

**Aff**

# AT ARCTIC

## AT Drilling Bad

1. Non-unique – Steven **Groves** at Heritage explains in 2012 that the US already has legal control over its ECS and can drill in the status quo. Jonathon **Berman** at the Sierra Club confirms in 2015 that the US has chairmanship of the Arctic Council – the primary governing body in the region – and uses it to support drilling activities.
2. Russia triggers the impact – Andrew **Critchlow** from the Telegraph writes in September of 2014 that the race for arctic drilling is escalating rapidly, as it is one of the last resource-rich locations in the world. He furthers that because of this, drilling is inevitable and that even if America doesn't drill, Russia will gladly drill, deeming their impact non-unique.
3. No link – Wendy **Koch** at National Geographic finds in 2015 that the high risk of drilling in the Arctic means companies will find it economically unfeasible, citing Shell's decision to back out of the region after investing \$7 billion in failed exploration. Eric **Roston** at Bloomberg News confirms that an initial investment of \$200 billion would be required to begin drilling at any meaningful scale, meaning no company will invest in the region.
4. No link – Keith **Schnieder** at the LA Times writes this year that it will take at least 10 years before there is any oil production on the outer continental shelf due to a lack of technology and new wells, and at that point, oil demand will have declined due to a shift to more sustainable energy. **Millay** of Forbes furthers in 2017 that China and India, the largest consumers of oil, want to move to alternative sources which would cause this steady decline in demand.
5. Squo disprove their impacts – other countries have been drilling in the region for a long time. Lisa **Friedman** at the New York Times confirms that in January, the Trump administration opened a billion acres of new land in the ECS for drilling permits.
6. Deficit turn – Mark **Mills** at Northwestern explains in 2012 that taxation of continental shelf drilling would reduce the deficit by 60%. John **Mauldin** at Business Insider continues in 2011 that failure to deal with the deficit will eventually cause bond markets to force us to slash spending to repay debt, creating depression 2.0 and 15% unemployment overnight. History professor Stein **Tonnesson** explains in 2015 leaders who anticipate economic decline rile up anti-foreign sentiment to justify using military force to gain credibility and could ignore nuclear deterrence, causing armageddon.
7. Inequality turn – Mark **Overholt** at Tiger General explains in 2017 that oil drilling creates desirable jobs in underserved communities, causing high-skilled employees to move to the area, injecting capital and experience into the community and ultimately reducing inequality. Navy secretary Jim **Webb** confirms in June that increased drilling in the ECS would create almost 300,000 new jobs paying twice the national average.
8. Air pollution turn – Overholt continues that oil trades off with coal power plants, which emits dangerous particulates no matter what safety precautions exist. Louis **Bergero** at Stanford confirms in 2008 that carbon dioxide in the US causes a thousand deaths annually due to air pollution alone.
9. \*\*\*Energy independence turn

## AT Investor Confidence

1. Link turn – Stephen **Groves** of the Heritage Foundation finds in 2012 that if the US withdrew from the jurisdiction of the International Court of Justice in 1985; however, if US were to accede to the Law of the Sea, the dispute resolution process would expose them to a flurry of climate change and environmental lawsuits. This would undermine investor confidence.
2. Tech transfers turn – Yao **Zhou** at the Journal of Science Policy and Governance finds in 2017 that firms transferring tech to developing countries leads to firms from developing countries gaining a competitive advantage - causing a free rider issue. Further, free riders deter investments and cause investors to make less of a profit, undermining incentives to invest in the Arctic.

## Tech Solves

Tech solves their offense – Andy **Mack** from the Hill writes in December of 2017 that “negative rhetoric” regarding drilling in the Arctic ignores the major scientific advances in the oil and gas industry. He furthers that Alaska’s stringent environmental standards, “multilateral wells, directional drilling, and extended reach wells are just a few of the advanced technologies that have resulted in increased production, minimum environmental impact and a much smaller land footprint.”

## \*\*\*AT Warming

1. Non-unique – Nobel prize-winning physicist Stephen **Hawking** finds that last year was the brink year for climate change and after dropping out of the climate accords the effects of climate change are irreversible.
2. Susan **Hassol** of the Climate Action Project writes in 2011 that for the world to solve global warming all industrialized countries would have to cut CO2 emissions by over 80% because Paul **Knappenberger** of the Cato Institute explains in 2012 US emissions are so insignificant compared to China and India, that even if stopped all emissions global temperature would only decrease 0.2 degrees.

## AT Oil Spills

1. No link – David **Kruetzer** at Heritage explains in 2008 that new technology allows safe, clean extraction of oil.
2. No impact – Christina **Nunez** at National Geographic reports in 2014 that only 8% of ocean oil comes from spills, with the rest coming from natural oil seeps underneath the surface.
3. No impact – Science journalist Patrick **Kiger** confirms in 2012 that the oil industry has created a fleet of automated robots to clean up spills and patch leaking vessels.

4. Squo disproves – According to Nataliya **Vasilyeva** of the Seattle Times in 2014, Russia has been drilling oil in the arctic and already spills at least 5 million tons annually. We would have seen these impacts already if they were true.

### **AT Methane Bubbles**

1. Methane good – Randall **Hyman** at ScienceMag, citing brand new research from the National Academy of Sciences, reports in 2017 that the same forces that cause oil drilling to push methane into the air also bring up fertilizer from the sea basin, leading to phytoplankton blooms that actually soak up 1900 times more CO<sub>2</sub> than the emitted methane, creating a new 230x benefit to the environment.
2. Methane inevitable – Christian **Knoblauch** at Hamburg University explains in 2018 that thawing permafrost will inevitably put far more methane in the atmosphere than previously thought; it's try or die for oil drilling to release fertilizer and reverse the greenhouse effect.

### **\*\*\*AT Biodiversity**

#### **AT Fishing**

Turn – Admiral Robert **Papp** writes in 2012 that acceding to UNCLOS will give the US Coast Guard greater leverage in its efforts to eliminate illegal, unreported, and unregulated fishing. He furthers that through UNCLOS, the US will be able to more effectively convince other nations to abide by modern international standards of fisheries management, like the UN Fish Stocks Agreement. This is why Jennifer **Talhelm** at UNC confirms in 2000 that widespread acceptance of UNCLOS would provide the necessary structure to resolve this situation.

#### **AT Indigenous Peoples**

1. The main problem is from drilling in the ANWR, the problem is a) congress is already going to drill there, they just repealed protections because b) it's not in the extended continental shelf, it's in the EEZ, the US already has access to the EEZ. Steven **Groves**, Senior Research Fellow at the Heritage Foundation, confirms in 2014 that the US's territorial claims are already respected – the only potential difference is drilling outside of the EEZ, but there is no damage to native land if drilling is 300 miles off the coast.
2. Revenue turn – MacLean of Stanford explains that Alaskan indigenous peoples have autonomy over managing Alaskan oil fields, as they control the land and money given to indigenous communities in exchange for rights to natural resources. This revenue goes to supporting indigenous people. This additionally means that it is up to the indigenous people themselves, which short circuits their argument.

## **AT Caribou**

Andy **Mack** from the Hill writes in December of 2017 that a) the caribou herd is completely flourishing today despite arctic drilling developments (such as construction of the Trans Alaska pipeline) and b) arctic drilling is a seasonal effort that is concentrated in the winter, when the caribou have all migrated 400 miles east and south.

## **\*\*\*AT Saudi Arabia**

1. They're diversifying now -- Mohamad **El-Erian** at the Guardian writes in 2016 that Saudi Arabia has put in place an action plan titled Vision 2030 to overhaul the structure of its economy through reductions of dependence on oil, diversifying its income generation, and modernizing its resource management. This is empirically proven by their recent bid to privatize Tesla, which David **Lynch** at the Chicago Tribune described in August as a clear attempt at diversification.

## **AT Russia**

1. No link – Irina **Slav** at OilPrice writes in 2017 that Russia has shifted focus to agriculture in an attempt to diversify its economy. This is working empirically, as she continues Russia is seeing rapid growth in wages and economic consumption as a result.
2. Non-unique – Tatiana **Ruzhinskaya** at the Moscow Ministry of Foreign Affairs explains that more than 50% of Russia's oil fields have already been depleted, severely hurting Russia's oil output.

