United States if it were unilaterally to claim the resources on its extended continental shelf or on the deep seabed, without becoming party to the Convention, is much higher.

### A/2: Coal Impact

1. Non-Unique. World Watch Institute writes that within the next two decades new tech will allow for coal plants to be completely phased out.

2. Turn. If their link story was true , you’d be forcing the US to close thousands of plants at once, which is problematic because coal plants still provide 30% of the US’s energy. A sudden reduction in energy would

* + 1. Cause the united states to buy massive amounts of oil to maintain its economy, that increases climate change
		2. Forbes tells us that gradual reduction of coal plants in the squo works to switch to natural gas, this goes away in their world

<http://www.worldwatch.org/node/5948>

New technologies will permit rapid decarbonization of the world energy economy in the next two decades, according to a new report from the Worldwatch Institute. These new energy sources will make it possible to retire hundreds of coal-fired power plants that now provide 40 percent of the world's power by 2030, eliminating up to one-third of global carbon dioxide emissions while creating millions of new jobs.

https://www.forbes.com/sites/jamestaylor/2018/02/26/closing-coal-power-plants-replacing-with-natural-gas-makes-economic-sense/#2751216f2389

Nevertheless, recent technological advances have made the recovery of America’s huge natural gas reserves efficient and inexpensive. As a result, it makes economic sense to replace many of America’s existing coal power plants with new natural gas plants that can produce electricity at lower cost. In 2008, coal powered more than twice as much American electricity as natural gas – 48% to 21%. By 2016, however, natural gas overtook coal as America’s most prevalent power source. As natural gas power overtook coal power, American electricity became less expensive. American electricity prices are now lower in inflation-adjusted dollars than they were in 2008.

### A/2: Green Tech

1. CC NU

## A/2: COC

Delink: National Interest in 2018 writes two days ago that the Philippines took over the leadership of the COC and is literally giving into whatever China wants. That means that the COC will be useless and is just gonna serve as a scapegoat legal tool for them.

T: NI in 2018 writes that by solidifying the COC you override the tribunal ruling at The Hague, which means that China has full legal access to its 9 dash line. Literally game over in SCS.

https://nationalinterest.org/feature/economic-showdown-south-china-sea-29917

**What’s clear is that the COC will not be based on the Philippines’ landmark arbitration award against China, under the aegis of the UNCLOS. In fact, the Philippines took over from Singapore the ASEAN-China coordinator role. Under President Rodrigo Duterte, the Southeast Asian country has opted for a “soft landing” with China, refusing to raise the arbitration award in multilateral fora. Thus, the primary risk with the COC is that it will serve as a tool by China to effectively bury the arbitral award at The Hague, which, per international law, is “final” and “binding.”**

## ATA

### ATA: No Economic Harms in Squo

#### A few years back,

According to the World Bank, the South China Sea holds [proven oil reserves](http://data.worldbank.org/indicator/NY.GDP.MKTP.CD) of at least seven billion barrels and an estimated 900 trillion cubic feet of natural gas, which offer tremendous economic opportunity for smaller nations like Malaysia, the Philippines, and Vietnam, and energy security for China’s large, growing economy. In December 2012, China’s National Energy Administration named the disputed watersas the [main offshore site](http://www.nytimes.com/2012/12/05/world/asia/china-vietnam-and-india-fight-over-energy-exploration-in-south-china-sea.html?_r=0) for natural gas production, and a major Chinese energy company has already begun drilling in deep water off the southern coast. Competitive tensions escalated when India’s state-run Oil and Natural Gas Corp announced it had [partnered with PetroVietnam](http://www.reuters.com/article/2011/10/16/china-vietnam-india-idUSL3E7LE1B420111016) for developing oil in the disputed waters. In June 2011, Vietnam accused a Chinese fishing boat of [cutting cables](http://www.bbc.co.uk/news/world-asia-pacific-13723443)from an oil exploration vessel inside its EEZ. **Hostilities** re**surfaced in** May **2014, when Chinese vessels fired water cannons at a Vietnamese flotilla that allegedly approached a large Chinese drilling rig near the Paracel Islands. The row affected Vietnam’s** [**stock markets**](http://www.bloomberg.com/news/2014-05-08/vietnam-stocks-head-for-worst-drop-since-2001-amid-china-tension.html)**, which plunged after the incident.** Smaller-scale fishing incidents have instead become the hub of maritime confrontation as declining fish stocks have driven fishermen farther into disputed areas to search for supply, as well as highly profitable illegal species. In the most recent clash, the Philippines’ [naval forces intercepted](http://www.aljazeera.com/programmes/101east/2012/07/201273093650328417.html) eight Chinese fishing vessels in the Scarborough Shoal in April 2012, finding what they viewed as illegally fished marine life on board. The attempted arrest of the poachers led to a two-month standoff between the two countries.

