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Right now, Trump has shifted towards peaceful negotiation to end the Russia-Ukraine war.

Reuters from February ["US-Russia talks: Key takeaways as Trump pushes for Ukraine peace deal," Reuters, February 2025, accessed 2/21/25]

<https://www.reuters.com/world/key-takeaways-trump-putin-talks-ukraine-energy-nato-sanctions-2025-02-20/>

MOSCOW, Feb 20 (Reuters) - Russia and the United States have had their first meeting since the start of the Ukraine war, aimed at restoring relations and preparing the ground for ending the conflict. What is known so far about what was discussed? UKRAINE WAR U.S. President Donald Trump says he wants to quickly end the war. President Vladimir Putin says he is willing to negotiate an end to the war but based on the reality of Russia's control over swathes of Ukraine. Trump says Putin wants a deal. The exact details of a possible deal are unclear. Trump said he could meet Putin this month.

Wolf 25 (Rachel Wolf Fox News, "Zelenskyy confirms Ukraine will attend US peace talks in Saudi Arabia, 1 week after Oval Office clash", Fox News, 3-6-2025, [//MX">https://www.foxnews.com/world/zelenskyy-confirms-ukraine-attend-us-peace-talks-saudi-arabia-1-week-after-oval-office-clash\)//MX](https://www.foxnews.com/world/zelenskyy-confirms-ukraine-attend-us-peace-talks-saudi-arabia-1-week-after-oval-office-clash)

Ukrainian President Volodymyr Zelenskyy confirmed that his team will meet with their American counterparts in Saudi Arabia for peace talks. The statement comes just one week after Zelenskyy's Oval Office clash with President Donald Trump and Vice President JD Vance, which ended with him leaving the White House ahead of schedule.

This is because after heavy sanctions, ceasefire support within Russia is strong.

Levada Center 24 Levada Center, 6-9-24, "Conflict with Ukraine: Assessments for May 2024,"

<https://www.levada.ru/en/2024/09/06/conflict-with-ukraine-assessments-for-may-2024/> -J.S.

By banking everything on war, Putin has made Russians increasingly tired of it. Throughout the population, there are signs of exhaustion: surveys by the Levada Center now show a clear majority in favor of peace talks, with the figure reaching 57 percent in November, close to its highest level since the war started. (The figure dipped slightly to 54 percent in December, but the proportion of Russians who say they oppose peace has remained unchanged for several months, at 37 percent.) For the majority of peace supporters, two conditions remain important: Russia should retain the "new territories" it has acquired since 2022, and Ukraine should not join NATO. If such conditions are met, the polling shows, ending the war would satisfy a substantial part of the Russian population, who would consider it a "victory." Hopes for peace talks have risen with the election of Trump,

although both the general population and elites express skepticism of any immediate results. In October 2024, 37 percent of Levada Center respondents agreed with the idea that Trump's election would be good for Russia, and nearly as many—33 percent—thought that relations between Russia and the United States could improve under him; but an even higher number, 46 percent, said the outcome of the U.S. election didn't matter.

However, the US joining the court threatens Russia and makes negotiations impossible.

BBC 16 (BBC News, . "Russia withdraws from International Criminal Court treaty", 11-16-2016, [//MX](https://www.bbc.com/news/world-europe-38005282)

Russia President Vladimir Putin has approved an order to withdraw the nation from the process of joining the International Criminal Court (ICC). Russia signed the Rome statute, which governs the ICC, in 2000 but never ratified the agreement to become a member. The decision came after an ICC ruling that Russia's activity in Crimea amounted to an "ongoing occupation". Russia thus joins the US and other nations which have rejected the court. The court ruled Russia's 2014 takeover of the Crimea peninsula had been an armed conflict between it and Ukraine. This would mean the annexation fell under the court's jurisdiction. But Kremlin spokesman Dmitry Peskov said the wording "contradicts reality", while the foreign ministry called the court "one-sided and inefficient". Russia has found itself the subject of the court's focus on more than one occasion. Earlier this year, the ICC authorised an investigation into the 2008 Russia-Georgia conflict in South Ossetia. In response to Russia's withdrawal, the court's chief prosecutor said: "We owe it to future generations not to abandon the ICC." The ICC was established to pass judgement on four international crimes: genocide, crimes against humanity, war crimes and crimes of aggression. The US initially signed the Rome statute under the Clinton administration but later withdrew, under the leadership of George W Bush. Sudan and Israel have also withdrawn their signatures in the past, while other nations - including China and India - have rejected membership outright. Earlier this year, South Africa, Burundi and The Gambia all decided to withdraw completely. Several other African nations have also expressed doubt over the court's future, amid allegations that it is too focused on countries within the continent. In the court's 14-year history it has only brought charges against Africans.