## **AT OPEC Dumping**

1. OPEC doesn't control market prices. Mohamad **El-Erian** at the Guardian writes in 2016 that, because of US entry into the shale market, OPEC has less influence on market prices. In addition, certain members of OPEC, again led by Saudi Arabia, are now less willing to try to moderate fluctuations in the price of oil, as they correctly recognize that "swing producers" risk durable losses in market share.
2. No Impact to Saudi flood – Michael **Lynch** of Forbes writes this July that because consumers have more power over the long term price of oil, Saudi can only threaten to flood the market and lacks the dominance necessary to significantly affect oil prices

## **\*\*\*AT Energy Independence Bad**

## AT Russia

1. Non-unique – Marc **Champion** of the Washington Post writes in 2018 that conflicts in Ukraine and Syria, increased militarization, and sanctions usher in a “new cold war” with high tensions which are further increased by the fact that both parties are nuclear powers.
2. Turn – Rob **Heubert** at the University of Calgary explains in 2008 that UNCLOS is explicitly built to clarify territorial disputes in the Arctic and US involvement in those negotiations would ensure a peaceful resolution favorable to our allies.
3. No impact – Caitlyn **Antrim** at the Naval War College finds that the US and Russia can solve all their conflicts on territorial disputes through diplomacy. She also finds that Russia is making an active effort to increase negotiations, shared interests, and less power projection.
4. No impact – James **Stewart** at the New York Times writes in 2014 that Russia’s economy is too vulnerable to fight a war and Russia is economically dependent on Europe for its oil and gas exports, making a conflict basically impossible.

## **AT DEEP SEA MINING**

1. The US already has access to deep sea mining. Steven **Groves**, Senior Research Fellow at the Heritage Foundation, writes in 2012 that the United States has secured sovereign rights to mining due to bilateral and multilateral trade agreements that allow the US to engage in deep sea mining whether or not it accedes to UNCLOS.

## **AUV Link Turn**

Turn – deep sea mining is not feasible under UNCLOS. The **Israeli Homeland Security** finds in 2010 that to commercially mine for deep sea minerals it requires the use of Automated Underwater Vehicles or AUVs. However, David **Ridenour** at the Center for Public Policy Research explains in 2006 that implementing the Law of the Sea Treaty would decrease the amount of AUVs that the US uses, as Article 20 requires AUVs to operate on the surface of the water and so prevents deep sea mining.

## **Royalties Link Turn**

Royalties under UNCLOS disincentivize deep seabed mining. Iain **Murray** writes in 2013 that because sea-based mining is so expensive, royalties make land-based mining in the US more profitable. He concludes that this is “the reason why progress in subsea mining has not met expectations when the Treaty was drafted.”

## AT Environment

1. No impact – Lars **Bevanger** at DW explains in 2018 that awareness of the issue will create increased preparedness and monitoring, reducing any potential negative impacts of deep sea mining.
2. Turn – deep sea mining is a lot cleaner than land mining. **Carrington** of The Guardian finds in 2017 that the need for metals is inevitable, but deep sea mining is a better way to obtain them than land mine because metals are found in higher quantities and thus, easier to mine.
3. Turn – Carrington continues that metals from deep sea mining can uniquely be used to create green technology, making deep sea mining critical to environmental protection and sustainability.
4. Turn – **Fitch** at Geographical finds in 2017 that the ISA is in charge of processing deep sea mining applications, and they are on track to implement environmental regulations which have been recommended by marine scientists, making deep sea mining safer for the environment because of regulations under UNCLOS.
5. Turn – according to **Alexander** of Vice in 2014, deep sea mining contracts are leading to discoveries of biodiversity which creates the potential for new drugs and cures for diseases like cancer which can only be found in the deep sea bed.

### **AT Methane Vents**

Oceanic methane doesn't cause warming. Lindsey **Valich** of the University of Rochester reports in 2017 that marine "microbes aggressively biodegrade methane as methane emissions increase," "prevent[ing] methane released from the seafloor from reaching the atmosphere."

### **\*\*\*AT Earthquakes**

## AT REMs Bad

1. Japan solves – Yen Nee **Lee** reports for CNBC in April that Japan discovered a huge deposit of Rare Earth Metals off of its shores, that could literally supply world demand for hundreds of years. Mayumi **Negishi** from the Wall Street Journal confirms in April that Japan has just discovered "hundreds of years' worth of rare-earth metal deposits – [more than 16 million tons of rare earth oxides] – in its waters" and is already charging ahead with research and development to mine these rare earth metals.
2. Nebraska solves – **Epley** in 2015 writes that an operational mine would generate approximately 200 million dollars annually in earnings over a conservative lifetime of 36 years. **Kelly** updates in 2018 that a Nebraska mine provides a rich source REMz. These land-based mines would make much more sense for companies to pursue compared to risky seabed mining.
3. The US won't compete on the global market. Former Rare Earth Trader and Freelance journalist Tim **Worstall** says that the reason China controls REM manufacturing is a combination of a willingness to overlook environmental damage and cheaper labor, not easier access.
4. REMs mining fails – unlike well-known elements like gold, rare earths don't clump together in single-element lumps, instead bonding together in minerals and clay. David **Abraham**, author of The Elements of Power, explains in 2015 that to create rare earths from the ore that contains them, the raw material has to go through hundreds of steps calibrated specifically for each mining site.
5. Warming turn – Erin **Mundahl** at Inside Sources explains in 2017 that clean energy technologies would require large amounts of rare materials. Therefore, the US mining REMs would mitigate long-term climate change.
6. Quality of life turn – Mayuko **Yatsu** from the Diplomat writes in August of 2017 that REMs are critical for making the permanent magnet sensors used in smartphones, computers, light bulbs, electric cars, wind turbines, satellites, cruise missiles and more.

**\*\*\*AT Natural Gas Bad**

# AT CHINA

## No War

Timothy **Heath** from the National Interest writes in April of 2017 that despite some tensions between the US and China, they will never go to war for seven reasons.

1. China and the US are economically interdependent, as both countries view the other as a vital trade partner.
2. Trump and Chinese president Xi Jinping's recent summit displayed that both countries are determined to better US-Sino relations. Xi himself said there was not one reason to spoil the US-China relationship, but a thousand reasons to maintain good relations.
3. The military competition between China and the US operates at a far lower level of intensity than the relentless arms racing that typified the U.S.-Soviet standoff
4. Both militaries are not postured to fight each other in a major war.
5. Unlike the US and Soviet Union's bitter rivalry in the 1960's, neither China nor the US regards each other as its principal enemy.
6. Recent polls show that despite any possible tensions, polls show that people from both countries "regard each other with mixed views"—starkly different from the "hostile sentiment expressed by the US and Soviet publics for each other."
7. The recent summit between Trump and Chinese President Xi Jinping shows that they both have a common enemy: North Korea, and are ultimately committed to fighting that country first.

## AT Taiwan

No China-Taiwan War – Christina **Zhao**, US-China reporter for Newsweek, writes in April that China would not attack Taiwan for 3 reasons:

1. China does not and will not have the military capability to guarantee victory against Taiwan in the next 5 years. Thus, Zhao, internally citing Steve Tsang, director of the University of London's China Institute, finds that China would be unwilling to suffer the heavy losses associated with military conflict.
2. China is risk averse - Zhao explains that the Taiwan Relations Act of 1979 requires that the US must provide military aid to Taiwan and be willing to respond to Chinese threats. Thus, China would not be willing to launch an attack on Taiwan as long as any risk of US interference exists due to the TRA. Zhao cites a RAND Corporation study last year that predicts that US submarines alone could take out 40% of a Chinese invasion team, meaning that China stands almost no chance of success if the US gets involved.
3. Its hard to invade Taiwan - Zhao internally cites Christopher Hughes, professor of international relations at the London School of Economics, who explains that the island of Taiwan is built "like a natural fortress" and the defenses that Taiwan does possess are capable of inflicting substantial damage on any invaders, including the ability to quickly mobilize its 150,000 troop army anywhere on the island.

## AT SCS

1. Link turn – Will **Rogers** at the Center for a New American Security explains in 2012 that US ratification of UNCLOS would give it critical legitimacy in its efforts to mediate territorial disputes in the region. Hank **Johnson** from the Diplomat confirms in 2016 that UNCLOS encourages diplomatic solutions to conflict in the South China Sea where the status quo leads to military ones.
2. Turn – Douglas **Gates** of the Diplomat in 2017 writes that despite aggression from China in the South China Sea and the seizure of US military vessels, the United States has not joined UNCLOS and thus, doesn't have access to its binding dispute resolution panels. If the US accedes, it has a formal mechanism to file complaints against China, mitigating the risk of conflict.
3. Turn – Ben **Cardin** explains that joining UNCLOS supports US allies in the region, making it easier to solve conflict, and reaffirms the validity of the convention and commitment to international law which is a critical part of maintaining stability in the region and avoiding conflict with China.
4. Turn – Marjorie **Gallagher** at Temple University writes in 2014 that access to deep seabed mining, facilitated by UNCLOS, is critical in case of conflict because the United States needs the ability to produce ammunition in order to minimize dependence on China.
5. China supports US ratification. Erick **Slavin** from Stars and Stripes Magazine reports in 2015 that China actually wants the US to ratify the convention, with Foreign Ministry spokesman Lu Kang accusing the US of hypocrisy and encouraging Washington to abide by the convention and international law.

