Septober Blockument 2018

A2 Pro (You Are Con)

A2 Oil Prices [Food prices?]

1. Trump, according to the AP in 2018, just opened offshore drilling in federal waters for the first time in more than three decades. This is key because it shows that there's no shortage of places to drill so it's really unlikely expanding the drilling area will influence prices. Oil prices drive production decisions. So if oil prices are high, companies will find somewhere to drill. If they're low they won't drill, like what is happening in the squo.
2. Konrad writes in "The End of Elastic Oil" that oil isn't an elastic good. Only US demand for oil shows even a small response to price of it historically, and world oil demand still shows no measurable price response. Drilling more oil doesn't affect oil prices. He explains that oil price changes are due to differences in marketing and cost structures of suppliers, not price.
3. Delink food shocks. Baumeister finds in 2013 that there is no link between oil prices and food shocks through an analysis of past precedent. For instance, in 2006, oil prices and real crop prices rose, but real crop prices received by farmers didn't translate into retail food prices, which are what they are impacting out to. This is because the crop prices shouldered by the farmers are a fraction of how much they charge consumers, so retail price of food has stayed stable since.
4. Turns -

a. Lower oil prices hurt countries in the Middle East who depend on oil profits.Take Iraq. Michaels of USA today in 2017 writes that Iraq's Mosul Dam risks devastating failiure that would put 4 million people at risk of dying. Unfortunately, Iraq is trying to do the repairs itself, and Michaels concludes that financial squeezes are going to decrease the chance they carry them out. Low prices of oil are bad cause Iraq's government revenues still depend to a large extent on oil revenues.
b. Turn - **The Brookings Institution finds in 2008 that rising food prices benefit the impoverished because higher food prices will bring about new investments in agriculture and prevent land use from shifting towards biofuel crops which leave lss food available.** Currently, food prices have fallen for 30 years, and have not produce any measurable decline in hunger and poverty. But the last time food prices were as high as they are today we witnessed the Green Revolution and a rapid reduction of rural poverty in one of the largest population centres of the world, South Asia.

OW: **Climate Change > Oil Prices**

1. Resource shortages - According to RAND in 2017, climate change causes rainfall variation and desertification. This significantly decreases agricultural production and crop yields. It doesn't matter if farmers are able to afford to use tractors at the point where their yields are significantly lower.

A2A2

Even a perfectly inelastic demand curve will see changes in price when the cost structure of the suppliers change, and that is part of what has happened. The suppliers of oil in the short term are marketing companies, which are seeing low prices now due to massive disruption in upstream supply expectations. Only in the long run should we expect to see costs in the short-term supply market equilibrate based on oil producers' costs of production, which will change on average given that some extraction ventures will be unprofitable at new, lower price levels.

Tom Konrad, 1-26-2012, "The End Of Elastic Oil," Forbes,
https://www.forbes.com/sites/tomkonrad/2012/01/26/the-end-of-elastic-oil/
In the early period, only US demand for oil shows a small response to price, with a slight negative correlation (-30%) between three year changes in US demand and changes in price. World oil demand still shows no measurable price response. I take this to indicate that at the end of the last century, Americans responded to changes in the oil price by using the relatively

easy options such as eliminating discretionary trips when oil prices rose, but price was not an important factor for determining world oil consumption.

A2 Cancer research

1. Ross of the Woods Hole Oceanographic Institute finds that seventy-five percent of those scientists felt that the Law of the Sea treaty would affect their research operations by complicating planning and clearance requests, raising costs, and dictating the geographical location of their work.
2. The Louisiana Law Review explains that UNCLOS gives "the coastal State almost complete authority to control marine scientific research in its territorial sea, exclusive economic zone, and on its continental shelf." The law review goes on to explain that this is due to international scientists failing to successfully advocate for themselves. States would have the same amount of power to deny research, no matter how ungrounded, because scientists can't check back. The denial situation is the same in either world, so you can delink their argument.
3. Turn because a loss of biodiversity. Bruckner explains that for example, one U.S. bioprospecting group had to collect 2,400kg of an Indo-Pacific sponge to produce 1mg of an anticancer compound, yet 1kg of a bioactive metabolite is needed for ultimate drug development. This is unsustainable - Bruckner goes on to point to certain species are now nearly extinct thanks to overzealous harvesting to obtain minute quantities of drug. This leads to food chain collapse, as Bove of ThoughtCo in 2018 explains that dependent species settle elsewhere, lower the available food source for their predators and in turn causing those predators to leave the area. Even small species disappearance acts like a domino, toppling the entire ecosystem one related species at a time.
4. Mitigate it. Freedman in 2015 explains that UNCLOS is limited in its application as it does not cover jurisdiction over scientific research in the territorial seas or research on the sea-bed. Furthermore, the convention does not apply to MSR carried out by satellites, the usage of which for research has become increasingly common in recent years.
5. Denial is Non-Unique. Freedman in 2015 deduces: A coastal state is entitled to withhold its consent, in utilising its discretion for a marine research project to be conducted within its EEZ or on its continental shelf which 'introduces harmful substances into the marine environment. However, in view of the difficulty in determining what constitutes a harmful substance, and its lack of definition, it gives a coastal state a wide mandate to withhold its consent on this basis.

A2 Unanswered

1. Never give you a quantification for how many requests are actually not responded to. In 2006, which was the most recent data I could find, the State Department, which manages

requests to do marine science research in foreign countries, reports that of 160 requests for clearance only one was denied and didn't specify that any were unresponded to.

Inside this warrnat, they cite this card that 75% of scientists feel UNCLOS would negatively affect their research. There a ton of problems here, not limited to that this card came from before UNCLOS was ratified, the sample size was sixty people, and the author of the article straight up says in his introduction that the actual affect of UNCLOS on research is "still not obvious."

A2 Denied

1. The Louisiana Law Review explains that UNCLOS gives "the coastal State almost complete authority to control marine scientific research in its territorial sea, exclusive economic zone, and on its continental shelf." States who in the status quo, aren't letting us do peaceful research, aren't going to change their ways when we ratify UNCLOS, because they can claim that anything is a potential national security violation.

Impacts

Try to tell you that research from anywhere in the sea is 300x to 400x more likely than land research to cure cancer. Called for card, only quantification that its better to do research in the sea than on land cites coral reefs. Thus, the only uniqueness they get off of this contention for why we should do sea research instead of land research comes from coral reefs.

1. Coral reefs aren't unique to other countries. Extensive coral reefs are found in the waters of the United States and its territories. In the Atlantic Ocean, Gulf of Mexico, and the Caribbean Sea these include reefs off Florida, Texas, Puerto Rico, and the U.S. Virgin Islands. In the Pacific Ocean, they include those of the Hawaiian Islands, Wake Island, Johnston Atoll, the Northern Marianas, Saipan, Guam, Kingman Reef and Palmyra Atoll, Howland Island, Baker Island, Jarvis Island, and American Samoa.
2. Climate change prereq. The NOAA reports that "As temperatures rise, mass coral bleaching events and infectious disease outbreaks are becoming more frequent." We have to solve climate change or else we can't solve cancer.

And finally, their terminal impact is increasing life expectancy by curing cancer. This is highly improbable because extracting compounds from marine organisms is too inefficient and ends up killing the source animals in the process. Bruckner explains that for example, one U.S. bioprospecting group had to collect 2,400kg of an Indo-Pacific sponge to produce 1mg of an anticancer compound, yet 1kg of a bioactive metabolite is needed for ultimate drug development. This is unsustainable - Bruckner goes on to point to certain species of seahorse that are now nearly extinct thanks to overzealous harvesting to obtain minute quantities of drug.

Cross apply like climate change or something !!!

Andrew W. Bruckner, xx-xx-xxxx, "Life-Saving Products from Coral Reefs," No Publication, http://issues.org/18-3/p_bruckner/
The identification and extraction of natural products require major search and collection efforts. In the past, invertebrates were taken largely at random from reefs, often in huge quantities, but bioprospectors rarely provided an indication of the amount of organisms they were seeking, making it difficult to assess the impact associated with collection. Chemists homogenized hundreds of kilograms of an individual species in hopes of identifying a useful compound. This technique often yielded a suite of compounds, but each occurred in trace amounts that were insufficient for performing a wide range of targeted assays necessary to identify a compound of interest. For example, in one report a U.S. bioprospecting group collected 1,600 kg of a sea hare to isolate 10 mg of a compound used to fight melanoma. Another group collected 2,400 kg of an Indo-Pacific sponge to produce 1 mg of an anticancer compound. Yet, as much as 1 kg of a bioactive metabolite may ultimately be required for drug development.

Seahorses are a prime example of a resource that is rapidly collapsing. Demand for seahorses for use in traditional medicine increased 10-fold during the 1980s, and the trade continues to grow by 8 to 10 percent per year. With an estimated annual seahorse consumption of 50 tons in Asia alone, representing about 20 million animals supplied by 30 different countries, collection pressures on seahorses are causing rapid depletion of target populations. According to a study by Project Seahorse, seahorse populations declined worldwide by almost 50 percent between 1990 and 1995. In the absence of effective management of coral reefs and the resources they contain, many species that are promising as new sources of biochemical materials for pharmaceuticals and other products may be lost before scientists have the opportunity to evaluate them.

A2 Tech Transfers [drilling edition]

1. Super Non-Unique. Russia and China already drill a ton offshore and in areas the US can't, they have the tech and are in UNCLOS and they don't even share the tech.
2. Tech Transfers are not mandatory. Council of Foreign Relations explains that while the 1982 UNCLOS mandated transfers, the 1994 agreement does not mandate it. Nothing 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.

A2 PSI

1. TURN the LINK: The United States signing UNCLOS would decrease the effectiveness of PSI operations on two main fronts:

a. Unilaterally. Gaffney of the Center for Security Policy explains that signing UNCLOS would severely limit US military operations under PSI in three sections:
   i. through Article 19 on innocent passage that dictates the US can't have intelligence or military operations within 12 miles of a country's coast and
   ii. through Article 96 which gives countries like the US no jurisdiction to board other governments ships regardless of illegal or security threatening activities
   iii. Article 23 which allows ships to carry weapons of mass destruction.
b. Multilaterally. Valencia of the ACA explains that many countries are concerned about United States double standards and that the lack of clarity in many PSI definitions would lead the US to change existing national law, like UNCLOS, to allow PSI interdictions that would erode the freedom of the high seas and innocent passage. As such, he concludes this pervasion would be one of the greatest obstacles to multilateralism under PSI.

UNCLOS hurts PSI - that's an easy way to vote CON.

2. (If they are talking about more countries joining) Another problem with their narrative is a complete lack of uniqueness. Look to the fact that over 70 countries are already a member PSI and have signed UNCLOS and that Long reports even in 2007 that over half of successful interdictions are performed by countries that AREN'T the United States in the status quo. UNCLOS doesn't do anything when it comes to multilateralism and PSI.
3. (Malaysia, Indonesia) Mitigate their IMPACT: Chalk of the Combating Terrorism Center explains that although the Malacca Strait represents a key maritime corridor and has been the focus of a number of postulated risk scenarios, the threat of a major terrorist strike is low due to how heavily guarded the region is and the fact that there is currently no group in the immediate region with the necessary skills or motivation to conduct decisive operations against maritime assets.

[DL] According to the US dep of state,
https://www.state.gov/j/ct/rls/crt/2009/140890.htm
The non-governmental entities they use to facilitate their WMD programs have emerged as a growing proliferation threat in recent years that could eventually provide terrorists with access to materials and expertise that are particularly hard to acquire. In 2003, the United States and its international partners succeeded in interdicting a shipment of WMD-related material destined for Libya's then-active nuclear weapons program. The facts surrounding this shipment indicated a transnational nuclear proliferation network reaching from East Asia to Europe, developed by Pakistani nuclear scientist A.Q. Khan. **This network was making available sensitive technology and WMD-related materials to nations willing to pay**. There is a risk that such non-state facilitators and their networks could provide their services to terrorist groups.

I would contend that if these countries want to buy wmds, they won't help PSI because that would cut off their supply of wmds. Meaning that the aff provides no solvency for nuclear proliferation.

[DL] Pedrozo from the Journal of Maritime Commerce in 2010 reports

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.

