

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

Our sole contention is the South China Sea.

[Huang](#) in 2018 that China is "adopting a more muscular approach to territorial disputes in the South China Sea. Thus, [Streiff](#) concludes in 2018 that "tensions in the South China Sea are at an all-time high."

Accession solves these tensions in two ways.

First is lawfare.

China is pursuing a new territorial claim in the South China Sea called "The Four Shas" which [Mirasola](#) writes in 2017 "clearly violates UNCLOS." However, [Keely](#) finds in 2017 that "Vietnam has [already acquiesced **from resource extraction**] ...after mounting Chinese pressure and doubts about Washington's commitments." [Kuok](#) in 2018 explains that "coastal states must be supported [against] any incursions into their exclusive economic zones, including through legal action..., so the United States should accede to UNCLOS." Additionally, [Chang](#) explains in 2016 that China has flouted international law because "countries shied away from holding China accountable" Crucially, [Harris](#) explains in 2012 that "the U.S. would have the legal authority to enforce the treaty."

Second is multilateralism

[Cardin](#) explains in 2016 that "Our failure to ratify [UNCLOS] undermines our ability to fully work with our allies and partners in the South China Sea. If we are not party to UNCLOS, it is difficult to rely on the treaty to determine [who gets what]." Additionally, [Mearsheimer](#) writes in 2004 that "Most of China's neighbours...will join with the United States to contain China's power." Critically, [French](#) explains in **2014** that "The more China sees a coordinated response to its military buildup and naval forays, the more likely it might be to turn toward diplomacy, and to stop seeking overwhelming superiority in the region." American participation is uniquely important as [Gates](#) writes in 2015 that "[America is] the only actor...with the power, resources, and relationships necessary to...bring about an enduring solution." Crucially, [Pelc](#) finds in 2017 that "the U.S. was 34 percent less likely to secure concessions [when it acted unilaterally]."

Reducing tensions has four impacts..

First is trade.

[Crabtree](#) explains in **2016** that "Over \$5 trillion of annual shipping trade passes through the [South China Sea]." Unfortunately, [Chang](#) explains in **2015** that "increasing tensions by 1% reduces trade by

.05%.” The [OECD](#) that “Of 14 studies undertaken since 2000 reviewed...all 14 have concluded that trade plays an independent and positive role in raising incomes.”

Second is oil.

[Wald](#) in 2017 writes that the world’s next oil price spike will be caused by South China Sea tensions. High oil prices are problematic as [Exhareas](#) finds in 2018 that “[a] rise in oil prices drives up drilling activity”. Frighteningly, [Plagakis](#) explains in 2013 that “Oil and Gas Production [are] a Major Source of Greenhouse Gas Emissions.”

Third is fish.

[Bale](#) finds in 2016 that "about 10 percent of the shallow reefs in the Spratly Islands and 8 percent in the Paracels have been damaged by...island building." Thus, [Ives](#) avers in 2016 that island building "will heighten the risks of a fisheries collapse in the region [as] the Spratlys...is a key spawning ground for one of the world’s most productive fisheries." Unfortunately, [Xu](#) finds in 2014 that "1.5 billion people rely heavily on the South China Sea fisheries for food and jobs."

Fourth is war.

[Cheney](#) explains in 2011 that "tension between China, Vietnam and the Philippines in the South China Sea could lead to a miscalculation and further escalation" and the [IMOA](#) furthers in 2015 that "China is pushing the region to the 'brink of miscalculations'" [Nagai](#) finds in 2018 that a collision or clash could cause miscalculation in the south china sea.

Problematically, [Winn](#) explains in 2017 that in the case of a regional war, "vital [trade] traffic would slow to a trickle" which the [CSIS](#) finds "would carry a considerable monthly cost of \$2.8 billion."

Thus, we affirm.

