

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

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

Thus, our sole contention is maintaining US security.

There are five provisions of UNCLOS which would prevent the US from ensuring a secure world.

First, direct operational constraints. David **Ridenour** at the Center for Public Policy Research explains in 2006 that Articles 88 and 301 of UNCLOS would constrain US defense operations on the high seas whenever another state – such as Iran, China, or North Korea – “feels” threatened by them, making it impossible to fulfill our obligations to our allies.

Second, mandating technology transfers. Doug **Bandow** at the Cato Institute explains in 2005 that UNCLOS contains provisions that would require the US to transfer important military technology to our rivals and competitors. Sarah **Rode** confirms in 2007 that these transfers would amount to handing over military secrets to countries that wish to harm us, compromising our superiority in business and military innovation.

Third, ruining the nuclear triad. Baker Spring at the Heritage Foundation explains in 2007 that Article 20 of UNCLOS would force the US to travel on the surface and fly their flags while in territorial waters, even in the waters of enemies like Iran and North Korea. National security professor James **Wirtz** explains in 2004 that submarines form the bedrock of the US’s nuclear triad because the inability to locate them makes it impossible for rivals to know if they’ve destroyed all of the US’s nuclear capabilities. Revealing our submarines would remove that uncertainty, preventing the US from having an assured return strike. He furthers that an assured return strike deters attacks and stops crisis escalation since adversaries know escalation will result in guaranteed retaliation, ultimately giving leaders more time to make decisions and avoid accidents.

Fourth, preventing intelligence gathering. Robert **Ackerman** at the AFCEA explains in 2009 that as part of the war on terrorism, naval intelligence has been reprioritized to counter terrorist threats. However, Frank **Gaffney** at the Center for Security Policy explains in 2004 that UNCLOS both prohibits gathering intelligence in foreign waters and mandates sharing our intelligence with states known to sponsor terrorism.

Fifth, stopping interdiction. Thomas **Jacobson** at the International Diplomacy and Public Policy Center explains in 2011 that Article 38 of UNCLOS proclaims that “all ships and aircraft enjoy the right of transit passage, which shall not be impeded,” including enemy and terrorist ships. Because of this, Joseph **Klein** explains in 2007 that UNCLOS only allows interdiction of another

vessel in very limited circumstances, which do not include suspicion of transport of nuclear or biological weapons materials for a terrorist attack. He furthers that as a coastal nation, the US is particularly vulnerable to terrorist infiltration of nuclear and biological materials hidden in a ship's cargo, and uncovered documents have shown that terrorists organizations have made numerous plans to smuggle nuclear material to the US. He furthers, terrorists could also use ships laden with explosives to be set off in key shipping lanes, causing incalculable devastation to world trade and a global economic depression.

Ultimately, a decline of US naval primacy would be devastating. Sociology professor Amitai **Etzioni** explains in 2015 that because the US is the world's preeminent naval power, it is able to project its naval power to ensure stable commerce and free access to the shipping lanes that underpin the global economy.

Furthermore, former UN ambassador Zalmay **Khalilzad** writes in 2011 that if the U.S. loses primacy, it increases the likelihood of great power war because enemies see an opportunity to take advantage of weaknesses, while allies to take up their own arms out of fear, starting arms races that increase the chance of miscalculation spiraling into all out conflict. Professor Robert **Gilpin** of Princeton University corroborates in 2013 that the decline of global hegemony has always been associated with transition wars, and the same would apply to the US and China if China caught up to the US. Even if multilateral bodies attempt to fill the gap, Andrea **Varisco** of the University of York finds in 2013 that multilateral organizations have always historically failed to promote peace due to conflicting interests and shifting alliances. She furthers, unstable multipolarity caused both world wars.

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