

NFHS POLICY DEBATE TOPIC PAPER
U.S.–PRC Relations as the 2027–2028 NFHS Policy Debate Topic

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2026

B. TWO PAGE SUMMARY

U.S.–PRC Relations as the 2027–2028 NFHS Policy Debate Topic

Proposed Resolutions (in rank order):

- 1. Resolved: The United States federal government should substantially increase its negotiations with the People's Republic of China toward an agreement in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*
- 2. Resolved: The United States federal government should offer to establish a formal bilateral agreement with the People's Republic of China in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*
- 3. Resolved: The United States federal government should substantially increase its negotiations with the People's Republic of China in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*
- 4. Resolved: The United States federal government should substantially increase its cooperation with the People's Republic of China in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*

Affirmative Cases:

Affirmatives would defend substantial U.S. diplomatic initiatives toward bilateral agreements with China in one or more of four issue areas. In global health security, cases could rebuild CDC-to-CDC disease surveillance cooperation, establish joint biosafety standards, or create coordinated pandemic preparedness frameworks addressing the governance gap created by U.S. withdrawal from the WHO. In AI governance, cases could negotiate joint safety testing protocols, create shared incident reporting systems, or pursue interoperability between competing U.S. and Chinese regulatory frameworks. In climate change, cases could reactivate the dormant Sunnylands working group, formalize methane reduction commitments, or establish federal support for subnational U.S.-China climate partnerships. In space, cases could pursue lunar deconfliction agreements, establish orbital debris management protocols, coordinate Earth observation or space science programs, or modify the Wolf Amendment to permit limited NASA-CNSA cooperation across human spaceflight, space science, or spaceflight applications.

Negative Approaches:

The negative has access to strong, topic-specific positions across all four areas. Disadvantages include a core U.S.-China relations argument grounded in Medeiros (2026), who contends that the current tactical detente masks structural forces of competition that will inevitably produce a snapback; a domestic politics disadvantage tied to the 2028 election cycle; a Taiwan stability disadvantage; a containment disadvantage arguing that formal engagement undermines the U.S. competitive posture toward China; a

Chinese soft power disadvantage arguing that bilateral agreements legitimize Chinese governance frameworks globally; and a China domestic politics disadvantage focused on how U.S. negotiating overtures destabilize Chinese internal politics in ways that produce more aggressive Chinese foreign policy. Counterplan ground is robust: multilateral alternatives through the Quad, AUKUS, or G7; unilateral action that achieves affirmative solvency without Chinese participation; and non-binding instruments that produce cooperative outcomes short of the formal or outcome-oriented standard the resolution requires. Kritiks on securitization, Orientalism, and capitalism challenge the strategic premises underlying every case type.

Debatability and Balance:

The topic produces genuine balance under all four resolution options. The status quo, characterized by thinning bilateral contacts, dormant climate frameworks, and a statutory prohibition on space cooperation, gives affirmatives real departure ground in each area. The negative has distinct, area-specific responses in every domain, and the "China says no" argument, the backbone of the negative on any diplomatic engagement topic, functions as a solvency argument rather than a topicality argument under all four options. This keeps affirmative ground intact while preserving the negative's most powerful position at the level where it belongs. The four topic areas allow for debates at multiple skill levels: accessible novice cases exist in each area, while the operative verb questions, whether the U.S. must "increase negotiations toward an agreement" or "offer to establish a formal bilateral agreement," open technically sophisticated topicality and theory ground for experienced debaters.

Ballot Synopsis (approx. 190 words):

The U.S.-China relationship will define the careers of every student currently competing in high school policy debate. This topic asks whether the United States can substantially increase its negotiations with China toward agreements, or offer to establish formal bilateral agreements, in specific high-stakes domains even amid strategic competition. Four topic areas are recommended: global health security, artificial intelligence governance, climate change, and space. Each has a clear departure from the status quo. U.S. withdrawal from the WHO eliminated bilateral pandemic preparedness infrastructure. The first U.S.-China AI dialogue produced no binding commitments. The Sunnylands climate working group is dormant following U.S. withdrawal from Paris. The Wolf Amendment prohibits most NASA-China collaboration by statute. Affirmatives defend diplomatic initiatives that address these gaps directly. Negative teams challenge these efforts through relations impacts, technology leakage arguments, governance competition arguments, and the persistent question of Chinese good faith and compliance. This topic was last debated in 2016-2017 under a constructive engagement frame; the 2027-2028 topic asks the harder question of whether specific, meaningful negotiations or agreements are achievable amid active strategic rivalry. That is a new question that deserves a season.

All quotations and source references throughout this paper correspond to evidence compiled in the Appendix. Full card text, tag lines, and complete citations are available there and are organized to match the structure of this paper.

C. PROPOSAL NARRATIVE

C.1 History and Context of the Problem Area

The United States and China normalized diplomatic relations in 1979, following President Nixon's 1972 opening to Beijing. For the next three decades, U.S. policy was organized around constructive engagement: the premise that integrating China into the international economic and institutional order would align its interests with those of the liberal democratic world. China's accession to the World Trade Organization in 2001 represented the culmination of that strategy. Through the mid-2000s, the relationship was characterized by deep economic interdependence, expanding institutional cooperation, and a broadly shared view in Washington that engagement rather than confrontation was the right approach.

That consensus has since collapsed. The Obama administration began describing China as a competitor in specific technological and security domains. The first Trump term produced a comprehensive trade war, the China Initiative targeting Chinese espionage, export controls on advanced semiconductors, and an explicit policy shift from "strategic partner" to "strategic competitor." The Biden administration continued the competitive framing while restoring some multilateral channels, producing the 2023 Sunnylands Statement on climate and the first bilateral AI dialogue in Geneva. Trump's second term began with another round of tariff escalation before settling into a period of tactical detente that now shapes the status quo debaters will argue against (Medeiros 2026).

China has been debated as a national topic three times in the past three decades: in 1995-1996 (foreign policy toward China), 2005-2006 (pressure against China), and 2016-2017 (diplomatic and/or economic engagement with China). Each topic reflected the dominant strategic concern of its era. The 2016-2017 topic asked whether the U.S. should increase engagement when engagement was the prevailing paradigm. The 2027-2028 topic asks a different question: whether meaningful negotiations toward agreements, or offers to establish formal agreements, are achievable in specific domains when the broader relationship is explicitly competitive. That is a genuinely new question and the defining policy problem of the current moment.

C.2 Status of Current Policy Addressing the Problem Area

As of June 2026, the Trump administration is in a period of tactical detente following a tariff confrontation that peaked at 145 percent on Chinese imports in early 2025. The United States and China negotiated a trade truce at APEC in Busan, South Korea, in October 2025. Trump visited Beijing in mid-May 2026, the first presidential visit since his own 2017 trip. The summit focused primarily on trade and economic normalization. Thomas and Wang (2026) note that presidential contact has thinned to 2.5 bilateral exchanges per year this decade, down from 4.6 in the 2010s, and that three-quarters of those

contacts have been phone calls rather than face-to-face meetings. Post-summit analysis has described it as "thin on substance," producing no comprehensive joint communique and no extension of formal frameworks in any of the four recommended topic areas.

In global health security, the United States completed its withdrawal from the WHO in January 2026 and rejected the 2024 IHR amendments, which would have introduced a new pandemic emergency category. Bilateral CDC-China CDC cooperation effectively ended after the 2020 COVID-19 data-sharing collapse. No formal bilateral agreement on global health security currently exists. In AI governance, the first U.S.-China Intergovernmental Dialogue on AI was held in Geneva in May 2024 and produced no binding commitments; the status quo is competing soft-law frameworks with no bilateral formalization. In climate change, the United States has withdrawn from the Paris Agreement process, the presidential climate envoy position has been eliminated, and the Sunnylands working group is dormant. In space, the Wolf Amendment prohibits NASA and the White House Office of Science and Technology Policy from using federal funds to bilaterally collaborate with China without FBI certification. Post-summit reporting from May 2026 indicates the House Select Committee on the CCP introduced the SIRA Act on the day of the summit, proposing to further strengthen Wolf Amendment enforcement — meaning the statutory uniqueness for space affirmatives has hardened rather than softened.

Trade was not included as a recommended topic area because the summit's focus on trade and economic normalization creates fatal uniqueness problems. Wu (2026) notes that "trade and economic relations will be central to the summit's achievements." A resolution asking whether the U.S. should substantially increase its negotiations with China on trade would be indistinguishable from the status quo for much of the 2027-2028 season.

C.3 List of Probable Affirmative Case Areas

The following affirmative cases are organized by topic area. Each includes a sample plan text, brief description, and key solvency advocates. Cases are presented from most to least accessible for novice debaters.

Global Health Security

Case GHS-1 (Novice): CDC Surveillance Cooperation. Plan: "The USFG should substantially increase its negotiations with the PRC toward an agreement restoring and expanding U.S.-China CDC cooperation on infectious disease surveillance, including pathogen genomic data sharing, epidemiological reporting, and joint laboratory coordination." Kennedy and Huang (2021) identify public health infrastructure as a "short-term, low-barrier" area with major positive spillover effects. The plan mechanism is concrete and historically precedent, making this the most accessible GHS case.

Case GHS-2: Supply Chain Resilience for Medical Countermeasures. Plan: Bilateral agreement on pharmaceutical supply chain mapping, shared strategic reserves, and mutual notification requirements.

Kennedy and Huang (2021) identify supply chain resilience as a second low-barrier area with high spillover.

Case GHS-3: Biosafety and Biosecurity Standards. Plan: Negotiations toward an agreement on laboratory safety protocols, inspection mechanisms, and joint biosafety research. Addresses post-COVID transparency disputes. Higher barrier than GHS-1 and GHS-2 but high benefits per Kennedy and Huang (2021).

Case GHS-4: Joint Health Engagement in Third Countries. Plan: Framework coordinating U.S. and Chinese health assistance during infectious disease emergencies in sub-Saharan Africa. Bouey and Feng (2017) identify complementary strengths: U.S. expertise in program evaluation; China's operational advantages in certain geopolitical contexts.

Artificial Intelligence Governance

Case AI-1 (Novice): Joint AI Incident Reporting. Plan: Formal agreement establishing a common definition of "AI incident" and a shared incident reporting protocol through a neutral international research consortium. Schive and Reiner (2026) identify this as a "pre-competitive" area where cooperation reduces shared risks without exposing strategic capabilities.

Case AI-2: Governance Interoperability and Standards. Plan: Bilateral engagement through standards bodies to pursue interoperability between NIST AI Risk Management Framework requirements and Chinese governance initiatives. Cihon (2019) argues international AI standards can foster trust among states and encourage efficient development.

Case AI-3: Military AI Restraint. Plan: Agreement extending the Woodside Summit commitment on nuclear AI to autonomous weapons, targeting systems, and command-and-control safeguards, grounded in the Bletchley Declaration framework.

Climate Change

Case CC-1 (Novice): Reactivate the Sunnylands Climate Working Group. Plan: Formal bilateral agreement reactivating the Sunnylands working group with mandates on methane reduction, non-CO2 emissions, subnational cooperation, and carbon capture. The 2023 Sunnylands Statement provides near-verbatim plan text. This is the most evidence-rich case in the climate area.

Case CC-2: Methane and Non-CO2 Emissions Agreement. Plan: Joint methane monitoring programs, technology transfer for methane capture, and specific non-CO2 reduction commitments. Methane reduction is among the highest-leverage near-term climate interventions.

Case CC-3: Subnational Climate Partnerships. Plan: Federal framework supporting subnational climate partnerships between U.S. states and Chinese provinces, operating below the treaty threshold. Navigates around the strongest negative uniqueness arguments about U.S. Paris withdrawal.

Space

Note: Young (2019) and Park (2026) provide uniqueness for all space affirmatives through the Wolf Amendment. Gleason (2021) provides the organizing framework: space activities span three activity types (human spaceflight, space science, spaceflight applications) and three sectors (civil space, commercial space, national security space). National security space is not a viable topical area under any resolution option.

Case SP-1 (Novice): Orbital Debris and Space Traffic Management. Plan: Bilateral agreement on space debris mitigation standards, orbital slot management, and collision avoidance protocols. Both countries have major satellite constellations in low Earth orbit; this is a shared problem neither can solve unilaterally. Most accessible space case.

Case SP-2: Lunar Deconfliction (Human Spaceflight). Plan: Deconfliction agreement governing lunar landing zones, resource extraction areas, and communications infrastructure. NASA cooperated with CNSA on Chang'e 4 in 2019, certifying no technology transfer, providing legal precedent. Park (2026) identifies deconfliction as the most tractable first step toward cooperation.

Case SP-3: Earth Observation and Space Science. Plan: Joint Earth observation data sharing and collaborative space science programs. Space science, per Gleason (2021), involves scientific observations of Earth and astronomical phenomena with no inherent military application in most programs.

Case SP-4: Wolf Amendment Reform and Civil Space Cooperation. Plan: Modify the Wolf Amendment to permit NASA-led civil space collaboration with CNSA on specified activities. Young (2019) argues the Amendment has only incentivized Chinese space development while muddling the bilateral relationship.

C.4 List of Probable Negative Strategies

Disadvantages

DA-1: U.S.-China Relations (Snapback). The core relations DA argues that the current tactical detente is unsustainable and that by investing in formal negotiations or agreements, the U.S. creates dependencies that will be exploited when competition resumes. Medeiros (2026) provides the link: "Trump's detente is unlikely to be sustainable and may sow the seeds of future instability... The United States is going back to strategic competition in some way, shape, or form." Links are topic-area-specific: technology leakage for AI, greenwashing for climate, data opacity for global health security, technology transfer for space.

DA-2: Domestic Politics (2028 Election). China engagement is politically toxic in the current environment. The plan increases formal diplomatic activity with China during a presidential election cycle, generating a political backlash that undermines the plan's implementation or produces a harder-line successor policy. Thomas and Wang (2026) establish the link: even successful summits are measured primarily by domestic political signaling, and sustained diplomatic follow-through has historically collapsed under domestic pressure.

DA-3: Taiwan Stability. Formal engagement in AI and space could provide China with technology access or institutional legitimacy that advances coercive capability in the Taiwan Strait. China's 2026-2030 Five-

Year Plan decoupled "peaceful reunification" from "reunification," signaling heightened coercive intent. Impact: regional destabilization and potential conflict.

DA-4: Containment. The link is that substantially increasing negotiations or offering formal agreements with China undermines the U.S. strategy of limiting Chinese power and regional influence. By treating China as a legitimate diplomatic partner worthy of formal bilateral agreements, the plan signals that the U.S. prefers engagement over competitive pressure. This erodes the credibility of U.S. alliance commitments, weakens the coalition of states willing to resist Chinese influence, and provides Beijing with the diplomatic cover it needs to advance its regional agenda. Links are strongest for AI governance (legitimizes Chinese tech governance), space (normalizes Chinese space power status per Park 2026), and global health security (restores Chinese institutional influence through WHO-adjacent frameworks). Impact: Chinese regional hegemony, erosion of U.S. strategic leverage, collapse of allied resistance to Chinese norm-setting.

DA-5: Chinese Soft Power. China is at a high point of global influence, leading BRICS expansion and deepening Belt and Road partnerships by positioning itself as an independent counterweight to U.S.-led institutions. The link runs in the opposite direction from a standard legitimacy DA: a formal U.S.-China bilateral partnership undermines that positioning. Countries in the Global South value China specifically because it presents itself as a rival to, not a partner of, the Western-dominated order; formal bilateral frameworks collapse that distinction. Impact: China loses accumulated global standing, destabilizing its foreign policy as Beijing scrambles to reassert an independent identity through more aggressive behavior, and creating a vacuum in Global South leadership that more unstable actors fill.

DA-6: China Domestic Politics. Distinct from the U.S. domestic politics DA, this argument focuses on how U.S.-initiated negotiations or formal agreement offers destabilize Chinese domestic political dynamics in ways that produce worse foreign policy outcomes. Xi Jinping faces hardline factions within the CCP and the PLA that view formal engagement with the United States as evidence of weakness or capitulation to external pressure. An affirmative plan that places the U.S. in the position of formally negotiating with or offering agreements to China creates domestic political pressure on Xi to demonstrate resolve elsewhere — most plausibly in the Taiwan Strait or on technology competition. The link is to the act of formal diplomatic engagement itself: Chinese hawks read U.S. negotiating overtures as signals of relative weakness that can be exploited. Alternatively, if Xi uses the plan as a domestic victory, it consolidates his position and enables more aggressive foreign policy from a position of internal strength. Impact: political instability in Beijing, more aggressive Chinese foreign policy to compensate for perceived domestic vulnerability, or Xi consolidation enabling coercive escalation.

Counterplans

CP-1: Multilateral Alternatives (Quad/AUKUS/G7). Text: The USFG should work through the Quadrilateral Security Dialogue, AUKUS, or the G7 to achieve the affirmative's solvency goals. Net benefit: avoidance of bilateral engagement at a moment when structural forces will produce a snapback to competition (Medeiros 2026). Competes by achieving the same policy outcomes without the plan's bilateral mechanism.

CP-2: Non-Binding Instruments. Text: The USFG should pursue joint statements, political commitments, and memoranda of understanding that produce cooperative outcomes short of the formal or outcome-oriented standard the resolution requires. Posner and Goldsmith (2003) establish viability: "Nations cooperate without law all the time... Nonlegal agreements are not a threat to legal agreements. They are simply an alternate form of international cooperation."

CP-3: Unilateral Action. The U.S. can achieve the affirmative's solvency goals without bilateral Chinese participation. In global health security, rebuild CDC surveillance through GHSA partnerships. In climate, domestic IRA implementation. In AI, NIST leadership through OECD frameworks. Particularly strong against affirmatives whose solvency depends on Chinese participation.

Kritiks

K-1: Securitization. Link: Any affirmative that frames its advantage in terms of managing Chinese threats reproduces the securitization that makes productive engagement impossible and generates the hostile behavior it claims to address. Alternative: reject the securitization frame.

K-2: Orientalism. Link: Affirmatives that frame China as monolithic or fundamentally incompatible with Western norms reproduce colonial-era representations. Alternative: genuine engagement that does not presuppose cultural hierarchy.

K-3: Capitalism. Link: Great-power competition frameworks obscure shared class interests and structural conditions that specific policy changes cannot address. Links most strongly to AI governance and economic competitiveness advantages.

D. LIST OF PROPOSED RESOLUTIONS

The following four resolutions are presented in the author's order of preference, from most to least preferred.

1. Resolved: *The United States federal government should substantially increase its negotiations with the People's Republic of China toward an agreement in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*

2. Resolved: *The United States federal government should offer to establish a formal bilateral agreement with the People's Republic of China in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*

3. Resolved: *The United States federal government should substantially increase its negotiations with the People's Republic of China in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*

4. Resolved: *The United States federal government should substantially increase its cooperation with the People's Republic of China in one or more of the following areas: global health security, artificial intelligence governance, climate change, or space.*

D.1 Wording Discussion and Comparison of Options

The operative verb is the most consequential single word in the resolution. The following chart summarizes how each of the four options, as well as the 2016-2017 precedent, performs on the five criteria most relevant to designing a competitive, predictable debate topic. A full narrative discussion of each option follows.

Construction	Aff Burden	Bidirectionality Risk	Status Quo Distinction	China Says No = T or Solvency?	Recommended?
"Increase engagement" (2016-17)	Expand diplomatic/economic contact	Moderate — QPQ disputes	Moderate	Solvency	No — stale wording; not a established term of art
"Increase cooperation"	Mutual policy adjustment	High — Keohane: negative inducements admitted	Moderate	Mixes burdens	No — structural flaw; requires both parties to say yes; mixes burdens
"Increase negotiations"	Initiate/conduct formal negotiations	Low — CFR: explicitly non-coercive	Weak — talks already exist	Solvency	3rd — concern that it is too close to the status quo
"Increase negotiations toward an agreement"	Directed purposive negotiations	Low-Moderate — Zartman ripeness concern	Moderate — no current directed negotiations	Solvency	1st — Recommended
"Offer to establish a formal bilateral agreement"	Make a specific, formal offer	Low — offer is a unilateral act	Strong — no formal agreements or offers exist	Solvency	2nd — strong alternative

Resolution 1 (Recommended): Substantially Increase Its Negotiations Toward an Agreement

"Substantially increase its negotiations... toward an agreement" combines the strongest available term of art in the diplomatic literature with a directionality modifier that filters out thin or performative affirmatives while preserving a clear process orientation. "Negotiations" is explicitly defined in authoritative sources as non-coercive formal discussions distinct from consultations, summitry, and day-to-day diplomacy (CFR 2022). The term has a deep definitional record across international law (Hakapaa 2013), negotiation theory (Spector and Zartman 2012; Faizullaev 2014), and diplomatic practice (Pickering and Kraleov 2025), making topicality debates predictable and resolvable. "Toward an agreement" adds purposive direction: the Oxford Advanced American Dictionary defines "toward" as "getting closer to achieving something," and Griessmair and Druckman (2018) use "toward an agreement" in negotiation-process scholarship to describe the outcome orientation of a negotiating sequence. "China says no" goes cleanly to solvency, consistent with how country-refusal arguments have worked on every prior diplomatic engagement topic.

The status quo concern that motivated earlier drafts, that the U.S. and China already have working-level contacts in some areas, is addressed by "toward an agreement." Thin diplomatic contacts, summitry, and back-channel talks do not constitute "negotiations toward an agreement" as defined by the authoritative literature. The U.S. does not currently maintain directed, agreement-oriented bilateral negotiations in any of the four recommended areas. The departure claim is real, measurable, and distinct from the status quo in each topic area.

Resolution 2 (Runner-up): Offer to Establish a Formal Bilateral Agreement

"Offer to establish a formal bilateral agreement" solves the fiat and burden-mixing problems that afflicted an earlier candidate wording ("establish a formal bilateral agreement") while creating the strongest possible status quo distinction. The fiat problem with "establish a bilateral agreement" is that "establish," when its object is a bilateral instrument, denotes a completed, mutual outcome: the 1979 Joint Communiqué establishing U.S.-China diplomatic relations reads "The United States of America and the People's Republic of China have agreed to recognize each other and to establish diplomatic relations," making clear that agreement precedes and conditions establishment. A resolution requiring the USFG to "establish a bilateral agreement" would therefore either require fiat Chinese consent or make Chinese consent a condition of topicality, recreating the burden-mixing problem that sank "cooperation."

"Offer to establish" solves this by substituting a unilateral, one-sided act for the bilateral completed-outcome problem. Under Restatement (Second) of Contracts § 24, "an offer is the manifestation of willingness to enter into a bargain, so made as to justify another person in understanding that his assent to that bargain is invited and will conclude it." An offer exists and is complete the moment the offeror makes it, independent of the other side's response. Under this construction, the USFG offers to establish an agreement — a pure unilateral act — and whether China accepts, rejects, or ignores the offer is a

separate, downstream solvency question. The resolution does not require "and/or" because "in one or more of the following areas" already communicates disjunctive selection.

"Formal" is not redundant in this construction. Lipson (1991) demonstrates in the leading IR scholarship on the topic that "formal" and "informal" are distinct, consequential categories that states deliberately choose between: "They are chosen to avoid formal and visible national pledges, to avoid the political obstacles of ratification, to reach agreements quickly and quietly, and to provide flexibility for subsequent modification or even renunciation." Without "formal," the resolution could be satisfied by a non-binding joint statement or political communique, exactly the kind of instrument the status quo already produces in several of these areas. "Bilateral" specifies that the agreement must be directly between the U.S. and China, foreclosing arguments that working through multilateral institutions satisfies the resolution.