F2: Trump doesn't like multilat	4
F2: Multilat is Status Quo	4
F2: Different interests/more nations interests we have to deal with	5
F2: Hotlines	5
F2: Provocation	5
F2: China won't accept third party resolution forced upon it.	6
F2 Economic Interdependence Prevents War	6

F2: Trump doesn't like multilateral

Trump has affirmed his willingness to work with countries in East Asia

Almond, 2017

Roncevert Ganan Almond, The Diplomat, 11-18-2017, "The Policy Significance of Trump's Asia Tour," Diplomat, <https://thediplomat.com/2017/11/the-policy-significance-of-trumps-asia-tour/>

In terms of carryover from the Obama administration, for example, Trump reaffirmed the strategic importance to the international community of "free and open access" to the South China Sea, the importance of "unimpeded" lawful commerce, the need to respect freedom of navigation and over-flight, and other lawful uses of the sea. Similarly, **Trump confirmed U.S. treaty commitments to Japan, South Korea and the Philippines, and re-affirmed the relatively new partnership with Vietnam.** He also continued Washington's high-level dialogue with Beijing on a range of pressing global challenges from cybersecurity to nuclear proliferation. Specific policies like U.S. support for Japan's permanent seat on the Security Council went unchanged. He also largely continued standard U.S. pronouncements on principles such as upholding the rule of law.

The novel character of Trump's foreign policy towards Asia is found in his rhetoric, specifically concerning sovereignty, nationalism, and "high-standard" rules of governance. For example, at the APEC CEO Summit, the president embraced a "world of strong, sovereign, and independent nations, thriving in peace and commerce with others," – an Indo-Pacific region consisting of "a beautiful constellation of nations, each its own bright star, satellites to none." The unspoken message may be that the United States will support individual Asian states against the increasingly gravitational pull of China, a tacit rejection of any tribute system orbiting Beijing.

At the same time, in respecting the sovereignty and independence of Asian states, the president rejected previous prescriptive normative approach from Washington. Trump made a similar commitment at his [speech in Riyadh, Saudi Arabia](#), where he promised that "America will not seek to impose our way of life on others." [There is a fear](#) that Trump's attitude could be interpreted by authoritarian and autocratic regimes as a green light to ignore democratic norms and violate human rights. In other words, "America first" may mean that the United States is no longer first in upholding the liberal world order

F2: Multilateral is Status Quo

Gates from case concludes that the US is only actor that can bring lasting peace because of power and relationship however the multilateral they talk about doesn't include the US. Additionally the Code of Conduct doesn't address territorial disputes

Thayer 2018

Carl Thayer, The Diplomat, 8-3-2018, "A Closer Look at the ASEAN-China Single Draft South China Sea Code of Conduct," Diplomat, <https://thediplomat.com/2018/08/a-closer-look-at-the-asean-china-single-draft-south-china-sea-code-of-conduct/>

The SDNT is 19 A4-sized pages long. It is structured according to the [previously adopted Framework Agreement on the Code of Conduct](#) into three main sections – preambular provisions, general provisions, and final clauses. The SDNT is color-coded black for text taken from the COC Framework, blue for the consolidated text, and green to identify the input by the 11 parties.

The SDNT repeats the wording in the Framework Code of Conduct that it is "not an instrument to settle territorial disputes or maritime delimitation issues." Under Section 2 on General Principles, Malaysia inserted the standard legal caveat that:

The Parties further acknowledge that the COC does not address nor affect the Parties' position on legal questions relating to the settlement of disputes, maritime boundaries, or the permissible maritime entitlements of the Parties under international law of the sea and enshrined/reflected in the 1982 UNCLOS

Space precludes a complete summary and analysis of the SDNT. This article addresses five main issues: the document's geographic scope; dispute settlement; the duty to cooperate; the role of third parties; and the legal status of the final Code of Conduct in the South China Sea.

Roy 2018

Denny Roy, 8-23-2018, "Yes, China Wants Hegemony over the South China Sea," National Interest, <https://nationalinterest.org/feature/yes-china-wants-hegemony-over-south-china-sea-29587>

People's Republic of China (PRC) government-affiliated academic Hu Bo published [an essay](#) entitled "No One Lost the South China Sea (And No One Will)" in The National Interest on August 20. That article makes a relatively sophisticated defense of Beijing's agenda in this maritime territorial dispute. Nevertheless, the case Hu makes is unbalanced and requires a critical response.

