

NEG BLOCKS

Resolved: The United States should accede to the United Nations Convention on the Law of the Sea without reservations.



NEG BLOCKS	1
Resolved: The United States should accede to the United Nations Convention on the Law of the Sea without reservations.	1
R/T Arctic Drilling	5
R/T Energy Independence	13
Climate Change DA	16
Extras	19
Arctic drilling causes release of natural gas	19
R/T Arctic Conflict	20
Defense	20
There is already a framework in place meant to manage disputes	20
No risk of conflict in the Arctic for a number of reasons	21
R/T Drilling Link	21
B. Prices will also never rise significantly because of OPEC. Their target price is only \$70-80 a barrel	22
R/T Shipping	26
The ships won't go	26
R/T Environmental Lawsuits	27
R/T FONOPS	28
R/T Royalties	28
Defense	28
Offense	30
R/T EEZ	33
R/T Deep Seabed Mining Good	33
R/T Offshore Windmills	35
R/T Piracy	36
R/T PSI	37
Defense	37
R/T Nuclear Terrorism Generic	38
R/T Terrorists Make Nukes	42
R/T States Give Terrorists Nukes	43
States would have to be dumb to do this	44
R/T Terrorists Steal Nukes	44

REMs Bad	48
R/T China Losing Reserves	51
China's reserves won't run out anytime soon (need a better card b/c this says there will be price disruptions)	51
R/T Independence From China	51
China produces REMs more cheaply than other countries, but other states can still produce them, meaning that China doesn't control the supply	51
There is no national security rationale for producing our own REMs	53
R/T ISA Can Regulate	53
The ISA is a tiny organization, and its regulatory body acts in secret with little accountability	53
R/T SCS	54
R/T ADIZ	56
R/T Multilateralism	57
R/T Tribunal	58
R/T Impact – Strait of Malacca	58
The impact of a strait closure is negligible	58
R/T Impact – US Starts War	59
R/T Trade	59
R/T Undersea Cables	59
R/T UNCLOS Renegotiation	60
Renegotiation would increase uncertainty. Hong 12 at the National Institute for South China Sea Studies explains: Renegotiation of the Convention in all probability would be a time-consuming process. Such a process would certainly have a negative impact on international cooperation in the management of ocean space as it is bound to lead to uncertainty and conflict over the applicable legal regimes.	60
A2 GMP	61
AT: Tech Transfers	63
A2: FONOPS increase tensions with China	63
EXTENSIONS	64
A2 Arctic Drilling	64
Just a couple reasons why drilling is unlikely	64

R/T Arctic Drilling

Defense

1. Never going to occur - Schneider '18 explains that it would take at least 20 years for oil drilling to occur in the Arctic or any areas of the outer continental shelf. However, by that time, demand for oil will be well past its peak and dropping due to other green tech initiatives.

Keith Schneider, 1-5-2018, "Trump has big plans for offshore oil development. But will it ever happen?," latimes, <http://www.latimes.com/nation/la-na-offshore-oil-drilling-20180105-story.html>

Energy analysts also say **it will take at least 10 years for a new well to begin producing in the Gulf, and twice that anywhere else on the outer continental shelf.** **By that time,** according to industry forecasts, **demand for oil will be well past its peak and dropping due to the advent of electric vehicles, more efficient engines for planes and ships and new materials that are not made with oil or natural gas.**

2. Non-unique: Russia is already going hard in the Arctic. Slav 18 reports: Gazprom, Russia's signature oil company, has big plans for its Arctic oil operations, planning to produce 110,000 barrels per day.

Slav 18 Irina Slav, 7-12-2018, "Russia Bets Big On Arctic Oil," OilPrice, <https://oilprice.com/Energy/General/Russia-Bets-Big-On-Arctic-Oil.html> //DF

Gazprom Neft, Russia's fourth largest oil producer, **has big plans for its Arctic oil operations, and it seems that neither sanctions nor production cuts can force it to quit its presence there.** In fact, the oil division of Gazprom will try to turn itself into what its head of strategy and innovations called "a benchmark," but not in terms of production. Gazprom Neft wants to become a benchmark in areas such as safety and efficiency, and most notably technology. Arctic drilling was one of the top targets of U.S. sanctions that banned U.S. oil companies—and their European peers—from sharing technological know-how with Russian producers. This may have slowed down the progress of Gazprom Neft and others in the Arctic, but it did not put an end to it. Not that it could: **Russia's energy industry has been working on Arctic exploration for much longer than the four years since the annexation of Crimea,** which became the grounds for the sanctions. Gazprom Neft launched its first Arctic field, Prirazlomnoye, at the end of 2013, and first oil, and the new blend, ARCO, from Arctic Oil, reached markets the following year. Since then, **more than 10 million barrels have been shipped from the field.** Recoverable reserves at Prirazlomnoye are estimated at 540 million barrels of crude, and the peak of production is set to be reached in 2020, at **110,000 barrels per day. The Arctic as a whole is top priority for Gazprom Neft:** in 2016, two new projects got the go-ahead there. Messoyakha, which is the northernmost onshore oil field in Russia to date, is estimated to hold 470 million tons of oil and condensate. Novoportovskoye, or Novy Port, field holds an estimated 250 million tons of oil and condensate.

Companies will go in inevitability

Critchlow 14 Andrew Critchlow, Business News Editor, 9-7-2014, "Arctic drilling is inevitable: if we don't find oil in the ice, then Russia will," Telegraph.co.uk,

<https://www.telegraph.co.uk/finance/newsbysector/energy/11080635/Arctic-drilling-is-inevitable-if-we-dont-find-oil-in-the-ice-then-Russia-will.html> //DF

Forget the North Sea and the Middle East, it is the frozen oceans of the Arctic which are the next great frontier that big oil companies plan to exploit over the coming 15 years. The Arctic region, which crosses several national boundaries including Russia, Alaska, Norway and Greenland, is thought by energy consultants Wood Mackenzie to hold an estimated 166bn barrels of oil equivalent in terms of reserves. That's more petroleum and gas than Iran holds and enough to meet the world's entire annual consumption of crude oil for five years at current rates. **“There aren't that many places left on the planet that are on the kind of scale as the Arctic in terms of possible resources for the oil companies to go at,”** Andrew Latham, vice-president of exploration services at Wood Mackenzie told The Daily Telegraph. “The reason they are interested is that it has the potential to work on a very large scale.” Despite the significant environmental concerns surrounding oil companies drilling offshore in the Arctic, **demand for energy and the scarcity of similar opportunities elsewhere oil companies are increasingly prepared to take the risk accessing the region. One of the world's last remaining great frontiers, the Arctic is expected to play a major role in supplying the world's future energy needs by 2030** and if the West fails to tap these riches quickly, then Russia will have no such reservations. As the race for Arctic oil heats up, President Vladimir Putin dispatched warships last week to reopen frozen bases that could be used as a springboard for Russian drillers, while also allowing the Kremlin to control the new Northern Sea Route that has opened up because of the melting ice. The state-owned Russian energy giant, Rosneft, is already working in the Barents Sea.

2. De-link: US oil companies won't drill. Companies are just less interested in drilling. Puko 18 reports that companies have cut their exploration budgets by more than half since 2014. This interest won't recover for a couple reasons

Puko 17 Timothy Puko, 12-2-2017, "For Oil Drillers, Glut Damps the Excitement as Arctic Opens Up," WSJ,

<https://www.wsj.com/articles/oil-glut-makes-alaska-reserves-less-attractive-to-drillers-151376580>
1 //DF

Yet many investors and analysts expect only tepid interest if Congress and the Trump administration follow through on plans to lease out what some think are the biggest untapped oil fields left in the U.S. Though promising, the lands up for consideration in offshore ocean waters and the Alaskan Arctic haven't been the sort to attract companies in recent years. “We have long supported access. I can't guarantee any companies will show up,” said Kara Moriarty, leader of the Alaska Oil and Gas Association, one of a number of advocacy groups and oil companies that have pushed for the changes. “It is the government's responsibility to offer the lease sale and let the market decide if there is interest.” The industry is still recovering from a world-wide glut that has slashed prices since 2014 as scientific advances caused U.S. output to skyrocket. **With so much oil available, companies cut their exploration budgets by more than half in the years since, to \$40 billion from a 2014 peak of \$95 billion,** according to the energy consultancy Wood Mackenzie. It is at a **record low share of their investment budgets, just 8%**. That trend is likely to undermine any lease sale the government holds, especially for more remote or environmentally-sensitive areas like Alaska and offshore fields. The costs and risks there are high, so oil companies are drilling more in Texas and other parts of the contiguous U.S. even as they keep pulling rigs from Alaska and offshore sites.

- a. **At current oil prices, drilling in remote frontier areas of the Alaskan Arctic is not economically viable. According to financial analysts who follow the energy industry, the average oil price at which drilling projects in the Arctic can break even is really high, \$78 per barrel. Companies will just drill elsewhere. According to Tabuchi 18 at the New York Times: two-thirds of the nation's oil reserves that companies can hope to drill for while still turning a profit lie in seas already open to drilling.**
- b. **offshore Arctic drilling may not produce substantial new reserves for decades - when onshore shale deposits may start to wane**
- c. **While Trump favors drilling, a new administration with views more in line with Obama's could again change offshore policy down the road.**

Tabuchi 18 Hiroko Tabuchi, 1-23-2018, "Trump Would Open Nearly All U.S. Waters to Drilling. But Will They Drill?," NYT,

<https://www.nytimes.com/interactive/2018/01/23/climate/trump-offshore-oil-drilling.html> //DF

The Bureau of Ocean Energy Management, which manages offshore leasing, estimates that the areas opened up to drilling under Mr. Trump's plan hold nearly 45 billion barrels of oil, of which 21 billion barrels would be economically recoverable assuming oil prices remain around \$60 a barrel. (To put that in perspective, since 1970, the western and central zones of the Gulf have yielded about 14.5 billion barrels of oil.) While those are large amounts, **there are significant oil reserves still to be found in the western and central Gulf, which are already open to drilling**. There, some 45 billion barrels of oil reserves are up for grabs, of which 37 billion barrels could be produced economically at current oil prices. Stated another way: Almost **two-thirds of the nation's oil reserves that companies can hope to drill for while still turning a profit lie in seas already open to drilling**. Meanwhile, there's little recoverable oil and gas in the South Atlantic or the Straits of Florida, or off the Washington and Oregon coast, or off Alaska outside the north shore. **The abundance of cheap oil and gas from onshore fracking in the United States has already diminished the incentive for companies to go drill in new offshore zones**. Given the risks and costs of building wells in seas that have seen little development to date, not to mention the possibility that **a new administration could again change offshore policy down the road, analysts don't expect a rush into newly opened waters soon**.

Ashley 17 Matt Lee-Ashley, 11-13-2017, "The Energy Case Against Drilling in the Arctic National Wildlife Refuge," Center for American Progress,

<https://www.americanprogress.org/issues/green/news/2017/11/13/442603/energy-case-drilling-arctic-national-wildlife-refuge/> //DF

At current oil prices, drilling in remote frontier areas of the Alaskan Arctic is not economically viable According to financial analysts who follow the energy industry, the average oil price at which drilling projects in the Arctic can break even is significantly higher—\$78 per barrel, according to one estimate—than the current average oil price of \$57 per barrel. According to a Goldman Sachs analyst, "We think **there is almost no rationale for Arctic exploration ... Immensely complex, expensive projects like the Arctic** we think **can move too high on the cost curve to be economically doable**." Companies must also factor in the inevitable high legal costs that will be associated with attempting to drill in a national wildlife refuge.

Panos Mourdoukoutas, 7-1-2018, "Saudi Arabia Back In Control Of Oil Prices," Forbes, <https://www.forbes.com/sites/panosmourdoukoutas/2018/07/01/saudi-arabia-back-in-control-of-oil-prices/#6848a5bd7746> //DF

That's the impression one would get by listening to Saudi Arabia's new oil minister back then. He was talking oil markets up one day, down the next day, and up the day after. That kind of talk is part of a broader game Saudi Arabia played to master the oil market. It's a game that started back in the 1970s when the Kingdom succeeded America as the world's largest oil producer. And it played it in different ways. Sometimes as a "swing" producer, satisfying occasional gaps opened up by production shortfalls by major oil producers to stabilize the oil prices. That's what happened in the 1970s. The Kingdom filled the gap created by the decline in US oil production; the 1978-80 gaps created by the Iranian revolution; and the 1990-1 gaps opened up by the Iraq-Kuwait war. Other times, Saudi Arabia played the game as a warrior, using oil as a weapon against countries that opposed its Middle East policies. Like in the 1973-74 oil embargo, which was an attempt to punish those countries that sided with Israel, including its own "friend" the US. In 2015-16, Saudi Arabia played the game of ruthless competitor by refusing to cut oil production and fill in a glut in the oil market caused by weak oil demand and a larger production by the rise of American frackers and the return of Iran to the oil market. But there is a big difference this time around. America, not Saudi Arabia, is the world's largest oil producer. This means that unless Saudi Arabia manages to drive every single American fracker off the oil market, it can no longer effectively play any of these three games and drive oil prices higher ahead of the Aramco IPO.

Gardner 15 Timothy Gardner, 5-12-2015, "Here's Why Obama Is Approving Arctic Drilling Again," Scientific American

<https://www.scientificamerican.com/article/here-s-why-obama-is-approving-arctic-drilling-again/> //DF

While oil prices have fallen by more than half since last summer, **offshore Arctic drilling may not produce substantial new reserves for decades - when onshore shale deposits may start to wane**. The fracking revolution in North Dakota and Texas has led to the highest U.S. oil output since the early 1970s, but nobody knows how long shale will continue to produce at high rates. **"The trick of Arctic energy development is that the time horizons are extraordinary long, some 10 to 30 years from when companies start these complex deals to even seeing when those resources would get to market,"** said Heather Conley, an analyst at the Center for Strategic and International Studies. Shell will conduct tests to see how much oil and gas are in the Chukchi and Beaufort Seas. The Arctic is estimated to contain about 20 percent of the world's undiscovered oil and gas, 34 million barrels of oil in U.S. waters alone. Only Russia has bigger deposits. The National Petroleum Council, a group led by oil companies that advises the Energy Department, said in an assessment of Arctic potential last week that the region will boost U.S. energy security.

Obama's ban on arctic drilling was designed to be Trump proof, but Trump's new plans in the Arctic would overturn the ban.

Tom Dichristopher, 1-4-2018, "Trump aims to open nearly all federal waters to offshore drilling in biggest lease sale ever," CNBC,

<https://www.cnn.com/2018/01/04/trump-aims-to-open-arctic-pacific-and-atlantic-to-offshore-drilling-in-ambitious-new-plan.html> //AM

The Trump Interior Department announced Thursday plans to offer blocks in the Arctic, Atlantic and Pacific oceans for oil and gas exploration in an ambitious new five-year offshore lease plan. Interior Secretary Ryan Zinke said the draft proposal for offshore leasing between 2019 and 2024 would offer for about 90 percent of the U.S. outer continental shelf, the largest lease sale ever. The only area that will not be included is the North Aleutian Basin in Alaska. The plan would open the door for drilling in areas far beyond the U.S. epicenter of offshore drilling in the central and western Gulf of Mexico, giving oil and gas companies the opportunity to explore areas left out of leases for decades. But the move also sets up a battle with environmental groups and coastal governors opposed to drilling off the shores of states from California to North Carolina. Additionally, it comes at a time when oil prices are on the rise, but stuck in a range that makes multibillion-dollar projects in new offshore areas unattractive for many drillers. It would also overturn indefinite bans on drilling in much of the Arctic Ocean and parts of the Atlantic announced during the final days of the Obama administration, potentially sparking a court battle over executive authority.

The administration's expansive lease schedule was widely anticipated. In April, **Trump** signed the America First Offshore Energy Executive Order instructing Zinke to revise the current five-year schedule for leasing blocks of the U.S. outer continental shelf, the waters off the U.S. shore that the federal government governs. At the time, he **explicitly said it reversed the Obama administration's ban on Arctic leases.**

Three responses. First, **Non-Unique.**

1. The Obama ban. **Juhasz** at Rolling Stone writes that in 2016 Obama banned all offshore oil and gas drilling from virtually the entire U.S. Arctic, under the Outer Continental Shelf Lands Act. The bans are indefinite and designed to be permanent and Trump-proof. UNCLOS has no effect on this whatsoever. **Shankman** 17 writes that though there is no direct legal precedent for challenging a withdrawal under OCSLA, there are parallels with the Antiquities Act, and the legal precedent there bears paying attention to. The Antiquities Act allows presidents to create national parks and monuments. Similar to OCSLA, the Antiquities Act grants a president the authority to act in a certain way—to designate parks and monuments—but does not explicitly grant the authority to undo or alter past designations. In 1938, President Franklin Roosevelt tried to take away the special designation of Castle-Pinckney National Monument in South Carolina, which had been designated by President Calvin Coolidge under the Antiquities Act in 1924. Roosevelt did not have the authority to change the monument's status. Even if we accede to UNCLOS we still won't be able to drill. Trump isn't going to be able to overturn the ban.

Even if you don't buy that, there is **no link**.

2. UNCLOS has nothing to do with why companies aren't drilling in the status quo. Jody **Freeman**, director of the environmental law program at Harvard Law School and a former Obama climate adviser, furthers this in the New York Times in 2018, explaining that In the Arctic in particular, low oil prices and the decision by Royal Dutch Shell to give up all but one of its federal oil leases indicate drilling is not on the near horizon. The oil industry is unlikely to rush headlong into new areas where there isn't existing infrastructure, and they have no need to. **Tabuchi** 18 at the New York Times writes that there are significant oil reserves still to be found in the western and central Gulf, which is already open to drilling. Additionally, the abundance of cheap oil and gas from onshore fracking in the United States has already diminished the incentive for companies to drill in new offshore zones.

Additionally, the **timeframe** just doesn't add up.

3. **Schneider** 18 explains that it would take at least 20 years for oil drilling to occur in the Arctic or any areas of the ECS. However, by that time, demand for oil will be well past its peak and dropping due to green tech initiatives.

Obama drilling ban

Antonia Juhasz, 12-21-2016, "Obama Enacts Offshore Drilling Ban Designed to Be Trump-Proof," Rolling Stone,

<https://www.rollingstone.com/politics/politics-features/obama-enacts-offshore-drilling-ban-designed-to-be-trump-proof-117420//EH>

In a historic move taken a month to the day before he hands over the White House to one of the most fossil-fueled administrations in U.S. history, President Obama answered the call of Native Alaskans, coastal residents and climate activists demanding offshore drilling bans, and stuck it to Donald Trump. **Obama banned all future offshore oil and gas drilling from** nearly 120 million acres of land in the Atlantic and Arctic oceans. The bans include a series of underwater canyons along the Atlantic stretching from Massachusetts to Virginia, and **virtually all of the U.S. Arctic**, including the entire U.S. Chukchi Sea and all but about two percent of the U.S. Beaufort Sea. In a joint announcement with the White House, Canadian Prime Minister Justin Trudeau simultaneously designated all Arctic Canadian waters off-limits to drilling. The bans come as concerns rise that due to Trump's nomination of Exxon Mobil CEO Rex Tillerson as secretary of state, the company will soon begin exploring for oil in the Russian Arctic. "Holy muskrat, it's good news!" says 69-year-old Native Inupiat Doreen Simmonds, a local leader against drilling in her home community of Barrow, Alaska, on the edge of the Chukchi Sea. "They talk about 'responsible drilling' – that's a lot of anaq [shit]. They always make mistakes. If there was a spill up here in our ice? It would be the end of our water, our land. ... What would be left for my great-grand-kids?" It was Shell's operations in the Chukchi Sea that set off protests in Seattle and elsewhere last year, pitting "kayaktavists" against Obama. Though the Canadian ban will be reviewed every five years, President **Obama's bans are indefinite and designed to be permanent**, akin to the designation of a national monument. This is likely to make the bans **[and] Trump-proof. Unlike an executive order, which can be undone easily by another president, "never in history has a president undone a permanent oil and gas withdrawal of another president,"** says Niel Lawrence, Alaska director and senior attorney at the Natural Resources Defense Council. The incoming Congress and administration will surely try, as Alaska's Republican senator, Lisa Murkowski, told Alaska Dispatch News Tuesday. But the fight will be a long one. "I am confident that [the ban] will stand up in court," Lawrence says. Presidential bans on offshore oil drilling have a long history and are granted through the 1953 Outer Continental Shelf Lands Act, which states, "The President of the United States may, from time to time, withdraw from disposition any of the unleased lands of the outer Continental Shelf."

Keith Schneider, 1-5-2018, "Trump has big plans for offshore oil development. But will it ever happen?," LA Times, <http://www.latimes.com/nation/la-na-offshore-oil-drilling-20180105-story.html>

Energy analysts also say **it will take at least 10 years for a new well to begin producing in the Gulf, and twice that anywhere else on the outer continental shelf. By that time,** according to industry forecasts, **demand for oil will be well past its peak and dropping due to the advent of electric vehicles, more efficient engines for planes and ships and new materials that are not made with oil or natural gas.**

Tabuchi 18 Hiroko Tabuchi, 1-23-2018, "Trump Would Open Nearly All U.S. Waters to Drilling. But Will They Drill?," NYT, <https://www.nytimes.com/interactive/2018/01/23/climate/trump-offshore-oil-drilling.html> //DF

The Bureau of Ocean Energy Management, which manages offshore leasing, estimates that the areas opened up to drilling under Mr. Trump's plan hold nearly 45 billion barrels of oil, of which 21 billion barrels would be economically recoverable assuming oil prices remain around \$60 a barrel. (To put that in perspective, since 1970, the western and central zones of the Gulf have yielded about 14.5 billion barrels of oil.) While those are large amounts, **there are significant oil reserves still to be found in the western and central Gulf, which are already open to drilling.** There, some 45 billion barrels of oil reserves are up for grabs, of which 37 billion barrels could be produced economically at current oil prices. Stated another way: Almost **two-thirds of the nation's oil reserves that companies can hope to drill for while still turning a profit lie in seas already open to drilling.** Meanwhile, there's little recoverable oil and gas in the South Atlantic or the Straits of Florida, or off the Washington and Oregon coast, or off Alaska outside the north shore. **The abundance of cheap oil and gas from onshore fracking in the United States has already diminished the incentive for companies to go drill in new offshore zones.** Given the risks and costs of building wells in seas that have seen little development to date, not to mention the possibility that **a new administration could again change offshore policy down the road, analysts don't expect a rush into newly opened waters soon.**

Ken Silverstein, 9-17-2017, "Trump's Actions To Allow Drilling In The Arctic Trigger A Seismic Fight," Forbes,

<https://www.forbes.com/sites/kensilverstein/2017/09/17/trumps-actions-to-allow-drilling-in-the-arctic-triggers-a-seismic-fight/#4dc06f436dcb> //AM

The Trump administration is now setting its sights on new exploration in the Arctic National Wildlife Refuge that has long been the political epicenter for where environmentalists and industrialists have squared off. But the latest move will undoubtedly spawn legal and political tactics to prevent development there. **At issue now is now is whether oil and gas interests can first perform seismic studies to determine just how much of those resources lay in the waters off of the Alaskan coastline. And if they are legally allowed to do so, the discussion would then turn to whether they could actually drill in those areas** where sensitive wildlife exists. **If developers would get to that point, they would probably hold off given that that price of oil at roughly \$50 a barrel and natural gas at \$3.00 per million Btus is too low and that the economics would not make the endeavor worthwhile.** "You are directed to prepared an environmental assessment and a proposed rule to update these regulations," Acting Director for the U.S. Fish and Wildlife Service's Alaska region James Kurth said in a August 11 memo, obtained by the Washington Post on Friday. "When finalized the new regulation will allow for applicants to submit requests for approval of new exploration plans." The U.S.-controlled portion of the Arctic is believed to hold 27 billion barrels of oil and 132 trillion cubic feet of natural gas. The Minerals Management Service has said that altogether, 86 billion barrels of recoverable oil and 420 trillion cubic feet of recoverable natural gas lies within the U.S. areas of the Gulf of Mexico, Arctic Ocean and Atlantic Ocean. President Obama in January 2015 designated portions of the Beaufort and Chukchi Seas in the Arctic off limits from consideration for future oil and gas leasing to protect the area's sensitive environmental resources. He then said that he would review the policy. Initially, he placed a five-year ban there but in December 2016, he indefinitely extended the time period. "This is a really big deal," Niel Lawrence, Alaska director of the Natural Resources Defense Council told the New York Times, referring to the move to permit seismic testing "This is a frontal attack in an ideological battle. The Arctic is the holy grail." Defenders of Wildlife agrees, telling the paper that the move "reckless and irresponsible." **Previously, Royal Dutch Shell spent more than \$7 billion in the Arctic. But it withdrew in 2015. Conditions there are harsh, which not only increases the financial risks but it also raises the environmental risks if something goes wrong.** Now, ConocoPhillips told the Washington Post that it would be interested in Alaskan exploration but that such opportunities would be balanced against its available resources and other competing economic interests. "Nearly a quarter of the unexploited oil and gas likely lies in that area," says Vikram Rao, executive director of Research Triangle Energy Consortium, in an earlier conversation with this writer. And **if you believe that oil prices will go higher, he just said, then it would be a good bet. If not, it remains a risk. Legally, the debate over whether to lift the ban on drilling in the Arctic region centers on the reading of the 1953 Outer Continental Shelves Land Act.** The same moratorium also applies to waters off the Atlantic from Maine to Virginia. As we have established, the first step is whether to allow seismic studies, which **both the Obama and Clinton administration said is unlawful because of the disturbances created by the underwater reverberations. The Trump administration, however, disagrees with that — a fight that will wind up getting litigated. Politically, drilling in the nearly 20 million acre Arctic refuge remains a huge battle.** Congress could act and give producers access. But it generally pits the Republicans against the Democrats, who have either been in the majority and voted against such efforts or who have had enough 'no' votes to block passage and to maintain a filibuster-proof coalition. Now, though, Republicans control both the Legislative and Executive branches of government, although the Democrats could certainly try to block any votes in the U.S. Senate. But President Trump had issued an executive order to implement the so-called "American First

Offshore Energy Strategy.” In it, he tells his Interior Department to begin the process of lifting the Obama-era bans. To that end, Interior Secretary Ryan Zinke has reduced the prices that drillers must pay the federal government for offshore drilling leases, all designed to increase production. But about 80% of all oil exploration occurs on private lands while 84% of all natural gas development happens there, notes the Congressional Research Service. “The federal submerged lands of the Beaufort Sea are known to have great oil and gas potential,” Bureau of Ocean Energy Management Acting Director Walter Cruikshank said in a statement. “They also contain sensitive marine and coastal resources that Alaska Native communities depend on for subsistence.” The Arctic region is not just a breeding ground for wildlife but also for political discord over this oil-and-gas rich land. While those dynamics have kept producers at bay, today those drillers are more responsive to the economic threats — and to the risk that such development would have on their businesses.