Afterward, Human Rights Watch 23 (Human Rights Watch, . "Russia: Law Targets International Criminal Court", 5-5-2023,

[//MX](https://www.hrw.org/news/2023/05/05/russia-law-targets-international-criminal-court)

(Berlin) - Russia's adoption on April 28, 2023, of a law criminalizing assistance to foreign and international bodies is an affront to victims of serious crimes, Human Rights Watch said today. The law prohibits cooperation with international bodies, "to which Russia is not a party," such as the International Criminal Court (ICC) or any ad hoc international tribunals that may be established to prosecute Russian officials and military personnel, as well as foreign courts. Such cooperation is punishable by up to five years in prison. "The new law is apparently aimed at further undermining international efforts to secure accountability for crimes committed by Russian nationals, including in Ukraine," said Balkees Jarrah, associate international justice director at Human Rights Watch. "The law in Russia is a new toxic addition to the growing array of draconian criminal legislation adopted in recent years in the name of 'state security.'" On March 17, ICC judges issued arrest warrants for Russian President Vladimir Putin and his children's rights commissioner, Maria Lvova-Belova. The judges found reasonable grounds to believe that Putin and Lvova-Belova bear criminal

responsibility for the alleged unlawful deportation and transfer of Ukrainian children from occupied areas of Ukraine to Russia. A Kremlin spokesperson denounced the ICC warrants and indicated that Russia does not recognize the court's authority. Separately, Russian investigators had also opened criminal cases against the ICC prosecutor and the panel of judges charged with the case. On March 25, the speaker of Russia's lower house of parliament, Vyacheslav Volodin, presented the new law as a response to the ICC's arrest warrants.

If the US joined the ICC, the diplomatic goodwill between Russia and the US would disappear. Putin would believe he has no choice but to continue fighting to an end.

Finucane 23 [Brian Finucane, Senior Adviser in the U.S. Program at the International Crisis Group, Nonresident Senior Fellow at the Reiss Center on Law and Security at NYU School of Law, and former Attorney Adviser in the Office of the Legal Adviser at the U.S. State Department, and Stephen Pomper, Chief of Policy at the International Crisis Group and former Special Assistant to the President and Senior Director for Multilateral Affairs and Human Rights at the National Security Council, and former Assistant Legal Adviser for Political-Military Affairs at the U.S. State Department, 5-8-2023, "Can Ukraine Get Justice Without Thwarting Peace?", Foreign Affairs, <https://www.foreignaffairs.com/ukraine/russia-ukraine-justice-thwarting-peace>]/Kanke

References such as this to the Nuremberg military tribunals, which took place after World War II to hold Nazi officials accountable for both aggression and atrocity crimes, are highly resonant, but also misleading. The Nuremberg trials, as well as their counterparts in the Far East, came at the end of a globe-spanning total war that finished with the Axis powers' defeat, surrender, and occupation, as well as the capture of their leaders. The Allies used these trials to demonstrate their commitment to the rule of law and to expose the defendants' depravity. Because the Allies were able to impose terms on Germany or Japan, they were also in a position to try their leaders and enforce the sentences the war court passed down. Russia's unlawful war on Ukraine appears to be on a different trajectory. It is unclear how the conflict will end, but Russian surrender is not in the cards. One likely scenario is a negotiated deal; another is a frozen conflict. Moscow's political leadership will remain almost certainly ensconced for the foreseeable future, and international actors will continue to need to work with them in forums such as the United Nations. Ukraine's Western partners are trying to weaken Russia, but they are also trying to steer clear of a direct conflict, aware that any confrontation the Kremlin sees as posing an existential threat could bring the risk of escalation, including the use of nuclear weapons. Plans to stand up a new tribunal do not easily fit into this landscape. Seeking accountability for Russian President Vladimir Putin and other senior Kremlin officials now sees, while Russia and Ukraine remain locked in combat, is hard to reconcile with any realistic Western war aims. A big push to prosecution Russian leaders for starting the war signals a desire to remove Russia's leadership, risks escalation, and would almost surely complicate diplomacy to bring the war to an end. If establishing such a court ultimately proves futile, it could also weaken rather than strengthen the international criminal justice project. Rather than barreling ahead and risking a full-on collision between the interests of peace and justice, Ukraine and its partners should pursue a sequenced approach in which accountability efforts are better harmonized with the goals of conflict resolution. A LOOPHOLE IN THE LAW There are very few examples of war-time leaders being tried on aggression charges, and fewer still of trials that took place while the leaders were still waging war. Most precedents date back to the post-World War II International Military Tribunal, which the victorious Allies created at Nuremberg to prosecute senior German leaders. The other most notable case comes from

Nuremberg's sister tribunal held in Tokyo, which was created to try Japanese officials. There have also been a handful of domestic trials, including those conducted in Ukraine following Russia's 2014 occupation of Crimea, including one that resulted in the in absentia conviction of Ukraine's former president, Victor Yanukovich. This sparse record is no accident. The powers driving the creation of the post-Cold War architecture for international criminal law—the United States chief among them—were ambivalent about lumping together the crime of aggression with so-called atrocity offenses (genocide, crimes against humanity, and war crimes). U.S. officials worried about the lack of clarity and consensus around what constitutes aggression. They also feared the exposure they might be creating for themselves and up their chains of command. The U.S. government fretted that these legal changes would hamper Washington's ability to build coalitions to undertake operations such as as legalism will deliver us from this major conflict and its escalation dangers." For Western states eager to maintain the most united possible global front against Moscow, these words – from perhaps the United States' closest partner in East Africa – merit careful consideration. A second basket of concerns is more practical. Simply put, proceedings that target Russia's sitting leadership clash with Western objectives in a way that the post-World War II prosecutions of German leaders did not. Probably most worrying is what these efforts communicate to Moscow about the West's designs for effecting regime change in Moscow, an end state that Western leaders have taken pains to say they do not seek. Creating a tribunal would signal to the Kremlin that its options are either to win and remain free or to lose and face prosecution, making the war's stakes existential threats for leaders that control the world's largest nuclear arsenal. (Arguably arrest warrants that the ICC has issued against Putin and one of his commissioners already do this; creating an aggression tribunal would unhelpfully reinforce that message.) Creating a judicial body to prosecute Russian leaders for the crime of aggression would also complicate future diplomacy. If and when negotiations to end the war get under way, Russia will almost certainly ask for a release from criminal liability as part of any settlement. It is unclear how Western countries would respond to this request. The UN Security Council may have powers that would allow it to supersede international obligations relating to the tribunal, and Kyiv might be able to drop charges or grant clemency in the case of a hybrid court, but political considerations could make it hard to wield these tools. Standing up a new aggression court could break what little is left of Russia-US diplomacy on issues such as the Black Sea grain deal as well as priority areas distinct from the war, including humanitarian access in Syria, assistance in Afghanistan, and peacekeeping in Africa. The last area of concern is in the realm of principle. An ad hoc tribunal created to prosecute Russian officials would have no jurisdiction over crimes of aggression being committed outside Ukraine – giving a free pass to Western countries and their partners. This would only reinforce the view of Global South countries that the United States and its allies see international criminal justice institutions as a selective tool that applies only to their adversaries. MOSCOW IS UNLIKELY TO FALL

