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WE AFFIRM

Resolved: The United States should accede to the Rome Statute of the International Criminal Court.

Contention 1 is Alliances

Schake '21

[Kori Schake, 2-18-2021, "The U.S. Puts Its Greatest Vulnerability on Display" <https://www.theatlantic.com/ideas/archive/2021/02/us-put-its-greatest-vulnerability-display/618042/>] SN
Partnership also demands **U.S. soft power** — the magnetism of our example — which **is such an important part of why the U.S. is the global hegemon and why the cost of remaining so has been sustainable for decades.** Other countries **want us to succeed, want to partner with us, because of what we represent. And that has been badly damaged by** **Trump**.¹⁰⁰

US humanitarian hypocrisy only further tanks our credibility, Fuller '21

[Graham E. Fuller, "Hell Hath No Fury Like a Superpower in Decline," RESPONSIBLE STATECRAFT, 3-22-21, <https://responsiblestatecraft.org/2021/03/22/hell-hath-no-fury-than-a-superpower-in-decline/>] SN

The degree of hypocrisy about "killing" or "foreign interference" is likewise disturbing if not myopic. **U.S. policies** over the past 20 years or more **have shown a great willingness to kill** in great quantity in a failing effort to achieve political goals that have stunningly failed in nearly every case. Consider the **hundreds of thousands of Iraqi, Syrian, Somali, Libyan, Iranian, Afghan, and Pakistani civilians who are perceived as little more than "collateral damage"** in endless U.S. military interventions. Not to mention American assassinations of high-level foreign officials such as Iranian General Qassem Soleimani who also happened to be perhaps the most revered public official in Iran. Antony Blinken, seemingly without embarrassment, speaks of the United States as upholding "the rule of law globally" in the self-deception or the belief that such is the case. In fact, **Washington has always expected other countries to support the international rule of law — although exempting good friends like Israel and Saudi Arabia. The United States invariably defends its own "exceptionalism"** in pointedly not signing onto International law when it suits its interests. That includes foreign assassinations and the launching of several wars without authorization at the international level, provoking "Color Revolutions," and refusing to ratify UN Conventions on the Law of the Sea or the Rights of the Child, or honor adverse judgments by the International Court of Justice. And It is difficult to understand how Blinken feels comfortable at lecturing China on its domestic failings at a time when U.S. democracy and social policy have never presented a more damaging face to the world. Surely **such self-righteousness on the administration's part** shows a lack of seriousness and honesty about U.S. history and positions. Or, more disturbingly, it **suggests that Washington lacks all capacity for self-reflection and self-awareness.** In the end, this initial high-level diplomatic encounter is perhaps most distressing given the high hopes that many Americans held that so many of our problems would vanish with the departure of Donald Trump – rather than undertaking a necessarily painful examination of the inherent deep-seated flaws within the American system.

Indeed, not acceding to the ICC has harmed our international credibility,

ASIL Task Force 21 ["Effective U.S. Diplomacy and 'Soft Power'", ASIL Task Force on Policy Options for U.S. Engagement with the ICC", 2021,

<https://www.asil-us-icc-task-force.org/report/06-us-interests-impacted-by-the-icc/effective-us-diplomacy->

[and-soft-power/#:~:text=ASIL%20ICC%20Task%20Force%20Report&text=The%20great%20majority%20of%20U.S.,realization%20of%20the%20Court's%20mission.//](#)] SN

As noted above, the United States' relationship with the ICC is both affected by, and is a part of, its wider approach to multilateral engagement and other international organizations. **The great majority of U.S. friends and allies—including nearly every member of NATO and longstanding U.S. partners in Latin America, Africa, and the Asia-Pacific region**—are Rome Statute parties and are committed to the realization of the Court's mission. In the Task Force's consultations, foreign interlocutors **repeatedly noted that** the manner in which the United States addresses **ICC-related issues frames their perceptions of the U.S. commitment on broader issues** of accountability, human rights, and the rule of law, **and the extent to which they can and should work cooperatively with the United States** on such issues. It also affects their views of the United States as a responsible international partner in other contexts. In addition, U.S. attacks on the Court have been seen as empowering despots keen on undermining justice and rule of law efforts in their own countries. 350 This all remains true even in the face of doubts increasingly being expressed by ICC supporters about the Court's performance. To be sure, the diplomatic costs of opposing the ICC are not as high now as they were in the early days of the Court as traditional Court supporters have themselves come to have greater concerns about the Court's performance. However, **the uniform rejection of the U.S. sanctions show that allies will defend the Court** in the face of an attack that is deemed unwarranted or unfair. Many of our interlocutors contended that the bellicose stance of the Trump Administration made it more difficult to push for the kinds of reforms that the Court desperately needs as part of the IER and other reform efforts. They also noted that, at a minimum, the EO had forced traditional U.S. allies to distance themselves from the U.S. position. In addition, the reality is that the United States is often engaged on the ground in many countries where the ICC is operating in one capacity or another. **Active hostility toward the ICC deprives the United States of** the opportunity to develop goodwill through **positive engagement with ICC efforts in countries where investigations have broad popular support** or are seen as important (and in some cases the only realistic) efforts to provide accountability for serious violations of international law and justice for victims. One interlocutor contrasted the current U.S. approach to the ICC with the ways in which U.S. support for the ICTY generated goodwill for U.S. forces on the ground in Bosnia-Herzegovina, where the tribunal was seen as an important venue to pursue justice. Another raised concerns that undifferentiated attacks by the United States on the Court risks alienating those parts of a country's population that are seeking justice for atrocities. All told, the U.S. relationship with the ICC, and the way in which the U.S. pursues and expresses that relationship, indelibly affects the reputation of the United States as a supporter of accountability, human rights, and rule of law—important components of its “soft power.” **It is, quite simply, impossible to separate the U.S. approach to the ICC from other questions of international justice and accountability.**

Credibility is especially important in alliance commitments, recent scholarship proves

Brands '20 [Hal Brands, 1-20-20, "Trump is putting the credibility question to test," Japan Times, <https://www.japantimes.co.jp/opinion/2020/01/20/commentary/world-commentary/trump-putting-credibility-question-test/>] SN