Lisa Friedman, 1-4-2018, "Trump Moves to Open Nearly All Offshore Waters to Drilling," New York Times, <https://www.nytimes.com/2018/01/04/climate/trump-offshore-drilling.html> //AM

Interior officials said they intended to hold 47 lease sales between 2019 and 2024, including 19 off the coast of Alaska and 12 in the Gulf of Mexico. Seven areas offered for new drilling would be in Pacific waters off California, where drilling has been off limits since a 1969 oil spill near Santa Barbara. **President Trump signed an executive order in April requiring the Interior Department to reconsider Mr. Obama's five-year offshore drilling plan, which had invoked an obscure provision of a 1953 law, the Outer Continental Shelf Lands Act, to block new lease sales in large areas of the Arctic and Atlantic.** The ban “deprives our country of potentially thousands and thousands of jobs and billions of dollars in wealth,” Mr. Trump said at the time. Finalizing the new plan could take as long as 18 months, experts said, and in the meantime challenges are expected in the courts and in Congress. In a joint statement, 64 environmental groups called the plan a “shameful giveaway” to oil companies. Many said they were exploring legal options. Senator Edward J. Markey, Democrat of Massachusetts, vowed to pursue “all legislative tools” to block drilling off the East Coast, including the Congressional Review Act, which allows agency actions to be undone by Congress. Xavier Becerra, California’s attorney general, said the state is “evaluating all of our options” to protect its coast. And, several groups warned, a future Democratic administration could again redraw the boundaries of allowable drilling. But for now, Republicans’ efforts to roll back restrictions on energy production are winning the day. Last month Congress opened the Arctic National Wildlife Refuge, or ANWR, to oil and gas drilling as part of the tax overhaul. And last week the Interior Department rescinded an Obama-era rule that would have added regulations for hydraulic fracturing, or fracking, on federal and tribal lands. It also repealed offshore drilling safety regulations that were put in place after the Deepwater Horizon spill. **Jody Freeman, director of the environmental law program at Harvard Law School and a former Obama climate adviser, said the latest Trump proposal was more about sending a message. In the Arctic in particular, she said, low oil prices and the decision by Royal Dutch Shell to give up all but one of its federal oil leases indicate drilling is not on the near horizon. “But the decision is a signal, just like the one Congress sent with ANWR, that Republicans want to open the nation’s public lands and waters for business,”** she said. Frank Knapp, president of the Business Alliance for Protecting the Atlantic Coast, said thousands of small businesses, from restaurants to hotels to commercial fishing operations, oppose drilling off their states’ waters. “It’s not consistent with our vibrant tourism, fishing and recreation,” Mr. Knapp said. “Their concern is their livelihood, the local economies. We all saw what happened to the Gulf Coast with Deepwater Horizon.” **Of particular interest to oil companies — and concern to many Florida lawmakers — will be the decision to open the eastern Gulf of Mexico,** said Kevin Book, an energy consultant and managing director of ClearView Energy Partners. He noted **the area is attractive to the energy industry because there is already a large amount of infrastructure in the region.** “You can talk about the Atlantic all you want, but you’re 10 years, 15 years from production,” Mr. Book said. **Analysts said the oil industry was unlikely to rush headlong into new areas.** While oil companies have eyed regions like the East Coast for years, oil and gas operators are still smarting from the steep fall in oil prices that began in 2014 because of a global oil glut, which has only recently eased. Despite the recent sharp rise in prices to about \$68 a barrel for Brent crude, companies remain wary of spending, particularly in areas where the amount of oil and gas present is unknown and production is likely to be expensive without existing pipelines and other infrastructure. “It is going to be a really long story,” said William Turner, an analyst at Wood Mackenzie in Houston. “It is not going to be gangbusters.”

Ashley 17 Matt Lee-Ashley, 11-13-2017, "The Energy Case Against Drilling in the Arctic National Wildlife Refuge," Center for American Progress,

<https://www.americanprogress.org/issues/green/news/2017/11/13/442603/energy-case-drilling-arctic-national-wildlife-refuge/> //DF

At current oil prices, drilling in remote frontier areas of the Alaskan Arctic is not economically viable According to financial analysts who follow the energy industry, the average oil price at which drilling projects in the Arctic can break even is significantly higher—\$78 per barrel, according to one estimate—than the current average oil price of \$57 per barrel. According to a Goldman Sachs analyst, “We think **there is almost no rationale for Arctic exploration ... Immensely complex, expensive projects like the Arctic we think can move too high on the cost curve to be economically doable.**” Companies must also factor in the inevitable high legal costs that will be associated with attempting to drill in a national wildlife refuge.

R/T Energy Independence

1. Won't enable energy independence because OPEC could just do some price shenanigans

Murphy 17 Dave Murphy, 11-3-2017, "Drilling Arctic Refuge oil won't boost US energy security," TheHill,

<http://thehill.com/opinion/energy-environment/358664-drilling-arctic-national-wildlife-refuge-oil-will-not-boost-us/> /DF

One of the most important measures of national oil security is proved reserves — that is the yet-to-be-produced oil available at current market prices — and drilling in the Arctic Refuge will only increase U.S. proved reserves from 2.8 percent to 3.2 percent globally. OPEC, on the other hand, has 70 percent. So, for the foreseeable future, OPEC will be a dominant force in U.S. oil geopolitics. **Oil production from the Arctic** Refuge **will have no impact on prices** — another “national security” argument used to justify drilling — **because all oil must be sold into a global market, and according to the Energy Information Administration in 2008 OPEC “could neutralize any potential price impact of [Arctic Refuge] coastal plain production by reducing its exports by an equal amount.”** The other argument — that leasing the refuge will raise enough revenue to reduce the deficit — is fraught with uncertainty. The Senate budget calls for \$1 billion in revenue from the Arctic Refuge — which means that leasing would need to raise \$2 billion to account for a 50 percent share with Alaska. If the revenue received is less, then the shortfall would add to the deficit.

2. We would never be independent because other sectors of our economy would still rely on foreign oil

Gallager 18 Leigh Gallagher, 9-12-2018, "Why American Energy Independence Is Overhyped,"

Fortune, <http://fortune.com/2018/09/12/why-american-energy-independence-is-overhyped/> //DF

There are a few reasons. One is that the industry, as a whole, has yet to make money. There are a bunch of reasons, from low interest rates to a belief that returns lie ahead, why Wall Street has continued to throw capital at fracking companies. But you can't be sure that will continue forever. It's unclear how much oil and gas companies would produce if they could only reinvest their own cash flow, let alone if they had to produce a decent return for shareholders. The second reason is that the whole notion of “energy independence” is very fraught. There's this idea that if we don't need energy from the Middle East, we'll somehow be able to ignore the Middle East. But in a global economy, that's absurd. For instance, I cite some analysis showing what percentage of the components our technology industry needs are made in Asia — which in turn is dependent on oil from, you guessed it, the Middle East. The idea that we'd be able to tell Saudi Arabia to go to hell if we didn't need their oil is pretty silly once you drill (no pun intended) into it. Lastly, I was really struck by conversations I had with several private equity players. They are all trying to figure out when we'll be able to see the end of the oil age, because as soon as that happens, the price of oil will go into secular decline (as it did with coal.) Other countries, namely China, are frantically investing in renewables. For us to crow about our oil wealth, and not focus on renewables, is for us to miss the opportunity to be leaders in the world as it's going to be.

3. There is no value to energy independence because it doesn't get nations anything

Lynch 18 Michael Lynch, 5-4-2018, "As American Energy Independence Grows, Global Impact Remains Limited," Forbes,

<https://www.forbes.com/sites/michaelyllynch/2018/07/06/our-energy-dependence-lessens-but-global-impact-is-limited/#30696e486cab> //DF

Many point out that Richard Nixon proposed to make America energy independent, but few seem to recall that the report of Project Independence concluded that such independence had little value. Making the country free of energy imports would be extremely expensive, we would still feel an obligation to our allies to protect the world's energy supplies, and given our extensive ties to the world economy, the U.S. would remain vulnerable to an oil shock, as such would probably trigger a global recession. Like energy independence, the value of energy dominance is much exaggerated. Russian natural gas exports to the Ukraine (and much of Europe) have not availed it much in its dispute over the Crimea, and certainly did not deter the application of economic sanctions against it. Similarly, the large role of Saudi Arabia in world oil markets has not prevented, for example, the Trump Administration from moving the U.S. embassy to Jerusalem, among many other pro-Israeli moves by U.S. presidents. MORE FROM FORBES In terms of markets, the Saudis have the greatest influence on oil prices of any nation, but can only pressure other producers with (threats of) a price war, and consumers tend to have more power over the long-term price of oil. U.S. oil exports are to be applauded because they are profitable and efficient; otherwise industry wouldn't make them. And U.S. shale oil producers, by choosing whether or not to invest, do influence prices over the longer term, this is hardly dominance. The one area where the U.S. might prove to be a decisive factor is the trade in global natural gas. It has long been dominated by the use of oil price-indexed contracts, keeping natural gas prices at uncompetitive levels and reducing displacement of oil and coal in industry and power generation in many parts of the world. There is no economic justification for setting oil and gas prices at equivalent levels, based on heat content, any more than coffee and tea prices should be equivalent based on caffeine content. Because U.S. LNG exporters are more competitive-minded (or have more animal spirits perhaps) than most of those involved in the trade (think Gazprom), they might break down this long-standing but ill-advised contract practice, which could have a beneficial effect on the global economy and environment.

4. Energy independence is bad for national security

Wells 16 Charlie Wells, 11-16-2015, "Why the U.S. Should Not Want Energy Independence," WSJ, <https://blogs.wsj.com/experts/2015/11/16/why-the-u-s-should-not-want-energy-independence/> //DF

There are two problems, however, with this isolationist approach to energy independence that misunderstands today's realities. First, it doesn't reflect the highly integrated global energy market in which we now live. Saudi Arabia, for example, from which the U.S. still imports 1.2 million barrels a day, couldn't cut off oil supply to the U.S. even if it wanted to. Unlike in the 1970s, where a disruption in contracted shipments could result in a physical shortage for the buyer, today's oil market is the largest and most liquid commodity market on earth. That means that if Saudi Arabia stopped sending oil to the U.S., companies would just buy it from other suppliers. Second, and more important, we are more secure, not less, when energy markets are interdependent. When Hurricanes Rita and Katrina disrupted much of the Gulf Coast's vast production and refining capacity, fuel shortages were averted by the ability to import supplies quickly from the global market. When U.S. refiners lost access to large volumes of imports from Venezuela in 2002 and 2003 during a worker strike there, they replaced the disrupted supplies and avoided shortages with imports from other countries. In both cases, free trade in a highly integrated global energy market made us more secure. During the Fukushima nuclear disaster, Japan was more energy secure because it could import other sources of fuel, like oil and gas, from the global market to meet electricity generation demand. In that case, energy security was also improved by the ability to use multiple fuels to generate electricity. Such substitutability of fuels barely exists for oil in the transportation sector, however, creating added energy security vulnerabilities for oil use. In Europe today, it is both unrealistic and unwise to try to get off Russian gas. Russia is Europe's

largest gas supplier and is a source of low-cost gas. Moreover, Russia needs the European market, too, creating a mutual dependence that wouldn't exist if Europe forced Russia to turn east for its gas market instead.

5. Energy independence increases instability in other nations

Alter 13 Benjamin Alter and Edward Fishman, 4-27-2013, "The Dark Side of Energy Independence," New York Times,

<https://www.nytimes.com/2013/04/28/opinion/sunday/the-dark-side-of-energy-independence.html> //DF

Even more alarming is the prospect of instability in Saudi Arabia. In 2011, the Saudi royal family was able to head off an Arab Spring-style revolution because of its enormous oil revenues, doling out \$130 billion in benefits to pacify the country's younger and poorer inhabitants. Should lower oil prices make such patronage impossible in the future, the kingdom could face domestic unrest — making the country a far less reliable partner for America in fighting terrorism and countering Iran. Moreover, if Saudi Arabia has less of its own money to spend on regional security, Washington will have to make up for the shortfall. Outside the Middle East, declining global energy prices could have equally destabilizing effects. Russia rode its way out of the post-Soviet doldrums on a wave of rising revenues from oil and natural gas sales. Today, roughly half the country's 83 regions could not stay afloat without federal aid, which President Vladimir V. Putin has been able to supply generously thanks to huge oil profits. As in the gulf monarchies, such transfers have allowed the government to neutralize political opposition. But discontent is still on the rise, as evidenced by the occasional protests that have shaken Moscow since 2011. Even a temporary drop in oil prices would constrain Mr. Putin's ability to pay off his enemies: experts at the Russian School of Economics predict that the country's oil wealth fund, a stash of petrodollars reserved for times of need, would be depleted if prices fell to \$60 a barrel for just one year. If he's unable to buy loyalty through patronage, Mr. Putin could turn to more pernicious methods like bullying neighbors and fanning the flames of nationalism. With outstanding border disputes and age-old rivals circling Russian territory, another conflict along the lines of the 2008 war against Georgia is not out of the question.

Climate Change DA

The Arctic holds substantial oil reserves. Gardner 12 at the American Security Project writes: the Arctic Alaska Province is estimated hold 29.96 billion barrels of oil and 72 billion barrels of natural gas. Through acquiring resource rights, the US could substantially increase its domestic oil and natural gas production in the long term.

Gardner 12 Robert Gardner, 6-13-2012, "US Must Ratify Law of Sea Convention," American Security Project, <https://www.americansecurityproject.org/us-must-ratify-law-of-sea-convention/> //DF

The US continental shelf is estimated to extend at least 600 miles into the Arctic Sea off the coast of Alaska. This region, called **the Arctic Alaska Province, is** an incredibly resource richest area, **estimated** by the USGS to **hold 29.96 billion barrels of oil and 72 billion barrels of natural gas** (about 33% of technically recoverable oil and 18% of technically recoverable gas in the Arctic). Supporters of the treaty assert that **through acquiring resource rights, the US could substantially increase its domestic oil and natural gas production in the long term.** Such production would lead to greater US energy security and greater investment and employment in the energy sector. With the US now having so much to lose and a great deal to gain, supporters of the treaty have been pushing congress to ratify UNCLOS. The treaty has been overwhelming backed by US industries, military officials, previous presidential administrations and the Obama administration as a way to confirm US sovereignty in Arctic. Yet, a small opposition to the treaty remains. The opposition asserts that US should be advancing its resource claims without ratifying what they believe to be a constraining international agreement. Opposition leaders claim that US territorial disputes over the Arctic (with Canada) should be settled through bilateral treaties, not UNCLOS.

Acceding to the law of the sea allows oil companies to gain access to these resources. Marta 10 at the University of Dayton explains: The Convention would maximize legal certainty regarding the United States' rights to energy resources in the Arctic Ocean. Not surprisingly, the American oil companies favor ratification, as it will allow them to explore oceans, where evolving technologies now make oil and natural gas recoverable.

Kolcz-Ryan, Marta. "*An Arctic Race: How the United States' Failure to Ratify the Law of the Sea Convention could Adversely Affect its Interests in the Arctic* ." *University of Dayton Law Review*. Vol. 35. (2009-2010): 149-173.//JH

The Convention also gives the United States an opportunity to expand its sovereignty rights over resources on and under the ocean floor beyond 200 nautical miles to the end of its continental shelf, up to 350 nautical miles.¹⁴⁰ This mechanism is especially valuable to the United States as it **would maximize legal certainty regarding the United States' rights to energy resources in large offshore areas, including the areas of the Arctic Ocean.** However, the United States must ratify the Convention for its claims to be internationally recognized.¹⁴¹ **Not surprisingly, the American oil companies favor ratification, as it will allow them to explore oceans beyond 200 miles off the coast, where evolving technologies now make oil and natural gas recoverable.**¹⁴² If the United States ratifies the Convention it could expand its areas for mineral exploration and production by more than 291,383 square miles.¹⁴³ The United States' claim under article 76 would add an area in the Arctic (Chukchi Cap) roughly equal to the area of West Virginia.¹⁴⁴ With a successful claim the United States would have the sole right to the exploitation of all the resources on and under the Arctic Ocean bottom. These potential energy resources could make significant contributions to United States energy independence. Because the

Convention is the only means of assuring access to the mineral resources beneath the Arctic Ocean, American companies "wishing to engage in deep seabed mining operations will have no choice but to proceed under the flag of a country that has adhered to the treaty."¹⁴⁵

Arctic drilling would destroy the climate

McKinnon 15 Hannah McKinnon, 8-2015, "Untouchable: the Climate Case Against Arctic Drilling," Greenpeace, http://priceofoil.org/content/uploads/2015/08/OCI-Untouchable_Arctic_FINAL.pdf //DF

Therefore this 'climate test' should be applied to all legislation, policy and permits related to infrastructure to extract, transport, or process fossil fuels. Drilling in the Arctic clearly fails this climate test, as there is no existing (or imaginable) 2 degrees C scenario in which Arctic drilling plays a role. In fact, **the only scenarios published in defense of Arctic oil exploration are consistent with at least 5 degrees Celsius of global warming – a level widely considered to be disastrous.** Adding Arctic oil to the existing pool of carbon "exacerbates the problem of carbon pollution" by adding carbon to our global reserves that by any measure must be considered unburnable in a safe climate scenario. If the President is to be consistent in applying such a climate test beyond one project and to the nation's energy policy overall, he must view Shell's drilling for oil in the Arctic as a proposal that fails the climate test.

5 degree warming is a nightmare scenario and outweighs any possible benefit of drilling

Rich 18 Nathaniel Rich, 8-1-2018, "Losing Earth: The Decade We Almost Stopped Climate Change," New York Times, <https://www.nytimes.com/interactive/2018/08/01/magazine/climate-change-losing-earth.html> //DF

The world has warmed more than one degree Celsius since the Industrial Revolution. The Paris climate agreement — the nonbinding, unenforceable and already unheeded treaty signed on Earth Day in 2016 — hoped to restrict warming to two degrees. The odds of succeeding, according to a recent study based on current emissions trends, are one in 20. If by some miracle we are able to limit warming to two degrees, we will only have to negotiate the extinction of the world's tropical reefs, sea-level rise of several meters and the abandonment of the Persian Gulf. The climate scientist James Hansen has called two-degree warming "a prescription for long-term disaster." Long-term disaster is now the best-case scenario. Three-degree warming is a prescription for short-term disaster: forests in the Arctic and the loss of most coastal cities. Robert Watson, a former director of the United Nations Intergovernmental Panel on Climate Change, has argued that three-degree warming is the realistic minimum. Four degrees: Europe in permanent drought; vast areas of China, India and Bangladesh claimed by desert; Polynesia swallowed by the sea; the Colorado River thinned to a trickle; the American Southwest largely uninhabitable. **The prospect of a five-degree warming has prompted some of the world's leading climate scientists to warn of the end of human civilization.** Is it a comfort or a curse, the knowledge that we could have avoided all this?

"A degree by degree explanation of what will happen when the earth warms," Berrens, <http://globalwarming.berrens.nl/globalwarming.htm> //DF

BETWEEN FOUR AND FIVE DEGREES OF WARMING We are looking now at an entirely different planet. **Ice sheets have vanished from both poles; rainforests have burnt up and turned to desert;** the dry and lifeless Alps resemble the High Atlas; **rising seas are scouring deep into continental interiors.** One temptation may be to shift populations from dry areas to the newly thawed regions of the far north, in Canada and Siberia. Even here, though, summers may be too hot for crops to be grown away from the coasts; and there is no guarantee that northern governments will admit southern refugees. Lynas recalls James Lovelock's suspicion that Siberia and Canada would be invaded by China and the US, each hammering another nail into humanity's coffin. Any armed conflict, particularly involving nuclear weapons, would of course further increase the

planetary surface area uninhabitable for humans. When temperatures were at a similar level 55m years ago, following a very sudden burst of global warming in the early Eocene, alligators and other subtropical species were living high in the Arctic. What had caused the climate to flip? Suspicion rests on methane hydrate – “an ice-like combination of methane and water that forms under the intense cold and pressure of the deep sea”, and which escapes with explosive force when tapped. Evidence of a submarine landslide off Florida, and of huge volcanic eruptions under the North Atlantic, raises the possibility of trapped methane – a greenhouse gas 20 times more potent than carbon dioxide – being released in a giant belch that pushed global temperatures through the roof. Summer heatwaves scorched the vegetation out of continental Spain, leaving a desert terrain which was heavily eroded by winter rainstorms. Palm mangroves grew as far north as England and Belgium, and the Arctic Ocean was so warm that Mediterranean algae thrived. In short, it was a world much like the one we are heading into this century. Although the total amount of carbon in the atmosphere during the Paleocene-Eocene thermal maximum, or PETM, as scientists call it, was more than today’s, the rate of increase in the 21st century may be 30 times faster. It may well be the fastest increase the world has ever seen – faster even than the episodes that caused catastrophic mass extinctions. Globalism in the five-degree world will break down into something more like parochialism. Customers will have nothing to buy because producers will have nothing to sell. With no possibility of international aid, migrants will have to force their way into the few remaining habitable enclaves and fight for survival. Where no refuge is available, civil war and a collapse into racial or communal conflict seems the likely outcome. Isolated survivalism, however, may be as impracticable as dialling for room service. How many of us could really trap or kill enough game to feed a family? Even if large numbers of people did successfully manage to fan out into the countryside, wildlife populations would quickly dwindle under the pressure. Supporting a hunter-gatherer lifestyle takes 10 to 100 times the land per person that a settled agricultural community needs. A large-scale resort to survivalism would turn into a further disaster for biodiversity as hungry humans killed and ate anything that moved. Including, perhaps, each other. Invaders do not take kindly to residents denying them food. History suggests that if a stockpile is discovered, the householder and his family may be tortured and killed. Look for comparison to the experience of present-day Somalia, Sudan or Burundi, where conflicts over scarce land and food are at the root of lingering tribal wars and state collapse.

Torres 16 (Phil, affiliate scholar @ Institute for Ethics and Emerging Technologies PhD candidate @ Rice University in tropical conservation biology, Op-ed: Climate Change Is the Most Urgent Existential Risk, <http://ieet.org/index.php/IEET/more/Torres20160807>) Humanity faces a number of formidable challenges this century. Threats to our collective survival stem from asteroids and comets, supervolcanoes, global pandemics, climate change, biodiversity loss, nuclear weapons, biotechnology, synthetic biology, nanotechnology, and artificial superintelligence. With such threats in mind, an informal survey conducted by the Future of Humanity Institute placed the probability of human extinction this century at 19%. To put this in perspective, it means that the average American is more than a thousand times more likely to die in a human extinction event than a plane crash.* So, given limited resources, which risks should we prioritize? Many intellectual leaders, including Elon Musk, Stephen Hawking, and Bill Gates, have suggested that artificial superintelligence constitutes one of the most significant risks to humanity. And this may be correct in the long-term. But I would argue that two other risks, namely climate change and biodiversity loss, should take priority right now over every other known threat. Why? Because these ongoing catastrophes in slow-motion will frame our existential predicament on Earth not just for the rest of this century, but for literally thousands of years to come. As such, they have the capacity to raise or lower the probability of other risks scenarios unfolding. Multiplying Threats Ask yourself the following: are wars more or less likely in a world marked by extreme weather events, megadroughts, food supply disruptions, and sea-level rise? Are terrorist attacks more or less likely in a world beset by the collapse of global ecosystems, agricultural failures, economic uncertainty, and political instability? Both government officials and scientists agree that the answer is “more likely.” For example, **Former Director of the CIA John Brennan**, recently identified “the impact of climate change” as one of the “deeper causes of this rising instability” in countries like Syria, Iraq, Yemen, Libya, and Ukraine. Similarly, the former Secretary of Defense, Chuck Hagel, has described climate change as a “threat multiplier” with “the potential to exacerbate many of the challenges we are dealing with today — from infectious disease to terrorism.” The Department of Defense has also affirmed a connection. In a 2015 report, it states, “Global climate change will aggravate problems such as poverty, social tensions, environmental degradation, ineffectual leadership and weak political institutions and that threaten stability in a number of countries.” Scientific studies have further shown a connection between the environmental crisis and violent conflicts. For example, a 2015 paper in the Proceedings of the National Academy of Sciences argues that climate change was a causal factor behind the record-breaking 2007-2010 drought in Syria. This drought led to a mass migration of farmers into urban centers, which fueled the 2011 Syrian civil war. Some observers, including myself, have suggested that this struggle could be the beginning of World War III, given the complex tangle of international involvement and overlapping interests. The study’s conclusion is also significant because the Syrian civil war was the Petri dish in which the Islamic State consolidated its forces, later emerging as the largest and most powerful terrorist organization in human history. A Perfect Storm The point is that climate change and biodiversity loss could very easily push societies to the brink of collapse. This will exacerbate existing geopolitical tensions and introduce entirely new power struggles between state and nonstate actors. At the same

time, advanced technologies will very likely become increasingly powerful and accessible. As I've written elsewhere, the malicious agents of the future will have bulldozers rather than shovels to dig mass graves for their enemies. The result is a perfect storm of more conflicts in the world along with unprecedentedly dangerous weapons. If the conversation were to end here, we'd have ample reason for placing climate change and biodiversity loss at the top of our priority lists. But there are other reasons they ought to be considered urgent threats. I would argue that they could make humanity more vulnerable to a catastrophe involving superintelligence and even asteroids. The basic reasoning is the same for both cases. Consider superintelligence first.

Extras

Turn this, because any marginal increase in jobs or the economy is outweighed by the environmental harms of drilling.

1. **Walsh 12** at Time Magazine writes that methane and black carbon, two potent greenhouses gases, will be emitted in significant amounts if drilling in the Arctic proves as lucrative as many oil companies are hoping for.
2. This has disastrous effects, as **Johnson 15** at Foreign Policy explains that black carbon and other short-lived pollutants account for more than 40 percent of global warming. This then leads to melting sea ice and subsequently rising sea levels, which is likely to displace between 150 and 300 million people by the middle of the century.
3. Not only will climate change lead to mass displacement in the coming years, but also violence. Fostering an unnecessary increase in global warming is the last thing we want. **Torres 16** asserts that climate change should take priority over every other known threat. Former Director of the CIA John Brennan, identified climate change as one of the "deeper causes of this rising instability" in Syria, Iraq, Yemen, Libya, and Ukraine. Scientific studies have further shown a connection between the environmental crisis and violent conflicts. Climate change could very easily push societies to the brink of collapse. Climate change will inevitably lead to more job loss and economic decline than the benefits from drilling.

Arctic drilling causes release of natural gas

Walsh 12 (Bryan Walsh, senior writer for TIME magazine covering energy and the environment, 20 July 2012, "It's Not Just Spills—the Climate Risks of Arctic Drilling" <http://science.time.com/2012/07/20/its-not-just-spills-the-climate-risks-of-arctic-drilling/> DOA 7/8/18) MDS

But a new report by the NGO Clean Air Task Force (CATF) shows that an oil spill isn't the only risk that Arctic drilling poses to the environment. Methane and black carbon, two potent greenhouses gases, will likely be emitted in significant amounts if drilling in the Arctic proves as lucrative as many oil companies are hoping for. Exactly how much additional greenhouse gas will be released by the production of Arctic oil isn't clear—and depends on whether drillers and regulators take steps to reduce the warming side effects of drilling. "It's ironic that climate change has led to the opening of the Arctic for drilling, but we aren't paying much attention to the climate change that drilling will help cause," says Jonathan Banks, senior climate policy advisor for CATF and the author of the report. The main problem isn't the oil itself—although, of course, if the 90 billion barrels of oil believed to be obtainable in the Arctic are burned in cars or trucks, the carbon released will help undoubtedly help intensify climate change. It's chiefly the natural gas that will be produced along with that oil. Natural gas is essentially methane—and methane is a powerful, albeit short-lived greenhouse gas, with

more than 20 times the warming potential of plain old carbon dioxide. By some estimates, **there's as much as 1.7 trillion cubic ft. of natural gas to be found in the Arctic.**

Keith Johnson, 6-1-2015, "Black Carbon's Silver Lining in the Arctic," **Foreign Policy**,
<https://foreignpolicy.com/2015/06/01/black-carbons-silver-lining-in-the-arctic-shell-oil-climate-change-kerry/> //AM

But if climate change itself is helping to melt the ice and open the Arctic to drilling in the first place, Obama and Secretary of State John Kerry say they have a plan to cheaply and easily pluck low-hanging fruit and slow down the rate of warming in the far north. It involves an international effort to rein in emissions of "black carbon," or soot, as well as methane and other so-called short-lived pollutants that drive temperatures higher. While carbon dioxide gets most of the attention in the fight against climate change, **black carbon and other short-lived pollutants account for more than 40 percent of global warming.** In recent years, climate scientists have increasingly begun to look at the immediate benefits of tackling black carbon and other short-lived pollutants, such as slowing the rate of rising sea levels or potentially avoiding catastrophic tipping points such as further Arctic melting.