Murray 25 Warren Murray is the Guardian's UK/US site editor in the Asia-Pacific timezone. ["Ukraine war briefing: Depends what Trump means by a 'deal', says Russia," The Guardian, January 2025, <https://www.theguardian.com/world/2025/jan/23/ukraine-war-briefing-depends-what-trump-means-by-a-deal-says-russia>] Tatiana Stanovaya, the founder of the political analysis firm R.Politik, said that despite Trump's efforts to force Putin to negotiate, the Russian leader appeared convinced that he had the resources to outlast Ukraine. "A peace deal on Russian terms would save significant resources, but absent such an agreement,

Putin is prepared to fight for as long as it takes." Russia's current economic situation was unlikely to compel Putin to negotiate with Ukraine. **"If** the Kremlin concludes that **no** favourable **deal with Trump is** forthcoming, **they will** likely **focus on** prolonging the **conflict.**"

The Impact is two-fold:

First, the war in Ukraine kills millions.

Atlamazoglou 24 [Stavros Atlamazoglou is a seasoned defense journalist specializing in special operations and a Hellenic Army veteran (national service with the 575th Marine Battalion and Army HQ). He holds a BA from Johns Hopkins University and an MA from the Johns Hopkins School of Advanced International Studies (SAIS). His work has been featured in Business Insider, Sandboxx, and SOFREP.] Ukraine War at 1,000 Days: 700,000 Dead or Wounded for Russia, National Interest,

<https://nationalinterest.org/blog/buzz/ukraine-war-1000-days-700000-dead-or-wounded-russia-213791/>, Stavros Atlamazoglou, 11-19-2024, Accessed 1-27-2025 //lynne

What You Need to Know: One thousand days into Russia's full-scale invasion of Ukraine, the war has reshaped European history and global defense dynamics. **Casualties** have soared, with **Russia reportedly losing around 725,000 personnel** and significant quantities of military hardware, while **Ukraine's losses are estimated at 300,000-400,000**. Ukraine War -Russia's military capabilities have been significantly degraded, raising questions about its "near-peer" status. Meanwhile, NATO has been revitalized, with expanded membership, increased defense spending, and a renewed sense of purpose. -Despite devastating losses, both sides remain committed to achieving their objectives, suggesting the conflict will continue indefinitely. How Ukraine Reshaped Global Defense On February 24, 2022, the Russian military launched its large-scale invasion of Ukraine. One thousand days have passed since that day. A day that brought the largest conflict on European soil since World War Two. It was a day that changed the course of European history and broadened into the conflict indirectly in support of Ukraine dozens of countries, including the United States. A day that often threatens to spark a wider conflict with catastrophic results. So, what has happened in these 1,000 days of bitter fighting? 1,000 Days of Fighting in the Ukraine War To begin with, a lot of people have died and been wounded far more on the Russian side rather than the Ukrainian. **The latest estimates put the number of Russian military losses to approximately 725,000 killed and wounded. This figure averages 725 casualties per day, or around an infantry battalion lost every day of fighting. And the average will only go up given the fact that the Russian forces have been currently losing over 1,500 men per day, sometimes as close as 2,000 per day. At this rate, the Russian forces will close the year with almost 800,000 casualties.** Russia's losses aren't limited to just human flesh. The Russian military has lost tens of thousands of heavy weapon systems, including main battle tanks, a guided-missile cruiser, a submarine, fighter jets, and nuclear-capable strategic bombers. The Russian forces have lost so much heavy weaponry that they had to unearth obsolete tanks, infantry fighting vehicles, and artillery guns designed and built more than sixty years ago. In many ways, in the fighting in Ukraine, the Russian military has lost most of its modern warfare capabilities, especially ground and special operations capabilities, and it will take years and billions of dollars to rebuild them. **To be sure, Ukraine has been taking heavy losses as well. Kyiv has been much more guarded about its casualties. Nevertheless, it is safe to assume that the Ukrainian forces have lost around 300,000 to 400,000 men in the**

fighting, or about half the losses of the Russians. However, there is a difference between the casualties of the two combatants: the Ukrainians have more wounded than killed in action than the Russians. It boils down to the fact that the Ukrainians care more about their troops and provide better medical support than the Russian forces, which often send men to attack Ukrainian fortified positions using World War One tactics. A Near-Peer Adversary or a Paper Tiger? Another thing that 1,000 days of fighting in Ukraine has done is to question the near-peer status of the Russian military. Specifically, its conventional capabilities, Russia continues to maintain the largest nuclear arsenal in the world.