If the arguments seem familiar, that's because similar debates erupted during the Syria “red line” incident of 2013, when U.S. President Barack Obama retreated from his threat to strike Syrian President Bashar Assad's forces if they used chemical weapons against civilians. In fact, concerns about credibility go back to the beginning of America's career as a superpower. And while the credibility debate has often pitted policymakers against academics, **recent scholarship has helped bridge** that divide by clarifying **when and how credibility really matters**. The foreign policy community has long been obsessed with credibility, for good reason. Credibility — the perception that a country will defend its interests and uphold its commitments when challenged — is the coin of the realm for a global superpower. If U.S. credibility is strong, then it will not have to use force often, because other countries will recognize that attacking its interests and its global network of allies will invite sharp retaliation. **A credible superpower has little trouble attracting and retaining allies. Yet if America's credibility is weak,** aggressors will be more likely to test U.S. power, and **allies will be unnerved.** It is no exaggeration to say that **American global influence and the stability of the international system rest on the credibility of U.S.** threats and **promises**. For better or worse, **the U.S. has even fought major wars in out-of-the-way places such as Korea and Vietnam in large part to convince allies and adversaries that it is willing to fight in more critical places,** such as Europe. Foreign-policy academics have taken a more conflicted view of credibility. A first wave of scholarship emerged in the 1960s, with the future Nobel Prize winner in economics Thomas Schelling at its crest. Schelling saw U.S. commitments as a seamless global web. In a contest against the Soviet Union, the way in which America responded to challenges anywhere would affect how other players gauged its willingness to respond to aggression everywhere. “We lost 30,000 dead in Korea to save face for the United States and the United Nations, not to save South Korea for the South Koreans, and it was undoubtedly worth it,” Schelling wrote. Yet the fixation with credibility also brought strategic disasters such as Vietnam. So there subsequently emerged a second wave of scholarship, which held that past behavior was irrelevant to whether adversaries chose to challenge. Other variables, such as the balance of power and the importance of the interests at stake, were what mattered. As one scholar put it, “Credibility is an illusion — and an exceptionally dangerous one at that.” This position was always a bit of a head-scratcher, because it required accepting that what a country does today has no impact on what others expect it will do tomorrow. Fortunately, a third wave of scholarship has now knocked down the more extreme academic critiques, without obscuring important nuances in how credibility actually works. Cold War historians have suggested that U.S. intervention in

Korea, which Soviet leader Josef Stalin had not expected, did strongly influence his views of whether Washington would also resist blatant communist military provocations elsewhere. We now know that John F. Kennedy's perceived weakness in handling the botched Bay of Pigs invasion in 1961 encouraged Soviet leader Nikita Khrushchev to think he could bully the young U.S. president by trying to evict Western forces from Berlin and secretly shipping nuclear missiles to Cuba. Looking beyond the Cold War context, America's relatively timid responses to al-Qaida attacks during the 1990s encouraged Osama bin Laden to think that a major strike on the U.S. homeland might drive Washington out of the Middle East altogether. Likewise, a number of political science studies, many of them using statistical methods to divine broad trends, demonstrate that states that honor their commitments and meet challenges head-on are more likely to win allies and deter future challenges. Why does any of this matter? For one thing, it shows that it is foolish to brush off concerns about credibility, as Obama did in remarking that "dropping bombs on someone to prove that you're willing to drop bombs on someone is just about the worst reason to use force." Especially in cases where the U.S. is interacting repeatedly with a single challenger, or where its reaction to one challenge might reasonably be expected to yield clues about its reaction to a similar type of provocation in the future, you can bet that Washington's choices will shape global views of its credibility and resolve. It seems almost certain that Trump's reticence in using force against Iran through nearly all of 2019 influenced Tehran's willingness to gradually increase the military pressure — and so it's plausible that killing Soleimani may throw a wrench in the calculations of Iran or other Middle Eastern actors who are tempted to use force against American interests. But don't get carried away. Second-wave scholarship reminds us that context matters: The fact that the U.S. doesn't use force to punish humanitarian outrages or protect a non-treaty ally in one region doesn't necessarily have much impact on expectations of whether it will defend treaty allies from invasion in another region.

Daalder and Lindsay 3 continue,

[Ivo H. Daalder and James M. Lindsay, January-1-2003, Brookings Institute, <https://www.brookings.edu/articles/the-globalization-of-politics-american-foreign-policy-for-a-new-century/>]

Which brings us to the issue of how to transform this unquestioned power into influence. Unless employed deftly, America's military and economic superiority can breed resentment, even among its friends. A growing perception that Washington cares only about its own interests and is willing to use its muscle to get its way has fueled a worrisome gap between U.S. and European attitudes. European elites increasingly criticize the United States as being morally, socially, and culturally retrograde—especially in its perceived embrace of the death penalty, predatory capitalism, and fast food and mass entertainment. Europe has also begun to exercise diplomatic muscle in international institutions and other arenas, seeking to create new international regimes designed to limit America's recourse to its hard power. The sustainability of American power ultimately depends on the extent to which others believe it is employed not just in U.S. interests but in their interests as well. Following its victory in World War II, the United States led the effort to create not only new security institutions, such as the United Nations and NATO, but also new regimes to promote economic recovery, development, and prosperity, such as the Marshall Plan, the Bretton Woods monetary system, and the General Agreement on Trade and Tariffs to promote free trade. These institutions and agreements preserved and extended American power—but in a way that benefited all who participated. The challenge for the United States is to do the same today.

BUT If we get rid of the humanitarian double standard we can improve our alliances, which helps us resolve NATO conflicts

Lucas 22 [Edward Lucas --Liberal Democratic candidate for the British Parliament, a former senior editor at The Economist, and the author, most recently, of Cyberphobia: Identity, Trust, Security and the Internet, "NATO Is Out of Shape and Out of Date," Foreign Policy, 6-7-2022] recut SN

Is NATO brain-dead or back in business? Less than three years ago, French President Emmanuel Macron famously diagnosed "the brain death of NATO." Rhetoric aside, his point was fair at the time: Europe's dearth of strategic thinking combined with the unpredictability of U.S. policy under then-President Donald Trump spelled serious trouble for the Cold War-era alliance. Now, all talk is of NATO's revival and resurgence. Russia's war on Ukraine has given an urgent new relevance to the bloc's core mission of territorial defense. NATO members appear to have found a new unity of purpose,