# Misc.

#### DA: Even if you buy their link that China somehow stops, the geopolitical ramifications are not worth it. Valencia of the Diplomat in 2018 writes that regional allies such as Australia, Japan, and the Philippines have all made it very clear they do not want the US power projecting into the region and meddling in their affairs. This outweighs their entire argument because China’s willingness to cooperate with us in the region will always be low because of competing interests in the region. However, if we piss off our allies, then we will end up with almost no soft power in the region to influence change.

Mark J. Valencia, 1-31-2018, “The South China Sea and the Decline of US Influence,” The Diplomat, <https://thediplomat.com/2018/01/the-south-china-sea-and-the-decline-of-us-influence/>

For 70 years the United States has dominated Southeast Asia with both hard and soft power — the capability to use economic or cultural influence to shape the preferences of others.  Soft power underpins and makes possible robust hard power relationships. But some analysts and policymakers refuse to recognize that U.S. influence and its relationships in Southeast Asia are much shallower and more ephemeral than assumed. Indeed, **despite U.S. enticement and pressure, U.S. allies Australia, Japan, and the Philippines have so far declined U.S. requests to join its freedom of navigation operations in the South China Sea against China’s claims. Indonesia has expressed disapproval over such U.S.**[**“power projection”**](http://www.scmp.com/news/china/diplomacy-defence/article/1873456/indonesia-calls-us-china-restrain-themselves-lashes-us)**in the area. U.S. relations with Thailand have not been close since the military coup there in 2014 and Bangkok seems to be leaning toward China. Malaysia-U.S. relations have been brittle since the United States took a legal interest in Prime Minister Najib Razak’s international financial dealings. Even staunch U.S. strategic partner Singapore seems to be seeking a more neutral position between Washington and Beijing.** A recent example of this decline of U.S. soft power was the reaction of the Philippines regarding the January 17 USS Hopper freedom of navigation operation (FONOP) near Scarborough Shoal. The Shoal is claimed by China, Taiwan, and the Philippines. The U.S. Navy guided missile destroyer sailed through the 12 nautical mile territorial sea around the disputed feature.  The Hopper’s transit was in innocent passage, which is generally considered legal (if somewhat provocative). China requires permission for innocent passage by warships and objected.

#### Beijing has made it very clear in their geopolitical calculus that defending its perceived sovereignty and strategic value over large swaths of the South China Sea outweighs any international shunning. Shown when they ignored tribunal.