Second, the war has been a major cause of global food insecurity.

Abbott 22, 4-7-2022, War in Ukraine May Trigger Severe World Food Crisis — USAID, Chuck Abbott, Editor of the daily electronic newsletter Ag Insider published by the Food and Environment Reporting Network and contributor to agriculture.com, Successful Farming

<https://www.agriculture.com/news/business/war-in-ukraine-may-trigger-severe-world-food-crisis-usaid> [T diddy]

The Biden administration is preparing to tap an emergency food aid fund because of the ripple effects of the Russian invasion of Ukraine on hunger in Africa and the Middle East, a U.S. Agency for International Development official told lawmakers on Wednesday. Hunger and poverty could exceed the global food price crisis of 2007-08, said Sarah Charles of USAID. Acute hunger worldwide could increase by as many as 47 million people if war is prolonged, with sub-Saharan Africa the most affected area, said Arif Husain, chief economist for the World Food Program (WFP). "This means that up to 323 million people could become acutely food insecure in 2022. The world does not need another crisis in the current context that is already beset by extreme difficulties." Besides its effect on hunger, the 2007-08 food price crisis fueled civil unrest, said Charles and Husain during testimony before a House Agriculture subcommittee. Hunger from this year's disruptions of grain shipments and accompanying increases in food prices could result in new floods of refugees and destabilization of governments, said Husain. "I can assure you that we are in very active conversations with the U.S. Department of Agriculture about determining the specifics of drawing down that , and we're in the process right now of looking at commodities and countries that could benefit from U.S.-sourced commodities," said Charles, assistant to the administrator of USAID's Bureau of Humanitarian Assistance. The Emerson Trust, named after a Missouri congressman, is a cash reserve to respond to food crises when the government's major aid programs, such as Food for Peace, are not available. The trust held \$260 million last year. Money from the trust is used to purchase U.S. commodities for hunger relief. "Russia's invasion of Ukraine has not only elevated humanitarian needs and displacement in the region, but threatens to further jeopardize food security around the world due to its impact on global food supply chains," said Charles. "The impacts of the current crisis on poverty, hunger, and malnutrition could be even more significant than those seen in the global food price crisis of 2007-2008 and the subsequent civil unrest, as the last crisis followed a period of strong global economic growth, whereas the years since the onset of the COVID-19 pandemic have been characterized by an increasingly worse global economic downturn." USAID is particularly concerned about the impact in areas that rely heavily on food from Russia and Ukraine, struggle with high levels of acute food insecurity, and suffer when food prices rise, she said. "Afghanistan, the Horn of Africa, Lebanon, the Sahel, the Maghreb, South Sudan, Sudan, Syria, and Yemen are at the top of the list." Food prices spiked in 2007 and 2008, as rising global demand for food collided with smaller-than-expected crops and higher petroleum prices that drove up the cost of growing and transporting food. Wheat and rice prices

nearly doubled from mid-2005 to 2008. Export bans by some rice-producing nations triggered panic buying and surges in prices. Other nations limited wheat exports. The USDA "stands ready to step up" in support of Ukraine and global food supplies, said Daniel Whitley, administrator of the Foreign Agricultural Service, which oversees food aid. "As the situation continues to unfold in Eastern Europe, it is clear that maintaining trading relationships globally will help benefit all nations at a time when food security is in question for many. Trading means sharing." To tap the Emerson Trust, the USAID would request USDA to release funding, including House Agriculture chairman David Scott and Rep. Sanford Bishop, chairman of the House Appropriations subcommittee in charge of USDA funding, wrote to USDA and USAID two weeks ago, urging use of the money. Russia and Ukraine produce 30% of wheat sold in the world and a combined 18% of corn exports.

C2 Defense Tech

Right now, investment in AI for US military defense is growing after years of heavy regulation.

Das 24 Jai Das, has a B.Sc. in Electrical Engineering from Brown University and an MBA from University of Chicago's Booth School of Business. ["Silicon Valley Meets The Department of Defense: Top Observations & Opportunities in Defense Tech," Sapphire Ventures, February 2024, <https://sapphireventures.com/blog/silicon-valley-meets-the-department-of-defense-top-observations-opportunities-in-defense-tech/>] //jameschen + rchen

The Department of Defense (DoD), often labeled as risk-averse when it comes to adopting the latest, most innovative technologies, is one of the last remaining sectors where modern software has yet to take hold. For this reason, coupled with the long, arduous sales cycles, red tape, complex procurement processes, regulatory nuances, stringent compliance requirements and technical challenges associated with doing business with the DoD, many VCs have shied away from backing defense tech startups. The reluctance is often worsened by the disconnect between startups' expectations of typical enterprise procurement processes and the stubborn and painful traditions of government buying. We know that the term "Valley of Death" is associated with startups selling into the DoD as the majority have a difficult time bridging the gap between product development and true deployment. However, as the U.S. increasingly faces new, technologically sophisticated threats, it needs to stay ahead. Software startups and the DoD are increasingly coming together with the common goal of enhancing national security, protecting the country's interests and maintaining military readiness amidst an uncertain geopolitical climate. As the DoD prioritizes new innovation and a modern approach to defense, it's no surprise that there's been a sizable uptick in defense tech investment volume over the past few years.