supplying Ukraine with weapons, reassessing the threat from Russia, hiking defense budgets, and bolstering the security of the alliance's eastern frontier. **But the “honeymoon,”** in the words of Lithuanian Foreign Minister Gabrielius Landsbergis, **was brief. As the war [in Ukraine] drags on, strains are showing, and the alliance is** still **shaky.** It's true that NATO has come a long way. Only 14 years ago, the alliance's top-secret threat assessment body, MC 161, was explicitly prohibited by its political masters from even considering any military danger from Russia in its scenarios. The pressure came not only from notorious Russia-huggers such as Germany but also from the United States, which was eager to keep east-west ties friendly. The Kremlin, the conventional wisdom insisted, was a partner, not an enemy. As a result, NATO's most vulnerable members—Poland and the Baltic states of Estonia, Latvia, and Lithuania—remained second-class allies. They were in the bloc, but only on paper. There were no significant outside forces on their territory, and the alliance expressly refrained from making contingency plans to reinforce or even defend them in the event of attack. Poland demanded such plans and was told that they could be drawn up to defend the country against an attack by Belarus—but not by Russia. Since Russia's first attack on Ukraine in 2014, NATO plans and deployments have become more serious. There are 1,000-strong tripwire forces in the three Baltic states and a larger U.S. force in Poland. Since the start of the invasion in February, that presence has increased sharply. Moreover, two of the most advanced smaller military powers in Europe, Finland and Sweden, are banging on the alliance's door. Assuming objections from Turkey can be smoothed out, they will be members by year's end. That will fundamentally change the military geography of northeastern Europe. Still more important is the stiffening of spines among the members. Trump's much publicized distaste for NATO was based, in part, on the European members' chronic underspending. At one point, the exasperated U.S. leader even tried to present a bill to his German counterpart, Chancellor Angela Merkel. Now, defense spending is rising across the alliance. That makes NATO an easier sell in Washington, especially as the case for U.S. engagement in European security is bolstered by the war in Ukraine. Germany, the most notorious laggard, is suddenly splurging money on its decrepit armed forces—tanks that can't trundle, ships that can't go to sea, and soldiers who exercise with broomsticks instead of guns. It has agreed to meet NATO's defense spending benchmark of 2 percent of GDP, set in 2006 and largely ignored thereafter. The latest country to announce a big hike in defense spending is Spain, currently lagging at barely 1 percent of GDP. The prime minister announced that this will double by 2024. That sets the scene nicely for the NATO summit in the Spanish capital later this month. Yet look a little more closely, and the **picture is far less rosy.** Notwithstanding its apparent unity of purpose since the start of Russia's war, **NATO looks out of shape and out of date.** In the run-up to their summit, the **allies have been furiously haggling over the language in their new strategic concept,** which will frame the alliance's mission for the coming years and will be unveiled in Madrid. What will it say about Russia? About China? What sacrifices and risks are the member states really willing to accept? Are they willing to pool sovereignty in order to streamline decision-making? **Nothing in recent weeks suggests that these questions will get clear answers.** For starters, **the 30-strong alliance is unwieldy.** In military terms, only a handful of members matter—above all, the United States—but in political terms, even little Luxembourg and Iceland get a voice. Worse, the **political divides are huge.** **Turkey** under President Recep Tayyip Erdogan is a semi-authoritarian state that flirts with Russia and **fumes at what it considers European meddling over human rights.** **Hungary** under Prime Minister Viktor Orban **is taking a different but downward path,** fusing wealth and power into a new system of control at home and **undermining** U.S. and European **attempts to put pressure on Russia and China.**

A unified NATO is key

Kolga 21 [Marcus Kolga, 10-5-21, “Improving NATO's cohesion is critical to combat Russia and China's threat,”

<https://macdonaldlaurier.ca/improving-natos-cohesion-critical-combat-russia-chinas-threat/>] SN

A united NATO is critically important **to** projecting **credible deterrence.** The **erosion of** domestic **trust** and confidence in the Alliance among its member states, including Canada, **represents a threat to this cohesion.** A proposal to withdraw Canada from NATO was tabled at a recent policy conference for one of Canada's three major political parties. The proposal was defeated, but it represents a fringe anti-NATO narrative within Canada's illiberal left; if left unaddressed, such a narrative could grow. **If countries like Russia perceive NATO as an atomized collection of states with varied priorities rather than a unified front, the Alliance is exposed to a significant risk of miscalculation** in which a foreign adversary might believe they can cross a red line and only face a limited response. Thus, **gaps in cohesion** within the alliance directly **threaten** to undermine **political and military deterrence.** The Alliance and members states must work towards improving communications strategies to foster greater basic general understanding of NATO's purpose, its missions and its role in protecting its members against external threats. **Similarly, if we see threats as atomized or disparate, we may lack the capacity to adequately respond.** Organized GRU **terrorist attacks** in Czechia, the Salisbury poisonings, transnational **repression and censorship, cyberwarfare, disinformation, and** overt **military posturing** all **pose threats** that are aimed at the **same essential goal: undermining and supplanting the power of liberal democracy and advancing authoritarianism.** Through this lens, challenges posed by other actors, including China, must also be considered as part of the broader range of shared threats posed to the democratic community as a whole.

Contention 2 is Sudan

In 2009,

ICC, [The ICC tries individuals for genocide, war crimes, crimes against humanity, and aggression], March-4-2009, “ICC issues a warrant of arrest for Omar Al Bashir, President of Sudan”, ICC, <https://www.icc-cpi.int/news/icc-issues-warrant-arrest-omar-al-bashir-president-sudan>, DOA: 1/20/25, AK

Today, Pre-Trial Chamber I of **the International Criminal Court (ICC) issued a warrant for the arrest of Omar Hassan Ahmad Al Bashir, President of Sudan, for war crimes and crimes against humanity. He is suspected of being criminally responsible, as an indirect (co-)perpetrator, for intentionally directing attacks against an important part of the civilian population of Darfur, Sudan, murdering, exterminating, [REDACTED], torturing and forcibly transferring large numbers of civilians, and pillaging their property.** This is the first warrant of arrest ever issued for a sitting Head of State by the ICC. Omar Al Bashir's official capacity as a sitting Head of State does not exclude his criminal responsibility, nor does it grant him immunity against prosecution before the ICC, according to Pre-Trial Chamber I.