## **AT Regional War**

A regional war will never occur because Jonathan **Broder** at Newsweek writes in 2016 that despite regional countries resenting Beijing's bullying China is their largest trading partner and a major source of funding for infrastructure projects such as roads, railways and ports, which means that the probability of regional war breaking out is extremely low.

## **Heg Bad**

The absence of US power increases regional cooperation. **Zhou** at the International Policy Digest writes this year that diminishing US influence in the East Asian Pacific allows for new beneficial policy and collaboration, furthering that US presence has constructed a narrative of East Asian states taking part in a US-led regional strategy, minimizing US influence reverses this view and creates interstate engagement, incentivizing communication and the reduction of tensions. Thankfully, Zhou concludes that East Asian regional cooperation creates more structural flexibility for partnerships between big and small powers. **Tadeo** at Johns Hopkins in 2015 notes that regionalism in East Asia creates peace and drives economic growth.

## **AT ISR**

1. Environment turn – Mark **Valencia** at the National Institute for South China Sea Studies writes in 2017 that ISR includes intentional provocation of China, violation of marine scientific research, and damage to the environment, furthering that China's EEZ environment may be degraded if US sonar systems or live fire exercises adversely affect fish and mammals like whales and dolphins.
2. War turn – **The National Interest** explains in 2017 that US ISR assets include active provocation of China which China, justifiably, does not consider passive intelligence-collection activities. They further that the Chinese military is already preparing to act violently in response and continuing or increasing ISR in the region.

## **AT Notify China**

Turn – Marjorie **Gallagher** at Temple University writes in 2014 that in the status quo, China is asserting this right to notification. However, she finds that the way that the US can address this is by ratifying the convention and taking up the issue with the committee.

AT ECS

## AT ASEAN

1. The main incentive of China and ASEAN countries to enter into this deal is not because of a fundamental agreement over the code of conduct in the South China Sea, but to form an alliance in the trade war with the U.S. Emanuele **Scimia** at the South China Morning Post tells you in August that China was quote “looking for ways to absorb the shock [of a trade war with the U.S.]” and as a result “expedited the signing.” This means as soon as the threat is gone, there is no further incentive for China to comply.
2. China will never negotiate about island disputes. Siew **Mun** of the ISEAS-Yusof Ishak Institute writes in 2016 that China wields power over ASEAN as its largest trade partner, and would quickly pull out all the stops to prevent discussions on political issues such as the South China Sea.
3. China has historically broken treaties that they have been part of. Take UNCLOS for example, they agreed and signed it but yet still continue to violate its rules. This is problematic because everything my opponents tell you that may be beneficial because of China-ASEAN relations is hypothetical.
4. The Code of Conduct’s goal was never to completely resolve tensions. Minister **Balakrishnan**, the Singapore minister for foreign affairs, clarified that the code of conduct “was never meant to resolve territorial disputes.” He added that “the agreement on a single text does not mean that negotiations are over, or that all the competing claims over territory in the South China Sea are resolved.”

## **AT China Leaves UNCLOS**

Empirics deny – **The Japan Times** reports in 2016 that China made several threats to leave UNCLOS in the event that the international tribunal regarding the South China Sea did not end up in their favor. However, Jane **Perez** from the New York Times reports that China lost on every point in the tribunal – they lost historic rights over the majority of the South China sea, were deemed in violation of the law for attempting to expand in the South China Sea, and were accused of violating international law through their harms to the environment. Despite this worst possible outcome, China remained in UNCLOS, proving that these threats to leave UNCLOS are completely empty and merely used for intimidation.

## **AT REGULATIONS**

Even if the US accedes to UNCLOS without reservations, they can still violate the treaty. David **Koplow** from Georgetown University concludes in a 2013 review that the US elevates domestic law above International law, prompting them to consistently violate treaties.

## **AT Royalties Bad**

1. No link – according to the **International Seabed Authority** in 2009, royalties have “been dormant since the adoption of the Convention.” and “few [...] steps towards its implementation have been taken.”
2. Turn – Daisy **Khalifa** at Seapower magazine explains in 2012 that the ISA will distribute royalties in either world, but if the US joined, we would be able to exercise a veto over specific uses of the money.
3. Turn – even if governments are corrupt, giving developing countries aid is still on balance good. Malika **Gharib** from NPR explains in 2017 that even with corrupt governments, foreign aid still mostly reaches the people and creates far more benefits than harms.
4. Royalty money is minimal. Stewart **Patrick** from the Council on Foreign Relations explains in 2012 that because the UNCLOS mining provisions were negotiated with the interests of oil companies in mind, royalties are extremely minimal. William **Taft** at the State Department confirms in 2003 that the royalties only apply to oil drilled beyond 200 miles from the coast.

## AT Lawsuits

Link turn – John **Bellinger** at the State Department explains in 2012 that there would be far more lawsuits if the US didn't accede but nonetheless tried to claim resources outside our EEZ.

### **AT Environmental Lawsuits**

1. Internal link turn – lawsuits would actually lead to increased climate change prevention efforts. This is because the court's punishment would be increased climate regulations, which turns their impact. Steven **Groves** at the Heritage Foundation confirms this in 2012, stating that joining the convention would require the US to regulate its pollutants.
2. No link – **Hudzik** of Washington University in St. Louis explains in 2010 that the US already meets or exceeds every environmental standard in the Convention, meaning it can't be sued for anything.

**AT HEG**

## Link Turns

1. Top level – the navy votes aff – their official website says they support the ratification of UNCLOS because it aids “implementation of the National Security Strategy,” provides a legal framework for navigation, and aids their ability to patrol the seas. UNCLOS helps naval hegemony rather than hindering it. Stewart **Patrick** from the Atlantic confirms in 2012 that because the US was the principal force in the treaty's negotiation, it doesn't do anything to interfere with critical military activities.
2. Turn – acceding to the Law of the Sea locks in US freedom of navigation. Marjorie **Gallagher** at Temple University writes in 2014 that coastal countries across the world are expanding their claims to the sea and will likely call for larger EEZs with more limited rights, which would devastate US naval capabilities. However, she explains that if the US were to ratify the Convention, they would be able to make good on their permanent seat on the council and protect US interests.
- 3.

## **AT Tech Transfer**

1. No link – Scott **Borgerson** at the Council on Foreign Relations explains in 2009 that even though UNCLOS encourages tech transfers, the convention was amended in 1994 to protect military technology from being transferred. US Admiral Wliliam **Schachte** confirms in 2007 that the amendment ensures there will be no mandatory tech transfers.
2. No link – even if it was possible, the US would never give nuclear plans to a hostile nation or regime and even if we take the original UNCLOS at face value it still states that what you send is optional.

## AT Intel

### **AT Intel Sharing**

No link – Scott **Borgerson** at the Council on Foreign Relations explains in 2009 that Article 302 of the Convention states that no country is required to release information which is contrary to the security interests of that country.

### **AT Intel Gathering**

No link – **Nordquist** of the Center for Oceans Law and Policy explains in 2012 that the Convention doesn't prohibit intelligence activities; rather, it just prevents ships engaging in intelligence activities from claiming that they deserve to be classified under "innocent passage".

## AT Interdictions

1. The US is currently not allowed to arbitrarily search ships. Benjamin **Friedman** of the Bipartisan Security Group in 2004 states that the US already has restrictions placed by a 1958 treaty that prohibit it from searching ships outside of its EEZ arbitrarily.
2. Turn – According to David **Sandalow** from Brookings in 2004, joining UNCLOS would actually increase the number of justifications the US would have for ship interdictions from the previously agreed to 1958 Convention of the High Seas.

## AT PSI

1. PSI is declining in the status quo. Ian **Williams** of the Arms control association writes in 2013 that the number of PSI-related training exercises and activities has been cut in half since 2009.
2. Turn – Ma **Valencia** of the Maritime Institute of Malaysia writes in 2007 that actors that want to avoid PSI interdictions can still transport WMD components on those of states not participating in PSI, such as Indonesia. In fact, Will **Rogers** of the Center for a New American Security writes in 2012 that US ratification of UNCLOS will actually bolster PSI as it will eliminate skepticism about US international commitments that keeps countries out of PSI. Jonathan **Vanecko** at the Naval War college furthers in 2011 Indonesia, which borders the world's busiest maritime straight, is unable to convince its legislatures that PSI interdiction activities will follow international law when the leading PSI nation, the United States, refuses to accede to UNCLOS. Vanecko concludes that the legitimacy obtained through ratification of UNCLOS would solve this problem immediately.
3. The PSI doesn't work that well. **Valencia** continues that the PSI is not that effective in the first place because it lacks transparency, is politically divisive, impedes legal trade, and dilutes other non-proliferation efforts.
4. No link – Yann Huei **Song** at the Institute of European and American Studies finds in 2007 that the Navy, Department of Defense, and Department of State all agree that accession is consistent with the mission of PSI.