Torres 16 (Phil, affiliate scholar @ Institute for Ethics and Emerging Technologies PhD candidate @ Rice University in tropical conservation biology, Op-ed: Climate Change Is the Most Urgent Existential Risk, <http://ieet.org/index.php/IEET/more/Torres20160807>) Humanity faces a number of formidable challenges this century. Threats to our collective survival stem from asteroids and comets, supervolcanoes, global pandemics, climate change, biodiversity loss, nuclear weapons, biotechnology, synthetic biology, nanotechnology, and artificial superintelligence. With such threats in mind, an informal survey conducted by the Future of Humanity Institute placed the probability of human extinction this century at 19%. To put this in perspective, it means that the average American is more than a thousand times more likely to die in a human extinction event than a plane crash.* So, given limited resources, which risks should we prioritize? Many intellectual leaders, including Elon Musk, Stephen Hawking, and Bill Gates, have suggested that artificial superintelligence constitutes one of the most significant risks to humanity. And this may be correct in the long-term. But I would argue that two other risks, namely **climate change** and biodiversity loss, **should take priority** right now **over every other known threat.** Why? Because these ongoing catastrophes in slow-motion will frame our existential predicament on Earth not just for the rest of this century, but for literally thousands of years to come. As such, they have the capacity to raise or lower the probability of other risks scenarios unfolding. Multiplying Threats Ask yourself the following: are wars more or less likely in a world marked by extreme weather events, megadroughts, food supply disruptions, and sea-level rise? Are terrorist attacks more or less likely in a world beset by the collapse of global ecosystems, agricultural failures, economic uncertainty, and political instability? Both government officials and scientists agree that the answer is "more likely." For example, **Former Director of the CIA John Brennan**, recently **identified** "the impact of **climate change**" **as one of the "deeper causes of this rising instability" in** countries like **Syria, Iraq, Yemen, Libya, and Ukraine.** Similarly, the former Secretary of Defense, Chuck Hagel, has described climate change as a "threat multiplier" with "the potential to exacerbate many of the challenges we are dealing with today — from infectious disease to terrorism." The Department of Defense has also affirmed a connection. In a 2015 report, it states, "Global climate change will aggravate problems such as poverty, social tensions, environmental degradation, ineffectual leadership and weak political institutions and that threaten stability in a number of countries." **Scientific studies have further shown a connection between the environmental crisis and violent conflicts.** For example, a 2015 paper in the Proceedings of the National Academy of Sciences argues that climate change was a causal factor behind the record-breaking 2007-2010 drought in Syria. **This drought led to a mass migration of farmers into urban centers, which fueled the 2011 Syrian civil war.** Some observers, including myself, have suggested that this struggle could be the beginning of World War III, given the complex tangle of international involvement and overlapping interests. The study's conclusion is also significant because the Syrian civil war was the Petri dish in which the Islamic State consolidated its forces, later emerging as the largest and most powerful terrorist organization in human history. A Perfect Storm The point is that **climate change** and biodiversity loss **could very easily push societies to the brink of collapse.** This will exacerbate existing geopolitical tensions and introduce entirely new power struggles between state and nonstate actors. At the same time, advanced technologies will very likely become increasingly powerful and accessible. As I've written elsewhere, the malicious agents of the future will have bulldozers rather than shovels to dig mass graves for their enemies. The result is a perfect storm of more conflicts in the world along with unprecedentedly dangerous weapons. If the conversation were to end here, we'd have ample reason for placing climate change and biodiversity loss at the top of our priority lists. But there are other reasons they ought to be considered urgent threats. I would argue that they could make humanity more vulnerable to a catastrophe involving superintelligence and even asteroids. The basic reasoning is the same for both cases. Consider superintelligence first.

R/T Arctic Conflict

Defense

There is already a framework in place meant to manage disputes

Houck 13 James W. Houck, 2013, "The Opportunity Costs of Ignoring the Law of Sea Convention in the Arctic," Hoover Institution: Arctic Security Initiative,

https://elibrary.law.psu.edu/cgi/viewcontent.cgi?article=1240&context=fac_works //DF

In 2008, the United States joined four other nations with Arctic coasts¹ in issuing the Ilulissat

Declaration, which proclaimed that: [T]he law of the sea provides for important rights and obligations. . . . We remain

committed to this legal framework and to the orderly settlement of any possible overlapping

claims. . . . This framework provides a solid foundation for responsible management by the fi ve

coastal States and other users of this Ocean through national implementation and application of relevant provisions. We

therefore see no need to develop a new comprehensive international legal regime to govern the

Arctic Ocean.² By invoking the "law of the sea," the fi ve Arctic nations were actually referring to the United Nations Convention on the Law of the Sea³ (UNCLOS).⁴ Russia, Canada, Denmark, and Norway have ratifi ed the Convention. Although the United States has not ratifi ed, it considers UNCLOS to generally refl ect customary international law.⁵

No risk of conflict in the Arctic for a number of reasons

Yalowitz 16 Kenneth Yalowitz, 4-8-2016, "Can the U.S. and Russia Avoid an Arctic Arms Race?," National Interest,

<https://nationalinterest.org/feature/can-the-us-russia-avoid-arctic-arms-race-15713> //DF

Still, the situation in the Arctic itself is not threatening, and the United States and Russia are working

together in the Arctic Council. The latter is evolving into more of a policymaking body, as binding agreements have been reached under its auspices on search and rescue at sea and dealing with oil spills; a third, on scientific cooperation, is under negotiation.

There are no serious landgrabs going on, as Russia and the other Arctic Ocean coastal states are playing by the

rules of the game in submitting claims for extended territorial shelf beyond the two-hundred-mile exclusive economic zones (EEZ) afforded them by UNCLOS. Indeed, the United States has failed to ratify that treaty, which prevents it from

submitting a formal claim. The Arctic is rich in oil and gas, with some 10 percent of the world's undiscovered resources of oil and 30 percent of its gas. Almost all the known reserves, however, are located onshore or within a coastal

state's EEZ, so there is no dispute over ownership. The steep decline in world oil prices and the

current glut of natural gas have also slowed energy projects in the Arctic, as companies seek

cheaper and more hospitable climes. Despite the melting ice, Arctic sea routes will not soon replace the Panama Canal.

Most of the Arctic Ocean is still uncharted, and the seas will remain precarious due to floating ice and poor weather conditions even in summer. Container shipping, which depends on very strict schedules, will be deterred by these conditions.

Read this:

<https://www.unclosdebate.org/argument/1757/arctic-resource-disputes-unlikely-lead-conflict>

R/T Drilling Link

1. Non unique: too much price shenanigans

A. Short-term prices are too low.

Goldberg 17 Shelley Goldberg, 5-12-2017, "Trump's Plan for Arctic Drilling Won't Hit a Gusher," Bloomberg,

<https://www.bloombergquint.com/markets/2017/05/12/trump-s-plan-for-arctic-drilling-won-t-hit-a-gusher#gs.sEQ=97g> //DF

Zinke pointed out that revenue from offshore leasing had dropped by \$15 billion during the Obama administration, partially due to the decline in oil prices. With 94 percent of the nation's outer continental shelf now off limits for development, Trump claims that the industry is eager to see more of the Arctic open to leasing. Maybe so, but oil prices would have to increase sharply to spur any significant production there. **When asked whether the administration had been approached by any companies interested in drilling in the Arctic, Zinke responded, "No."** The level of interest from U.S. exploration and production companies in drilling in the Arctic is unclear. **Over the years, they have struggled to establish a presence in this polar region, considered unfriendly to drilling.** But it's not just about regulatory delays. **The area features punishing weather conditions, remote locations on land and sea and stunted infrastructure, all of which translate to high operating costs, of particular concern now as crude oil struggles to rise** from 6-month lows. **For these reasons, Royal Dutch Shell in 2015 abandoned its \$7 billion attempt to extract riches beneath the seabed off Alaska's Arctic coast.** That same year, **Imperial Oil**, on behalf of partners ExxonMobil Canada Ltd. and BP Plc, **announced an indefinite delay in plans to drill in the Arctic's Beaufort Sea. Other companies have been abandoning old leases without seeking new ones.** There is no question that Arctic sea ice continues to melt, through oil price rallies and price crashes, from oil shortages to gluts. And as the ice melts, the conditions improve for building remote oil platforms in the frigid waters and for land-based drilling operations that take advantage of newly thawed shipping routes. The timing, nevertheless, couldn't be worse, as the world faces an oil glut. Yet rig counts in the U.S. are increasing, as are oil exports, which were banned for 40 years, with minor exceptions, until 2016. As of May 5, the U.S. total rig count was 877, a year-on-year increase of more than 111 percent, according to the rig count by Baker Hughes. Meanwhile, the Organization of Petroleum Exporting Countries, which meets on May 25, may be forced to extend its ineffective output cut.

B. Prices will also never rise significantly because of OPEC. Their target price is only \$70-80 a barrel

Tucker 18 Lancelot Tucker, 9-13-2018, "How Does OPEC Control the Price of Oil?," NewsBlaze News, https://newsblaze.com/business/how-does-opec-control-the-price-of-oil_91072/ //DF

The Organization of the Petroleum Exporting Countries, also called OPEC, is an intergovernmental organization created in the 1960s to coordinate oil production, prices, and policy among its members. Today, **OPEC comprises 14 member countries whose primary goal is to ensure the stability of the global oil market**, ostensibly balancing the needs of both producers and consumers. Most people in the oil trading business know that OPEC's decision making can influence the price that is sold for oil on the market today. Their impacts on worldwide affairs not only affect the profit making of companies involved in the oil industry, but transportation, agriculture and manufacturing sectors as well. For companies trading in the commodity, they can take advantage of oil price swings by using online commodity trading brokers, which allow them to openly buy and sell positions; depending on weather their market outlook is bearish or bullish of course. UFX's trading platform is a large platform operating in the entire online trading industry. Its advanced trading tools and charts provide savvy traders with real-time access to the most important commodities, thus, allowing them to trade during the best conditions. How does OPEC Control Oil Prices? **One of the most powerful tools that OPEC**

has on the oil market is production cuts. By slashing output through production quotas for member countries can trigger direct impacts on worldwide levels of oil production and oil prices. The first formal production agreement by OPEC members was back in 1982, when its 13 members decided to cut their daily production by about 700,000 barrels to achieve a maximum total output of 17.5 million barrels per day. Last November, OPEC members and non-members alike decided to reduce oil production to deal with strong “imbalance and volatility” in the global market. The organization decided that from January 1st 2017, output would be reduced by about 1.2 million barrels per day to set a maximum of 32.5 million barrels per day. The initial agreement was to last 6 months, but it was later extended for another 6 months. Now investors are awaiting more information about a possible second extension of the agreement, or a gentle “tapering” of production.

Amadeo 18 Kimberly Amadeo, 1-24-2018, "What Makes Oil Prices So High?," Balance, <https://www.thebalance.com/what-makes-oil-prices-so-high-3305654>

Oil prices are rising because OPEC agreed to extend production cuts through 2018. On November 30, 2016, the organization first agreed to cut production by 1.2 million barrels per day (mbpd) starting January 2017. In response, traders bid \$65 a barrel, a 30-month high. OPEC has been battling U.S. shale oil producers for market share. Shale producers pushed U.S. oil production to 9.4 million mbpd in 2015. That knocked OPEC market share to 41.8 percent in 2014 from 44.5 percent in 2012. This increased supply caused oil prices to fall. That created a boom and bust in the U.S. shale oil industry. OPEC doesn't want prices too high, or for alternative fuel sources to start to look good again. OPEC's target price for oil is \$70-\$80 a barrel. But U.S. shale producers need \$40-\$50 a barrel to pay the high-yield bonds they used for financing. Until 2016, OPEC accepted the lower price to maintain market share. Normally, oil and gas prices can be forecast by a predictable seasonal swing. They rise in the spring and fall in autumn. That's because futures traders anticipate increased demand for the summer vacation driving season. Even though heating oil use rises in the winter, it's not enough to offset the post-vacation drop in gasoline demand. Another factor that determines oil prices is a dollar decline. Most oil contracts around the world are traded in dollars. As a result, oil-exporting countries usually peg their currency to the dollar. When the dollar declines, so do their oil revenues, but their costs go up. Therefore, OPEC must raise the price of oil to maintain its profit margins and keep costs of imported goods constant.

2. Non unique: drilling carries massive reputational costs due to environmental risks

Goldberg 17 Shelley Goldberg, 5-12-2017, “Trump's Plan for Arctic Drilling Won't Hit a Gusher,” Bloomberg,

<https://www.bloombergquint.com/markets/2017/05/12/trump-s-plan-for-arctic-drilling-won-t-hit-a-gusher#gs.sEQ=97g //DF>

The timing, nevertheless, couldn't be worse, as the world faces an oil glut. Yet rig counts in the U.S. are increasing, as are oil exports, which were banned for 40 years, with minor exceptions, until 2016. As of May 5, the U.S. total rig count was 877, a year-on-year increase of more than 111 percent, according to the rig count by Baker Hughes. Meanwhile, the Organization of Petroleum Exporting Countries, which meets on May 25, may be forced to extend its ineffective output cut. Despite enhanced drilling technologies, the risks of drilling in the Arctic are too great and the area too sensitive. Millions of Americans don't want to put the Arctic Ocean, coastal communities and wildlife at risk of an ecological catastrophe. Paramount are the disastrous ramifications of an oil spill. It took a multi-month Herculean effort to wrangle BP's 2010 Gulf of Mexico's Deepwater Horizon disaster, even though it occurred just 40 miles off a more heavily populated and industrialized U.S. coast. The response involved mobilizing and coordinating an armada of vessels, crews and equipment. If a spill occurs off Alaska, getting the necessary ships and gear to the spill site would be much more difficult.

According to the World Wildlife Fund, there's no proven effective method for containing and cleaning an oil spill in icy water. Deepwater occurred in a large, warm gulf populated by microbes that eat oil; quite unlike the Arctic Ocean's low temperatures and limited sunlight, making an oil spill more likely to fester, similar to the 1989 Exxon Valdez 10.8-million-gallon Alaska spill. The Arctic also lacks the required infrastructure to transport natural gas -- pipelines or facilities that convert natural gas to liquefied natural gas for eventual tanker shipment. Thus, offshore rigs would likely flare off the extra natural gas on-site. While flaring is preferable to letting the gas escape, since

methane is a potent greenhouse gas, it can still produce other pollutants such as black carbon, causing ice and snow melt An additional concern is the acoustic disturbance to marine mammals from offshore oil development, as underwater noise can affect communication, migration, feeding and mating.

This exact thing happened to Shell and contributed to their decision to suspend their project

Boyden 15 2015, "The high costs of Arctic oil drilling," Boyden Associates,

<https://www.boyden.com/media/the-high-costs-of-arctic-oil-drilling-170468/index.html> //DF

The recent retreat of global oil giant Shell from the Chukchi Sea in the Alaskan Antarctic exemplifies a growing reluctance on the part of big oil companies to make the massive investments necessary to pursue challenging projects in inaccessible places. Depressed oil prices as well as **public and political criticism over climate change are putting pressures on Shell, and the oil industry overall.**

Shell acquired licenses to drill in the Chukchi Sea in 2008, following a highly publicised seven-year battle. Once begun, the project was far from smooth sailing. A series of mishaps culminated in a drilling rig running aground in 2012. Chief Executive Ben van Beurden took the decision to push forward, on a kind of mission to unlock prospective hydrocarbon reserves estimated at 10 times the total produced so far in the North Sea. Analysts believe Shell was driven by a need to shore up its reserve base as an increasing number of oil and gas deposits are held by national oil companies and American frackers. Last year Shell replaced just 26% of the 1.2 billion barrels of oil equivalent or "boe" it produced. The Arctic seemed to be its best bet for filling that deficit, but now the company is looking to acquire British oil firm BG Group, which would increase its reserves by 25%. For the oil industry overall, Shell's difficulties illustrate how, as The Economist notes, "the economics of drilling in deep and treacherous waters have worsened considerably." Shell had previously abandoned an attempt to explore in the Chukchi Sea after oil prices fell in the 1990s. This time out, the company invested \$7 billion in a single exploratory well there, only to find it did not have sufficient oil and gas to make exploration worthwhile. With the price of oil falling by more than half in the past year, the financial costs of Arctic drilling have simply proved too high. There are also reputational costs. Shell was lambasted for Arctic drilling by environmental groups and politicians. It was also decried by Shell's own shareholders, many of whom questioned the company's environmental credentials at this year's annual meeting.

3. Non unique: drilling may still be illegal under federal law, even if it becomes permissible under international law.

Gramer 17 Robbie Gramer, 3-24-2017, "Oil Companies Cool on Arctic Drilling. Trump Wants It Anyway.," Foreign Policy,

<https://foreignpolicy.com/2017/03/24/oil-companies-cool-on-arctic-drilling-trump-wants-it-anyway-energy-alaska-environment/> //DF

"Shale is more accessible and is going to come ahead of the Arctic," said Bud Coote of the Atlantic Council, formerly a CIA energy analyst. When oil companies like Shell did venture to the waters off Alaska several years ago, oil went for more than \$100 a barrel. That made all the extra costs involved in drilling at the edge of the earth a bit more bearable. "I think it has to be back up in that range" for companies to head north again, he told Foreign Policy. Yet crude has hovered around \$50 a barrel since late 2014. Big oil gave up on some \$2.5 billion in drilling rights in the U.S. Arctic in 2016; expensive plays as oil prices dropped just weren't worth the cost anymore. "High-cost frontiers," like the Arctic "will be shunned," energy intelligence firm Wood Mackenzie said in December last year. **Former President Barack Obama** didn't help. He threw a wrench into Trump's energy plans when he **signed a series of midnight regulations on his way out the door designed to lock up the Arctic from drilling**, with little consultation from Alaskan lawmakers. But despite the clear signals from the market, Trump is stubbornly pursuing Arctic energy plays. Trump and Zinke met with Sens. Lisa Murkowski (R-Alaska) and Dan Sullivan (R-Alaska) earlier this month to lay down plans for opening Alaska's coast to offshore drilling. (The Chukchi and Beaufort Seas off the Alaska coast are the only bits of the offshore U.S. Arctic that

have been open at all for drilling.) That has energized Alaska lawmakers, whose state draws much of its revenue from drilling and land leases for oil exploration.

This makes companies very wary of a long term investment

Tabuchi 18 Hiroko Tabuchi, 1-23-2018, "Trump Would Open Nearly All U.S. Waters to Drilling. But Will They Drill?," NYT, <https://www.nytimes.com/interactive/2018/01/23/climate/trump-offshore-oil-drilling.html> //DF

The Bureau of Ocean Energy Management, which manages offshore leasing, estimates that the areas opened up to drilling under Mr. Trump's plan hold nearly 45 billion barrels of oil, of which 21 billion barrels would be economically recoverable assuming oil prices remain around \$60 a barrel. (To put that in perspective, since 1970, the western and central zones of the Gulf have yielded about 14.5 billion barrels of oil.) While those are large amounts, there are significant oil reserves still to be found in the western and central Gulf, which are already open to drilling. There, some 45 billion barrels of oil reserves are up for grabs, of which 37 billion barrels could be produced economically at current oil prices. Stated another way: Almost two-thirds of the nation's oil reserves that companies can hope to drill for while still turning a profit lie in seas already open to drilling. Meanwhile, there's little recoverable oil and gas in the South Atlantic or the Straits of Florida, or off the Washington and Oregon coast, or off Alaska outside the north shore. The abundance of cheap oil and gas from onshore fracking in the United States has already diminished the incentive for companies to go drill in new offshore zones. Given the risks and costs of building wells in seas that have seen little development to date, not to mention the possibility that **a new administration could again change offshore policy down the road, analysts don't expect a rush into newly opened waters soon.**

4. Oil exploration is very long-term, and by then, it won't be worth it

Schneider 18 Keith Schneider, 1-5-2018, "Trump has big plans for offshore oil development. But will it ever happen?," latimes, <http://www.latimes.com/nation/la-na-offshore-oil-drilling-20180105-story.html> //DF

Even in the Gulf, which produces 1.6 million barrels of oil daily, or 16% of U.S. production, the cost of exploration, permitting and operations in deep water is well over \$1 billion per well, according to the American Petroleum Institute. Energy analysts also say it will take at least 10 years for a new well to begin producing in the Gulf, and twice that anywhere else on the outer continental shelf. By that time, according to industry forecasts, demand for oil will be well past its peak and dropping due to the advent of electric vehicles, more efficient engines for planes and ships and new materials that are not made with oil or natural gas. In short, many of these experts say, the administration's offshore drilling plan could be out of touch with its time. "The price of crude is the determining factor," said Ron Stein, founder of PTS Staffing Solutions, an Irvine-based company that provides professional staff to energy companies. Producing oil offshore is a money-burner, he said. "If the price of oil isn't right, they won't do it." Others are of a similar view. "There is no economic justification for going to the outer continental shelf, and there probably never will be," said Lorne Stockman, a senior research analyst with Oil Change International, a clean energy research and advocacy group in Washington, D.C. The administration's agenda seems clear: With a series of executive orders issued early last year by the president, and regulatory changes ordered by Zinke, Trump has set out to reverse Obama-era restrictions on fossil fuel development. Offshore production has been a particular area of focus, not only because Obama had strictly limited access to the Atlantic and the Arctic, but also because government energy analysts have projected that tens of billions of barrels of untapped oil and trillions of cubic feet of natural gas lay beneath the oceans.

A. Not until fracking runs out

Gardner 15 Timothy Gardner, 5-12-2015, "Here's Why Obama Is Approving Arctic Drilling Again," Scientific American

<https://www.scientificamerican.com/article/here-s-why-obama-is-approving-arctic-drilling-again/>
//DF

While oil prices have fallen by more than half since last summer, **offshore Arctic drilling may not produce substantial new reserves for decades - when onshore shale deposits may start to wane**. The fracking revolution in North Dakota and Texas has led to the highest U.S. oil output since the early 1970s, but nobody knows how long shale will continue to produce at high rates. **"The trick of Arctic energy development is that the time horizons are extraordinary long, some 10 to 30 years from when companies start these complex deals to even seeing when those resources would get to market,"** said Heather Conley, an analyst at the Center for Strategic and International Studies. Shell will conduct tests to see how much oil and gas are in the Chukchi and Beaufort Seas. The Arctic is estimated to contain about 20 percent of the world's undiscovered oil and gas, 34 million barrels of oil in U.S. waters alone. Only Russia has bigger deposits. The National Petroleum Council, a group led by oil companies that advises the Energy Department, said in an assessment of Arctic potential last week that the region will boost U.S. energy security.

B. Infrastructure.

Varinsky 16 Dana Varinsky, 12-22-2016, "Here's what Obama's ban on arctic oil drilling actually means," Business Insider,

<https://www.businessinsider.com/what-obamas-arctic-drilling-ban-means-2016-12> //DF

Mirman suggests that Obama's ban is largely symbolic, since Arctic exploration is such a risky, costly endeavor, and US shale now offers companies cheaper extraction options. (Plus, oil production in the Arctic makes up just 0.1% of the country's oil production, according to the Washington Post.) Oil giant Shell illustrated Mirman's point in 2015, when it abandoned its drilling operations after spending over \$7 billion hunting for oil in the Alaskan Arctic. "Also, **the infrastructure needed for such project is extremely expensive and will take many years to build given the climate and available times to work in those areas,**" Mirman explains, suggesting that **exploration and production companies like his will focus instead on more cost-efficient projects.** Companies who still wish to pursue Arctic drilling, however, could do so in Alaska's state waters — the same 1953 law gives states control over the underwater area 3 miles offshore of their coastlines. After that, it's federal territory.

C. Arctic Council submissions.

Houck 13 James W. Houck, 2013, "The Opportunity Costs of Ignoring the Law of Sea Convention in the Arctic," Hoover Institution: Arctic Security Initiative,

https://elibrary.law.psu.edu/cgi/viewcontent.cgi?article=1240&context=fac_works //DF

UNCLOS also provides a process through which coastal states can reduce the potential for dispute and uncertainty over their continental margins' limits. This is particularly important in the Arctic where the U.S. extended continental shelf likely overlaps with that of both the Russian Federation and Canada. Under UNCLOS Article 76, **a coastal state may obtain international recognition for the outer limits of its claim to an extended continental shelf by submitting a claim to the Commission on the Limits of the Continental Shelf (CLCS).**⁷⁷ The CLCS consists of twenty-one elected experts in geology, geophysics, or hydrography, and may only be nationals of UNCLOS State parties.⁷⁸ **A coastal state must gather scientific and technical data** that describes the characteristics of the seabed and subsoil and submit its claim to the CLCS within ten years of becoming a party to UNCLOS.⁷⁹ **A seven-member CLCS subcommittee then analyzes the data and prepares "recommendations" regarding the outer limits of the continental shelf.**⁸⁰ The recommendations must be approved by a two-thirds majority of CLCS members.⁸¹ If the coastal state agrees to the approved recommendations, the limits are "final and binding" on the international community.⁸² There have been sixty-six extended continental shelf submissions to the CLCS made by fifty-four member states to date.⁸³ **This process takes several years to complete and it is anticipated**

that the CLCS will not render decisions on some submissions (for example, those submitted in 2010 or later) until as late as 2030.⁸⁴ Pursuant to Article 77.3, the coastal state is entitled to explore and develop the resources of its extended continental shelf, subject to the royalty provisions set forth in Article 82. Article 82.1 mandates that a state make annual payments with respect to its exploitation of non-living resources on its extended continental shelf. Beginning in the sixth year of production, payments are made starting at the rate of 1 percent of the total value of production at each site, increasing by 1 percent each year until the twelfth year when the payment plateaus at 7 percent of production value for every year thereafter.⁸⁵

R/T Shipping

The ships won't go

Yalowitz 16 Kenneth Yalowitz, 4-8-2016, "Can the U.S. and Russia Avoid an Arctic Arms Race?," National Interest,

<https://nationalinterest.org/feature/can-the-us-russia-avoid-arctic-arms-race-15713> //DF

There are no serious landgrabs going on, as Russia and the other Arctic Ocean coastal states are playing by the rules of the game in submitting claims for extended territorial shelf beyond the two-hundred-mile exclusive economic zones (EEZ) afforded them by UNCLOS. Indeed, the United States has failed to ratify that treaty, which prevents it from submitting a formal claim. The Arctic is rich in oil and gas, with some 10 percent of the world's undiscovered resources of oil and 30 percent of its gas. Almost all the known reserves, however, are located onshore or within a coastal state's EEZ, so there is no dispute over ownership. The steep decline in world oil prices and the current glut of natural gas have also slowed energy projects in the Arctic, as companies seek cheaper and more hospitable climates.

Despite the melting ice, Arctic sea routes will not soon replace the Panama Canal. Most of the Arctic Ocean is still uncharted, and the seas will remain precarious due to floating ice and poor weather conditions even in summer. Container shipping, which depends on very strict schedules, will be deterred by these conditions. These factors suggest a less alarmist view of the Arctic, but it will take political will and agile diplomacy to keep it that way. Russia and the United States can ill afford the resource drain of a military arms race in the Arctic—nor is it in either country's interest to see military activities undermine the capacity for essential joint action in the Arctic.