Resolution 3: Substantially Increase Its Negotiations

"Substantially increase its negotiations" has the most robust definitional record of any option and cleanly solves the bidirectionality and burden-mixing problems that disqualified "cooperation." However, the status quo concern is serious. The U.S. maintains working-level contacts with China in most areas on the list, and a well-coached affirmative team can argue that the status quo already constitutes negotiations in at least some domains. This weakens the departure claim and makes disadvantage links harder to write with precision. "Toward an agreement" resolves both problems without sacrificing the definitional clarity that makes "negotiations" a superior term of art, which is why Resolution 1 is preferred over Resolution 3.

Resolution 4: Substantially Increase Its Cooperation

"Cooperation" is the strongest available term of art in international relations scholarship, with a definitional record grounded in Keohane's *After Hegemony* (1984) that spans four decades. It was removed from consideration because Keohane himself acknowledges that "cooperation may be accomplished through negative as well as positive inducements," creating a bidirectionality problem: a "substantially increase its cooperation" resolution would allow affirmatives to defend tariffs, sanctions, or coercive pressure as tools for inducing cooperative outcomes. Additionally, Keohane's definition requires that "the policies actually followed by one government are regarded by its partners as facilitating realization of their own objectives," making Chinese policy adjustment a condition of topicality. This recreates the burden-mixing problem in a way that would make "China says no" a topicality argument throughout the season.

D.2 Rationale for Ranking

Resolution 1 is recommended because it combines the strongest definitional foundation available in the IR and diplomatic literature with a directionality modifier that solves the status quo concern and

produces clean, predictable topicality debates. It preserves "negotiations" as the operative term, which has the deepest cross-disciplinary evidence base of any candidate verb, while "toward an agreement" distinguishes the topical world from the status quo and filters out performative or bait-and-switch affirmatives.

Resolution 2 is the strongest alternative. It creates the clearest possible status quo distinction and produces the most specific DA links, and its fiat structure is sound: "offer" is explicitly a unilateral act in every authoritative source. It is ranked second rather than first because "negotiations toward an agreement" is more familiar territory for the debate community and because the "offer to establish" construction, while legally precise, is new to NFHS topic language and may benefit from a season of further development before adoption as a primary resolution.

Resolution 3 is ranked third because it is a sound and viable construction that the community already knows how to argue, with the only meaningful limitation being the status quo distinction concern.

Resolution 4 is ranked last because the Keohane literature creates genuine structural problems, specifically bidirectionality and burden mixing, that cannot be fixed by minor wording adjustments and that would generate persistent, difficult-to-resolve topicality disputes throughout the season.

E. DEFINITIONS

Definitions are provided for each significant term appearing in the proposed resolutions. Terms defined as standard by the NFHS Wording Committee (including "federal government," "should," "substantially," and "increase") are omitted. Field contextual definitions are prioritized throughout. Where a term appears in multiple resolutions, definitions are consolidated under a single entry. Card text is included where it is directly quotable from source material; for longer passages, the source is identified with a pull note and the author is given so the card can be retrieved from the evidence appendix.

Negotiations

Appears in Resolutions 1 and 3. This is the most important term in the recommended resolution. Field contextual definitions consistently establish negotiations as (a) a formal process of exchange aimed at reaching an agreement, (b) explicitly non-coercive and distinct from other diplomatic tools, and (c) the "dealmaking subset" of diplomacy, distinguishable from consultations, summitry, and back-channel communications.

Hakapaa 2013: "Negotiation means discussions at different levels of authority with a view to achieving common understanding or agreement. In international relations, there are three basic modes of negotiation to be distinguished: a) generally, negotiations to discuss issues of mutual interest, b) negotiation as a means for the codification and progressive development of international law, and c) negotiation as a means for the settlement of disputes."

CFR 2022: "Negotiations, or formal discussions between countries intended to resolve or prevent disputes. Unlike coercive foreign policy tools such as military force, negotiations rely on communication, cooperation, and compromise between countries." [Distinguishes negotiations from consultations, back-channel talks, summits, and day-to-day diplomacy.]

Spector and Zartman 2012: "Negotiation can be defined as a process of exchange between two or more interested parties for the purpose of reaching agreement on issues of mutual concern."

Faizullaev 2014: "Diplomatic negotiation can be defined as an organized form of interaction between states aimed at a favorable agreement."

Pickering and Kralev 2025: "Negotiation is the activity most people associate with diplomacy... diplomatic negotiation — the dealmaking subset of diplomacy — is a form of application of national power by measures short of war."

United Nations 2026: "The aim, and the only outcome to which any delegation should agree, is an improvement — from their own point of view — of the situation they face before the negotiations start."

Commonwealth Court of Pennsylvania 2017: "'Negotiate' is defined as 'to communicate or confer with another so as to arrive at the settlement of some matter;' to 'meet with another so as to arrive through discussion at some kind of agreement or compromise about something.' [citing Black's Law Dictionary 10th ed.]"

Cherkasov and Makliuk 2025: "Negotiation is now recognized as the most effective method of interaction and problem-solving in the practice of international relations"

Toward (as in "toward an agreement")

Appears in Resolution 1. "Toward" is a directional preposition indicating movement in the direction of an outcome without requiring that the outcome be reached. In negotiation scholarship, "toward an agreement" specifically describes the outcome orientation of a negotiating process.

Oxford Advanced American Dictionary: "Toward: (1) in the direction of someone or something; (2) getting closer to achieving something. Example: 'This is a first step toward universal health care.' In the context of a goal or outcome, 'toward' means making progress in the direction of that outcome — not that the outcome has been reached, but that efforts or negotiations are directed at achieving it."

Merriam-Webster: "Toward: 1: in the direction of... 2a: along a course leading to. Example: 'Efforts toward peace have been largely unsuccessful.' Indicates movement or progress in a particular direction, whether literal or figurative."

Griessmair and Druckman 2018: "The direction can be a progression toward or away from an agreement... synchronized responding to the turning point offer can propel negotiators towards an agreement."

Offer (as in "offer to establish")

Appears in Resolution 2. "Offer" is a unilateral act in both contract law and diplomatic practice: an offer is complete the moment it is made by the offeror, independent of the other party's acceptance or

rejection. This property solves the fiat concern that would arise from "establish a bilateral agreement" alone. Restatement (Second) of Contracts § 24 and § 33 are the foundational sources.

ALI Restatement (Second) of Contracts § 24 (1981): "An offer is the manifestation of willingness to enter into a bargain, so made as to justify another person in understanding that his assent to that bargain is invited and will conclude it."

ALI Restatement (Second) of Contracts § 33 (1981): "(1) Even though a manifestation of intention is intended to be understood as an offer, it cannot be accepted so as to form a contract unless the terms of the contract are reasonably certain... (3) The fact that one or more terms of a proposed bargain are left open or uncertain may show that a manifestation of intention is not intended to be understood as an offer."

O'Gorman 2013: "An offer is (1) a promise or set of promises, (2) conditioned on acceptance by the offeree, (3) that is communicated or delivered to the offeree... under this definition an offer would include any promise that is subject to acceptance by the promisee."

Black's Law Dictionary: "To bring to or before; to present for acceptance or rejection; to hold out or proffer; to make a proposal to; to exhibit something that may be taken or received or not."

Establish (as in "offer to establish")

Appears in Resolution 2. "Establish" in legal usage means to create, institute, or bring into permanent existence. In the context of "offer to establish," the affirmative's burden is to make a formal offer to create an agreement — the act of offering is complete without requiring the agreement itself to be finalized.

Merriam-Webster's Dictionary of Law (1996): "establish vt: 1: to institute (as a law) permanently by enactment or agreement [we the people of the United States... do ordain and establish this Constitution]; 2: to make firm or stable; 3: to bring into existence: found."

Black's Law Dictionary: "Establish ordinarily means to settle certainly, or fix permanently, what was before uncertain, doubtful, or disputed."

Michigan Court of Appeals 1969 (Martinson v. Kreski): "'To establish' means 'to originate and secure the permanent existence of; to found; to institute; to create and regulate; to make stable and firm.' We are of the opinion that the legislature used the word 'establish' in this statute to characterize a legal, rather than a physical, act."

Formal (as in "formal bilateral agreement")

Appears in Resolution 2. "Formal" is not redundant with "bilateral agreement." It does specific, necessary work: distinguishing legally binding or publicly committed instruments from informal understandings, joint statements, communiques, and political commitments that currently characterize the status quo in each topic area. Lipson (1991) is the foundational IR source on this distinction.

Lipson 1991: "Informal agreements are the most common form of international cooperation and the least studied. Ranging from simple oral deals to detailed executive agreements, they permit states to conclude profitable bargains without the formality of treaties... They differ from formal agreements not because their substance is less important... but because the underlying promises are less visible and more equivocal."

Lipson 1991: "They are chosen to avoid formal and visible national pledges, to avoid the political obstacles of ratification, to reach agreements quickly and quietly, and to provide flexibility for subsequent modification or even renunciation."

US Legal Forms 2026: "A formal agreement is a legally binding contract that requires more than just mutual consent between parties. To be enforceable, it must be documented in a specific format, typically a signed written document."

22 C.F.R. § 181.2 (U.S. Dept. of State, 2006): "Undertakings couched in vague or very general terms containing no objective criteria for determining enforceability or performance are not normally international agreements. Most frequently such terms reflect an intent not to be bound."

Bilateral (as in "formal bilateral agreement")

Appears in Resolution 2. "Bilateral" specifies that the agreement is directly between the U.S. and China as two parties, foreclosing the argument that multilateral instruments to which both happen to be party satisfy the resolution.

UN Treaty Collection: "There is a general tendency to apply the term 'agreement' to bilateral or restricted multilateral treaties... A bilateral agreement is one between two parties specifically."

22 C.F.R. § 181.2: "(4) Necessity for two or more parties. While unilateral commitments on occasion may be legally binding, they do not constitute international agreements."

Agreement

Appears in Resolutions 1 and 2. In international law, "agreement" is a blanket term covering treaties, executive agreements, and non-binding instruments. Mulligan (2023) establishes that more than 90% of U.S. international agreements are executive agreements rather than Article II treaties, giving affirmatives the full range of plan mechanisms without requiring Senate ratification. Hollis (2024) provides the foundational definitional criteria: mutuality and commitment to future conduct.

Mulligan CRS 2023: "International agreement is a blanket term used to refer to any agreement between the United States and a foreign state or body that is binding under international law... The great majority of international agreements that the United States enters into are not treaties but executive agreements — agreements entered into by the executive branch that are not submitted to the Senate for its advice and consent. Commentators estimate that more than 90% of the United States' international agreements have been in the form of an executive agreement."

Hollis 2024: "Two definitional criteria: agreements exist where they reflect both (i) mutuality and (ii) commitment... Mutuality points to the necessity of inter-subjectivity, i.e., of a consensus ad idem or 'meeting of the minds'... any intersubjectivity must relate to some future course of conduct, i.e., a commitment."

U.S. Dept. of State, 22 C.F.R. § 181.2(1) — Identity and Intention of Parties: "(1) Identity and intention of the parties. (i) A party must be a State (including its executive, legislative, and judicial branches), a State agency or entity, or an intergovernmental organization. (ii) The parties must intend their undertaking to be legally binding, and not merely of political or personal effect. Documents intended to have political or moral weight, but not intended to be legally binding, are not international agreements." (Final Rule, 71 Fed. Reg. 53007, September 8, 2006)

U.S. Dept. of State, 22 C.F.R. § 181.2(2) — Significance of the Arrangement: "(2) Significance of the arrangement. Minor or trivial undertakings, even if couched in legal language and form, are not considered international agreements within the meaning of the Act. In deciding what level of significance must be reached before a particular arrangement becomes an international agreement, the entire context of the transaction and the expectations and intent of the parties must be taken into account."

U.S. Dept. of State, 22 C.F.R. § 181.2(3) — Specificity and Enforceability: "(3) Specificity, including objective criteria for determining enforceability. International agreements require precision and specificity in the language setting forth the undertakings of the parties. Undertakings couched in vague or very general terms containing no objective criteria for determining enforceability or performance are not normally international agreements. Most frequently such terms reflect an intent not to be bound. For example, a promise to 'help develop a more viable world economic system' lacks the specificity essential to constitute a legally binding international agreement."

Cooperation (as in "substantially increase its cooperation")

Appears in Resolution 4. Keohane's foundational definition is the most authoritative IR source and is included here because it explains both why "cooperation" was a leading candidate and why it was ultimately ranked last: the definition explicitly admits of negative inducements and requires Chinese policy adjustment, creating bidirectionality and burden-mixing problems.

Keohane 1984: "Cooperation takes place when the policies actually followed by one government are regarded by its partners as facilitating realization of their own objectives, as the result of a process of policy coordination. Cooperation may be accomplished through negative as well as positive inducements."

Global Health Security

Appears in all four resolutions as a topic area. The narrower "global health security" (rather than "global health") is deliberate: it focuses the topic area on infectious disease preparedness and explicitly excludes countermeasures R&D and acute epidemic response funding, producing a principled and defensible topicality boundary.

CDC 2026: "Global health security is working with partner countries to build capacity with the goal of strong and resilient public health systems that can prevent, detect, and respond to infectious disease threats."

U.S. Government Global Health Security Strategy 2024: "Global health security is the existence of strong and resilient health systems that can prevent, detect, and respond to infectious disease threats, wherever they occur in the world."

Michaud et al. / KFF 2023: "Global Health Security (GHS) can be defined as activities supporting epidemic and pandemic preparedness and capabilities... This includes efforts to improve countries' capacity to prevent, detect, and respond to infectious disease threats... [but] does not include research and development for countermeasures (such as diagnostics, drugs, and vaccines), nor support for acute epidemic response in other countries."

Artificial Intelligence Governance

Appears in all four resolutions as a topic area. Definitions consistently treat AI governance as a set of frameworks, rules, and institutions guiding AI development and deployment — broader than specific regulations, allowing affirmatives to argue for a range of cooperative mechanisms from safety standards to interoperability agreements.

Carnegie Council for Ethics in International Affairs: "AI governance is the set of rules, regulations, ethical and technical frameworks, and similar mechanisms that guide the development and deployment of artificial intelligence technologies."

OECD AI Policy Observatory: "AI governance encompasses the set of laws, regulations, norms, policies, and institutions that shape how societies design, develop, and deploy AI"

Hysen 2026: "the system of frameworks, rules, policies, standards, and organizational structures that ensures AI development and deployment are safe, ethical, secure, and aligned with organizational strategy and values"

Climate Change

Appears in all four resolutions as a topic area. The UNFCCC definition is the standard international policy definition and should be preferred as a field-contextual source over general dictionary definitions.

UNFCCC Art. 1 (1992): "a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods"

IPCC AR6 (2021): climate change defined as "a long-term change in the average weather patterns that have come to define Earth's local, regional and global climates"

Space

Appears in all four resolutions as a topic area. The Gleason (2021) framework is especially useful because it defines not just the physical territory but also the categories of space activity and sectors that map to distinct affirmative case families, providing a structured basis for topicality debates about which space activities are covered.

Gleason 2021: "Space activities are often divided conceptually into three categories: human spaceflight, space science, and spaceflight applications. Human spaceflight includes any activity that places humans in space... Space science involves using spacecraft to make scientific observations of the Earth, celestial bodies, and astronomical phenomena. Spaceflight applications are practical services performed by spacecraft, including navigation, communications, weather and land monitoring, defense, and intelligence gathering."

Gleason 2021: "Space activities are also divided conceptually into three different activity sectors: civil space, commercial space, and national security space. Civil space consists of activities sponsored and conducted by civilian government entities [including NASA]... As the lines have further blurred, an increasing number of issues have become 'cross-cutting' issues rather than remaining siloed in a single sector."

F. APPLICATION OF NFHS CRITERIA FOR DEBATE TOPICS

F.1 Timeliness and Durability

The topic is timely and durable. The May 2026 Trump-Xi summit produced no formal agreements in any of the four topic areas, confirming rather than undermining the departure claim. Post-summit reports describe the outcomes as "thin on substance," with no joint communique and no extension of frameworks in global health security, AI governance, climate, or space. The Wolf Amendment was arguably strengthened by the SIRA Act introduced on the same day as the summit. The structural forces of competition that Medeiros (2026) identifies, specifically technology rivalry, Taiwan tensions, and competing governance visions in AI, will persist regardless of the tactical detente of 2025-2026. The topic will not be rendered meaningless by a single diplomatic event because the underlying policy problems, building pandemic preparedness infrastructure, formalizing AI governance, reactivating climate cooperation, and overcoming the Wolf Amendment — are structural rather than episodic.

F.2 Accessibility and Material

The topic is highly accessible at every skill level. Government agencies produce extensive publicly available analysis: CRS reports cover every aspect of U.S.-China relations, the U.S.-China Economic and Security Review Commission publishes comprehensive annual reports, and the State Department and NIST publish technical guidance on agreements and AI governance that is freely available. Think tanks spanning the ideological spectrum publish accessible analysis. The four topic areas each have direct connections to students' lived experiences: COVID-19 for health security, AI tools they use daily for governance, their future environment for climate, and high-visibility programs like Artemis for space. The novice cases in each area — CDC surveillance cooperation, AI incident reporting, Sunnylands reactivation, and orbital debris management — can be understood and argued by first-year debaters.

F.3 Student Interest and Engagement

The U.S.-China relationship will be the defining geopolitical challenge of the careers of students currently in high school debate. The topic areas connect directly to issues students encounter in their daily lives and in media coverage throughout the year. AI governance intersects with tools they use every day. Climate change is a defining concern for their generation. The space competition between Artemis and Tiangong receives sustained media coverage. The topic also opens rich classroom discussions that coaches can connect across disciplines: international relations, computer science, environmental science, public health, and space law. The question at the topic's core — whether specific formal diplomacy is possible amid strategic rivalry — is the central strategic question of the current era.

F.4 Educational Quality

The topic enables high-quality debates at every skill level. The verb analysis alone has pedagogical value: distinguishing "negotiations" from "cooperation," understanding what "toward an agreement" requires, and analyzing the fiat implications of "offer to establish" all engage foundational concepts in international relations theory, international law, and contract theory. Students who engage deeply with this topic will develop working knowledge in negotiation theory (Zartman, Fisher and Ury, Schelling), treaty law (VCLT, executive agreements, the Case-Zablocki Act), AI regulatory frameworks, infectious disease governance, climate diplomacy, and space law. These are directly applicable to careers in policy, law, business, and military service.

F.5 Balance

The topic produces genuine balance under all four resolution options. Affirmatives have real departure ground in each area: no formal bilateral agreements exist, no directed negotiations are currently underway, and (in space) no standing formal U.S. offer exists. The negative has robust, topic-specific ground: DA links are area-specific and tied to discrete policy events rather than continuous processes; counterplan ground is strong across all three major CP types; and kritik literature challenges the premises of every case type. "China says no" remains fully available as a solvency argument, consistent with how country-refusal arguments have operated on every prior diplomatic engagement topic. Neither side has a systematic advantage, and the topic rewards both broad research across the four areas and deep preparation within any single area.

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H. APPENDIX: NOVICE PACKET GUIDANCE

Per NFHS recommended enhancements, this appendix provides guidance for the novice debate packet. The following includes three affirmatives, two disadvantages, one counterplan, and one kritik. All plan texts use Resolution 1 as the base wording but can be adapted to Resolution 2.

Novice Affirmative 1: CDC Surveillance Cooperation (Global Health Security)

Plan Text:

The United States federal government should substantially increase its negotiations with the People's Republic of China toward an agreement restoring and expanding U.S.-China CDC cooperation on infectious disease surveillance, including pathogen genomic data sharing, epidemiological reporting, and joint laboratory coordination.

Core Advantage: Pandemic Preparedness

Restored CDC cooperation rebuilds the early-warning infrastructure most likely to detect a novel pathogen before it reaches pandemic scale. Kennedy and Huang (2021) identify public health infrastructure as "most likely to deliver substantive results in the short term" with "relatively few barriers to implementation." Primary negative arguments: data opacity (Bouey and Feng 2017), multilateral alternatives CP, relations snapback DA.

Novice Affirmative 2: Joint AI Incident Reporting (AI Governance)

Plan Text:

The United States federal government should substantially increase its negotiations with the People's Republic of China toward an agreement creating a common definition of "AI incident" and a shared incident reporting protocol hosted through a neutral international research consortium.

Core Advantage: AI Risk Management

Frontier AI failures produce cascading cross-border risks. Schive and Reiner (2026) identify this as a "pre-competitive" area achievable without exposing strategic capabilities. Primary negative arguments: tech leakage DA, non-binding instruments CP, securitization K.

Novice Affirmative 3: Sunnylands Climate Working Group (Climate Change)

Plan Text:

The United States federal government should substantially increase its negotiations with the People's Republic of China toward an agreement reactivating and formalizing the Sunnylands climate working group, including specific commitments on methane reduction, non-CO2 emissions, and subnational cooperation.

Core Advantage: Climate Change Mitigation

The 2023 Sunnylands Statement provides near-verbatim plan text. The U.S. and China together account for roughly 40% of global carbon emissions. Primary negative arguments: greenwashing DA, U.S. credibility absent (solvency), unilateral domestic action CP.

Novice Disadvantage 1: U.S.-China Relations (Snapback)

Link: The plan substantially increases formal diplomatic engagement during a period of tactical detente that Medeiros (2026) argues is unsustainable. Formal negotiations or agreements create dependencies exploited when competition resumes. Impact: accelerated snapback to strategic competition, U.S. technological and strategic advantages eroded before agreements produce benefits.

Novice Disadvantage 2: Domestic Politics (2028 Election)

Link: China engagement is politically toxic. The plan increases formal diplomatic activity with China during the 2028 presidential election cycle, generating backlash that produces a policy reversal or electoral damage. Thomas and Wang (2026) establish that follow-through on bilateral mechanisms has historically collapsed under domestic political pressure. Impact: policy reversal, harder-line successor policy.

Novice Counterplan: Multilateral Alternatives (Quad/AUKUS/G7)

Text: The United States federal government should work through the Quadrilateral Security Dialogue, AUKUS, or the G7 to achieve the affirmative's solvency goals in [topic area].

Solvency: All three frameworks are active multilateral structures. Coordinated approaches reduce the risk of China exploiting bilateral channels and build burden-sharing. Competes by avoiding the bilateral mechanism that triggers the relations DA. Net benefit: avoidance of formal bilateral engagement at a moment when snapback to competition is inevitable (Medeiros 2026).

Novice Kritik: Securitization

Link: Any affirmative framing its advantage in terms of managing Chinese threats reproduces the securitization move that makes productive engagement impossible. The plan's departure claim is premised on a security logic that generates the hostile behavior it claims to address. Alternative: reject the securitization frame and advocate for foreign policy not predicated on threat construction. Impact: security framing is self-fulfilling, escalating competition and undermining the cooperative outcomes the affirmative claims to seek.