## AT Drugs

Marguerite **Cawley** of InSight Crime writes in 2014 that drug interdiction only encourages the migration of drug trafficking which can lead to rising insecurity and corruption in multiple countries.

## AT Counterpiracy

1. Multilateral solves – CFR fellow Scott **Borgerson** writes in 2012 that the international cooperation resulting from the treaty ratification would allow the US to share the burden of policing piracy, making efforts far more effective through the creation of

international flotillas and allowing the US to arrest pirates without violating on another country's sovereignty

2. Treaty renegotiation solves – Will **Rogers** at Johns Hopkins University explains in 2012 that existing international agreements pertaining to piracy do not account for advances in technology. As the threat from pirates becomes increasingly multifaceted, Rogers finds that in order for the US to use necessary technologies such as drones and other surveillance vehicles, it will need to advocate for such technologies in future UNCLOS negotiations.
3. Fishing regulation solves – Brookings Analyst Mariama **Sow** reports in 2017 that one of the primary underlying causes of piracy in Somalia is “the depletion of seafood resources through illegal fishing” by foreign vessels. Sow furthers that the problem of illegal fishing is rapidly increasing in the status quo, with illegal seafood captures tripling those of local Somali fishermen. The **University of Rhode Island** reports in April of 2015 that this illegal fishing is directly perpetuated by the lack of enforcement of UNCLOS in the region, a problem that an increased US presence could easily solve.
4. Modeling solves – Sarah **Ashfaw** of Transnational Law and Policy writes that UNCLOS requires all states to suppress piracy to the best of their ability and US ratification will allow it to encourage other countries to follow its example of piracy suppression.

### **AT Somalia**

No Somalia story – Ryan **Kelley** at SSRN writes in 2011 that the Somali Government has waived away its expulsion right under UNCLOS and has requested international assistance to combat piracy – which means the US still has the same ability to interdict ships and combat piracy.

## **AT Wiretapping**

1. Non-unique – **Fung** of the Washington Post writes in 2016 that we already use sophisticated antennas that can intercept data in cable wires. This is obviously not breaking the cable wires, so we'd be able to wiretap under UNCLOS anyways.
2. Impact mitigation: **Mauldin** of TeleGeography says in 2017 that deliberate sabotage damaging cable wires is extremely rare, and only accounts for less than 6% of damaged cables, making their impact extremely unlikely to happen.
3. Russia and China, members of UNCLOS, are wiretapping in the status quo, so we can as well even if we accede.

## AT FONOPs

1. Non-unique – the US already uses UNCLOS as a framework for FON operations. Akit **Panda** from the Diplomat explains in 2015 that the US already operates within UNCLOS's FON framework and can still complete the necessary military activities.
2. The aff guarantees freedom of navigation rights – Will **Rogers** at the Center for a New American Security explains in 2012 that UNCLOS contains provisions guaranteeing freedom of navigation through critical routes like the South China Sea, the Northwest Passage, and the Strait of Hormuz. The **National Research Council** therefore finds in 2011 that acceding to UNCLOS would guarantee the navy global access to waters of the world.
3. Turn – Stewart **Patrick** from the Atlantic finds in 2012 that acceding to UNCLOS is an essential part of protection the treaty's freedom of navigation provisions as China attempts to change the convention and assert more dominance in the South China Sea.
4. **Freund and Facini** of Harvard explain in 2017 that if the US acceded to UNCLOS, it would not stop freedom of navigation operations because either a) the US would protest excessive land claims through the proper legal channels, b) they would simply violate innocent passage in hopes that countries would rescind those excessive claims, or c) they would both travel under innocent passage through the territorial sea and conduct a freedom of navigation operation, meaning that in any case, UNCLOS and freedom of navigation operations are not mutually exclusive.

### **SCS Specific**

1. They're ineffective – Mark **Valencia** of the National Institute for South China Sea Studies finds that FONOPs empirically have not reduced Chinese expansion, and only risks a negative Chinese response.
2. UNCLOS permits SCS FONOPS. Shannon Tiezzi, editor at the Diplomat writes in 2015 that because China's island claims are classified as Low-Tide Elevation zones under UNCLOS Article 13, the United States can legally continue conducting FONOPs in the South China Sea.

### **Impact Turn**

Turn – Doug **Bandow** at the Cato Institute finds that increased FONOPS play into Chinese nationalist rhetoric and puts pressure on President Xi to respond militarily, and is likely to spark a Chinese military backlash.

## AT Submarines

1. Non-unique – John **Oliver** at Georgetown, Senior Ocean Policy Advisor to the Coast Guard, explains in 2009 that the 1958 Convention on the Territorial Sea and the Contiguous Zone, to which the US has already acceded, contains the same submarine-related provisions as UNCLOS. In fact, acceding to UNCLOS provides a comparative advantage in two ways:
  - a. John **Moore** at UVirginia writes in 2004 that UNCLOS modifies these provisions to allow for submerged transit through straits used for international navigation.
  - b. John **Turner**, Assistant Secretary of State, writes in 2007 that UNCLOS defines an objective list of what is deemed prejudicial to the peace or security of the coastal state, whereas the previous convention is entirely subjective and allows for the coastal states to abuse these provisions to the disadvantage of the US.
2. No link – Oliver continues that submarines would only have to show their flags above the surface for innocent passage, but could stay hidden for espionage. Matthew **Ivey** at Dartmouth furthers in 2009 by that submerged submarine travel would not be prohibited by UNCLOS.

## Heg Bad Toolbox

### **Multilat Prereq**

Multilat solves – **Nye** 08 explains that soft power and cooperation is key to solving crucial issues climate change and terror because hard power alone cannot solve them. Thus, he concludes that soft power is crucial to reinforce hard power. LOST increases soft power. **Johnson** 16 of the Diplomat writes in 2016 that LOST boosts US legitimacy by demonstrating that the US is a country that values, respects, and upholds a rules-based international order.

### **Heg Inevitable**

US Hegemony faces few threats. Salvatore **Babones** of the University of Sydney writes in 2015 writes that "American hegemony has waxed and waned over the last seventy years, but it has never been eclipsed." He concludes that "there are few factual indications that American decline has begun-or that it will begin anytime soon."

### **Heg Fails**

**Carranza** 10 of Texas A&M explains that the United States is unable to translate its military power to desired outcomes, finding that the United States has been unable to negotiate military or economic agreements in Asia despite hegemony in the status quo. Thus, United States hegemony doesn't have any tangible impacts on conflict.

### **AT: War Impact**

1. US hegemony is not the cause of modern peace. Ben **Friedman** of George Washington University writes in 2014 that "factors other than US power are diminishing war" such as globalization and nuclear proliferation.
2. No impact to hegemonic decline. Ted **Carpenter** of the CATO institute reports in 2013 that if US power declined in Europe, the EU and its allies would still be sufficient to deter Russia in Europe. Carpenter continues that if US hegemony in Asia declined, other countries like Japan, South Korea, and Australia could pick up the slack and create a regional balance of power.

### **Retrenchment Turn**

1. Heg collapse inevitable –
  - a. China. Because of China's inevitable rise, Richard **Maher** of Brown University writes in 2010 that the US cannot maintain its global power status for very long and needs to start planning for the multipolar world.
  - b. Trump. Thomas **Wright** of the Brookings institute writes in 2016 that Donald Trump will "liquidate the US-led liberal order by ending America's alliances [and] closing the open global economy."

2. No impact to natural hegemonic decline. Political science professor Paul **MacDonald** finds in 2011 that empirically, the decline of hegemony doesn't cause higher rates of conflict and that US decline will be gradual and controlled, meaning it won't spark great power conflicts because no actor would have the incentive to strike first. He furthers that decline wouldn't start regional arms races because a gradual decline avoids the Chinese expansionism that would start an arms race.
3. Turn, MacDonald finds that adopting a policy of retrenchment in which the US partially withdraws from trying to unilaterally manage global affairs would allow the US to shift security burdens to its allies and multilateral institutions, avoiding the unnecessary military clashes that come with forward deployments while ensuring that China rises peacefully by signalling the US's willingness to accommodate China's rise.