R/T Environmental Lawsuits

Oil companies like (and effectively negotiated) UNCLOS

Kelly 03 Paul L. Kelly, 10-21-2003, "Statement of Paul L. Kelly: On the United Nations Convention on the Law of the Sea," Testimony before the Senate Foreign Relations Committee,

<https://www.unclosdebate.org/argument/856/offshore-oil-and-gas-development-dependent-legal-protection-unclos> //DF

In conclusion, from an energy perspective we see potential future pressures building in terms of both marine boundary and continental shelf delineations and in marine transportation. We believe the LOS Convention offers the U.S. the chance to exercise needed leadership in addressing these pressures and protecting the many vital U.S. ocean interests. Notwithstanding the United States' view of customary international law, the U.S. petroleum industry is concerned that failure by the United States to become a party to the Convention could adversely affect U.S. companies' operations offshore other countries. In November 1998, the U.S. lost its provisional

right of participation in the International Seabed Authority by not being a party to the Convention. At present there is no U.S. participation, even as an observer, in the Continental Shelf Commission--the body that decides claims of OCS areas beyond 200 miles--during its important developmental phase. The U.S. lost an opportunity to elect a U.S. commissioner in 2002, and we will not have another opportunity to elect a Commissioner until 2007. The United States should also be in a position to exercise leadership and influence on how the International Seabed Authority will implement its role in being the conduit for revenue sharing from broad margin States such as the U.S., yet the U.S. cannot secure membership on key subsidiary bodies of the Seabed Authority until it accedes to the Convention. Clearly United States views would undoubtedly carry much greater weight as a party to the Convention than they do as an outsider. With 143 countries and the European Union having ratified the Convention, the Convention will be implemented with or without our participation and will be sure to affect our interests. **It is for these reasons that the U.S. oil and natural gas industry supports Senate ratification of the Convention at the earliest date possible.**

1. UNCLOS isn't a sea treaty

Brousseau 14 James D. Brousseau [J.D./D.C.L. 2014, Paul M. Hebert Law Center, Louisiana State University], 2014, "A Fresh Look at the Law of the Sea and Why the United States Continues to Fight against It," SOUTHERN UNIVERSITY LAW REVIEW, https://heinonline.org/HOL/Page?handle=hein.journals/soulr42&div=9&start_page=143&collection=journals&set_as_cursor=0&men_tab=srchresults //DF

Many **UNCLOS opponents have maintained that accession to the Convention would expose the United States to countless international lawsuits** based upon "virtually any maritime activity."¹³¹ This fear of becoming subject to a legal decision rendered by an international tribunal refers to the increasingly prevalent notion of **climate-change litigation**. UNCLOS opponents point to a variety of publications authored by international law professors, international nongovernmental organizations, and member-State speeches before the UN General Assembly, as their authority for drawing such a comprehensive conclusion.¹³² These sources posit: (1) climate change litigation is no longer merely a theoretical concept; (2) US liability for trans-boundary damages could easily be based on its failure to ratify the Kyoto Protocol; (3) based on the US failure to ratify the Kyoto Protocol, the United States is the most logical defendant choice in a climate change lawsuit; and (4) UNCLOS Part VII in combination with Part XV provides the most likely basis and forum for hauling the United States into an international tribunal.¹³³ UNCLOS opponents also claim that even the adequacy of US efforts to protect the marine environment could provide enough of a substantive basis for an international lawsuit against the United States.¹³⁴ Lastly, UNCLOS opponents contend that accession to the Convention would oblige the United States to adopt additional laws and regulations aimed at preventing the pollution of the marine environment, and failure to do so would subject the United States to international liability.¹³⁵ **UNCLOS is an oceans treaty, not a climate treaty.**¹³⁶ **To claim that UNCLOS imposes a requirement on the United States to implement the Kyoto Protocol or any other international climate change laws is simply an untenable legal position.** The substantive basis for a hypothetical international suit rests on an alleged violation of the duties enumerated in Part XII of UNCLOS, which concern the protection and preservation of the marine environment.¹³⁷ Hypothetically, to have a viable cause of action against the United States for climate change issues under UNCLOS, a State would have to successfully argue the following: (1) that climate change exists within the meaning of "pollution of the marine environment" as defined in Article 1(4) of the Convention; ¹³⁸ (2) Part XII of UNCLOS-Protection and Preservation of the Marine Environment-applies to the issue of climate change; and (3) there is a causal link between a State's Greenhouse Gas (GHG) emissions and such pollution.¹³⁹ Even after assuming all of the preceding claims possess the requisite showing, Part XII would still not require a party to adopt additional climate laws.

2.

Brousseau 14 James D. Brousseau [J.D./D.C.L. 2014, Paul M. Hebert Law Center, Louisiana State University], 2014, "A Fresh Look at the Law of the Sea and Why the United States Continues to Fight against It," SOUTHERN UNIVERSITY LAW REVIEW, https://heinonline.org/HOL/Page?handle=hein.journals/soulr42&div=9&start_page=143&collection=journals&set_as_cursor=0&men_tab=srchresults //DF

2. A Pandora's Box of Environmental Lawsuits? The legal basis found in UNCLOS for a hypothetical international environmental lawsuit relies on a tenuous interpretation of article 212 and article 222.¹⁴¹ UNCLOS opponents read these two articles as obliging State parties to adopt domestic laws implementing internationally agreed regulations to prevent, reduce, and control pollution.¹⁴² If the United States, as a UNCLOS State party, failed to adopt these laws, ostensibly the Convention could then provide a remedial basis for bringing suit and any subsequent judgment of an international tribunal would become enforceable in US domestic courts.¹⁴³ In other words, the Kyoto Protocol, an environmental treaty the United States has expressly rejected, could ultimately become enforceable in US courts if it were to accede to UNCLOS.¹⁴⁴ To be clear, the substantive provisions of the Kyoto Protocol would not be directly enforceable per se, but if the US were to fail to adopt the additional regulations in conformity with the applicable international rules—in this case, Kyoto—theoretically, a US judge or an international arbitration panel, in finding current US laws inadequate, could order the US government to adopt additional regulations more in line with applicable international standards.¹⁴⁵ This argument hinges on the interpretation of the term "applicable," as understood in article 222.¹⁴⁶ Opponents read the article 222 provision- ". . . and take other measures necessary to implement applicable international rules and standards established through competent international organizations ..." -⁴⁷ to pertain to all international rules and regulations which have been adopted by competent international organizations and then applying those rules to the dispute at hand.¹⁴⁸ a. What does "applicable" apply to? The above interpretation has been rejected by the Obama administration, ¹⁴⁹ the Department of State, ¹⁵⁰ and the Bush administration after approving UNCLOS for advice and consent from the US Senate.¹⁵¹ Article 212 requires the US to adopt laws and regulations to prevent, reduce, and control pollution only taking into account internationally agreed rules at the time those domestic laws were adopted.¹⁵² Hence, **the US is not obligated to enact any specific international regime concerning environmental regulation**. Article 222 begins by first obliging the United States to enforce those laws that have since been adopted in accordance with article 212(1).¹⁵³ In other words, the United States must enforce its own laws. The phrase "applicable international rules and standards," simply means those international regulations that apply to the US. ¹⁵⁴ If the United States has not adopted a particular environmental treaty, then that treaty is not applicable to the US, and thus, cannot be arbitrarily used for determining a breach of an international obligation because the obligation never existed in the first place. ¹⁵⁵

3. There is No Appropriate Forum for Challenging US Climate Change Policies UNCLOS cannot be understood as creating substantive causes of action or other individual legal rights that can be invoked in US courts.¹⁶⁰ **Internationally, there is no remedy open to individuals or groups, only to State parties to the Convention.** ¹⁶¹ Furthermore, **even if a State were to successfully challenge US climate policies,** by alleging that such policies were resulting in the pollution of the marine environment, the UNCLOS dispute resolution mechanisms outlined in article 297 would still be unavailable.¹⁶² Specifically, article 297(1)(c) sets out the exclusive basis upon which a State party may bring a dispute before an international tribunal for an act of alleged pollution to the marine environment.¹⁶³ The aggrieved State, in stating its claim, must invoke a "specified" international rule applicable to the US. Because no provision of UNCLOS applies any additional substantive rules concerning climate change, it would, therefore, not be possible for a UNCLOS State party to rely on the dispute resolution procedures of article 297 for creating an adequate forum to challenge US climate change policies.¹⁶⁴

R/T Royalties

Defense

Royalties would be very marginal

Patrick 12 Stewart M. Patrick, 6-10-2012, "(Almost) Everyone Agrees: The U.S. Should Ratify the Law of the Sea Treaty," Atlantic,

<https://www.theatlantic.com/international/archive/2012/06/-almost-everyone-agrees-the-us-should-ratify-the-law-of-the-sea-treaty/258301//DF>

One enduring shibboleth is that the International Seabed Authority (ISA) created under UNCLOS is an unaccountable supranational bureaucracy that will defy U.S. wishes and redistribute undersea wealth to developing countries. This is pure nonsense, since the United States is the only country guaranteed (if it accedes to the treaty) a permanent seat on the ISA, a body that takes decisions by consensus--giving the United States an effective veto over its decisions. **It is true that the ISA collects royalties for deep sea mining, but these remain extremely modest--as one would expect from an arrangement that was effectively negotiated by U.S. oil companies.** Nevertheless, Senator Jon Kyl of Arizona has proposed an enticing but misguided "compromise," whereby "Congress could enact a statute that makes the navigational parts of the treaty...the law of the land," and thereby "separate the wheat from the chaff." This purported solution is a sheer mirage. It would secure no diplomatic or international legal benefits for the United States. Nor would it secure maritime exploration rights to which Lockheed Martin referred. Still, Kyl has already obtained the signatures of twenty-seven colleagues, just seven short of the number needed to scuttle the treaty. Treaty defenders must expose this gambit as an alluring but ultimately destructive siren song.

Non-unique for two reasons.

1. First, remember that we can't even drill in the ECS.
2. Second, **Houck** at Penn State reports in 2013 that to date the ISA has not yet taken up implementation of Article 82. Even if the US acceded and somehow drilling began, they are unable to provide any reason why the ISA would suddenly start collecting royalties.

Second, Turn.

1. Foreign aid, such as royalties to developing and landlocked nations, are supposed to help. But foreign aid has actually been found to breed corruption and lead to unparalleled income inequality, worsening the problems that it is designed to help. **Keo** at The Diplomat writes in 2013 that foreign aid reinforces social inequities and perpetuates cycles of political abuse that has led to a sophisticated new form of authoritarianism – one that empowers the elite few, while keeping a majority of people in abject poverty.

James W. Houck, 2013, The Opportunity Costs of Ignoring the Law of Sea Convention in the Arctic, PennState Law, https://elibrary.law.psu.edu/cgi/viewcontent.cgi?article=1240&context=fac_works // EH

Opponents argue that U.S. royalty payments will go to an inefficient and corrupt “UN-style bureaucracy”¹³⁵ 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 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, overstuffed, or corrupt at any time throughout the nearly 19 years since its founding in 1994. The argument that the ISA could transfer U.S. contributions to terrorists and other anti-U.S. interests** also has great emotional appeal. However, the assertion **is not based on fact**¹³⁹ and has been rebutted repeatedly.¹⁴⁰ UNCLOS opponents have suggested in direct contradiction of the convention’s express terms that the assembly might somehow be able to circumvent the express provisions preserving U.S. influence in the council. The argument is spurious but remains a pillar of opposition strategy. Fortunately, **to date the ISA has not yet taken up implementation of Article 82. But only if the United States is a party can it ensure that payments would not go to terrorists or other anti-U.S. interests.** The Argument that UNCLOS Is Unnecessary In addition to arguing that UNCLOS membership would hurt the United States, UNCLOS opponents argue that the convention is unnecessary in the first place. As Alaskan Senator Lisa Murkowski has noted:

Peter Tan Keo, The Diplomat, 11-5-2013, "The Dark Side of Foreign Aid," Diplomat, <https://thediplomat.com/2013/11/the-dark-side-of-foreign-aid/> //EH

Foreign aid has a long track record. The biggest upside appears to be the injection of large sums of money into developing countries otherwise gripped by poverty, war and conflict. For better or worse, that money should, in theory, improve lives and raise people out of poverty, leading to sustainable growth and development. The unfortunate truth, however, is that foreign aid has often presented more challenges than opportunities to aid recipients. In the sixty-plus years aid has been mandated by government – versus relying solely on private donations – we’ve seen small improvements across the globe, from reducing poverty to slowing population growth to curing and preventing diseases. Progress that otherwise would have been absent without an outpouring of foreign support. However, the impact from aid has not been proportionate to the amount of money donated. **Foreign aid’s biggest downside is that no clear, effective system has been put in place to hold aid recipients and their governments accountable for resources illegally taken from public sector coffers – a long-standing, and still very present, trend from Asia to Africa to Latin America/Caribbean to Europe. Unfortunately, the absence of that system reinforces social inequities and perpetuates cycles of political abuse that has led to a sophisticated new form of authoritarianism – one that empowers the elite few, while keeping a majority of people in abject poverty.** Discussions about foreign aid remind me of James Bovard’s nominal 1986 article, “The Continuing Failure of Foreign Aid.” Analyzing world events over a period of more than 40 years, Bovard argues convincingly that the success of foreign aid is often measured by intentions, not results. Using the U.S. as one example, Bovard writes, “[F]oreign aid has routinely failed to benefit the foreign poor...the U.S. Agency for International Development [USAID] has dotted the countryside with “white elephants”...the biggest...of them all – a growing phalanx of corrupt, meddling, and overpaid bureaucrats.”

1. No country has actually ever made a royalty payment. Radevski 15 at the BOE Report, looking at why Canada hasn’t made royalty payments, explains: despite the very real possibility that Canada could be the first state to make an Article 82 payment, it does not appear that any practical steps have been taken to comply. This card means that no country has actually made royalty payments, since they probably want to keep their income. The US, in all likelihood, also wouldn't comply and pay.

Radevski 15 Petur Radevski, 11-25-2015, "Canada's potential international oil and gas royalty obligations," BOE Report,
<https://boereport.com/2015/11/25/law-of-the-sea-and-canadas-potential-international-oil-and-gas-royalty-obligations/> //DF

While offshore oil & gas production is ostensibly a matter of federal-provincial jurisdiction – reflected and perhaps necessitated by the joint nature of the C-NLOPB – the federal government has not asserted itself in any significant way with regards to the royalty structure of NL. In practice, operators interact only with NL representatives. Rather, the federal role appears to be administrative. Under existing federal-provincial and federal-NL agreements, the arrangement boils down to two prongs: 1) NL sets up the royalty regime and 2) operators pay said royalty to the federal government which then transfers it to NL. To complicate matters even further, the NL royalty regime is not uniform. General royalty regulations apply to some plays, project-specific royalty regulations to others, and private contract agreements still to others. Finally, **despite the very real possibility that Canada could be the first state to make an Article 82 payment, it does not appear that any practical steps have been taken to comply.** Indeed, it was not until 2013 that the C-NLOPB even made reference to the possibility of payments under Article 82 in its call for bids from potential operators. What does it all mean? The order of the day is uncertainty. **It is uncertain who will pay up to 7 percent in royalties and also how these royalties will be paid.** Could NL be required to furnish the extra amount from its general revenues? It would be a tough sell, and grossly unfair to NL, given that land-based oil & gas producing provinces would have no similar burdens. It would also run counter to the Accord, which aims to situate NL in a position similar to that of land-based oil & gas producers. If NL were so burdened, would the province be required to tack on the relevant additional percentage points to its royalty structure? That would certainly undermine the competitiveness of its energy sector, not to mention alter those elements of its royalty structure that are subject to contractual agreements. It would also alter a balance that had previously been struck by the province's own legislators.

2. Revenue is only short-term. Radevski 15 at the BOE reports explains: royalty payment rises an additional 1 percent each year until it reaches a 7 percent maximum.

Radevski 15 Petur Radevski, 11-25-2015, "Canada's potential international oil and gas royalty obligations," BOE Report,
<https://boereport.com/2015/11/25/law-of-the-sea-and-canadas-potential-international-oil-and-gas-royalty-obligations/> //DF

That Article 76 is broad and favourable to Canada – and that dissenting states ultimately acceded to UNCLOS in its present form – is because Article 76 came at the expense of Part VI, Article 82. Basically, Article 82 requires that the signatory state make annual payments with respect to resource exploitation, including oil & gas production, situated in the state's respective continental shelf beyond the 200-nautical mile limit. Article 82 refers to "all production" and grants a five year grace period, presumably to allow operators to recoup development costs, before requiring a percentage payment of the value of production. **In the sixth year, this payment is 1 percent. [Royalty payment] It rises an additional 1 percent each year until it reaches a 7 percent maximum for the remaining life of the project.** The amounts collected would then be paid by the signatory offshore producing state to an international body which would then distribute the payments to other signatories, with particular regard to land-locked and underdeveloped states. So Article 82 was a compromise, and an understandable one given that broad international acceptance would be desirable for a treaty purporting to govern a matter as comprehensive as the use of the sea.

Offense

Moyini '07 of the Intergovernmental Authority writes that even if payments ever made it to developing nations' government, they never give it to their people.

Moyini, Yakobo. "IGAD Environment and Natural Resources Strategy." *Igad.int*, Intergovernmental Authority on Development, 2007, igad.int/attachments/159_IGAD_ENR_Strategy.pdf.

“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.”

The U.S. would be powerless to stop oil royalties from going to corrupt nations. Groves 11 at the Heritage Foundation explains: 13 of the 20 most corrupt nations in the world are UNCLOS members, and the U.S. would hold limited veto power because while the U.S. would hold a permanent seat on the 36-member Council, the council only makes recommendations, not decisions. The Assembly makes the final decision, and the United States would have only one vote in any Assembly decision.

Groves 11 Steven Groves, 6-7-2011, "U.N. Convention on the Law of the Sea Erodes U.S. Sovereignty over U.S. Extended Continental Shelf," Heritage Foundation, <https://www.heritage.org/report/un-convention-the-law-the-sea-erodes-us-sovereignty-over-us-extended-continental-shelf> //DF

UNCLOS provisions direct that international royalties generated by resource exploitation of the ECS be distributed to certain recipients to the exclusion of others. The Authority is required to distribute the revenue only to UNCLOS members and to preference developing countries, particularly those that are landlocked or the “least developed,” and to “peoples who have not attained full independence or other self-governing status.”[51] **If the United States joined UNCLOS, it would be one of more than 160 nations that are party to the convention and would have limited control over the disposition of Article 82 revenue. All final decisions** on the “equitable sharing of...payments and contributions made pursuant to article 82” **are made by the Assembly**, the “supreme organ” of the Authority. **The Assembly consists of all nations that are party to UNCLOS.**[52] **The United States would have only one vote in any Assembly decision, whether it dealt with Article 82 revenue or some other matter.**[53] Some UNCLOS proponents maintain that the United States, if it joined the convention, would have a “veto” over such decisions because **the U.S. would hold a permanent seat on the 36-member Council**, which is the executive organ of the Authority.[54] In fact, **UNCLOS empowers the Council only to make recommendations to the Assembly on the disposition of Article 82 revenue, which the Assembly may approve or disapprove.**[55] Any Council recommendation that is disapproved by the Assembly is returned to the Council “for reconsideration in the light of the views expressed by the Assembly.”[56] Therefore, in function and form, **the Assembly makes final determinations regarding the disposition of Article 82 revenue.** Thus, **it is unlikely that the United States would be able to prevent the Authority from distributing Article 82 revenue** to Cuba and Sudan, UNCLOS members that the U.S. State Department has designated as state sponsors of terrorism.[57] It would also be difficult for the United States to block the Authority from sending funds to the undemocratic, despotic, and/or brutal regimes in Belarus, Burma, China, Somalia, and Zimbabwe.[58] Finally, the United States would

have limited ability to stop the transfer of Article 82 revenue **to corrupt regimes, especially given that 13 of the 20 most corrupt nations in the world are UNCLOS members**.^[59] By virtue of its seat on the Council, the United States might be able to hinder decisions to distribute Article 82 revenue for purposes to which it objects. Whether the United States would be steadfast in its objections to such distributions and whether the Assembly would make any such distributions without the consent of the Council are open questions.^[60]

Tennant 12 Michael Tennant, 6-28-2012, "Will Our Freedoms Be LOST at Sea?," No Publication, <https://www.jbs.org/jbs-news/news/item/16505-will-our-freedoms-be-lost-at-sea> //DF

What are the critics saying? For one thing, they are extremely concerned that LOST would jeopardize U.S. sovereignty, subordinating America to the will of all the other parties to the treaty, many of which are governed by corrupt, anti-American regimes. LOST supporters claim that this fear is unfounded because the United States has been granted a "permanent veto" over the actions of the International Seabed Authority (ISA) much like the one it possesses over the actions of the UN Security Council. Greenley called this assertion an "exaggeration," and he would certainly appear to be correct. First of all, this so-called veto only applies to the distribution of royalties from undersea mining and drilling under Article 82 of the treaty. Second, **the ISA Assembly makes all decisions regarding the disposition of such revenue; and there the United States, while footing one-fourth of the ISA's budget, would have just one vote out of 163.** According to the Heritage Foundation's Steven Groves: Some UNCLOS proponents maintain that the United States, if it joined the convention, would have a "veto" over such decisions because the U.S. would hold a permanent seat on the 36-member Council, which is the executive organ of the Authority. In fact, **UNCLOS empowers the Council only to make recommendations to the Assembly on the disposition of Article 82 revenue, which the Assembly may approve or disapprove. Any Council recommendation that is disapproved by the Assembly is returned to the Council "for reconsideration in the light of the views expressed by the Assembly."** Therefore, in function and form, **the Assembly makes final determinations regarding the disposition of Article 82 revenue....** By virtue of its seat on the Council, the United States might be able to hinder decisions to distribute Article 82 revenue for purposes to which it objects. Whether the United States would be steadfast in its objections to such distributions and whether the Assembly would make any such distributions without the consent of the Council are open questions. Of course, **even if the United States did, in fact, possess precisely the same kind of veto in the ISA that it does in the Security Council, it would, Greenley remarked, offer "scant comfort when our U.S. Executive Branch usually sides more with the interests of the UN than with the national interests of the United States."** LOST contains provisions establishing "institutions with executive and judicial powers that in some instances are compulsory," William J. Middendorf II, former Secretary of the Navy and former Ambassador to the Netherlands and the Organization of American States, told the Senate Armed Services Committee in 1994. By putting the entire marine area under the thumb of the ISA, Middendorf said, the treaty grants "executive powers to the authority that supersed[e] the sovereign power of the participating states." "Of even greater concern," Middendorf continued, "Part XV of the Convention establishes dispute settlement procedures that are quasi-judicial and mandatory. Once drawn into this dispute settlement process, it will be very difficult for the U.S. [to] extricate itself from it."

Corruption destroys economic growth Mo 2000 at Harvard explains this happens in a couple ways: corruption hurts innovations because innovators need government-supplied goods, such as permits; people's talent and effort will also be allocated to rent-seeking activities instead of productive investments since they know that they can get more money from extorting people than by starting a business; and corruption favors a particular class of people and creates inequality in opportunities. That's why Mo finds: a 1% increase in the corruption level reduces the growth rate by about 0.72%.

Mo 00 Pak Hung Mo, 11-15-2000, "Corruption and Growth," Journal of Comparative Economics, <https://projects.iq.harvard.edu/files/gov2126/files/sdarticle-3.pdf> //DF

On the other hand, **corruption tends to hurt innovative activities because innovators need government-supplied goods, such as permits** and import quotas, more than established producers do. Demand for these goods is high and inelastic; hence, they become primary targets of corruption. Moreover, innovators have no established lobbies and connections so that they are subject to particularly heavy bribes and expropriations. Furthermore, unlike established producers, innovators are often credit-constrained and cannot find the cash to pay bribes (Murphy et al., 1993). **This will reduce private investment** and, hence, the stock of producible inputs in the long run. **People's talent and effort will be allocated to rent-seeking activities instead of productive investments**, e.g., accumulating capital, knowledge, and skills. Moreover, **corruption favors a particular class of people and creates inequality in opportunities**. In addition to the shrinking of opportunities due to productivity retardation, inequality in opportunities, which is similar to income and wealth inequality, will lead to frustration and sociopolitical instability. Recent studies suggest that the existing corruption levels are unfavorable to development, e.g., Gould and Amaro-Reyes (1983), United Nations (1990), and Mauro (1995). However, the actual effect of corruption on economic growth and its transmission process can be settled only empirically. Mauro (1995) engaged in an empirical analysis of corruption by investigating the relationship between investment and corruption for 58 countries. His corruption variable is defined as the degree to which business transactions involve corruption and questionable payment. The average ratio of total and private investment to GDP for the period between 1970 and 1985 is drawn from Barro (1991), while the corruption indicator is the simple average for the country in question for the period from 1980 to 1983 from Business International (1984). Mauro finds that **corruption has a significant negative effect on the ratio of investment to GDP**. These results are consistent with the view that corruption is deleterious for economic growth. However, the exact channels through which corruption affects economic growth are not resolved empirically. Based on the ideas of previous researchers and employing data similar to Mauro (1995), we develop a new analytical framework to estimate the effects of corruption and the channels through which it affects the rate of GDP growth. The channels under consideration include investment, human capital, and political instability.

Mo 00 Pak Hung Mo, 11-15-2000, "Corruption and Growth," Journal of Comparative Economics, <https://projects.iq.harvard.edu/files/gov2126/files/sdarticle-3.pdf> //DF

Given the complexity of the growth process, our framework is necessarily incomplete. However, our new perspective generates the estimations of the impact of corruption on growth and the relative importance of the channels of transmission. **We find that a 1% increase in the corruption level reduces the growth rate by about 0.72%** or, expressed differently, a one-unit increase in the corruption index reduces the growth rate by 0.545 percentage points. The most important channel through which corruption affects economic growth is political instability, which accounts for about 53% of the overall effect.¹³ The other channels include the level of human capital and the share of private investment. However, our results are more general. Corruption is most prevalent where other forms of institutional inefficiency, such as bureaucratic red tape and weak legislative and judicial systems, are present. Although these problems may be alleviated by including variables like the Gastil political rights index and initial per capita income to capture the institutional characteristics of countries, we find it more compelling to interpret the corruption index as a set of institutional problems associated with corruption. As corruption, government regulations, bureaucratic red tape, and even the strength

of legislative and judicial systems tend to reinforce each other, multicollinearity prevents us from disentangling their individual effects empirically. However, they may be just the manifestation of a single phenomenon so that their separation is impossible.

R/T EEZ

1. Non-unique: 1. Pre-existing US and international treaties grant the US an EEZ of 200 miles 2. UNCLOS says nations need to respect the EEZ even for countries that haven't acceded to it

Ridenour 07 David A. Ridenour, 9-26-2007, "David A. Ridenour," Townhall,

<https://townhall.com/columnists/davidaridenour/2007/09/26/another-premature-mission-accomplished-law-of-the-sea-treaty-still-seriously-flawed-n1089372> //DF

Former Secretary of State Lawrence Eagleburger and University of Virginia Law Professor John Norton Moore, for example, claimed in an article in The Washington Post that the treaty would vastly extend U.S. control over ocean resources by establishing 200-mile Exclusive Economic Zones. They're wrong. First, U.S. control over such [ocean] resources already exists under U.S. law and customary international law. President Truman's Executive Order 9633 and Proclamation 2667 asserted U.S. jurisdiction over continental shelf resources in 1945; the Fisheries Conservation and Management Act of 1976 established a U.S. conservation zone of 200 miles; and Ronald Reagan's 1983 Proclamation 5030 explicitly established a 200-mile Exclusive Economic Zone. Further, the 200-mile economic zone standard is already embedded in international law, included in the 1952 Santiago Declaration, the 1972 Declaration of Santo Domingo, and the 1973 Addis Ababa Declaration, among others. It's what one might call the industry standard. Second, the U.S. does not need to participate in the treaty for its economic zone to be honored. The treaty establishes a code of conduct for its 154 member states toward other nations, regardless of whether they are parties to the treaty. Then there's the oft-repeated assertion that treaty would not further impede submerged transit nor compromise U.S. security. William H. Taft, IV, who served as State Department legal advisor, argued that the "Convention makes no change in the situation that has existed for many years" because the treaty's surfacing requirements are similar to those contained in the 1958 Convention on the Territorial Sea and Contiguous Zone.

R/T Deep Seabed Mining Good

Deep Seabed Mining Kills Useful Bacteria

Oregon State University 5-31-18 PHYS.org

<https://phys.org/news/2016-05-hydrothermal-vents-methane-seeps-enormous.html>

The hydrothermal vents and methane seeps on the ocean floor that were once thought to be geologic and biological oddities are now emerging as a major force in ocean ecosystems, marine life and global climate. However, even **as researchers learn more about their role in sustaining a healthy Earth, these habitats are being threatened by a wide range of human activities, including deep-sea mining,** bottom trawling and energy harvesting, scientists say in a report published in *Frontiers in Marine Science*. **Researchers from Oregon State University first discovered these strange, isolated worlds on the ocean bottom 40 years ago. These habitats surprised the scientific world with reports of hot oozing gases, sulfide chimneys, bizarre tube worms and giant crabs and mussels - life forms that were later found to eat methane and toxic**

sulfide. "It was immediately apparent that these hydrothermal vents were incredibly cool," said Andrew Thurber, an assistant professor in the OSU College of Earth, Ocean and Atmospheric Sciences, and co-author on the new report. **"Since then we've learned that these vents and seeps are much more than just some weird fauna, unique biology and strange little ecosystems. Rather than being an anomaly, they are prevalent around the world, both in the deep ocean and shallower areas. They provide an estimated 13 percent of the energy entering the deep sea, make a wide range of marine life possible, and are major players in global climate." As fountains of marine life, the vents pour out gases and minerals, including sulfide, methane, hydrogen and iron - one of the limiting nutrients in the growth of plankton in large areas of the ocean. In an even more important role, the life forms in these vents and seeps consume 90 percent of the released methane and keep it from entering the atmosphere, where as a greenhouse gas it's 25 times more potent than carbon dioxide. "We had no idea at first how important this ecological process was to global climate," Thurber said. "Through methane consumption, these life forms are literally saving the planet. There is more methane on the ocean floor than there are other forms of fossil fuels left in the oceans, and if it were all released it would be a doomsday climatic event."** In reviewing the status of these marine geological structures and the life that lives around them, a group of researchers from 14 international universities and organizations have outlined what's been learned in the past four decades and what forces threaten these ecosystems today. The synthesis was supported by the J.M. Kaplan fund. These vents and seeps, and the marine life that lives there, create rocks and habitat, which in some settings can last tens of thousands of years. They release heat and energy, and form biological hot spots of diversity. They host extensive mussel and clam beds, mounds of shrimp and crab, create some prime fishing habitat and literally fertilize the ocean as zooplankton biomass and abundance increases. While the fluid flows from only a small section of the seafloor, the impact on the ocean is global.