I. APPENDIX: EVIDENCE

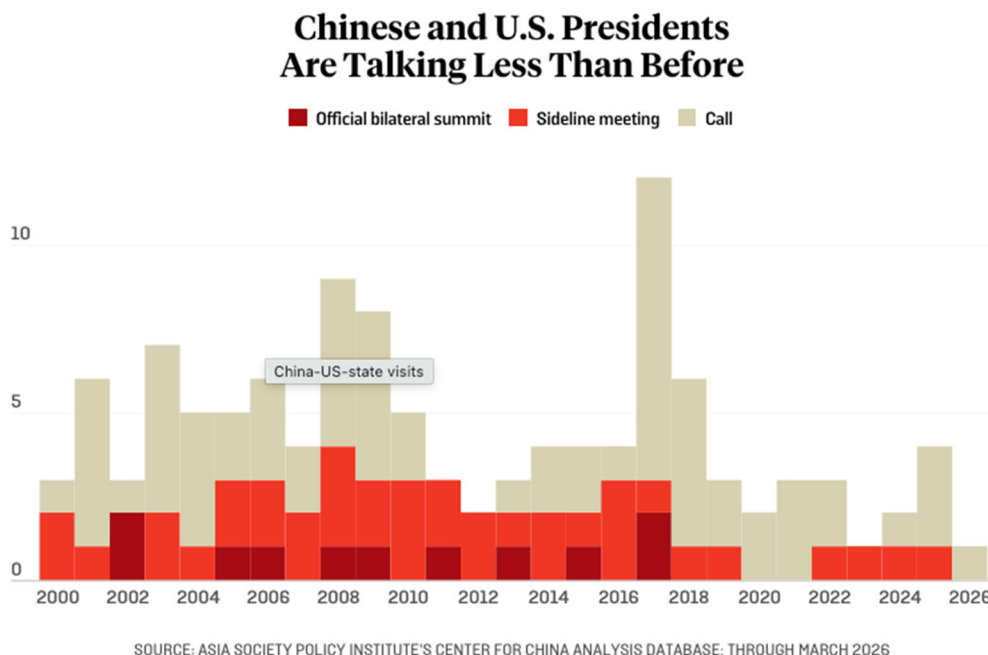
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Pressure Now---Chart

The number of talks between the two countries are at an all-time low

Thomas and Wang 2026 – fellow on Chinese politics at the Asia Society Policy Institute’s Center for China Analysis and a research associate at the Asia Society Policy Institute’s Center for China Analysis.

Neil Thomas and Haolan Wang April 27, 2026 “What Five Decades of Summits Reveal About U.S.-China Relations” Foreign Policy <https://foreignpolicy.com/2026/04/27/trump-xi-summit-us-china-trade-deal-taiwan-geopolitics///IB>



Pressure Now---Key Time to Reset

Now is the key time to reset relations – sustaining that shift is essential

Xie 2026 - professor and dean of the School of International Relations and Diplomacy at Beijing Foreign Studies University

Xie Tao April 22, 2026 “Why Trump Should Make China-US Relations Great Again” The Diplomat
<https://thediplomat.com/2026/04/why-trump-should-make-china-us-relations-great-again////IB>

When Donald Trump was elected to the U.S. presidency for a second term, most analysts in Beijing were understandably deeply pessimistic about the future of China-U.S. relations. For one thing, Trump had left a record of being tough on China during his first term: a trade war, the infamous China Initiative, sanctions against Chinese high-tech companies like Huawei, and his harsh criticism of China’s handling of the COVID-19 pandemic, to mention just the most notable. By the time he left the White House in January 2021, the bilateral relationship arguably stood at its lowest point since Richard Nixon’s landmark visit in 1972 had created a historic opening. As Trump prepared to take office again, he picked two China hawks on Capitol Hill to fill the two most important foreign policy positions in his second cabinet: Marco Rubio as the secretary of state and Michael Waltz as the national security adviser, though the latter has been reassigned to the United Nations. Thus few observers were surprised when Trump announced what he called a “reciprocal tariff” on China (and most of the world) in early April 2025, setting off a new round of tit-for-tat between the world’s two biggest economies. Yet to the surprise of most observers, half a year later Trump and Chinese President Xi Jinping agreed to put a hold on the escalating trade war at the APEC summit in Busan, South Korea. Whereas Washington withdrew its reciprocal tariff on China, Beijing lifted its strict control on rare earth exports to the United States. The trade truce has lasted until now, giving the bilateral relationship a short but much-needed period of relative stability. Trump is currently scheduled to visit Beijing in mid-May, followed by probably two more meetings with his Chinese counterpart at the G-20 (hosted by the United States) and APEC (hosted by China) summits later this year. As a result, it is almost certain that China-U.S. relations will remain rather stable through the end of 2026. On the one hand, the two governments will most likely take some positive actions to create a favorable setting for these summits. On the other hand, the two presidents can address the most difficult bilateral issues face-to-face at the summits. In this sense, summits are the last but most effective guardrails for China-U.S. relations. If all three summits actually happen, they undoubtedly will bring substantial stability to the bilateral relationship. A stable China-U.S. relationship is not only in China’s best interest, but also in the United States’ best interest. Over the past decade or so, however, the prevailing discourse in Washington has portrayed China as the biggest winner and the U.S. the biggest loser in the bilateral relationship, which cannot be further from truth. To be sure, U.S. capital, technology, and consumer market – and those of its allies – have played a critical role in driving China’s economic development. It is fair to say that without the normalization of China-U.S. relations in 1979, the rise of China would have been far more difficult. In a sense, the road to the great rejuvenation of the Chinese nation passed through Washington. But the increasing prosperity of China has never been one-way traffic. Instead, most Americans have benefited in one way or another from bilateral economic ties. Combined U.S. goods and services exports to China supported over 1 million American jobs in 2021, according to a U.S.-China Business Council report. A Heritage Foundation study showed that imports of China-made clothing, toys, and sporting goods supported 576,000 U.S. jobs in port offloading, transportation, wholesale, retailing, and other sectors. If Chinese direct investment had grown at the rate of the early 2010s, it would have created 200,000-400,000 American jobs by 2020, according to a 2012 Rhodium Group study. Instead, with investment curtailed by regulatory scrutiny, the number of Americans employed at Chinese companies peaked at 229,000 in 2017 before falling to 140,000, Rhodium found in 2023. On top of these jobs for Americans, trade with and investment in China have generated massive profits for U.S. corporations. Admittedly, made-in-China has had huge negative impact on some segments of U.S. manufacturing, but on balance the China-U.S. economic relationship has been a huge win-win for both sides. China is already the world’s largest economy if calculated on the basis of purchasing power parity, and it is widely expected to continue to grow in the decades to come, though at a much slower rate. It is the largest trading partner for over 120 countries. It boasts the world’s most comprehensive industrial chains, the largest manufacturing output, and absolute dominance in the global supply of many critical minerals. The sheer size of China means that a country insulates itself from China at its own peril, at least economically. Therefore, if Trump – or his successor – is serious about making America great again, especially on the economic front, he should first make China-U.S. relations great again. This seems to be the hard lesson that Trump has learned from dealing with China during his second term. There is an apt Chinese saying for him: a wise

person knows when to be flexible. **His timely decision to embrace a truce apparently has stabilized China-U.S. relations for the moment.** For the sake of long-term stability, Trump should take full advantage of his unrivalled influence in the Republican Party to educate its rank and file about the benefits of a stable and peaceful relationship with China. Poll after poll has shown that Republicans in general are much more likely to oppose engagement with China and to view China as the United States' biggest enemy. He should also leverage the presidential bully pulpit to educate the American people in general about those benefits. Though the proportion of Americans having favorable views of China has been slowly edging up since 2023, it nevertheless stands below 40 percent. Public opinion rarely dictates U.S. foreign policy, but it acts like a "system of dikes" that limits the range of government actions. A favorable public opinion about China undoubtedly gives Washington more leeway in promoting a more stable relationship with Beijing. **Trump is facing a historic opportunity to reset the world's most consequential bilateral relationship. The 47th president may not enjoy being compared with Nixon, but the latter implemented a dramatic and enduring shift in U.S. China policy and in the international order.** His domestic reputation notwithstanding, Nixon has since been eulogized in China as a great leader of vision and courage as well as a great friend of the Chinese people. **If Trump cares about leaving a similar legacy no less than he cares about making America great again, he should demonstrate similar vision and courage.** **The road to making America great again must go through Beijing.**

Pressure Now---AT Summit Resets the Relationship

The presidential summit will do little to the uniqueness of topic – it will likely focus exclusively on trade, comes during a time when the two countries are increasingly not communicating with one another, and even the most positive outcomes would only set up frameworks for future negotiations

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Neil Thomas and Haolan Wang April 27, 2026 "What Five Decades of Summits Reveal About U.S.-China Relations" Foreign Policy <https://foreignpolicy.com/2026/04/27/trump-xi-summit-us-china-trade-deal-taiwan-geopolitics///IB>

The biggest mistake to make about U.S. President Donald Trump's summit with his Chinese counterpart, Xi Jinping, in Beijing next month is to expect a spectacular breakthrough. Calls from American and Chinese scholars for a grand superpower bargain will go unheeded. But the second biggest mistake would be to write off the planned meeting as meaningless theater. It will be more than Xi giving Trump the "big, fat, hug" that the latter expects. Both readings miss what more than five decades of **U.S.-China** presidential **summitry** show. These **meetings rarely transform the relationship. What they can do, when handled well, is make a potentially dangerous rivalry less volatile.** That matters more than ever now, with Trump's war with Iran driving a global energy shock and adding fresh instability to an already fracturing international order. **This conclusion comes from a database of bilateral summits, sideline meetings, and calls assembled by the Asia Society Policy Institute's Center for China Analysis.** The data tracks 136 direct conversations between U.S. presidents and Chinese paramount leaders, from President Richard Nixon's sit-down with Communist Party Chairman Mao Zedong in February 1972 through Trump's call with Xi in February. **This historical record is a warning against both wishful thinking and cynicism.** When Trump lands in Beijing on May 14, he will become the first U.S. president to visit China in nearly a decade. The last, in November 2017, was Trump himself. In the years since, **the relationship between the world's two most powerful states has been battered by a trade war, a pandemic, a spy balloon, and a near-crisis over Taiwan.** President Joe Biden never went, making him the first U.S. president since Jimmy Carter to leave office without visiting China. Trump and Xi's own reunion came in October in Busan, South Korea, during a sideline meeting that produced a short-term tariff truce and a commitment to meet again in Beijing. **Presidential contact has thinned along with the relationship.** So far this decade, **according to our data, the two countries' leaders have averaged 2.5 bilateral exchanges per year, down from 4.6 in the 2010s and 5.6 in the 2000s.** **Three-quarters of those contacts since 2020 have been phone calls rather than face-to-face meetings**—the latter being more suited to building relationships and managing crises—**compared to a little more than half during the previous two decades.** **Just when the**

relationship has become most treacherous, its top channel has grown brittle. The first lesson from the database is that success should be measured not by whether Trump and Xi make a dazzling announcement but by whether they leave behind thicker diplomatic machinery than they found. Summits are usually judged by deliverables: action plans, business deals, a joint statement. Those matter. But history suggests that the more important question is whether a meeting creates durable mechanisms that make future crises easier to navigate. **A cautionary tale is Trump's April 2017 summit with Xi** at the former's Mar-a-Lago resort. **The two sides announced a cabinet-level U.S.-China Comprehensive Dialogue**, a four-pillar architecture covering diplomacy and security, the economy, law enforcement and cybersecurity, and social and cultural issues. It was billed as the structure that would underpin an ambitious agenda for the bilateral relationship, and the two presidents held a record nine phone calls that year. But **by the end of 2018, it was effectively defunct**. Three of the dialogues met only once, and all were swept away by the trade war that Trump launched in 2018. As with previous summits, follow-through will matter more than whatever gets announced at the meeting itself. The key points to watch are progress on deliverables ahead of Xi's likely trip to Florida for the G-20 summit in December; whether he makes a standalone visit to the United States before then; and whether Trump decides to attend the Asia-Pacific Economic Cooperation meeting in Shenzhen, China, in November. The second lesson is that leader-level diplomacy matters most when the relationship is thin. In calmer periods, working-level bureaucracies do the heavy lifting. When those channels atrophy, presidents become the only officials with the authority to clarify priorities, authorize compromises, and give subordinates political cover. That was the achievement of Biden's November 2023 meeting with Xi in Woodside, California. The summit reset diplomatic relations after the Chinese spy balloon incident that January; reopened military-to-military communication after it was frozen by Beijing in response to then-U.S. House Speaker Nancy Pelosi's 2022 visit to Taiwan; and launched a new phase of counternarcotics cooperation on fentanyl, which Trump continues to advance today. **U.S.-China relations are calmer today, but lower-level contacts between the two governments remain unusually thin**, in part because Trump has played such a central role in China policy. As former U.S. diplomat Ryan Hass said last year, Trump is "his own desk officer on China." That makes him the only person who can get things done. The third lesson is that the most productive summits focus on tractable problems rather than abstract aspirations about the broader relationship. At Sunnylands in June 2013, Xi used a famous shirtsleeves meeting with Obama to promote a "new model of major-country relations," a concept that Washington never fully embraced and that quickly lost traction as cyber tensions and maritime disputes intensified. By contrast, the November 2014 Obama-Xi climate policy announcement was a narrower and more concrete exercise in focusing on shared priorities. It produced specific commitments from the world's two largest carbon emitters and built momentum toward concluding the 2015 Paris Agreement. **For 2026, an agenda for concrete action would focus on trade, investment, crisis management, and the military balance.** U.S. Trade Representative Jamieson Greer has signaled that **Trump will seek "stability" rather than a reset, and recent U.S.-China talks in Paris have focused on rare-earth supply and the outlines of a joint "Board of Trade,"** with a parallel "Board of Investment" also under discussion. That could yield a modest but meaningful outcome: a more regularized process for handling disputes in those parts of the economic relationship that both sides still want to preserve. **On strategic flash points** such as Taiwan, Middle East security, and export controls on advanced chips, **substantive agreement is unlikely. But what is possible is clearer signaling, better-defined red lines, and more reliable channels of communication.** The fourth **lesson is not to overread atmospherics**. The defining case is Xi's lavish welcome for Trump in Beijing in November 2017, including a private meal in the Forbidden City, a banquet at the Great Hall of the People, and more than \$250 billion in commercial deals, all packaged as a unique "state-visit-plus." Yet the spectacle obscured how little strategic alignment actually existed. The Section 301 trade investigation that became the legal basis for the tariff war had already been launched months earlier, and the warmth of the visit did nothing to stop the relationship from sliding into confrontation over the next few months and years. **Nice photographs do not guarantee strategic outcomes.** Neither do the big-ticket sales of airplanes and soybeans set to be announced next month. The better indicators are somewhat duller. Did the summit create a schedule for future leader contact? Did it restore or strengthen military communications? Did it deepen working-level contacts on issues such as fentanyl, arms control, and cancer research? Did it produce credible processes for managing trade and investment disputes without touching the most sensitive national-security restrictions? If the answers are yes, Beijing will have been worth the trip. **The objective in Beijing should not be to resolve the U.S.-China rivalry, but to impose more discipline on it. In a relationship defined by strategic competition, the most valuable outcome would be a predictable operating system: clearer bottom lines and more reliable mechanisms for handling friction—and a deeper understanding of both shared and divergent interests on transnational challenges such as artificial intelligence, regional conflicts, and the Taiwan Strait. That would give officials and businesses in both countries stronger direction about where to compete and where to cooperate.** Our database shows more consistent presidential interactions in the years when Washington pursued a strategy of engagement with Beijing, in the hope of promoting convergence with a U.S.-led international order. That expectation has long faded, yet the need for leader-level diplomacy has only grown.

Pressure Now---AT Trending Towards Engagement

The status quo has shown a temporary shift towards engagement – the snapback to hostility and strategic competition is inevitable going into the 2028 election

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Evan Medeiros February 19, 2026 “A New and Dangerous Era for US-China Ties” The Chicago Council on Global Affairs <https://globalaffairs.org/commentary/analysis/new-and-dangerous-era-us-china-ties///IB>

If there is one consistent feature of the US-China relationship since normalization in 1979, it is the frequency of volatility and change. **One of the most recent and consequential inflection points occurred in 2018 with the initiation of the era of strategic competition during the first Trump administration. That policy shift, more than most, heralded a comprehensive change in both US and Chinese strategies**—domestic and international—toward the other, **and came at a time of emerging centrality of US-China ties to global politics. The transition to strategic competition** was arguably overdue, but it **did provide a degree of clarity** to Washington, Beijing, and the rest of the international community **about the trajectory of relations moving forward. With the advent of the second Trump administration, most expected continuity in China policy. It has been anything but that.** US President Donald Trump started off in spring 2025 with a trade war and imposition of over 150 percent tariffs on China, signaling the Trump team had **found a new gear in their approach to strategic competition. This** was familiar, if a bit extreme, but then the situation **rapidly escalated. Washington and Beijing both brandished new threats**—including cutting off access to critical minerals and technologies—**as punishment and leverage.** Trump and Chinese President Xi Jinping stared into the abyss of economic conflagration, and neither presumably liked what they saw. **Ultimately both sides backed off and negotiated an agreement to reduce tariffs and resume trade in critical minerals,** with bigger deals over the horizon. **Trade talks became the arms control of the 21st century:** the central venue for negotiating the terms—explicit and implicit—of long-term competition. **In the aftermath, something else began happening in China policy, a shift that will now define US-China relations in 2026.** Trump's Quiet Rejection of Strategic Competition **In fall 2025,** Trump's determination to pursue long-term and intensive competition was replaced with a personal affinity for Xi and an ambivalence toward, if not a quiet rejection of, a comprehensive approach to strategic competition. Following the two leaders' first meeting in South Korea in November 2025, Trump initiated a new and more expansive phase of diplomatic, economic, and technological engagement with China. In order to keep these economic relations stable and diplomatic ties on track, he started backing off some of the key pillars of strategic competition. It was as if the president decided that the United States was now content to run aside China rather than slow it down or run faster. **The administration's China policy appeared to be going back to the engagement playbook, when relations were driven by leader-level summits and economic dealmaking.** Trump and Xi agreed to exchange state visits in 2026, beginning with Trump going to Beijing in April and Xi reciprocating later in the year. Senior US officials talk about convening possibly four meetings between the leaders in 2026 alone—a new benchmark in the history of bilateral relations. Other signs of a changing strategy emerged: The Trump administration agreed to sell Nvidia's advanced H200 chip to Beijing and, alongside private sector partners, also finalized a deal to purchase TikTok that reportedly leaves control of key parts of the business in the hands of its Chinese parent company; Trump removed several National Security Council staffers and Commerce Department officials who advocated for greater tech controls toward China; and discussion of Beijing as a strategic rival was left out of both the National Security Strategy and the National Defense Strategy. Most recently, the president said he wants to negotiate US arms sales to Taiwan with Beijing. Today, Washington talks mainly about summits, a new “G2,” big economic deals, and, in a word, détente—even if the US administration does not use that specific term. The **Trump team is focused on securing a long list of billion-dollar commercial deals with Beijing,** from agriculture to planes, for his upcoming visit. **Trump himself flirts with the idea of welcoming major Chinese investment back into the United States, even as resistance from Congress and state governors grows. Washington is also flush with rumors about changes in US declaratory policy toward Taiwan that would chastise Taipei and, thus, mollify Beijing.** **Conservative optimists argue that Trump is wisely pursuing a “tactical détente” to buy time in order to**

enhance military deterrence and remove US vulnerabilities to Chinese supply chains. But at what cost to US technological advantages, US allies, the US strategic position in Asia, and, most specifically, Taiwan's security? Such policymaking is trending more in the direction of accommodating Beijing than US President Richard Nixon's détente of the 1970s. The Central Challenge for US-China Relations Thus, **in 2026 Washington may break new ground in the history of US-China relations. This will be driven by policy moves away from** an intensive and exclusive focus on **competition and more toward diplomacy and economic deliverables. It is not that Washington will completely give up on competition** (watch US policy on rare earths), **but the more intensive dimensions will not be pursued** (i.e., technology denial). **The central risk for US-China relations in 2026 and beyond is that Trump's détente is unlikely to be sustainable and may sow the seeds of future instability.** In fact, the relationship may be at the dawn of one of its most precarious moments: when China uses America's time-out from strategic competition to undermine the US position in Asia and, ultimately, to surpass it economically, technologically, and geopolitically. **The divide between the structural and the cyclical forces in the relationship is too great to be stable and** thus **sustained.** The **structural forces of competition in US-China ties are deep and wide. US and Chinese interests diverge more than they converge across a wide set of issues including security, economy, technology, and views about global governance. A core tenant of** **China's geopolitical strategy is to diminish US power.** These assumptions are well accepted across the US political spectrum, and **Trump's engagement with China this year**—his cyclical détente—**will only intensify anxieties among US political, military, and business leaders about falling behind. The administration's moves** thus **increase the risk of a "snapback" to a much tougher form of strategic competition.** For example, **if the Republicans lose badly in the** November **midterm** elections, **Trump may pivot to a hardline position on China, as he did in 2020, to shore up his political base in advance of the presidential election. Alternatively, Democrats may embrace competition with China as a way to criticize Trump,** advance their domestic agenda, and create a political vulnerability for the Republicans going into 2028. **Or, simply if the president concludes that the Chinese are playing him. Whatever the pathway, the U**^{United}**S**^{States}**is going back to strategic competition in some way, shape, or form.** There is perhaps an even deeper and more profound risk. The events of the last year, especially the trade war, brought to the fore bigger questions about relative advantage between two major powers in a highly competitive global system: Who has the upper hand, and how will they use it? Xi and Trump each believe they have relative leverage and the tools of escalation dominance. Both sides also believe they can impose unacceptable economic costs on the other and, in China's case, Beijing believes it can suffer more pain—"eat more bitterness"—than US leaders. This is a precarious place for Washington and Beijing to be. Eventually one side will be tempted to test the proposition, possibly triggering a broader crisis. To be sure, China's cutoff of US access to critical minerals, especially rare earth elements and heavy magnets, created great anxiety among US political and business leaders and alerted Washington to a major vulnerability. Trump himself was probably surprised that China has such leverage, defying his initial expectations. When the administration tried to impose additional technology controls in October 2025, Beijing broadened its critical minerals cutoff, revealing the depth of US vulnerabilities. Washington now clearly understands its exposure, and the Trump team has rightly initiated several efforts to reduce US vulnerabilities. While the administration believes they can close the gap in one to two years, most experts—Western and Chinese alike—think it will take at least five. Those differing assessments add to the risk of instability if Washington underestimates its exposure to Chinese supply chains, which remains substantial. For its part, China is trying to master advanced chip production equipment and other technologies where the United States possesses advantages and can control China's access. **The mutual effort to reduce vulnerabilities, to generate leverage, and the probing of relative advantage has created a dangerous period in US-China ties, arguably opening a new stage in the evolving strategic competition. Both feel vulnerable, both have some advantages, both are willing to weaponize their interdependence, and both are unsure of the costs associated with the former.** Washington and Beijing also have their own domestic politics that complicate these calculations. In short, **the U**^{United}**S**^{States}**and China are now effectively in a race to reduce vulnerabilities** and master certain technologies before the other—**while also trying to accumulate new sources of pressure. It is that race that will define the already-fraught and complex US-China relationship in 2026 and beyond. None of the summits nor economic deals of 2026 will change any of these harsh strategic realities.** It is incumbent on Washington to remain focused on the real challenges it faces as China sprints to maximize its power and influence in a global system in flux.

