A. Counter-Interp:

Teams should not disclose their positions on any organized wiki.

B. Standards:

Our first standard is creative critical thinking.

Disclosure practices destroy creativity in two ways.

First, by standardizing responses.

Sigalow 16

Martin Sigalow. March 13, 2016. NSD Update. "Disclosure and Creativity by Martin Sigalow" http://nsdupdate.com/2016/disclosure-and-creativity-by-martin-sigalow/. *TP* (Martin Sigalow is a debate coach and teacher at Lake Highland Preparatory School in Florida).

There are three related ways disclosure hampers creativity. First, and trivially, a debater is forced to be creative if they've never thought about an argument before, or heard of it. If debaters generally do not disclose, the position up for debate is not known until the precise moment of the debate begins. With disclosure it is likely that talented students at the same tournament will know what the likely competition is reading. Even people who are not well-known gain attention if they disclose interesting positions, so their arguments will not be a surprise. Not knowing opposing arguments in advance will force debaters to respond creatively as their brain struggles to come up with something responsive to say. This experience and pressure of having to come up with new and good arguments on the spot is uniquely valuable, even if the arguments presented in the debate are not as strong as they would be with coach assistance and extra time to prepare. Second, people will attempt less academically mainstream arguments in a world without disclosure. An argument that is more fringe, and harder to defend, is significantly less likely to be made in a world where universal disclosure exists. This, of course, narrows down the arguments a debater can expect to face. Arguments are far more likely to be normal issues on which there is much academic debate, and not on old or forgotten issues which are settled in academia. Without arguments of familiar types and familiar applications, a debater is forced to think about and respond with their own minds. I believe that being forced to debate against positions like these helps people prepare for the real world. It is not unjust if a debater loses to an argument that people in academia do not defend. It means instead that a position that academics agree is shaky can beat someone not used to thinking about arguments of that type. In fact, losing to an argument not considered in advance is a very teachable moment, first because hard losses tend to be educational, and second because during rebuttal redoes people are likely to think long and hard about how to not lose to the position again.

Second, by shifting the burden to coaches.

Sigalow 16

Martin Sigalow. March 13, 2016. NSD Update. "Disclosure and Creativity by Martin Sigalow" http://nsdupdate.com/2016/disclosure-and-creativity-by-martin-sigalow/. *TP* (Martin Sigalow is a debate coach and teacher at Lake Highland Preparatory School in Florida).

Third, coaching is a huge help to debaters before debate rounds. In rounds where the other debater is fully disclosed, a coach becomes a person that gives arguments to a debater looking for answers to a position before their debate. This can and, for some of the more-coached schools, often does happen at the level of line-by-line responses to certain arguments. Without disclosure, coaches are reduced to giving strategic advice before debates, or writing up responses to a position after someone sees it. In a world without disclosure, if a debater argues against a position they and their coach did not expect, that debater must think and make arguments of types they have not thought about beforehand. If they fail to do so, they will probably lose. In the real world, a person does not often have a coach to help them with responses to new and fast data. It is better for a person to not need one. While there is certainly some value in a coach pointing out creative connections between arguments, it is vastly better for a debater to do that themselves because experiencing the process of drawing connections between arguments is more of a learning experience than finding out what connections exist from someone else. I am convinced that the increasing prevalence of disclosure is at least partially responsible for a disturbing trend among debates I have seen and judged where debaters seem unable to make responses themselves to arguments of new types they have not heard before. The expectation that arguments will be expected, normal, and carded has made responses to new and strange items much, much worse. This is the only way someone would ever lose to the arguments that "trivialism takes

out theory," or that "only one thing exists" for example, because those arguments are very poor. Those arguments would not survive a moderately responsive thought. They also rarely get one.

C. On the voters:

1. On education

Promoting critical thinking and creativity is the best link into education because it promotes an educational model where debaters learn by doing instead of knowing.