Regarding the PSI in particular, **despite wide international support for the [PSI,]** initiative – **95 participating states as of May 2009** – opponents to PSI **have relied on UNCLOS to attack [its]** the **legitimacy[.]** of the initiative. Clearly, **coun- tries of proliferation concern like Iran and North Korea are going to oppose PSI[,]**. However, there are **[along with] other important countries** that object to the initia- tive, in part **because of UNCLOS[, such as]**. For example, an article by Rick Rozoff discussing the PSI reports that **[India,]**Indian officials have described PSI as a "con- troversial U.S.-led multilateral initiative . . ." with "dubious legality . . ." that "undercuts a . . . multilateral and balanced approach to the problem of proliferation."21 Rozoff further states that Malaysia's Deputy Prime Minister has stated the PSI violates **[Malaysia,]** Malaysia's national sovereignty and that Indonesia is also opposed PSI, indicating that the initiative violates UNCLOS. Similarly, Mark Valencia stated in an essay posted on the Nautilus Institute Policy Forum Online (08-043A: May 29, 2008)22 that **China and Pakistan[.]** are also opposed to the initiative. Specific articles of UNCLOS cited by the opponents to PSI include Articles 17 and 19 (right of innocent passage), Article 33 (contiguous zone), Articles 38 and 39 (right of transit passage), Part V (EEZ), and Article 88 (high seas reserved for peaceful pur- poses).23

[TN] Morse & Keohane 14 of Princeton University: PSI was implemented to combat deficiencies in UNCLOS

Julia C. Morse & Robert O. Keohane, 2014, Princeton University "Contested multilateralism",https://scholar.princeton.edu/sites/default/files/jcmorse/files/contestedmultilateralism.pdf

A second example of state-led competitive regime creation is the US-led creation of the Proliferation Security Initiative (PSI), which we interpret as a challenge to the common interdiction practices put in place by the UN Convention on the Law of the Sea (UNCLOS). 28 UNCLOS rules, not those of the Nuclear Nonproliferation Treaty (NPT), were at issue since UNCLOS governs maritime conduct and the sea is the main mode of transport for illicit nuclear and ballistic missile technology. Under Article 110 of the UN Convention, a country that suspects proliferation activities has little ability to act against a vessel suspected of transporting illegal weapons without the consent of the state whose flag the vessel flies.29 Countries trafficking in weapons of mass destruction (WMD)30 materials can take advantage of this provision by registering their vessels in states the provide little regulation or oversight, or can use vessels flagged by states that continually refuse consent to the exercise of high seas jurisdiction by others (Byers 2004: 527). The United States became concerned about rules inhibiting search and seizure on the high seas **in 2002. Following a tip from US intelligence, a Spanish warship interdicted a North Korean vessel, the So San, and upon boarding, Spanish and US officials found Scud-like missiles and warheads.31 But the ship was released two days later because there was no lawful basis for seizing the cargo**.32 For the United States, the incident highlighted the disparity between US strategic objectives and the existing UNCLOS rules....**US officials drew two major lessons from the So San incident: that, despite implementation challenges, multilateral cooperation to counter proliferation was feasible, and that the existing international legal and institutional structure for dealing with proliferation threats was ineffective.** The United States did not want to undermine UNCLOS, since the regime is essential for the projection of US power worldwide (Kraska 2012), and modifying UNCLOS was impractical and infeasible since the US Senate has never ratified the treaty. But the United States needed to promote a new operational norm, one that would allow it to work around the flag-state consent requirement to impede global proliferation. **To address this perceived deficiency in the operation of the UNCLOS regime, the United States began developing plans for a new informal institution: the Proliferation Security Initiative**.

A2 South China Sea

1. Delink - Webster in 2016 of Yale explains that "UNCLOS does not provide the tools to address the underlying contests over sovereignty. China has favored bilateral negotiations where its relative size and economic power give it an advantage" as demonstrated by the failed push by the Philippines. India TV News finds that China has openly declared it will

not accept any third-party intervention in their historic claims in the South China Sea. That means dispute resolution under UNCLOS will always fail - at that point you can turn it because Mitchell of the University of Iowa finds that UNCLOS members are twice as likely to turn to conflict over maritime disputes, especially when UNCLOS mechanisms fail.

2. Fuchs of the National Interest finds that
    a. Turn - if anything, American presence on the UNCLOS panel would foster suspicion from Chinese policymaking hardliners potentially damaging negotiations since China is wary of US-led initiatives
    b. Ratification would at best have minimal effect because Beijing has made it clear through years of aggression that the strategic value of the South China Sea outweighs damage to its reputation - they'll never give up the SCS
    c. The US is still setting a positive precedent as past administrations have basically conformed with its requirements while China egregiously violated international law, meaning ratification doesn't give us that much more legitimacy.
3. Turn - Carpenter of War on the Rocks in 2016 explains that increased US crackdown through military and international institutions through UNCLOS actually increases Chinese militarization because, historically, placing more military assets in the region and increasing American participation in regional institutions served to increase Chinese perceptions that the United States was seeking to contain China's growing power. Beijing has pushed back against this perceived containment effort by increasing its own military power, which encourages Washington to demonstrate its resolve in turn, creating a dangerous spiral of tension.
4. We outweigh. The impact is actually a lot less impactful than my opponents make it out to be for two reasons:
    a. Uniqueness: The Associated Press in February of 2018 – The United States is already fighting Chinese encroachment, UNCLOS is not preventing action because this comes from the highest ranks of U.S. Command.
    b. Timeframe: TURN: Blumenthal of the Diplomat explains that since China doesn't follow UNCLOS in the status quo and as there is no enforcement mechanism in UNCLOS, US ratification would ultimately lead to endless legal and diplomatic wrangling. Ultimately, trying to use UNCLOS as a mechanism against China would just delay the progress the United States is already making.

[DL] Webster 2016 of Yale : UNCLOS is ineffective in solving territorial disputes in the south China Sea

Graham, "Making Good on the Rebalance to Asia," Mar 3, https://www.foreignaffairs.com/articles/china/2016-03-03/making-good-rebalance-asia

The South China Sea would be a good place to start, especially since the Philippines' legal case against China has set up a crucial test for the current law of the sea regime and may ultimately demonstrate its failings. Even if it doesn't, the fact remains that **international law is insufficient to resolve the disputes in the South China Sea**, since **UNCLOS does not provide the tools to address the underlying contests over sovereignty**. **China has favored bilateral negotiations where its relative size and economic power give it an advantage** and has opposed bringing questions of sovereignty to third-party adjudication, as is its right. **As other claimants have sought multilateral solutions or third-party adjudication, the result has been a stalemate. The existing rules-based international order**, in short, **does not provide a solution to the disputes in the South China Sea**. The world needs to find a method that does, and the United States and its allies should be at the table to make that happen. The United States, for example, might back ASEAN or another grouping of regional states as it develops innovative proposals to resolve or set aside the question of sovereignty, providing much-needed assistance in the fight against overfishing and environmental devastation in the meantime. Under such an approach, several states could maintain their defense capabilities in the area, but they might agree to limit unilateral military expansion. By mutual consent, regional states could develop a South China Sea regime that provides clarity where UNCLOS does not. Most important is that China, the United States, and the other nations involved develop a path forward that does not privilege the status quo, which serves no one.

[DL] Ku '15 of Quartz MediA: Differing Interpretations of international Law could spark major naval conflict between the US and China

Julian Ku, Quartz Media, "Differing interpretations of international law could spark major naval conflict between the US and China", 20 Oct 2015, https://qz.com /527865/ differing-interpretations-of-international-law-could-spark-major-naval-conflict -between-the-us-and-china/

Most **states agree with the US definition of freedom of navigation. But** some states, including **some neighboring South China Sea coastal states, agree with the Chinese view** on the EEZ (like Malaysia) **and others follow the Chinese view on the territorial sea (like Vietnam). So although the US reading of UNCLOS is the majority view, the Chinese are not alone in their interpretation of the law.**

[TU] Carpenter '16: Increasing military assets and participation in instructions will cause China to counter by militarizing, spiraling tensions

Ted Galen Carpenter, 8-10-2016, War on the Rocks, "East Asia and a Strategy of Restraint",7-5-2018, https://warontherocks.com/2016/08/east-asia-and-a-strategy-of-restraint/

The Obama administration's response to these challenges has been the "pivot" or rebalance to Asia. This is an attempt to shift security and diplomatic resources from a Middle East-centric policy toward Asia with the aim of preserving Washington's traditional regional dominance. However, **placing more military assets in the region and increasing American participation in regional institutions served to increase Chinese perceptions that the United States was seeking to contain China's growing power**. **Beijing has pushed back against this perceived containment effort by increasing its own military power, which encourages Washington to demonstrate its resolve in turn, creating a dangerous spiral of tension**. Instead of continuing the "pivot" or "rebalance" and bolstering American primacy, U.S. policymakers should focus on deterring armed conflict with China, encourage burden shifting and greater initiative by U.S. allies, and reform those alliances to keep pace with the changing security environment.

A2 Multilateralism

1. OVERVIEW: Tom Ginsberg of The American Journal on International Law in 2012 – Uniqueness overwhelms the link, specifically there has been a 400% increase in the number of multilateral treaties over the last two decades. This is a double bind either (A)

there are too many multilateral treaties for them to win the link or (B) multilateralism does not actually work to show US commitment.

2. De-link them. Specifically, Reuters in 2018 finds that the United States is engaging in multilateralism in the status quo, as the US, Japan, Australia and India are discussing a joint infrastructure plan to counter China's expanding influence.
3. Non-Unique. Groves of the Heritage Foundation reports that the United States is party to a number of multilateral treaties regarding the law of the sea and maritime navigation, including the SOLAS, FAL, and COLREG. The U.S.d is also a global leader in maritime enterprises that are not treaty-based, such as the Proliferation Security Initiative. UNCLOS is not unique.

A2 FONOPs (China edition)

1. Delink - Panda of the South China Morning Post in 2017 explains that China doesn't cite UNCLOS as the foundation of its disagreement with US passage through its seas. In fact, after the last FONOPs mission, China argued that the US had violated its adjacent waters - not territorial seas. Panda explains that China chose not to couch their opposition in the language of the United Nations because they know that they don't have a case there.
2. No solvency - UNCLOS doesn't solve for why China opposes US passage through its waters. Bateman of the East Asia Forum in 2017 explains that China believes that warships have no automatic right of innocent passage in their seas while the United States thinks that it does. Simply giving the United States a pretense to continue sending warships through the sea doesn't solve back for the tensions that arise from differing interpretations of the law.
3. No impact - Di Lan of the Asia Maritime Transparency Initiative explains in 2018 that even though China has reacted angrily to U.S. FONOPs, its responses have been mostly limited to diplomatic statements of protest. Escalation is highly unlikely. In fact, Chinese/US relations are so robust that China recently backed the U.S. led Security Council resolution, which authorizes a new round of harsh sanctions on North Korea.

A2 Drilling and Mining

A2 Natural Gas

1. De-Link them. Walsh from Time writes in 2012 that companies like Shell aren't braving the elements in the Arctic to bring back natural gas. Natural gas either needs a pipeline network that can allow it to be shipped from the well to a consumer which means it's not easy nor cheap for oil companies to actually do anything with the natural gas they'll be producing.
2. Non-Unique. Joyce of NPR writes that Natural gas is being overproduced due to growth in fracking. Companies are storing gas instead of selling it, and lot's of underground tank storage sites are near capacity.

3. (Enviro Disad)Shearer of the University of California finds that natural gas may slows the process of decarbonization, primarily by delaying deployment of renewable energy technologies.
4. (Enviro Disad) Walsh of Time in 2012 writes that the flaring of natural gas cause the release of black carbon. This contributes to global warming as it warms the atmosphere and darkens the ground, causing more sun energy to be absorbed in the Arctic.

Bryan Walsh from Time writes in 2012 that

But **companies like Shell aren't** braving the elements **in the Arctic to bring back natural gas.** They're there for the oil, which is worth far more—and not incidentally, is a lot easier to store and transport than gas. **Natural gas** either **needs a pipeline network that can allow it to be shipped from the well to a consumer**, or it needs to be cooled to super-low temperatures, after which it can be shipped on an LNG tanker. (Oil, by contrast, can be loaded without any intermediary steps onto a tanker.) There are neither many pipelines nor many LNG facilities in the far North, **which means it's not easy nor cheap for oil companies to actually do anything with the natural gas they'll be producing** alongside all that lovely oil. "The race in the Arctic is about the oil," says Banks. "But the gas that goes along with it can be a huge source of carbon."

Ideally oil companies would capture the natural gas and ship it, either by LNG tanker or pipeline. **But that's not likely given the current energy infrastructure—or lack of it—in the Arctic**. Fortunately the gas won't simply be released into the air—methane is highly combustible, and uncontrollable amounts combustible gas is not something a drilling rig like simply floating around. (See Horizon, Deepwater.) Instead, **the next best option is to burn the gas in a controlled process, also known as flaring**. Flaring reduces the amount of pure methane reaching the atmosphere, **but it can** also **produce** other pollutants—including **black carbon**, otherwise known as soot.

Black carbon can have a double warming effect. As its name suggests, **it warms the atmosphere** directly **by intensifying the greenhouse effect**, just as carbon dioxide does. But as black carbon settles on the snow and ice of the Arctic, it **[and] darkens the ground**—and **that in turn causes the surface to absorb solar energy it would have otherwise reflected back into space**. (It's the albedo effect, which you'll hopefully remember from 7th grade science class, or at the very least, from the last time you wore a black T-shirt during a hot day.) The albedo of the Arctic is already shifting as sea ice melts, opening up new stretches of dark water to sunlight—the same water in which oil companies will be drilling in the years to come. Black carbon produced by those rigs will only make climate change in the Arctic—where temperatures have increased by 2 to 3 C over the past 50 years—even worse.

A2 Royalties

1. The ISA hasn't collected any royalties. The ISA doesn't even have a framework in place for collecting royalties. UNCLOS may say that the ISA should figure out a plan to collect those, but in all the years of UNCLOS existing, the ISA still hasn't pulled it together and created one, making it highly unlikely they will manage to create one in the future.