*** Cooperation ***

Definitions---Cooperation---Gov to Gov

Cooperation is government to government interaction

Voronina 16 - JSD in International Space Law from University of Nebraska (Anastasia, "The How's and Why's of International Cooperation in Outer Space: International Legal Forms of Cooperation of States In Exploration and Use of Outer Space," *Theses, Dissertations, and Student Research in Space, Cyber, and Telecommunications Law*, 1)

Cooperation is an abstract concept. Cooperation does not necessarily have tangible manifestations, nor would any tangible manifestations necessarily lead to a conclusion that cooperation exists. One consequence is that in order to analyze cooperation, one has to draw the limits of the subject matter. The other consequence is that any analysis is bound to be incomplete, because any definition of cooperation would most likely exclude certain incarnations of this abstract concept. International legal cooperation has been shaped by thousands of years of civilization, from ancient Rome and Greece and Egypt, all the way to the complex international networks of the twenty-first century. Modern international legal cooperation has not only become more complex and intricate, but also much more diverse. The recent decades have seen creations of forums, groups, committees, commissions and assemblies, pursuing cooperative goals with varying degrees of intensity and formalization. At the same time, traditional treaties and international organizations continue to be the pillars of international legal cooperation. Conceptually, international legal cooperation can be described as a continuum, where the starting point is the least formalized approach to cooperation, say informal bilateral talks between representatives of two States. Progressing along the continuum, more formal approaches to cooperation emerge. Political declarations made during an international conference are much more formal compared to informal bilateral talks, but they still lack legal force. A whole range of legally non-binding but politically important documents represent a significant part of the continuum. Institutional formalization of the cooperative process signals a new milestone on the continuum. Legal force of the documents is another milestone. Formalization of legal norms in the form of a treaty signals achievement of the second highest degree of formalization of the cooperative process. A traditional international organization that is entitled to adopt documents legally binding its members is the pinnacle of the cooperation continuum.

Definitions---Cooperation---Adjustment of Behavior

Cooperation requires explicit attempts to achieve policy coordination

Keohane 1984 – Professor of International Affairs, Princeton University

Robert O. Keohane, 1984 "Cooperation And International Regimes" AFTER HEGEMONY: Cooperation and Discord in the World Political Economy, pp. 49-64. ///IB

Cooperation must be distinguished from harmony. Harmony refers to a situation in which actors' policies (pursued in their own self-interest without regard for others) automatically facilitate the attainment of others' goals. The classic example of harmony is the hypothetical competitive-market world of the classical economists, in which the Invisible Hand ensures that the pursuit of self-interest by each contributes to the interest of all. In this idealized, unreal

world, no one's actions damage anyone else; there are no "negative externalities," in the economists' jargon. Where harmony reigns, cooperation is unnecessary. It may even be injurious, if it means that certain individuals conspire to exploit others. Adam Smith, for one, was very critical of guilds and other conspiracies against freedom of trade (1776/1976). **Cooperation and harmony are by no means identical and ought not to be confused with one another. Cooperation requires that the actions of separate individuals or organizations—which are not in pre-existent harmony—be brought into conformity with one another through a process of negotiation, which is often referred to as "policy coordination."** Charles E. Lindblom has defined policy coordination as follows (1965, p. 227): A set of decisions is coordinated if adjustments have been made in them, such that the adverse consequences of any one decision for other decisions are to a degree and in some frequency avoided, reduced, or counterbalanced or outweighed.

Definitions---Cooperation---Positive and Negative Inducement

Cooperation includes pushing towards alignment in policy; that push can be either positive or negative inducements

Keohane 1984 – Professor of International Affairs, Princeton University

Robert O. Keohane, 1984 "Cooperation And International Regimes" AFTER HEGEMONY: Cooperation and Discord in the World Political Economy, pp. 49-64. ///IB

Harmony and cooperation are not usually distinguished from one another so clearly. Yet, in the study of world politics, they should be. Harmony is apolitical. No communication is necessary, and no influence need be exercised. Cooperation, by contrast, is highly political: somehow, patterns of behavior must be altered. This change may be accomplished through negative as well as positive inducements. In- deed, studies of international crises, as well as game-theoretic experiments and simulations, have shown that under a variety of conditions strategies that involve threats and punishments as well as promises and rewards are more effective in attaining cooperative outcomes than those that rely entirely on persuasion and the force of good example (Axelrod, 1981, 1984; Lebow, 1981; Snyder and Diesing, 1977). **Cooperation therefore does not imply an absence of conflict.** On the contrary, it is typically mixed with conflict and reflects partially successful efforts to overcome conflict, real or potential. **Cooperation takes place only in situations in which actors perceive that their policies are actually or potentially in conflict, not where there is harmony. Cooperation should not be viewed as the absence of conflict, but rather as a reaction to conflict or potential conflict. Without the specter of conflict, there is no need to cooperate.** The example of trade relations among friendly countries in a liberal international political economy may help to illustrate this crucial point. A naive observer, trained only to appreciate the overall welfare benefits of trade, might assume that trade relations would be harmonious: consumers in importing countries benefit from cheap foreign goods and increased competition, and producers can increasingly take advantage of the division of labor as their export markets expand. But harmony does not normally ensue. Discord on trade issues may prevail because governments do not even seek to reduce the adverse consequences of their own policies for others, but rather strive in certain respects to increase the severity of those effects. Mercantilist governments have sought in the twentieth century as well as the seventeenth to manipulate foreign trade, in conjunction with warfare, to damage each other economically and to gain productive resources themselves (Wilson, 1957; Hirschman, 1945/1980). Governments may desire "positional goods," such as high status (Hirsch, 1976), and may therefore resist even mutually

beneficial cooperation if it helps others more than themselves. Yet **even when neither power nor positional motivations are present, and when all participants would benefit in the aggregate from liberal trade, discord tends to predominate over harmony as the initial result of independent governmental action.** This occurs even under otherwise benign conditions because some groups or industries are forced to incur adjustment costs as changes in comparative advantage take place. Governments often respond to the ensuing demands for protection by attempting, more or less effectively, to cushion the burdens of adjustment for groups and industries that are politically influential at home. Yet **unilateral measures to this effect almost always impose adjustment costs abroad, and discord continually threatens. Governments enter into international negotiations in order to reduce the conflict that would otherwise result.** Even substantial potential common benefits do not create harmony when state power can be exercised on behalf of certain interests and against others. In world politics, harmony tends to vanish: attainment of the gains from pursuing complementary policies depends on cooperation.

*** Offer ***

Definitions---Offer---Promise Conditioned on Acceptance

An offer is a promise conditioned on acceptance; it does not require the offeree to say yes

O'Gorman 2013 - Associate Professor, Barry University Dwayne O. Andreas School of Law. J.D., cum laude, New York University

Daniel P. O'Gorman 2013 "Redefining Offer in Contract Law" Barry University School of Law///IB

The requirement that an offer be communicated or delivered to the offeree 202 should also be placed in the definition of offer. If the plain meaning of offer is "presenting something for acceptance," 203 it makes sense to include communication or delivery of the offer to the offeree in the definition of offer so that this matter will be addressed during the offer analysis. Thus, contract law should use the following definition of offer to determine if the elements of an informal contract have been established: **An offer is (1) a promise or set of promises, (2) conditioned on acceptance by the offeree, (3) that is communicated or delivered to the offeree. This definition avoids the overlap between mutual assent and consideration caused by the current definition of offer, emphasizes that most offers are promises, and incorporates the requirement of communication or delivery to the offeree. Most importantly, under this definition an offer would include any promise that is subject to acceptance by the promisee, not simply an offer of an exchange.** Therefore, if A promises B to pay for B's lunch if B consents, that would be an offer because it is a promise to B conditioned on B's acceptance (A is committing to pay for B's lunch, but only if B manifests assent-e.g., "That would be great."). Similarly, if A promises to B to give B the use of a parcel of A's land if B moves onto it (Kirksey v. Kirksey²⁰⁴), that would be an offer because it is a promise to B conditioned on B's acceptance (moving onto the land). But these offers are not necessarily offers for an exchange. Whether they are will be determined when analyzing the third element of an informal contract (consideration), which is where most judges and lawyers would expect the issue to be addressed. If, however, A promises B \$2000, but does not require any form of acceptance by B (i.e., B is not required to do or not do anything to receive the \$2000),²⁰⁵ it is not an offer. Hence, it would not be enforceable under the bargain theory because an element of such a claim would not be established.

An offer is a proposal that is open to acceptance or rejection

Blacks Law Dictionary ND <https://thelawdictionary.org/offer/>

To bring to or before; **to present for acceptance or rejection**; to hold out or proffer; **to make a proposal to**; to exhibit something that may be taken or received or not. Morrison v. Springer, 15 Iowa, 340; Vincent v. Woodland Oil Co., 105 Pa. 402, 30 Atl. 991; People v. Ah Fook, 62 Cal. 494. 2. To attempt or endeavor; to make an effort to effect some object; in this sense used principally in criminal law. Com. v. Harris, 1 Beg. Gaz. R. (Pa.) 457. 3. In trial practice, to "offer" evidence is to state its nature and purport, or to recite what is expected to be proved by a given witness or document, and demand its admission. Unless under exceptional circumstances, the term is not to be taken as equivalent to "introduce." See Ansley v. Meikle, 81 Ind. 200; Lyon v. Davis, 111 Ind. 384, 12 N. E. 714; Harris v. Tomlinson, 130 Ind. 420, 30 N. E. 214.

Definitions---Offer---Not QPQ

An offer is not a quid pro quo

O'Gorman 2013 - Associate Professor, Barry University Dwayne O. Andreas School of Law. J.D., cum laude, New York University

Daniel P. O'Gorman 2013 "Redefining Offer in Contract Law" Barry University School of Law///IB

The best way to preserve a place for a consideration analysis that is divorced from the mutual-assent analysis is to remove the "proposal for a bargain" requirement from the definition of offer. By doing so, one will not be required to perform part of the exchange analysis at the offer stage and will therefore be less likely to miss the key issue involved with apparent offers- whether a reasonable person would construe the communication as a commitment (subject to the condition of acceptance, of course). Also, a **definition of offer that removes "bargain" from it would make it consistent with Black's Law Dictionary's** first, general definition of offer, a definition that is more consistent with offer's plain meaning. **Black's defines offer as "[t]he act or an instance of presenting something for acceptance,"** 177 and this definition is consistent with the first definition of offer in standard dictionaries. 178 **Offer's plain meaning is simply presenting "something" for acceptance, not necessarily proposing an exchange.** A **legal definition that is more consistent with a word's plain meaning is preferable because it is less likely to lead to confusion** when applying the term. **The idea that an offer in contract law might include something other than a proposal** for an exchange was seemingly recognized by Judge Learned Hand in his famous opinion in James Baird Co. v. Gimbel Bros.: Offers are ordinarily made in exchange for a consideration, either a counter-promise or some other act which the promisor wishes to secure. In such cases they propose bargains; they presuppose that each promise or performance is an inducement to the other. But a man may make a promise without expecting an equivalent; a donative promise, conditional or absolute. 179 Judge Hand's statement that "[o]ffers are ordinarily made in exchange for a consideration" 180 and his reference to promises that do not request an exchange 8 1 suggests he believed one could make an offer under contract law even though it did not propose an

exchange. Removing the "proposal for a bargain" requirement from the definition of offer requires, however, that substitute language be included. Consistent with the First Restatement's definition of offer, the word promise should be reinserted. **In an offer, the "something" that is presented for acceptance is almost always a promise.**¹⁸² **Reinserting promise will focus attention on whether a commitment was expressed, including what the commitment was** (which is important for determining if there was a breach by the offeror) **and whether a reasonable person would construe it as a commitment.** In fact, with contract law's current definition of offer, it might be unclear to many where the offeror's promise is to be found in the formation analysis. To currently find it, one must proceed from the definition of offer to the definition of bargain (which is incorporated into the definition of offer).¹⁸³ **A definition of offer that includes "promise" directly within it focuses attention on the fact that an offeror is almost always making a promise,** and this is important because contract law is, after all, about broken promises.

*** Establish ***

Definitions---Establish---Make Permanent

Establish is to make permanent

Blacks Law Dictionary ND <https://thelawdictionary.org/establish>

This word occurs frequently in the constitution of the United States, and it is there used in different meanings: (1) **To settle firmly, to fix unalterably ; as to establish justice, which is the avowed object of the constitution.** (2) **To make or form;** as to establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies, which evidently does not mean that these laws shall be unalterably established as justice. (3) **To found, to create, to regulate;** as: "Congress shall have power to establish post-roads and post-offices." (4) To found, recognize, confirm, or admit; as: "Congress shall make no law respecting an establishment of religion." (5) To create, to ratify, or confirm; as: "We, the people," etc., "do ordain and establish this constitution." 1 Story, Const. J 454. And see Dickey v. Turnpike Co., 7 Dana (Ky.) 125; Ware v. U. S., 4 Wall. 632, 18 L. Ed. 389; D. S. v. Smith, 4 N. J. Law, 33. Establish ordinarily means to settle certainly, or fix permanently, what was before uncertain, doubtful, or disputed. Smith v. Forrest, 49 N. H. 230.

Establish means to make permanent or create

Merriam-Webster's Dictionary 1996

<https://dictionary.findlaw.com/definition/establish.html#:~:text=establish%20vt,3%20%3A%20to%20bring%20into%20existence>

establish vt

1 : **to institute** (as a law) **permanently by enactment or agreement** [we the people of the United States...do ordain and this Constitution "U.S. Constitution preamble"]

2 : **to make firm or stable**

3 : **to bring into existence**

: found [Congress shall have power...to post offices and post roads "U.S. Constitution art. I"]

;specif

: to found (a national bank) pursuant to a charter

4 : to make (a church) a national or state institution see also establishment, establishment clause

5 : to put beyond doubt

: prove

6 : to place in a position of being accepted or followed [a rule ed by case law]

*** **Formal** ***

Definitions---Formal---Binding + Mutual Consent

Formal agreements are legally binding and require mutual consent

US Legal 2026 "What is a Formal Agreement? A Comprehensive Legal Overview" <https://legal-resources.uslegalforms.com/f/formal-agreement#:~:text=Definition%20%26%20meaning,agreement%20may%20be%20considered%20unenforceable.>

Definition & meaning

A formal agreement is a legally binding contract that requires more than just mutual consent between parties. To be enforceable, it must be documented in a specific format, typically a signed written document. If the necessary formalities are not met, the agreement may be considered unenforceable.

Definitions---Formal---Public and Enforceable

Formal is distinct from informal

Lipson 1991 - American political scientist who is professor emeritus of political science at the University of Chicago

Charles Lipson 1991 "Why Are Some International Agreements Informal? International Organization Vol. 45, No. 4 (Autumn, 1991), pp. 495-538//IB

abstract **Informal agreements are the most common form of international cooperation** and the least studied. **Ranging from simple oral deals to detailed executive agreements, they permit states to conclude profitable bargains without the formality of treaties. They differ from treaties in more than just a procedural sense... They differ from formal agreements not because their substance is less important (the Cuban missile crisis was solved by informal agreement) but because the underlying promises are less visible and more equivocal.**

*** Negotiation ***

Definitions---Negotiation---Pursuit of an Agreement (best)

Negotiation is a discussion aimed at achieving a common understanding or agreement that includes establishing mutual interests, codifying new norms in international law, or settling a dispute

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Kari Hakapää May 2013 "Negotiation" Max Planck Encyclopedia of International Law, Oxford Public International Law <https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e67///IB>

1 **Negotiation means discussions at different levels of authority with a view to achieving common understanding or agreement.** **In international relations, there are three basic modes of negotiation to be distinguished: a) generally, negotiations to discuss issues of mutual interest, b) negotiation as a means for the codification and progressive development of international law, and c) negotiation as a means for the settlement of disputes.** In the first category, States may discuss relevant aspects of their relations whether of a bilateral, regional, or global nature. Such modes of negotiation may be best addressed in their respective substantive or institutional context (for instance, negotiations within the European Union system (European Union, Historical Evolution)). In the second category, negotiation may, for instance, result in the conclusion of a new treaty or convention as between the parties involved. In the third category, **negotiation may provide a solution to a dispute or it may appear as a precondition for the judicial settlement of international disputes.** States may also have consultation[s], for instance, to establish contact for information sharing or to carry discussions of a preliminary or preparatory nature. In practice, consultations often come close to negotiations.

2 '[A] general, non-exhaustive frame of reference for negotiations' is offered by the UN General Assembly in its Resolution 53/101 of 8 December 1998 on Principles and Guidelines for International Negotiations (Preamble para. 10). In the resolution, the General Assembly bears in mind 'the important role that constructive and effective negotiations can play in attaining the purposes of the [UN] Charter by contributing to the management of international relations, the peaceful settlement of disputes and the creation of new international norms of conduct of States' (Preamble para. 8). The resolution, inter alia, underlines that **negotiations 'should be conducted in good faith'** (para. 2 (a)) as well as that 'States should endeavour to maintain a constructive atmosphere during negotiations and to **refrain from any conduct which might undermine the negotiations and their progress**' (para. 2 (e)).

3 **Negotiation is a primary means for international cooperation** (Co-operation, International Law of). In present day circumstances, negotiations may be conducted in numerous ways: by meeting of parties, by correspondence, by phone, by video conference, or by e-mail. At all levels, **negotiation means human contact to settle issues of common interest.** **Mere negotiation may not bind parties to any particular result but may produce results the parties are willing to implement with binding legal effect.** Through a treaty obligation, parties may be committed to enter negotiations before resorting to other means of settlement. In the absence of an agreement on other means of settlement, negotiation may be seen as the minimum requirement for peaceful settlement of international disputes.

Definitions---Negotiation---Pursuit of an Agreement

Negotiation is a process of settling a dispute in pursuit of an agreement – it is not merely diplomatic contact and requires resolving conflicting interests

United Nations 2026 - Model United Nations Program, United Nations Department of Global Communications

United Nations, April 30 2026 (accessed), "Fundamentals of Negotiation," Model United Nations, <https://www.un.org/en/model-united-nations/fundamentals-negotiation///IB>

Negotiation is well known and practiced in all fields of human activity. It is a way of settling disputes without fighting, a way of making joint decisions when those who are making decisions hold different views or a way of achieving your own objectives despite other participants having different objectives. This means that negotiation is a way of coping with disagreement, with varying views and with different objectives. In short, it is a way of coping with conflict. But it can only deal with conflict in cases where the parties have a sense that they have common interests. If they did not think that they had common interests, they could shout at each other (unproductively) or ignore each other: they would not be interested in seeking agreement. Negotiation is about finding a way to reach agreement. When agreement is reached, a dispute is settled and a joint decision has been made.

Negotiation is an exchange between parties in pursuit of an agreement

Spector and Zartman 12 - Zartman is founding Chair of the International Institute for Peace and Security and one of the most cited scholars in negotiation theory

Bertram I. Spector and I. William Zartman, 2012, "The Process and Practice of Negotiation," Chapter 6, Springer, PMC7122328, <https://pmc.ncbi.nlm.nih.gov/articles/PMC7122328///IB>

Negotiation can be defined as a process of exchange between two or more interested parties for the purpose of reaching agreement on issues of mutual concern. Zartman and Berman (1982) distinguish three main phases leading to agreement: the diagnostic phase, during which the issues are identified, stakeholders engaged and information is prepared, the formula phase, establishing a shared framework for agreement, and the detailed phase of negotiation and exchange. Negotiation is also crucial to the effective implementation of any international agreement, requiring ongoing monitoring and possibly arbitration of disputes by an international body.

Negotiations occur with the sole purpose of reaching an agreement; it is the dealmaking subset of diplomacy

Pickering and Kralev 2025 - retired American diplomat who served for over 40 years, holding the highest Foreign Service rank of Career Ambassador and Bulgarian American author, journalist, analyst, speaker and entrepreneur specializing in international affairs and global travel. He has been particularly recognized for his work on American diplomacy and the U.S. Foreign Service.

THOMAS R. PICKERING and NICHOLAS KRALEV | MARCH 30, 2025 "BOOK EXCERPT The Intricacies of Diplomatic Negotiations" <https://diplomaticacademy.us/2025/03/30/diplomatic-negotiation-tradecraft-kralev-pickering///IB>

Negotiation is the activity most people **associate with diplomacy**, even if it represents only one part of managing international relations. Just like diplomacy as a whole, **diplomatic negotiation — the dealmaking subset of diplomacy — is a form of application of national power by measures short of war**. However, **if the purpose of a negotiation is to reach agreement** with the other side, **the purpose of diplomacy is to achieve an end state required by a government's overall strategy that advances its interests**. Success depends in large part on diplomats' ability to reshape the other side's perceptions and calculations, so that it does in whole or in part what one wants it to do, because it comes to see that doing so is in its own best interest, as Chas Freeman points out in another chapter of "Diplomatic Trecraft."

We participate in various forms of negotiation throughout our lives. Companies negotiate business deals, trade unions and executives negotiate labor contracts, car-buyers negotiate with dealers, children negotiate curfew times or vacation destinations with their parents, and negotiation is, of course, a regular fixture of marriage. **The goal is to persuade the other side to accommodate one's demands**. Many of the fundamentals of these types of negotiation apply to diplomacy as well. Parties participate in them because they believe they have something to gain by bargaining and something to lose in the absence of a negotiated solution. Such absence deprives them of the influence and insights that only face-to-face talks afford. Willingness to negotiate does not necessarily foreshadow concessions.

What makes **diplomatic negotiation** different is that it **takes place between or among nation-states through their representatives**, and the stakes are usually higher than those in a domestic context. In addition, while other types of negotiation tend to be mostly transactional, negotiating in diplomacy cannot be isolated from the overall relationship with the other party.

A truly successful diplomatic negotiation is one that not only resolves an immediate problem, but ensures that the state of relations with the other side will serve one's interests in the long run. That does not mean that ties must necessarily be close or friendly, as long as they are civil and respectful, and the countries can work together in the future. Another feature of negotiation that is essential in diplomacy is its ability to build a basis for empathy. On one hand, **it helps to convey one's own motivations and interests directly, which can reduce misunderstanding, and on the other hand, it provides insight into the other side's motivations and perceptions**.