### China Turns

1. Trying to outpace China triggers an arms race. Michael **Swaine** at the Carnegie Endowment finds in December that if the US doubled down on dominance in Asia, it would trigger an arms race with China. This would be disastrous, as Political science professor Toby **Rider** finds in 2000 that arms races increase the chance of war by 5 times because there are higher diplomatic tensions.
2. Pursuing hegemony causes China to cut off cooperation. Political scientist Robert **Ross** writes in 2012 that when the US increased its presence in Asia, China responded by cutting off cooperation on key issues like North Korean nuclear weapons. This is problematic because Thomas **Fingar** of Stanford writes that only a cooperative relationship between the US and China can avoid great power wars, resource scarcity, economic collapse, environmental degradation, and increased carbon emissions.
3. Hegemony causes war with China. IR professor Christopher **Layne** writes in 2008 that China will inevitably rise to power, so "if the United States tries to maintain its current dominance in East Asia, Sino-American conflict is virtually certain" during the transition because the US strategy demands anticipatory violence in order to maintain dominance.

### Prolif Turn

Turn, Professor Harry **van der Linden** finds in 2009 that US hegemony forces other countries to proliferate because they are powerless to stop our conventional forces, so they turn to nuclear weapons as a shortcut to deter potential US aggression. International relations professor Matthew **Kroenig** explains in 2015 that nuclear proliferation increases the risk of nuclear terrorism because A, corrupt states could sell nuclear weapons to terrorist groups, and B, new nuclear states have minimal security, so the weapons could be stolen. Moreover, Kroenig explains that since new nuclear states lack second strike capabilities, they are prone to preemptively launching nukes out of the fear that their nuclear capabilities will be taken out by an enemy.

**Neg**

O/vs

## **Accede Now**

As Roncevert **Almond**, advisor to the U.S.-China Economic and Security Review Commission, explained last year, under National Security Decision Directive 83 the US already voluntarily follows the vast majority of the convention, a policy shared by every presidential administration since Raegan. Therefore, the central debate over whether or not to accede to the treaty is whether or not the US Navy should be forced to submit to international regulation on the parts of the treaty it has already decided are against American security interests.

## AT DEEP SEA MINING

1. The US already has access to deep sea mining. Steven **Groves**, Senior Research Fellow at the Heritage Foundation, writes in 2012 that the United States has secured sovereign rights to mining due to bilateral and multilateral trade agreements that allow the US to engage in deep sea mining whether or not it accedes to UNCLOS.
2. Sediment turn – Brooke **Jarvis** at PBS explains in 2013 that mining stirs up sediment, which disrupts the sea ecosystem. Specifically, **Sharma** of the National Institute of Oceanography quantifies in 2015 that for every 1 ton of manganese nodule, for instance, unearths 4 tons of sediment. He explains that this sediment floats to the surface and prevents photosynthesis. Thus, Jarvis concludes that in the area where mining occurs, and sometimes farther beyond that, everything dies. This is damaging as **The Center for Biological Diversity** finds in 2009 that ecosystem diversity enables our life support, giving us a livable climate, breathable air, and drinkable water.
3. Warming turn – the **UN** in 2017 explains that deep sea mining encourages the US to rely on natural resource depletion, instead of developing sustainable development solutions like smart energy.
4. Turn – **Duke University** finds in 2017 that biodiversity losses caused by deep-sea mining are unavoidable and possibly irrevocable. This is damaging as **The Center for Biological Diversity** finds in 2009 that ecosystem diversity enables our life support, giving us a livable climate, breathable air, and drinkable water.
5. Turn – Ben **Doherty** of The Guardian finds in April that deep-sea mining holds the same potential pitfalls as previous resource scrambles, with environmental and social impacts ignored and the rights of Indigenous people marginalised.

## **AUV Link Turn**

Turn – deep sea mining is not feasible under UNCLOS. The **Israeli Homeland Security** finds in 2010 that to commercially mine for deep sea minerals it requires the use of Automated Underwater Vehicles or AUVs. However, David **Ridenour** at the Center for Public Policy Research explains in 2006 that implementing the Law of the Sea Treaty would decrease the amount of AUVs that the US uses, as Article 20 requires AUVs to operate on the surface of the water and so prevents deep sea mining.

## **Royalties Link Turn**

Royalties under UNCLOS disincentivize deep seabed mining. Iain **Murray** writes in 2013 that because sea-based mining is so expensive, royalties make land-based mining in the US more profitable. He concludes that this is “the reason why progress in subsea mining has not met expectations when the Treaty was drafted.”

## AT REMs

1. Japan solves – Yen Nee **Lee** reports for CNBC in April that Japan discovered a huge deposit of Rare Earth Metals off of its shores, that could literally supply world demand for hundreds of years. Mayumi **Negishi** from the Wall Street Journal confirms in April that Japan has just discovered "hundreds of years' worth of rare-earth metal deposits – [more than 16 million tons of rare earth oxides] – in its waters" and is already charging ahead with research and development to mine these rare earth metals.
2. Nebraska solves – **Epley** in 2015 writes that an operational mine would generate approximately 200 million dollars annually in earnings over a conservative lifetime of 36 years. **Kelly** updates in 2018 that a Nebraska mine provides a rich source REMz. These land-based mines would make much more sense for companies to pursue compared to risky seabed mining.
3. The US won't compete on the global market. Former Rare Earth Trader and Freelance journalist Tim **Worstall** says that the reason China controls REM manufacturing is a combination of a willingness to overlook environmental damage and cheaper labor, not easier access.
4. REMs mining fails – unlike well-known elements like gold, rare earths don't clump together in single-element lumps, instead bonding together in minerals and clay. David **Abraham**, author of The Elements of Power, explains in 2015 that to create rare earths from the ore that contains them, the raw material has to go through hundreds of steps calibrated specifically for each mining site.
5. No impact – **BBC** writes in 2012 that REMs are used to manufacture cars, televisions, lighting, cameras, computers and much more – no reason they'll be used for renewables when consumer goods are much more profitable.
6. Toxic waste turn – **Kaiman** of The Guardian explains in 2014 that processing 1 ton of rare earth metals produces 2,000 tons of toxic waste, which are laced with deadly carcinogens.

## **AT Renewables**

No solvency for warming. Elizabeth **Rosenthal** at the New York Times explains in 2013 that because renewable technologies like wind and solar are inherently intermittent and expensive to integrate into power grids, the more effective path to reduce CO2 emissions is to improve the energy efficiency of existing fuels.

## **AT China**

Technological barriers prevent contesting the monopoly. **Hurst** of the New York Times writes in 2010 that because China is miles ahead of the United States technologically, and employs tens of thousands of REM scientists and experts in the field, US companies will always have to ship mined REMs back to China for processing.

## AT Natural Gas

1. Turn – Ben **Adler** of the Washington Post reports in 2017 that even though natural gas releases less carbon on burning, “the energy-intensive process of freezing, shipping and reheating natural gas” makes it net worse for the climate than oil drilling.
2. Turn – the **Union of Concerned Scientists** explains that due to methane leaks from the extraction and transportation process, which result in heat trapping that is 32 times more effective than CO<sub>2</sub>, natural gases are worse than fossil fuels for climate change.
3. No link – Christopher **Joyce** writes in 2012 that there is an overproduction of natural gases causing historically low prices and company withdraw from natural gas extraction. Even if given the opportunity to do offshore natural gas drilling, companies won’t do it.

## **AT Cobalt**

1. Non-unique – countries are fleeing from Congo cobalt already. Lynsey **Chutel** of QZ reports in 2018 that the instability of the Congo has led investors to explore other options, such as mining in Canada. She continues that more than a dozen cobalt mining companies have staked new claims in Ontario, signaling a shift.
2. NUQ again – the Congo classified cobalt as a strategic mineral, causing a massive price hike. Pratima **Desai** of Reuters reported in July that this “meteoric 60% rise in prices” tanked demand in China, leading to companies reducing cobalt output. Consumers will inevitably look elsewhere for a cheaper option, reducing consumption of Congo cobalt.
3. Econ Collapse turn – Franck **Kuwonu** of the UN states that the Congo economy remains resilient primarily because of “public and private investment” in infrastructure that accompanied the cobalt boom.

## **AT Electric Cars**

1. Turn – electric cars are ineffective. Jonathan A. Lesser of Manhattan Institute finds in 2017 that, from now to 2050, electric cars would reduce total US carbon emissions by half a percent. He concludes this would have “no impact whatsoever on the climate.”
2. Turn, because Lesser continues that electric cars disproportionately benefit the wealthy. Lesser continues that public charging stations will be paid for by all ratepayers, raising energy costs universally. He concludes that electric travel costs will be shouldered on the poor.