And the results are clear.

Henshall 24 Will Henshall, Program associate, AI Governance and Policy. ["U.S. Military Spending on AI Surges," TIME, March 2024, <https://time.com/6961317/ai-artificial-intelligence-us-military-spending>]

U.S. government spending on artificial intelligence has exploded in the past year, driven by increased military investments, according to a report by the Brookings Institution, a think tank based in

Washington D.C. The report found that the potential value of AI-related federal contracts **increased by almost 1,200%**, from \$355 million in the period leading up to August 2022, to \$4.6 billion in the period leading up to August 2023. This increase was almost entirely driven by the Department of Defense (DoD). The total amount committed by the DoD to AI-related contracts increased from \$190 million in the period leading up to August 2022 to \$557 million in the period leading up to August 2023. The total that the DoD might spend on AI-related contracts if each contract were extended to its fullest terms grew even faster, from \$269 million in the period leading up to August 2022 to \$4.3 billion in the period leading up to August 2023. This potential surge in military spending was so large that "all other agencies become a rounding error," the report's authors note.

The ICC is looking to regulate AI in warfare.

Khan 23 Karim Asad Ahmad Khan KC is a British lawyer specialising in international criminal law and international human rights law, who has served as Prosecutor of the International Criminal Court since 2021. ["Technology Will Not Exceed Our Humanity," Digital Frontlines, August 2023, <https://digitalfrontlines.io/2023/08/20/technology-will-not-exceed-our-humanity/>]

The tools used to commit serious international crimes constantly evolve—from bullets and bombs to social media, the internet, and perhaps now even artificial intelligence. As states and other actors increasingly resort to operations in cyberspace, this new and rapidly developing means of statecraft and warfare can be misused to carry out or facilitate war crimes, crimes against humanity, genocide, and even the aggression of one state against another. International criminal justice can and must adapt to this new landscape. While no provision of the Rome Statute is dedicated to cybercrimes, such conduct may potentially fulfill the elements of many core international crimes as already defined. In particular, the International Committee of the Red Cross has reiterated that cyberattacks must comply with the cardinal principles of distinction and proportionality and should only be directed against military objectives. There is an emerging consensus among states that cyberspace is not a special domain free from regulation but rather that international law has a clear role to play. I have repeatedly stated that in all situations addressed by the International Criminal Court Office of the Prosecutor, we need to show that the law is able to deliver for those who find themselves on the front lines. And those front lines are no longer just physical: The digital front lines can give rise to damage and suffering comparable to what the founders of the ICC sought to prevent.

Already happening.

Bo 24 Marta Bo, Senior researcher at Asser Institute and SIPRI, studies AI, autonomous weapons, war crimes, and intl. law. ["Netanyahu and Gallant ICC Arrest Warrants: Tackling Modern Warfare and Criminal Responsibility for AI-enabled War Crimes," OpinioJuris, June 2024, <https://opiniojuris.org/2024/12/06/netanyahu-and-gallant-icc-arrest-warrants-tackling-modern-warfare-and-criminal-responsibility-for-ai-enabled-war-crimes/>]

In recent years, accountability for uses of artificial intelligence (AI) in warfare, especially under international criminal law, has progressively emerged as a critical issue in governance initiatives (SIPRI, GGE's Guiding Principles, REAIM Blue Print for Action) and scholarly and civil society debates (Matthias, Sparrow, HRW, and more recently Heller, Bo here and here). Initially the debate predominantly centered around preventative measures, IHL compliance, and (more recently) on responsible AI development and use, framing the issue as a future concern. However, with **AI technologies**—particularly AI decision-support systems (AI-DSS)—reportedly being widely deployed in current conflicts (e.g., see Palantir's Artificial Intelligence Platform (AIP) Defense, Lavender,

and here Gospel), it was only a matter of time before their use in targeting and the associated criminal responsibility came under the scrutiny of an international criminal court. Subject to many 'ifs', such as –their enforceability, potential further jurisdiction and admissibility challenges, and future charges – the International Criminal Court's (ICC's) warrants of arrest against Netanyahu and Gallant could offer an important opportunity for the Court to examine modern warfare and war crimes involving AI systems. The ICC's recent warrants of arrest allege, among others, the criminal responsibility, as civilian superiors, of Mr Netanyahu and Gallant for the war crime of intentionally directing attacks against the civilian population in an international armed conflict, under Article 8(2)(b)(i) of the Rome Statute. Determining superior responsibility for this crime will require an assessment of whether certain attacks, as detailed in the arrest warrants, violated the principle of distinction. Such an assessment might include the scrutiny – among other factors – of the uses of AI-DSS targeting systems. I will first address this issue, then examine the alleged violations of international humanitarian law (IHL) that are the basis for the war crimes, and finally explore some questions that might arise in proving superior responsibility in these cases. An Opportunity for the ICC to Look into the Use of AI-DSS Systems in the Conduct of Hostilities Although it remains speculative until charges are made public and (potentially) additional charges brought forward, the ICC's involvement in Netanyahu's and Gallant case could mark the first time that the ICC has to confront war crimes involving the use of AI in the conduct of hostilities. AI-decision support tools have been integrated into military operations by Israel in Gaza to assist in military decisions making. AI targeting systems analyse different sources of data and process them at speed. In this case, the 'assistance' provided by these systems included target generation and nomination at unprecedented scale and speed.

That's a major risk for US innovation.

