

We negate.

Our first contention is that joining UNCLOS would create environmental catastrophe by encouraging drilling.

Kelly for the Center for American Progress in 2014 explains that failure to ratify UNCLOS has created ambiguity about whether territorial claims will be respected by international law, making companies and investors hesitant to invest in the Arctic when they otherwise would.

This is unequivocally good. Preventing a landslide of drilling in the Arctic prevents the emission of enormous amounts of greenhouse gases. Neslen in 2018 explains that we still have time to change the course of climate change and not reach the crucial 2 degrees of warming. Walsh in 2012 details that drilling would release 1.7 trillion tons of methane, which is twenty times more potent in trapping heat than carbon dioxide. This would wreak havoc on the atmosphere and create damage that, as Gardner in 2011 stresses, would kill hundreds of thousands and displace further millions.

Our second contention is acceding to UNCLOS would inflame tensions with China for three reasons.

First, by expanding American military maneuvers. Colin in 2017 writes that the United States supports full-fledged freedom of navigation and justifies freedom of navigation operations, or FONOPs, under the guise of UNCLOS but that China takes care to distinguish commercial ships from military vessels, the latter of which it requires to give advance notice for FONOPs. This is important because Valencia with The Diplomat in 2017 continues that the US interpretation is not universally accepted; instead, customary law is still in flux and is yet to be determined.

We contend that accession, therefore, empowers the United States to advance its interpretation of freedom of navigation in a way that would directly contradict China's distinction. This is problematic because Gao in 2018 underscore that China views FONOPs as an assault on its sovereignty and have repeatedly denounced them.

Second, by crowding out China. The Council on Foreign Relations in 2018 writes that current perceptions are that China has benefited from being the primary great power in the region and has used its outsize influence to further national aims with substantially less resistance than elsewhere in Asia. As the Council notes, this is in part because the United States has no coherent strategy in Southeast Asia.

While acceding to UNCLOS is a coherent strategy, we believe it is the wrong strategy. Fuchs and Sutton in 2016 note that Chinese hardliners would view greater American involvement in UNCLOS as a means of unjustly advancing US interests. In this sense, we contend that China would like take US accession as interference in China's growing stake in the region.

The important issue is not whether the United States or China is a better power or influence but rather that this would perceptually threaten China's control, inflaming Sino-American tensions.

Third, by piling on pressure. Gallo in 2016 writes that the United States' longstanding absence from UNCLOS has bolstered Chinese claims that the United States is in no position to have a say on maritime sovereignty. However, acceding would lend legitimacy to the United States and create more pressure on China's contrarian position.

Even if the United States stayed fully out of the region, supporting views that oppose China from afar would create significant friction, particularly as they would sound more credible.

Antagonizing China would undermine regional conflict resolution. The China Daily, a state-owned newspaper, in 2018 reported that China and ASEAN have made progress on peace talks but specifically and repeatedly emphasized the importance of keeping the United States out of the resolution process. This perspective reflects the Chinese party line and highlights that American involvement could jeopardize these talks. GMA News furthers in 2017 that the agreed framework is seen as a significant step towards reducing tensions in the region.

Acceding to UNCLOS therefore would create a perception, if not actuality, that the United States is interfering in regional affairs, which would jeopardize critical diplomacy. Ending peace talks, which have kept tensions low in the status quo, would itself increase the likelihood of conflict.

Even if tensions exist between smaller Southeast Asian nations and China, these are tensions that will never risk escalation. This is because China will never feel threatened by Southeast Asian nations. Comparatively, tensions between the United States and China, which would arise upon American accession, could also inflame tensions and threaten a small skirmish exploding into a large conflict because there is a real threat perception.