## AT Phosphorus

# AT ARCTIC

## AT Drilling Good

1. Non-unique – Steven **Groves** at Heritage explains in 2012 that the US already has legal control over its ECS and can drill in the status quo. Jonathon **Berman** at the Sierra Club confirms in 2015 that the US has chairmanship of the Arctic Council – the primary governing body in the region – and uses it to support drilling activities.
2. No link – Wendy **Koch** at National Geographic finds in 2015 that the high risk of drilling in the Arctic means companies will find it economically unfeasible, citing Shell’s decision to back out of the region after investing \$7 billion in failed exploration. Eric **Roston** at Bloomberg News confirms that an initial investment of \$200 billion would be required to begin drilling at any meaningful scale, meaning no company will invest in the region.
3. No link – Keith **Schnieder** at the LA Times writes this year that it will take at least 20 years before there is any oil production on the outer continental shelf due to a lack of technology and new wells, and at that point, oil demand will have declined due to a shift to more sustainable energy.
4. Development turn – arctic drilling trades off with sustainable development. **Stewart 12** of Greenpeace writes that if the United States doesn't begin drilling in the arctic, they will start developing fuel efficient vehicles to cut dependence on oil, if we expand drilling though, they will no longer need to, stopping development of fuel-efficient vehicles.
5. Greenhouse gasses turn – **Walsh 12** writes that as a result of drilling, black carbon and methane would be released. Black carbon has a double warming effect because it both absorbs heat and traps heat, while the EDF finds that methane traps heat at a rate 84x faster than CO2.
6. Indigenous Peoples turn – **Nuttal** of Indigenous Affairs explains in 2006 that Arctic drilling destroys indigenous communities in two ways.
  - a. Accidents. He explains that oil spills and noise pollution disrupt the migratory habitats of animals which are crucial to Native hunting and the Native way of life.
  - b. Infrastructure. Even if there aren't accidents, he finds that Arctic drilling requires infrastructure like pipelines means disrupting the Native practices and traditions, as well as devastating herding and hunting areas.
7. Oil spills turn – Ecofeminist Greta **Gaard** concludes in 2014 that there if arctic leases are developed, there is a 75% chance of at least one large-scale oil spill. Importantly, Larry **West** of ThoughtCo explains in 2017 that oil from oil spills contaminates everything it touches, disrupting the food chain, which is why the Exxon oil spill resulted in the deaths of thousands of creatures.
- 8.

## **AT Investor Confidence**

1. Link turn – Stephen **Groves** of the Heritage Foundation finds in 2012 that if the US withdrew from the jurisdiction of the International Court of Justice in 1985; however, if US were to accede to the Law of the Sea, the dispute resolution process would expose

them to a flurry of climate change and environmental lawsuits. This would undermine investor confidence.

2. Tech transfers turn – Yao **Zhou** at the Journal of Science Policy and Governance finds in 2017 that firms transferring tech to developing countries leads to firms from developing countries gaining a competitive advantage - causing a free rider issue. Further, free riders deter investments and cause investors to make less of a profit, undermining incentives to invest in the Arctic.

### **AT Gas Prices – Link Turn**

1. Link turn – Steven **Groves** of the Heritage Foundation writes that ratifying UNCLOS will increase oil prices in the US because of excessive royalties and fees.

### **AT Econ**

#### **AT Energy Independence – Link Turn**

1. Non-unique – **Anderson** of Energy In Depth explains as of 2017 that the United States in the status quo is set to be energy-self sufficient in less than a decade.
2. Environment turn – arctic drilling trades off with sustainable development. **Stewart 12** of Greenpeace writes that if the United States doesn't begin drilling in the arctic, they will start developing fuel efficient vehicles to cut dependence on oil, if we expand drilling though, they will no longer need to, stopping development of fuel-efficient vehicles.

#### **AT Seepage**

The **San Diego Surfrider** just wrote an article specifically outlining how full of bullshit this Allen/SOS California card is. They explain that not only was SOS California funded by drilling companies, the scientist SOS California cites has gone on record twice because his citation has been misrepresented in the publication. Furthermore, the claims that seeps cause air pollution, affect water quality, cause beach tar, and are removed by water drilling are all unsubstantiated. In reality, seeps are completely harmless to marine animals.

#### **AT Alaska UBI**

## AT Russia

1. Non-unique -- Norway and Denmark are already making competing claims. Laura **Laursen** at Science writes in 2015 that “Norway has already tapped such data to back a successful 2009 continental shelf claim. Other new data are behind the competing Danish and Russian claims.”
2. Turn – Mark **Aendir** at the Naval Postgraduate School reports in 2012 that Russia explicitly refused to acknowledge territorial decisions by UNCLOS and would only accept bilateral negotiations outside the convention, meaning any diplomatic capital spent in multilateral talks is wasted.
3. No link – Russia follows UNCLOS rules, including spending time revising ECS claims for years. Ragnhild **Grønning** at High North News writes in 2016 that Russia is presenting their continental shelf claims in the Arctic to the UN, following UNCLOS, after more than ten years of complex geological research.
4. No impact -- Eric **Roston** from Bloomberg explains in 2017 that due to stable Russian Arctic diplomacy, Russia’s compliance with international law in the Arctic, and the Arctic Council not being able to negotiate military strategy, “The Arctic is a picture of stability enviable by many other parts of the world.”

### **AT Conflicting Claims**

Stephen **Groves** of the Heritage Foundation explains in 2014 that the US and Russia have no overlapping claims in the region.

## AT CHINA

Giant link turn – **Giarra** of The Diplomat explains in 2012 that China is distorting what UNCLOS means with its own interpretation of the convention which allows it to have complete military control over its EEZs. Thus, **Blumenthal** of AEI finds in 2012 that by signing onto UNCLOS now, the US would unintentionally sanction its behavior and disadvantageous interpretation of UNCLOS.

## No War

Timothy **Heath** from the National Interest writes in April of 2017 that despite some tensions between the US and China, they will never go to war for seven reasons.

1. China and the US are economically interdependent, as both countries view the other as a vital trade partner.
2. Trump and Chinese president Xi Jinping's recent summit displayed that both countries are determined to better US-Sino relations. Xi himself said there was not one reason to spoil the US-China relationship, but a thousand reasons to maintain good relations.
3. The military competition between China and the US operates at a far lower level of intensity than the relentless arms racing that typified the U.S.-Soviet standoff
4. Both militaries are not postured to fight each other in a major war.
5. Unlike the US and Soviet Union's bitter rivalry in the 1960's, neither China nor the US regards each other as its principal enemy.
6. Recent polls show that despite any possible tensions, polls show that people from both countries "regard each other with mixed views"—starkly different from the "hostile sentiment expressed by the US and Soviet publics for each other."
7. The recent summit between Trump and Chinese President Xi Jinping shows that they both have a common enemy: North Korea, and are ultimately committed to fighting that country first.

## AT Taiwan

No China-Taiwan War – Christina **Zhao**, US-China reporter for Newsweek, writes in April that China would not attack Taiwan for 3 reasons:

4. China does not and will not have the military capability to guarantee victory against Taiwan in the next 5 years. Thus, Zhao, internally citing Steve Tsang, director of the University of London's China Institute, finds that China would be unwilling to suffer the heavy losses associated with military conflict.
5. China is risk averse - Zhao explains that the Taiwan Relations Act of 1979 requires that the US must provide military aid to Taiwan and be willing to respond to Chinese threats. Thus, China would not be willing to launch an attack on Taiwan as long as any risk of US interference exists due to the TRA. Zhao cites a RAND Corporation study last year that predicts that US submarines alone could take out 40% of a Chinese invasion team, meaning that China stands almost no chance of success if the US gets involved.
6. Its hard to invade Taiwan - Zhao internally cites Christopher Hughes, professor of international relations at the London School of Economics, who explains that the island of Taiwan is built "like a natural fortress" and the defenses that Taiwan does possess are capable of inflicting substantial damage on any invaders, including the ability to quickly mobilize its 150,000 troop army anywhere on the island.

## AT SCS

1. Disad – Mark **Valencia** at the National Institute for South China Sea Studies finds in 2018 that China already sees increased US involvement in the South China Sea as a threat. Brian **Kalman** furthers in 2016 that more involvement and increased militarization could cause a miscalculation which would lead to war.
2. Link turn – Dan **Blumenthal** at the American Enterprise Institute explains in 2012 that the interests of the US are contrary to UNCLOS, and thus the US would not be able to comply. He continues that ratifying the treaty and then inevitably violating it enables countries such as China's noncompliance.
3. Turn – Trevor **Sutton** from National Interest finds in 2016 that ratifying UNCLOS would play into the suspensions of Chinese hardliners, fueling anti-american sentiment and increasing tensions. Unfortunately, **Carter** of USC finds in 2017 that whenever the CCP loses power, they turn to diversionary conflict, causing even more violence in order to win back popular support.