But the ICC has been Unable to Do Anything for 15 years, and

Currently, Sudan is Undergoing Mass Conflict BBC News ‘24

BBC News, [The BBC is the world's leading public service broadcaster They're impartial and independent, and every day we create distinctive, world-class programmes and content which inform, educate and entertain millions of people in the UK and around the world.], May-24-2024, “World ignoring risk of Sudan genocide - UN expert”, <https://www.bbc.com/news/articles/c511vgzvl2eo>, DOA: 1/15/25, AK

Sudan's Darfur region is facing a growing risk of genocide as the world's attention is focused on conflicts in Ukraine and Gaza, a UN expert warns. More than 700 casualties have been reported in 10 days by a medical charity in the city. El Fasher is the last major urban centre in the Darfur region that remains in the hands of Sudan's army. The military has been fighting the paramilitary Rapid Support Forces (RSF) for more than a year, in **a civil war that has killed thousands and forced millions from their homes.**

But, the ICC Isn't Helping, Nouwen ‘23

Sarah **Nouwen**, [Sarah Nouwen is a Professor of Public International Law at the European University Institute (Florence)], July-13-2023, “Why is the International Criminal Court so silent on Sudan?”, Al Jazeera, <https://www.aljazeera.com/opinions/2023/7/13/why-is-the-international-criminal-court-so-silent-on-sudan>, DOA: 1/15/25, AK

When I was doing research in Sudan in 2008, Darfuris had high expectations of the ICC. After the ICC Prosecutor Luis Moreno Ocampo requested an arrest warrant for Sudanese President Omar al-Bashir, several newborns in camps for the displaced in Darfur were named “Ocambo” after him.

The prosecutor fuelled Sudanese expectations to find justice at the ICC with strong statements such as, “Arrest today, and you have peace and justice tomorrow.” Darfuri children were even witnessed capturing a hedgehog, naming it “Bashir”, tying it to a string and pretending that they

were taking it to the court in The Hague. But these expectations were quickly quashed: **without its own police force, the ICC could not enforce its arrest warrant for [the president] al-Bashir. So rather than ending his reign, the ICC arrest warrant helped strengthen the Sudanese president’s grip on power.** In response to the ICC’s move, among other things, **he created a new security force for his own protection: the Rapid Support Forces,** drawn from the infamous Janjaweed militias that he had used to suppress rebellion in Darfur. These were the militias that had been **internationally accused of committing war crimes, crimes against humanity, if not genocide,** in Darfur. This is the force now fighting the Sudanese army, and inflicting immense suffering on the people of Sudan.

And, Ford ‘19

Stuart Ford, [Stuart Ford's academic interest is public international law, particularly international criminal law and international criminal courts. His current research explores the effectiveness of international criminal tribunals, with the goal of improving their success. He has published articles on the International Criminal Court, the International Criminal Tribunal for the Former Yugoslavia, the Special Court for Sierra Leone, the responsibility to protect doctrine, crimes against humanity, and genocide. In 2015, he received the law school's Faculty Scholarly Achievement Award. He is a past Chair of the American Society of International Law's International Courts and Tribunals Interest Group and the American Association of Law Schools' Section on International Human Rights. He spent the Summer of 2015 as a Visiting Professional at the International Criminal Court where he helped the Office of the Prosecutor develop performance metrics for its investigations and prosecutions. He teaches Civil Procedure, Evidence, Criminal Law, International Criminal Law, and International Organizations. Prior to joining UIC Law, Professor Ford worked as an Assistant Prosecutor at the Extraordinary Chambers in the Courts of Cambodia (ECCC), an international criminal tribunal that was jointly established by the Royal Government of Cambodia and the United Nations to prosecute senior leaders of the Khmer Rouge for atrocities committed in Cambodia between 1975 and 1979. He participated in the selection of crime sites and suspects for investigation, conducted preliminary investigations, and participated in the co-investigating judges' investigations. In addition, he represented the Co-Prosecutors during the trial of Kaing Guek Eav, alias "Duch," the first person to be tried by the ECCC. Prior to his work at the ECCC, Professor Ford worked for the Open Society Justice Initiative, monitoring various aspects of the start-up of the ECCC, and wrote a number of reports for various international organizations on the rule of law in Cambodia and the impact of corruption. Before moving to Cambodia, he was an associate at Fulbright & Jaworski in Minneapolis and Howrey Simon Arnold & White in Washington, DC. Professor Ford received an LL.M. in Public International Law and Armed Conflict, with Distinction, from the University of Nottingham. He received his J.D., with honors, from the University of Texas School of Law, where he was a member of the Texas Law Review and Order of the Coif. He was also the recipient of the Robert S. Strauss Endowed Presidential Scholarship in Law,], May-13-2019,

“How Much Money Does the ICC Need?”, SSRN,

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3371046, DOA: 1/15/25, AK

Figure 1 shows that ICC budgets have remained essentially flat since 2009, despite the fact that the court’s caseload has been increasing steadily over the same period. For example, the court budgeted for nine cases in 2009, eleven in 2010, thirteen in 2011, seventeen in 2012, and eighteen in 2013.¹⁴ In other words, the court’s caseload doubled between 2009 and 2013, even though the court’s funding remained basically unchanged.¹⁵ This disparity led the Registry to argue to the ASP that “the Court has reached the point when the expectations on the type and level of activities and on the level of resources are diverging.”¹⁶ **This is a diplomatic way of saying that the Court’s budget is**

insufficient for the level of activities its members expect it to undertake. While the ASP has been continually pushing the ICC to achieve greater efficiencies so as to do more with the same amount of money, the court has argued that years of focusing on efficiency have captured most of the available savings and that additional cuts would have diminishing or even negative returns.

For example, in its most recent proposed budget, the Registry cautioned the ASP that: **[I]t has become increasingly difficult for the Court to achieve efficiency gains as a result of the current**

budgetary constraints. It needs to be borne in mind that excessive reductions in resources can themselves create inefficiencies and impair performance.¹⁷ The issue of whether the ICC's funding is sufficient for its mandate will be addressed in more detail in Sections V and VI

Luckily, the US Wants to Invest in International Organizations, US Department of State

US Department of State, [The US Department of State is the official State Department for the United States of America and controls all state matters.], "U.S. Contributions to International Organizations", <https://2009-2017.state.gov/documents/organization/158349.pdf>, DOA: 1/20/24, AK

Funding for the Contributions to International Organizations (CIO) account enables U.S. participation in the United Nations and over forty other international organizations that advance U.S. foreign policy objectives in every region of the world. These organizations, which include UN specialized agencies such as the World Health Organization, regional organizations such as the North Atlantic Treaty Organization, and other specialized organizations such as the World Trade Organization, facilitate collective action to combat violent extremism; limit the spread of nuclear and chemical weapons; achieve balanced and sustainable economic growth; and forge solutions to the threats of armed conflict, hunger, poverty, disease, and climate change.

Pursuing foreign policy objectives through international organizations enables the United States to leverage the financial contributions and expertise of other nations. By combining resources and offering opportunities for coordinated multilateral efforts, international organizations can be an effective alternative to acting unilaterally or bilaterally, especially in the areas of humanitarian assistance, eradicating disease, setting standards for food and transportation safety, and reaching agreement to impose sanctions on rogue states and actors.