Seri 21 Onur Sari, Sener Celik, Department of Law, Istanbul Kent University + Project Coordinator. ["Legal evaluation of the attacks caused by artificial intelligence-based lethal weapon systems within the context of Rome statute,"

ScienceDirect, 2021, <https://www.sciencedirect.com/science/article/pii/S0267364921000376>
<https://sci-hub.se/https://www.sciencedirect.com/science/article/pii/S0267364921000376>]

Artificial intelligence (AI) as of the level of development reached today has become a scientific reality that is subject to study in the fields of law, political science, and other social sciences besides computer and software engineering. AI systems which perform relatively simple tasks in the early stages of the development period are expected to become fully or largely autonomous in the near future. Thanks to this, AI which includes the concepts of machine learning, deep learning, and autonomy, has begun to play an important role in producing and using smart arms. However, questions about AI-Based Lethal Weapon Systems (AILWS) and attacks that can be carried out by such systems have not been fully answered under legal aspect. More particularly, it is a controversial issue who will be responsible for the actions that an AILWS has committed. In this article, we discussed whether AILWS can commit offense in the context of the Rome Statute, examined the applicable law regarding the responsibility of AILWS, and tried to assess whether these systems can be held responsible in the context of international law, crime of aggression, and individual responsibility. It is our finding that international legal rules including the Rome Statute can be applied regarding the responsibility for the act/crime of aggression caused by AILWS. However, no matter how advanced the cognitive capacity of an AI software, it will not be possible to resort to the personal responsibility of this kind of system since it has no legal personality at all. In such a case, responsibility will remain with the actors who design.

produce, and use the system. Last but not least, since no AILWS software does have specific codes of conduct that can make legal and ethical reasonings for today, at the end of the study it was recommended that states and non-governmental organizations together with manufacturers should constitute the necessary ethical rules written in software programs to prevent these systems from unlawful acts and to develop mechanisms that would restrain AI from working outside human control.

This will kill investment in US military AI.

Kelly 2/11 Doug Kelly, Harvard University + CEO of the American Edge Project. ["The American Playbook to Win the AI Race With China," American Edge Project, February 2025,

<https://americanedgeproject.org/the-american-playbook-to-win-the-ai-race-with-china>]

What America Needs to Do to Win To secure lasting AI leadership, the United States must act decisively.

Here's how: Launch a Bold National AI Strategy: The U.S. must treat AI as a modern-day moonshot, prioritizing investments in energy infrastructure, STEM education, advanced semiconductor production, and workforce

development. America must also harden its AI infrastructure, securing our data centers and preventing trade secret theft by authoritarian regimes like China. Win in Both Open- and Closed-Source AI: As the Center for a New American Security warned, "A world of unchecked, Beijing-built AI ecosystems would be a major blow to the U.S. and to humanity writ large." China's open-source AI tools are embedding CCP values of surveillance, censorship, and misinformation into global tech infrastructure. The U.S. must lead in AI development and deployment - across both open- and closed-source models - to ensure democratic principles shape AI's future. Ceding this ground risks allowing China's authoritarian vision to define global AI, with serious national security implications if allies begin relying on Chinese-built models. Avoid Self-Inflicted Policy Wounds: America must stop handcuffing its own innovation with misguided federal and state-level policies that restrict AI development. Overregulation, excessive restrictions on AI exports, and bureaucratic roadblocks will only slow U.S. progress while giving China a free pass to dominate. European regulators must also stop burdening American tech companies with heavy fines and regulations while leaving Chinese AI giants untouched. Under the EU's Digital Markets Act (DMA), U.S. firms face billions in tariff-like costs, plus \$22-\$50 billion in compliance expenses—funds better spend on innovation.

Das 24 Jai Das, has a B.Sc. in Electrical Engineering from Brown University and an MBA from University of Chicago's Booth School of Business. ["Silicon Valley Meets The Department of Defense: Top Observations & Opportunities in Defense Tech," Sapphire Ventures, February 2024, <https://sapphireventures.com/blog/silicon-valley-meets-the-department-of-defense-top-observations-opportunities-in-defense-tech/>] //jameschen + rchen

The Department of Defense (DoD), often labeled as risk-averse when it comes to adopting the latest, most innovative technologies, is one of the last remaining sectors where modern software has yet to take hold. For this reason, coupled with the long, arduous sales cycles, red tape, complex procurement processes, regulatory nuances, stringent compliance requirements and technical challenges associated with doing business with the DoD, many VCs have shied away from backing defense tech startups. The reluctance is often worsened by the disconnect between startups' expectations of typical enterprise procurement processes and the stubborn and painful traditions of government buying. We know that the term "Valley of Death" is associated with startups selling into the DoD as the majority have a difficult time bridging the gap between product development and true deployment. However, as the U.S. increasingly faces new, technologically

sophisticated threats, it needs to stay ahead. Software startups and the DoD are increasingly coming together with the common goal of enhancing national security, protecting the country's interests and maintaining military readiness amidst an uncertain geopolitical climate. As the DoD prioritizes new innovation and a modern approach to defense, it's no surprise that there's been a sizable uptick in defense tech investment volume over the past few years.

Europe proves this.