Definitions---Negotiation---Term of Art

Negotiation is an established term of art that has a robust presence across multiple areas of literature

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Stanislav Cherkasov and Olga Makliuk, February 1 2025, "Negotiation Process in International Relations Theory: From History to Contemporary Practices," Acta de Historia & Politica: Saeculum XXI, DOI: 10.26693/ahpsxxi2025.09.171///IB

Major shifts in the study of negotiations occurred in the 20th century. **Negotiation is now recognized as the most effective method of interaction and problem-solving in the practice of international relations**. Mid-20th century research in **international relations theory presents a broad spectrum of criteria for classifying international**

negotiations, including their forms and functions. This era saw not only theoretical developments but also the creation of specific negotiation techniques for conflict resolution. For instance, for many years, Prof. H.S. Kelman, director of Harvard's Weatherhead Center for International Affairs, worked on interactive problem-solving, an unofficial third-party approach to resolving international conflicts, particularly its application to the Arab - Israeli conflict (Kelman, 1998). This period also marked the development of negotiation technologies involving mediators. In the 1970s and 1980s, the U.S. introduced specialized training programs for mediators, and conflict resolution centers were established in various countries worldwide. Studies emerged on conducting negotiations using information technology, focusing on both theory and application. **Let us highlight a few key researchers, schools, and approaches that have significantly contributed to the development of negotiation theory and practice.** It is essential to note that research on the **negotiation process in international relations during the 20 and 21 centuries has become an interdisciplinary field**, integrating the efforts of sociologists, psychologists, political scientists, mathematicians, economists, historians, cultural scholars, and international relations specialists, among others. **Game theory**, a framework for analyzing strategic interactions, provides insight into how individuals and groups make decisions when facing competitive or cooperative scenarios, making it an invaluable tool for understanding negotiation dynamics in international relations. John von Neumann and Oskar Morgenstern, in their seminal work 'Theory of Games and Economic Behavior' (1944), **viewed negotiations as a strategic game in which each participant aims to maximize their gains** (Neumann, 1944). This work became a classic, introducing an innovative mathematical theory of economic and social organization based on strategic game theory. Proposed by von Neumann and Morgenstern, **this theory has been widely applied to analyze a variety of phenomena, from arms races to presidential election choices**. They became the founders of the mathematical analysis of negotiations, and **their work laid the foundation for analyzing negotiations within both zero-sum and non-zero-sum games**. Howard **Raiffa** is well known for his contributions to applied game theory, especially his book 'Games and Decisions' (1989), co-authored with Robert Schlaifer (Luce, 1989). Their research **examined the strategic aspects of decision-making and analyzed behavior under uncertainty, significantly impacting negotiation strategies**. Robert **Axelrod**, professor of political science and public policy at the University of Michigan, used game theory in 'The Evolution of Cooperation' (1984) to study cooperation in repeated games, such as the prisoner's dilemma. He demonstrated that cooperation can emerge even among self-interested players if they engage in long-term interactions. His work **provided insights into how cooperative strategies can develop in negotiation contexts** (Axelrod, 1984). The 'Principled Negotiation' model, developed through **the Harvard Negotiation Project, emphasizes finding mutually beneficial solutions by focusing on interests rather than positions, making it a transformative approach to conflict resolution and cooperative agreement-building in diplomacy and business**. In their book 'Getting to Yes: Negotiating Agreement Without Giving In' (1981), Roger **Fisher** and William Ury **proposed focusing on mutual gains and emphasizing the interests of the parties rather than their positions. This approach simplified the negotiation process and helped achieve sustainable agreements** (Fisher, 1981). By prioritizing collaboration over confrontation, **the 'Principled Negotiation' model has become widely influential, particularly in areas requiring sustained relationships and complex problem-solving, including diplomacy, business partnerships, and workplace negotiations**. Its emphasis on fairness, creative problem-solving, and empathy makes it an enduring and effective method for modern negotiation challenges. Conclusion. **Negotiation process in international relations theory has evolved significantly from its historical origins, developing into a sophisticated tool essential for conflict resolution, diplomacy, and global cooperation**. As the analysis reveals, **negotiation theories and strategies are closely aligned with major paradigms in international relations, each offering distinct frameworks and methods**. **Realism**, with its focus on power balance, **advocates for strategic pragmatism in negotiation, while liberal theories emphasize the role of cooperation, institutions, and transparency** to foster sustainable agreements. **Constructivist approaches**, on the other hand, **underscore the importance of shared beliefs and evolving identities, positioning negotiation as a transformative process** that can reshape relationships and international norms. **The study of negotiation in international relations reveals the critical role this process plays in managing and resolving conflicts, creating alliances, and establishing frameworks for cooperation**. Historical analysis shows that **negotiation practices** have not only shaped peace agreements and diplomatic conventions but also **provided a foundation for international law and institutional cooperation**. The

evolution from rigid, positional bargaining to more interest - based, integrative approaches demonstrates the adaptability and sophistication of negotiation theory as it responds to an increasingly interconnected and interdependent global environment. The application of negotiation theory within the three dominant paradigms of international relations – realism, liberalism, and constructivism – **shows how theoretical frameworks can influence practical outcomes**. Realist perspectives, with their focus on power and national interest, tend to view negotiation as a means to secure advantageous outcomes within an existing balance of power, often emphasizing short - term gains and strategic maneuvering. In contrast, liberal approaches advocate for institutionally mediated negotiation processes that prioritize cooperation, trust, and adherence to international norms, facilitating more enduring and stable agreements. Constructivism brings a unique perspective by focusing on how negotiations are influenced by evolving identities, cultural dynamics, and shared norms, suggesting that successful negotiation can reshape the very nature of relationships and contribute to shifts in international power structures. **As the international arena becomes more complex, the integration of negotiation with disciplines like economics, sociology, and psychology has become essential. The impact of game theory**, for instance, **has provided negotiation with structured models for understanding strategic decision - making**, while psychology contributes to an understanding of cognitive biases, perception, and the role of emotional intelligence in negotiation dynamics. Scholars like Robert Keohane and Joseph Nye have contributed significantly by examining the interplay between power and interdependence, highlighting the ways negotiation fosters mutual gains and cooperative networks in a world increasingly shaped by globalization. Moreover, the integration of **interdisciplinary research** – from sociology and psychology to economics and game theory – **has expanded the analytical tools available for negotiation, offering practical insights that can be applied to the complexities of today’s international landscape**. The contributions of scholars and practitioners such as Robert Keohane, Joseph Nye, and Emanuel Adler highlight how negotiation can serve as a bridge between theory and practice, adapting classical models to modern realities and promoting strategies that consider long - term stability and constructive engagement. The contributions of these researchers laid the foundation for the development of modern negotiation theories, from strategic choice to the analysis of psychological and behavioral aspects. Their ideas form the basis for studying the negotiation process in politics, business, and interpersonal relationships, and they have applications in various fields – from international conflicts to everyday decision - making. **As global challenges grow increasingly complex, the need for adaptive negotiation frameworks that incorporate theoretical and empirical insights is critical.** By synthesizing traditional and contemporary approaches, **negotiation remains one of the most effective methods for addressing international disputes,** **fostering cooperation, and building resilience in an interconnected world.**

Definitions---Negotiations---Brightline

Negotiations are formal discussions to resolve disputes and are a distinct tool of diplomacy

Council on Foreign Relations Last Updated February 02, 2022 "What Is Diplomacy?" CFR Education: Tools of Foreign Policy. <https://education.cfr.org/learn/learning-journey/tools-foreign-policy/what-is-diplomacy.> ///IB

Diplomacy encompasses all the ways that countries communicate with one another to advocate for **their national interests** around the world, from high-level interactions between country leaders to the day-to-day operation of an embassy.

Diplomacy comes in many forms:

Negotiations, or formal discussions between countries intended to resolve or prevent disputes.

Consultations, or forward-looking conversations between countries about shared problems such as climate change.

Back-channel talks, or secret communications between countries, often those in conflict.

Summits and conferences, or talks between heads of state or high-level government officials, often hosted by multilateral institutions such as the United Nations.

Day-to-day diplomacy, or daily interactions between countries carried out by embassies, including discussions between diplomats and relationship-building activities such as cultural exchanges.

Diplomacy can appear to take place only between high-level officials, but in reality, thousands of civil servants manage relations between countries. Those diplomats liaise with foreign governments, run embassies abroad—and, sometimes, even coordinate exchanges of pandas.

In the United States, much of that day-to-day diplomacy is done by members of the Foreign Service, a corps of over thirteen thousand employees who work around the world to support and secure American interests overseas. Let's explore the inner workings of a U.S. embassy to see what American diplomacy looks like in action.

What makes negotiations successful?

Just about every aspect of international relations is subject to a negotiation at one time or another.

Unlike coercive foreign policy tools such as military force, negotiations rely on communication, cooperation, and compromise between countries. And the success of those efforts requires countries to agree on both the goal of the negotiation and how to achieve it.

*** Towards ***

Definitions---Towards---In the Direction of

Toward means in the direction of

Merriam-Webster. n.d. "Toward." Merriam-Webster.com Dictionary. Accessed May 5, 2026.

<https://www.merriam-webster.com/dictionary/toward>. ///IB

toward 1 of 2 preposition to·ward 'tō-ərd 'tō(-ə)rd variants or towards 'tō-ərd(z) 'tō(-ə)rd(z) tə-'wōrd(z) 'twōrd(z) Synonyms of toward 1 : **in the direction of** driving toward town 2 a: **along a course leading to** a long stride toward disarmament b: in relation to an attitude toward life 3 a: **at a point in the direction of** : near a cottage somewhere up toward the lake b : in such a position as to be in the direction of your back was toward me 4: not long before toward the end of the afternoon 5 a: **in the way of help or assistance** in did all he could toward raising campaign funds b : for the partial payment of proceeds go toward the establishment of a scholarship Usage of Toward and Towards

Toward and towards are two forms of the same word. They have been used interchangeably since their inception in the 9th century. Today, toward is more common in the U.S. and Canada, while towards tends to be preferred elsewhere.

Means in the direction of or for the purpose of

Cambridge Dictionary n.d. "Towards"

<https://dictionary.cambridge.org/us/dictionary/english/towards>

towards preposition mainly UK uk /tə'wɔːdz/ /twɔːdz/ us /tɔːrdz/ /twɔːrdz/ (also mainly US toward) towards preposition (MOVEMENT) Add to word list B1 **in the direction of, or closer to someone or**

something: She stood up and walked towards him. He leaned towards his wife and whispered, "Can we go home soon?" She kept glancing towards the phone. The country seems to be drifting towards war. There is a trend towards healthier eating among all sectors of the population. Fewer examples A wasp came towards us and Howard started flailing his arms around. We were heading towards Kumasi when our truck broke down. The horse and cart jogged down the rough track towards the farm. I walked backwards towards the door. When she came towards me shouting, I retreated behind my desk. SMART Vocabulary: related words and phrases towards preposition (RELATION) B2 in relation to something or someone: They've always been very friendly towards me. There has been a change in government policy towards energy efficiency. He feels a lot of anger/hostility/antagonism/animosity towards his father. A lot of people think that most newspapers are biased towards one particular political party. More examples SMART Vocabulary: related words and phrases towards preposition (POSITION) C1 near to, just before, or around a time or place: Our seats were towards the back of the theatre. I often get hungry towards the middle of the morning. We're getting towards winter and it's getting dark earlier. More examples SMART Vocabulary: related words and phrases towards preposition (PURPOSE) C1 **for the purpose of** buying or **achieving something:** I'm saving up to buy a car, and Dad has given me some money towards it. Would you like to make a contribution (= give some money) towards a present for Linda? The work that students do during the term counts towards their final grade.

Toward means in the direction of

Merriam-Webster, n.d. (accessed May 5 2026), "Toward/Towards," Merriam-Webster.com Dictionary, <https://www.merriam-webster.com/dictionary/toward>

Toward: **in the direction of; along a course leading to;** in relation to. Toward and towards are both standard, correct English. Example sentences: **"Efforts toward peace have been largely unsuccessful."** The word is used as a preposition of **direction and purpose**. **"Toward" is American and Canadian; "towards" is British and used elsewhere** but both are identical in meaning. Toward(s) indicates movement or progress in a particular direction, whether literal or figurative: **"I'm moving toward my Master's Degree."** The direction indicated can be **literal and physical or figurative**.

Toward means getting closer to achieving

Oxford Advanced American Dictionary, n.d. "Toward," Oxford Learner's Dictionaries, Oxford University Press, https://www.oxfordlearnersdictionaries.com/definition/american_english/toward

Toward: (1) **in the direction of someone or something**. "They were heading toward the Canadian border." And (2) **getting closer to achieving something**. **"This is a first step toward universal health care."** And (3) close or closer to a point in time: "toward the end of April." **In the context of a goal or outcome, 'toward' means making progress in the direction of that outcome** — not that the outcome has been reached, but that **efforts or negotiations are directed at achieving it**.

Definitions---Towards---Outcome of Negotiation

'Towards an agreement' refers to the outcome of the negotiation

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Michele Griessmair and Daniel Druckman "To Match or Not to Match? Reactions to Turning Points in Negotiation" *Group Decis Negot.* 2018;27(1):61-83. doi: 10.1007/s10726-017-9550-x. ///IB

Departures or turning points are clear and self-evident changes from earlier events or patterns (Druckman and Olekalns 2013b). They are salient incidences within the negotiation that potentially alter its course by causing negotiators to change their strategy, the perception of and the relationship with the counterpart, or the negotiation outcome (Druckman et al. 2009; Olekalns and Smith 2005). Departures vary in their level of abruptness and may consist of procedural changes, incorporation of new ideas, or abandoning a give-and-take pattern (Druckman 2001). They typically occur after a period of little or no progress that leaves the parties prone to face an impasse (Druckman 1986) which may precipitate a turning point. In the present study, the turning point consists of a multi-issue offer that signals a willingness to come closer and marks a departure from competitive bargaining with the potential to introduce a new pattern favorable for both parties. It is important to distinguish between a departure and its consequence. Whereas the departure refers to the event or action per se, the consequence takes into account the direction of the negotiation as a result of the action. The direction can be a progression toward or away from an agreement (Druckman and Olekalns 2013b). Griessmair et al. (2015) have shown that in order to progress toward an agreement, it is crucial that the counterpart respond in kind and matches the turning point offer. Accordingly, in the present study, we explore reactions to a proposed mutually beneficial turning point offer.

Definitions---Towards---In the Direction of Agreement

In the context of negotiations, towards establishes intention in pursuit of a cooperative outcome or solution

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Michele Griessmair and Daniel Druckman "To Match or Not to Match? Reactions to Turning Points in Negotiation" *Group Decis Negot.* 2018;27(1):61-83. doi: 10.1007/s10726-017-9550-x. ///IB

The importance of negotiators being "in sync" or "out of sync" with each other has been demonstrated in various domains including strategies and tactics, goals, linguistic styles, and nonverbal behavior (Maddux et al. 2008; Olekalns and Smith 2000; Taylor and Thomas 2008; Weingart et al. 1999). Although synchronized responding to the turning point offer can propel negotiators towards an agreement (Druckman 2004; Griessmair et al. 2015), studies have also shown that negotiators may engage in mismatching. Negotiators tend to make high demands and low concessions when the counterpart's behavior is interpreted as conciliatory—the larger the counterpart's concessions, the smaller the negotiator's own concessions (Bateman 1980; de Dreu et al. 1994; Druckman and Bonoma 1976; Druckman et al. 1972; Pruitt and Syna 1985). Based on aspiration theory (Siegel and Fouraker 1960), the rationale behind mismatching is that conciliatory negotiators are likely to appear soft, hence, the other party can place high demands without risking an impasse (Van Kleef et al. 2004a). The choice to match or mismatch, however, may depend on the context of the negotiation (Allen et al. 1990; Carnevale and Pruitt 1992; Kleef et al. 2010). Notably, (mis)matching is not necessarily rooted in the counterpart's actual behavior (e.g., concessions) but rather in the negotiator's interpretation of the counterpart's behavior (de Dreu et al. 1994; Van Kleef et al. 2004a). Allen et al. (1990) showed that a negotiator's

willingness to reciprocate a conciliatory offer depended on whether the concession is perceived as a sign of cooperation. If this is the case, the “norm of reciprocity is more likely to surface” (Allen et al. 1990: 92) and negotiators are more likely to respond in kind. Following this reasoning, we suggest that the likelihood that bargainers will match a turning point offer depends on whether it is proposed within a distributive-competitive or integrative-cooperative process frame. A distributive-competitive negotiation frame is characterized by an emphasis on one’s own goals regardless of the counterpart’s needs (Putnam 1990) and increases the prominence of a negotiator’s relative gains approach to bargaining (Griessmair and Seferagic 2014). This competitive focus also increases negotiators’ fear that the counterpart may possibly exploit them. On a communicative level, the interaction focuses on arguments to substantiate one’s own position, direct negative reactions, threats, reference to power, and the use of pressure tactics (Weingart et al. 2004). When the departure is proposed within such a frame, the counterpart is less likely to interpret it as a genuine attempt to match concessions but rather allege selfish motivation and strategic behavior (cf., Kleef et al. 2010). As a result, s/he should also be more likely to continue with the previous offer pattern and not adapt his/her behavior to the proposed departure, despite the fact that the turning point offer would result in positive consequences for both. An integrative-cooperative negotiation frame is characterized by a joint problem solving orientation that focuses on the identification of shared objectives and similarities (Putnam 1990). The emphasis is on the underlying interests of both parties, highlighting mutuality, and engaging in conciliation and constructive exploration (Weingart et al. 2004). Moreover, the exchange of information focuses on priorities rather than positions (Weingart et al. 2004), which has a positive impact on the negotiators’ relationship by generating trust (Liu et al. 2010). This integrative-cooperative frame steers a negotiator’s attention toward working together for a mutually beneficial outcome (Gelfand et al. 2006; Griessmair and Seferagic 2014). Thus, a counterpart’s new offer is more likely to be assessed in light of possible mutual gains and areas of agreement. Furthermore, an integrative-cooperative frame also increases negotiators’ perceived fairness (Griessmair and Seferagic 2014) which, in turn, increases the likelihood that negotiators exhibit reciprocal behavior and engage in matching rather than mismatching (Pruitt and Syna 1985; Smith et al. 1982). When the turning point offer is proposed within an integrative-cooperative as opposed to a distributive-competitive frame, it is more likely that the suggested departure is interpreted as a genuine attempt to turn the negotiation around and the counterpart responds in kind (cf., Allen et al. 1990). Further support for the idea that **the process frame influences how individuals interpret and react to departures is provided by relational order theory (ROT)** (Donohue 1998; Donohue and Hoobler 2002; Donohue and Roberto 1993). **ROT posits that negotiators continuously create and tacitly negotiate relational orientations** with implications for the substantive negotiation process (Donohue 1998). Depending on the degree of conveyed affiliation and interdependence, **they establish a relational context of ‘moving toward/with’ or ‘moving against/away’** (Donohue and Roberto 1993). By its joint problem solving orientation and focus on shared objectives, **an integrative-cooperative process frame signals affiliation**, thus **establishing a moving towards/with relational context**. Conversely, a distributive-competitive emphasis on one’s own goals, regardless of the counterpart’s needs, is more likely to create a moving against/away relational context. Most importantly, according to ROT, **the relational context constitutes the groundwork for substantive negotiation behavior**. **Moving toward or with facilitates crafting integrative solutions** whereas moving against or away leads negotiators to “experience significantly more difficulty in reaching satisfying agreements” (Donohue 1998: 80). Thus, ROT suggests that the relational context created by an integrative-cooperative (as opposed to a distributive-competitive) process frame creates a conducive foundation for departures in the negotiation.

*** Agreement ***

Definitions---Agreement---Baseline Term of Art

Agreements are international instruments that are regarded as customary international law

United Nations Treaty Collection ND "Definition of Key Terms Used in the UN Treaty Collection."

United Nations Treaty Collection. Accessed May 7, 2026.

https://treaties.un.org/Pages/overview.aspx?path=overview/definition/page1_en.xml///IB

This introductory note seeks to provide a basic - but not an exhaustive - overview of the key terms employed in the United Nations Treaty Collection to refer to international instruments binding at international law: treaties, agreements, conventions, charters, protocols, declarations, memoranda of understanding, modus vivendi and exchange of notes. The purpose is to facilitate a general understanding of their scope and function. Over the past centuries, **state practice has developed a variety of terms to refer to international instruments by which states establish rights and obligations among themselves**. The terms most commonly used are the subject of this overview. However, a fair number of additional terms have been employed, such as "statutes", "covenants", "accords" and others. In spite of this diversity of terminology, no precise nomenclature exists. In fact, the meaning of the terms used is variable, changing from State to State, from region to region and instrument to instrument. **Some of the terms can easily be interchanged: an instrument that is designated "agreement" might also be called "treaty". The title assigned to such international instruments thus has normally no overriding legal effects**. The title may follow

habitual uses or may relate to the particular character or importance sought to be attributed to the instrument by its parties. **The degree of formality chosen will depend upon the gravity of the problems dealt with and upon the political implications and intent of the parties. Although these instruments differ from each other by title, they all have common features and international law has applied basically the same rules to all of these instruments.** These rules are the result of long practice among the States, which have accepted them as binding norms in their mutual relations. Therefore, **they are regarded as international customary law.** Since there was a general desire to codify these customary rules, two international conventions were negotiated. The 1969 Vienna Convention on the Law of Treaties ("1969 Vienna Convention"), which entered into force on 27 January 1980, contains rules for treaties concluded between States. The 1986 Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations ("1986 Vienna Convention"), which has still not entered into force, added rules for treaties with international organizations as parties. Both the 1969 Vienna Convention and the 1986 Vienna Convention do not distinguish between the different designations of these instruments. Instead, their rules apply to all of those instruments as long as they meet certain common requirements. Article 102 of the Charter of the United Nations provides that "every treaty and every international agreement entered into by any Member State of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it". All treaties and international agreements registered or filed and recorded with the Secretariat since 1946 are published in the UNTS. **By the terms "treaty" and "international agreement", referred to in Article 102 of the Charter, the broadest range of instruments is covered. Although the General Assembly of the UN has never laid down a precise definition for both terms and never clarified their mutual relationship, Article 1 of the General Assembly Regulations to Give Effect to Article 102 of the Charter of the United Nations provides that the obligation to register applies to every treaty or international agreement "whatever its form and descriptive name".** In the practice of the Secretariat under Article 102 of the UN Charter, the expressions "treaty" and "international agreement" embrace a wide variety of instruments, including unilateral commitments, such as declarations by new Member States of the UN accepting the obligations of the UN Charter, declarations of acceptance of the compulsory jurisdiction of the International Court of Justice under Art.36 (2) of its Statute and certain unilateral declarations that create binding obligations between the declaring nation and other nations. The particular designation of an international instrument is thus not decisive for the obligation incumbent on the Member States to register it. It must however not be concluded that the labelling of treaties is haphazard or capricious. The very name may be suggestive of the objective aimed at, or of the accepted limitations of action of the parties to the arrangement. Although the actual intent of the parties can often be derived from the clauses of the treaty itself or from its preamble, the designated term might give a general indication of such intent. A particular treaty term might indicate that the desired objective of the treaty is a higher degree of cooperation than ordinarily aimed for in such instruments. Other terms might indicate that the parties sought to regulate only technical matters. Finally, treaty terminology might be indicative of the relationship of the treaty with a previously or subsequently concluded agreement. Agreements **The term "agreement" can have a generic and a specific meaning.** It also has acquired a special meaning in the law of regional economic integration. **Agreement as a generic term: The 1969 Vienna Convention on the Law of Treaties employs the term "international agreement" in its broadest sense. On the one hand, it defines treaties as "international agreements" with certain characteristics. On the other hand, it employs the term "international agreements" for instruments, which do not meet its definition of "treaty".** Its Art.3 refers also to "international agreements not in written form". Although such oral **agreements** may be rare, they **can have the same binding force as treaties, depending on the intention of the parties.** An example of an oral agreement might be a promise made by the Minister of Foreign Affairs of one State to his counterpart of another State. The term "international agreement" in its generic sense consequently embraces the widest range of international instruments. Agreement as a particular term: **"Agreements" are usually less formal and deal with a narrower range of subject-matter than "treaties". There is a general tendency to apply the term "agreement" to bilateral or restricted multilateral treaties. It is employed especially for instruments of a technical or administrative character, which are signed by the representatives of government departments, but are not subject to ratification.** **Typical agreements deal with matters of economic, cultural, scientific and technical cooperation.** Agreements also frequently deal with financial matters, such as avoidance of double taxation, investment guarantees or financial assistance. The UN and other international organizations regularly conclude agreements with the host country to an international conference or to a session of a representative organ of the Organization. Especially in international economic law, **the term "agreement" is also used as a title for broad multilateral agreements** (e.g. the commodity agreements). The use of the term "agreement" slowly developed in the first decades of this century. Nowadays by far the majority of international instruments are designated as agreements.

Definitions---Agreement---An Understanding Between Parties

Agreements are an understanding between two parties

Blacks Law Dictionary ND

<https://thelawdictionary.org/agreement/#:~:text=Definition%20and%20Citations%3A,or%20future%20of%20acts%20or%20performances///IB>

A concord of understanding and intention, between two or more parties, with respect to the effect upon their relative rights and duties, of certain past or future facts or performances. The act of two or more persons, who unite in expressing a mutual and common purpose, with the view of altering their rights and obligations. **A coming together of parties in opinion or determination**; the union of two or more minds in a thing done or to be done; **a mutual assent to do a thing**. Com. Dig. "Agreement," A 1. The consent of two or more persons concurring, the one in parting with, the other in receiving, some property, right, or benefit. Bac. Abr. A promise, or undertaking. This is a loose and incorrect sense of the word. Wain v. Warlters. 5 East. 11. The writing or instrument which is evidence of an agreement. Classification. Agreements are of the following several descriptions, viz.: Conditional agreements, the operation and effect of which depend upon the existence of a supposed state of facts, or the performance of a condition, or the happening of a contingency. Executed agreements, which have reference to past events, or which are at once closed and where nothing further remains to be done by the parties. Executory agreements are such as are to be performed in the future. They are commonly preliminary to other more formal or important contracts or deeds, and are usually evidenced by memoranda, parole promises, etc. Express agreements are those in which the terms and stipulations are specifically declared and avowed by the parties at the time of making the agreement.