Hu says "there is no choice but to establish a common and inclusive security order" in the South China Sea. This is contrary to current PRC policy, which features a strong push to unilaterally consolidate claims that grant China exclusive privileges, not a movement toward a "common and inclusive security order." Indeed, Beijing has long demanded that any negotiated settlement of the South China Sea dispute must take the form of separate bilateral talks between China and each of the other claimants (Vietnam, the Philippines, Malaysia, Brunei, and Taiwan; Chinese claims may also encompass Indonesia's Natuna Islands). **This is presumably to maximize Chinese leverage over invariably weaker partners. Beijing is also apparently working with ASEAN on a Code of Conduct, but this is much less likely a harbinger of Chinese concessions than another exercise in window-dressing, like the 2002 agreement between China and ASEAN.**

Hu asserts that "no matter how far China develops, it is not likely to pursue so-called "maritime hegemony" because no country can "control" or "achieve predominance in the South China Sea." Here, as well, Hu's assessment is at odds with PRC policy. China's agenda is clearly aimed at achieving some level of control over the areas of the South China Sea encompassed by the nine-dashed line (i.e., about 90 percent of the South China Sea, plus all the "islands," rocks, sandbars and reefs within that space).

F2: Different interests/more nations interests we have to deal with

Empirically false -- we argue that the inherent strength in numbers is always stronger than nations different interests

F2: Hotlines

Chellaney finds in 2017 that China doesn't have strong control over its military so even if there are hotlines between Beijing and Washington, it doesn't mean that the Chinese army will stand down.

Brahma Chellaney, 09-06-2017, "China's troublesome civil-military relations," Japan Times, <https://www.japantimes.co.jp/opinion/2017/09/06/commentary/world-commentary/chinas-troublesome-civil-military-relations/#.W5FZc5NKhmBNEW>
DELHI – Has Chinese President Xi Jinping managed to assert full civilian control over the People's Liberation Army through purges of generals and admirals and other reform-related actions? China's secretive and opaque political system makes it hard to get a clear picture. Yet **recent developments suggest Xi is still struggling to keep the PLA in line.**

Take the recent troop standoff with India that raised the specter of a Himalayan war, with China threatening reprisals if New Delhi did not unconditionally withdraw its forces from a small Bhutanese plateau that Beijing claims is Chinese territory "since ancient times." After 10 weeks, the faceoff on the Doklam Plateau dramatically ended with both sides pulling back troops and equipment from the site on the same day, signaling that Beijing, not New Delhi, had blinked.

The mutual-withdrawal deal was struck just after Xi replaced the chief of the PLA's Joint Staff Department. This topmost position — equivalent to the chairman of the U.S. Joint Chiefs of Staff — was created only last year as part of Xi's military reforms to turn the PLA into a force "able to fight and win wars." The Joint Staff Department is in charge of PLA's operations, intelligence and training.

F2: Provocation

Our current approach is a lot more provocative, last week we conducted military drills in a massive show of force in the South China Sea; it's gunboat diplomacy without the diplomacy.

Pickrell 2018

Ryan Pickrell, 9-1-2018, **"US and Japanese warships are drilling in the South China Sea in a show of force in China's backyard,"** Business Insider, <https://www.businessinsider.com/us-japanese-warships-put-on-show-of-force-in-south-china-sea-2018-9>

The US Navy's Ronald Reagan Strike Group conducted drills in the South China Sea Friday with the Japanese Maritime Self-Defense Force's Escort Flotilla 4 Battle Group, which is led by the Kaga, a helicopter destroyer.

The drills followed US Air Force B-52 Stratofortress heavy long-range bomber flights through the contested region earlier in the week.

China has bolstered its military presence in the region through the deployment of advanced warfighting systems, including jamming technology, anti-ship cruise missiles, and surface-to-air missiles.

F2: China won't accept third party resolution forced upon it.