Sukharevsky 24 Alexander Sukharevsky, Global leader of QuantumBlack: McKinsey's AI arm, ["Time to place our bets: Europe's AI opportunity," McKinsey & Company, October 2024, <https://www.mckinsey.com/capabilities/quantumblack/our-insights/time-to-place-our-bets-europes-ai-opportunity>]

Help companies navigate regulation. Recent McKinsey research shows that **eight of ten European companies** report that they **don't fully understand** the obligations introduced by the EU AI Act, and **70 percent find them to be complex**. That confusion has consequences. Meta, for example, recently stopped the rollout of its multimodal model in the EU, reportedly because of a lack of readability and predictability of the regulatory environment.⁵⁹ This situation could challenge the competitiveness of European companies by **reducing** their ability to access the world's most **high-performing AI** models.

Sukharevsky 24 Alexander Sukharevsky, Global leader of QuantumBlack: McKinsey's AI arm, ["Time to place our bets: Europe's AI opportunity," McKinsey & Company, October 2024, <https://www.mckinsey.com/capabilities/quantumblack/our-insights/time-to-place-our-bets-europes-ai-opportunity>]

//jameschen + rchen

A three-lens approach-on adoption, creation, and energy-is required to assess **Europe's competitiveness in the emerging generative AI (gen AI) economy**. While much of the current discourse centers around large language models (LLMs), European policy makers and business leaders must look beyond LLMs. Adopting a holistic approach to capitalize fully on gen AI's potential could boost European labor productivity by up to 3 percent annually through 2030. On adoption, European organizations **lag behind their US counterparts by 45 to 70 percent**. Yet this is where most of gen AI's economic potential lies. With the technology still in its early stages and much of its productivity gains yet to be unlocked, the window of opportunity for Europe remains wide open.

That would hand China control of AI warfare.

Sweidan 2/12 Mohamad Hasan Sweidan, Mohamed Sweidan is a strategic studies researcher, a writer for different media platforms, and the author of several studies in the field of international relations. ["The Great AI Game: US, China vie for West Asian cash," February 2025, <https://thecradle.co/articles-id/28877>] //rchen

In December, former US Commerce Secretary Gina Raimondo admitted, "trying to hold China back is a fool's errand," acknowledging the difficulty of curbing China's extraordinary technological momentum across many fields. Just months later,

China underscored her point with the **launch of DeepSeek, an Artificial Intelligence (AI) app** that US President Donald Trump called a **"wake-up call" in the global AI race**. The announcement shattered the perception of US dominance, with experts suggesting that **China has not only closed the technology gap but is now developing AI models that match** - or even surpass - **western counterparts**, using fewer computational resources. **AI is no longer just a technology race; it is a battlefield shaping national security and geopolitical power**. In this contest, West Asia has emerged as a

crucial player, leveraging its strategic location and immense financial and energy resources. Wealthy Persian Gulf states, particularly Saudi Arabia and the UAE, are no longer just consumers of AI but influential investors. Through sovereign wealth funds, they are placing strategic bets on both US and Chinese AI firms, giving them leverage in the future of global technology. Washington's strategic AI push In July 2022, the US passed the CHIPS and Science Act, aimed at revitalizing its semiconductor industry, securing supply chains, and fostering research in critical technologies such as AI and quantum computing. The \$52.7 billion package was designed to reduce US dependence on East Asian chipmakers. More than a defensive measure, it was a direct counter to China's rising AI prowess. The law imposed sweeping export restrictions, cutting off Beijing from advanced US semiconductors and AI-related hardware, while forging new technology alliances to establish a "China-free" supply chain. On 13 January 2025, the outgoing Biden administration introduced the AI Deployment Framework, tightening control over AI chip exports and using them as a diplomatic tool. The policy capped AI chip exports to most countries while granting unrestricted access to US allies. China, Russia, Iran, and North Korea, however, remained locked out of the American AI ecosystem. Just 10 days later, following Trump's return to the White House, he signed Executive Order 14179, titled Removing Barriers to American Leadership in Artificial Intelligence. The order called for a 180-day roadmap to fast-track AI development, remove bureaucratic obstacles, and reassess previous AI policies. By the end of the month, OpenAI, SoftBank, and Oracle unveiled Stargate, a \$100 billion AI infrastructure project - the largest in US history - with future investment commitments reaching up to \$500 billion. Trump hailed the initiative as a game-changer in securing US AI dominance. A policy document from OpenAI emphasized that investing in domestic AI infrastructure was critical to outperforming Chinese models and attracting global capital, warning that "If the US doesn't attract those funds, they will flow to China-backed projects - strengthening the Chinese Communist Party's global influence." It estimated that there are "\$175 billion sitting in global funds awaiting investment in AI projects." AI and US national security In Washington, AI is no longer seen as merely a tool for economic growth, but as a pillar of national security. In 2018, the Pentagon established the Joint AI Center to integrate AI into military operations, enhancing battlefield intelligence, predictive maintenance, and combat readiness. The US views AI as a strategic weapon in its ongoing and intensifying great-power competition, especially with China and Russia. A 2021 report from the National Security Commission on AI warned that future global power structures would be shaped by AI leadership, prompting heavy investments in autonomous systems and cybersecurity. Since then, the US Department of Defense has prioritized AI in its strategy, investing heavily in autonomous systems, cybersecurity, and predictive intelligence to enhance national security. Trump's administration has doubled down on these priorities, positioning AI as a strategic asset in great-power competition. Recent measures - including Executive Order 14179 and Project Stargate - signal a clear intent to cement US supremacy in AI and contain China's technological rise. China's DeepSeek disrupts the AI race China's unveiling of DeepSeek sent shockwaves through the tech industry. The app skyrocketed to the top of Apple's US App Store, surpassing ChatGPT and Gemini, and triggered a market tremor: US tech giants like Nvidia saw their valuations plunge by \$600 billion. The development heightened Washington's security anxieties, with officials warning that China's AI advances could give Beijing a military edge and serve as a tool for spreading state-backed narratives. Global investors have responded by shifting capital toward China's AI sector, signaling confidence in Beijing's ability to challenge US dominance. Simultaneously, China is accelerating its push for technological self-sufficiency, reducing reliance on western semiconductor firms like TSMC and Samsung. Beyond economics, AI-driven automation is expected to disrupt the global labor market, displacing jobs in data analysis, translation, and customer service. Meanwhile, China's surging demand for AI talent is attracting experts from western markets, exacerbating a potential brain drain in the US and Europe.