Agreements must include more than one country

US Department of State 2006

U.S. Department of State. "Criteria with Respect to International Agreements." 22 C.F.R. § 181.2. Originally published as Final Rule, 71 Fed. Reg. 53007, September 8, 2006. Implementing the Case-Zablocki Act, 1 U.S.C. § 112b (1972). Most recently amended October 2, 2023 (88 Fed. Reg. 67643). law.cornell.edu/cfr/text/22/181.2

(4) Necessity for two or more parties. **While unilateral commitments on occasion may be legally binding, they do not constitute international agreements**. For example, a **statement by the President promising to send money to Country Y to assist earthquake victims would not be an international agreement**. **It might be an important undertaking, but not all undertakings in international relations are in the form of international agreements**. Care should be taken to examine whether a particular undertaking is truly unilateral in nature, or is part of a larger bilateral or multilateral set of undertakings. Moreover, "consideration," as that term is used in domestic contract law, is not required for international agreements.

Between states or state agencies with the intention of being bound to that agreement

US Department of State 2006

U.S. Department of State. "Criteria with Respect to International Agreements." 22 C.F.R. § 181.2. Originally published as Final Rule, 71 Fed. Reg. 53007, September 8, 2006. Implementing the Case-Zablocki Act, 1 U.S.C. § 112b (1972). Most recently amended October 2, 2023 (88 Fed. Reg. 67643). law.cornell.edu/cfr/text/22/181.2

(1) Identity and intention of the parties. **A party to an international agreement must be a state, a state agency, or an intergovernmental organization. The parties must intend their undertaking to be legally binding, and not merely of political or personal effect. Documents intended to have political or moral**

weight, but not intended to be legally binding, are not international agreements. An example of the latter is the Final Act of the Helsinki Conference on Cooperation and Security in Europe. In addition, **the parties must intend their undertaking to be governed by international law**, although **this intent need not be manifested by a third-party dispute settlement mechanism or any express reference to international law.** In the absence of any provision in the arrangement with respect to governing law, it will be presumed to be governed by international law. This presumption may be overcome by clear evidence, in the negotiating history of the arrangement or otherwise, that the parties intended the arrangement to be governed by another legal system. **Arrangements governed solely by the law of the United States, or one of the states or jurisdictions thereof, or by the law of any foreign state, are not international agreements** for these purposes. **For example, a foreign military sales loan agreement governed in its entirety by U.S. law is not an international agreement.**

Definitions---Agreement---Mutuality and Commitment to Future

Agreement requires mutuality and commitment towards future actions

Hollis 2024 – Laura H. Carnell Professor of Law, Temple University James E. Beasley School of Law; Non-Resident Scholar, Carnegie Endowment for International Peace.

Duncan B. Hollis 2024 “Delimiting ‘Agreements’ for International Law” 65 Virginia Journal of International Law Online, Forthcoming, Temple University Legal Studies Research Paper No. 2024-11//IB

Although the Vienna Convention on the Law of Treaties (VCLT) **defines treaties as a particular kind of international agreement, the agreement concept received little sustained attention** in the preparatory work of the International Law Commission or the Vienna Conference.⁷ **That pattern (largely) continued in subsequent international legal scholarship** even among those highlighting the rise of non-binding instruments.⁸ International relations scholarship has similarly emphasized various typologies differentiating agreements in terms of their legality or formality without spending much time unpacking the agreement concept itself.⁹ Nor has state practice done much to elucidate the topic. **A few states insist** – the VCLT definition notwithstanding – **on regarding agreements as a synonym for treaties** in lieu of engaging with the concept of an agreement.¹⁰ **In most cases,** however, **states employ the term without any definitions or explanations of an agreement’s boundaries.** Fortunately, **there are some notable exceptions to these trends that suggest two definitional criteria: agreements exist where they reflect both** (i) **mutuality and** (ii) **commitment.**¹¹ As Jan Klabbers explained, **agreements do not arise sua sponte from a single actor, but reflect the product of mutual interchange.**¹² Thus, **mutuality points to the necessity of** inter-subjectivity, i.e., of a **consensus ad idem or “meeting of the minds” among those agreeing.**¹³ At the same time, **a mutually shared belief alone will not make an agreement; any intersubjectivity must relate to** some **future** course of conduct, i.e., a **commitment.** As Charles Lipson writes, **“[a]ll international agreements, whether formal or informal, are promises about future national behavior.”**¹⁴ **There are, of course, tremendous variations in what future courses of conduct agreements may envision; commitments may constrain behavior or require it; they can facilitate behavior** by agreeing to permit it, **or they can even constitute new actors** or processes.

Mutuality and commitment to the future establish a brightline between what is and is not considered an agreement

Hollis 2024 – Laura H. Carnell Professor of Law, Temple University James E. Beasley School of Law; Non-Resident Scholar, Carnegie Endowment for International Peace.

Duncan B. Hollis 2024 “Delimiting ‘Agreements’ for International Law” 65 Virginia Journal of International Law Online, Forthcoming, Temple University Legal Studies Research Paper No. 2024-11///IB

Focusing on agreements as a conjunction of mutuality and commitment provides additional qualifiers for identifying non-binding agreements beyond just differentiating them from treaties. First, **by requiring mutuality, agreements exclude unilateral commitments.** International law recognizes some unilateral declarations as binding (ala Nuclear Tests¹⁶) while others only reflect statements of intention.¹⁷ But **these distinctions rest on a different basis of obligation** (even if the International Law Commission never clarified what that basis is precisely).¹⁸ At the same time, some statements may appear unilateral, but, viewed in context, form part of a larger exchange that can (considered collectively) comprise the mutuality needed for an agreement. Thus, although there was a time when the treaty-status of exchanges of diplomatic notes was disputed, today, a treaty can clearly reside in a series of statements just as non-binding agreements can emerge from iterated interactions.¹⁹ That said, differentiating a unilateral statement from a mutual agreement can be difficult in practice. Nearly a century on, for example, scholars continue to debate if the Ihlen Declaration exemplified an unwritten treaty or a unilateral declaration.²⁰ **States and scholars would do well, therefore, to devote more attention to identifying methods for distinguishing unilateral statements from agreements. Just as mutuality can help delimit agreements, so too can** the element of **commitment.** International relations regularly result in jointly-authored statements, minutes, press releases, calls, and other forms of common understanding. Sometimes these statements will include commitments, making them into binding agreements (e.g., the Agreed Minutes at the center of Qatar v. Bahrain) or non-binding ones (e.g., the Christchurch Call).²¹ But in many cases, **such statements have nothing to say about future behavior (and thus fall outside the agreement context entirely).** **It is not enough for states** or other stakeholders **to recount what happened during a meeting,** to explain their respective positions, or even to list some “agreed view” – **for an agreement to exist there must be some elaboration of how participants commit to behave going forward.** To date, **neither international law nor international relations has given much attention to the methods for dividing agreements from non-agreements** amidst all the deliverables on offer. Sometimes, **participants may agree that they have agreed.** In the Pulp Mills case, for example, neither Argentina nor Uruguay disputed that their Presidents reached an agreement via a May 2005 press release; their dispute revolved around whether the agreement was binding.²³ But **where there is no consensus on an agreement’s existence, more work is needed on how to identify one.** In Aegean Sea, the ICJ called for an examination of a joint statement’s “actual terms and to the particular circumstances in which it was drawn up.”²⁴ Although the Court never clarified if doing so determines the agreement’s existence or merely delineates bindingness among existing agreements, examinations of the text and surrounding circumstances would appear obvious starting points for identifying a prospective agreement.²⁵ Other elements may deserve consideration as well, including the presence of conditionality or the silence of supposed participants.²⁶ Bradley, Goldsmith, and Hathaway’s recent work gathering joint statements offers a unique dataset in which to begin more

robust searches for commitments that comprise agreements (recognizing that that their own work did not do so specifically).

Definitions---Agreement---AT Vagueness

Agreements cant be vague

US Department of State 2006

U.S. Department of State. "Criteria with Respect to International Agreements." 22 C.F.R. § 181.2. Originally published as Final Rule, 71 Fed. Reg. 53007, September 8, 2006. Implementing the Case-Zablocki Act, 1 U.S.C. § 112b (1972). Most recently amended October 2, 2023 (88 Fed. Reg. 67643). law.cornell.edu/cfr/text/22/181.2

(3) Specificity, including objective criteria for determining enforceability. **International agreements require precision and specificity in the language setting forth the undertakings of the parties.**

Undertakings couched in vague or very general terms containing no objective criteria for determining enforceability or performance **are not** normally international **agreements**. Most frequently **such terms reflect an intent not to be bound**. For example, **a promise to “help develop a more viable world economic system” lacks the specificity essential to constitute a legally binding international agreement. However, the intent of the parties is the key factor.** Undertakings as general as those of, for example, Articles 55 and 56 of the United Nations Charter have been held to create internationally binding obligations intended as such by the parties.

Definitions---Agreement---AT Agreements Could Be Small

Agreements cant be trivial in nature

US Department of State 2006

U.S. Department of State. "Criteria with Respect to International Agreements." 22 C.F.R. § 181.2. Originally published as Final Rule, 71 Fed. Reg. 53007, September 8, 2006. Implementing the Case-Zablocki Act, 1 U.S.C. § 112b (1972). Most recently amended October 2, 2023 (88 Fed. Reg. 67643). law.cornell.edu/cfr/text/22/181.2

(2) Significance of the arrangement. **Minor or trivial undertakings, even if couched in legal language and form, are not considered international agreements** within the meaning of the Act. **In deciding what level of significance must be reached before a particular arrangement becomes an international agreement, the entire context of the transaction and the expectations and intent of the parties must be taken into account. The duration** of the activities pursuant to the undertaking or the duration of the undertaking itself **shall not be a factor in determining whether it constitutes an international agreement**. It remains a matter of judgment based on all of the circumstances of the transaction. Determinations are made pursuant to § 181.3. **Examples of arrangements that may constitute international agreements are agreements that:**

(i) **Are of political significance;**

(ii) **Involve substantial grants of funds or loans** by the United States or credits payable to the United States;

(iii) Constitute a substantial commitment of funds that extends beyond a fiscal year or would be a basis for requesting new appropriations;

(iv) Involve continuing and/or substantial cooperation in the conduct of a particular program or activity, such as scientific, technical, or other cooperation, including the exchange or receipt of information and its treatment, or the pooling of data. However, individual research grants and contracts do not ordinarily constitute international agreements.

Definitions---Agreement---Debatability

Limits DA

Hollis 2024 – Laura H. Carnell Professor of Law, Temple University James E. Beasley School of Law; Non-Resident Scholar, Carnegie Endowment for International Peace.

Duncan B. Hollis 2024 “Delimiting ‘Agreements’ for International Law” 65 Virginia Journal of International Law Online, Forthcoming, Temple University Legal Studies Research Paper No. 2024-11///IB

States and scholars are increasingly obsessed with non-binding agreements. Whether because of their potential (for coordinating future behavior) or their problems (for treaty-making authorities—domestic and/or international), the topic of non-binding agreements is now prominently on the agenda of legislatures,¹ foreign ministries,² international expert bodies,³ and, of course, law professors.⁴ To date, however, **most of this attention has emphasized the** component’s **“non-binding” qualifier** – i.e., what does it mean for agreements to be non-binding, and how do we distinguish these from binding agreements such as treaties.⁵ **But what about the “agreement” aspect** of non-binding agreements? **The topic has, to date, received remarkably limited attention in international law** and international relations circles. Yet, **some conception of “agreement” is a logical prerequisite for defining agreements in binding and non-binding forms**, let alone any effort to regulate the latter category.⁶ **Delimiting what agreements “are” may also significantly shape the non-binding agreement category itself.** For starters, **defining what constitutes an agreement can serve as a limiting principle, necessarily excluding certain binding instruments** (e.g., unilateral declarations) **and other non-binding ones** (e.g., joint statements without a shared commitment to some future course of conduct). Moreover, **if we consider the agreement concept more broadly, we may add another category – tacit agreements – to the existing discourse over bindingness.** Focusing on how binding **tacit agreements** might differ from their non-binding counterparts **highlights additional identification methods** – content-driven criteria and presumptions – **that may operate as supplements (or substitutes) for the intentional and objective candidates currently competing to differentiate binding and non-binding agreements.** Simply put, states and scholars should give greater attention (empirically and normatively) to the idea of “agreements” as they examine the role and future of non-binding agreements in international law and international relations.

*** Global Health Security ***

Definitions---Global Health Security---Term of Art

Global health security includes prevention, detection and response to infectious diseases but excludes R&D and acute epidemic responses

Michaud et al 2023 – Associate Director for Global and Public Health Policy at KFF, where he helps guide and oversee KFF's research and analysis in the area of global health

Josh Michaud, Kellie Moss, and Jennifer Kates “The U.S. Government and Global Health Security” <https://www.kff.org/global-health-policy/the-u-s-government-and-global-health-security///IB>

Global Health Security (GHS) can be defined as activities supporting epidemic and pandemic preparedness and capabilities at the country and global levels, in order to minimize vulnerability to acute public health events that can endanger the health of populations across geographical regions and international boundaries. This includes efforts to improve countries' capacity to prevent, detect, and respond to infectious disease threats.¹ Over the past few years, **the terms Pandemic Prevention, Preparedness and Response (PPPR) and Pandemic Preparedness and Response (PPR) have also been used frequently to refer to these types of activities** as well.

This brief uses the term GHS to refer to activities, often supported by donors such as the U.S., that have the goal of building country-, regional-, and global-level capacities for infectious disease prevention, preparedness and response, but **does not include research and development for countermeasures** (such as diagnostics, drugs, and vaccines), **nor support for acute epidemic response in other countries** (such as funding for vaccine procurement and distribution during the COVID-19 pandemic or direct support to a country's response to an Ebola outbreak).

Definitions---Global Health Security---Infectious Diseases

Global health security is defined as working with countries to build systems that prevent, detect, and respond to infectious disease

Center for Disease Control April 3 2026 “Global Health Security” <https://www.cdc.gov/global-health/topics-programs/global-health-security.html///IB>

Global health security is working with partner countries to build capacity with the goal of strong and resilient public health systems **that can prevent, detect, and respond to infectious disease threats. Global health security is national security.** CDC's global staff are part of the first line of defense to stop outbreaks where they start. CDC works 24/7 to protect the health, safety, and security of the American people and fight global health threats worldwide.

Global health security includes both disease prevention and containment

World Health Organization N.D. “Health Security” https://www.who.int/health-topics/health-security#tab=tab_1///IB

Global public health security is defined as the activities required, both proactive and reactive, to minimize the danger and impact of acute public health events that endanger people's health across geographical regions and international boundaries.

Global health security includes prevention, detection and responses to infectious disease

Tulane University Celia Scott Weatherhead School of Public Health and Tropical

Medicine April 14, 2024 “What Is Global Health Security, and How Is It Used in Disease Surveillance?”

<https://publichealth.tulane.edu/blog/global-health-security///IB>

What Is Global Health Security? An infectious disease threat that begins in one part of the world can easily spread to other parts of the world. **Global health security is** what focuses on **preventing, detecting, and responding to infectious disease threats. Public health organizations around the world work together to monitor and respond to infectious diseases.** In the U.S., the Centers for Disease Control and Prevention (CDC) leads national efforts to track pathogens, monitor outbreaks, and limit public health threats. The CDC coordinates with other national public health organizations and the World Health Organization (WHO) to promote global health. As the CDC warns, an infectious disease can spread from a remote village to major cities on all

continents in just 36 hours. Pathogens threatening one region threaten all regions. **An investment in global health security strengthens the global response to public health threats.** Preventing the harmful impact of diseases and epidemics benefits everyone around the world. The Major Risks to Global Health Security Globalization has introduced new risks to health security. As contact between humans and wild animals increases, so does the risk of disease transmission. Global networks that cross oceans in a matter of hours spread diseases faster than ever before in history. Similarly, public health triumphs have created new risks. Antibiotics have saved countless lives while also leading to drug-resistant pathogens. The world eradicated smallpox in the 1970s thanks to global vaccination and disease surveillance; however, research laboratories still house samples of the smallpox virus. **The following are the top global health security risks today, according to the CDC: Emergence and spread of infectious diseases,** such as the novel coronavirus identified in 2019 **Globalization of trade and travel,** allowing diseases to spread faster **Rise of drug-resistant pathogens,** such as antibiotic-resistant E. coli **Risk of intentional or accidental release of dangerous pathogens** **Disaster preparation requires an understanding of these risks. Disease surveillance systems can help public health organizations identify and respond to infectious disease threats.**

Definitions---Global Health Security---Six Pillars

Global health security includes six characteristics – prevention, detection, response, improving health systems, monitoring compliance, and assessing risk

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<https://publichealth.tulane.edu/blog/global-health-security///IB>

The Pillars of Global Health Security Promoting public health around the globe requires a multilateral response. While detection can identify outbreaks before they grow into epidemics, these efforts will falter without a strong response system. Similarly, rapid response efforts during public health emergencies cannot succeed without a robust health system. **The Global Health Security Index** (GHS Index) assesses public health security globally and **identifies six pillars of global health security**, which follow: **Prevention.** Protecting global health begins with preventing the spread of pathogens. This includes preventing the emergence of pathogens and the release of contained infectious diseases. During outbreaks, prevention also represents one of the most powerful public health tools, thus making it a pillar of global health security. **Detection.** Disease surveillance systems emphasize tracking and monitoring public health threats. Each country uses different tools and agencies to detect the spread of pathogens. Surveillance, laboratory, and reporting systems play a central role in detection. Global health requires a coordinated effort by national public health organizations. Reporting threats and sharing information protect global public health. **Response.** In addition to prevention and detection, rapid response is a key component of improving global health. Communication and coordination help organizations mobilize in response to public health emergencies. This pillar encompasses emergency preparedness, disaster response planning, and disaster communication. **Health systems.** The ability of national health systems to respond to global health threats factors into public health security. During the COVID-19 pandemic, many health systems struggled with healthcare surge capacity and the availability of crucial medical supplies. Effective health systems help mitigate the risk of public health threats. **Compliance.** Global health security depends on the compliance of members of the global community. This pillar addresses compliance with international norms for disease surveillance and public health promotion. It also covers public health financing and compliance with the best practices in emergency procedures. **Risk.** Countries around the world face different risk environments when it comes to public health. These

include vulnerabilities to biological threats, political and security risks, and infrastructure risks. This pillar addresses the unique infectious disease and health risks in different nations. **By creating benchmarks for each of these six pillars, the GHS Index identifies areas for improvement in the global effort to promote public health. The Global Health Security Index creates benchmarks for health security and assesses the preparedness of 195 countries. Led by the** Nuclear Threat Initiative (NTI) **and the Johns Hopkins Center for Health Security** (John Hopkins CHS), **the GHS Index launched in October 2019.** Using the six pillars of global health security, the **GHS Index regularly measures public health capacities.** In 2021, the GHS Index divided these six categories into 37 indicators and 171 questions. These criteria prioritize preparedness, environmental risks, adherence to global public health norms, and the strength of the country's health system. This information identifies health security gaps at the national level. Countries can then invest in public health to prevent future outbreaks. For example, public health organizations and governmental agencies can use the GHS Index to identify areas for further investment and planning. The GHS Index plans to conduct assessments every two to three years to track emergency preparedness.

Definitions---Global Health---Brightline

Distinctions between what global health negotiations does and does not include

Chattu 2019 - Department of Paraclinical Sciences and Institute of International Relations, The University of the West Indies, St. Augustine, Trinidad and Tobago AND Global Institute of Public Health, India

Vijay Kumar Chattu, Knight AW, Kevany S, Sehovic AB. Global health diplomacy, health and human security: The ascendancy of enlightened self-interest. J Educ Health Promot. 2019 Jun 27;8:107. doi: 10.4103/jehp.jehp_391_18. J Educ Health Promot. 2019 Dec 31;8:268. doi: 10.4103/2277-9531.274553///IB

Table 1. Types of global health diplomacy activities

Type	Examples
Formal international bilateral and multilateral negotiations	Those that take place at the World Health Assembly and other multilateral forums and traditional negotiations between donor and recipient countries regarding official bilateral health assistance Negotiations around the WHO framework convention on tobacco control The U.S. PEPFAR partnership framework agreements on HIV/AIDS between the U.S. government and partner countries
Multi-stakeholder diplomacy	Often includes countries as well as nonstate actors negotiating on health-related issues The Global Fund to Fight AIDS, Tuberculosis, and Malaria and GAVI (formerly the Global Alliance for Vaccines and Immunization) The 2012 London Summit on Family Planning
Interactions between health actors from one country acting in another country	Include the activities of official and semiofficial representatives from donor countries acting in recipient countries, for example, the USAID, PEPFAR, or contracted NGO staff interacting with officials of the host country

	USAID country staff advocating inclusion of family planning services in Ghana's national health insurance program U.S. Ambassador calling for greater funding of child survival programs in Malawi's national budget
Barefoot diplomacy	Ad hoc diplomatic duties undertaken by public and global health workers, for which no formal recognition is provided

PEPFAR=President's Emergency Plan for AIDS Relief, WHO=World Health Organization, USAID=U.S. Agency for International Development

Affirmatives---Global Health Security---Study, Detect, Contain

Affirmatives could increase cooperation on studying, surveilling, or containing infectious diseases

Center for Disease Control April 3 **2026** "Global Health Security" <https://www.cdc.gov/global-health/topics-programs/global-health-security.html>///IB

CDC stands at the forefront of global health security, leading efforts to prevent, detect, and respond to health threats that can impact communities worldwide. CDC leverages decades of expertise and innovation to safeguard global health, ensuring safer futures for all. With over 60 overseas offices, **CDC** works to implement global health programming, which addresses hundreds of diseases, health threats, and conditions that are major causes of death, disease, and disability. Our experts around the world support emergency responses and also help countries build the capacity to stop local disease outbreaks from becoming global crises: bolstering laboratories to quickly detect deadly pathogens, improving surveillance to track emerging threats, and training disease detectives to investigate and swiftly contain outbreaks. Collaborative efforts Thanks to extensive global presence and decades-long trusted partnerships, CDC's global staff are often the first call by host-country governments when disease outbreaks start. Building global health security can't be accomplished alone. CDC assistance to partner countries has resulted in substantial improvements to their readiness to fight infectious disease threats. To accomplish global health security goals, CDC works closely with other U.S. government agencies, ministries of health, international organizations, and in-country partners. No matter the threat, protecting the health of Americans and people around the world is our #1 goal.