2. Turn. Nason of the Daily Signal recipients of the royalties from UNCLOS are often corrupt regimes and state sponsors of terrorism. Roberts of Heritage finds that this causes dependency, which keeps many aid recipients from ever recovering. Svensson of the International Journal of Economics quantifies that for every 2% increase in aid, corruption increases by 1%.
3. The impact is actually a lot less impactful than my opponents make it out to be for a few reasons: Uniqueness: Arnett of the Guardian explains that developing countries already receive over $1.8 trillion in FDI, meaning any increase in funds from royalties would be incredibly marginal in relationship to the investment they likely already receive.

http://www.resolv.org/site-dsm/files/2017/04/DSM-Payment-Regime-Workshop-3-Summary-FINAL1.pdf
The Payment Regime Workshop series is focused on exploring the key elements of an International Seabed Authority (ISA) payment mechanism and the broader financial regulations that would apply to exploitation contracts for polymetallic nodules. Payment Regime Workshop #3 provided an opportunity to introduce a working financial model to a group of stakeholders and understand how it can assist the ISA in developing a payment regime. In addition, participants explored additional issues important to consider in the development of a payment regime over the course of the workshop, including environmental considerations, risk and cost allocation, different royalty regime approaches, and attracting technology development and innovation. At Payment Regime Workshop #3, participants represented a diversity of stakeholder perspectives. A participant list is included in Appendix A. Action items identified during the workshop are included in Appendix B.

A2 Oil Seepages

1. Turn - Dr. Cutler J. Cleveland in 2010 explains that oil spills release much more oil than seepage (Cross apply)
2. Turn - The US Department of Commerce explains that natural seeps release oil slowly over time, allowing ecosystems to adapt, whereas oil spills from human activities like commercial oil transport can quickly release oil in quantities that overwhelm an ecosystem."

TURN (only read if you're running oil spills) Dr. Cutler J. Cleveland explains that oil spills release much more oil than seepage

Dr. Cutler J. Cleveland, June 3, 2010, [http://www.theoildrum.com/node/6552, [Natural Oil Seeps and the Deepwater Horizon Disaster: A Comparison of Magnitudes] , ES
"These natural seeps are quasi-continuous or chronic inputs that represent a "background" rate of oil input that have been in existence for hundreds or thousands of years. As the term "seep" implies, ***the rate of release from*** these sources of ***oil [seepage] is much smaller than human spills that often release large, concentrated pulses of oil.*** One of the largest and most

intensively studied seepage areas lies off Coal Oil Point, in Santa Barbara County, California. Individual seeps in this area release an estimated 80 to 100 barrels (3,360 to 4,200 gallons) of oil per day; Deepwater Horizon is releasing 12,000 to 19,000 barrels per day (Figure 1)."

TURN –The US Department of Commerce finds that natural seepage gives lets the environment adapt to oil while oil spills can overwhelm ecosystems (only read if you're running oil spills)

Us Department Of Commerce, National Oceanic and Atmospheric Administration, xx-xx-xxxx, "What is an oil seep?," No Publication, https://oceanservice.noaa.gov/facts/oilseep.html, ES

"When an oil spill occurs in an area with many naturally occurring seeps, responders may have a hard time telling the difference between spilled oil and seep oil. The difference is important because the environmental impacts of oil are determined not only by the amount of oil released into the environment, but also by the type of oil and the speed at which it will disperse. ***Natural seeps release oil slowly over time, allowing ecosystems to adapt, whereas oil spills from human activities like commercial oil transport can quickly release oil in quantities that overwhelm an ecosystem.***"

A2 Cobalt

1. Non-unique. The Japan Times in 2017 reports that Japan has found lots of cobalt-rich crusts off it's coast in accessible areas meaning that both worlds have sufficient cobalt.
2. Tech solves. Chen of the Verge in 2017 reports Elon Musk has said the next generation of Tesla batteries will be cobalt free, and are following this trend as during the past 6 years, Tesla batteries have reduced cobalt dependency by 60 percent. Tech solves. Airhart of Wired in 2018 reports that researchers have developed rechargeable batteries that don't need cobalt.
3. (Electric Cars) Turn the impact. Keating of DW in 2017 finds that e-cars are running on electricity produced by burning dirty fossil fuels, climate benefits are limited. Because of the complex batteries they use, it takes more energy to produce an electric car than a conventional one. And, disposing of those batteries creates an environmental hazard.
4. (Congo) Turn the impact. Raghavan of the Guardian in 2014 explains that when the US passed a law banning Congolese gold imports, the workers who depended on those mines were driven further into poverty, some joining militia groups who promised food and money.

A2 REMs

A2 REMs help national security

1. The Wall Street Journal explains in 2018 that the military doesn't need that much REMs. The U.S. military says it needs only a small quantity of rare earths—about 8% of U.S. consumption—for which the government has plentiful stockpiles, along with contingency plans if China tries to squeeze supply during some future conflict.

Oct. 21, 7-5-2018, WSJ, "A Rare-Earths Economics Lesson",7-7-2018, https://www.wsj.com/articles/a-rare-earths-economics-lesson-1445467896

China's share of global rare-earths production, which had dipped toward 80%, could now return to monopoly levels, yet alarms aren't ringing. Perhaps that's because prices are low. It helps that **the U.S. military says it needs only a small quantity of rare earths—about 8% of U.S. consumption—for which the government has plentiful stockpiles, along with contingency plans if China tries to squeeze supply during some future conflict**. The rare-earths rollercoaster of **recent years has** again **shown the ability of markets and human ingenuity to adapt to ill-advised attempts to hold natural resources hostage.** When they're allowed to work, markets always defeat mercantilism—a useful lesson for Beijing's economic reformers.

A2 REMs help the environment
https://www.technologyreview.com/s/535381/what-happened-to-the-rare-earths-crisis/
https://patents.google.com/patent/US20140110948
https://www.thebalance.com/metal-profile-tellurium-2340156

1. Non-unique. Phillips of Earther corroborates in 2017 that the US still would have to send the minerals for processing to China, negating any independence benefits.
    a. The US is even building its own mines. The Environment and Energy Report reports in 2018 that the US is, as of August, opening a mine in Nebraska to produce REMs - the first of many thanks to favorable tariffs from China.
2. Companies aren't even going to be mining for REMs. Doherty of The Guardian in 2018 specifically identifies that silver, gold, manganese, cobalt, and zinc would be the materials mined as they are far superior in profits to land ore. Currently, corporations that are asking the ISA to mine, such as Canada, are going in for elements like cooper and gold, not REMs. This is crucial because it takes out their impact of green technology, but leaves our impacts of climate destruction standing, because the scraping of the ocean seafloor that happens when you mine leads to climate destruction.
3. They don't even solve back for the specific tech they're impacting out to. MIT writes that wind turbines no longer require dyspropium, a REM, to run. The REMs in solar panels are tellurium, which goes in the solar cells. That isn't a REM we get from the deep sea. Lavinski explains that commercial-grade tellurium is obtained by electrolytic refining. Even if we do mine REMs, its going to stuff like military tech, not green tech, because green tech doesn't need sea-based REMs.
    a. Institute for Sustainable Futures found that: "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."
4. Terminal impact: Switch to greentech. This is never going to happen, because as the National Review explains in 2012, although green tech is becoming more accessible, republicans would never allow a switch. That's why in the squo we subsidize non-renewables with 20 billion dollars.
5. OW - Timeframe. At best, we only need to keep mining REMs for greentech for a few years until the tech develops that will obviate the need for REMs. However, countries

around the world will continue to deepsea mine, because they still need their regular elements. This means that green technology is unique to the affirmative for only a short period of time until green technology can be built without REMs while our methane impact gets worse the longer UNCLOS is in place.

https://www.technologyreview.com/s/535381/what-happened-to-the-rare-earths-crisis/

August 9, 2018, 8-9-2018, "First-Ever U.S. Mining of Rare Metals Could Come From Nebraska," No Publication, https://www.bna.com/firstever-us-mining-n73014481586/
A mine outside Omaha, Neb., could deliver for the first time domestic supplies of the superalloy niobium, used in everything from pipelines to jet engines—if its owners can raise the money to get it built.

That's a tall order—the price tag for building the Elk Creek Mine is an eye-popping $1 billion. The mine's owner, NioCorp Developments Ltd., only has about $1 million of working capital, Mark Smith, the company's president and CEO, told Bloomberg Environment.

On the other hand, the Trump administration has been helpful to NioCorp—partly through recently proposed tariffs on China—and it has won local political backing as well. The company pegs the mine's potential gross revenue at $17.6 billion over a 32-year lifespan, and Smith said investor interest has been strong.

A2 Royalties help developing countries

1. Groves of Heritage explains in 2011 that the royalties that the United States could generate through mining could be distributed to developing and landlocked nations, including some that are corrupt, undemocratic, or even state sponsors of terrorism.
2. The Guardian furthers in 2013 that the climate change caused by increased drilling hurts low income countries hardest, thereby offsetting any potential impact of foreign aid.

https://www.theguardian.com/global-development/2013/sep/27/climate-change-poor-countries-ipcc
Low-income countries will remain on the frontline of human-induced climate change over the next century, experiencing gradual sea-level rises, stronger cyclones, warmer days and nights, more unpredictable rains, and larger and longer heatwaves, according to the most thorough assessment of the issue yet.

[TU] Steven **Groves**, 06-07-**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

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

A2 Arctic drilling

1. (Oil in the Arctic) Mooney of the Washington Post reports that drilling in the Arctic won't be commercially viable until the price of oil is $100 per barrel because of the energy and capital it takes to drill in such extreme conditions, which Moshinsky of Business Insider writes won't happen until 2040.
2. (De-link)Shell arctic lease failed, Sydney Koch of Nat Geo 2015 finds Shell was the only company to seek offshore drilling in the arctic, yet, they pulled out after a few years due to technical difficulties, costs and protests.
3. De-link. Domm of CNBC in 2018 finds US oil drilling is expected to increase to 12 million barrels by 2019 which is 2 million barrels higher than the previous peak in 1970s, this is more than the production of Russia, despite not drilling in the arctic. Continental sources are more accessible and their is better tech to retrieve it
4. Nonunique-Trump administration currently selling leases to 90% of the outer continental shelf. Kennedy of NPR writes in 2018 that the Trump administration is dramatically increasing the number of offshore drilling leases in the status quo, granting access to 90% of outer continental shelf.
5. (Disad-Tradeoff) Turn: Drilling trades off with renewables. Matzner of the National Resources Defense Council writes that capital and political investment in Arctic drilling would undercut the accelerating clean energy transition and hamper our ability to mitigate the worst effects of climate change.

A2 Oil Independence

1. (Impact Oil Independence) Status Quo is already solving. Worland of Time Magazine writes that the U.S. could become a net energy exporter by 2026 with increased production of crude oil and natural gas.
2. (Impact Oil Independence) Turn: Oil Dependence good. Fisher of the Atlantic argues that relying on Saudi oil gives us much needed influence over the Middle East region. If Saudi Arabia and the U.S. suddenly ended our trade tomorrow, for example, the U.S. and global

economies would not suffer nearly as much as Saudi Arabia's. The Saudis understand this and so want to keep U.S. and Saudi interests aligned.

A2 Job Creation

1. Turn - Webley in 2010 of Time explains that drilling for oil and gas offshores is extremely dangerous which is why the fatality rate for them is nearly seven times the rate for all workers.
2. Smith of Lowell Sun Business in 2013 finds that 46% of the oil and gas workforce is aging out in five-years. We would contend that the trend is toward automation. The United States isn't producing enough qualified workers to meet the future needs of the mining and energy sectors, from coal digging and gas drilling to solar and wind power, a new report says

[TN] Webley 10 states,

http://content.time.com/time/nation/article/0,8599,1984296,00.html

By any measure, **drilling for oil and gas offshore is one of America's most dangerous professions**. The risks are unavoidable: **workers are on shift for an average of 12-hours a day dealing with highly combustible materials on a platform where cranes swing heavy equipment** constantly overhead. All of this isolated hundreds of miles off coast. With seven to 14-days on the rig at a time, it can be a lonely experience. If something goes wrong, the Coast Guard responds, though even in the best-case scenario, help is not close. In the meantime, the crew uses watertight life pods that can hold up to ten people and that lower down into the water in the event of an emergency. There they wait for help to arrive. Such conditions can lead to rare but catastrophic incidents like the explosion that occurred April 20 in the Gulf of Mexico, some 50 miles off the coast of Louisiana, aboard Transocean's Deepwater Horizon oil rig. One-hundred fifteen people made it to safety. Eleven workers who are unaccounted for are presumed dead.

http://www.washingtonpost.com/wp-dyn/content/article/2010/08/09/AR2010080904083.html

Factories out at sea where work commonly goes on 24 hours a day, seven days a week, drilling rigs and platforms are among the more dangerous places in the country to work. **A 2008 Centers for Disease Control report said that the overall fatality rate for workers in the oil and gas extraction industry was "approximately seven times the rate for all workers" between 2003 and 2006**, with many deaths caused by accidents involving machinery and pipes and overexertion. Injury rates, which are more complex and controversial, were not included in the report.

A2 Icebreakers

1. Alt cause. Staalesen, Gazprom literally asking for icebreakers, that's why we have 22 new ones.
2. Negligible effect. The NSIDC explains in 2011 that each melt season in the Arctic, sea ice decreases by over 9 million square kilometers - an area larger than the US. Now compare that to how much ice is broken by an icebreaker. An icebreaker only leaves a wake of maybe 10 square kilometers if it traveled for 1,000 km. Thus, Meier concludes that the actual contribution of icebreakers to the albedo effect is miniscule - only one part in a million of the total ice cover.

