**We negate.**

**Contention one is China**.

*Currently, progress is being made in the South China Sea.*

Santos18 of CNN writes in June that the Association of Southeast Asian Nations, or ASEAN, and China are moving forward with negotiations to create a code of conduct to establish a hotline, regulate China’s actions, and prevent escalation. Liming18 of Xinhua News furthers that these developments mark a significant step toward de-escalating tensions and creating lasting peace in the South China Sea.

*Moreover, even if negotiations fall through,* Valencia18 of the Diplomat writes that the current conflict has settled into a “new normal,” where China and the US are both accustomed to the current level of tensions, meaning escalation is improbable. Thus, Heath18 of the National Interest concludes that war through miscalculation is currently “extremely unlikely.”

*Unfortunately, US accession threatens these developments in* ***two ways:***

**First is Multilateralism.**

*Contrary to western perception, East Asia is relatively peaceful, as negotiations are happening right now. Unfortunately, accession would change this dynamic.*

Zhao15 of Indiana University writes that China views the US as an unwelcome outsider on the dispute.

*Fortunately,* Mirasola15 of Harvard University finds that multilateral efforts involving the US against China are impossible without accession to the Law of the Sea.

Indeed, the facts back up the theory, as Vanecko11 of the Naval War College reports that our allies in the region do not support American actions because of our non-party status.

*The lack of US involvement in the talks has been a blessing in disguise, as* Shi15 of the Australian Defense College concludes that multilateral pressure from the United States increases tensions in the South China Sea.

**Second is Suing China.**

Mirasola writes that accession to UNCLOS opens the door for the US to apply tribunals to the South China Sea dispute.

Unfortunately, Blanchard16 of Reuters finds that China opposes any dispute resolution from a third-party forced onto China. Mollman16 of Quartz confirms that China would posture to save face after a ruling that doesn’t go its way. Indeed, they further that, almost immediately after the Philippines filed a case against China in the tribunal, China accelerated its militarization of artificial islands to increase regional tensions.

Thus, Mitchell08 of the University of Iowa quantifies that UNCLOS dispute resolution doubles the chance of military conflict.

**The impact is stabilizing the region.**

Bali18 of The Daily Hunt Magazine finds that Chinese retaliation and militarization of the South China Sea could cause a dangerous cycle of aggression with the US, increasing the likelihood of armed conflict through miscalculation. Moreover, Meng18 of Jönköping University concludes in a 10-year analysis of China that higher tensions reduce the flow of trade by reducing business certainty. Crucially, Schofield16 of the Conversation notes that economic activity in the South China Sea is fundamental to the food security of coastal populations, numbering in the hundreds of millions, meaning even slight changes in trade will have a big impact.

**Contention two is the Navy**.

Vega17 of the Diplomat finds that the US navy currently controls every major ocean and sea in the world.

*Unfortunately, accession would risk our military prowess for two reasons:*

**First**, Ridenour06 of Duke University concludes that article 301 of the treaty includes the wording, “shall refrain from any threat”, which means that US power projection on the high seas can be inhibited if states simply “feel” threatened.

**Second**, Gaffney07 of the GPO writes that UNCLOS reserves the oceans for peaceful purposes under article 88, meaning the US will not be able to use its naval power on the high seas.

*Even if the US does not follow these provisions,* Gaffney furthers that our adversaries could use UNCLOS to bury the Navy with lawsuits, draining its resources and undercutting mobility.

*As a result, accession to the treaty guts our naval capacity.* Eaglen11 of the Heritage Foundation contextualizes that in a scenario of reduced naval power, the US would leave a global power vacuum in the oceans, leading to increased aggression by our adversaries. Indeed, Rhamey11 of the Virginia Military Institute quantifies that in regions experiencing a power vacuum with decreased projection of power, there is a 16.9 times higher chance for major conflict because multiple countries would compete to gain power over the region.

**Thus we negate.**