Affirmatives---Global Health Security---Disease Surveillance

Affirmatives could establish agreements on disease surveillance

Tulane University Celia Scott Weatherhead School of Public Health and Tropical Medicine April 14, **2024** "What Is Global Health Security, and How Is It Used in Disease Surveillance?" <https://publichealth.tulane.edu/blog/global-health-security>///IB

The Role of Disease Surveillance in Public Health Disease surveillance plays a key role in global health security. As part of the broader effort to monitor public health threats, disease surveillance tracks and analyzes data related to infectious diseases. For example, the CDC and WHO collect and evaluate data on disease outbreaks and their spread. The CDC's Division of High-Consequence Pathogens and Pathology (DHCPP) monitors and tracks the most contagious and deadly pathogens. The WHO's Health

Emergencies Program conducts ongoing monitoring of high-threat diseases. Data from disease surveillance systems provide early warnings about potential public health threats. Public health organizations see many benefits from disease surveillance, including tracking dangerous infectious diseases, limiting the spread of pathogens, and improving public health outcomes. Tracking Dangerous Pathogens **Surveillance systems can track dangerous pathogens before they reach epidemic proportions.** In the U.S., DHCPP uses surveillance networks and systems to monitor diseases such as anthrax, rabies, hantavirus, and other infectious diseases. In collaboration with the WHO and global public health organizations, DHCPP tracks pathogens to limit the harm caused by outbreaks. **In addition to tracking known pathogens, disease surveillance organizations** such as DHCPP **identify novel infectious diseases. They test unknown infectious agents to learn about potential public health threats. These early detection efforts made it possible to sequence COVID-19 within months** of its emergence and develop a vaccine on an accelerated timeline. Prevention of Disease Spread **By identifying impending outbreaks** of infectious diseases, **disease surveillance systems can prevent and limit the spread of these diseases. Disease surveillance systems investigate the spread of diseases to limit transmission. Several techniques** allow public health organizations to **prevent the spread of diseases.** First, these organizations must **identify the pathogen responsible for outbreaks.** Next, they **track the source** of outbreaks. Finally, organizations **monitor disease transmission** to implement prevention strategies or recommend other public health interventions. Improving Public Health Outcomes Ultimately, the goal of disease surveillance is to improve public health outcomes. **Early warning systems allow public health organizations to limit the spread of diseases and reduce the harm of infectious diseases.** In addition to tracking pathogens and limiting the spread of diseases, **public health surveillance is a powerful tool for policymakers. Organizations can more effectively plan ahead, set priorities, and improve public health outcomes based on disease surveillance data.** These organizations also evaluate the impact of different public health interventions. By analyzing and comparing interventions, public health organizations know which strategies have the greatest impact on public health.

Affirmatives---Global Health Security---Strategies

Potential affirmatives could improve surveillance systems, establish laboratory networks, coordinate work-force training, or establish emergency management systems

Tulane University Celia Scott Weatherhead School of Public Health and Tropical

Medicine April 14, 2024 “What Is Global Health Security, and How Is It Used in Disease Surveillance?”

<https://publichealth.tulane.edu/blog/global-health-security///IB>

Global Health Security Strategies **What strategies have the greatest impact on health security?**

According to the GHS Index, countries around the world need to improve their disaster surveillance and public health systems. Proven strategies can improve health security. **The CDC identifies several strategies to improve global health. Surveillance systems.** Countries around the globe must invest in disease surveillance systems that identify outbreaks before they spread. **Laboratory networks.** Regional, national, and international laboratory networks must be able to test and identify pathogens. These labs should also identify new pathogens. **Front-line workforce development.** Front-line workers, such as healthcare providers, need the tools to identify and contain outbreaks. Training on reporting also promotes global health. **Emergency management systems.** Coordinated response efforts prevent outbreaks from spiraling into global public health emergencies. Strong emergency management systems

are a critical global health security strategy. Tools like the GHS Index and collaborative organizations like the GHSA indicate where countries must invest in public health. However, improving health security globally also requires experts with specialized knowledge and skills.

Affirmatives---Global Health Agreements---US-China Specific

US-China global health agreements can include health challenges of either nation as well as disease preparedness in other countries

Li et al 2021 - Center for Public Health and Epidemic Preparedness and Response, Peking University, Beijing, China

Liming Li, Kean Wang, Zhuo Chen, Jeffrey P Koplan “US–China health exchange and collaboration following COVID-19” 2021 Apr 8, 397(10291):2304–2308. doi: 10.1016/S0140-6736(21)00734-0///IB

Challenges to the US–China health collaboration exist, including deeply rooted political and economic differences, acute stresses related to the COVID-19 pandemic, and other global concerns such as mental health disorders, non-communicable diseases, ageing, urbanisation, and climate change. The political and economic differences need to be acknowledged and might require a long-term solution involving continuing dialogues between US and Chinese health leaders. Over the past 4 years, even before COVID-19, steps have been taken by both countries that hinder bonds of scientific inquiry, friendship, and productivity.^{2, 23} The US CDC China Office has had a substantial reduction of its staff, compromising collaborative efforts.² The past 4 years have been stressful for Chinese scholars in the USA, particularly those who have close collaborations with Chinese institutions because of increasing scrutiny, often by law enforcement, funding agencies, and employers.²³ The intensity of these stresses has increased because of the COVID-19 pandemic. The tension has been initiated and has intensified more at the higher political levels (ie, senior elected and appointed officials in health and diplomatic sectors) than at the scientific or technical levels (ie, scientists and researchers). As the ongoing COVID-19 pandemic continues to disrupt livelihoods, international travel will be compromised for the near future and there will be less face-to-face interactions. Collaboration will continue virtually, with the eventual return to common practice of in-person travel and face-to-face meetings. Anticipation of one or more effective and safe vaccines can be promising but not assured. Strong US and Chinese collaboration in vaccine development and distribution would benefit both countries and the world. **There are also many inherent long-term societal and health challenges for both nations, alluding to collaborative opportunities in health and medicine. These challenges include: urban health as China experiences dramatic urban growth and develops its megacities, ageing populations in both countries with expanded demands for medical and social services for older adults, environmental degradation, climate change, energy needs and approaches, policy and economic issues in which health has a major stake, and non-communicable diseases and their risk factors (eg, including tobacco use, smoking, diet or overnutrition, salt intake, fat intake, physical activity, diabetes, heart disease and stroke, mental health and substance abuse, arthritis and mobility and injuries). Besides the ongoing COVID-19 pandemic, long-running global health challenges include fragile health systems in the low-income and middle-income countries that can be overwhelmed by an emerging infectious disease or chronic diseases. The USA and China can complement each other in their global health aid and engagement despite differences in objectives, approaches, and where they succeed and fail. The USA has extensive experience in evaluating health aid programmes and can offer lessons learned. China could operate with more security and efficiency in particular geopolitical settings that are out of reach for the USA. China could also complement the US prowess in technology and management with its strengths in manpower and logistics, as shown by the US–China collaboration in controlling Ebola.** The USA also has a much larger global health workforce and more global health academic programmes, supporting the scale of operation of the US global health engagement. By comparison with the USA, China has fewer and less extensive global health programmes. Global health science and knowledge will be enriched from a bi-directional exchange between the USA and China.²⁴ The immediate future, following COVID-19, will be challenging. However, we have so much to learn from and offer to each other that our biomedical and public health ties must be maintained and strengthened. It makes sense for US and Chinese scientists to work together on elements of the pandemic response and best practices for future pandemics.

U.S.–China global health negotiations can include travel, infrastructure, supply chain resilience, vaccines, biosafety, and disinformation

Kennedy and Huang 2021 - Senior Adviser and Trustee Chair in Chinese Business and Economics

Yanzhong Huang and Scott Kennedy, December 1 2021, “Advancing U.S.–China Health Security Cooperation in an Era of Strategic Competition,” Center for Strategic and International Studies, <https://www.csis.org/analysis/us-china-health-security-cooperation-time-essence///IB>

Although the United States and China have entered a period of strategic competition, **bilateral cooperation on health security is more important than ever**. The Covid-19 pandemic, with its novel nature and devastating impact globally, represents another critical opportunity for bilateral cooperation. **A high-profile strategy to promote cooperation may achieve minimal traction when facing barriers that are difficult to overcome**. One must remain realistic about what can be achieved in the near term. **This report lays out six concrete, actionable streams where there could be collaborative work. Three areas of cooperation—travel, public health infrastructure, and supply chain resilience—stand out as most likely to deliver substantive results in the short term. They face relatively few barriers to implementation but could generate major positive spillover effects. U.S.-China health cooperation in another three areas—vaccines and therapeutics, biosafety and biosecurity, and countering disinformation—also promises high benefits for improving health security but faces higher substantive and political hurdles**. The proposals suggested here can be advanced through a mixed, forward-looking strategy that involves mobilizing multiple stakeholders in promoting U.S.-China cooperation over health security, including intervention from top leaders from both sides. There are political, economic, and practical obstacles at almost every turn, and the United States should proceed with appropriate caution and care. But **the opportunity space for engaging China remains larger than the risks of not doing so**. At the same time, strengthening America’s health security is critical to the national interest and needs to be understood as an urgent challenge. Time is of the essence.

*** Climate Change ***

Definitions---Climate Change---Long-term Changes in Weather

Climate change is defined as measurable long-term changes in climate that is caused directly or indirectly by humans

IPCC 2021 - The Intergovernmental Panel on Climate Change is an intergovernmental body of the United Nations. Its job is to provide governments at all levels with scientific information that they can use to develop climate policies

Annex VII: Glossary [Matthews, J.B.R., V. Möller, R. van Diemen, J.S. Fuglestedt, V. Masson-Delmotte, C. Méndez, S. Semenov, A. Reisinger (eds.)]. In Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Masson-Delmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA, pp. 2215–2256, doi:10.1017/9781009157896.022 ///IB

Climate change **A change in the state of the climate that can be identified** (e.g., by using statistical tests) **by changes in the mean and/ or the variability of its properties and that persists for an extended period**, typically decades or longer. **Climate change may be due to natural internal processes or external forcings** such as modulations of the solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use. Note that **the** United

Nations Framework Convention on Climate Change (UNFCCC), in its Article 1, **defines climate change as: ‘a change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods’**. The UNFCCC thus makes a distinction between climate change attributable to human activities altering the atmospheric composition and climate variability attributable to natural causes. See also Climate variability, Detection and attribution, Global warming and Ocean acidification (OA).

Climate change is defined as long-term changes in weather patterns

NASA n.d. “What Is Climate Change?” <https://science.nasa.gov/climate-change/what-is-climate-change///IB>

Climate change is a long-term change in the average weather patterns that have come to define Earth’s local, regional and global climates. These changes have a broad range of observed effects that are synonymous with the term. **Changes observed in Earth’s climate since the mid-20th century are driven by human activities**, particularly fossil fuel burning, **which increases heat-trapping greenhouse gas levels in Earth’s atmosphere**, raising Earth’s average surface temperature. **Natural processes, which have been overwhelmed by human activities, can also contribute to climate change**, including internal variability (e.g., cyclical ocean patterns like El Niño, La Niña and the Pacific Decadal Oscillation) and external forcings (e.g., volcanic activity, changes in the Sun’s energy output, variations in Earth’s orbit). **Scientists use observations from the ground, air, and space, along with computer models, to monitor and study past, present, and future climate change.** Climate data records provide evidence of climate change key indicators, such as global land and ocean temperature increases; rising sea levels; ice loss at Earth’s poles and in mountain glaciers; frequency and severity changes in extreme weather such as hurricanes, heatwaves, wildfires, droughts, floods, and precipitation; and cloud and vegetation cover changes. **“Climate change” and “global warming” are often used interchangeably but have distinct meanings.** Similarly, **the terms “weather” and “climate” are sometimes confused**, though they refer to events with broadly different spatial- and timescales. **Global warming is the long-term heating of Earth’s surface** observed since the pre-industrial period (between 1850 and 1900) due to human activities, primarily fossil fuel burning, which increases heat-trapping greenhouse gas levels in Earth’s atmosphere. **This term is not interchangeable with the term “climate change.”** Since the pre-industrial period, human activities are estimated to have increased Earth’s global average temperature by about 1 degree Celsius (1.8 degrees Fahrenheit), a number that is currently increasing by more than 0.2 degrees Celsius (0.36 degrees Fahrenheit) per decade. The current warming trend is unequivocally the result of human activity since the 1950s and is proceeding at an unprecedented rate over millennia. **Weather refers to atmospheric conditions that occur locally over short periods of time**—from minutes to hours or days. Familiar examples include rain, snow, clouds, winds, floods, or thunderstorms. **Climate, on the other hand, refers to the long-term (usually at least 30 years) regional or even global average of temperature, humidity, and rainfall patterns over seasons, years, or decades.**

Climate change refers to long-term shifts in temperature and weather patterns

United Nations n.d. “Climate Action” <https://www.un.org/en/climatechange/what-is-climate-change///IB>

Climate change refers to long-term shifts in temperatures and weather patterns. Such shifts can be natural, due to changes in the sun's activity or large volcanic eruptions. But since the 1800s, human activities have been the main driver of climate change, primarily due to the burning of fossil fuels like coal, oil and gas. Burning fossil fuels generates greenhouse gas emissions that act like a blanket wrapped around the Earth, trapping the sun's heat and raising temperatures. The main greenhouse gases that are causing climate change include carbon dioxide and methane. These come from using gasoline for driving a car or coal for heating a building, for example. Clearing land and cutting down forests can also release carbon dioxide. Agriculture, oil and gas operations are major sources of methane emissions. Energy, industry, transport, buildings, agriculture and land use are among the main sectors causing greenhouse gases.

Affirmatives---Climate Diplomacy---Support International CC Regime

Climate diplomacy is an attempt to persuade others to adopt specific policies on climate change

Islam 2025 – Professor of Government and Politics at Jahangirnagar University, Bangladesh, recognized as an emerging political scientist and local government expert in South Asia

Mohammad Tarikul Islam November 03, 2025 How does Climate Diplomacy accelerate Climate Change Mitigation and Adaptation in the Global South? Bangladesh Perspective

<https://hhi.harvard.edu/news/2025/11/how-does-climate-diplomacy-accelerate-climate-change-mitigation-and-adaptation-global//IB>

The goal of climate change diplomacy is to persuade international governments and/or multilateral organisations to adopt specific climate change policies. By collaborating with international partners to support national efforts in climate change adaptation and mitigation, diplomacy has become a crucial component of international relations. The relevance of climate change as a major new area of high-level international diplomacy is increasing. This poses a significant problem for Bangladesh, a developing nation that is particularly vulnerable to the adverse effects of climate change.

Established alliances and procedures are hard-pressed to be effective against a threat such as climate change when the reduction of greenhouse gas emissions is not the ambition of any “unreceptive” influence. in order to address the climate change challenge, it requires new thinking in foreign policy—thinking that considers engagement on climate change not only in the sphere of environment, but also outside the milieu container. Science (climate scientists) and politics (diplomats and foreign ministry officials) may not always speak the same language, but climate diplomacy inevitably brings them together into a “marriage of convenience”. Climate diplomacy aims to influence foreign governments and/or multilateral institutions towards specific policies, and it appears to have clearly emerged as an integral component of international relations, complementing national efforts through partnerships with international affiliations in mitigating and adapting to climate change. Climate change is emerging as a significant new arena of global diplomacy at the highest levels.

Affirmatives---Climate Change---Decarbonization and Tech

Affirmatives could focus on collaborative efforts towards decarbonization

Schive and Sun 2026 – Deputy Head, Geopolitical Agenda, World Economic Forum and Strategic Marketing Head, LONGi Green Energy Technology

Miriam Schive interview with Zongyuan Zoe Liu, Philip Reiner, Stephen Kehoe, Eric Luo, Grace Sun, and David Santoro in their respective areas of expertise May 4, 2026 “What’s next for US–China relations? 5 areas ripe for cooperation” World Economic Forum <https://www.weforum.org/stories/2026/05/us-china-relations-trump-xi-summit-areas-cooperation/>///IB

As preparations proceed for the summit between US President Donald Trump and Chinese President Xi Jinping in Beijing, the relationship between the world’s two largest economies has been impacted by a particularly volatile global context. Despite a recent détente between the two countries’ leaders, fundamental differences remain on some core issues and the war in the Middle East is adding a new layer of complexity. When Presidents Trump and Xi met in Busan in October 2025, they negotiated a one-year truce and agreed on guidelines aimed at stabilizing what both sides described as mutually beneficial economic relations. The meeting followed a turbulent year in which Washington imposed tariffs of up to 145% on Chinese imports and Beijing restricted supplies of critical rare earth elements, rattling global markets and accelerating efforts on both sides to de-risk key economic dependencies. **The Busan meeting signalled an effort to move the relationship toward a more transactional and business-like equilibrium; one defined not by the absence of competition, but by managed strategic competition that allows space for cooperation** where interests overlap. Yet recent geopolitical shocks, including the Iran war, highlight the limits of this approach: while both countries seek to insulate their economies and avoid direct confrontation, neither is positioned to fully contain the systemic risks emerging from an increasingly fragmented and contested global landscape. Furthermore, both governments see the private sector as key to stabilizing US–China relations. Companies today, however, face a new reality where geopolitical risks such as energy disruptions and supply chain fragmentation are central to business strategy. **To explore where US–China cooperation is still possible, we asked five experts to examine the practical areas that are mutually beneficial and could offer stability to the global economy.** Some areas involve relatively technical or operational cooperation – the so-called low-hanging fruit – that can proceed even during periods of tension. Others, such as nuclear cooperation, are politically far more difficult but carry much higher stakes for global security. The overall message from the five experts is clear: broad political alignment may be unlikely, but focused cooperation on specific risks remains both possible and necessary. Here’s what the experts had to say. Zongyuan Zoe Liu, Senior Fellow for China Studies, Council on Foreign Relations Financial stability and reciprocal risk Despite efforts to de-risk, the US and Chinese economies remain interconnected enough and large enough that a serious financial shock in either would reverberate across global markets, making mutual exposure unavoidable. Even conflicts that do not directly pit the two countries against each other still transmit financial risk to both. The near-closure of the Strait of Hormuz has hit each side differently, but they face the financial volatility it creates. This mutual vulnerability creates a powerful incentive for limited cooperation focused on risk management. Yet the institutional channels that once facilitated such cooperation have significantly weakened. Meanwhile, new sources of systemic risk have emerged, especially in digital finance and diverging regulatory frameworks. One promising area for cooperation is technical coordination on financial stability tools, including early-warning protocols for digital asset risks, information-sharing on reserve standards and parallel regulatory pilots to address emerging risks in tokenized finance. Another potential avenue lies in sovereign debt restructuring. US and Chinese institutions are among the largest holders of emerging market sovereign debt. Fragmented restructuring processes, as seen in Zambia and Sri Lanka, have prolonged crises and deepened losses. Even modest coordination through multilateral frameworks could accelerate recovery and stabilize global markets. The goal is not financial integration or policy alignment. Rather, the focus should be on pragmatic guardrails that recognize a basic reality: unmanaged financial shocks would harm both economies – and the global system. The window for building these guardrails is narrow: the Busan trade truce expires in November 2026, and with it, much of the political space that makes even limited cooperation possible. Stephen Kehoe, Executive Vice President and Chief Corporate Affairs Officer, PepsiCo; Chairman, PepsiCo Foundation Shared resilience and food security Food security is emerging as a domain in which US and Chinese interests overlap. Climate pressures, supply-chain fragility and rising food prices have transformed agricultural stability into a strategic concern for both governments. Extreme weather events, water scarcity and soil degradation are increasingly acting as “risk multipliers” across the global food system. As the world’s largest producers and consumers of agricultural products, the United States and China play a central role in maintaining market stability. Cooperation may be most feasible in practical, science-based areas that avoid sensitive technologies. These include shared research on soil health, fertilizer efficiency and climate-resilient farming practices. Improving post-harvest storage, logistics and cold-chain management could also reduce food losses while strengthening global supply resilience. Multilateral institutions such as the Food and Agriculture Organization and the Consultative Group on International Agricultural Research provide politically neutral platforms where both countries can contribute to global agricultural resilience. Importantly, the aim is not to eliminate competition. Both countries will continue pursuing self-sufficiency strategies and diversifying supply chains. Instead, the focus should be on predictability and stability – ensuring that policies affecting global food markets are transparent and well-signalled to avoid unnecessary disruptions. Eric Luo, Vice President, and Grace Sun, Strategic Marketing Head, LONGi Green Energy Technology Clean energy and competition **The global energy transition is an arena in which strategic rivalry and shared interests coexist. Solar power, battery storage and critical minerals now sit at the intersection of climate policy, industrial strategy and national security. Tariffs, localization requirements and supply-chain restrictions have made competition in these sectors increasingly intense.** Yet **both**

countries remain indispensable to global decarbonization China's scale-driven manufacturing ecosystem and the United States' capital markets and innovation networks together shape the global clean-energy landscape. This interdependence creates space for cooperation in areas that improve transparency and resilience without undermining industrial strategies. One opportunity lies in developing shared standards for supply-chain traceability, carbon intensity and environmental due diligence. Industry-led frameworks such as digital product passports and standardized reporting metrics could reduce regulatory fragmentation and help companies operate across markets. Another area is supply-chain resilience. Mapping bottlenecks in materials such as polysilicon, quartz and battery inputs could allow industry to anticipate disruptions while diversifying production. Joint work on recycling technologies, green hydrogen standards and grid-integration research could also accelerate innovation in non-sensitive areas. At the same time, structural competition will continue. Industrial policies such as the US Inflation Reduction Act and China's manufacturing strategies are likely to drive long-term divergence in clean-energy supply chains. The challenge, therefore, is not to eliminate competition, but to manage it in ways that keep global climate progress on track.

*** Space ***

Definitions---Space---Beyond the Karman Line

Space includes all areas beyond the Karman line

Howell 2022 - Ph.D. and staff writer in the spaceflight channel since 2022

Elizabeth Howell February 17, 2022 What is Space? <https://www.space.com/24870-what-is-space.html>///IB

We often refer to our expanding universe with one simple word: space. But where does space begin and, more importantly, what is it? Space is an almost perfect vacuum, nearly void of matter and with extremely low pressure. In space, sound doesn't carry because there aren't molecules close enough together to transmit sound between them. Not quite empty, bits of gas, dust and other matter floats around "emptier" areas of the universe, while more crowded regions can host planets, stars and galaxies. From our Earth-bound perspective, outer space is most often thought to begin about 62 miles (100 kilometers) above sea level at what is known as the Kármán line. This is an imaginary boundary at an altitude where there is no appreciable air to breathe or scatter light. Passing this altitude, blue starts to give way to black because oxygen molecules are not in enough abundance to make the sky blue. No one knows exactly how big space is. It's difficult to determine because of what we can see in our detectors. We measure long distances in space in "light-years," representing the distance it takes for light to travel in a year (roughly 5.8 trillion miles (9.3 trillion kilometers)). From the light that is visible in our telescopes, we have charted galaxies reaching almost as far back as the Big Bang, which is thought to have started our universe about 13.8 billion years ago. This means we can "see" into space at a distance of almost 13.8 billion light-years. But the universe continues to expand, making "measuring space," even more challenging. Additionally, astronomers are not totally sure if our universe is the only one that exists. This means that space could be a whole lot bigger than we even think.

Definitions---Space Agreements---Wolf Amendment

Repealing the Wolf Amendment ensures cooperation

Park 2026 – M.A., Georgetown SFS in Asian Studies

by Jimin Park, February 16, 2026 "Tame the wolf, release the panda: The case for US-China space cooperation" The Space Review <https://www.thespacereview.com/article/5158/1>///IB

The United States should repeal the Wolf Amendment and pursue a cooperative space relationship with China. First, China's space program is motivated by prestige, rather than global domination. **Space cooperation could satisfy China's pursuit of status recognition, thereby improving US-China relations.** Second, **the Wolf Amendment prevents genuine engagement between the two countries, limiting opportunities for trust-building.** Finally, **while critics argue that space collaboration poses national security risks, engagement could promote more responsible behavior by fostering mutual understanding and restraint in space activities.**

The Wolf Amendment, status recognition, and space engagement

Purely **militaristic or economic terms cannot fully explain China's space motivations.** Instead, prestige is the primary driver behind China's space program. **Chinese leaders have prioritized space capabilities even at the expense of military modernization and social welfare spending.**[1] Chinese space professionals use the phrase "yi xi zhi di" when describing China's space motivations, which means "a seat at the table." [2] This phrase reflects Beijing's desire for status recognition as a leading power in space.