Read more at:

<https://phys.org/news/2016-05-hydrothermal-vents-methane-seeps-enormous.html#jCp>

R/T Offshore Windmills

1. Non-unique: we can use the EEZ

Ridenour 07 David A. Ridenour, 9-26-2007, "David A. Ridenour," Townhall,

<https://townhall.com/columnists/davidaridenour/2007/09/26/another-premature-mission-accomplished-law-of-the-sea-treaty-still-seriously-flawed-n1089372> //DF

Former Secretary of State Lawrence Eagleburger and University of Virginia Law Professor John Norton Moore, for example, claimed in an article in The Washington Post that the treaty would vastly extend U.S. control over ocean resources by establishing 200-mile Exclusive Economic Zones. They're wrong. **First, U.S. control over such [ocean] resources already exists under U.S. law**

and customary international law. President Truman's Executive Order 9633 and Proclamation 2667 asserted U.S. jurisdiction over continental shelf resources in 1945; the Fisheries Conservation and Management Act of 1976 established a U.S. conservation zone of 200 miles; and Ronald Reagan's 1983 Proclamation 5030 explicitly established a 200-mile Exclusive Economic Zone. Further, the 200-mile economic zone standard is already embedded in international law, included in the 1952 Santiago Declaration, the 1972 Declaration of Santo Domingo, and the 1973 Addis Ababa Declaration, among others. It's what one might call the industry standard. **Second, the U.S. does not need to participate in the treaty for its economic zone to be honored. The treaty establishes a code of conduct for its 154 member states toward other nations, regardless of whether they are parties to the treaty.** Then there's the oft-repeated assertion that treaty would not further impede submerged transit nor compromise U.S. security. William H. Taft, IV, who served as State Department legal advisor, argued that the "Convention makes no change in the situation that has existed for many years" because the treaty's surfacing requirements are similar to those contained in the 1958 Convention on the Territorial Sea and Contiguous Zone.

Companies know this and they're already expanding. Roberts 18 reports that 22,000 megawatts of offshore wind will be produced by 2030, a number that will likely be much higher because, like so many other clean energy technologies, offshore wind already seems to be advancing and getting cheaper faster than anyone expected.

Roberts 18 David Roberts, 6-14-2018, "Offshore wind finally gets blowing in the US," Vox, <https://www.vox.com/energy-and-environment/2018/5/25/17393156/offshore-wind-us-massachusetts-rhode-island-zinke> //DF

But Trump's personal obsessions don't seem to be dictating policy in this area. In April, the Department of Interior came out in strong support of the offshore industry. Secretary Ryan Zinke wrote an op-ed boosting the industry and DOI announced two new leases off the coast of Massachusetts amounting to 390,000 acres. The US is playing catch-up to Europe, but momentum is building The US will be catching up to Europe for years. The EU already has 16,000 MW of offshore wind installed, and growth is only accelerating; investment in the industry could top \$10 billion in 2018, led by the UK, where prices are coming in at eye-popping lows. Nonetheless, **it really does look like the US is getting into gear. The US Department of Energy predicts around 22,000 MW of offshore wind by 2030.** But **like so many other clean energy technologies, offshore wind already seems to be advancing and getting cheaper faster than anyone expected.** My bet is that DOE's number, like the vast bulk of predictions about renewable energy to date, will prove wildly below the mark.

R/T Piracy

Piracy consists of any of the following acts:

(a) any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed: (i) **on the high seas**, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State; (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).

Anti Piracy doesn't solve for the root cause which is economic distress. Pirates are a response to that situation, and they're good for the local economies

Mcconnell 12 Tristan Mcconnell, 6-3-2012, "Pirates: The economic costs of maritime crime," Public Radio International,

<https://www.pri.org/stories/2012-03-16/pirates-economic-costs-maritime-crime> //DF

The UK has relatively few vessels flying its ensign, yet it is the home to ship insurers, the emerging maritime security sector, and financial institutions that transfer ransom payments. That makes Britain one of piracy's biggest beneficiaries, raking in more than the pirates themselves according to some experts. Pirates, of course, benefit, too. And so do the communities from

which they hail, according to another study, "Treasure Mapped" by Anja Shortland of London's Royal Institute of International Affairs. Shortland analyzed the night-time light picked up by satellites to plot the growth of towns in Somalia and the semi-autonomous northern region of Puntland between 2002 and 2009. "The positive impacts of piracy are widespread," said Shortland.

She concluded that the bulk of development was seen in Somalia's northern cities of Bosasso and Garowe, while the smaller coastal towns and villages appeared to miss out. However, she argued that Somalia's clan system meant that financial

benefits were in fact spread around, helping to stimulate local markets and small industries.

Shortland said that keeping hostages provides local jobs for cooks and armed guards, with up to 100 people needed to hold captive a single vessel and its crew. "A consistent story emerges regarding the impact of ransom money on the Somali economy," she said.

"Piracy appears to lead to widespread economic development and therefore has a large interest group behind its continuation." Shortland argues that rather any attempt to stop piracy must focus on the impoverished coastal communities for whom there are few economic alternatives.

Graham 09 John Graham, 5-15-2009, "Pirates and Poverty," HuffPost,

https://www.huffingtonpost.com/john-graham/pirates-and-poverty_b_186485.html //DF

Piracy off the Somali coast has become a major growth industry for this failed state. While the pirates are hardly Al-Qaeda, they've learned from Al-Qaeda's example the enormous power of the clever use of simple weapons. But there's a more important parallel here than tactics. Piracy in Somalia, like terrorism, is an act of violence fed not just by ideology or greed, but by the indifference of the developed world to the fate of poor, distant, lawless places where desperation grows unchecked. Piracy and terrorism do not exist in a vacuum. They grow and thrive in failed states, like Somalia, like Afghanistan under the Taliban, like the border regions of Pakistan and next, perhaps, in parts of Saharan Africa. It's easy in places like these to convince young men that taking on the US Navy in lifeboats or strapping bombs to their waists is an option. What's to lose for a young man in those places? There's no job and no economy that might create one. Members of your family have died from malnutrition and disease. Your guidance comes not from a school but from the hateful bile of anti-American ideologues or the cunning blandishments of warlords and professional criminals.

UNCLOS does not give us jurisdiction over the places where piracy occurs

Kelley 2011, 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.

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 adjudicative jurisdiction states today require.**

R/T PSI

Defense

1. There are already 105 countries in the PSI; no reason why one more country makes such a big difference.

2. No impact: membership doesn't mean interdictions. Valencia 07 writes: given the flexibility of cooperation, many if not most of the 80 so-called supporters of the PSI would not be obligated to interdict vessels or aircraft at the behest of the United States and might well decline doing so.

Valencia 07 Mark J. Valencia [visiting senior fellow at the Maritime Institute of Malaysia and author of *The Proliferation Security Initiative: Making Waves in Asia* (2006).], 6-2-2007, "The Proliferation Security Initiative: A Glass Half-Full," Arms Control Association, https://www.armscontrol.org/act/2007_06/Valencia //DF

Because PSI interdictions are cloaked in secrecy, an assessment of the PSI must rely on an examination of publicly available information regarding specific claims for the PSI made by the U.S. government and PSI advocates. In many cases, the reality does not appear to match the Bush administration's rhetoric. The Limits of Support The Bush administration claims that nearly 80 countries support the PSI, but **it is unclear what "support" means.**^[7] **The "concrete steps" for contribution to the PSI listed on the Department of State's website**^[8] **are** rather **vague and conditional**. First and foremost, participating states are encouraged to commit formally to and endorse publicly, if possible, the PSI's Statement of Interdiction Principles. Follow-up steps are also replete with conditional language such as "indicate willingness," "as appropriate," "might contribute," and "be willing to consider." Although the State Department has posted a list of some 81 nations that have participated in PSI meetings or exercises, it is not at all clear that "participation" equates with "support" as defined by the State Department. Indeed, **apparently some participating states have not publicly (or even privately) endorsed the PSI Principles.** Reasons given include not perceiving the PSI as a top security priority and wanting to avoid possible reprisals as well as domestic criticism for cooperating with the United States. This reluctance in itself indicates less than stalwart support. Further, **given the flexibility of cooperation, many if not most of these 80 so-called supporters would not be obligated to interdict vessels or aircraft at the behest of the United States and might well decline doing so.** Thus, in a pinch, such "support" could easily evaporate.

3. No impact: even when there are interdictions, there's no guarantee of success. Valencia 07 explains: It is far from clear that 12 successful interdictions in two years or even 30 in three years mean that the PSI is effective. State and nonstate actors that want to avoid PSI interdictions can still transport WMD components on their own flag vessels or aircraft or on those of nonparticipating states.

Valencia 07 Mark J. Valencia [visiting senior fellow at the Maritime Institute of Malaysia and author of *The Proliferation Security Initiative: Making Waves in Asia* (2006).], 6-2-2007, "The Proliferation

Security Initiative: A Glass Half-Full," Arms Control Association,

https://www.armscontrol.org/act/2007_06/Valencia //DF

Reflecting the Bush administration's philosophical disdain for the UN, the PSI was conceived, originated, and implemented outside the UN system. In reality, it remains a U.S.-initiated and driven ad hoc activity designed primarily to deter trade in WMD components and "related materials" to and from North Korea and now Iran. **It is far from clear that 12 successful interdictions in two years or even 30 in three years^[18] mean that the PSI is effective. State and nonstate actors that want to avoid PSI interdictions can still transport WMD components on their own flag vessels or aircraft or on those of nonparticipating states**, such as Cambodia. This is particularly applicable to warships and government ships operated for noncommercial purposes, which under Article 32 of the 1982 UN Convention on the Law of the Sea have immunity from other state's jurisdiction.

4. No impact: WMDs can be homemade. Valencia 09 explains that the greatest obstacle to PSI effectiveness is that few countries actually export WMDs; countries and nonstate actors can just build their own WMDs.

Valencia 07 Mark J. Valencia [visiting senior fellow at the Maritime Institute of Malaysia and author of *The Proliferation Security Initiative: Making Waves in Asia* (2006).], 6-2-2007, "The Proliferation Security Initiative: A Glass Half-Full," Arms Control Association,

https://www.armscontrol.org/act/2007_06/Valencia //DF

As is often stated by its proponents, the PSI is an activity rather than an organization, and thus it lacks an independent budget or coordinating mechanism. Although these features may enhance its flexibility, as well as the speed of decision-making and resultant action, they also constrain its capacity. Moreover, placing such emphasis on interdictions may undermine other nonproliferation efforts. Perhaps **the greatest obstacle to PSI effectiveness is the dual-use nature of WMD materials and technologies. Few if any countries export "turn-key" weapons of mass destruction.** The harsh reality is that **countries and nonstate actors can build their own weapons of mass destruction** from items that have civilian application. **This means that it is very difficult to make decisions regarding "good cause" for interdiction and that such decisions will inevitably be politically influenced** and based on who is sending or receiving the shipment. Moreover, a proliferation of interdictions of dual-use materials may hamper legitimate commerce and thus engender opposition, even from allies.

R/T Nuclear Terrorism Generic

Yeah it's not gonna happen

Mueller 10 John, professor of political science at Ohio State University, *Calming Our Nuclear Jitters*, *Issues in Science & Technology*, Winter2010, Vol. 26, Issue 2

Those who warn about **the likelihood of a terrorist bomb contend that a terrorist group could, if with great difficulty, overcome each obstacle** and that doing so in each case is "not impossible." **But** although it may not be impossible to surmount each individual step, **the likelihood that a group could surmount a series of them quickly becomes vanishingly small.** Table 1 attempts to catalogue the barriers that must be overcome under the scenario considered most likely to be successful. In contemplating the task before them, would-be atomic terrorists would effectively be required to go through an exercise that looks much like this. If and when they do, they will undoubtedly conclude that their prospects are daunting and accordingly uninspiring or even terminally dispiriting. It is possible to calculate the chances for success. **Adopting probability estimates that purposely and heavily bias the case in the terrorists' favor—for example, assuming the terrorists have a 50% chance of overcoming each of the 20 obstacles—the chances that a**

concerted effort would be successful comes out to be less than one in a million. If one assumes, somewhat more realistically, that their chances at each barrier are one in three, the cumulative odds that they will be able to pull off the deed drop to one in well over three billion. Other routes would-be terrorists might take to acquire a bomb are even more problematic. They are unlikely to be given or sold a bomb by a generous like-minded nuclear state for delivery abroad because the risk would be high, even for a country led by extremists, that the bomb (and its source) would be discovered even before delivery or that it would be exploded in a manner and on a target the donor would not approve, including on the donor itself. Another concern would be that the terrorist group might be infiltrated by foreign intelligence.

1. Tons of operational hurdles, like making sure the group isn't big enough, moving the weapon around without detection or loss, and if they should transport the weapons themselves and risk capture

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master's in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, "Nuclear Terrorism –Imminent Threat?," The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

In addition to the actual manufacturing of a device, operational security would be one of the terrorist groups' major challenges. The more people involved in what most likely would be a terrorist organization's most sensitive operation, the more the risk of detection and disruption by law enforcement or intelligence personnel. If the group is not adequately walled off or quarantined (for what likely would be an extended period of time), some might brag or even just hint at the importance of the project, and this might be detected. Another operational consideration that terrorists would have to contend with is the physical movement of the device to its intended target, from the safe haven in which it was manufactured. Dozens of national and international programs have been created after the attacks on September 11, 2001, to monitor the trade routes that supply goods to markets around the world. Terrorists would have to conduct "complex international operations involving training, travel, visas, finances and secure communications" to be able to accomplish such an operation.²¹ Even if mechanisms can be thwarted or bypassed, the mere perception of a concerted international effort to find nuclear weapons in the global commons might be expected give a terrorist group pause as they consider how best to move their weapon. Finding a pathway to move a nuclear device potentially around the world is not without significant risk of losing physical control of the cargo, or having it detected and stopped. Using black market smuggling routes and facilitators could be one possible option, but terrorists would face the attendant risks of losing the shipment to criminal interlopers who might not know anything about the cargo other than it had high value to the shipper, and thus could be stolen from the terrorists. A related logistics question is whether the terrorist group would choose to accompany their cargo throughout the path to its destination. This would inevitably raise the profile of the shipment for the necessity of it being monitored. Accompanying the shipment will create risks for the terrorists themselves, as they could be identified in transit by law enforcement or intelligence agencies. Throughout the journey, anyone whom the terrorists might consider as "trusted" accomplices would create more vulnerabilities, as more people become aware of the importance of the cargo. Knowing these risks, if the terrorists decided to send the cargo without physical accompaniment, they would thus be putting their most valuable cargo into the international shipping system and

hope that the system delivers the weapon to their designated far-end, witting, recipient for final preparations and movement to the intended target.

2. Terrorists groups would almost certainly lack the ability to test the weapons before use, which runs the very high and dangerous risk that they don't work

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master's in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, "Nuclear Terrorism –Imminent Threat?," The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

For the first question, without a testing program, the production of even a crude gun-type device may not produce a functioning device.²² Terrorists want to be seen by their audience as being successful in executing a nuclear attack. Their sponsors' confidence would be eroded, and the confidence of the intended audience could be enhanced, by the production of a device that did not work. Without the involvement of skilled engineers and scientists throughout the process, a terrorist group could not be sure that whatever instructions they received were accurate, or even adequate to create a working nuclear device. Regarding the second question, it is useful to consider that if terrorists only acquired the material for one bomb, "they would still lack an arsenal—and a single mistake in design could wreck the whole project."²³ Moreover, a terrorist group should certainly recognize that after exploding a nuclear weapon, the combined efforts of the world's law enforcement, intelligence, diplomatic and military resources would be deployed to find them and bring them to justice. If the terrorists claimed to have additional nuclear weapons, the hunt would be even more urgent and unrelenting until the terrorists and their weapons were found. While terrorists may employ suicide bombers, the terrorist leadership itself surely would want to live to guide the organization and likely would see the need to develop a good plan for staying hidden and alive for a lengthy period of time. The security of terrorists' operations from leaks or the disruptive effect of counterterrorism missions, combined with the challenges of coordinating and executing secure shipment, add extra elements of risk and uncertainty to the major challenges terrorists face in trying to acquire the nuclear material itself.

3. There would also be the risk that only one bomb wouldn't be enough since anything could go wrong, but also that multiple bombs would only enhance the already massive effort to find the terrorists that would inevitably form

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master's in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, "Nuclear Terrorism –Imminent Threat?," The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

For the first question, without a testing program, the production of even a crude gun-type device may not produce a functioning device.²² Terrorists want to be seen by their audience as being successful in executing a nuclear attack. Their sponsors' confidence would be eroded, and the confidence of the intended audience could be enhanced, by the production of a device that did not

work. Without the involvement of skilled engineers and scientists throughout the process, a terrorist group could not be sure that whatever instructions they received were accurate, or even adequate to create a working nuclear device. Regarding the second question, it is useful to consider that if terrorists only acquired the material for one bomb, “they would still lack an arsenal—and a single mistake in design could wreck the whole project.”²³ Moreover, a terrorist group should certainly recognize that after exploding a nuclear weapon, the combined efforts of the world’s law enforcement, intelligence, diplomatic and military resources would be deployed to find them and bring them to justice. If the terrorists claimed to have additional nuclear weapons, the hunt would be even more urgent and unrelenting until the terrorists and their weapons were found. While terrorists may employ suicide bombers, the terrorist leadership itself surely would want to live to guide the organization and likely would see the need to develop a good plan for staying hidden and alive for a lengthy period of time. The security of terrorists’ operations from leaks or the disruptive effect of counterterrorism missions, combined with the challenges of coordinating and executing secure shipment, add extra elements of risk and uncertainty to the major challenges terrorists face in trying to acquire the nuclear material itself.

Deterrence DOES work for terrorists when it comes to the extremely high-risks of nuclear attacks

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master’s in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, "Nuclear Terrorism –Imminent Threat?," The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

While there have been very few nuclear terrorist attacks from which conclusions can be drawn, it also is not possible to rule out the extent to which terrorists are being deterred or disrupted from conducting a nuclear attack. Although deterrence has historically been associated with nation states, the organizations and aims that present themselves as factors in a comprehensive deterrence calculus are fundamentally the same for states and nonstate actors.³² Indeed, despite the popular belief (although not one held by many terrorism analysts³³) that terrorist organizations and leaders are irrational and even suicidal, it may be that the United States and partner nations fighting terrorism are successfully deterring nuclear terrorism even now. Key to this proposition is the decisionmaking framework, i.e., what influences them to make the decisions they take, within which terrorist organizations tend to operate. For example, the leadership itself, or the support structure components, might be capable of being influenced, while the operatives themselves may not be dissuaded from attacking a target. It is generally agreed by analysts that suicidal terrorists are difficult to deter, based on their beliefs in the rewards they will attain upon being “martyred.” Yet Jenkins notes that “[n]ot all terrorists welcome death,”³⁴ and even the most committed might be dissuaded by the idea of their “reward” being long-term confinement in a prison cell.³⁵ Similarly, it may be possible to influence a terrorist leader’s ability, or his perception of his ability, to achieve his political goals. In addition to the active international cooperative efforts to prevent access to nuclear materials, noted above, the disruptive effects of steady counterterrorist attacks on known terrorist bases and safe havens serve to highlight the risk of

operational failure for terrorists. A failure to accomplish its mission of a devastating nuclear attack, either because of technical difficulties or the active measures to disrupt terrorist operations, would in turn undercut the stature or prestige of the group.³⁶ **This need to successfully accomplish what would be the ultimate terrorist mission could drive terrorist leaders to not take some of the risks that may be acceptable at lower levels of violence.** The anticipated overwhelming retaliation for conducting an attack—a prime example of deterrence by punishment—could give some terrorists pause. As Jenkins notes, “An effective deterrent can reinforce existing self-imposed constraints by suggesting that any terrorist attack involving nuclear weapons will not only provoke retaliation but will leave the terrorist group isolated from its constituents, its hosts— those upon whom it depends for sanctuary and support”³⁷

R/T Terrorists Make Nukes

1. No threat because the technology required to refine the uranium would be impossible to acquire

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master’s in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, “Nuclear Terrorism –Imminent Threat?,” The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

The “supply” side of nuclear weapons production likewise poses significant technical and operational challenges for terrorists pursuing a nuclear weapon from raw fissile materials. The simplest nuclear device to assemble would be a crude “gun-type” weapon with a quantity of highly enriched uranium (HEU).⁸ The concept is simple enough: by means of high explosives, drive one mass of HEU into another one, causing the now super-critical mass of HEU to release its energy in a nuclear explosion.⁹ Even so, substantial technical hurdles exist to getting the HEU into the right physical state, size, shape, and with the necessary chemical properties to be useful in a gun-type device.¹⁰ A possessor of uranium would have to refine the ore to metallic form, understand any impurities within its composition, cast it, and then machine it to precise specifications of size and shape.¹¹ Terrorists would need access to highly specialized machinery and equipment in order to manufacture the necessary HEU for a nuclear device. Much of the equipment necessary is specifically designed for the particular purpose of nuclear weapons production (such as numerous sensitive high-speed gas centrifuges configurable into cascades) and not generally available on the open market. Indeed, the infamous nuclear program supplier Abdul Qadeer Khan needed years to assemble the equipment necessary to manufacture centrifuge parts for the state nuclear programs to which he sold. A terrorist group that chooses to pursue a large centrifuge plant for enriching uranium as its path to acquire fissile material for a nuclear weapon would be taking on a very long timetable to achieve its aims. Even committed states spend years acquiring, manufacturing and

testing centrifuge cascades. “The equipment is so specialized, and the suppliers so few, that a forest of red flags would go up.”¹² Customs and export licensing officials in most countries would take notice of the equipment and materials being transferred, ask questions, and possibly prevent the shipment from being sent or received. Plutonium, a by-product of uranium in nuclear power plant operations, is available in hundreds of reactors around the world.¹³ Here again, however, the weaponization process is not a simple one. Weapons-ready plutonium must be chemically reprocessed in order to be suitable for an implosion-type device, in which exactly shaped high explosives rapidly compress a mass of plutonium into itself and create a nuclear explosion.¹⁴ To accomplish this, terrorists would need “precision machine tools to build the parts, special furnaces to melt and cast the plutonium in a vacuum ... and high-precision switches and capacitors for the firing circuit.”¹⁵ Plutonium is harder to handle than HEU due to its high heat and radioactivity and requires more restrictive physical protective measures to prevent radioactive sickness or death. Terrorists would have to observe the “absolute need of foreseeing, preparing for, and observing all the necessary precautions” of working with plutonium.¹⁶ If terrorists had access to a nuclear reactor that produced plutonium, they would need a “special, shielded chemical plant to chop up its radioactive fuel, dissolve it in acid, and then extract the plutonium from the acid.”¹⁷

2. Incredibly difficult to assemble the needed production team of highly-skilled scientists without raising eyebrows

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master’s in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, “Nuclear Terrorism –Imminent Threat?,” The Simon Center, <http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF Unless a state that was a nuclear power provided terrorists with an already manufactured warhead, terrorists would need time, a secure space, and a talented team of engineers, chemists, metallurgists, and physicists. Highly trained personnel such as these, ideally with experience in a state’s nuclear weapons program, might be able to be identified as potential recruits to the terrorist organization, either for money or ideology. It is even quite possible that a few former weapons designers and engineers would be susceptible to being recruited by a terrorist group. However, it is far from certain that an entire weapons design and manufacturing team could be assembled securely by a terrorist group at one time. In addition to the actual manufacturing of a device, operational security would be one of the terrorist groups’ major challenges. The more people involved in what most likely would be a terrorist organization’s most sensitive operation, the more the risk of detection and disruption by law enforcement or intelligence personnel. If the group is not adequately walled off or quarantined (for what likely would be an extended period of time), some might brag or even just hint at the importance of the project, and this might be detected.

R/T States Give Terrorists Nukes

This will never happen; giving a terrorist a nuke would be suicidal

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master's in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, "Nuclear Terrorism –Imminent Threat?," The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

The Commission on the Prevention of WMD Proliferation and Terrorism noted that as proliferation of WMD programs continues, the risk grows that some state, friendly to terrorist groups, will permit or enable the transfer of WMD material to terrorists.²⁴ On the other hand, states that possess nuclear material are not likely to transfer a weapon or weapons-usable material to a terrorist or non-state actor without a great deal of confidence that the transfer would go undetected, and attribution would remain undetermined. This would mean that "a state seeking to orchestrate a nuclear attack by proxy would be limited to collaboration with well established terrorist organizations with which it had existing relationships, simplifying the task of connecting terrorist perpetrators to their state sponsors."²⁵ Moreover, "no state would be likely to give its nuclear weapons or materials to a terrorist organization with which it did not have a long record of cooperation and trust."²⁶ "Few states trust their proxies," comment one analyst, "and indeed they often gravely weaken movements they support in order to control them."²⁷ A terrorist group "might use the weapons or materials in ways the state never intended, provoking retaliation that would destroy the regime."²⁸ For example, "Iran lacks deniability for the groups to which it might transfer more-advanced systems, but lacks the trust that would make it more likely to transfer advanced systems."²⁹ Terrorists should expect intense retribution, whether they had a "return address" or not. A nuclear terrorist attack would prompt an immense, "unprecedented,"³⁰ international effort to determine the source of the material, and attribution efforts likely would continue for as long as it took for responsibility for the attack to be judged. Simply, the risk of being held responsible would seem very high for a state that provides nuclear material to a terrorist group. Brian Jenkins notes, "It would require a government to take enormous risks. ... [E]ven state sponsors of terrorism have become more cautious when engaging in larger-scale, higher-risk operations."³¹

States would have to be dumb to do this

Mueller 10 John Mueller, 2010, "Calming Our Nuclear Jitters," Issues in Science & Technology, <http://issues.org/26-2/mueller/> //DF

It is possible to calculate the chances for success. Adopting probability estimates that purposely and heavily bias the case in the terrorists' favor—for example, assuming the terrorists have a 50% chance of overcoming each of the 20 obstacles—the chances that a concerted effort would be successful comes out to be less than one in a million. If one assumes, somewhat more realistically, that their chances at each barrier are one in three, the cumulative odds that they will be able to pull off the deed drop to one in well over three billion. Other routes would-be terrorists might take to acquire a bomb are even more problematic. They are unlikely to be given or sold a bomb by a generous like-minded nuclear state for delivery abroad because the risk would be high, even for a country led by extremists, that the bomb (and its source) would be discovered even before delivery or that it would be exploded in a manner and on a target the donor would not approve, including on the donor itself. Another concern would be that the terrorist group might be infiltrated by foreign intelligence.

The terrorist group might also seek to steal or illicitly purchase a “loose nuke” somewhere. However, it seems probable that none exist. All governments have an intense interest in controlling any weapons on their territory because of fears that they might become the primary target. Moreover, as technology has developed, finished bombs have been out-fitted with devices that trigger a non-nuclear explosion that destroys the bomb if it is tampered with. And there are other security techniques: Bombs can be kept disassembled with the component parts stored in separate high-security vaults, and a process can be set up in which two people and multiple codes are required not only to use the bomb but to store, maintain, and deploy it. As Younger points out, “only a few people in the world have the knowledge to cause an unauthorized detonation of a nuclear weapon.”