Topic, 7-20-2011, "Are icebreakers changing the climate?," No Publication, https://nsidc.org/cryosphere/icelights/2012/04/are-icebreakers-changing-climate
Meier said, “In late June, when the sun’s energy is strongest, the total sea ice extent is around 10 million square kilometers or 3.9 million square miles. An icebreaker cruising through the ice for 1,000 kilometers (620 miles) and leaving an ice-free wake of 10 meters (33 feet) would open an area of water 10 square kilometers (3.9 square miles) over the entire cruise. In contrast, the Arctic sea ice cover decreases by an average of over 9 million square kilometers or 3.5 million square miles each year during its melt season—an area larger than the contiguous United States. In total, researchers estimate that the number of icebreakers traversing the Arctic at any given time is usually less than three. So, Meier said, “The actual contribution is miniscule—only one part in a million of the total ice cover.”

Atle Staalesen, xx-xx-xxxx, "These are Russia’s new icebreakers," Independent Barents Observer, https://thebarentsobserver.com/ru/node/164
Also oil company Gazprom Neft is in need of icebreakers. As previously reported, the company has ordered a 22 MW icebreakers from the Vyborg Yard. When handed over to Gazprom Neft in 2018, the ”Aleksandr Sannikov” will break ice in the shallow waters of the Ob Bay, opening the way for tankers shipping to and from Novy Port, the company’s infrastructure hub at Cape Kamenny in the Ob Bay. The vessel is designed by the Finnish Aker Arctic Technology.

Another three diesel-engined vessels of the project 21900 are under construction at the Vyborg Yard. One of them, the “Vladivostok”, is to be ready for handover to owner Rosmorport in the course of spring 2015, while another two, the “Murmansk” and the “Novorossiisk” are to be completed in the course of the year.

A2 Russia Conflict in the Arctic

1. Russia follows UNCLOS very closely. Groves of Heritage explains in 2014 that there are no overlaps between Russia’s territory and the United States, respecting the Baker-Shevardnadze line that the two negotiated in 1990.
2. Nonunique - Groves futhers that the US can object to these claims in the status quo. In fact, after Russia made a claim in 2001, the United States filed objections with the Commission on the Limits of Continental Shelves which resulted in a ruling that Russia revise their claims.
3. No impact - Sharp in 2011 of Defense Studies explains that thanks to mutually assured destruction and interlinked economies, it is all but inconceivable that Russia, or any Arctic state would engage in military activity.

[DL] Groves 14 of Heritage: No disagreements over ECS claims between U.S. and Russia

Steven Groves, 6-24-2014, Heritage Foundation, "Accession to Convention on the Law of the Sea Unnecessary to Advance Arctic Interests",7-6-2018,
https://www.heritage.org/global-politics/report/accession-convention-the-law-the-sea-unnecessary-advance-arctic-interests

In the Arctic, much of the supposed distress voiced by UNCLOS proponents stems from Russia's vast claim of Arctic ECS that it submitted to the CLCS in 2001. The proponents incorrectly imply that Russia's claim will result in the loss of Arctic resources that belong to the United States. According to Senator Lisa Murkowski (R–AK), for example, the U.S. failure to accede to UNCLOS would cause "a negligent forfeiture of valuable oil, gas and mineral deposits."[35] But the United States has not and will not "forfeit" a drop of Arctic oil to Russia or any other nation. For one thing, **Russia's claimed ECS area does not overlap any part of the U.S. Arctic ECS. To the contrary, Russia's claim respects a boundary that the United States and the USSR negotiated in 1990—the "Baker–Shevardnadze line**."[36]The Russian claim extends the Baker–Shevardnadze line from the Bering Strait all the way to the North Pole, likely resulting in an excessive ECS claim in the central Arctic. However, Russia's potentially excessive claim is located to the north of the limits of the U.S. ECS area. While the Russian claim may overlap with Canada's ECS claim, it does not overlap any U.S. ECS area.[37] In short, there is no conflict between the United States and Russia regarding the division of Arctic resources, including hydrocarbons. even if there were a conflict, Russia's claim cannot be approved by the CLCS and would not be recognized by the United States (or Canada). Both UNCLOS and the CLCS's procedural rules prevent the commission from considering any ECS area where there are overlapping claims: "In cases where a land or maritime dispute exists, the Commission shall not consider and qualify a submission made by any of the States concerned in the dispute."[38]

[DL] Warren 08 Georgia Law Review: CLCS (commission on the limits of the continental shelf) doesn't settle disputes among nations with competing claims

Warren, Jason Howard. "*Don't be Left out in the Cold: An Argument for Advancing American Interests in the Arctic Outside the Ambits of the United Nations Convention on the Law of the Sea*." Georgia Law Review. (2007-2008): 833-865
https://heinonline.org/HOL/Page?men_tab=srchresults&handle=hein.journals/geolr42&id=874&size=2&collection=journals&terms=contest&termtype=phrase&set_as_cursor=0

Other Nations' Claims to the Arctic Seabed. **If the Senate ratified UNCLOS**, thereby making the United States a party to the treaty, **the United States would have no additional grounds on which to contest Russia's CLCS claim, because the CLCS does not settle disputes among nations with competing claims**. Thus, U.S. participation in the UNCLOS regime would add nothing to its legal argument that it is permitted to mine the seabed and navigate the waters that Russia is attempting to claim. UNCLOS does not provide a compulsory dispute resolution technique, and because a dispute among nations is likely to arise, it is probable that the rights to the resources of the Arctic will be decided outside of its framework.

[NU] Groves 14 of Heritage: U.S can still object to ECS claims in squo

Steven Groves, 6-24-2014, Heritage Foundation, "Accession to Convention on the Law of the Sea Unnecessary to Advance Arctic Interests",7-6-2018,
https://www.heritage.org/global-politics/report/accession-convention-the-law-the-sea-unnecessary-advance-arctic-interests

The United States may object to excessive ECS claims made by any member of UNCLOS even though the U.S. is not a party to the convention. Indeed, **after Russia made its 2001 claim**, **the United States**, Canada, Denmark, Japan, and Norway each **filed objections with the CLCS**. In June 2002, **as a result of the objections, the CLCS recommended to Russia that it provide a "revised submission" on its Arctic ECS claim**.[39] Russia reportedly will make an amended submission to the CLCS at some point in the future.

[DL] Sharp 11 of Defense Studies: Globalized economy and U.S military deters conflict

Sharp, Todd L. "*The Implications of Ice Melt on Arctic Security*." Defence Studies. Vol. 11, No. 2 (June 2011)
https://www.tandfonline.com/doi/pdf/10.1080/14702436.2011.590318

With an increasingly globalized world comes a globalized economy. Inherent in such an economy is a security element, which serves to deter states from actions that run contrary to the greater economic good. When coupled with the military deterrent provided by the US, it is all but inconceivable that Russia, or any Arctic state would engage in military activity in the region, which goes **beyond a simple show of force**. This suggests that the existing security apparatus in place in the Arctic is sufficient to meet both current and future requirements. That apparatus is built around the sovereign authority of the Arctic Five states, and is bolstered by the Arctic Council. The Council provides not only a forum for mutual discussion and understanding, but also encourages consistency in Arctic policy development and enforcement. Backing it up is the legislative framework of UNCLOS, which provides the legal backbone from which to seek resolution of maritime boundary disputes. The globalized economy provides an additional deterrent to irresponsible actors, primarily through the actions of risk-averse investors who will sell off investments and thus rob the actors of much needed capital.

A2 Sea Cables

1. De-link them. UNCLOS is one of the worst ways to solve back for sea cables. That's why Underwood of the AFCEA finds that UNCLOS is "highly deficient" in its policies pertaining to under sea cables because it a) does not give states adequate jurisdiction over offenders, b) does not allow states to board or inspect suspect vessels, and c) doesn't address the protection of internet cables on land.
2. Turn the link. Matsakis of Wired explains that historically the reason why damages to cables in places with less secure internet infrastructure has such a big impact is because countries like Indonesia in 2011 limit sea travel in their territorial zones which slows down repairs that impact not only their country but the greater region as a whole. This same internal link becomes really important in a world under UNCLOS because of the limitations it places on ships from other countries which could actually slow down repairs and lead to more of the harmful impacts my opponents talk about.
3. We outweigh. The impact is actually a lot less impactful than my opponents make it out to be for a few reasons:
    a. Timeframe: Golwart of Slate explains that it only takes technicians a maximum of 16 hours to repair cables that have been damaged. That's important because my opponents can only impact out to less than 16 hours of damage.
    b. Magnitude: But the problem with this arises when Matsakis of Wired explains that even when cables are damaged it isn't going to be that large of an issue when you take into account :
        i. That the majority of internet can be rerouted.
        ii. That even in the status quo one of the estimated 428 undersea cables worldwide is ruptured every couple of days. You don't see the materialization of their impact.
    c. But lastly on Probability: Their argument is very unlikely to actually occur because Matsakis continues that the hypothetical Russian cable attack would actually do more harm to their own country than anywhere else. This is because

the Russian internet is more reliant on international connections and it's a really big reason why they wouldn't have incentive to pull off an attack like this.

Vargiu, Paolo and Borgia, Fiammetta, When Investment Law Takes Over: Towards a New Legal Regime to Regulate Asia Pacific's Submarine Cables Boom (November 2013). University of Leicester School of Law Research Paper No. 13-13. Available at SSRN: https://ssrn.com/abstract=2354590

As previously stated,[25] given the importance of submarine cables to the world economy and to all States, additional measures are necessary to protect cables. **The majority of the cable damages are caused by human intervention, but there is no obligation under the UNCLOS on coastal States to adopt laws and regulations to protect submarine cables in the territorial sea.** Moreover, even if Article 113 UNCLOS requires States to establish rules on the breaking or injury of cables in the high seas or EEZ by their nationals or by a ship flying their flag, **if such break was done wilfully or with negligence, this provision is inadequate, as there is no countermeasure if States do not implement it.** Furthermore, it does not deal adequately with the threat as well as theft of cables by terrorists or other voluntary acts.

A2 Misc Environment

A2 Coal plants GONE

1. In the 2008 Supreme Court Case, Medellin v. Texas, the Supreme Court upheld that international court decisions are not binding until enacted into law by Congress. In fact, Hollis of Juris explains in 2018 that of the 166 nations that signed on to the Vienna Convention and of the 50 nations that signed on to the Optional Protocol, zero treat ICJ judgements as binding in their domestic courts. This is never going to happen, because as the National Review explains in 2012, a total ban on coal plants would prevent the U.S. from accessing a vital source of domestic energy. That's why in the squo we subsidize coal plants something to the tune of 20 million dollars.

If you ask people in fossil fuel industries, their support staff in conservative think tanks, or fossil-state politicians, they will tell you why these fossil fuel production subsidies are necessary. It's always been this way. They're more than paid back by tax revenue. Other industries get them too. (For the record: More than half the $20 billion is available to fossil fuels alone). They create jobs. They're important for national security. Tax expenditures aren't subsidies at all, if you think about it. Etc.

Robert Bryce, 6-11-2012, "Ban Natural Gas! No, Ban Coal!," National Review, https://www.nationalreview.com/2012/06/ban-natural-gas-no-ban-coal-robert-bryce/
First among them: It prevents the U.S. from accessing a vital source of domestic energy. U.S. coal deposits contain nearly as much energy as the proved oil reserves of all twelve OPEC members combined. America's coal deposits add up to the equivalent of 900 billion barrels of oil; that's nearly as much as the 1 trillion barrels of proved oil reserves OPEC holds.

Second, the newest coal plants are clean by traditional EPA measures. For instance, the new 1,600-megawatt Prairie State Energy Campus, located in southern Illinois, will probably begin commercial operations within the next few months. The plant, which uses super-critical combustion technology to wring more electricity from the coal, will produce 0.182 pounds of sulfur dioxide and 0.07 pounds of nitrogen dioxide per megawatt-hour.

Oyez, xx-xx-xxxx, "," https://www.oyez.org/cases/2007/06-984
The Court upheld the rulings of the Texas Court of Criminal Appeals in a 6-3 opinion written by Chief Justice John G. Roberts. The Court held that the signed Protocol of the Vienna Convention did not make the treaty self-executing and, therefore, the treaty is not binding upon state courts until it is enacted into law by Congress. Furthermore, Chief Justice Roberts characterized the presidential memorandum as an attempt by the executive branch to enforce a non-self executing treaty without the necessary Congressional action, giving it no binding authority on state courts. Justice John Paul Stevens concurred in the opinion and Justice Stephen Breyer, joined by Justices David Souter and Ruth Bader Ginsburg, authored a dissent.