Beijing perceives the Wolf Amendment as a deliberate US effort to deny Chinese legitimacy as a space power. Space achievements are deeply tied to China's economic growth, technological innovation, and domestic legitimacy. [3] As a result, **the Wolf Amendment reinforces nationalist narratives in China that depict the West as unwilling to accept China's rise.** [4] **Such perception of status denial can heighten insecurity and increase the likelihood of aggressive and confrontational behaviors by China.** [5] **To counter this dynamic, the US should pursue status recognition by repealing the Wolf Amendment and engaging China as an equal partner in space cooperation,** thereby promoting stability and mutual respect.

The Wolf Amendment's restrictions on space engagement disadvantage the US. While America's space exploration slowed, China's program has advanced rapidly and independently. [6] Despite being excluded from the ISS, China successfully developed its own space station, Tiangong. **Continued isolation will push both countries to develop separate technologies without information exchange or coordination.** Instead, **the US should leverage China's growing financial and technical capabilities to complement NASA's efforts.** [7] **Cooperation could begin with pragmatic steps such as deconflicting lunar activities, maintaining dedicated communication channels, and establishing equipment standardization.** [8] **By prioritizing feasible and less controversial issues, both countries can build trust and lay the foundations for deeper collaboration.** [9]

More evidence

Young 2019 - research associate with the Aerospace Security Project at the Center for Strategic and International Studies (CSIS)

Makena Young, "Bad Idea: The Wolf Amendment (Limiting Collaboration with China in Space)," Center for Strategic and International Studies, December 4, 2019, last modified December 4, 2019, <https://defense360.csis.org/bad-idea-the-wolf-amendment-limiting-collaboration-with-china-in-space//IB>

The language of the Wolf Amendment says that no government funding for NASA, the White House's Office of Science and Technology Policy (OSTP), or the National Space Council **can be used to collaborate with, host, or coordinate**

bilaterally with China or Chinese-owned companies without certification from the Federal Bureau of Investigations (FBI). The FBI must certify that there is no risk of information sharing and that none of the Chinese officials involved have been determined by the United States to have direct involvement with violations of human rights. In a 2013 letter to former NASA Administrator Charles Bolden, Representative Wolf stated his “efforts to limit new collaboration with China until we see improvements in its human rights records.” However, in the eight years since the first iteration of this amendment, the U.S. has not seen the desired changes in Chinese human rights policies that the Wolf Amendment was intended to spur. And during that time, China’s economy, global influence, and space capabilities have continued to grow.

Being left out of U.S.-led international missions has not deterred China in space, but instead has

pushed China to develop parallel capabilities on its own. Without a way to contribute to the International Space Station (ISS), China began development and testing its own modular space station. China launched the Tiangong-1 and Tiangong-2 space laboratories in 2011 and 2016, respectively, as testbeds for a permanent space station. The China National Space Administration (CNSA) has announced that the permanent Chinese Space Station (CSS) should be fully operational by the year 2022. With the ISS slated for retirement in 2024, other countries

that want a long-term human presence in low Earth orbit may be lured into partnering with China on the CSS. **Combined with a**

growing commercial space sector in China that promises to offer frequent launches at lucrative prices to foreign entities, China is positioning itself to be the partner nation of choice for future space

exploration missions. As NASA enters into a new era of exploration with its Moon-to-Mars projects, **it is touting**

international collaboration as an integral part of its plans. The Artemis and Lunar Gateway programs are working to establish partnerships with Canada, Australia, the European Space Agency, Japan, and possibly Russia. Closing China off from cooperating in these projects could be a strategic mistake. **Both NASA and CNSA share a common goal of exploring the moon for**

scientific purposes—as is evident by China’s Chang’e 4 rover that landed on the far side of the moon this year. **NASA cooperated with CNSA to monitor the landing of the Chinese rover—the first major act of cooperation between**

the two space agencies in eight years. CNSA provided the planned location and time of the landing, and NASA observed the lander and shared the images that were produced. **NASA was able to cooperate on this mission because it certified to Congress that this activity “did not pose a risk of resulting in the transfer of technology, data or other**

information...with China; and [did] not involve knowing interactions with officials who have been determined by the U.S. to have direct involvement with violations of human rights”. To ensure no private data sharing between the two nations, they agreed that any significant findings would be shared globally. **This cooperation was a benefit for both space agencies, and although**

conducted as a one-time informal agreement, it could set precedent for continued cooperation

between these two major space powers. Information sharing, even in small instances, can start to build confidence and trust

and ultimately could be a tool used to prevent or de-escalate future conflicts in space. Collaborating with non-allied countries in space is not a foreign concept for NASA. In the height of the Cold War, the U.S. and Soviet space agencies agreed to work together. President Eisenhower pursued these cooperative initiatives in early letters to Soviet leadership to showcase the peaceful uses of space. Collaborating on missions like the Apollo-Soyuz test project and later the Shuttle-Mir program helped propel human space exploration and established a mutually beneficial area of cooperation and communication between the two rivals. This collaboration proved invaluable for both countries in understanding the

capabilities and organization of each other’s civil space agencies, and it continues today on the ISS. **As China grows as a space power, U.S. cooperation in selected civil space projects could be one of the best ways to understand the goals and capabilities of the Chinese space agency.** Moreover, **it would establish avenues of communication and trust between the two nations that could be mutually beneficial in the future.**

The Wolf Amendment’s statutory exclusion of U.S. – Chinese bilateral cooperation in space has only incentivized China to accelerate its space development programs, creating a serious challenger to U.S.

leadership in this vital domain of exploration. History has shown that when the U.S. cooperates with foreign competitors in civil space projects, it enhances NASA’s leadership role. **The Wolf Amendment has neither discouraged Chinese space**

ambitions or altered China’s behavior on human rights—it has only muddled our relationship with China and created an opening for a challenger to NASA’s leadership role in space exploration. The

provisions of the Wolf Amendment are not needed to protect technology transfer and only serve to stifle mutually beneficial cooperation for science and exploration. **It is time to stop howling at the thought of cooperating with China for exploration**

missions to the Moon and revise the Wolf Amendment.

Possible Affirmatives---Space---Areas of Cooperation

There is a dearth of space activities and sectors for potential affirmatives

Gleason 2021 – PhD, national security senior project engineer in The Aerospace Corporation’s Center for Space Policy and Strategy and is a well-regarded author on space policy subjects, including international cooperation, space traffic management, national security, and deterrence.

John Paul Byrne, Robin Dickey, Michael P. Gleason, Ph.D. SPACE POLICY PRIMER: Key Concepts, Issues, and Actors, SECOND EDITION The Aerospace Corporation, Center for Space Policy and Strategy, January 2021///IB

Space Activity Categories **Space activities are often divided conceptually into three categories: human spaceflight, space science, and spaceflight applications.** Human spaceflight includes any activity that places humans in space, including the International Space Station, and efforts to send humans to the moon and Mars. Historically, the American public has equated the U.S. space program with human spaceflight since it is the most visible space activity. Space science involves using spacecraft to make scientific observations of the Earth, celestial bodies, and astronomical phenomena. Spaceflight applications are practical services performed by spacecraft, including navigation, communications, weather and land monitoring, defense, and intelligence gathering. Although space applications like the global positioning system (GPS) and satellite communications are tightly integrated into the economy and critical for modern society, their association with space is largely invisible to users. Space Activity Sectors **Space activities are also divided conceptually into three different activity sectors: civil space, commercial space, and national security space.** Civil space consists of activities sponsored and conducted by civilian government entities. This includes a full range of space activities involving agencies like The National Aeronautics and Space Administration (NASA) and the National Oceanographic and Atmospheric Administration (NOAA). Human space exploration, space science, and many space applications like weather monitoring are typically found within the civil space sector. Commercial space consists of privately financed space activities conducted with profit as the motivating force. This includes satellite manufacturing, launch services, satellite communications, remote sensing, and emerging enterprises such as space tourism. Commercial space has four characteristics: (1) private capital is at risk in development and operation, (2) it requires existing or potential customers, (3) market forces determine viability, and (4) primary responsibility and management reside with the private sector.¹ National security space, or simply security space, refers to military and intelligence space activities which are funded and implemented by the military and intelligence agencies. More specifically, military space refers to the operational and tactical level use of space applications for warfighting purposes. Intelligence space connotes a more strategic-level use of satellites to provide national security decision makers with strategic information. **These categories are not divided clearly.** Even in the earliest days of the Space Age, **many civil exploration missions were conducted by military personnel, and various satellites and space stations blended national security and civil missions. Assets, technologies, and satellite data that can be shared between the civil and national security sectors are usually referred to as dual-use space capabilities.** This blending of missions is done for efficiency reasons. **In recent years, however, these categories have blurred even further. Civil and military space actors are purchasing services like launch, communications, and Earth imagery from commercial space actors at an increasing rate.** Universities and private laboratories are conducting space science activities previously only possible for governments, and commercial companies have the capacity to independently put

humans in space as a service to governments, as an industry for tourism, and for other commercial purposes. Conversely, capabilities developed for military purposes, like GPS, are ever more integrated in commercial activity. As the lines have further blurred, an increasing number of issues have become “cross-cutting” issues rather than remaining siloed in a single sector. Nevertheless, the threefold sectoral division of space activities remains popular, and this conceptual framework provides the organizational backbone for this primer.

*** AI Governance ***

Definitions---AI Governance---Framework for Use

AI governance is a set of rules or frameworks for that guides the development and use of AI

Carnegie Council for Ethics in International Affairs n.d. "AI Governance." Accessed May 14, 2026. <https://carnegiecouncil.org/explore-engage/key-terms/ai-governance///ib>

AI governance is the set of rules, regulations, ethical and technical frameworks, and similar mechanisms that guide the development and deployment of artificial intelligence technologies. There are pressing questions as to whether current AI governance systems are prevalent, thoughtful, sufficient, or inclusive enough to be effective.

Senior Fellows Wendell Wallach and Anja Kaspersen, co-directors of Carnegie Council’s Artificial Intelligence & Equality Initiative (AIEI), argue that promoting the benefits of AI while addressing potential disruptions to protect public safety is possible, but not without a robust framework for the international governance of the technology. Based on multi-disciplinary discussions occurring in two June 2023 workshops organized by AIEI and IEEE SA, a formal framework was developed.

AI governance is the system that ensures responsible deployment of AI

Hysen 2026 – Executive Fellow in Applied Technology Policy

Eric Hysen April 2026 Best Practices in Public-Sector AI Governance A PRACTITIONER’S PLAYBOOK
https://www.ischool.berkeley.edu/sites/default/files/hysen_report_final.pdf///IB

Governments across the United States are rapidly adopting artificial intelligence (AI) to improve services — from easing highway congestion and answering tax questions to support- ing clinicians and detecting fraud — while facing an evolving and complex risk landscape. This paper explores how governments are harnessing the benefits of AI while managing its risks through an evaluation of the maturing process of public-sector AI governance: the systems of frameworks, rules, policies, standards, and organizational structures that ensure AI is safe, ethical, secure, and aligned with mission and values.

Definitions---AI Governance---Systems for Development

AI governance is the development of systems that influence existing and future AI systems

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Matthijs Maas October 2023 “Concepts in advanced AI governance A literature review of key terms and definitions” AI Foundations Report 3, Institute for Law and AI///IB

As such, one takeaway here is not that scholars or researchers need pick any one of these approaches or conceptions of the field. Rather, **there is a significant need for any advanced AI governance field to maintain a holistic approach, which includes many distinct motivations and methodologies.** As suggested by Dafoe, **“AI governance would do well to emphasize scalable governance: work and solutions to pressing challenges which will also be relevant to future extreme challenges.** Given all this potential common interest, **the field of AI governance should be inclusive to heterogenous motivations and perspectives.** A holistic sensibility is more likely to appreciate that the missing puzzle pieces for any particular challenge could be found scattered throughout many disciplinary domains and policy areas.”¹⁸⁷ **In this light, one might consider and frame advanced AI governance as an inclusive and holistic field, concerned with, broadly, “the study and shaping of local and global governance systems—including norms, policies, laws, processes, and institutions—that affect the research, development, deployment, and use of existing and future AI systems, in ways that help the world choose the role of advanced AI systems in its future, and navigate the transition to that world.”**

Definitions---AI Governance---Brightline

Governance vs Strategy vs Policy

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Table 7: Definitions of AI strategy, policy, governance

Class	Terms [number of definitions surveyed] ¹⁸⁰	Themes
“Strategy”	→ AI strategy research [1] → AI strategy [1] → Long-term impact strategies [1] → Strategy [1] → AI macrostrategy [1]	→ Focus on big-picture strategic questions to “navigate the transition to a world with advanced AI systems” → Focus on high-level questions to help inform decisions and prioritize use of resources
“Policy”	→ AI policy [1] → AI policymaking strategy [1]	→ Focus on a range of soft and hard governance measures and tools → Organize a research field to inform and shape AI in a responsible, ethical, and robust manner
“Governance”	→ AI governance [5] → Collaborative governance of AI technology [1] → AGI safety and governance practices [1]	→ The study of norms, policies, and institutions to help shape social outcomes from AI systems.

Affirmatives---AI Governance---Status Quo is Soft Law

Status quo environment for AI governance is either soft-law or self-regulation without external enforceable standards

Hadfield and Clark 2026 - Johns Hopkins University and Vector Institute and Anthropic

Gillian K. Hadfield & Jack Clark, Regulatory Markets: The Future of AI Governance, 65 JURIMETRICS J. 195–240 (2026)///IB

For most of the past decade, discussion of AI governance in Western democracies has focused on what Gutierrez and Marchant call “**soft law**.”²⁵ **This has been the era of “AI ethics.”**²⁶ **This approach to governance looks to broad principles, ethical mandates, and voluntary codes of conduct to steer AI development and deployment** in desired directions. As of 2019, **Gutierrez and Marchant identified 634 soft law programs**²⁷ (defined as programs that set out “substantive expectations that are not directly enforceable by government[s]”²⁸), with approximately ninety-five percent published between 2015 and 2019.²⁹ AlgorithmWatch created a global inventory of AI Ethics Guidelines, which contained 167 frameworks and principles as of April 2020.³⁰ Frameworks and principles have been produced by governments, civil society organizations, corporations, industry organizations, and professional associations.³¹ **Most are fairly abstract and there is substantial overlap in content, with convergence around five high-level concepts: transparency, justice and fairness** (non-bias, nondiscrimination), **non-maleficence** (security, safety, non-subversion), **responsibility and**

accountability, and privacy.³² Gutierrez and Marchant predicted in 2021 that soft law “will be the dominant form of artificial intelligence (AI) governance for the foreseeable future.”³³ And as late as 2019, leaders in the tech industry were still taking the position that “self- and co-regulatory approaches . . . have been largely successful at curbing inopportune AI use.”³⁴ But highly publicized problems ranging from the Cambridge Analytica scandal, in which millions of Facebook profiles were harvested and used for political influence in the 2016 U.S. presidential election, to the abuse of AI in policing and immigration³⁵ triggered calls for a shift from broad-brush voluntary ethical codes and principles to more formal regulatory tools beginning around 2020. Then the dramatic introduction of ChatGPT in late 2022, exposing millions around the world to the potential, and risks, of powerful large language models, increased the sense of urgency around regulation. Governments responded, broadly speaking, in two ways: either by enacting AI- specific legislation that cuts across existing regulatory domains or by formalizing reliance on broad principles and voluntary industry-led standards, leaving specific legislation to existing sectoral regulators. Almost across the board, however, whether mandated or voluntary, the approach to AI regulation, at least in the West and thus far, falls into the category of management-based regulation (also called process-oriented, risk-based, or enforced self-regulation), which requires (or encourages) firms to evaluate the risks generated by their business and to develop their plan for how those risks will be managed.

Affirmatives---AI Governance---Regulatory Markets

There is significant overlap in how the US and China approach regulations of AI

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Gillian K. Hadfield & Jack Clark, Regulatory Markets: The Future of AI Governance, 65 JURIMETRICS J. 195–240 (2026)///IB

We conclude this review of the AI governance landscape with a context that challenges our discussion of democratic deficits in the approaches we see evolving in the West. China is both a major global player in the production of AI models¹⁴¹ and an early mover in AI governance. Moreover, although AI policy debates in the West are increasingly framed in terms of geopolitical competition with China—we can’t regulate AI because China won’t and we will lose the innovation race¹⁴²—a careful look at China’s approach to AI regulation both belies this caricature and, importantly, may identify more common regulatory ground than has been appreciated. Moreover, as we will discuss, our proposal for regulatory markets to resolve technical and democratic deficits in Western AI governance needs to account for if and how China might participate in global regulatory markets. China initially adopted concrete legal requirements for AI systems largely out of concern for how AI-powered recommendations on platforms could disrupt party-state control over online discourse.¹⁴³ A 2021 regulation required recommender algorithms to align with existing laws controlling internet news and to “uphold mainstream value[s].”¹⁴⁴ But the law was not limited to these concerns: It also created rights for users to turn off personalized recommendations and specific tags and prohibited systems that caused addiction or unsafe behaviors, unsafe or unfair working conditions (for workers such as food delivery drivers whose jobs relied on AI-based scheduling), and price discrimination.¹⁴⁵ The law created an algorithm registry, requiring disclosure of an algorithm’s service provider’s name, the type of algorithm, details about the operation of the algorithm, and a self-assessment report focused on safety and security.¹⁴⁶ Subsequent concerns about the impact of deepfakes led to the adoption in 2023 of a regulation on synthetic media, which “required AI providers to watermark AI-generated content and ensure that content does not violate people’s ‘likeness rights’ or harm the ‘nation’s image.’”¹⁴⁷ Providers of AI-generated content services are required to verify the real identity of users of those services.¹⁴⁸ This “deep synthesis” regulation also requires registration of algorithms that have “public opinion properties or capacity for social mobilization.”¹⁴⁹ Like Western countries, in the wake of ChatGPT, China began expanding its regulatory approach to encompass the risks of generative AI. In August 2023, the Interim Measures for the Administration of Generative Artificial Intelligence Services came into effect.¹⁵⁰ Provisions of this regulation require providers of generative AI services to “[a]dhere to the core socialist values” and ensure their services do not endanger national security or stability or promote terrorism, extremism, ethnic hatred, discrimination, violence, obscenity, or misinformation.¹⁵¹ When training models, AI developers must “[t]ake effective measures to prevent discrimination based on ethnicity, religion, country, region, gender, age, occupation, health, etc.”¹⁵² respect intellectual property rights and anti-monopoly

laws, “not infringe upon others’ portrait rights [likenesses], reputation rights, honor rights, privacy rights and personal information rights”¹⁵³ and “[t]ake effective measures based on the characteristics of the service type to enhance the transparency of generative AI services and improve the accuracy and reliability of generated content.”¹⁵⁴ Developers are required to use data and models obtained only from legal sources and to effectively supervise labeling activities.¹⁵⁵ Furthermore, the regulation states that “[t]hose who provide generative artificial intelligence services with public opinion attributes or social mobilization capabilities shall conduct security assessments” and register with the algorithm registry. **China’s AI regulations share features of both the E.U. and U.S./U.K. approaches. On the one hand, like the E.U. AI Act, China’s regulations set requirements about how AI algorithms** (more generally, models or systems) **are built and how they behave**, regardless of sector. Moreover, although few would characterize the Chinese approach to AI governance as democratic in the sense in which we used that term above, the Chinese government is clearly making political choices about how AI is developed and deployed. They are relying on the mechanism of mandatory law rather than voluntary industry-drafted standards and guidelines to regulate. On the other hand, **as in the United States and the United Kingdom, Chinese regulations are emerging from sectoral regulators** (most importantly, the Cyberspace Administration of China, which is responsible for regulating the Chinese internet) **and at least initially have focused on specific challenges like recommendation systems and synthetic media. Also, like their Western counterparts, China’s regulators have faced the challenge of establishing requirements that operationalize legal controls** with sufficient technical sophistication, specificity, and capacity for rapid adaptation to technological developments. **China, too, has turned to technical standards bodies to generate detailed technical requirements.** The 2023 Interim Measures for generative AI, for example, have been translated into specific tests and benchmarks by the Standardization Administration of China, an organization authorized by the government to coordinate technical standards in China and represent China in international standards bodies like the ISO.¹⁵⁷ This process has moved quickly to create fairly concrete operational requirements. For example, the standard requires that developers establish a comprehensive keyword library of at least 10,000 words, a comprehensive generated content question bank of no fewer than 2,000 questions, and test question banks of at least 500 questions each of first, questions the model should refuse to answer and second, questions the model should not refuse to answer.¹⁵⁸ The standard then sets numerical limits on the frequency with which a sampling of the model conducted using these comprehensive libraries and question banks generates acceptable responses.¹⁵⁹ For example, the refusal rate on questions the model should refuse must not be lower than ninety-five percent and the refusal rate on questions the model should not refuse must not be greater than five percent.¹⁶⁰ While these operational standards appear to provide clear guidance for compliance, the effect they will have on the quality and cost of the systems remains unknown. **A key distinction between Chinese and Western regulation of AI remains: Chinese law requires private companies to maintain a Communist Party apparatus internally that gives the party-state direct visibility into, and perhaps increasingly a say in, the operations of and technology being developed by AI companies in China.**¹⁶¹ **Whereas Western governments must develop regulatory methods that respect the boundaries and autonomy of the private companies** building and deploying AI and which can achieve democratic legitimacy and oversight under that constraint, **Chinese regulators operating in a one-party regime are able to intervene directly in the development and deployment of the technology** and, if the faster rate at which China has produced technically detailed AI regulation in some domains is enough to go on, more rapidly.

Affirmatives---AI Governance---Oversight

Topical affirmatives could include oversight techniques to reduce bias in AI applications

Mucci et al 2024 – writer and contributor to the IBM blog that focuses on topics relating to data & AI

Tim Mucci, Cole Stryker, and Josh Schneider 10 October 2024 “What is AI governance?”

<https://www.ibm.com/think/topics/ai-governance///IB>

AI models, along with machine learning (ML) and deep learning (DL) algorithms, **are ultimately trained on human data**. As a **result, AI systems are susceptible to human biases. Left unchecked, AI systems influenced by erroneous bias can lead to serious harm** to individuals and entire populations. **AI governance policies aim to correct these types of potentially discriminatory or otherwise dangerous errors. Effective AI governance oversight mechanisms address risks such as bias, privacy infringement and misuses while still fostering innovation and building trust.** An ethical AI-centered approach to governance requires human oversight and input from a wide range of stakeholders—including developers, users, policymakers and ethicists. **Implementing a modern and robust AI governance policy**

helps AI systems adhere to moral and ethical social values while also providing mitigations to lower various vulnerabilities and reduce risk levels across a broad range of AI applications. While AI systems continue to advance, AI governance processes are also evolving to set and meet global standards. Although addressing regulatory requirements is a major business incentive behind governance program investments, the benefits of these types of solutions extend beyond compliance—proactively reducing liability risk by bolstering data privacy, data security and data access. **AI governance provides a structured approach to mitigate the potential risks associated with AI systems. Through** protocols and practices such as **data governance and continuous monitoring, AI governance policies can effectively evaluate and guide AI tools. When implemented correctly, AI governance prevents flawed or harmful decisions** **throughout the entire AI pipeline**, from the datasets the models are trained on, up to the execution of AI-derived solutions. Simply put, **AI governance serves to establish the necessary oversight methods and methodologies required to align AI behaviors with ethical standards and societal expectations,** thus **safeguarding users, providers and any incidentally involved third parties against inadvertent negative, adverse or inequitable impacts.**