R/T Terrorists Steal Nukes

No chance because states guard them to closely

Melley 17 Brendan G. Melley is a senior research fellow at the National Defense University Center for the Study of Weapons of Mass Destruction. He received a master’s in WMD Studies as a National Defense University Countering WMD graduate fellow, 2017, “Nuclear Terrorism –Imminent Threat?,” The Simon Center,

<http://thesimonscenter.org/wp-content/uploads/2017/08/IAJ-8-3-2017-pg52-61.pdf> //DF

Nuclear terrorism threats could take shape in three general pathways: the deliberate transfer of nuclear material from a state to a terrorist group or non-state actor; the sale of nuclear materials to a non-state actor on the black market, which may end up in the hands of a terrorist group; and, the theft or “leakage,” or unintentional diversion of nuclear material from a state program.⁵ The question of whether terrorists would be able to steal an actual nuclear weapon from a nuclear-armed state, while conceivable, is highly problematic due to the extraordinary security afforded nuclear weapons.

Attention usually is drawn to those nuclear states with perceived less than-optimal security over their stockpiles and weapons; and many analysts point out that the spread of nuclear weapons to North Korea, and potentially Iran, increases the risk of terrorists getting access to nuclear material or weapons through collusion with regime officials, or lack of effective oversight or security. Allied to this is the fear that presently non-nuclear states will pursue a nuclear weapons program in Asia or the Middle East to counter North Korea’s and Iran’s (apparently suspended) nuclear weapons programs. This possibility would, of course, offer terrorists potentially more opportunities to acquire a weapon or the necessary material. However, the same reasons why existing nuclear states feel dis-incentivized to share nuclear weapons with terrorist would apply to these nuclear aspirants as well.

Mueller 10 John, professor of political science at Ohio State University, Calming Our Nuclear Jitters, Issues in Science & Technology, Winter2010, Vol. 26, Issue 2

Other routes would-be terrorists might take to acquire a bomb are even more problematic. They are unlikely to be given or sold a bomb by a generous like-minded nuclear state for delivery abroad because the risk would be high, even for a country led by extremists, that the bomb (and its source) would be discovered even before delivery or that it would be exploded in a manner and on a target the donor would not approve, including on the donor itself. Another concern would be that the terrorist group might be infiltrated by foreign intelligence. The terrorist group might also seek to steal or illicitly purchase a “loose nuke” somewhere. However, it seems probable that none exist. All governments have an intense interest in controlling any weapons on their territory because of fears that they might become the primary target. Moreover, as technology has developed, finished bombs have been out-fitted with devices that trigger a non-nuclear explosion that destroys the bomb if it is tampered with. And there are other security techniques: Bombs can be kept disassembled with the component parts stored in separate high-security vaults, and a process can be set up in which two people and multiple codes are required not only to use the bomb but to store, maintain, and deploy it. As Younger points out, “only a few people in the world have the knowledge to cause an unauthorized

detonation of a nuclear weapon." There could be dangers in the chaos that would emerge if a nuclear state were to utterly collapse; Pakistan is frequently cited in this context and sometimes North Korea as well. However, even under such conditions, nuclear weapons would probably remain under heavy guard by people who know that a purloined bomb might be used in their own territory. They would still have locks and, in the case of Pakistan, the weapons would be disassembled.

R/T REMs

Other countries have CCZ Permits (Packard - NYT)

Julie Packard and Chris Scholin, 6-8-2018, "Opinion," New York Times, <https://www.nytimes.com/2018/06/08/opinion/the-deep-sea-may-soon-be-up-for-grabs.html> (NK)

While we've been mining shallow coastal waters for sand, gold, tin and diamonds for decades, commercial seafloor mining is a nascent industry. De Beers, the world's largest diamond producer, recently spent \$157 million on a state-of-the-art vessel that will search 2,300 square miles of the Atlantic Ocean seafloor just off the coast of Namibia for gems and vacuum up what it finds. The seafloor also contains precious metals, rare earth minerals and oil — resources that have tremendous commercial value and are now, thanks to advances in marine technology, within our reach. **The International Seabed Authority, which regulates deep-sea mining, has allowed companies from dozens of countries to explore for minerals in the Clarion-Clipperton Zone, a region of the Pacific Ocean extending from the west coast of Mexico to Hawaii that contains deposits of nickel, manganese, copper, zinc, cobalt and other minerals. Mining could begin there in the next few years.** Given our lousy track record for protecting the oceans, the stakes are incredibly high. Marine scientists and engineers are racing to explore and map the oceans, including the fragile communities living both in the water and on the seafloor, before it is exploited. To prevent a catastrophic free-for-all, we need to make decisions about extracting ocean resources that are informed by science. Careful stewardship of the oceans based on data, and not just the potential for short-term profit, should drive ocean policy for fishing and mining.

1. Companies won't mine REMs for two reasons

a. It's not profitable. Niiler 18 explains that nobody has technically figured out how to harvest deep sea minerals and still make a profit. Once operating, it takes about \$50,000 a day to run a deep sea mining ship. That's why Stone 18 writes that none of the 20 largest mining companies have ocean mining projects

Niiler 18 Eric Niiler, 5-25-2018, "CAN SCIENCE KEEP DEEP SEA MINERS FROM RUINING THE SEAFLOOR?," Wired,

<https://www.wired.com/story/can-science-keep-deep-sea-miners-from-ruining-the-seafloor/> //DF

And, double of course, **nobody has technically figured out how to harvest deep sea minerals and still make a profit. One partially built deep mining ship is in dry dock after the company hired to build it ran out of money and defaulted on an \$18 million payment this month. And once operating, it takes about \$50,000 a day to run a deep sea mining ship.** "We've taken a conservative look at the worst-case scenarios," says Christopher Williams, director of UK Seabed Resources, a London-based subsidiary of Lockheed Martin that plans a pilot project to mine the seafloor

in 2019. “Even given those numbers, we don’t see it as a pipe dream. We see it as a realistic process.” [In this slow-motion race to reap seafloor riches, some companies will likely go under](#). But scientists say even so, they are hoping learn a lot about new forms of marine life. Maybe, even, the devices they build now could one day be used to explore seas on other planets.

Stone 18 Maddie Stone, 4-12-2018, "Don't Get Too Excited Over Japan's New 'Semi-Infinite' Rare Earth Stash," Earther,

<https://earther.gizmodo.com/dont-get-too-excited-over-japans-new-semi-infinite-rare-182518597>
Z //DF

Folks in the media (and some investors) got very excited over the news. The Wall Street Journal suggested Japan could use the discovery to break China’s stranglehold on the rare earth market and prevent future market shocks. Fortune called it a “monumental discovery.” The South China Morning Post suggested the find “potentially frees Japanese firms from costly foreign mineral imports.” There’s just one teeny, tiny problem (the same one that always arises when people find exciting new metal deposits on the ocean floor). Deep ocean mining technology doesn’t exist, and it probably won’t for decades. As John Wiltshire, a prospecting geologist and director of Hawaii’s Undersea Research Lab noted to Earther, **if you look at the top 20 largest mining companies globally, none of their websites reference any ocean mining projects**. “That’s gotta tell you something,” he said. While acknowledging that the researchers have found “a very good deposit,” Wiltshire says anyone interested in commercially extracting this stuff is going to need to invest billions developing the tech for scraping, blasting, and cutting the seafloor, hauling the valuable bits thousands of feet up to the surface, and mitigating any environmental impacts (which could be huge). “It’s just a feat outside the realm of what mining companies are willing to do today,” David Abraham, a senior fellow New America and rare metals expert, told Earther. “It’s just like if we find things on comets and asteroids.”

B. China is the largest supplier of REMs and will remain that way because they can always undercut competition from expensive sea mining. Vincent 18 explains that this is because of familiar reasons like cheap labor costs and a willingness to overlook environmental damage.

Vincent 18 James Vincent, 4-17-2018, "China can’t control the market in rare earth elements because they aren’t all that rare," Verge,

<https://www.theverge.com/2018/4/17/17246444/rare-earth-metals-discovery-japan-china-monopoly>
oly //DF

The name “rare earth” is a historical misnomer, stemming from that when they first discovered, they were difficult to extract from surrounding matter. The USGS (United States Geological Survey) describes rare earth elements as “moderately abundant,” meaning that although they’re not as common as elements like oxygen, silicon, aluminum, and iron (which together make up 90 percent of the Earth’s crust), they’re still well dispersed around the planet. The rare earth element of cerium, for example, is the 25th most abundant on Earth, making it about as common as copper. But unlike copper and similarly well-known elements, such as gold and silver, rare earths don’t clump together in single-element lumps. Instead, because of their similar chemical composition (15 of the 17 rare earth elements occupy consecutive places on the periodic table), they bond freely with one another in minerals and clays. As the academic David S. Abraham explains in his book *The Elements of Power*, this makes for a grueling extraction process. To create rare earths from the ore that contains them, this material has to be dissolved in solutions of acids, over and over again, then filtered, and dissolved once more. “The goal is not so much to remove rare earths from the mix as to remove everything else,” writes Abraham. Rare earth ore goes through these steps hundreds and hundreds of times, and for each new mining location, the concentration of the acids used has to be recalculated in order to target the specific impurities in the soil. To top it off, the whole process produces any number of nasty chemical byproducts and is

radioactive. The whole process is “expensive, difficult, and dangerous,” says former rare earth trader and freelance journalist Tim Worstall. He tells The Verge that, because of this, the West has been more or less happy to cede production of rare earths to China. From the 1960s to the ‘80s, the US did actually supply the world with these elements; all extracted from a single mine in California named Mountain Pass. But in the ‘90s, China entered the market and drove down prices, making Mountain Pass unprofitable and leading to its closure in 2002. Worstall says there are many reasons production moved overseas. Some of these are familiar: cheap labor costs and a willingness to overlook environmental damage, for example. But there’s also the fact that rare earth production in China is often a byproduct of other mining operations. “The biggest plant there is actually an iron ore mine which extracts rare earths on the side,” says Worstall. This means that, unlike the Mountain Pass mine, producers aren’t reliant on a single product. “If you are trying to only produce rare earths, then you’re subject to the swings and roundabouts of the market.”

2. Even if companies wanted to mine, UNCLOS isn’t needed to do so. The Economist 14 explains that under UNCLOS, most of the known mineral reserves are within countries’ 200-nautical mile economic zones, which is subject to coastal state rather than international regulation. This means two things:

a. It’s further evidence that companies don’t want to mine the seabed because there’s no activity even in areas that the US controls

b. Even if companies do want to mine, there’s no reason to ratify the Law of the Sea to do so because almost all of their mining will take place within US jurisdiction

Pedrozo, Raul. "Is it Time for the United States to Join the Law of the Sea Convention." *Journal of Maritime Law and Commerce*. Vol. 41, No. 2 (April 2010): 151-166.

A study by Christopher Garrison indicates that the overwhelming majority of seabed mining activities have taken place within the 200 nm limit, which is subject to coastal state rather than ISA jurisdiction and regulation.⁹ Even the ISA has acknowledged that “no sustained operations have taken place for the commercial recovery of solid minerals in water depths greater than 200 metres.”¹⁰ ISA fact sheets also indicate that the best potential for cobalt-rich crust mining is located in the EEZs of the United States (Johnston Island and Hawaii), the Marshall Islands and the Federated States of Micronesia.¹¹ Similarly, the largest known deposit of polymetallic sulphides is located in the Red Sea within the EEZ of the coastal states and the first commercial mining of polymetallic sulphides is scheduled to occur within the EEZs of Papua New Guinea, Fiji and Tonga in 2010.¹² None of these potential mining areas are subject to regulation or control by the ISA.

Economist, 2014, “Frozen Conflict,” <https://www.economist.com/international/2014/12/17/frozen-conflict> (NK)

Hitherto most people have assumed that competition to develop these resources would be gentlemanly. The Arctic, a Norwegian admiral told a big conference two years ago, is “probably the most stable area in the world”. Drilling for oil and gas there is extremely expensive, and falling oil prices have made the economics of Arctic energy even less favourable. This gives would-be prospectors an interest in co-operating, not in adding to the risks and costs. The melting of the summer sea ice has also opened up trade routes between Asia and Europe via the top of the world; 71 cargo ships plied the north-east passage last summer, up from 46 in 2012. And trade requires rules. Moreover, under UNCLOS, most of the known energy and mineral reserves are within

countries' 200-nautical mile economic zones anyway. So everyone has an interest in minimising conflicts and amicably settling those that crop up. But reasons for restraint are not always proof against sabre-rattling—and Russia has been indulging in that of late. In addition to annexing Crimea, this summer it carried out extensive combat exercises in the Arctic for the first time since the end of the cold war. It is re-equipping old Soviet bases there and in July tested the first of its new-generation rockets, called the Angara, from a cosmodrome in the high north. Sweden spent part of the summer searching for a Russian submarine that it suspected of slipping into its territorial waters.

3. REMs won't even be used in renewables; there's no demand. Teske 16 explains that A transition towards a 100% renewable energy supply can take place without deep-sea mining, even with the projected very high demand.

Teske 16 Sven Teske [The Institute for Sustainable Futures (ISF) was established by the University of Technology Sydney (Australia) in 1996 to work with industry, government and the community to develop sustainable futures through research and consultancy], 2016, "RENEWABLE ENERGY AND DEEP-SEA MINING: SUPPLY, DEMAND AND SCENARIOS," Institute for Sustainable Futures, https://opus.lib.uts.edu.au/bitstream/10453/67336/1/DSM%20-%20RE%20resource%20Report_9_FINAL%20DRAFT-NEWTITLE-ANDNAME.pdf //DF

A transition towards a 100% renewable energy supply – often referred as the “energy revolution” – **can take place without deep-sea mining. Even with** the projected **very high demand** growth rates under the most ambitious energy scenarios, **the projected increase in cumulative demand** – all **within the range of known terrestrial resources** – **does not require deep-sea mining activity.** A predicted significant increase in mine production rates of neodymium and dysprosium, as well as the high cumulative demand for lithium and silver, could place pressure on supply chains and current reserves, and therefore these metals require special attention. Increasing recycling and continued research and development into alternative technologies that reduce, or completely eliminate, the use of these critical metals are vitally important complementary strategies. The low-carbon energy revolution, underpinned by new renewable infrastructure, will give rise to a new demand for minerals and metals to be used in new ways. This section describes the status quo for available terrestrial resources and production for commodities important in supporting the development of renewable energy technologies. It also identifies, where information is available, the potential resources available from deep-sea mining, and ultimately whether accessing these resources is likely to be necessary to underpin the energy transition.

Drop in renewables prices not tied to REMs

Michieka 17 Nyakundi M. Michieka, 6-12-2017, "Rare-earth elements and their role in renewable energy," Bakersfield Californian, https://www.bakersfield.com/kern-business-journal/rare-earth-elements-and-their-role-in-renewable-energy/article_2dff98b6-8b4e-5ecc-91f6-ef18c0a2c44e.html //DF

So why the interest in rare earth elements? China's mines have recently ramped up production of REEs sending a downward spiral in prices. These elements, which fetched extremely high prices five years ago, now cost 80 percent less today than they did six years ago. Europium oxide, which costs between \$1,500 and \$1,600 a kilogram in 2012, costs between \$62 and \$70 in 2016, while the average price of terbium dropped from \$1,250 to \$418 during that period. Dysprosium, neodymium, lanthanum, cerium and yttrium also experienced price declines. Table 2 illustrates price drops of five REEs between 2012 and 2016. The National Renewable Energy Laboratory and the American Wind Energy Association have reported that costs of solar and wind have declined in the last few years. Although prices have declined, cost of REEs have not played a significant role – yet. There are other factors in the economy driving this price decrease. The literature reports that solar prices have declined due to technology improvements, economies of scale and government subsidies, which have led to improvements in manufacturing solar panels. Other contributions to lower prices include lower module and inverter prices, improved labor productivity, increased competition and lower installer and developer overheads. It is no wonder

that electricity generation from solar grew by 5,000 percent between 2006 and 2016, or 40 percent each year in the last five years (during which wind energy supply grew at a rate of 13.2 percent), according to the U.S. Energy Information Administration. A visual representation of these increase in demand and supply is shown in Table 3.

REMs Bad

Deep seabed mining could lead to the extinction of phytoplankton

Moss 18 Jacques Moss, 8-1-2018, "Renewable Energy's Deep Sea Mining Conundrum," No Publication,

[//DF">https://knect365.com/energy/article/9c1b0a6e-e73e-4360-9485-adf5cf141b33/renewable-energys-deep-sea-mining-conundrum //DF](https://knect365.com/energy/article/9c1b0a6e-e73e-4360-9485-adf5cf141b33/renewable-energys-deep-sea-mining-conundrum)

Instead, they rely on a process called chemosynthesis, in which specially adapted bacteria feed off of minerals spewing through the vents from the earth's crust. These bacteria are the foundation of a unique food chain, which includes a range of strange aquatic fauna including tube worms, clams, octopi, and many species new to science. In some vent zones, known as cold seeps (because water temperatures are generally lower than other zones, which makes them more amenable to DSM), the water contains high concentrations of methane. In these zones, different strains of bacteria convert the methane into sulphides, and from there into organic materials.

Remember that part about the methane, because we'll be returning to it. Hydrothermal vent zones are estimated to contain densities of marine life 10,000 to 100,000 greater than the surrounding sea floor. Such estimates are necessarily imprecise, because scientists don't really know that much about the deep ocean. For instance, they don't yet understand how organisms specifically adapted to survive in hydrothermal vent zones are able to travel between them. But scientists know they must be able to propagate, as similar species can be found in widely dispersed locations across the ocean floor. They also disagree about how resilient the communities around hydrothermal vent zones actually are. One school of thought has it that these communities must be able to recover quickly from destructive events – after all, they occur in volcanically active areas, so such events must be common. But others believe that deep sea mining operations could cause the extinction of species and permanent alterations to the way marine communities function. Multiple mining operations taking place in the same region would make a permanent impact much more probable. The mid-term impact may be even more severe. A recent paper assessing the body of evidence on deep sea mining's environmental effects, published in the Harvard Environmental Law Review, "found little to no recovery of mined locations, even years after... experimental operations concluded."

Killing microorganisms could result in more methane – BAD

Moss 18 Jacques Moss, 8-1-2018, "Renewable Energy's Deep Sea Mining Conundrum," No Publication,

[//DF">https://knect365.com/energy/article/9c1b0a6e-e73e-4360-9485-adf5cf141b33/renewable-energys-deep-sea-mining-conundrum //DF](https://knect365.com/energy/article/9c1b0a6e-e73e-4360-9485-adf5cf141b33/renewable-energys-deep-sea-mining-conundrum)

Do you remember what we said about the bacteria found in hydrothermal vents zones being able to convert methane into organic materials? Here's why that's important. You probably already know that methane is one of the most potent Greenhouse Gases in our atmosphere. Over a hundred-year period, each tonne of methane released is somewhere between twenty-eight and thirty-six times more impactful than an equivalent quantity of carbon dioxide. Over a shorter timescale, it's even more impactful than that. Disrupting the delicate ecological balance of methane rich hydrothermal vent zones could interrupt the microbial processes that convert methane into organic materials. It is

estimated that over 90% of the methane released by hydrothermal vents is sequestered by the microorganisms that thrive in these regions. Allowing this methane to make its way into the atmosphere would not bode well for the climate. Microorganisms in the deep ocean also play a vital role in sequestering carbon dioxide. Much like trees and terrestrial plants, phytoplankton in the upper reaches of the ocean consume CO₂ from the earth's atmosphere. When the phytoplankton dies, quantities of organic carbon sink into the deeper ocean. As these organic remnants decay they release CO₂, which dissolves into the surrounding water. In a process known as carbon fixation, microorganisms in hydrothermal vent zones prevent this CO₂ from returning to the atmosphere by converting it back into the complex organic molecules which form the basis of the vent zone's food chain. Marine organisms account for more than half of the 258 billion tonnes of carbon fixed annually on earth. Once again, the consequences of this carbon making its way into the atmosphere would be disastrous.

Has bad environmental harms that can last for decades

Baggaley 17 Kate Baggaley, 2-27-2017, "These fearsome robots will bring mining to the deep ocean," NBC News,

<https://www.nbcnews.com/mach/innovation/these-fearsome-robots-will-bring-mining-deep-ocean-n724901> //DF

Sending machines to dig up the ocean floor will have consequences for its delicate ecosystems. Many deep-sea creatures are accustomed to conditions that, while extreme, don't change much over time. "They're particularly sensitive to any disturbance," Jones says. "It's likely that they'll take a very long time to recover." Some animals rely on the nodules themselves. Mining could obliterate their habitat, removing homes that take millions of years to grow. And machines might alter the sediments that other animals dwell in. "They'll remove the surface layer which has got a lot of the food in it," Jones says. Mining will also kick up plumes of sediment that could blanket or bury animals. The plumes might also release toxic metals such as lead. One way to protect sensitive habitats is to set aside networks of protected areas. Mining could be carried out in patterns that leave space for larvae from other areas to come in and recolonize, and the still-active hydrothermal vents that are colonized by vibrant communities of tubeworms and other animals could be avoided in favor of dead ones. Nautilus Minerals is considering strategies to lessen the damage from deep-sea mining, such as moving animals to safety or planting crates to give displaced creatures an alternative home. Figuring out what kinds of impacts deep-sea mining will have could help guide people deciding where to mine and what regulations should govern mineral extraction. Researchers are investigating how experiments that simulate deep-sea mining affect the surrounding ecosystems. Jones and his colleagues recently reported that most of the areas considered have fewer animals and species than untouched land, even decades later.

Can have widespread harms stretching even further than where the mining is happening

Stone 16 Maddie Stone, 4-5-2016, "The Future of Technology Is Hiding on the Ocean Floor,"

Gizmodo, <https://gizmodo.com/the-future-of-technology-is-hiding-on-the-ocean-floor-1764122967> //DF

To date, more than a dozen companies have received exploration licenses to prospect manganese nodules in the Clarion Clipperton Zone, but nobody has been issued an actual mining permit—yet. First, the ISA is preparing regulations to prevent the ecological shit show that usually ensues when humans try to get their hands on a new chunk of Earth's raw materials. And indeed, many ecologists are downright horrified by the prospect of profit-hungry corporations scraping, digging, and chopping up fragile seafloor ecosystems for precious metals. You're talking 100 percent habitat destruction in the area you mine, Wiltshire said. "And because these are thin deposits, you're mining a large area." We think of the deep ocean as a cold, watery wasteland, but

manganese nodules, and other metal-rich environments on the seafloor, are brimming with fish and marine invertebrates. These critters tend to be highly specialized, geographically restricted, and not at all accustomed to disturbance. As marine biologist Craig Smith noted in a conservation planning paper published in 2013, it could take organisms living in the Clarion Clipperton Zone thousands to millions of years to recover from the impacts of mining. The concerns raised by Smith and others prompted the ISA to carve out a vast swath of the zone—roughly 550,000 square miles—for long-term conservation. But protected waters far beyond the seafloor might feel the impacts of ocean mining, too. By kicking up sediment, nutrients, and even toxic metals, mining may reduce water quality over vast regions of open ocean, impacting pelagic fish and marine mammals.

Links to read:

<https://www.theguardian.com/environment/2018/apr/18/deep-sea-mining-possibly-as-damaging-as-land-mining-lawyers-say>

http://harvardelr.com/2018/04/16/broadening-common-heritage/#_ftn3

R/T China Losing Reserves

1. China's reserves won't run out anytime soon

Turner 17 Julian Turner, 4-9-2017, "Mined into extinction: is the world running out of critical minerals?," Mining Technology,

<https://www.mining-technology.com/features/featuremined-into-extinction-is-the-world-running-out-of-critical-minerals-5776166/> //DF

Meinert is quick to make the distinction between 'reserves', minerals identified in location and quantity therefore relatively easy to factor into supply chains and rates of consumption, and 'resources', which often cannot be quantified without long-term geologic and geophysical study. "It is very important to understand that neither 'reserves' nor 'resources' are the same as 'all there is'," says Meinert, so just because a mineral, such as cryolite, is no longer commercially available does not necessarily mean that it is terminally depleted, simply that greater effort may be required to find it. **"Minerals are not something we run out of,"** he adds. "If you go to the kitchen and discover you have run out of salt, it does not mean that salt does not exist on planet Earth, or in the US, or at your local store. **"World reserves of almost all commodities are greater now than they were 50 or 100 years ago even though large amounts have been produced. This is because the time value of money leads most companies to only drill out 20 or 30 years' worth of reserves even though much larger resources might be available. Some mines have had 20 years' worth of 'reserves' for more than a century."** Critical levels: is China running out of rare earth metals? China, home to more than 90% of rare earth production, claims that supplies of metals such as dysprosium, neodymium and lanthanum – coveted for their conductive and magnetic properties, and used in everything from laptops to missile guidance systems – could be exhausted within 20 years, further spooking global commodity markets. Does Meinert share in the Chinese Government's pessimism? "We can calculate how long stated reserves of rare earth minerals – often referred to as critical minerals because of their importance to modern society – would last at the current rate of production and that number may well be about 20 years, although reserve estimates are not closely constrained," says Meinert. "Importantly, **this does not mean that China would run out of rare earth minerals in 20 years; their reserves two decades from now may be the same** (or smaller or larger) **as they are now, due to increased exploration drilling.** However, China is currently the world's largest producer of rare earth elements, and so a disruption of that supply for whatever reason would have profound effects on world markets and global industry." In 1950, the USGS estimated global reserves of zinc at 77 million tonnes (Mt). In 2000, the US Government announced reserves were up to 209Mt. Tin, copper, iron ore and lead have all experienced similar increases. As for Cryolite, the mineral is still present in small quantities around the world.

China is also mining the deep seabed and has access to the most resources

Tang 18 Didi Tang, Beijing, 1-24-2018, "China trawls the seabed in quest for mineral wealth," The Sunday Times,

<https://www.thetimes.co.uk/article/china-trawls-the-seabed-in-quest-for-mineral-wealth-5qg0ljxq2//DF>

China has laid claim to the world's greatest deposits of deep-sea minerals after a five-year drive to acquire seabed mining rights. **Beijing now has the largest number of deep-sea mines in the world and access to more diverse mineral resources in the ocean than any other country**, China's Ministry of Land and Resources said yesterday. It has acquired mining rights to explore 86,000 sq km of international seabed over the past five years as it turns increasingly to the ocean to secure resources for its high-tech electronics industry. Green-tech products depend on rare-earth metals. Also, resources of metals used in batteries, such as copper, lithium, nickel and manganese, are becoming depleted. Securing access to seabed mining is consistent with Beijing's strategic goal to probe the vast but largely untapped ocean floors for precious minerals to feed China's resource-hungry economy and to ensure national security. Domestic scientists are being urged to develop technologies to trawl the deep sea, and Beijing has been assertive in laying sovereignty claims in the South China Sea with aggressive island-building projects. In a statement posted on its website, China's Ministry of Land and Resources said that the country leads the world in deep-sea exploratory equipment, with several submersibles that allow researchers to evaluate seabeds and conduct deep-sea studies. The manned submersible, Jiaolong, can dive more than 7km.