Duncan Hollis, 8-14-2018, "Opinio Juris » Blog Archive More Medellin, or "How the Court Further Confuses the Self-Executing Treaty Doctrine"," No Publication, http://opiniojuris.org/2007/10/10/more-medellin-or-how-the-court-further-confuses-the-self-executing-treaty-doctrine/
Finally, I was struck by one of the arguments made by Texas's Cruz: "of the 166 nations that signed on to the Vienna Convention and of the 50 nations that signed on to the Optional Protocol, zero–not a single nation–treats ICJ judgements as binding in their domestic courts." It's a bold statement, but I wonder what the research shows on this — does anyone know if a study has actually been done on this issue? I'd think that at least some ICJ judgements would be given direct legal effect in domestic courts that follow the monist tradition (particularly in some of the maritime delimination cases). But I'm just making an assumption given what I know about how other states interpret their treaties. Is there any data out there on this point?

A2 Wind Turbines

1. No link to UNCLOS. Dwyer writes that current wind projects are located in territorial waters. That's not restricted by UNCLOS. We aren't trying to put wind turbines in the deep sea - that's impossible. Thus, the wind turbines they are arguing for a) don't exist and b) even if they did exist, no one is trying to create them, because we can just do the logical thing and put our wind turbines close to shore.
    a. Real of Yale in 2018 explains that offshore wind projects are already happening and one wind farm has even been constructed off of Rhode Island. Roberts in

2018 of Vox furthers that the DOI has announced two new leases off the coast of Massachusetts amounting to 390,000 acres for wind farming.

https://insideclimatenews.org/news/1112017/clean-energy-offshore-ocean-wind-turbines-floating-technology-north-atlantic-statoil-caldeira

"The question is, can we extract that power at a higher rate," said Carnegie Institution for Science researcher Anna Possner, whose latest study calculates how much energy could be produced by arrays of giant floating turbines in the open ocean, far from land.

Dwyer, Kieran. "***UNCLOS: Securing the United States' Future in Offshore Wind Energy*** ." **Minnesota Journal of International Law**. Vol. 18, No. 1 (2009): 265-290. [**More** (7 quotes)]

Currently, proposed offshore wind projects are located within the territorial waters. But as technology improves and the incentives for wind power increase, installations will be pushed further offshore into what would be the EEZ. But before such development can be contemplated, UNCLOS must be implemented to secure the rights to develop wind power and provide clarity in the law that governs such sites. The rights currently enjoyed by the United States to its continental shelf are not sufficient to adequately protect the exclusive and positive right to develop offshore wind projects in those waters. But ratification of UNCLOS will guarantee U.S. rights to develop the EEZ.

[NU] Real ‘18 of Yale E360: offshore projects are already happening
Roger Real, 01-11-2018, "After an Uncertain Start, U.S. Offshore Wind Is Powering Up," Yale E360, https://e360.yale.edu/features/after-an-uncertain-start-u-s-offshore-wind-is-powering-up?

According to the U.S. Department of Energy, more than 25 offshore wind projects with a generating capacity of 24 gigawatts are now being planned, mainly off the U.S. Northeast and mid-Atlantic coasts. And although some of these projects may not be built, and only one commercial offshore wind farm has actually been constructed —the tiny, five-turbine “Block Island Wind” project off Rhode Island — analysts say that U.S. offshore wind is expected to enjoy significant growth in the coming decade.

[NU] Roberts ‘18 of Vox: two leases already announced in MA
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

Donald Trump has a long history of hating on wind power — at least wind farms that threaten to block his views or impact his commercial operations. (He tweeted against a Scottish wind farm near one of his golf courses 60 times and reportedly wrote the country’s first minister at the time a series of unhinged letters about it.)

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.

A2 Overfishing

1. TURN: People in the status quo don’t fish for fun, it’s for food. That’s important because when you decrease the amount of fish now with regulation, you just trigger their impact on food security sooner.
2. De-link. Velasco of the World Economic Forum finds that UNCLOS is currently ineffective to protect fisheries because of weak transparency, accountability, enforcement, and limited power to stop illegal actions in real time.
3. (Navel Presence) Towers of The Fish Site in 2016 – UNCLOS does not allow the United States to enforce overfishing laws in other nations, this would be illegal. UNCLOS that expects that states actively participate in preventing overfishing in the high seas, however only flag states have jurisdiction over their vessels in these waters.

4. The World Ocean Review in 2013 contends Aquaculture is solving right now, it is 8.4% annual growth year-to-year and in 2013, it made up 42% of all fish consumed in the earth. The World Bank finds that despite a double in demand for fish, by 2030, 2/3rds of fish are expected to be grown through aquaculture while the amount naturally caught is expected to level off.
5. (Leadership) US rolling back fishing regulations in squo. Popovich of the New York Times reports that the Trump administration wants to open protected areas to commercial fishing, and "Recommended shrinking or opening to commercial fishing three marine protected areas."
6. Climate change.

[NU] Payne 18 states,
https://blog.harvardlawreview.org/the-other-46-percent-new-law-of-the-sea-negotiation-on-high-seas-biodiversity/
There are already two such implementing agreements to UNCLOS, both of which extend multilateral governance into high seas areas that lie beyond the territorial control of states, and which offer different models for the BBNJ agreement. One is the 1994 Agreement on deep seabed mining in areas beyond national jurisdiction, and the other is the Fish Stocks Agreement for highly migratory fish species like tunas and straddling stocks of fish like pollock. (**The United States has not ratified UNCLOS,** nor has it become a party to the deep seabed mining regime; **however, it is a party to the Fish Stocks Agreement**, and has been a constructive participant in that regime.) The Fish Stocks **[through this] Agreement** is operationalized through the regional fishery bodies mentioned above. **States commit to cooperative management of particular fish stocks through the regional fisheries management organization** for that species (such as the International Commission for the Conservation of Atlantic Tunas (ICCAT), whose area of competence is all waters of the Atlantic Ocean for Tuna, tuna-like species and pelagic sharks) or regions (for example, the Subregional Fisheries Commission (SRFC), which manages all fisheries resources in the much smaller zone of member states' waters off the coast of West Africa).

[Contradiction] Towers 14 states,
https://thefishsite.com/articles/climate-change-impacting-on-seafloor-ecosystems
Ocean warming driven by climate change will reduce the amount of food reaching marine life on the seafloor, a recent study suggests. **This would result in a 5.2 per cent global reduction in seafloor biomass by the end of the 21st century** and biodiversity hotspots, such as cold-water coral reefs, will be particularly badly affected, say the researchers.

A2 Con (You Are Pro)
A2 PSI
A2 UNCLOS hurts PSI

1. Delink - The US State department states that over 100 countries endorsed the PSI having their ships searched against their will. This is critical because even if UNCLOS was established, the bilateral agreements still allow PSI to be an option.
2. Delink - Taft explains in 2004 that UNCLOS also won't interfere with interdiction because The PSI requires participating countries to act consistent with national legal authorities and "relevant international law and frameworks," which includes the law reflected in the 1982 Law of the Sea Convention. Like the 1958 conventions, the Convention recognizes numerous legal bases for taking enforcement action against vessels and aircraft suspected of engaging in proliferation of weapons of mass destruction.
3. Turn - Rogers of the Center for a New American Security explains in 2012 that ratification of UNCLOS actually bolsters the PSI. LOSC ratification will give PSI a stronger legal foundation under international law by removing "the bogus argument that PSI is a renegade regime that flies in the face of international law. The net result will be more partners, more intelligence, more preemptive actions that help protect us from this most serious threat.

Yann-Huei Song, 1-10-2006, "The U.S.-Led Proliferation Security Initiative and UNCLOS: Legality, Implementation, and an Assessment," Taylor & Francis, https://www.tandfonline.com/doi/full/10.1080/00908320601071421?scroll=top&needAccess=true&

This article concludes that U.S. accession to UNCLOS would not adversely affect the implementation and effectiveness of the PSI. On the contrary, **U.S. accession to UNCLOS could help increase the U.S. credibility and leadership in dealing with the threat to inter- national peace and security posed by WMD proliferation**. **On August 31, 2005, Admiral James Watkins (retired) and Leon Panetta, chairs of the U.S. Commission on Ocean Pol- icy and Pew Oceans Commission respectively, along with over 70 other national leaders and top ocean law and policy experts, sent a letter to Senate Majority Leader William H. Frist, calling on the Senate to move expeditiously to consider and approve U.S. accession to UNCLOS.219** The signatories to the letter agreed with President Bush that accession to the UNCLOS supports vital U.S. national security, economic, and international leadership interests. **They also stated that accession to the Convention will strengthen the U.S. ability to defend its important maritime rights, in particular, freedom of navigation and overflight, which are essential to U.S. military mobility, and will enhance U.S. national and homeland** Downloaded by [Northeastern University] at 19:36 09 October 2014 The Proliferation Security Initiative and UNCLOS 135 security efforts. **This call is consistent with this article's argument that accession to the UNCLOS will not hurt U.S. security interests in pursuing the goals of the**

PSI, but instead will enhance them. Finally, with regard to the question concerning the legality of the PSI under UNCLOS, it is difficult to provide a clear-cut answer since the information relating to specific PSI interdictions needs to be gathered and assessed. In a real-world circumstance, information concerning the location of an interdiction; the nature of the cargo carried and the purpose of its use; the nationality of the interdicted and interdicting vessels; the reliability of the intelligence; the existence of applicable national laws and regulations and bilateral or mul- tilateral international treaties, regimes, or frameworks that deal with the issue of WMD nonproliferation or counter-proliferation; the application of rules of customary interna- tional law, such as the doctrine of self-defense; or the authorization from the UN S

ecurity Council, to name a few, needs to be gathered and examined carefully in order to answer the question of whether an interdiction action taken under the PSI is legal under UNCLOS or not.

https://www.tandfonline.com/doi/abs/10.1080/00908320601071421

This article examines the relationship between the U.S.-led Proliferation Security Initiative (PSI) and the 1982 United Nations Convention on the Law of the Sea (UNCLOS). It attempts to answer the questions of whether the PSI is legal or illegal under UNCLOS and whether U.S. accession to UNCLOS would enhance or create difficulties for the implementation of the PSI. The author concludes that U.S. accession to the Convention would not affect adversely the implementation and effectiveness of the PSI. On the contrary, accession to UNCLOS could help increase U.S. credibility and leadership in dealing with the threat to international peace and security posed by weapons of mass destruction proliferation. It also suggests that all the relevant information needs to be gathered and examined carefully in order to answer the question of whether a PSI interdiction action is legal under UNCLOS or not.

https://www.state.gov/t/isn/c10390.htm

When a country endorses PSI, it endorses the PSI Statement of Interdiction Principles, which commit participants to establish a more coordinated and effective basis through which to impede and stop WMD, their delivery systems, and related items. The countries commit to: interdict transfers to and from states and non-state actors of proliferation concern to the extent of their capabilities and legal authorities; develop procedures to facilitate exchange of information with other countries; strengthen national legal authorities to facilitate interdiction; and take specific actions in support of interdiction efforts. The **more than 100 countries that have endorsed the PSI so far share a deep concern that WMD, their delivery systems, and related materials could fall into the hands of terrorists. All of these countries have endorsed the effort to make PSI a flexible, voluntary initiative geared toward enhancing individual and collective partner nations' capabilities to take appropriate and timely actions to meet the fast-moving situations involving proliferation threats.**

Taft, William H. "Statement of William H. Taft IV (April 8, 2004): Accession to the 1982 Law of the Sea Convention and Ratification of the 1994 Agreement Amending Part XI of the Law of the Sea Convention ." Testimony before the U.S. Senate Committee on Armed Services, April 8, 2004.

I would also like to address the relationship between the Convention and the President's Proliferation Security Initiative, an activity involving the United States and several other countries (all of which are parties to the Convention). **The Convention will not affect our efforts under the PSI to interdict vessels suspected of engaging in the proliferation of weapons of mass destruction. The PSI requires participating countries to act consistent with national legal authorities and "relevant international law and frameworks," which includes the law reflected in the 1982 Law of the Sea Convention.** The Convention's navigation provisions derive from the 1958 law of the sea conventions, to which the United States is a party, and also reflect customary international law accepted by the United States. As such, the Convention will not affect applicable maritime law or policy regarding interdiction of weapons of mass destruction. Like the 1958 conventions, the Convention recognizes numerous legal bases for taking enforcement action against vessels and aircraft suspected of engaging in proliferation of weapons of mass destruction, for example, exclusive port and coastal State jurisdiction in internal waters and national airspace; coastal State jurisdiction in the territorial sea and contiguous zone; exclusive flag State jurisdiction over vessels on the high seas (which the flag State may, either by general agreement in advance or approval in response to a specific request, waive in favor of other States); and universal jurisdiction over stateless vessels. Further, nothing in the Convention impairs the inherent right of individual or collective self-defense (a point which is reaffirmed in the proposed Resolution of Advice and Consent).