## **AT Regional War**

A regional war will never occur because Jonathan **Broder** at Newsweek writes in 2016 that despite regional countries resenting Beijing's bullying China is their largest trading partner and a major source of funding for infrastructure projects such as roads, railways and ports, which means that the probability of regional war breaking out is extremely low.

## **AT Tribunal**

1. **Fuchs and Sutton** at the National Interest write in 2016 that UNCLOS would not allow the US to enter into dispute resolution with China, as the US is only in the region to moderate conflict, not because it actually has competing territorial regimes. Moreover, the US seat on arbitration panels must be taken by an independent party who would not act simply for the good of the US, but even so you can turn it because a US seat on arbitration panels would only provide another channel for China's aggression towards the US and towards international law through the fact that international regimes are acting as vehicles for US interests.
2. No link – The South China Sea dispute is impossible to resolve through legal means. Dan **Blumenthal** of the Diplomat explains in 2012 that because the dispute is inherently tied to US-China power politics, neither side will allow a settlement to happen in court. Tom **Phillips** from the Guardian confirms in 2016 that empirically, when the tribunal rules against China, they simply ignore the ruling. The aff gives you no reason why having the US on the tribunal would change that.

## **AT Legitimacy**

China's ability to drive conflict in the South China Sea is not predicated on the US abstaining from UNCLOS. Indeed, according the **Fuchs and Sutton 16**, joining UNCLOS would not actually

change Beijing's behavior, they would simply have to find a new talking point to justify aggression, furthering that Beijing is dedicated to the decision that defending its sovereignty and strategic advantage in the South China Sea outweighs reputational damage as a result of ignoring international law and rulings.

**\*\*\*AT ECS**

## AT REGULATIONS

1. Even if the US accedes to UNCLOS without reservations, they can still violate the treaty. David **Koplow** from Georgetown University concludes in a 2013 review that the US elevates domestic law above International law, prompting them to consistently violate treaties.
2. The US can voluntarily decide to do all these things – there's no reason we have to accede to the treaty in order to solve this.

## **AT Environmental Regs**

Non-unique – **Hudzik** of Washington University in St. Louis explains in 2010 that the US already meets or exceeds every environmental standard in the Convention.

## AT Overfishing

1. Nonunique. NOAA Administrator Kathryn **Sullivan** states in 2016 that the US has and is ending many unsustainable fishing practices and that the country is already on track to “end overfishing for good.” Overfishing is declining in the status quo. **Daly** of US News confirms in 2013 that as a result of federal legislation to regulate overfishing, 43% of previously-overfished fish stocks are either completely restored or significantly on their way.
2. Impact defense. Economist Gareth **Morgan** explains in 2011 that data on overfishing is often flawed; sample sizes are small and the original states of fish populations are largely unknown.
3. Drilling link turn – **Bryson** at the Department of Commerce finds in 2012 that American companies have finally created the technology to drill in the Arctic, but they require absolute legal certainty to do so – acceding to UNCLOS gives them this legal guarantee and thus allows the US to expand into the Arctic. The impact is oil spills. **Langlois** of HCN to conclude in **2014** that there if arctic leases are developed, there is a 75% chance of at least one large-scale oil spill. Importantly, **West** of ThoughtCo explains in 2017 that oil from oil spills contaminates everything it touches, disrupting the food chain, which is why the Exxon oil spill resulted in the deaths of thousands of creatures.
4. AUVs link turn – David **Ridenour** at the Center for Public Policy Research explains in 2006 that implementing the Law of the Sea Treaty would decrease the effectiveness of US autonomous vehicles, as Article 20 requires AUVs to operate on the surface of the water. **Smale** at the Marine Biological Association Research Fellow finds in 2012 that AUVs are comparatively better than conventional methods of fisheries managements at collecting valuable data.

## AT Royalties Good

1. No link – according to the **International Seabed Authority** in 2009, royalties have “been dormant since the adoption of the Convention.” and “few [...] steps towards its implementation have been taken.”
2. Royalty money is minimal. Stewart **Patrick** from the Council on Foreign Relations explains in 2012 that because the UNCLOS mining provisions were negotiated with the interests of oil companies in mind, royalties are extremely minimal. William **Taft** at the State Department confirms in 2003 that the royalties only apply to oil drilled beyond 200 miles from the coast.
3. Non-unique: Aiding other nations is non-exclusive to royalties or revenue sharing. Curt **Tarnoff** for the Congressional Research Service writes in 2018 that in 2016, U.S. foreign assistance was \$49.47 billion, or 1.2% of total federal budget.
4. Turn – “royalties” go to corrupt dictatorships and state sponsors of terrorism. For example, as a treaty signatory and a member of the Authority's executive council, the government of Sudan—which has harbored terrorists and conducted a mass extermination campaign against its own people—would have as much say as the U.S. on issues to be decided by the Authority. Steven **Groves** of the Heritage Foundation confirms in 2011 that these royalties would go to dangerous places and regimes for two reasons.
  - a. The United States has no control over the recipients of the money.
  - b. UNCLOS doesn't mandate what the money's used for, which gives dictatorial regimes the ability to do whatever they want.
5. Turn – George **Mingay** in 2006 explains in the International Journal of Marine and Coastal Law that with the accession to UNCLOS and the requirement to pay such royalties, mining companies would develop the incentive to over develop resources in an inefficient manner to avoid paying high royalty shares.
6. Turn – **Briggs** of the Washington Post in late 2017 finds that poor countries that receive U.S. foreign aid only have the aid flowing to richer, more developed cities and regions rather than poor regions that are actually in need. **Perumal** of The Hindu furthers in 2018 that the rich receive three times as much aid as the poor do.

## **AT Veto**

No link – Doug **Bandow** at CATO writes in 2007 that the US would be guaranteed a seat on the ISA but not veto power, furthering that the ISA voting would occur in four chambers – all of which would have to vote no in order to “veto” an action.

## AT Tech Transfer Good

1. No link – Scott **Borgerson** at the Council on Foreign Relations explains in 2009 that even though UNCLOS encourages tech transfers, the convention was amended in 1994 to protect military technology from being transferred. US Admiral William **Schachte** confirms in 2007 that the amendment ensures there will be no mandatory tech transfers.
2. Security Turn – Sarah **Rode** explains in 2007 that these transfers would amount to handing over military secrets to countries that wish to harm us, compromising our superiority in business and military innovation.
3. Competitiveness Turn – Doug **Bandow** at the Heritage Foundation finds in 2005 that this clause of UNCLOS is utilized by nations and enterprises unwilling to pay the market price to take advantage of the system, harming US economic competitiveness. That's a link to our heg scenario, because Rudy **DeLeon** at the National Security Council explains in 2011 that increasing competitiveness is key to maintain US technological supremacy, the core of our military hegemony, as we need to attract the best researchers, but that a perception that the US economic is weak drives decreasing US soft power and deterrence effectiveness.
4. R&D Turn – **Sykes and Posner** at UChicago find in 2009 that either tech transfers take place at market prices, making the bureaucracy of the rule unnecessary, or tech transfers would be forced, causing private firms to underinvest in research and development as a result.

**\*\*\*AT Automated Shipping**

## AT FONOPS

1. Non-unique – International Court of Justice rulings allow free navigation. Donald **Rothwell** of Real Clear Defense writes in 2017 that the International Court of Justice already affirmed that the right of innocent passage applied in the territorial sea to all ships, including warships, meaning that UNCLOS doesn't provide any unique impact.
2. US not key – Doug **Bandow** at Cato explains in 2005, Asian and European nations have incentives to preserve freedom of navigation even absent the US, to keep trade stable and avoid international backlash that exist even absent US participation in UNCLOS.
3. Freedom of navigation will inevitably be preserved, as James **Carafano** at Heritage explains in 2014 that the US has freedom of navigation not because of treaties, which have failed in the past, but because of pure naval hard power, which proves freedom of navigation is durable even absent UNCLOS.

## **AT Northwest Passage**

This won't happen for several decades. Dmitry **Yumashev** from the Cambridge Center for Climate Change explains in 2017 that it will be more than 30 years before arctic shipping lanes are utilized on a large scale because the shipping infrastructure to make it profitable doesn't exist.