R/T Independence From China

China produces REMs more cheaply than other countries, but other states can still produce them, meaning that China doesn't control the supply

Vincent 18 James Vincent, 4-17-2018, "China can't control the market in rare earth elements because they aren't all that rare," Verge,

<https://www.theverge.com/2018/4/17/17246444/rare-earth-metals-discovery-japan-china-monopoly//DF>

This news was positioned as having great geopolitical significance. China currently produces more than 90 percent of the world's supply of rare earth materials (the exact figure tends to fluctuate year-by-year), and in the event of a conflict, said reports, it could jack up prices for the West and its allies, or even shut them out altogether. In this eventuality, the Minamitori hoard would be a lifeline. "It is important to secure our own source of resources, given how China controls the prices," Professor Yutaro Takaya Waseda, who led the Japanese research team, told The Wall Street Journal. But experts say the narrative here is wrong. Despite appearances, the Minamitori find is not as significant as headlines have implied. And **although China seems to wield great power over this critical global supply chain, the truth is that the country can't just bring the West to its knees by limiting the export of rare earth elements. We know this pretty conclusively because it tried this in 2010, and it didn't work out.** In both cases, the overlooked factor is just how difficult it is to produce rare earth elements, compared to how easy it is to find them. The name "rare earth" is a historical misnomer, stemming from that when they first discovered, they were difficult to extract from surrounding matter. The USGS (United States Geological Survey) describes rare earth elements as "moderately abundant," meaning that although they're not as common as elements like oxygen, silicon, aluminum, and iron (which together make up 90 percent of the Earth's crust), they're still well dispersed around the planet. The rare earth element of cerium, for example, is the 25th most abundant on Earth, making it about as common as copper. But

unlike copper and similarly well-known elements, such as gold and silver, rare earths don't clump together in single-element lumps. Instead, because of their similar chemical composition (15 of the 17 rare earth elements occupy consecutive places on the periodic table), they bond freely with one another in minerals and clays. As the academic David S. Abraham explains in his book *The Elements of Power*, this makes for a grueling extraction process. To create rare earths from the ore that contains them, this material has to be dissolved in solutions of acids, over and over again, then filtered, and dissolved once more. "The goal is not so much to remove rare earths from the mix as to remove everything else," writes Abraham. Rare earth ore goes through these steps hundreds and hundreds of times, and for each new mining location, the concentration of the acids used has to be recalculated in order to target the specific impurities in the soil. To top it off, the whole process produces any number of nasty chemical byproducts and is radioactive. The whole process is "expensive, difficult, and dangerous," says former rare earth trader and freelance journalist Tim Worstall. He tells *The Verge* that, because of this, the West has been more or less happy to cede production of rare earths to China. From the 1960s to the '80s, the US did actually supply the world with these elements; all extracted from a single mine in California named Mountain Pass. But in the '90s, China entered the market and drove down prices, making Mountain Pass unprofitable and leading to its closure in 2002. Worstall says there are many reasons production moved overseas. Some of these are familiar: cheap labor costs and a willingness to overlook environmental damage, for example. But there's also the fact that rare earth production in China is often a byproduct of other mining operations. "The biggest plant there is actually an iron ore mine which extracts rare earths on the side," says Worstall. This means that, unlike the Mountain Pass mine, producers aren't reliant on a single product. "If you are trying to only produce rare earths, then you're subject to the swings and roundabouts of the market." All this looks like it gives China immense power over the market, but the truth is the world is benefitting at China's expense. Proof of this came in 2010 when China did actually start limiting rare earth exports because of a dispute with Japan. This threat to the supply chain caused prices to rise, and so investment flowed into new and old rare earth mining projects. Meanwhile, consumers of rare earths like Hitachi and Mitsubishi altered their products to use less of each substance. In other words, when China tried to take advantage of its monopoly and limit supply, the rest of the world picked up the slack. As a think tank report on the fallout from the 2010 incident put it: "Even with such apparently favorable circumstances, market power and political leverage proved fleeting and difficult [for China] to exploit." Markets responded and "the problem rapidly faded." (Money even flowed back into Mountain Pass for a while, although the company in charge, Molycorp, collapsed in 2015 when rare earth prices fell back to 2010 levels.) So what does all this mean for last week's news? Well, mostly that it's not as important as it might first appear. There are plenty of other sources for these elements, and ways to circumvent China's control of the global supply. Worstall, writing for *The Continental Telegraph*, points out that last week's find is nearly identical to one announced by some of the same Japanese scientists in 2011, and he tells *The Verge* that although the sea bed is most likely home to many rare earth elements, there's still the challenge of processing the stuff and actually getting it out of the sea and into a usable form.

There is no national security rationale for producing our own REMs

Worstall 15 Tim Worstall [I'm a Fellow at the Adam Smith Institute in London, a writer here and there on this and that and strangely, one of the global experts on the metal scandium, one of the rare earths.], 3-23-2015, "What 60 Minutes Got Wrong About Rare Earths And China," *Forbes*, <https://www.forbes.com/sites/timworstall/2015/03/23/what-60-minutes-got-wrong-about-rare-earth-and-china/#13da46432a2a> //DF

Which brings us to that defense argument. Is there an over-riding defense related reason as to why we might want to do this? It's most certainly true that the US military does not like to purchase anything made of Chinese materials, I've had that condition imposed upon me in a contract. That the rare earths contained do not come from China, were not processed there. How important is it? A prime example of that is the new F-35 fighter jet, the most technologically advanced weapons system in history. Each one contains nearly half a ton of rare earths. Former White House Official Dan McGroarty says that's just for starters. Really not sure where that information is coming from but given that an F-35 unloaded (ie, without pilot, fuel or weapons) weighs some

14 tonnes or so it really is most unlikely that there's half a tonne of rare earths in there. So unlikely as to be entirely untrue in fact. Rare earths are important to the project, yes. The most important being the coating for the blades in the jet engine which is made from yttrium, a rare earth. But while yttrium is a rare earth it's not a lanthanide. So we don't need one of those billion dollar lanthanide separation plants. And we also don't need to get it from a rare earths mine as there's plenty of other potential sources for it. So many potential sources in fact that even I, who does not normally deal with yttrium, have had vague discussions with people about supplying that program. And as I recall it the demand was for some 2 tonnes (yes, "two tonnes", not two thousand or anything) of yttrium a year. Which doesn't go all that far over a fleet of F-35s if each one needs 500 kg. And of course they don't need 500 kg per plane, they're using it to make a very thin film over those blades in those jet engines, just to protect the surfaces. So, just to recap. China does not currently have a monopoly, nor 90%, of the supply of rare earths. 60 Minutes is also wrong on the geology and metallurgy of the rare earths. We do not need to have mines to produce them, we can extract from other minerals that we already process. They are used in various defense programs, I know that very well as I've supplied more than one of them. But they're not important to the extent that 60 Minutes seems to think and even the one that is important to the F-35 doesn't have to come from the traditional rare earths supply chain. And finally, even if you do want to insist that the US must have its own supply chain, from hole in the ground to jet flying through the sky, this is a relatively cheap, almost trivial, problem to solve. It doesn't require hundreds of millions, nor the bailing out of a failing mine, to achieve the goal. As an example, and as above, Lifton, I, a number of other people, could organise the supply of that essential yttrium for the F-35 for a couple of million dollars a year. And at that price we'd probably be getting ourselves a new Rolls Royce each year too (the car, not the jet engine). But why on Earth would anyone want to pay us to do that when you can go out into the market and buy the necessary material for perhaps \$160,000 a year?

R/T ISA Can Regulate

The ISA is a tiny organization, and its regulatory body acts in secret with little accountability

Struck 18 Doug Struck, 8-13-2018, "Treasures of the Deep: Tapping a Mineral-Rich Ocean Floor," No Publication,

[//DF">https://magazine.pewtrusts.org/en/archive/summer-2018/treasures-of-the-deep-tapping-a-mineral-rich-ocean-floor](https://magazine.pewtrusts.org/en/archive/summer-2018/treasures-of-the-deep-tapping-a-mineral-rich-ocean-floor) //DF

The ISA was formed in 1994 under the United Nations Convention on the Law of the Sea, which requires the agency to both manage the international seabed for the benefit of humanity and to avoid significant damage of the marine environment. (As one of the few countries that has not ratified the 1982 U.N. Convention on the Law of the Sea, the United States has only observer status at the ISA.) And, at least until the shovels hit the ocean floor, many of the 168 members of the ISA say they agree with that balance. "Right now," says Nugent, "the atmosphere seems auspicious." The small staff of the ISA—about three dozen employees based in Jamaica—is credited by environmental groups and mining companies alike with having good intentions, but the Legal and Technical Commission that reviews each contract meets in secret to protect contractors' proprietary plans. Last year, a contract allowing Poland to explore 3,900 square miles in the mid-Atlantic was approved before the ISA membership realized the area was adjacent to an active area of stunning 200-foot chimney vents called "Lost City," on the list of possible United Nations World Heritage Sites. Pew is urging more transparency, with full disclosure of the facts and plans before mining contracts are approved. The information released to the ISA members on each contract "is simply inadequate," says Winnie Roberts, who works with Nugent on Pew's seabed mining project. "As these contracts start ramping up and move toward actual mining, that has got to change." Transparency is not easy when it comes to the deep sea, says Currie of the Deep Sea Conservation Coalition. That's true in the regulatory scheme—and in monitoring the mining itself: "We're talking about areas [3,000] to 4,000 meters deep. A good deal of damage could be caused, and nobody would know."

Extras

B. Subsidiaries

Groves 12 Steven Groves, 12-4-2012, "The U.S. Can Mine the Deep Seabed Without Joining the U.N. Convention on the Law of the Sea," Heritage Foundation

<https://www.heritage.org/report/the-us-can-mine-the-deep-seabed-without-joining-the-un-convention-the-law-the-sea> //DF

If a U.S. company insists on engaging in mining only under the convention's auspices despite the inequities associated with the UNCLOS regime, it may do so. Specifically, **if the United States continues to remain a non-member of UNCLOS, a U.S. seabed mining company may incorporate a subsidiary entity in a country that is party to the convention.** In this manner, the U.S. entity's subsidiary may apply for an exploration contract under the sponsorship of the foreign country and engage in seabed mining through the convention's regime. **The practice of U.S. companies partnering with foreign entities in seabed mining ventures has precedent.** As previously noted, **all four U.S. private-sector mining consortia originally included foreign partners or ownership interests:** KCON had Canadian, Japanese, and British interests; OMA had Belgian and Italian interests; OMI had Canadian, Japanese, and German interests; and OMCO had Dutch interests.[90] Under UNCLOS, a U.S. company's foreign subsidiary may apply for a license through the host nation. Indeed, there are already precedents for such an arrangement.

Labor Costs are too high to make REM mining more economically viable

Paige, Edgy Corp, "China Proves Rare Earth Minerals are the new Oil", April 2017, https://www.frontiersin.org/articles/10.3389/fmars.2017.00418/full?utm_source=G-BLO&utm_medium=WEXT&utm_campaign=ECO_F MARS_20180202_seabed-mining (NK)

Beyond environmental concerns and their counterpoints, many are worried about the economic risks that are involved in mining. **The initial investments are very high, and the yields are exceedingly low, even for many of the most successful mines. On top of it being difficult to open up a mine, the only way to have a competitive edge against China is to lower labor costs.** That, in addition to the negative environmental toll, has made it so that Molycorp, the U.S.'s only REM mining operation was basically shut down by the EPA. What few mines there are in countries besides China are limited and risky investments.

Letman 18 Jon Letman, 8-29-2018, "The Race Is On to Mine the Deep Ocean," Environment, <https://www.nationalgeographic.com/environment/2018/08/news-race-to-mine-deep-sea-drones-seafloor-environmental-impact/> //DF "Deep-sea mining could end up having the largest footprint of any single human activity on the planet in terms of area of impact," says University of Hawaii oceanographer Craig Smith. It's already underway: **pioneer excavations in Papua New Guinea and Japan have taken advantage of advances in remotely operated vehicles, robotics, and communications technology to pioneer excavations. And companies like Lockheed Martin subsidiary UK Seabed Resources are eager to embark on a new deep-sea bonanza.** Over one million square miles of abyssal plain 12,000 to 18,000 feet deep is peppered with polymetallic nodules—vast fields of lumpy, black, potato-shaped mineral deposits.

Struck 18 Doug Struck, 8-13-2018, "Treasures of the Deep: Tapping a Mineral-Rich Ocean Floor," No Publication,

<https://magazine.pewtrusts.org/en/archive/summer-2018/treasures-of-the-deep-tapping-a-mineral-rich-ocean-floor> //DF

Machines built for Nautilus and other companies are giants, much like big construction land movers. Nautilus has magnetically mapped copper seams, and its machines would chew into the ore with whirling blades fitted with steel shark-like teeth. The material would be sucked up a 12-inch pipe to a surface vessel, then dumped into barges to be processed ashore. The cold sea water would be returned to the bottom by smaller pipes. UK Seabed Resources Ltd., a subsidiary of Lockheed Martin UK, has rights to explore two plots in the Pacific for nodules, and would pluck them from the seabed floor with a machine that operates like a farm combine, sending the rocks up a conveyor to the surface. "I think there is a broad misapprehension of the scale of actual seabed mining," says Christopher Williams, managing director of UK Seabed Resources. Although the company's undersea plots are nearly 29,000 square miles each, he says the actual mining will be done on a comparatively small patch of the huge ocean floor.

Worstall of Forbes reports that Molycorp, which runs the only producing US domestic rare earths mine, mountain pass mine has yet to turn a profit, and so deeply in debt that just last week, its own auditor warned it may not be able to stay in business. Due to the tough terrain and distance from land of the arctic, REM mining would be even less profitable there. This means that mining is incredibly unlikely.

Tim **Worstall**, March 2015 "What 60 Minutes Got Wrong About Rare Earths And China," Forbes,

<https://www.forbes.com/sites/timworstall/2015/03/23/what-60-minutes-got-wrong-about-rare-earths-and-china/#759266a2a2a5> (NK)

Last night 60 Minutes ran a segment on how American industry, and more importantly, the American defense industry, is prostrate before a Chinese monopoly of rare earths production. This is of course very worrying for all sorts of Very Serious People and something no doubt should be done. There is a slight problem with the analysis 60 Minutes presented though: that problem being that their analysis was wrong. And I say this as someone who works in that rare earth industry, someone who has, at times, been a near monopoly supplier of one of the rare earths and, even, a supplier to the US defense industry of non-Chinese rare earths. Here are the most important lines in the 60 Minutes report: But **trouble is once again looming for the U.S. rare earth industry.**

Since restarting operations two years ago, Molycorps mountain pass mine has yet to turn a profit, and so deeply in debt that just last week, its own auditor warned it may not be able to stay in business. That part is, as far as anyone in the industry knows, true. **Molycorp, which runs the only producing US domestic rare earths mine, is deep in the financial doo doo and may well go bust without a recapitalisation.** As was true of the major Australian rare earths miner, Lynas Corporation, until a recapitalisation a few months back (Sept 2014). You do not have to be excessively cynical to note that shareholders might prefer to have some government support rather than having to put more of their own money into such companies. That call for support, unless there truly is some important defense interest, should be rejected of course. For making losses as these firms are doing is the universe's way of telling you to stop doing what you are doing.

James Vincent@Jjvincent, 4-17-2018, "China can't control the market in rare earth elements because they aren't all that rare," Verge,

<https://www.theverge.com/2018/4/17/17246444/rare-earth-metals-discovery-japan-china-monopoly> //DF

The rare earth element of cerium, for example, is the 25th most abundant on Earth, making it about as common as copper. But unlike copper and similarly well-known elements, such as gold and silver, rare earths don't clump together in single-element lumps. Instead, because of their similar chemical composition (15 of the 17 rare earth elements occupy consecutive places on the periodic table), they bond freely with one another in minerals and clays. As the academic David S. Abraham explains in his book *The Elements of Power*, this makes for a grueling extraction process. To create rare earths from the ore that contains them, this material has to be dissolved in solutions

of acids, over and over again, then filtered, and dissolved once more. “The goal is not so much to remove rare earths from the mix as to remove everything else,” writes Abraham. Rare earth ore goes through these steps hundreds and hundreds of times, and for each new mining location, the concentration of the acids used has to be recalculated in order to target the specific impurities in the soil. To top it off, the whole process produces any number of nasty chemical byproducts and is radioactive. **PROCESSING RARE EARTHS INVOLVES A LOT OF TIME, ACID, AND RADIOACTIVITY** The whole process is “expensive, difficult, and dangerous,” says former rare earth trader and freelance journalist Tim Worstall. He tells The Verge that, because of this, the West has been more or less happy to cede production of rare earths to China. From the 1960s to the ‘80s, the US did actually supply the world with these elements; all extracted from a single mine in California named Mountain Pass. But in the ‘90s, China entered the market and drove down prices, making Mountain Pass unprofitable and leading to its closure in 2002. Worstall says there are many reasons production moved overseas. Some of these are familiar: cheap labor costs and a willingness to overlook environmental damage, for example. But there’s also the fact that rare earth production in China is often a byproduct of other mining operations. “The biggest plant there is actually an iron ore mine which extracts rare earths on the side,” says Worstall. This means that, unlike the Mountain Pass mine, producers aren’t reliant on a single product. “If you are trying to only produce rare earths, then you’re subject to the swings and roundabouts of the market.”

R/T SCS

1. China will not comply with the US. Gallagher 14 explains that China has a history of signing treaties and subsequently violating them. It’s unlikely that the US’s accession of UNCLOS alone would serve to deter China from further claiming territory in the South China Sea.

Gallagher 14 Marjorie Ellen Gallagher, 2014, "The Time is Now: The United States Needs to Accede to the United States Convention on the Law of the Sea to Exert Influence Over the Competing Claims in the South China Sea," Temple International and Comparative Law Journal, http://www.comitersinger.com/wp-content/uploads/2018/01/2269_001.pdf //DF

The United State’s accession to the treaty may not solve the problem, though, as China has a history of signing treaties and subsequently violating them. For example, China is “a signatory to the Nuclear Nonproliferation Treaty but remains a notorious nuclear proliferator, and it is a member of the World Trade Organization yet brazenly disregards its trade obligations”. Further, despite being one of the permanent five members of the Security Council, China openly violates UN sanctions. Therefore, **it is unlikely that the United State’s accession of UNCLOS alone would serve to deter China from further claiming territory in the South China Sea**. Acceding to UNCLOS may not stop the problem of China expanding in the South China Sea, but it would certainly limit criticism if the United States hopes to mitigate the situation by negotiating using the same standards.

China currently commands considerable economic and political leverage over various ASEAN states, reducing the ability of the group to come together on matters of strategic importance on

maritime issues. This response pre-reqs their argument because if the US tried to join a serious multilateral coalition with other SCS countries, China could use their economic leverage over them to prevent them from joining. (Panda - Diplomat)

Ankit Panda, The Diplomat, 2-24-2015, "Why Hasn't Maritime Multilateralism Worked in Southeast Asia?," Diplomat, <https://thediplomat.com/2015/02/why-hasnt-maritime-multilateralism-worked-in-southeast-asia/> (NK)

Given all this, AMOSC's mandate of preventing and managing "existing maritime disputes between countries by enhancing domain awareness, improving capacity-building, and enacting confidence-building measures" will likely turn up dead-on-arrival. As long as China sees no convincing rational reason for it to pursue multilateralism, it will continue to at best, pursue lopsided bilateral negotiations, and, at worst, scuttle the issue off diplomatic agendas entirely. Making matters worse, **China currently commands**

considerable economic and political leverage over various ASEAN states, reducing the ability of the group of 10 nations to come together on matters of strategic importance on maritime issues.

If ASEAN states, particularly those with maritime disputes among themselves, were able to convene a successful multilateral process, resolve their own disputes, and consolidate their understanding of maritime issues, I would be considerably more optimistic about a multilateral process on disputes involving China.

Beijing cares more about perceived sovereignty and strategic geopolitical interests than international image (Fuchs - National Interest)

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> (NK)

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.

Third, there is nothing hypocritical about the United States calling on members of the international community to respect the legal commitments to which they have voluntarily pledged. The principle of adherence to rule of law is distinct from participation in specific legal regimes. Moreover, the United States has been clear that its overriding interest in the South China Sea is peaceful resolution of disputes, something UNCLOS can facilitate if all parties agree to comply with its requirements.

2. Trump is incompetent so our allies don't want to follow him into a war with china

Yan Xuetong, Washington Post, "Trump can't start a Cold War with China, even if he wants to", https://www.washingtonpost.com/news/theworldpost/wp/2018/02/06/china-trump/?utm_term=.15003f398c07 (NK)

Economics remains the most powerful element of China's national strength, and its military might lags far behind America's. Thus, China will try its best to avoid any form of military clashes with the U.S. China also insists it is not formally allied with Russia, America's other rival, which has been confronting the U.S. order in Europe mainly through proxy wars since the end of the Cold War. It should not go unrecognized that wars in the Middle East and former Soviet zones have not escalated to the global level, in no small part because China did not join Russia. China's behavior in these situations shows that China will not join league with Russia against the U.S., as happened with the East-West division during the Cold War. **The uncertainty of Trump's leadership is also a minor but favorable factor in preventing a new Cold War. The inconsistency of America's foreign policy in the first year of his presidency has made its allies cautious in supporting America's confrontation with China.** To be sure, China-U.S. competition will inevitably grow more severe in 2018. At the moment, China appears to have more confidence than the U.S. in this competition because it believes the Trump administration suffers from a crippling lack of credibility both at home and abroad. The most crucial factor in international competition between superpowers is strategic credibility.

3. No impact: China would never risk its trade flows. The CSIS explains that given the significance of the South China Sea for Chinese trade, Beijing may be more inclined to take steps to preserve the free flow of trade than it is to disrupt regional trade flows.

"How much trade transits the South China Sea?," ChinaPower Project, Center for Strategic and International Studies, <https://chinapower.csis.org/much-trade-transits-south-china-sea/> //DF

The frequent citing of the \$5.3 trillion figure in various publications implies an overwhelming concern among the media, scholars, and governments that a disruption of South China Sea trade would precipitate a global economic crisis. Concerns surrounding the \$5.3 trillion figure are often tied to suspicions that China's growing regional influence may embolden Beijing to disrupt commercial shipping. While certain contingencies may prompt China's leaders to take coercive action, this possibility is less likely during peacetime. China's reliance on the South China Sea leaves it vulnerable to maritime trade disruptions. In 2003, then-President Hu Jintao drew attention to the potential threat posed by "certain major powers" aiming to control the Strait of Malacca, and highlighted the need for China to adopt new strategies to address this concern. Thereafter, the Chinese media drew significant attention to the potential risk outlined by Hu Jintao and Chinese scholars stressed the need to solve this "Malacca Dilemma" by exploring alternative shipping routes.² Given the significance of the South China Sea for Chinese trade, Beijing may be more inclined to take steps to preserve the free flow of trade than it is to disrupt regional trade flows. Even under extreme hypothetical conditions where Chinese capabilities expanded to the point where it was capable of letting its own commerce pass while stopping that of other countries, such a move would be risky. Long-term interference with shipping traffic would increase insurance premiums on commercial vessels and force shippers to consider more expensive trade route alternatives. This is not to say that such a scenario is impossible. Dire circumstances may compel China to take disruptive action, but this would come at a considerable financial cost to China, greatly degrade China's standing among other countries, and could precipitate an assertive response by outside powers.

Non Unique - we already are committed to multilateralism in Asia (Lee-Brago - Philippine Star)

Lee-Brago, philstar, 11-14-2017, "Asean, US, EU vow to ensure sea rights,"

<https://www.philstar.com/headlines/2017/11/14/1759050/asean-us-eu-vow-ensure-sea-rights>

(NK)

In their joint statement, ASEAN and the US stressed their support for mutual respect for the sovereignty, territorial integrity, equality and political independence of all nations by firmly upholding the principles and purposes of the charters of the United Nations and the ASEAN, which emphasize the importance of international law and the right of every nation to lead its national existence free from external interference, subversion or coercion. ASEAN and the US, based on their statement, maintain a shared commitment to peaceful resolution of disputes, including full respect for legal and diplomatic processes, without resorting to the threat or use of force in accordance with universally recognized principles of international law and the 1982 United Nations Convention on the Law of the Sea (UNCLOS). "We are dedicated to maintaining peace, security and stability in the region, and to ensuring maritime security and safety, including the rights of freedom of navigation and overflight and other lawful uses of the seas, and unimpeded lawful maritime commerce as described in the 1982 UNCLOS as well as non-militarization and self restraint in the conduct of activities," the statement said.

R/T ADIZ

It is in China's best interest to keep the 9 dash line, or not declare the South China Sea and ADIZ because doing otherwise would get rid of the ambiguity they are able to currently maintain in the region. As China sees it, there current strategy leaves the area open for negotiation, but

increasing control by making the area an ADIZ will only bring on increasing international pressure and involvement in the region, only for marginal strategic benefit (Panda - Diplomat)

Ankit Panda, The Diplomat, 7-1-2014, "Will China's Nine Dashes Ever Turn Into One Line?," Diplomat, <https://thediplomat.com/2014/07/will-chinas-nine-dashes-ever-turn-into-one-line/> (NK)

First, what are the benefits to Beijing of maintaining nine (or ten) dashes instead of a continuous line? Well, in order for there to be any benefit at all, maps would have to matter in the first place. I would argue that they certainly do in the Asia-Pacific. Each of the maritime claimants in the South China Sea comes to the table with their own map of the region. China's claim to Asia's cauldron (as Robert Kaplan puts it) is by far the most capacious and substantiated with ten dashes dating back to maps used by the Kuomintang government of the Republic of China in 1947. As others have noted, **the primary advantage of these dashes is a degree of calculated ambiguity**. According to Beijing, the dashes do not represent an inviolable sovereign claim to the entirety of the area demarcated by the dashes but in reality represent the *maximum* extent of Chinese control over the region. This is a subtlety that often goes unappreciated in contemporary debates on China's claim to the South China Sea. **By maintaining its dashes, Beijing actually sees its position on its maritime claims as conciliatory and open somewhat to negotiation with other South China Sea states**. One account of a Track II exchange between Western and Chinese scholars in 2009, recounted by Carl Thayer, states that "if nations which made claims for extended continental shelves withdrew such claims, there would be several areas within the dotted line might be amenable to joint development," according to Chinese scholars. While realities have changed since these assumptions were made in 2009, the basic ambiguity of the dashed-line claim persists. The United States has come out against China's dashed maps, arguing that such claims have no basis in international law, including UNCLOS, which uses land features and the continental shelves as the basis for establishing EEZs and which China ratified in 1996. In the meantime, **China has not converted its dashes into a line or even attempted to recreate its East China Sea ADIZ in the South China Sea as both of these actions would cause Beijing to lose the ambiguity of its territorial claims with little benefit. With the status quo of its dashed claim, one can imagine a South China Sea in which China succeeds with a combination of assertive "salami slicing" and bilateral diplomacy, resulting in a South China Sea in which China doesn't control the entirety of its dashed-line claim but a majority of this area**. This approach actually allows Beijing to gain control of territory it controlled historically without appealing *merely* to history (thereby making its claim look ever more ridiculous in the face of international law, specifically UNCLOS). In summation, it matters profoundly that China currently chooses to claim the entirety of the South China Sea with a dashed line instead of a continuous one.

R/T Multilateralism

Nonunique: China and Southeast Asian nations have already settled.

Hass 17 Ryan Hass, 12-20-2017, "Risk of U.S.-China confrontation in the East China Sea," Brookings, <https://www.brookings.edu/opinions/risk-of-u-s-china-confrontation-in-the-east-china-sea/> //DF

During this same period, the maritime dispute between China and Japan in the East China Sea garnered less attention. Unlike the South China Sea, there were no new islands being constructed out of sand, no high-stakes arbitral rulings, and no sharp policy debates in Washington that spilled out into the press. Despite the lower profile, the dispute in the East China Sea may carry greater risk of drawing the United States into conflict with China than the various disputes in the South China Sea. Here's why: First, **the situation in the South China Sea is and will remain at a stalemate**. As Singaporean official Bilahari Kausikan has observed, **Washington cannot force Beijing to abandon the artificial islands it has constructed or stop China from deploying military assets on them without risking a military conflict**. By the same standard, **China cannot stop the United States from operating in the area without risking a major conflict that would expose Chinese forces to significant risk of defeat and potentially result in the rapid destruction of its artificial islands**. In other words, neither roll-back nor exclusion are policy options that attract serious consideration by governments in Beijing or Washington. Second, **the geopolitical temperature on the South China Sea has gone down considerably over the past year. Reasons for this include: President Trump's**

de-emphasis of the issue as an element of the U.S.-China relationship; Beijing's prioritization of regional economic integration via the Belt and Road Initiative; and Southeast Asian countries' growing wariness of poking China on the South China Sea and preference instead for focusing on regional connectivity and negotiations toward a China-ASEAN Code of Conduct.

Turn: multilateral coalitions that are formed specifically to contain China are the kinds of things that it fears most. Tanner in 2015 explains: China was subject to what they perceive to be numerous "humiliations" at the hands of western powers, specifically with regard to invasions of its sovereign territories. This has led to the principles of sovereignty and territorial integrity. The CCP have looked to protect their perceived sovereign borders in response to a fear of history repeating itself via a strategic encirclement from the USA and ASEAN.