Will Rogers 2012 (Will Rogers, research associate at the Center for a New American Security. 2012. "Security at Sea: The Case for Ratifying the Law of the Sea Convention," *Center for a New American Security*, https://s3.amazonaws.com/files.cnas.org/documents/CNAS_SecurityAtSea_Rogers_0.pdf?mtime=20160906081931. Accessed 6 July 2018. Page 4) ECS

Ratifying LOSC will bolster the U.S. ability to create bilateral and multilateral agreements with other countries to counter WMD proliferation, one of the biggest threats to U.S. security according to numerous analysts both in and outside of government.17 Government efforts to strengthen land-based interdiction efforts are increasing maritime transit of dual-use technologies critical to developing and deploying WMD. In just one striking example, in June 2011 a U.S. Navy destroyer trailed a Belize-flagged ship suspected of carrying missile components to Burma and pressured the vessel to return to its origin in North Korea.18 In particular, **ratifying LOSC will strengthen programs such as the Proliferation Security Initiative (PSI), since key partner and potential partner countries often voice skepticism over U.S. commitments to these transnational programs in ight of the U.S. failure to ratify the convention.** President George W. Bush launched PSI in 2003 to leverage existing national laws to improve interception of materials in transit and halt WMD-related financial flows. **LOSC ratification will give PSI a stronger legal foundation under international law by removing "the bogus argument that PSI is a renegade regime that flies in the face of international law,"** according to Rear Admiral William D. Baumgartner, former U.S. Coast Guard Judge Advocate General. "**The net result will be more partners, more intelligence, more preemptive actions that help protect us from this most serious threat."**19 Indeed, removing this excuse for other countries' non-participation in programs to counter proliferation would benefit the United States diplomatically and could help in negotiating future innovative solutions and programs.

A2 Ship Interdiction

1. UNCLOS will not enforce this part of the law. Sykes and Posner explain in 2009 that UNCLOS works to maintain the status quo and thanks to tribunal jurisdiction, it is highly likely that any lawsuits of the US would result in a decision with a broader interpretation that would benefit the US.

Alan O. Sykes & Eric Posner, "Economic Foundations of the Law of the Sea" (John M. Olin Program in Law and Economics Working Paper No. 504, 2009).
https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1186&context=law_and_economics
Critics also worry about a provision that gives the International Tribunal for the Law of the Sea jurisdiction when naval forces seize a vessel on the high seas.51 Although another provision creates an exception for "military activities … by government vessels and aircraft engaged in

non-commercial service,"52 a narrow interpretation of this section would interfere with efforts to inspect and detain vessels being operated by criminals and terrorists.53 However, we suspect that these concerns are more theoretical than real. **Customary international law already forbids naval forces to stop and detain foreign vessels on the high seas merely on the suspicion of criminality (there are exceptions for piracy and the slave trade, which UNCLOS preserves). UNCLOS thus maintains the status quo in this respect**. This means that under current law, if U.S. forces do detain vessels controlled by suspected terrorists, the United States takes the risk that other nations will issue diplomatic protests and seek legal remedies. The novelty introduced by UNCLOS is just Tribunal jurisdiction. **If the Tribunal adopts the broad interpretation, the United States will benefit, because its preferred rule will be incorporated into international law. If the Tribunal adopts the narrow interpretation, the United States will not be harmed, because the status quo legal rule will be maintained. The only risk is that the Tribunal will adopt an interpretation that is even narrower than current law. But this risk seems remote**

A2 Constraining operations
A2 Autonomous Ships
https://theconversation.com/unmanned-ghost-ships-are-coming-83324

1. Delink. Matthews in 2018 explains that earlier this year the UN's International Maritime Organisation (IMO) began discussions that could allow unmanned ships to operate across oceans.
2. Delink. Solve through renegotiations. If US joins UNCLOS, financial times says that they will renegotiate a new treaty with UNCLOS, which could presumably preserve autonomous ships rights. Treaties are evolving documents.

Only way that ships will be adopted is if they are profitable. Matthews also goes on to take out this link in two ways.

1. The cost of new sensors and control systems offsets any potential savings from no longer having to pay workers. Thus, he cites Kretschman who did a study on the economic benefits of unmanned autonomous ships, who concludes that even in the best case situation for an autonomous ship, the cost of carrying freight would only be reduced by only 3.4%
2. But that's not all. Matthews goes on to explain that the majority of ships operate on heavy fuel oil that is purified on board before use, which is impossible to automate. Instead, ships would be forced to operate with more refined fuel which comparatively, increases the cost of transporting freight by as much as 14.8%

Impact of lowering food prices makes no sense.

1. Shipping companies keep the profits for themselves and their shareholders instead of lowering food prices, because they have no incentive to do that to themselves as there isn't a shortage in food demand.

A2 Hormuz

1. Just not a true argument. Ku of Lawfare explains in 2018 that Iran hasn't even ratified UNCLOS, similar to how the United States hasn't. Iran can't enforce UNCLOS against the United States, and the United States has no reasons to accept what they say when it comes to blocking the US, as they aren't under the treaty. The US can sail through their waters with or without UNCLOS.

Julian Ku, 8-15-2018, "Why Does the U.S. Demand Innocent Passage in the South China Sea, But Not in the Persian Gulf?," Lawfare, https://www.lawfareblog.com/why-does-us-demand-innocent-passage-south-china-sea-not-persian-gulf

Why? Because reports from the U.S. Navy investigation of the incident strongly suggest that the U.S. ships detained by Iran were entitled to conduct "innocent passage" through Iran's territorial waters under the principles codified by the U.N. Convention on the Law of the Sea. Under Article 19 of this treaty, military ships can traverse a territorial sea as long as its passage is "not prejudicial to the peace, good order, or security of the coastal nation." Like the U.S., Iran has signed but not ratified UNCLOS. But Iran has acknowledged innocent passage is a principle of customary international law.

A2 Need to put flags on submarines

1. Doesn't affect strategic submarines. Oliver in 2009 explains that Article 20 of the Convention requires submarines and other underwater vehicles to navigate on the surface and show their flag when engaged in innocent passage, but the collection of intelligence in any guise within the territorial sea is not "innocent passage." Such operations are called espionage, not innocent passage. UNCLOS doesn't apply.

John T. Oliver, 2009, Journal of International and Comparative Law, "NATIONAL SECURITY AND THE U.N. CONVENTION ON THE LAW OF THE SEA: U.S. COAST GUARD PERSPECTIVES", (Senior Ocean Policy Advisor, U.S. Coast Guard Headquarters Former Chief and Senior Appellate Judge, United States Navy-Marine Corps Court of Criminal Appeals, Adjunct Professor of Law at Georgetown University School of Law.), accessed 6-28-2018, https://nsuworks.nova.edu/cgi/viewcontent.cgi?article=1662&context=ilsajournal //NY

Rather than diminishing U.S. sovereignty, the Convention would greatly expand it. Rather than restricting our military's ability to operate at sea, UNCLOS would guarantee it. Rather that constraining the development of oil, gas, and other minerals from the continental shelf and deep seafloor, the Convention would encourage and protect such investments. Critics have falsely alleged that UNCLOS would somehow impose restrictions on our sea-based military and intelligence operations. But, according to intelligence and legal experts that J. M. McConnnell, the Director of National Intelligence, cited in his letter to the Select Committee on Intelligence of August 8, 2007, the Convention would actually enhance our intelligence and security interest.35 Moreover, after conducting several classified and unclassified hearings and receiving testimony from intelligence, military, and legal experts, the Senate's Select Committee on Intelligence concluded that intelligence activities are "not adversely affected by the Convention."36 The specific argument that the Convention would prevent the United States from using its submarines to collect intelligence is fallacious. Several sources, including the Minority Views in the Senate Committee on Foreign Relations,

note that **Article 20 of the Convention requires submarines and other underwater vehicles to navigate on the surface and show their flag when engaged in innocent passage**.37 This is correct, so far as it goes. But the minority report then concludes that this would "fail to protect the significant role submarines have played, especially during the Cold War, in gathering intelligence very close to foreign shorelines."3 What the minority report fails to mention is that the 1958 Convention on the Territorial Sea and the Contiguous Zone, to which the United States has long been party, contains exactly the same restriction.39 **Moreover, the collection of intelligence in any guise within the territorial sea is not "innocent passage." ' 40 Such operations are called espionage, not innocent passage**. The United States would never accept foreign submarines or foreign warships engaging in intelligence-gathering operations in the territorial sea off of San Diego or Norfolk. Indeed, when President Reagan signed a proclamation extending the U.S. territorial sea to twelve nm on December 27, 1988, consistent with the Convention,4 one of the first things that the Coast Guard did was to advise a Soviet military vessel gathering intelligence just a few miles off of Pearl Harbor to leave the area immediately.4 2 The U.S. military and intelligence communities are well aware that the Convention would have a positive impact on our national security. Moreover, as Senator Richard Lugar, ranking minority member of the Foreign Relations Committee, has argued, it would be unprecedented for the Senate to deny to our nation's military and national security leadership a tool that they have unanimously claimed that they need, especially during a time of war.43

A2 Tech transfers

1. Borgeson in 2009 of the CFR explains that Article 144 which didn't even mandate tech transfers and just encouraged it was replaced in 1994 by section 5 of the annex to no longer require it.

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 44 Appendix I 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."

A2 Intelligence sharing

1. Nonunique. UNCLOS no longer requires intel sharing. Moore in 2004 of the Center for Oceans Law and Policy points out that Article 302 of UNCLOS explicitly negating any obligation "to supply information the disclosure of which is contrary to the essential interests of its security."

John Norton Moore, 5-12-2004, House Committee on International Relations, "UNITED STATES ADHERENCE TO THE LAW OF THE SEA CONVENTION A COMPELLING NATIONAL INTEREST", (John Norton Moore is the Walter L. Brown Professor of Law at the University of Virginia School of Law and Director of the Center for Oceans Law and Policy. He formerly served as the Chairman of the National Security Council Interagency Task Force on the Law of the Sea, which formulated United States international oceans policy for the law of the sea negotiations, he headed D/LOS, the office which coordinated both State Department and Interagency Policy on the law of the sea, and he served in the international negotiation as a Deputy Special Representative of the President and a United States Ambassador to the Third United Nations Conference on the Law of the Sea. Subsequently, he chaired the Oceans Policy Subcommittee of the Natural Resources Committee of the Republican National Committee and was appointed by President Reagan to the National Advisory Committee on Oceans and Atmosphere (NACOA).), accessed 6-29-2018, http://www.virginia.edu/colp/pdf/house-testimony.pdf //NY

Criticisms that the United States will be required to turn over security information without noting **Article 302 of the Convention negating any obligation "to supply information the disclosure of which is contrary to the essential interests of its security;"**

A2 Environmental (non drilling harms)
A2 Marine Protected Areas

1. Delink - US has MPAs that it isn't getting rid of in the status quo, clear that they aren't a huge priority. The US Department of Commerce reports that 41% of US waters are already classified as Marine Protected Areas. They need to prove to you why uniquely, the US has a reason to oppose MPAs on the high seas when the US doesn't even care about MPAs close to the shore.
2. Delink - Countries don't care enough to enforce effective MPAs. Hefferman of Nature explains in 2018 that of the eighty seven current MPAs created by individual countries in the world, 98% of them don't have no-take policies when it comes to removing organisms like fish and 99.5% are open to commercial exploitation. Unfortunately, Hefferman concludes that if a MPA misses either of these traits of being no-take or not being open to commercial exploitation, the sites are indistinguishable from those that are unprotected. Heffernan goes on to point to countries like Canada who are creating MPAs but are allowing people to drill in them, against scientific advice. Any policy created by international states, regardless of if the US is there or not, is just not going to solve the problems they identify in case, because no one cares enough about creating effective MPAs.
3. Ultimately no solvency. Hefferman furthers that scientists say at least 30% of the global oceans need to be cordoned off to avoid mass extinction of marine life. Unfortunately, at most, the UN is planning to protect 10% of the oceans. The impacts they talk about are inevitable.

Us Department Of Commerce, National Oceanic and Atmospheric Administration, 6-25-2018, "What percentage of marine areas are protected?," No Publication, https://oceanservice.noaa.gov/facts/mpapercentage.html
There are over 1,700 marine protected areas (MPAs) in the United States established by federal, state, and territorial governments. These areas cover 41 percent of U.S. marine waters and vary widely in their purpose, legal authorities, managing agencies, and level of protection. MPAs that are focused on the protection of ecosystem, biodiversity, and cultural resources cover about eight percent of marine waters.

Although MPAs are found in every region of the United States, the West Coast, including California, Oregon, and Washington, has the highest number of MPAs. However, the region

with the largest area of MPAs is the Pacific Islands. This is because of the designation of the Papahānaumokuākea Marine National Monument, which is one of the largest marine conservation areas in the world.

Olive Heffernan, 5-9-2018, "How to save the high seas," No Publication, https://www.nature.com/articles/d41586-018-05079-z
An analysis of 87 MPAs found that those with only one or two of these traits were ecologically indistinguishable from fished sites
Many coastal MPAs allow for oil and gas exploration, shipping and fishing. Only 2% of the ocean is no-take, and these MPAs are mostly in deep tropical waters of little interest to industry, so do little to reduce overall exploitation of the ocean. As for the high seas, just 0.5% is off-limits to commercial exploitation. (Much of this is due to the largest international MPA, in the Ross Sea off Antarctica, which was created by a regional 25-nation council). "As is often the case closer to shore, there's a serious risk that high-seas MPAs will be sited in areas of low commercial interest," says Elizabeth De Santo, an environmental-management specialist at Franklin and Marshall College in Lancaster, Pennsylvania. How scientific advice on MPAs will feed into the UN treaty is yet to be decided. But debates about coastal MPAs suggest that scientists' fears of being ignored are well-founded. In the planned Laurentian Channel MPA off the coast of Canada, for example, it's possible to drill for oil and gas in almost 90% of the reserve, against scientific advice.