## AT Strait of Hormuz

1. Matthew **Ivey** from the Diplomat writes in 2015 that the US can pass through the strait while not traversing Iranian waters. Ivey furthers that without being in UNCLOS, the US can simply pass through internationally recognized Omani territory and fully access the water passageway, as other non-UNCLOS countries have done in the past.
2. Ivey furthers that the closing of the strait is short-term, and that the US could always just go in the strait because that is an international right and if they get attacked for going in the strait, they are protected under international law to fire warning shots in self defense.
3. Bradley **Russell** at the Wall Street Journal explains in July that Iran will never close the strait, as it would damage its own already shaky economy because Iran relies on the strait to deliver oil exports to China and other customers.
4. Either Iran
  - a. abides by UNCLOS, which they have signed, in which case Faramarz **Davar** from Global Research writes this August that Iran fundamentally can't close or suspend access to the strait because it's illegal under international laws and conventions, or
  - b. doesn't follow international law, in which case, they close the strait whenever they want and UNCLOS has nothing to do with that.

### **\*\*\*AT SCS**

Turn – freedom of navigation heightens SCS tensions as Mark J **Valencia** reported in 2017 that the Chinese military would bolster its efforts in the waters, including “an increase in the intensity of air and sea patrols” in response to US exercises.

## AT Piracy

1. Nato solves. Christian **Bueger** from Cardiff University explains in 2016 that NATO has empirically been the best actor in counter piracy efforts and has already been extremely successful through operation ocean shield.
2. Piracy is exaggerated. David **Mugridge** from the National notes in 2013 that empirically, piracy threats are greatly exaggerated by the media and rarely have the breadth or impact that is often reported.
3. The **US Bureau of Political-Military Affairs** released a report in 2017 that the US has already joined nearly a dozen counter piracy coalitions through the UN security council.

### **Impact Turn**

1. Piracy stimulates the economy. Brandon **Scott**, IR expert at 361 Security, writes in 2016 that as piracy increased, so did the wealth transfer that moved millions of dollars from ransom payers to the pirates. This wealth goes into the local economy stimulating micro economies along the coast. Two impacts
  - a. Job Creation. Scott continues that 10,000 to 15,000 people are employed by the pirates indirectly in related industries such as boat repair, security, and food provision.
  - b. Wage Increase. Pirates make \$30,000 on average, which is 54 times the country's average annual salary of about \$550. In one particular village, "the daily wage increased from 40,000 Somali shillings in 2005 to 120,000 in 2011."
2. Pirates bring visibility to failing countries and are the cause of aid. Look again to Scott who explains that "the peak years of Somali piracy coincided with the beginning of an integrated, international intervention [of food aid] by the global community." He furthers that Somali Piracy managed to affect the entire global economy and alter international foreign policy for the better.

# AT MISC

## AT Internet Cables

1. No link – **Davenport** of Yale Law School explains in 2015 that UNCLOS fails to protect cables for four key reasons.
  - a. Many countries haven't updated their laws since the 1884 Cable convention which means we aren't protected by UNCLOS in those regions.
  - b. Article 113 only allows countries to prosecute cable cutters in their EEZ if the perpetrator is a citizen.
  - c. UNCLOS doesn't allow countries to intervene with vessels that are suspected of cutting cables meaning we can't catch them until the cables are already cut.
  - d. UNCLOS only provides protections if the cable is on a seabed meaning countries can just attack our cable landing sites.
2. Turn – the restrictive measures of UNCLOS reduces protection of cables. Paolo **Vargiu** and Fiammetta **Borgia** of the University of Leicester School write in 2013 that a multitude of other UNCLOS provisions such as environmental standards, EEZs, and sovereignty would make nations' abilities to actually protect cables significantly more complex.
3. No link – Empirically, countries that have ratified UNCLOS still have undersea cables cut. Lixian **Hantover** of the Coastal Law Journal writes in 2016 that countries such as Egypt, the United Arab Emirates, Vietnam, Philippines, and the Maldives have all had undersea cables cut despite being members of UNCLOS.
4. The root cause is terrorism. Hantover continues that the cables' public location and inherent fragility render them "incredibly vulnerable to intentional attacks--" this is what happened in the Philippines.
5. No impact – as a result of the way cables are designed to reroute themselves, Louis **Matsakis** at Wired in 2018 writes that every single cable from the US would need to be cut to disconnect it from the rest of the world.
6. Their impacts should have already materialized. The US hasn't been part of UNCLOS for decades now, and we've had internet cables for even longer. These cables should have already been destroyed if UNCLOS was preventing them from being repaired.
7. No impact – Patrick **Kiger** of the Pittsburgh Press writes in 2018 that because internet cables are so interconnected, even if cables between America and Europe were cut, the US could still communicate with Europe by going through Asia.

## AT PSI

1. Non-unique – Michael **Valencia** from the Arms Control Association explains in 2006 that the United States has already negotiated with countries to board their ships suspected of carrying nuclear materials.
2. The PSI doesn't work that well. **Valencia** continues that the PSI is not that effective in the first place because it lacks transparency, is politically divisive, impedes legal trade, and dilutes other non-proliferation efforts.
3. Massive interdictions link turn – Thomas **Jacobson** at the International Diplomacy and Public Policy Center explains in 2011 that Article 38 of UNCLOS proclaims that the US cannot interdict enemy and terrorist ships. Because of this, Joseph **Klein** explains in 2007 that UNCLOS only allows interdiction of another vessel in very limited circumstances, which do not include suspicion of transport of nuclear or biological weapons materials for a terrorist attack or non-state actors suspected of proliferating.

## **AT Indonesia**

**Wolf** of RAND explains in 2008 that in addition to questions of legality, Indonesia is staunchly opposed to PSI because it is extremely committed to being anti-American and independent. That motivation is not resolved in an affirmative world, meaning Indonesia still won't join.

## **AT Maritime Research**

1. No link – UNCLOS does not discriminate between signatories and non-signatories when it comes to permitting research. Look to **Pavliha** and **Gutiérrez** of the Coastal Law Review in 2010 that all states' marine research is subject to the rights and duties of other states. To the extent that there are restrictions on marine scientific research, they apply regardless of whether or not the researching country is a signatory.
2. Link turn – At the point where UNCLOS gives countries the right to restrict marine research even to signatories, the only difference between the AFF and NEG worlds with regards to research is that the US would be able to restrict other countries from researching in its waters. The AFF is the only side that puts any restrictions on research, turning their argument.

### **AT: Assumed Intent:**

Non-unique – assumed intent exists regardless of if the US is a part of UNCLOS. Article 243 states that assumed intent depends on if the country where the research is happening in is a part of UNCLOS, not the US. This means that right now US scientists can start researching in other countries after four months of no reply as long as the application is made to a country within UNCLOS.

## AT Multilat

1. No link – Dan **Blumenthal** at the American Enterprise Institute explains in 2012 that the interests of the US are contrary to UNCLOS, and thus the US would not be able to comply. He continues that ratifying the treaty and then inevitably violating it breaks down multilateralism.
2. US multilateralism fails because of Trump – **Pisani** of Project Syndicate writes in June that President Trump is pulling out of every major agreement he can, destroying any hope for multilateralism. And this goes far beyond one man: it is indicative of a US shift away from multilateralism overall.
3. Multilat doesn't work. Kevin **Young**, Assistant Professor in the University of Massachusetts Amherst's Department of Political Science writes in 2013, that increased global cooperation, the effectiveness of multilateralism has not kept pace. With a greater plurality of voices at the negotiation table, cooperation becomes more difficult.

## AT Space

1. Link turn – Dan **Blumenthal** at the American Enterprise Institute explains in 2012 that the interests of the US are contrary to UNCLOS, and thus the US would not be able to comply. He continues that ratifying the treaty and then inevitably violating it breaks down multilateralism.
2. No link – **The United Nations Office for Outer Space Affairs** explains that there is already a treaty signed by the US called the The Outer Space Treaty, ratified in 1967 that says that “outer space is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means”.

## **AT UNCLOS Collapse**

James **Harrison** at the University of Warwick writes in 2008 that accession to the Law of the Sea Convention does not signify the end of the law-making process, meaning the law can continue to evolve without breaking down completely. He continues, describing UNCLOS III, that treaties of this nature do not remain static, and will experience inevitable growth and decay.



### **\*\*\*AT Offshore Wind**

1. Non-unique – companies are building turbines in the status quo. John **Chesto** of Boston Globe reports in 2018 that Vineyard Wind is set to start construction on a 100-turbine farm in the EEZ off the coast of Rhode Island by next year. He furthers that a second project called Deepwater Revolution Wind is also close to obtaining permits to build an offshore wind farm. This shows that companies can still construct offshore wind turbines regardless of UNCLOS.
2. Non-unique – Robin Kundis **Craig** at the University of Utah writes in 2017 that federal leasing for offshore wind has been increasing every year since 2013. She continues that in 2017, the US government leased 122,405 acres 24 nautical miles offshore to Kitty Hawk.