This is a national security crisis.

Dockrell 24 Val Dockrell is a London-based Senior Investigator and Open Source Intelligence ("OSINT") specialist. ["AI Arms Race: China could have killer robots on the battlefield in two years," National Security News, June 2024, <https://nationalsecuritynews.com/2024/06/ai-arms-race-china-could-have-fully-autonomous-weapons-on-the-battlefield-in-two-years>] //jameschen + rchen

Defence analyst Francis Tusa said China was not hindered by the ethical concerns. He said that the communist country's huge investment in military technology meant that the People's Liberation Army was developing AI-based autonomous weapons four to five times faster than potential adversaries. In an interview with National Security News (NSN), Tusa said: "We're at the start of a race in truly autonomous systems. I would be surprised if we don't see autonomous machines coming out of China within two years including more AI controlled fighter aircraft. They (China) are coming up with new ship designs, new submarine designs, new fighter designs, at a rate which is dizzying. They are moving four or five times faster than the States. "It's the advantage for not being a democracy, not having congressional oversight of the budgets. The biggest thing which is going to have the most impact is the fact that the West will be constrained by legal issues, and these just will not apply to China."

Unfortunately, when one country pulls ahead in military tech, it increases the chances of conflict.

Kroenig 18 Matthew Kroenig, Bharath Gopalswamy, Matthew Kroenig is Associate Professor of Government and Foreign Service at Georgetown University, Bharath Gopalswamy is the director of the South Asia Center at the Atlantic Council. He holds a PhD in mechanical engineering, 11-12-2018, "Will disruptive technology cause nuclear war?," Bulletin of the Atomic Scientists, <https://thebulletin.org/2018/11/will-disruptive-technology-cause-nuclear-war/> //rchen

You may see where this is going. New technologies threaten to create potentially destabilizing shifts in the balance of power. For decades, stability in Europe and Asia has been supported by US military power. In recent years, however, the balance of power in Asia has begun to shift, as China has increased its military capabilities. Already, Beijing has become more assertive in the region, claiming contested territory in the South China Sea. And the results of Russia's military modernization have been on full display in its ongoing intervention in Ukraine. Moreover, China may have the lead over the United States in emerging technologies that could be decisive for the future of military acquisitions and warfare, including 3D printing, hypersonic missiles, quantum computing, 5G wireless connectivity, and artificial intelligence (AI). And Russian President Vladimir Putin is building new unmanned vehicles while ominously declaring, "Whoever leads in AI will rule the world." If China or Russia are able to incorporate new technologies into their militaries before the United States, then this could lead to the kind of rapid shift in the balance of power that often causes war. If Beijing believes emerging technologies provide it with a newfound, local military advantage over the United States, for example, it may be more willing than previously to initiate conflict over Taiwan. And if Putin thinks new tech has strengthened his hand, he may be more tempted to launch a Ukraine-style invasion of a NATO member. Either scenario could bring these nuclear powers into direct conflict with the United States, and once nuclear armed

states are at war, there is an inherent risk of nuclear conflict through limited nuclear war strategies, nuclear brinkmanship, or simple accident or inadvertent escalation.

Ultimately, deterring an invasion of Taiwan is crucial.

Guibert 23 [Nathalie Guibert, "If it invaded Taiwan, China would suffer the same logistical failures...", 09/12/2023, archive.md, <https://archive.md/eB2Gi#selection-1809.0-1953.89>] // GFS LZ

Speaking at the Aspen (Colorado) Security Forum on Wednesday, July 20, CIA director William Burns described what China is taking away from the Russian war in Ukraine: "I suspect the lesson that the Chinese leadership and military are drawing is that you've got to amass overwhelming force if you're going to contemplate that [an operation against Taiwan] in the future." While China says it prefers "peaceful reunification," Mr. Burns agrees with the analysis of his military counterparts and said he believes China "will use force" at some point to take control" of the democratic island. Beijing is convinced that Washington will defend the government of the Republic of China in Taipei. The conflict could result in 500,000 deaths on both sides, according to the Pentagon's estimate. It remains to be seen how the Chinese Communist Party will use the People's Liberation Army (PLA). It should be noted that the Russian army's considerable logistical difficulties in Ukraine - with supply lines cut off and ships prevented from reaching the coast - are of concern to the PLA. Its challenge is to project across a 180-kilometer strait. Publicly available Chinese documents "describe different operational concepts for an amphibious invasion of Taiwan," according to the US Department of Defense 2021 Report to Congress on China. "The most prominent of these, the Joint Island Landing Campaign, envisions a complex operation relying on coordinated, interlocking campaigns for logistics, air, and naval support, and EW [electronic warfare]."

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