This is Empirically Proven, CFR '24

CFR, [The mission of the Council on Foreign Relations is to inform U.S. engagement with the world. Founded in 1921, CFR is a nonpartisan, independent national membership organization, think tank, educator, and publisher, including of Foreign Affairs. It generates policy-relevant ideas and analysis, convenes experts and policymakers, and promotes informed public discussion—all to have impact on the most consequential issues facing the United States and the world.], February-29-2024, "Funding the United Nations: How Much Does the U.S. Pay?", CFR, <https://www.cfr.org/article/funding-united-nations-what-impact-do-us-contributions-have-un-agencies-and-programs>, DOA: 1/15/25, AK

Every member of the United Nations is required to contribute to the organization's budget. **The United States is [the UN's] its largest donor.** Mandatory contributions fund administrative costs and peacekeeping operations. Many member countries also make voluntary contributions to specific UN programs. President Joe Biden has restored hundreds of millions of dollars of UN funding that was cut under President Donald Trump. The United States remains the largest donor to the United Nations. **It contributed**

more than \$18 billion in 2022, accounting for one-third of funding for the body's collective budget. Despite President Donald Trump's efforts to cut funding, President Joe Biden has affirmed the United Nations' importance to U.S. foreign policy and increased funding to the organization. In 2021, Biden resumed funding streams paused under Trump, including for the UN Population Fund (UNFPA) and the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). However, Biden paused UNRWA funding again in 2024 over allegations that some agency employees aided in the October 2023 terrorist attacks on Israel that sparked the current war between Israel and [Palestinian militant group Hamas](#).

Otherwise, Anderson '22

Janet H. **Anderson**, [Janet H. Anderson is a correspondent for JusticeInfo.Net in the Hague], December-2-2022, "Can 2023 be the booster year for the ICC budget?", Justice Info, <https://www.justiceinfo.net/en/109715-2023-booster-year-icc-budget.html>, DOA: 1/16/24, AK

As states go into their annual huddle next week and decide the next year's budget, defence is one of the many pressure groups asking for more money, pleading for an increase in a budget that currently is just above 150 million euros. "Our remuneration has not been reassessed since 2013. The equality of arms principle is jeopardised at the ICC today", says Jennifer Naouri, the immediate past president International Criminal Court Bar Association.

But others include civil society pressure groups, lobbying for better access to justice for victims: "You can spot **the continued consequences of chronic underfunding**", says Maria Elena Vignoli from Human Rights Watch. "**Nigeria's [means that] preliminary examination[s] [were] was concluded two years ago by the previous prosecutor[s]**," she notes, "but **Bensouda decided to shelve it in part because of lack of adequate resources**. And the situation has been in limbo ever since." And **there's no sign within the prosecutor's budget proposals for next year of "any change of heart"**. Even "the deprioritisation of the investigation into crimes allegedly committed by U.S. forces and the former Afghan government was justified by the current prosecutor, in part, by an effort to manage the limited resources that are at his disposal," Vignoli says. Stuff an how only cc solves

Changing the ICC is Critical Because No Other Organizations can Solve the Conflict, ABAICC warrants that

ABAICC, [This website talks about the ICC, what it's role is, what it's jurisdiction is, and what is presence is on the international stage. It is also an official branch of the ICC], ABA-ICC Project, <https://how-the-icc-works.aba-icc.org/>, DOA: 1/16/24, AK

The International Criminal Court (ICC) is the world's only permanent international court with a mandate to investigate and prosecute genocide, [and] crimes against humanity, and war crimes. These three sets of crimes — collectively called "atrocities crimes" — have many overlapping characteristics. **A criminal act, such as the murder of a group of villagers, could be characterized as genocide, a crime against humanity, a war crime, or all three.** How a crime is characterized often depends on the intent of the offender and the context in which the crime took place.

Without solvency the impact is two fold:

1. Deaths

Reuters '24 warrants that

Reuters, [Reuters is a global news agency that was founded nearly 170 years ago. Their journalists work all over the world and are guided by the Trust Principles, which state that Reuters must report the news with integrity, independence, and freedom from bias.], October-8-2024, “Countless numbers could die in Sudan without immediate action, UN official says”, Reuters, <https://www.reuters.com/world/africa/countless-numbers-could-die-sudan-without-immediate-action-un-official-says-2024-10-08/>, DOA: 1/16/25, AK

Oct 8 (Reuters) - **The war in Sudan could cost countless more lives if immediate action is not taken**, as famine and disease spread while fighting intensifies and aid workers struggle to gain access, a senior World Health Organization official said on Tuesday. **Nearly 18 months have caused the world's biggest internal displacement crisis and more than 25 million people - over half the population of Sudan- are in desperate need of food and healthcare. "Malnourished children and mothers are dying due to lack of access to care, and cholera is spreading in many parts of the country.** Aid workers face immense challenges," WHO regional director Hanan Balkhy told a briefing in Cairo. "Without immediate intervention, famine and disease will claim countless more lives." Estimates of the number of deaths run into tens of thousands but are highly uncertain, with control of the country split between the army and the rival Rapid Support Forces (RSF) and health facilities crippled.

2. Human Rights Violations

Without Solvency, the IRC '25 Explains that

International Rescue Committee, [The International Rescue Committee responds to the world's worst humanitarian crises, including the conflict in Ukraine and the crisis in Afghanistan. They help to restore health, safety, education, economic wellbeing and power to people devastated by conflict and disaster. And we are proud to fight for a world where women and girls have an equal chance to succeed.], January-7-2025, “Crisis in Sudan: What is happening and how to help”, ICC, <https://www.rescue.org/article/crisis-sudan-what-happening-and-how-help>, DOA: 1/16/25,

Nearly two years of civil war has decimated Sudan. **Civilians are subject to frequent attacks and human rights violations** while the country's health care system has collapsed and life-threatening famine sets in. **Attacks on humanitarian aid workers have made it difficult to deliver lifesaving aid to some of the most fragile and vulnerable communities in the world.** Sudan's civil war, waged between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF), erupted on April 15, 2023, plunging the country into chaos. **Civilians bear the brunt of the conflict; sexual violence is widespread, fighters**

on both sides regularly target civilians and infrastructure, and child soldier recruitment is common. Human rights groups have accused fighters in Darfur of ethnic cleansing. Gender-based violence is escalating. Reports of intimate partner violence, sexual exploitation, abuse and trafficking are widespread, while survivors struggle to access support. Economic hardship has stripped countless women of their livelihoods, forcing many into desperate and exploitative situations, and increasing their vulnerability.