Olive Heffernan, 5-9-2018, "How to save the high seas," No Publication, https://www.nature.com/articles/d41586-018-05079-z
Scientists say that at least 30% of the global ocean, distributed evenly between ocean ecosystems, should be cordoned off to avoid a mass extinction of marine life. On paper, almost 7% of the ocean is now protected: in the past 3 years, 13 of the world's largest MPAs, all more than 100,000 square kilometres in area, have been created in coastal waters — largely impelled by a UN goal to protect 10% of the ocean by 2020.

A2 Overfishing

1. Papp of the Coast Guard explains in 2012 that becoming a party to the Convention will give the Coast Guard greater leverage in our efforts to eliminate illegal, unreported, and unregulated fishing. As a party to the Convention, we would be in a stronger position to persuade other nations to abide by the UN Fish Stocks Agreement and other modern international standards of fisheries management and thus advance our Nation's interests in this field.

ADMIRAL ROBERT PAPP COMMANDANT, U.S. COAST GUARD, June 14 2012
https://www.foreign.senate.gov/imo/media/doc/Admiral_Robert_Papp_Testimony.pdf

In particular, **becoming a party to the Convention will give the Coast Guard greater leverage in our efforts to eliminate illegal, unreported, and unregulated fishing**. American fishermen are currently abiding by standards contemplated by the Convention and further detailed in the related UN Fish Stocks Agreement. They are adversely affected by foreign fishermen who illegally harvest highly migratory fish stocks. In another anomalous situation, the United States is a party to the UN Fish Stocks Agreement, which is directly related to the legal regime of the Law of the Sea Convention, even though we have not joined the underlying Convention. **As a party to the Convention, we would be in a stronger position to persuade other nations to abide by the UN Fish Stocks Agreement and other modern international standards of fisheries management and thus advance our Nation's interests in this field**.

A2 Drilling

A2 Seabed drilling

1. Nonunique, Trump already pushing drilling in the squo. Tabuchi of the New York Times explains in 2018 that Trump has already moved to open nearly all of America's coastal waters to offshore oil and gas drilling would give energy companies access to more than a billion acres off the Atlantic, Pacific and Arctic coasts.

Hiroko Tabuchi, 1-23-2018, New York Times, "Trump Would Open Nearly All U.S. Waters to Drilling. But Will They Drill?",7-4-2018,
https://www.nytimes.com/interactive/2018/01/23/climate/trump-offshore-oil-drilling.html
The Trump administration's move to open nearly all of America's coastal waters to offshore oil and gas drilling would give energy companies access to more than a billion acres off the Atlantic, Pacific and Arctic coasts.

A2 Deep Sea Mining

1. The Heritage Foundation writes in 2012 that there are no legal barriers prevent U.S. access, exploration, and exploitation of the resources of the deep seabed. The United States has long held that U.S. corporations and citizens have the right to develop the resources of the deep seabed and may do so whether the United States accedes to UNCLOS. Insofar as it is the country getting sued not the corporations, it is clear that it is alternative factors holding back deep sea mining, not UNCLOS.

A2 Methane

1. Don't tell you the whole story. Smithsonian Ocean Team - microbes live in hydrothermal vents that eat hydrogen gas and release methane. One bacteria =/= all bacteria.
2. Lunz explains in 2018 that deep sea ocean methane isn't dangerous. The carbon in methane is really old and radioactive decay has turned it to a different isotopic signature

than the gas in the sky which is actually dangerous. Sea methane and land methane are structurally different - land methane is dangerous but sea methane is safe.

3. Methane doesn't trap anything that H2O doesn't. Watts in 2014 explains that methane and water have the same absorption spectra for infrared, which is what heats the environment. However, water composes one or two percent of the atmosphere, compared to the fraction that methane composes, and thus it absorbs vastly more energy than methane and is the most important greenhouse gas. The ratio of the percentages of water to methane is such that the effects of CH4 are completely masked by H2O. Because of that, methane is irrelevant as a greenhouse gas.

Smithsonian Ocean Team, xx-xx-xxxx, "The Microbes That Keep Hydrothermal Vents Pumping," No Publication,
https://ocean.si.edu/ecosystems/deep-sea/microbes-keep-hydrothermal-vents-pumping
Methanopyrus kandleri is a heat- and salt-loving species of Archaea that makes its home on the chimney walls of smokers. It harvests energy from hydrogen gas and releases methane, a process known as methanogenesis. It's this process that gives the microbe its name: Methanopyrus translates to "methane fire." Methanopyrus kandleri has been isolated from hydrothermal sediments at Kolbeinsey Ridge off the coast of Iceland and the Guaymas Basin in the Gulf of California. In the laboratory its cells can even divide at 122°C, the highest temperature known to be compatible with microbial growth, though it grows best at 98°C.

Heritage Foundation, 12-4-2012, "The U.S. Can Mine the Deep Seabed Without Joining the U.N. Convention on the Law of the Sea,"
https://www.heritage.org/report/the-us-can-mine-the-deep-seabed-without-joining-the-un-convention-the-law-the-sea
No legal barriers prohibit U.S. access, exploration, or exploitation of the resources of the deep seabed. Deep seabed mining is a "high seas freedom" that all nations may engage in regardless of their membership or non-membership in UNCLOS or any other treaty. Like other high seas freedoms, the right to engage in deep seabed mining is inherent to all sovereign nations under customary international law. Rather, it is the convention that attempts to restrict access to the deep seabed and infringe on the intrinsic rights of the United States and other nations that have chosen to remain non-parties.

A2 Arctic drilling

1. People don't and won't drill in the arctic for two non-UNCLOS reasons.
    a. Money. Gramer of Foreign Policy writes in 2017 that oil companies don't drill, and haven't drilled up north, since oil prices per barrel fell from $100 to $50, putting them in the non profitable range. 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.

b. Public backlash. Macalister writes in 2015 that Shell found that it had made marginal discovery of oil and gas when exploring in the north, but not enough to justify continuing in the face of extreme backlash towards hurting the environment. Shell's chief executive, Ben van Beurden, was also worried that the row over the Arctic was undermining his attempts to influence the debate around how to tackle climate change.

That is why in the status quo, Tabuchi of the NYT writes in 2018 that two-thirds of the nation's profitable oil reserves are already open to drilling. Moreover, the abundance of cheap oil and gas from onshore fracking generates no incentive for companies to spend more to operate offshore. Further De-link this argument because Domm of CNBC in 2018 finds US oil drilling is expected to increase to 12 million barrels by 2019 which is 2 million barrels higher than the previous peak in 1970s, this is more than the production of Russia, despite not drilling in the arctic. Continental sources are more accessible and their is better tech to retrieve it

https://www.theguardian.com/business/2015/sep/28/shell-ceases-alaska-arctic-drilling-exploratory-well-oil-gas-disappoints

The Anglo-Dutch company had repeatedly stressed the enormous hydrocarbon potential of the far north region in public, but in private began to admit it had been surprised by the popular opposition it faced. Shell said today it had made a marginal discovery of oil and gas with its summer exploration in the Chukchi Sea but not enough to continue to the search for the "foreseeable" future. Shell has spent over $7bn (£4.6bn) on its failed hunt for oil which critics said could only endanger one of the world's last pristine environments and produce expensive hydrocarbons that were no longer needed. Shell said it would have to take a hit of around $4.1bn on future earnings as a result of the decision but it is unclear what the final bill will be. "Shell will now cease further exploration activity in offshore Alaska for the foreseeable future. This decision reflects both the Burger J well result, the high costs associated with the project, and the challenging and unpredictable federal regulatory environment in offshore Alaska."

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

"We think there is almost no rationale for Arctic exploration," Goldman Sachs commodity expert Michele Della Vigna said on CNBC's Squawk Box Thursday. "Immensely complex, expensive projects like the Arctic we think can move too high on the cost curve to be economically doable," he said. Part of the reason is the shale revolution in the United States, which undercut frontier projects like deepwater or the Arctic. "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.

Miyoko Sakashita, The Hill, 4-30-2018, "Trump ramps up Arctic drilling leases where an oil spill would be impossible to contain or clean up",7-3-2018, http://thehill.com/opinion/energy-environment/385450-trump-ramps-up-arctic-drilling-leases-where-an-oil-spill-would-be

fa launched an all-out assault on the Arctic. At **least a half-dozen dangerous oil drilling projects are quickly moving forward, threatening pristine habitats with oil spills and undermining global efforts to address climate change**. Last week’s announcement of fossil fuel lease-sales in the Arctic National Wildlife Refuge made big news, for good reason. Industrializing the wild coastal plain in northern Alaska, a move authorized by a sneaky rider in the GOP tax cut bill, has long been strongly opposed by most Americans. Yet, drilling into the refuge is just the tip of the iceberg. **Trump is aggressively pushing Arctic drilling projects on water and land, selling off vast tracts of public lands and oceans, and rolling back drilling safety regulations meant to prevent catastrophic oil spills.**

A2 Global warming drilling impact

1. Groves of the Heritage Foundation explains in 2012 that UNCLOS actually has higher restrictions on the environment - it would require the U.S. to control its pollutants, including carbon emissions and greenhouse gasses.
2. Lunz explains in 2018 that Arctic Ocean Methane isn’t dangerous. The carbon in methane is really old and radioactive decay has turned it to a different isotopic signature than the gas in the sky which is actually dangerous. Surface methane is almost all new but the ancient material released from the seafloor is not reaching the place where it is dangerous. Historical precedent further shows that during the last big warming event, most methane came from wetlands rather than the Arctic seafloor.

Stephen Luntz, xx-xx-xxxx, "Signs Suggest Arctic Ocean Methane Won't Destroy The World," IFLScience, http://www.iflscience.com/environment/signs-suggest-arctic-methane-wont-destroy-the-world/
Past studies have shown some released methane is consumed by microorganisms before it reaches the surface of the ocean, softening the potential damage. The question of how much methane gets through is one of the most important unknowns in climate science and one that has proven very hard to answer. Now, Dr Katy Sparrow of Rochester University has provided encouraging news from Prudhoe Bay, northern Alaska.

The carbon in methane is mostly ordinary carbon-12, but on formation contains some heavier isotopes. Trapped at the bottom of the oceans for millenia, however, carbon-14 undergoes radioactive decay, giving old methane from the seafloor a different isotopic signature from gas of recent biological origin.

In Science Advances, Sparrow reports that the methane in the Prudhoe Bay water column indicates the surface methane is almost all new. The ancient material released from the seafloor is not reaching the place where it could be dangerous.
Sparrow told IFLScience that her team "make no attempt to upscale our findings to other areas of the Arctic," and similar studies are needed elsewhere. Their site also has no known methane seeps, unlike those causing alarm in other parts of the Arctic. Nevertheless, the fact the Bay is quite shallow and yet the ancient methane Sparrow found near the seafloor is not reaching surface waters presents an encouraging sign for the deeper locations.

Sparrow also confirmed to IFLScience that, despite different methodology, her work is consistent with a study published last year that found that seafloor methane is not only not reaching the surface, but is stimulating the drawdown of atmospheric carbon dioxide.

Fellow Rochester researcher, Vasilii Petrenko, recently reported that during the last big warming event, most methane came from wetlands rather than the Arctic seafloor, in keeping with Sparrow's work.

Steven Groves, 6-14-2012, Heritage Foundation, "The Law of the Sea: Costs of U.S. Accession to UNCLOS",7-9-2018,
https://www.heritage.org/testimony/the-law-the-sea-costs-us-accession-unclos

Acceding to UNCLOS would commit the U.S. to controlling its pollutants, **including** alleged "harmful substances" such as **carbon emissions and other greenhouse gases** (GHG), in such a way that they do not negatively impact the marine environment. **The U.S. would also be obligated to adopt laws and regulations to prevent the pollution of the marine environment from the atmosphere and could be liable under international law for failing to enact legislation necessary to prevent atmospheric pollution**. Moreover, such domestic laws and regulations "shall" take into account "internationally agreed rules, standards and recommended practices and procedures." The "internationally agreed rules, standards and recommended practices" that could be invoked by UNCLOS litigants may include instruments such as the U.N. Framework Convention on Climate Change (UNFCCC) and its Kyoto Protocol.

A2 Royalties
A2 Royalties fund terrorism

1. Turn this argument - according to Borgerson of the CFR in 2009, joining the ISA via UNCLOS gives the U.S. a veto, so the U.S. can remove states who sponsor terrorism from gaining economic benefits.
2. Cannot definitively prove funds go directly to terrorism. It could go to welfare and other humanitarian aid crucial in the country. How much money would be given to these countries?
3. Ask for impact quantification.

[TN] Borgerson 09 of Council on Foreign Relations: Joining give the U.S a veto on the International Seabed Council, so the U.S can remove states who sponsor terrorism from gaining economic benefits.