1. Hong Lei is no longer the Chinese Foreign minister. Instead you should prefer the New Foreign Minister Wang Yi who said to the Secretary of State that he is willing to work together to reach a peaceful solution.

Bodeen 2018

Christopher Bodeen, 6-18-2018, "Recent developments surrounding the South China Sea," Fox News, <http://www.foxnews.com/world/2018/06/18/recent-developments-surrounding-south-china-sea.html>

U.S. Secretary of State Mike Pompeo expressed U.S. concerns over China's militarization of its island holdings in the South China Sea during a visit centered on cooperation over North Korea's nuclear program.

Following a meeting Thursday with Foreign Minister Wang Yi, Pompeo said he "reaffirmed our concern with respect to China's efforts to build and militarize outposts in the South China Sea, endangering the free flow of trade and threatening the sovereignty of other nations and undermining regional stability."

Pompeo said Wang confirmed to him China's "willingness to resolve the disputes in a peaceful way, without resort to threats, coercion or intimidation."

He said he was confident China and the U.S. could keep the peace in the region.

F2 Economic Interdependence Prevents War

P.R Goldstone, 8-12-2007 "Does Economic Interdependence Bring Peace?", <https://www.files.ethz.ch/isn/39786/Pax%20Mercatoria%20Does%20Economic%20Interdependence%20Bring%20Peace.pdf>

The analytic literature on the Commercial Peace is much less robust than scholarship on the Democratic Peace, the latter positing the improbability of war between democracies. The Commercial Peace literature displays less consistency and theoretical rigor, with precise causes largely untested. Statistical analyses of trade relationships generally find that trade is conducive to peace; however, numerous case studies find that international trade either played no part in particular leaders' decisions about war or prompted them to escalate rather than become dependent on others.

Nonetheless, some patterns emerge. **Trade highly concentrated with a single partner correlates with conflict, as does a marked difference in states' respective dependence.** At the same time, however, high levels of trade with the aggregate international market correlate with cooperation. The nature of the traded goods matters—trade in commodities with substantial strategic applications (e.g., oil or high-tech capital equipment) is most conducive to conflict.

Most important, high levels of economic exchange act as an accelerant: extensive trade enhances either cooperation or conflict. The implication is that P. R. Goldstone MIT Security Studies Program Audit of the Conventional Wisdom specific outcomes are contingent on economic interdependence's interaction with some domestic institutional factor: states' strategic response to global market forces will vary according to their internal political-societal composition.

Gordon Chang, 11-13-2017, "Trump, North Korea, China: War or Peace, with Gordon G. Chang," No Publication, <https://www.carnegiecouncil.org/studio/multimedia/20171113-trump-north-korea-china-war-or-peace-gordon-g-chang>

Fourth, we can just push the Chinese around. Last year our economy produced \$18.57 trillion of gross domestic product. China's, in comparison, produced \$11.39 trillion. That number came from Beijing, and it is almost certainly exaggerated. China claimed a growth rate last year of 6.7 percent, but the World Bank about a month ago—I'm sure they did this inadvertently—released a chart that showed that in 2016 the Chinese economy grew by 1.2 percent. Bigger combatants always have the advantage in trade wars, especially when the gap is this large.

The United States, in short, holds the high cards. And by the way, China is vulnerable for another reason: Chinese banks have been laundering money for the North Koreans, and by doing so they have been violating federal law. The Treasury Department on June 29 [designated Bank of Dandong](#), a small-fry Chinese company, as a primary money-laundering concern under Section 311 of the [Patriot Act](#). That meant that Bank of Dandong could no longer do business in dollars. That is the world's dominant currency. In the last general survey of currency usage in the world, which was conducted a couple of years ago by Standard & Poor's, the greenback accounted for 51.9 percent of the world's transactions.

Of course, Bank of Dandong is just a small fry, but we know there are other culprits, such as the Bank of China, one of China's big four institutions. This financial institution was [named in a UN report](#) last year for devising and operating a money-laundering scheme for the North Koreans in Singapore, and it is clear that Bank of China has been involved in this dirty business in other places.