2AC

On racism:

1. DL: The ICC isn't racist – African participation, domestic politics, and dislike of the current prosecutor, not the institution

Kersten 22 [Mark Kersten, Assistant Professor in the Criminology and Criminal Justice Department at the University of the Fraser Valley, 2-22-2012, "Is the ICC Racist?", Justice in Conflict, <https://justiceinconflict.org/2012/02/22/is-the-icc-racist/>]

It is important to note that levying the charge of racism against the Court does not simply bring into question whether the ICC is biased or selective, two critiques often raised with the Court by its critics and often admitted by its more honest proponents. No, the bludgeon of calling the Court racist takes the matter one step further by suggesting that the ICC targets African contexts because they are African. No honest, self-reflecting advocate of international criminal justice can say he or she is satisfied with the reach of the ICC. It is selective and that is a problem. Further, some, including myself, are wary that the ICC's practice of eagerly cozying up to the UN Security Council will only act to entrench the selectivity and bias of international criminal justice further. But, while problematic, the Court's selectivity does not mean that the ICC is a racist institution. Defenders against charges of the ICC being a neo-colonialist institution often point to the fact that thirty-three African states are signatories of the Rome Statute and members of the Court. That's no paltry number. Furthermore, African states have engaged, and continue to engage, on a significant level, with the Court. African states lobbied heavily to successfully ensure that an African, Fatou Bensouda, was named the successor to Luis Moreno-Ocampo as the Court's top prosecutor. Some states have seen cooperation with the Court strategically. The Government of Uganda, for better or worse, viewed its self-referral to the ICC as an opportunity to increase pressure on the Lord's Resistance Army. One might now ask, well then why do some African member-states describe the ICC as neo-colonial? There are a few reasons for this. First, in the context of African politics it is important to realize that it remains popular to describe international institutions as neo-colonialist bodies unduly and unfairly targeting Africa and Africans. The charge is seemingly levied as much because it retains purchase in domestic politics as it is because its authors truly believe the ICC is a neo-colonialist institution bent on focusing on Africa. Second, while the rhetoric against the ICC may be lofty, much of it is intended for the ICC as it has functioned under the direction of Moreno-Ocampo. It was telling when Jean Ping, the African Union Commission's Chairman and a vociferous opponent of the ICC's role in Africa, remarked: "Frankly speaking, we are not against the International Criminal Court. What we are against is Ocampo's justice — the justice of a man." The bad blood between many African states and the ICC does not derive from the obvious fact that all of the ICC's official investigations and prosecutions have taken aim at African contexts. As William Schabas rightly argues, "The root of the problem is not an obsession with Africa but rather a

slow but perceptive shift of the Court away from the apparent independence shown in its early years towards a rather compliant relationship with the Security Council and the great powers.” **African states have always been skeptical of the UN Security Council’s permanent five, a group from which they have continuously been excluded, being the determinant of international peace and security.** In this context, the increased proximity of the ICC to the realpolitik machinations of the UN Security Council make African states uneasy. One reason so many African states supported and joined the Court was precisely because it retained independence from the Security Council. That independence has shrunk in recent years and, with the Court enthusiastically taking on the Council’s referral to Libya and subsequently being instrumentalized by the intervening powers, the Court’s independence may well be on shaky ground. None of the above, however, addresses what I believe to be the worst implication of calling the ICC racist. If the Court is racist, then it holds that African states have supported and engaged in a racist process. **The racist critique would suggest** that these **African states have been** somehow **fooled** into joining the Court by duplicitous, **white, Western states.** But who truly believes that states like South Africa, Ghana, Uganda, etc. are, to put it bluntly, that stupid? **What African state would willingly join a Court that was racist against it? Claiming that the ICC is racist is thus to believe** that **African states** and Africans in support of the Court **are virtually agent-less in their conduct as states.** I

2. DL: The ICC is not racist:

Cannon et al. 17 [Brendon J. Cannon, Assistant Professor of International Security at Khalifa University with a Ph.D. in Political Science from the University of Utah, Dominic R. Pkalya, conflict researcher with a Masters of Arts (MA) degree in Media, Conflict and Peace Studies from University for Peace, and Bosire Maragia, Technology and National Security Law Attorney at the DoD with a PhD from the University of Delaware, 10-30-2017, "The International Criminal Court and Africa: Contextualizing the Anti-ICC Narrative", SSRN, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3061703]

3.2 Responding to Critics of the ICC Double Standards: It is empirically accurate that virtually all of the cases before the ICC involve Africans. Some scholars have even noted that “It will not be an overstatement to argue that thus far the ICC has acted predominantly as a transnational criminal court for Africa.”⁴⁹ As of June 2015, the ICC was investigating situations in eight countries, and had issued three verdicts.⁵⁰ By November 2016, the Court had ten ongoing examinations, five of which involved African states.⁵¹ There were ten situations under investigation, nine involving African countries (Georgia being the exception).⁵² There were 13 cases at different stages of trial and five closed cases – all involving Africans.⁵³ This has indeed developed into a public relations nightmare for a Court that ostensibly set out to deliver justice to victims of war crimes, genocide and crimes against humanity, globally. Given the above figures, is the ICC applying a double standard and unilaterally instigating investigations against Africans? At first glance, there are legitimate concerns insofar as the ICC has dared not investigate atrocities alleged to be committed by major powers and although the ICC Prosecutor has argued that her office has investigations in Afghanistan, in Colombia, in Palestine and in Ukraine.⁵⁴ Second, the involvement of the UNSC members who have refused to ratify the Rome Statute in referrals and other matters pertaining to the Court’s operations should be disconcerting to anyone familiar with international politics and treaties. The ICC is an anomaly to the extent that the Rome Statute purports to allowing non-member states to enforce treaty obligations against State Parties as well as non-consenting parties. The near impossibility of the UNSC referring a Council member to the ICC underscores that problem and may reinforce Africans’ perception of bias.⁵⁵ That said, **African states’ eagerness so far to refer cases to the ICC, which might signal either unwillingness or inability to handle such cases, waters down that argument.** Except for Sudan’s Al-Bashir indictment and the investigation in **Libya** that came at the urging of the UNSC, and the **Kenya** case which the ICC brought on its own, **all other investigations including situations in Uganda, Congo and Mali**⁵⁶ **have come at the urging, or encouragement, of African countries.** **This, coupled with participation of majority of African countries information of the Court and at least 60% ratifying the Rome Statute,** regardless of motivation or unconscionable demands from some Western countries, **suggests that African signatories, too, have been partially responsible for the harm they claim the ICC is inflicting on them at** the behest of Western imperial powers. Rather than being victims of the ICC, **African**