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

https://books.google.com/books?id=wzqz_c8KYLcC&pg=PR3&lpg=PR3&dq=Scott+Gerald+Borgerson&source=bl&ots=khZMoAfvPU&sig=_7tARK2s9o0NJ75zvggSh1_DCi0&hl=en&sa=X&ved=0ahUKEwiy1aSLwoncAhWFc98KHYD5CTgQ6AEIRzAI#v=onepage&q=Scott%20Gerald%20Borgerson&f=false

The U.S. safeguard against such transfers becomes operative through the interaction of the convention and the 1994 agreement. Convention **Article 161**, paragraph 8(d) **requires consensus of the ISA council to distribute economic benefits**, pursuant to Article 162. **Section 3**, paragraph 15(a) of the annex to the 1994 agreement **provides the United States a permanent seat on the council by virtue of being the largest economy** on the date of entry into force of the convention. **Together these sections effectively give the United States a "permanent veto" over distribution of economic benefits, hence preventing funds from being channeled to potential terrorist groups or other organizations likely to act counter to U.S. national security interests.** Notably, **the United States is the only nation with access to such a "permanent veto," which is only available upon joining the convention.** Accordingly, **President Reagan's concern regarding potential distribution of funds contrary to national security interests remains valid until the United States joins the convention.**

[DL] Cannot definitively prove funds go directly to terrorism. It could go to welfare and other humanitarian aid crucial in the country. How much money would be given to these countries?

[IM] How much would a little bit of money impact terror? How many more attacks would there be?

A2 Royalties hurt US economy

1. Costs outweigh the benefits. Pedrozo in 2013 explains that the royalties are insignificant compared to the economic benefits of offshore resource development - in fact these revenue sharing provisions were negotiated in consultation with the U.S. oil and gas industry.

Pedrozo, Raul. 2013, U.S Naval War College "Arctic Climate Change and U.S. Accession to the United Nations Convention on the Law of the Sea ." International Law Studies. Vol. 89. (2013): 757-775

Granted, as UNCLOS critics are quick to point out, access to the ECS under UNCLOS is contingent upon payment of royalties to the Interna- tional Seabed Authority (ISBA) for oil and gas development beyond 200 nautical miles (nm).[26] However, **the royalty framework is relatively insignificant compared to** the fee-sharing arrangements for overseas oil and gas development and **the enormous economic benefits anticipated from off-shore resource development**. Revenue sharing does not begin until the 6th year of production of a particular well or site, starts at 1% of the value of production and increases 1% per year. By the 12th year and remaining years thereafter, the royalty is 7% of the value of production, paid either in kind or in dollars.[27] During the 1970s, **these revenue sharing provisions were negotiated in consultation with the U.S. oil and gas industry**.

A2 Terrorism

1. Turn - UNCLOS solves by granting increased freedom. Brookings in 2004 explains that U.S. military operations depend on naval mobility. By codifying navigational and overflight freedoms long asserted by the United States, the Convention improves access rights in the oceans for our armed forces, reducing operational burdens and helping avert conflict on our way to get to the terrorists by sea.
2. Turn - cross apply our case where we tell you that US participation in UNCLOS is key to multilateralism. Georgetown University explains in 2014 that increasing multilateralism, and thus soft power, is key to fighting terrorism because first, when we look better we are less attractive of a target, and second, because it makes other parties more willing to cooperate with us against terror.

David Sandalow 2004 (David Sandalow, inaugural fellow at the Center on Global Energy Policy and co-director of the Energy and Environment Concentration at the School of International and Public Affairs at Columbia University, 19 August 2004, "Law of the Sea Convention: Should the U.S. Join?" https://www.brookings.edu/research/law-of-the-sea-convention-should-the-u-s-join/ DOA 6/26/18) MDS

U.S. military operations depend on naval mobility. By codifying navigational and overflight freedoms long asserted by the United States, the Convention improves access rights in the oceans for our armed forces, reducing operational burdens and helping avert conflict. Historically, the U.S. Navy was required to contend with widely varying and excessive claims by coastal nations concerning access to the oceans. In the 1940s, for example, Chile asserted the right to control access by all vessels within two hundred miles of its coast. Later, Indonesia asserted a similar right with regard to all waters between its many islands. These claims and many others are effectively resolved by the Convention, which recognizes navigational and overflight freedoms within 200-mile exclusive economic zones and through key international straits and archipelagoes. The Convention also recognizes rights of passage through territorial seas, without notice and regardless of means of propulsion, as well as navigational and overflight freedoms on the high seas. The results include less need for military assets to maintain maritime access rights and reduced risk of conflict.

Lord 14 Georgetown : This is key because soft power combats ideological threats

Kristin Lord 14 – Kristin M. Lord, PhD in Government from Georgetown, President and CEO of IREX, Formerly was Acting President and Executive Vice President of the United States Institute of Peace, "Soft Power Outage", http://foreignpolicy.com/2014/12/23/soft-power-outage/?wp_login_redirect=0)

Moral authority facilitates soft power, but so do relationships, shared values, and interlinking interests. **Given the ideological component of so many of the national security threats that face the United States going forward — and the inability of any one country to meet them alone — *soft power can be an important part of the strategy to address these threats*. But *Americans will need to cultivate it.*** The United States is a natural soft power leader, founded on principles that are now embraced widely across cultures and geographies. For decades, it has built a network of partners and allies around the world that endure through shared values as well as shared interests. While the United States may not always be popular, American values of political pluralism, economic competition, and human rights are enduring. While the United States may not always be popular, American values of political pluralism, economic competition, and human rights are enduring. Over the long haul, these values often win the day, even when opponents are more ruthless, more committed, and more willing to expend

resources. (It is worth remembering this as diplomats privately bemoan the billions spent on Russian propaganda or the social media sophistication of the Islamic State.)

Two reasons this would be true – first, because when we look better we are less attractive of a target, and second, because it makes other parties more willing to cooperate with us against terror.

A2 Terrorists with nuclear weapons

1. Highly unlikely. Lieber and Press of Georgetown in 2013 explain that because netiher a terror group nor a state sponsor would remain anonymous after a nuclear terror attack, it would be highly unlikely one would occur. Attribution rates are far higher for attacks on the U.S. homeland or the territory of a major U.S. ally—97 percent (thirty-six of thirty-seven) for incidents that killed ten or more people are traced back to the perpetrator so tracing culpability from a guilty terrorist group back to its state sponsor is not likely to be difficult: few countries sponsor terrorism; few terrorist groups have state sponsors. The only country that sponsors terrorism, Pakistan, has nuclear weapons or enough fissile material to manufacture a weapon. Thus, they conclude that the fear of terrorist transfer seems greatly exaggerated.

Keir Lieber and Daryl Press, 2013 (Keir Lieber, Associate Professor in the School of Foreign Service and the Department of Government at Georgetown University, and Daryl Press, Associate Professor of Government at Dartmouth College. Summer 2013. "Why States Won't Give Weapons to Nuclear Terrorists," *International Security*, https://www.mitpressjournals.org/doi/pdf/10.1162/ISEC_a_00127. Accessed 29 June 2018. Page 83-84) ECS

We conclude **that neither a terror group nor a state sponsor would remain anonymous after a nuclear terror attack.** We draw this conclusion on the basis of four main findings. First, data on a decade of terrorist incidents reveal a strong positive relationship between the number of fatalities caused in a terror attack and the likelihood of attribution. Roughly **three-quarters of the attacks that kill 100 people or more are traced back to the perpetrators**. **Second, attribution rates are far higher for attacks on the U.S. homeland or the territory of a major U.S. ally—97 percent (thirty-six of thirty-seven) for incidents that killed ten or more people.** Third, **tracing culpability from a guilty terrorist group back to its state sponsor is not likely to be difficult: few countries sponsor terrorism; few terrorist groups have state sponsors;** each sponsored terror group has few sponsors (typically one); **and only one country that sponsors terrorism, Pakistan, has nuclear weapons or enough fissile material to manufacture a weapon**. In sum, attribution of nuclear terror incidents would be easier than is typically suggested, and passing weapons to terrorists would not offer countries an escape from the constraints of deterrence.12 This analysis has two important implications for U.S. foreign policy. First**, the fear of terrorist transfer seems greatly exaggerated** and does not—in itself—seem to justify costly measures to prevent proliferation. Nuclear proliferation poses risks, so working to prevent it should remain a U.S. foreign policy goal, but the dangers of a state giving nuclear weapons to terrorists have been overstated, and thus arguments for taking costly steps to prevent proliferation on those grounds—as used to justify the invasion of Iraq and fuel the debate over attacking Iran—rest on a shaky foundation. Second, analysts and policymakers should stop understating the ability of the United States to attribute terrorist attacks to their sponsoring states. Such rhetoric not only is untrue, but it also undermines deterrence. States sometimes exaggerate their capabilities to deter an enemy's attacks;13 but U.S. analysts and leaders, by understating U.S. attribution capabilities, inadvertently increase the odds of catastrophic terrorist attacks on the United States and its allies.

A2 Cable tapping

1. Veto power = ability to challenge it

2. Turn - according to Burnett, “Without the United States being a party, U.S. telecommunication companies are on weaker grounds to question [Russian claims to delineate cable routes in the Artic] these actions, because the United States itself is held back from being able to enforce the Convention's freedoms to lay, maintain, and repair cables in the EEZ and upon the continental shelf.” Signing onto UNCLOS would allow the US to strengthen their cables.

Burnett, Douglas R. "Statement of Douglas R. Burnett: On Accession to the United Nations Convention on the Law of the Sea and Ratification of the 1994 Agreement regarding Part XI of the Convention ." Testimony before the Senate Foreign Relations Committee, October 4, 2007. http://www.virginia.edu/colp/pdf/BurnettTestimony071004.pdf

Over 70% of our country's international telecom traffic, which includes voice, data, and video, is carried on these cables, each of which is only about the diameter of a garden hose. Not counting Canada and Mexico, over 90% of the country's international voice, video, Internet, and data communications are carried on these cables. The disproportionate importance of these cables to the nation's communication infrastructure can be seen by the fact that if all of these cables were suddenly cut, only 7% of the United States traffic could be restored using every single satellite in the sky. Modern fiber optic cables are the lifeblood of the world's economy, carrying almost 100% of global Internet communication. This underscores the revolutionary5 capacity of modern fiber optic submarine cables. By any standard, they constitute critical infrastructure to the United States, and indeed the world. The urgency with which U.S. telecommunication companies need the Convention's specific protections for cables increases with each passing year. The Russian Federation since 1995 is claiming the right to delineate cable routes on its continental shelf in the Artie. These actions are violations of the Convention which does not allow a coastal nation to delineate or require permits for the routes of international cables or cable repairs outside territorial seas within the EEZ or upon the continental shelf. **Without the United States being a party, U.S. telecommunication companies are on weaker grounds to question [Russian claims to delineate cable routes in the Artic]** these actions**, because the United States itself is held back from being able to enforce the Convention's freedoms to lay, maintain, and repair cables in the EEZ and upon the continental shelf.** Military cables with sensors vital to national defense and homeland security depend on the Convention to allow their placement. Coastal nation encroachment or amendments to restrict this cable use can be best opposed when the United States is an active party.

A2 Piracy

1. Nonunique - Nations can already enter territorial waters to pursue pirates. Ashfaw in 09 of the Journal of Transnational Law and policy explains that , the United States can assert that Article 100 of Part VII of the Convention, which imposes upon member parties the duty to cooperate in the repression of piracy, gives it the authority to continue pursuit. Somalia is a party to the Convention and it thus must permit states that are working to repress piracy by pursuing pirates to do so within Somalia’s territorial waters

Ashfaw 09 Journal of Transnational Law and Policy: Nations can enter territorial waters to pursue pirates

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

https://heinonline.org/HOL/Page?men_tab=srchresults&handle=hein.journals/jtrnlwp19&id=387&size=2&collection=journals&terms=Territorial|territorial&termtype=phrase&set_as_cursor=

Not only does the Convention provide a clear definition of piracy and basis for capture and prosecution of pirates, it also imposes an affirmative obligation upon parties to make efforts to curtail piracy.144 **Critics of the Convention argue that it actually impedes the United States’ ability to chase and capture pirates because a ship must cease pursuit if the ship it is chasing enters its own or a third state’s territorial waters**.[145] They assert that this provision provides pirates with a safe haven to retreat to undeterred, and that the Convention prevents non-territorial state ships from pursuing the pirates.[146] This is troubling largely because of the strong presence of Somali pirates.[147] For example, under this provision, Somali pirates can attack ships and if they risk getting captured, rush back into their own state’s territorial waters where they would be safe. Somalia, a nation plagued by its own problems of lawlessness and poverty, is in no position to apprehend these

criminals.[148] **In such a circumstance, however, the United States can assert that Article 100 of Part VII of the Convention, which imposes upon member parties the duty to cooperate in the repression of piracy, gives it the authority to continue pursuit.149Somalia is a party to the Convention and where it cannot assist in apprehending and trying pirates, it must cooperate with others who can. This includes permitting states that are working to repress piracy by pursuing pirates to do so within Somalia's territorial waters**.[150] Furthermore, a December 2008 United Nations Security Council resolution called upon states to actively assist in combating piracy off of the coast of Somalia and gives them the authority to "undertake all necessary measures 'appropriate in Somalia' " in furtherance of this end for a period of one year.[151] In April of 2010, the United Nations Security Council adopted a resolution that calls upon states to criminalize piracy under their domestic law and consider prosecution of and imprisonment of apprehended Somali pirates.[152] This resolution also seeks a report from the Secretary General of the United Nations to present options for purposes of "prosecuting and imprisoning persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia."[153] Given this explicit guidance to counter piracy coupled with the Convention's anti-piracy provisions, criticism that the Convention would preclude apprehending pirates does not hold up.