Tanner 15 Anthony Tanner, 7-15-2015, "Multilateralism in the South China Sea Dispute," Future Foreign Policy,
<http://www.futureforeignpolicy.com/multilateralism-south-china-sea-dispute-misunderstandings-opportunities/> //DF

Regarding the first issue, a major sticking point in dispute resolution has been the USA's continued support for a multilateral solution in stark contrast to China's favoured bilateral approach. This leads one to question the root of China's disdain for external interference especially given the demonstrable support for multilateralism via, for example, the founding of the Asia Infrastructure and Investment Bank (AIIB). The answer is quite simple. From the First Opium War in 1839 until Mao Zedong founded the People's Republic of China in 1949, China was subject to what they perceive to be numerous "humiliations" at the hands of western powers, specifically with regard to invasions of its sovereign territories. This has led to the principles of sovereignty and territorial integrity, as stated in a white paper released on September 6th 2011 named "China's Peaceful Development", to be two of China's non-negotiable "core interests". These principles are premised on the declaration that China will "not interfere in another countries' internal affairs" and subsequently expects the same courtesy. Thus, it is no wonder that, given the Obama administration's widely held "Pivot to Asia", the CCP have looked to protect their perceived sovereign borders in response to a fear of history repeating itself via a strategic encirclement from the USA and ASEAN. The notable actualization of this fear can be seen through China's rigorous protection of Hainan Island's borders which has required control of the contested Paracel Islands in order to provide air cover and sea protection for Chinese vessels leaving and entering the Yulin Naval Base. This is a feasible explanation for the March 2009 USS Impeccable incident when the vessel was confronted by the People's Liberation Army Navy (PLAN) 121 kilometres off the coast of Hainan or the more recent interception of the USN P-8 Poseidon Maritime Control Aircraft (MPA) while it was performing a routine reconnaissance in the same vicinity.

R/T Tribunal

Join UNCLOS does not give us extra say in tribunals, because the people who we elect are not allowed to take instructions from the US government and thus act as neutral actors. If anything, US presence would just amplify the voice of hardliners in China who view international legal regimes as a vehicle for advancing U.S. interests (Fuchs - National Interest)

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> (NK)

While there are many reasons the United States should ratify UNCLOS—which we strongly support—gaining an advantage in the South China Sea is not one of them. First, **W**hile 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.

R/T Impact – Strait of Malacca

The impact of a strait closure is negligible

"How much trade transits the South China Sea?," ChinaPower Project, Center for Strategic and International Studies, <https://chinapower.csis.org/much-trade-transits-south-china-sea/> //DF
When considering a short-term peacetime Strait of Malacca closure, the added costs of rerouting can be estimated by calculating average daily voyage costs of various vessels. Assuming that tankers and bulk carriers exceeding 100,000 deadweight tonnage (DWT) detour through the deep-water Lombok Strait and that all other smaller transiting ships use the more proximate but shallower Sunda Strait, **a week-long closure of the Strait of Malacca would result in an estimated \$64.5 million in additional shipping costs.**³ While an additional \$64.5 million in shipping costs is significant, **this would represent just 0.08 to 0.10 percent of the average weekly value of trade value that passes through the South China Sea. Over the course of a year, the costs of a week-long closure would drop to just 0.0015 to 0.0019 percent of annual trade passing** through the waterway. In the case of multiple SLOC closures, rerouting all shipping for one week through the Lombok Strait would cost approximately \$119 million. A worst-case planning scenario entails all three straits (as well as other possible Southeast Asian SLOCs) being unavailable for commercial traffic, forcing vessels to sail around the southern coast of Australia before pushing north into the Philippine Sea. This would be analogous to traders rerouting around Africa when the Suez Canal was closed from 1967 to 1974, and would carry a considerable monthly cost of \$2.8 billion. The impact of a short-term peacetime SLOC closure for a specific economy would vary, but the global economy would not come to a standstill. Trade would likely continue to flow, despite increased costs. Although the financial burden of a short-term peacetime closure at the Strait of Malacca may be manageable, a host of secondary factors make it difficult to apply the offered estimates to long-term closure lasting several weeks or longer.

R/T Impact – US Starts War

No impact: the US has no interests in SCS that are substantial enough to go to war over
Farley 18 Robert Farley, 6-5-2018, “The South China Sea Conundrum for the United States,” The Diplomat,
<https://thediplomat.com/2018/06/the-south-china-sea-conundrum-for-the-united-states/> //DF
U.S. commitment to the South China Sea is also a proxy for its commitment to regional allies. Unfortunately, it performs this role altogether inadequately. **Few, if any, countries in the region believe that the United States would go to war in order to forcibly eliminate China’s installations;** indeed, we already know that the United States will not do so.

Unlike the Fulda Gap or the DMZ, the South China Sea does not offer convenient spaces for the United States to declare red lines, and to make expensive commitments to them. No American property is endangered by Chinese encroachment; unlike in Germany or Korea, U.S. soldiers do not bring families or marry and have children in the South China Sea. Apart from perhaps the Baltic or the Black Sea, the U.S. Navy and U.S. Air Force fight at greater disadvantage in the South China Sea than anywhere else on earth. Chinese aircraft and missile can take advantage of land bases in order to project power across the region. China can multiply the numbers of these systems as it sees fit. While U.S. military technologies remain more sophisticated than Chinese, the trendlines for regional military capabilities are not positive for the United States.

R/T Trade

R/T Undersea Cables

1. Russia won't cut the cord because it would hurt them more than it would hurt us

Matsakis 18 Louise Matsakis, 5-25-2018, "WHAT WOULD REALLY HAPPEN IF RUSSIA ATTACKED UNDERSEA INTERNET CABLES," Wired,

<https://www.wired.com/story/russia-undersea-internet-cables/> //DF

Because faults happen so frequently, cable repair ships patrol nearly all of the world's waters. Even if Russia did start snipping, there are crews equipped to rapidly repair them. Besides, **Russia's epic hypothetical cable attack would primarily harm its own people, as another Telegeography analyst pointed out in a video. "It would hurt the Russians perhaps even more than it would hurt [Americans]. They're far more dependent on international networks than we are, because so much of our content is stored locally"** says senior analyst Jonathan Hjembo. That's not to say that the world's undersea cables aren't at risk, or that they don't need protection—especially in areas of the world with less internet infrastructure, like Africa and some parts of Southeast Asia. When a fault happens there, the consequences can be more severe, including genuine internet disruption.

2. Russia can't cut the cables

Hinck 18 Garrett Hinck, 7-18-2018, "Evaluating the Russian Threat to Undersea Cables," Lawfare,

<https://www.lawfareblog.com/evaluating-russian-threat-undersea-cables/> //DF

Underwater submersibles can damage cables. But it is not certain whether they can tap cable communications underwater in the same way that human operatives can tap fiber-optic cables on land. The BBC article about the Yantar noted a Russian report that the ship has devices that can tap undersea cables to obtain the data flowing through them. According to the Register, a British technology news site, **tapping fiber-optic cables underwater requires opening up armoured sheaths, avoiding shocks from the cable's power supply and then splicing open highly sensitive glass fibers. Thousands of meters underwater this would be impossible for a diver or clumsy submersible.** The New York Times reported in 2005 that the USS Jimmy Carter, a highly advanced submarine that was the only one of its class built, had a capability to tap undersea cables. An Institute of Electrical and Electronics Engineers report speculated that a 45-foot extension added to the Jimmy Carter provided this capability by allowing engineers to bring the cable up into a floodable chamber to install a tap. But it is unlikely that the USS Jimmy Carter routinely taps cables since U.S. intelligence agencies can much more easily (and lawfully) obtain cable data through taps at above-ground cable landing stations. There are no reports of Russian subs with similar capabilities. Submersibles would be too small to have the same kind of chamber as the Jimmy Carter. Therefore, it is not at all certain if Russia can credibly claim that the Yantar can tap cables.

3. Cables are rerouted

Matsakis 18 Louise Matsakis, 5-25-2018, "WIRED," Wired, <https://www.wired.com/story/russia-undersea-internet-cables/> //DF

"The amount of anxiety about somebody sabotaging a single cable or multiple cables is overblown," says Nicole Starosielski, a professor at New York University who spent six years studying internet cables to write the *The Undersea Network*. "If somebody knew how these systems worked and if they staged an attack in the right way, then they could disrupt the entire system. But the likelihood of that

happening is very small. Most of the concerns and fears are not nearly a threat at all.” For one, ruptures aren’t exactly an anomaly. One of the estimated 428 undersea cables worldwide is damaged every couple of days. Nearly all faults aren’t intentional. They’re caused by underwater earthquakes, rock slides, anchors, and boats. That’s not to say that humans are incapable of purposefully messing with the cables; off the coast of Vietnam in 2007, fishermen pulled up 27 miles of fiber cords, disrupting service for several months. (It wasn’t cut off completely, because the country had one more cable that kept the internet going.) You don’t notice when a cable faults, especially if you live somewhere like the United States, because your Instagram message or Google Voice call is instantly re-routed. If you’re Skyping with a friend in Romania for instance, and a fishing boat or anchor ruptures a cable—as causes two-thirds of faults—your conversation simply goes over another line. Many regions, like Europe, the United States, and East Asia have numerous cables running over the same path. You can check out a map of them all here. That means Russia snipping a handful of cables in the Atlantic, where its submarines have been spotted, would disturb the global internet very little. In fact, even if it ruptured every single cable in the Atlantic Ocean, traffic could still be re-routed the other way, across the Pacific. “It wouldn’t work very well or be the highest quality, but it’s not like there wouldn’t be any communication happening,” says Alan Mauldin, research director at TeleGeography, a market research firm that specializes in telecommunications, including undersea cables.

R/T UNCLOS Renegotiation

Renegotiation would increase uncertainty. Hong 12 at the National Institute for South China Sea Studies explains: Renegotiation of the Convention in all probability would be a time-consuming process. Such a process would certainly have a negative impact on international cooperation in the management of ocean space as it is bound to lead to uncertainty and conflict over the applicable legal regimes.

Hong 12 Nong Hong [Associate Professor (Research), at the Research Center for Oceans Law and Policy, National Institute for South China Sea Studies (NISCSS)] 7-26-2012, “UNCLOS and Ocean Dispute Settlement Law and Politics in the South China Sea,” Routledge, <https://www.taylorfrancis.com/books/9781136277856> //DF

This book aims at, on one hand, exploring the most practical mechanism to settle the SCS disputes under the new development tendency, and on the other hand, assessing the effectiveness and implementation of UNCLOS as an international regime to settle maritime disputes. The adoption of UNCLOS in 1982 has led to a period of relative stability in global ocean affairs by providing a legal framework for the sustainable development of the oceans and their natural resources. However, especially in recent times, there have been calls to amend the Convention because of some shortcomings. **Renegotiation of the Convention in all probability would be a time-consuming process, the outcome of which is highly uncertain. Such a process would certainly have a negative impact on international cooperation in the management of ocean space as it is bound to lead to uncertainty and conflict over the applicable legal regimes.** The rationale of this book is intended to contribute to the discussion on the significance of UNCLOS as the basis for the legal order of the ocean. The disputes and conflicts contained in the SCS cover almost every aspect of UNCLOS, e.g., maritime delimitation, historic title, territorial sovereignty, use of force, military activities, fishing, marine scientific research, freedom of navigation, marine environment protection, and deep seabed mining. The SCS dispute involves rising maritime powers like China, archipelago states like Indonesia and the Philippines, strait states like Malaysia and Indonesia, and user states like the US, Japan, and others, all of which reflect the many dimensions of the users of UNCLOS.

A2 GMP

Trump is FUCKING UP the our multilateral institutions, making assaults on institutions such as NATO while insulting German chancellor Angela Merkel. Unclos is a small increase in multilateralism, which certainly will not revert this trend and lead to an effective GMP (Avlon - CNN)

John Avlon, 7-17-2018, "Trump is no longer leader of the free world," CNN,

<https://www.cnn.com/2018/07/16/opinions/trump-helsinki-no-longer-free-world-leader-avlon/index.html> (NK)

This past week offered new lows in this shameful dance on the world stage, capped by what Anderson Cooper diagnosed as a "disgraceful" performance at Helsinki, in which Trump was more critical of Democrats and his own Justice Department than of Putin or Russia. **In the days before his largely unsupervised chat with Putin in Helsinki, Trump attacked our**

NATO allies at a Belgian summit, suggesting the US could "go our own way." He nonsensically blamed President Barack Obama for Russia's invasion of Crimea, insulted German Chancellor Angela Merkel, undercut embattled British Prime Minister Theresa May over Brexit and

described the European Union as a "foe" of the United States. After his own Justice Department indicted 12 more Russian agents for interfering in his favor in the 2016 election, Trump again attacked the investigation as a "rigged witch hunt" and blamed American "foolishness and stupidity" for our bad relationship with Russia. The Russian Foreign Ministry tweeted with cold approval: "We agree." This litany of insults is surreal and not a little bit sinister. But we can't say we weren't warned. After all, the 2017 US Intelligence Assessment on Russian activities and intentions in the 2016 elections made it clear that "the Kremlin sought to advance its longstanding desire to undermine the US-led liberal democratic order, the promotion of which Putin and other senior Russian leaders view as a threat to Russia and Putin's regime." This Russian desire has been met with unexpected ardor from the American President. Brennan on Trump's performance: Treasonous 01:39 This love-that-dare-not-speak-its-name was again apparent at the press conference after the Helsinki meeting, when Trump went off-teleprompter to echo his post-Charlottesville script, declaring "both countries accountable" for US-Russia tensions and again denied the validity of the Mueller investigation, calling it baseless and "ridiculous." Trump took the unprecedented step of taking the word of an autocratic leader of a hostile foreign power over his own Director of National Intelligence, stating that he did not see "any reason why it would be" Russia who hacked the DNC servers. This was music to Putin's ears, who grinned like a cat digesting a canary, while stating, "we have to be guided by facts and not by rumors." **The most innocent explanation for Trump's determined outbursts -- and his disconnect from broader bipartisan American policy interests -- is that he has isolationist instincts and admires authoritarian leaders.**

But that marks something much more dangerous than simply a disruption of the status quo.

Some might ask whether Trump's imagined new world order really represents a threat to American values. Only if you believe in individual rights, civil liberties and the strength of multi-lateral liberal democratic coalitions as a bulwark against ethno-nationalist autocracy.

Amid all the upheaval, it's worth remembering that Trump won the election with just under 78,000 votes in three states -- Michigan, Wisconsin and Pennsylvania. It is unlikely that those voters were betting on an abandonment of American values in favor Russian interests.

The changing tides of power that are occurring right now, specifically with the rise of China, make it hard for a possible GMP to be effective. As China rises, competition for power also increases making collaboration with the US hard as well (Toh - Journal of Singapore Armed Forces)

Joshua Toh, , 2016, "Realizing the Global Maritime Partnership: Strategies for Enhancing Cooperation within the Asia Pacific Region"

Journal of the singapore armed forces,

[https://www.mindef.gov.sg/oms/content/dam/imindef_media_library/graphics/pointer/PDF/2012/Vol.38%20No.4/5\)%20V38N4_Realizing%20the%20Global%20Maritime%20Partnership%20Strategies%20for%20Enhancing%20Cooperation%20within%20the%20Asia%20Pacific%20Region.pdf](https://www.mindef.gov.sg/oms/content/dam/imindef_media_library/graphics/pointer/PDF/2012/Vol.38%20No.4/5)%20V38N4_Realizing%20the%20Global%20Maritime%20Partnership%20Strategies%20for%20Enhancing%20Cooperation%20within%20the%20Asia%20Pacific%20Region.pdf) (NK)

In a maritime consortium such as the GMP, using Geoffrey Till's analogy of a western sheriff organizing a posse, the sheriff shall be the defendant of common law and will need the active support of members of the community.²⁵ In its effort to play a larger maritime leadership role and establish legitimacy, China has urged all countries to adopt the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as the legal framework for action. China will continue to leverage the United Nations and seek global legal agreements through UNCLOS in establishing its influence.²⁶ **Military modernization programs will extend the sphere of**

influence of both China and India, and some level of competition may arise with the shift in power. However, the US will continue to be the global sheriff in the foreseeable future, while it grapples with transitional challenges arising from the shift in power within the Asia-Pacific region.²⁷ **The power dynamics may impede the effectiveness of the GMP.** Regional Geopolitical

Sensitivities Another challenge is that geopolitical sensitivities and border and maritime disputes may continue to impede further cooperation and features 40 POINTER, Journal of the Singapore Armed Forces Vol.38 No.4 integration between the Asia Pacific countries. While recent achievements in maritime security cooperation in the Gulf of Aden, Malacca Strait, and rest of the region indicate an increasing ability and willingness of the Asia Pacific nations to act together on common interests, the region continues to be saddled with “a fierce sense of national sovereignty, enormous variations in culture and civilization, and a struggle for power and influence among the region’s great powers.”²⁸

Tensions in the South China Sea are too high for GMP to work effectively, as the treaty (or whatever it is) needs to the cooperation of SCS countries (Toh - Journal of Singapore Armed Forces)

Joshua Toh, , 2016, "Realizing the Global Maritime Partnership: Strategies for Enhancing Cooperation within the Asia Pacific Region" Journal of the Singapore Armed Forces,

[https://www.mindef.gov.sg/oms/content/dam/imindef_media_library/graphics/pointer/PDF/2012/Vol.38%20No.4/5\)%20V38N4_Realizing%20the%20Global%20Maritime%20Partnership%20Strategies%20for%20Enhancing%20Cooperation%20within%20the%20Asia%20Pacific%20Region.pdf](https://www.mindef.gov.sg/oms/content/dam/imindef_media_library/graphics/pointer/PDF/2012/Vol.38%20No.4/5)%20V38N4_Realizing%20the%20Global%20Maritime%20Partnership%20Strategies%20for%20Enhancing%20Cooperation%20within%20the%20Asia%20Pacific%20Region.pdf) (NK)

In a maritime consortium such as the GMP, using Geoffrey Till’s analogy of a western sheriff organizing a posse, the sheriff shall be the defendant of common law and will need the active support of members of the community.²⁵ In its effort to play a larger maritime leadership role and establish legitimacy, China has urged all countries to adopt the 1982 United Nations Convention on the Law of the Sea (UNCLOS) as the legal framework for action. China will continue to leverage the United Nations and seek global legal agreements through UNCLOS in establishing its influence.²⁶ Military modernization programs will extend the sphere of influence of both China and India, and some level of competition may arise with the shift in power. However, the US will continue to be the global sheriff in the foreseeable future, while it grapples with transitional challenges arising from the shift in power within the Asia-Pacific region.²⁷ The power dynamics may impede the effectiveness of the GMP. Regional Geopolitical Sensitivities Another challenge is that **geopolitical sensitivities and border and maritime disputes may continue to impede further cooperation** and features 40 POINTER, Journal of the Singapore Armed Forces Vol.38 No.4 integration **between the Asia Pacific countries.** While recent achievements in maritime security cooperation in the Gulf of Aden, Malacca Strait, and rest of the region indicate an increasing ability and willingness of the Asia Pacific nations to act together on common interests, **the region continues to be saddled with “a fierce sense of national sovereignty, enormous variations in culture and civilization, and a struggle for power and influence among the region’s great powers.”**²⁸ As a result, even though the Asia Pacific navies may act in coalition from time to time, they will be primarily focused on their traditional roles in national defense and limited to only some collective and regional interests.²⁹ In addition, national caveats may limit contributions to the GMP where differences in rules of engagement and national constraints inhibit the full integration of the coalition forces. Thus, while the GMP can be effective, optimism may have to be checked by a sense of realism given the geopolitical sensitivities within the region

AT: Tech Transfers

1. Admiralty Law Guide citing the UNCLOS convention itself explains “nothing in this Convention shall be deemed to require a State Party... to supply information the disclosure of which is contrary to the essential interests of its security.”
2. Untrue, as Borgerson from the Council on Foreign Relations writes in 2009, in the UNCLOS re-negotiations in 1994, section 5 eliminated this mandate of tech

transfers. Additionally, this introduced new provisions that protected sensitive military technologies, leading the Admiralty Law Guide to conclude that UNCLOS stipulates that a state doesn't have to disclose any tech which is essential to the nation's security.

Borgerson, Scott G. The National Interest and the Law of the Sea. Council on Foreign Relations: Washington, D.C., May 2009 (82p).

"U.S. Technological Advantage. It is true that the 1982 form of the convention mandated private "technology transfer detrimental to U.S. national security and economic interests. That was one of the factors specifically cited when President Reagan rejected the convention. Article 144 of the convention does encourage technology transfer, calls for parties to "cooperate in promoting the transfer of technology and scientific knowledge," and remains in force following the adoption of the 1994 agreement but does not mandate technology transfer. Such transfer, mandated by Annex III Article 5 of the convention, was eliminated by section 5 of the annex to the 1994 agreement. Additional protection against national security damage through technology transfer is provided by Article 302 of the convention: "[N]othing in this Convention shall be deemed to require a State Party, in the fulfillment of its obligations under this Convention, to supply information the disclosure of which is contrary to the essential interests of its security."

Admiralty Law Guide – Article 302 indicates that a nation does not have to transfer technology that is essential to its national security

<http://www.admiraltylawguide.com/conven/unclosparts16-17.html>

Without prejudice to the right of a State Party to resort to the procedures for the settlement of disputes provided for in this Convention, nothing in this Convention shall be deemed to require a State Party, in the fulfilment of its obligations under this Convention, to supply information the disclosure of which is contrary to the essential interests of its security.

A2: FONOPS increase tensions with China

- 1) Daojing of Foreign Policy writes that China's responses to FONOPS have been relatively mild and have shown restraint, sending the message that it does not want to fight the US over these operations
- 2) Ku in 2018 writes that the UK is beginning their own FONOP operations in China, which means that you can conduct FONOPS under UNCLOS which non unifies my opponents.

Daojiong et al. "Beijing 'Doesn't Want A Fight'." Foreign Policy. N. p., 2016. Web. 18 July 2018. It is possible that the Foreign Ministry's initial description of Chinese response was inaccurate because it was not as privy to what happened on the front lines as was the Defense Ministry, although this would suggest a troublesome lack of coordination between the two ministries in managing the South China Sea situation. A more plausible explanation, however, is that the Foreign Ministry was compelled to provide a stronger narrative of China's response because nationalistic voices inside China are already criticizing the government for being too soft. **Yet, the stronger response of "warning and repelling" in fact revealed China's relevant restraint. Such restraint was also displayed last October in its "monitoring, tracking, and warning" response to the USS Larsen's FONOP near Subi Reef in the Spratly Islands. In neither case did China's naval or coast guard vessels try to intercept or ram U.S. ships. Chinese restraint is good news for regional peace. Beijing is sending the message that it doesn't want a fight with the U.S. over these operations**

KU, Julian "The British Are Coming To The South China Sea, And It's About Time." Lawfare. N. p., 2018. Web. 18 July 2018. **British Defense Secretary Gavin Williamson recently announced that the Royal Navy would be conducting a South China Sea Freedom of Navigation Operation (FONOP) after its visit to Australia later this year.** His statement also contained a rare full-throated specific endorsement of U.S. FONOPs in the region. "We absolutely support the U.S. approach on this, we very much support what the U.S. has been doing," he commented, adding, "The U.S. can only concentrate on so many things at once. The U.S. is looking for other countries to do more. This is a great opportunity for the U.K. and Australia to do more, to exercise leadership."

EXTENSIONS

A2 Arctic Drilling

Just a couple reasons why drilling is unlikely

Rosen 17 Mark E. Rosen [Senior Vice President General Counsel], 11-2017, "Unconstrained Foreign Direct Investment: An Emerging Challenge to Arctic Security," CNA Corporation, https://www.cna.org/cna_files/pdf/COP-2017-U-015944-1Rev.pdf //DF

Despite the vast quantity and value of resources in the Arctic, this analysis does not predict that a resource "rush" will occur in the next few years. There are several reasons for this. **First, while Arctic resources are becoming more accessible due to technological advancements and climate change, that doesn't mean they are as profitable as resources elsewhere.** At present and for much of the foreseeable future, the impact of climate change will make some resources (such as off shore hydrocarbons) more accessible due to retreating glaciers and less sea ice, but it will not make them completely accessible. Profitable extraction of certain resources will require technological development, such as new drilling technologies and systems that can withstand strong Arctic storms and infrastructure that remains stable as melting permafrost shifts below it. Wherever regulations require that resources must be extracted and transported in an environmentally responsible manner, companies will need to develop or adopt adequate (and expensive) technology or face steep consequences. Such regulations apply in the United States, Canada and Norway but less so in Russia and, perhaps, Greenland, which have lower standards and less monitoring. **Second, the emerging freeze-thaw cycles of the Arctic permafrost pose serious challenges to development in the Arctic. As the permafrost melts and refreezes, infrastructure dilapidates at a much faster rate than in lower latitudes.** Climate change is making the problem worse by increasing the depth of soil thawing and by melting ice roads. In 2007, the University of Alaska estimated that melting permafrost from climate change would add \$5.6–7.6 billion dollars to the anticipated costs of replacing worn out infrastructure in the state, representing a 10–12 percent increase [64]. Water and sewer systems are expected to account for the largest share of extra costs, with roads and airport runways following close behind. This trend is also observed elsewhere in the Arctic. Russia is acutely vulnerable to warming permafrost due to the urban design of Russian Arctic cities. Most urban infrastructure consists of standard design — five-tonine-story buildings with concrete pile foundations. Recent analysis of the impacts of warming permafrost projections conservatively anticipate that by 2040, the Russian cities of Salekhard, Norilsk, Yakutsk, and Anadyr will experience critical (<55 percent)

reductions in the load bearing capacity of the standard pile foundations that underlie the majority of built infrastructure [65]. If the rates of warming due to climate change are more rapid, this deterioration can be expected to occur sooner, perhaps as early as the mid-2020s. Such significant reductions in load bearing capacity would exceed the safety factors incorporated into the building designs by Soviet engineers, leading to potentially catastrophic building failure and collapse. In addition to building new infrastructure to support development, the current structures in the Russian Arctic will need to be evaluated and either retrofitted or rebuilt to sustain the impacts of melting permafrost, requiring even greater investment. Melting permafrost will complicate development of natural resources at every step of the process. In the extraction phase, seasonable variability in the stability of the permafrost will cause extraction equipment to shift, sometimes unexpectedly. Buildings such as offices, housing, and community infrastructure will also face challenges due to instability in the permafrost. Transporting extracted resources, whether through the sparse pipeline, road, or rail systems, will also be more difficult and dangerous with melting permafrost. Foundations of pipelines could shift, causing leaks that damage the Arctic environment. Road and rail infrastructure can rapidly deteriorate from season to season, increasing the risk of accidents. **Third, the Arctic lacks infrastructure** (see figure 12). **Before the vast mineral, fossil, and food resources can be exploited, developers will need to construct the infrastructure that will facilitate extraction, processing, transport, export, and housing for operators and their families. Inconveniently, the melting of the permafrost on land, high rates of erosion, and severe weather pose severe and costly challenges to the larger engineering projects that would be needed to support resource extraction.** On the U.S. side of the Arctic, there is very little infrastructure north of the Bering Strait.¹⁹ Shortly after Shell pulled out of its exploratory oil and gas project in the Chukchi Sea, the U.S. Army Corps of Engineers postponed efforts to study the creation of U.S. Arctic deepwater port. This means that any ores that are mined would have to transit out of the U.S. Arctic before they could be offloaded for processing. Norway's Tschudi Shipping, by contrast, is building a major bulk commodity handling port in the vicinity of Kirkenes to service a nearby iron ore mine as well as to serve as a receiving and transshipment port for other minerals. The nearby Russian Port of Murmansk also has significant bulk cargo handling capabilities[66]. **Fourth, commodity prices do not currently encourage the development of some mineral resources, especially oil and gas. The low market price of hydrocarbons does not encourage a high-risk, infrastructureintensive resource exploration in a climatically turbulent and distant part of the world.** For these resources to be appealing to large, well-established, and well-capitalized oil operators, the global market price of oil will need to rise.