States Parties have themselves failed to implement effective measures to prosecute the atrocity crimes within their national courts. First, they have failed to create credible judiciaries that could adjudicate gross violations of human rights and diminish the relevance of an external court like the ICC. Second, they have lacked strategic vision and foresight and signed treaties or international agreements sometimes against their national interests. In other words they have lacked sophistication in conceptualizing and articulating sovereignty in ways that help them advance their national interests in an international order that is already stacked against them.⁵⁷ African countries' criticism of the ICC for not focusing on human rights violations in other regions also reflects such lack of vision and strategic thinking.⁵⁸ Such sentiment does not shed further light on how the continent can advance accountability for egregious violations of human rights where many local judiciaries are either weak or have limited expertise. It is therefore disingenuous for African elites and the AU to blame the ICC for prosecuting African defendants for serious violations of international human rights that they are either unable or unwilling to handle within their countries.⁵⁹ Unless there is evidence demonstrating that the ICC is prosecuting innocent people, or violating African defendants' due process rights, it is irrelevant that most of them happen to be of African origin. In essence, many of Africa's grievances against the ICC seem more political than legal.⁶⁰ and sometimes at odds with the preferences of their own people.⁶¹

Insensitivity to Local Social-Political Context: This is probably the most compelling criticism of the Court and one that it would find difficulties addressing. Efforts to hold individuals responsible for atrocities often come after a war or conflict has subsided and with the cooperation of a local authority exercising a modicum of control. That one – often losing – side of conflict bears the brunt of post-war trial is real and one that has, for years, dogged international tribunals. For example, the International Criminal Tribunal for Rwanda (ICTR) has yet to prosecute President Paul Kagame's Rwandan Patriotic Front (RPF) for atrocities committed during the 1994 genocide in Rwanda, in part because of a public opposition from Kagame himself. The reality is that the ICC cannot do much without some local authority guaranteeing a modicum of security and safety of its investigators and, crucially, supporting ICC investigators and prosecutors. Yet, the reliance of such arrangements often tilts the balance of justice for one faction against others in ways that can undermine reconciliation.⁶² The ICC ideally is less likely to indict individuals associated with a political establishment for which it depends on for security and cooperation. The Court, however, could revisit the issue once ruling elites and/or parties leave office and should therefore be careful as to how and to whom it grants immunity. A Stoolie of Western Imperialism: The "ICC is biased against Africa" narrative is rooted in the Court's record of focusing its investigations on relatively weaker and poorer countries such as those in sub-Saharan Africa that have ratified the Rome Statute. Critics point out that citizens of the United States, China and other more powerful states remain beyond reach of the Court's long arm. There is some validity to these criticisms that underscores the lopsidedness of the current international order.⁶³ Yet equally blameworthy is sub-Saharan African countries' penchant for joining international organizations, agreements or treaties without much thinking that such obligations may limit their sovereignty. While sub-Saharan African countries have legitimate reasons for feeling unfairly targeted by the ICC, their situation probably would not be any different even if the ICC had looked at other countries outside the region. Branding the ICC a stooge of Western imperialism – even though, like other international institutions, it is susceptible to political influence – does not move the needle in terms of changing the underpinnings of the current global order. African countries' voluntary participation in establishment of the court, and legally binding themselves through ratification of the Rome Statute, reflects a gap in the way sub-Saharan African states and Western countries view the system and define national interest. The United States, Russia⁶⁴ and other states have abstained from the Court out of national interest, consistent with international law doctrine pacta sunt servanda – states are bound only by treaties they enter and ratify. The behaviour of these states is also in tune with realists' view of world politics – that powerful states affirm international law when it suits them and ignore it when it does not.⁶⁵ The major disagreement many elites in African countries have with the ICC seems to be more about the Court's radical piercing of the African state's sovereignty rather than the Court's inability to address violations of international humanitarian laws committed by major powers or performed outside of Africa. Invoking the Rome Statute has unrivalled draconian consequences as its application strikes at the very seat of power and renders indicted African ruling elite fugitives outside of their own borders.⁶⁶ There is no evidence that any country was forced to join negotiations or to ratify the Rome Statute, although a rich body of literature indicates there

is unevenness in the way treaties are negotiated.⁶⁷ The United States, for instance, played a significant but oppositional role in negotiations leading to the formation of the Court.⁶⁸ For example, the United States – not a member of the ICC – successfully dissuaded some of these countries from ratifying the Rome Statute.⁶⁹ That African states, as a bloc, led the pack of states that have ratified the Rome Statute is an indictment on the continent itself. The decision-making authority of the ICC rests almost entirely on the willingness of states to resolve disputes on their soil amicably and with satisfactory justice (thereby making the ICC a court of last resort) and/or on their readiness to submit their disputes to the ICC for arbitration. The ICC's mandate contains no powers to enforce its own arrest warrants – as the case of Sudan's Al-Bashir attests. Some states such as South Africa have refused to arrest and extradite Al-Bashir to The Hague underscoring just how much the ICC is reliant on members enforcing its warrants. It is therefore disingenuous and hypocritical for African states to play the imperialism card when, in fact, most of the cases involving African defendants (Uganda, DRC, CAR and Mali) have been referred to the Court by African governments.⁷⁰ Even in the Kenya case – the only case where the ICC initiated investigations proprio motu – the Court gave the government opportunities to set up its own mechanism before it actually took over the cases.