Michael Fuchs, 8-3-2016, "UNCLOS Won't Help America in the South China Sea," National Interest, http://nationalinterest.org/feature/unclos-wont-help-america-the-south-china-sea-17235

Second, **the only thing that the United States would achieve by joining UNCLOS—at least from the perspective of modifying Chinese behavior—would be to deprive Beijing of its talking point that U.S. exhortations to claimant states to comply with UNCLOS amount to “hypocrisy.” Deprived of this talking point, there’s no reason to believe that Beijing would submit to the tribunal’s authority.** Although U.S. ratification of UNCLOS would be a boost to the prestige of the convention, **Beijing has evidently made a calculated judgment that defending its perceived sovereignty and the strategic value of physical control of large stretches of the South China Sea outweighs whatever reputational damage it suffers as a result of flouting the tribunal’s decision.**

### A/2: Piracy

Turn: Kelly finds 3 reasons why UNCLOS hurts:

1. Can’t arm merchant ships or carry private security
2. Costal states sovereignty hampers anti priacy efforts
3. Lose flexibility for US navy to carry out certain actions

Super marginal impact: Statistic finds that only 180 ppl have died from Piracy, and the number has been steadily decreasing:

<https://www.statista.com/statistics/266292/number-of-pirate-attacks-worldwide-since-2006/>

Several factors make naval patrols the only true legal and practical option.117 Only warships can seize pirates under UNCLOS,118 and the IMO strongly cautions against arming merchant ship crews or carrying private security forces on-board because of the possibility for escalation of violence during pirate attacks.119 Moreover, Somalia lacks the power to control its own maritime territory, and so international antipiracy efforts necessarily do the job for it. The UNCLOS provisions that protect coastal states’ sovereignty would hamper antipiracy efforts. Since UNCLOS permits the establishment of a state’s territorial sea at the waters within twelve nautical miles from the coastal low-water line,120 and Somalia is a signatory of the treaty,121 pirates operating in a vast area around Somalia’s long coastline could theoretically harass and hijack ships with a manner of double impunity. States have thus gone to great lengths to address that obstacle. Yet safeguarding their ability to exercise jurisdiction in foreign territorial waters for enforcement purposes did not provide the broad and flexible adjudica- tive jurisdiction states today require. [ Page 2301-2302 ] Kelley, Ryan P. "UNCLOS, but No Cigar: Overcoming Obstacles to the Prosecution of Maritime Piracy ." Minnesota Law Review. Vol. 95, No. 6 (June 1, 2011): 2285-2317. [ More (4 quotes) ]

### A/2: Taiwan

US-Taiwan rels at all time high, NU

At News: China-taiwan tensions all time high, then went down, won’t attack, NU

Turn: better rels trigger chinese retal

https://www.voanews.com/a/china-sounds-alarm-as-us-taiwan-relations-test-new-highs/4477889.html

1. Anna Hirtenstein, Bloomberg, October 24, 2017, “Big Oil Is Investing Billions to Gain a Foothold in Clean Energy”, <https://www.bloomberg.com/news/articles/2017-10-24/big-oil-is-investing-billions-to-gain-a-foothold-in-clean-energy>, Accessed July 10, 2018. AM

“**Oil majors**more than doubled the number of acquisitions, project investments and venture capital stakes, to 44 in 2016 from 21 the year before, according to research published Tuesday by Bloomberg New Energy Finance. In the last 15 years, they’ve completed 428 transactions and **spent $6.2 billion building stakes in clean energy companies.**“

Franz Matzner, National Resources Defense Council, March 29, 2017 “New “Stop Arctic Ocean Drilling Act” a Testament to Resolve”, <https://www.nrdc.org/experts/franz-matzner/new-stop-arctic-ocean-drilling-act-testament-resolve>, accessed July 10, 2018. AM

“An oil spill in the Arctic would devastate an ecosystem rich in biodiversity and home to some of our planet’s most charismatic megafauna including polar bears, walruses, and bowhead whales. It would place at risk the livelihood and traditional culture of indigenous Arctic residents, already threatened by the worst climate change has wrought on the globe thus far. All while digging our carbon pollution hole deeper. The extraction of the Arctic’s oil has been specifically identified as incompatible with a safe climate future. Capital and political investment in**Arctic drilling would undercut the accelerating clean energy transition and hamper our ability to mitigate the worst effects of climate change.**All the while developing sustainable, domestic jobs that are not susceptible to the boom-and-bust cycles of oil prices. “ [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)