3.3 Missing the Big Picture

The vitriol directed at the ICC misses two fundamental aspects of the Court that comport with the prevailing conditions in post-conflict societies in Africa. First, is the potential for the Court to contribute towards conflict resolution and peacebuilding while providing a measure of accountability to tame impunity especially in countries where the courts are either weak or no longer exist because of war, instability and other factors. Second, insofar as joining the ICC is voluntary and an exercise of sovereignty, states are similarly at liberty to set up and use their own courts. With due respect to those who have complained about the ICC targeting only Africans, the empirical reality is that **Africa has seen an inordinate number of conflicts in which violations of international humanitarian law have occurred.**⁷¹ For instance, a mapping of major armed conflicts in the world by Uppsala Conflict Data programme established that between 2001 and 2015, Africa accounted for the most conflicts in the world (with an all-time high of 35 violent, armed conflict incidents from 2000 to 2001), with the Middle East gaining ground in 2014 largely due to the crises in Syria and Iraq.⁷² The same mapping established that Europe and the Americas recorded fewer incidents of armed violent conflicts. Many of the conflicts in Africa have resulted from the collapse in the 1990s of several African states under the weight of unpopular neoliberal policies that were touted by the IMF and The World Bank under the label Structural Adjustment Programs (SAPs). These policies led to the ouster of Africa's "Big Men" such as Mobutu Sese Seko of Zaire (now DRC), as SAPs forced governments to scale back or scrap some essential services heightening competition for scarce resources. It is therefore not surprising that the list of the ICC's most wanted criminals would include mostly Africans.⁷³ In fact, the ICC quipped in a Tweet in March 2016 that "had the ICC been established in the 1970s, it would have probably started its operations in Latin America – or in Europe had it been established in the 90s."⁷⁴ As it is, the establishment of the ICC coincided with a particularly conflict-laden decade in the African chapter. Many African states have weak or corruptible judiciaries and institutions that in many cases lack competence to handle complex litigation and bring perpetrators of atrocities to justice. The fact is that commonly recognized principles that define the independence of the judiciary are regularly undermined in Africa.⁷⁶ These take various forms including politicization of judicial appointees, executive overreach, failure of constitutions to explicitly define the independence of the judiciary, as well as how to draw a balance between "judicial restraint" and pleasing elites under whose pleasure they serve. These structural handicaps should underscore the usefulness and indeed necessity of the Court not only for sub-Saharan Africa but also for other countries that have similarly weak judiciaries or are emerging from conflict. Moreover, Africa's attempt to constitute the African Court of Justice and Human Rights as an alternative to the ICC, has yet to pan out.⁷⁸ This leads to the second, aforementioned point that African states have the option to make the ICC truly a court of last resort. Leaders should exercise their state's sovereignty and create local mechanisms to hold their nationals accountable for gross violations of human rights. African leaders are yet to match their rhetoric with action. For example, Mali president Boubacar Keita noted that it is "up to Africans, not Europeans or Americans to judge their leaders."⁷⁹ Zimbabwe's president Robert Mugabe also has called on African states to establish their own "African ICC," to prosecute Western leaders who commit crimes on the continent.⁸⁰ Yet Mugabe and his Zimbabwe African National Union – Patriotic Front (ZANU-PF) party have stripped the local judiciary of any independence that could hold locals accountable for human rights violations. As such many African judiciaries rarely act with alacrity, are less than impartial, and often are beholden to interests that serve powerful minority interests.⁸¹ Unless African countries enact reforms to guarantee their independence as Mauritius did⁸² and, with less success, South Africa,⁸³ Africa probably would continue to depend on the ICC as a court of first instance rather than a court

of last resort (as intended) to address egregious violations of international humanitarian law. 3.4 Contextualizing Criticisms of the ICC in Africa

3. **African countries like the ICC which means that if anything the ICC supports African countries, and their narrative doesn't take that into account**
 - a. **The ICC has been effective in African countries — ex they're taking action in Sudan, etc & they're delivering justice for dictators**
 - b. **African countries have fewer domestic courts that can handle the issue compared to Western nations leading to the disparity we see — but that's all the more reason to keep the ICC and strengthen it because otherwise their crimes would go unchecked**

On antisemitism:

1. **There's absolutely no warrant for why the ICC was anti semitic when investigating Israel because we would tell you that a member state referred it so they took it up, whereas in the other cases they talk about, no-one referred it, so the ICC physically couldn't investigate it.**
2. **Their ev is just from a plastic surgeon that believes the ICC is anti semitic, and has nothing to do with facts that our ev provides which shows that the ICC had legitimate reasons to investigate, but more than that they also issued arrest warrants for Hamas officials, meaning that the investigation definitely wasn't targeted.**

On corruption:

1. **They just say that US presence makes things worse, but note that this was when the US wasn't collaborating with the ICC, so of course if they had different interests, conflicts would get worse.**
2. **But, that gets resolved in the affirmative because the US is now siding with the ICC.**
3. **We would also say that since each state gets one vote, there is no way the US can simply just overthrow the court's order.**
4. **They can't name you a single case with a politicized judge, or one that the US would politicize.**
5. **We would say that Trump has expressed support for Sudan, so there's no reason why corruption would be rampant specific to our scenario.**
6. **Safeguards mean ICC ratification won't result in frivolous challenges to US policy**

William L. Nash, Retired Army General and John W. Vessey Senior Fellow and Director of the Center for Preventive Action, *THE UNITED STATES AND THE INTERNATIONAL CRIMINAL COURT*, edited by Sarah Sewall and Carl Kaysen, 2000, p.
<http://www.amacad.org/publications/icc9.htm>. (DRG/C602)

But as Bartrarn Brown's chapter (chapter 4) explains, many **procedural safeguards** to **prevent frivolous prosecution** have been **built into the Court's jurisdiction and operation**. Moreover, there are other forums and means to challenge U.S. policy; the ICC will not be the only vehicle for so doing, and it may well prove to be a less effective venue than a press conference. Treating the ICC as though it will become the prime mechanism to challenge American global leadership is to vest more power in the Court than it could, ever have.

7. De-Link: Past US influence has already been exerted through the Security Council, which means the impact will trigger regardless or will never trigger, Dan 14

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Situations dealt with by the ICC will almost always involve atrocities that frequently challenge international peace and **security in a manner that triggers the responsibility of the UNSC** to serve as the primary guardian of the maintenance of international peace and security. The establishment of the ad hoc tribunals by the UNSC was inspired by the conviction that the prosecution of major international crimes constitutes a means to maintain international peace and security.

Article 13(b) of **the ICC** Statute, which makes the Court available to the UNSC to intervene judicially in situations posing threats to international peace and security, similarly **assumes that justice could be an instrument of peace**. Even though the UNSC's decision of referral can hardly be described as anything but political, it is through the Council that the jurisdiction of the ICC is extended to cover even nonStates Parties. On the other hand, tensions exist where the achievement by the UNSC of its peace mandate may require a different approach from that being pursued by the ICC as part of its justice mandate. As such, Article 16 allows for a limited extent of intervention in the Court's jurisdiction by the UNSC where the **demands of peace** so require.

While the ICC Statute is not oblivious to these political realities, compromise **should not be confused with unjustified political interference into the ICC's judicial processes**.

8. This is a double bind b/c it's either that it's inevitable, or that their impact isn't going to happen which means you always look to the affirmative where we have a solution where the US completely changes its foreign policy stance, solving the root of the problem.