Sigalow 16

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The goal of debate is to train people for real life. As participants in a large, insular debate community, it is easy to forget that the activity is embedded in larger institutions that do not support it for its own sake. Debate is a great activity for high school students (and college students) because once debaters leave the debate community they've learned so much that will help them in the real world. In this sense, the distinction between the "real world" and the "debate world" is unproductive. A person who is no better prepared for life after debate has, in a very real sense, wasted their time. Debaters are students, and learning is a central component of the enterprise of debate. I am no teacher and no student of education theory. The distinctions I draw are purely my own and come from the experience I have. I find these distinctions useful but a person with a better background in education might be able to put what I say here in a better light. In debate rounds, education claims are often thrown around without much thought. At their best, education debates these days center around certain sites of education, such as education about the current debate topic, about philosophy, about so-called "critical" literature. The introduction of role of the ballot arguments caused the diversity of education arguments to skyrocket. The quality of education-based arguments subsequently plummeted. Almost without exception, these types of education are what I will call "content education." All of these arguments claim that people should be educated about certain facts. Topic education involves learning facts about the question of the resolution. Philosophy education involves learning what philosophers have said and how they relate to what other philosophers have said. A role of the ballot argument claiming that people should be educated about capitalism requires learning facts about capitalism. Many of these facts take the form of arguments; this is debate, after all. Good topic education is learning why certain people support certain policy proposals. Good capitalism education involves learning not just what capitalism is, but how it works, and how people might support it or fight it. I will contrast this form of education with what I will call "process education." Process education involves doing and not just knowing. Undertaking a task that requires intellectual development helps process education. A familiar argument in the sphere of debate is the "clash" theory standard. This claims that interacting arguments is educational since it requires people to forge new connections between different issues and think about the relationship between divergent things. This is a process of individual discovery, if done correctly, and helps people create neural pathways open and receptive to new issues. Educational systems try to cultivate "critical thinking" in students, which is the sort of thinking provided by process education (I have chosen not to use the term "critical thinking" here because I find the term vacuously applied). The difference between this form of education and content education is that process education is not really "about" anything. There is no set subject of the learning. Instead, the learning that happens is in new ways of thinking rather than in new things to think about. Existing bits of learning can be more extensively and interestingly applied to new areas. These forms of education are not mutually exclusive, or course, and every bit of good content education involves content process education, and vice versa. After all, learning about why government surveillance harms national security could help people think about different arguments and how they work together to support a cohesive position against surveillance; cohesion between arguments and how they relate to other arguments could be a helpful form of process education. The relationship between content and process education is about the focus and priority of education rather than on direct tradeoffs. Process education focuses on how the way people learn affects the total education a student gains. Content education focuses on what people learn and that affects the total education a student gains. "Creativity," as I use it here, is a particular form of process education where students apply what they know to other things in new and interesting ways. This is an inventive process; new, unexpected data must be applied to existing knowledge in complex ways. A focus on creativity in education requires that students are put in a position where they must apply what they know to a wide variety of different situations in unpredictable ways. Creativity is one of the most valuable skills in education today. Content based education demanded by theory arguments and role of the ballot arguments cannot truly help students for the rapidly changing world before us. A focus on creative process education is vital to any connection to modern education. As Sir Ken Robinson writes: "The challenges we currently face are without precedent. … The world's population has doubled in the past 30 years. We're facing an increasing strain on the world's natural resources. Technology is advancing at a

headlong rate of speed. It's transforming how people work, think, and connect. It's transforming our cultural values. If you look at the resulting strains on our political and financial institutions, on health care, on education, there really isn't a time in history where you could look back and say, "Well, of course, this is the same thing all over again." It isn't. This is really new, and we're going to need every ounce of ingenuity, imagination, and creativity to confront these problems. Also, we're living in times of massive unpredictability. The kids who are starting school this September will be retiring—if they ever do—around 2070. Nobody has a clue what the world's going to look like in five years, or even next year actually, and yet it's the job of education to help kids make sense of the world they're going to live in. … So being creative is essential to us …"[1] Education is unhelpful if it is not creative since students will learn things but not able to apply and reapply them to life's dynamic situations. Education must help students thrive, and creativity is necessary to do this, as Dr. Rosa Aurora Chávez-Eakle explains: "Understanding, identifying, and nurturing the creative potential is relevant in education if we want students able to solve academic and personal problems and challenges, to find innovative solutions and alternatives, and to have better tools and resources for success in a fast-changing world. Creative thinking not only enhances our ability to adapt to our environment and circumstances but also allows us to transform those environment and circumstances. Creativity has been identified as a key component for survival and resilience. If our goal is to teach and nurture future scientists, artists, engineers, entrepreneurs we need to understand and nurture the creative potential because creativity has provided the foundation for art, science, philosophy, and technology. If we want to teach children to become productive human beings, and more satisfied with what they do with their lives we need to support them in the process of discovering and enjoying their creative potential."[2] Among means of process education, creativity takes center stage since there is not a real value to learning how to do something if it cannot be applied to new situations. Creativity outclasses any content or process based education, and is eminently important in the context of debate. In debate, speech times are limited, which prevents most in depth content discussions. Process education is most important in debate because the experiences of individual debate rounds is what drives specific memorable learning. Creativity is therefore key in the context of debate, where it is important to actualize any bit of process education and translate it into true and unique learning.

2. On fairness

Empowering debaters with creativity and critical thinking solves back for any short-term harms of not disclosing because it teaches the sustainable ability to logically respond to any argument regardless of their belonging to a large or small school.

On the Drop the Debater argument, even if disclosure is an abuse, it's an abuse which has taken place out of the round, meaning that it is out of the judge's jurisdiction. Judges should not be deciding winners and losers based on an abuse which was literally committed on a website.

NEXT IS CASE

Our sole contention is African Stability

Despite limited success, the ICC is attempting to mediate in Africa. Burns 22 **Burns 22**
(Sarah Burns [is a Moderator of the International Law Society's International Law and Policy Brief (ILPB) and a J.D. candidate at The George Washington University Law School.], THE INTERNATIONAL CRIMINAL COURT: OBSTACLES HINDERING THE FULL POTENTIAL OF INTERNATIONAL JUSTICE, https://studentbriefs.law.gwu.edu/ilpb/2022/04/04/the-international-criminal-court-obstacles-hindering -the-full-potential-of-international-justice/, 4/4/22, DA: 7/15/24, |aak|)

Since the establishment of the Court, it has received allegations of crimes from over 139 countries **via State** Party **and** UN Security Council **referrals**. **Despite this** high number, the Office of the **Prosecutor has opened cases in only 15**: the **Democratic Republic of the Congo, Uganda, Darfur (Sudan), Central African Republic, Kenya, Libya, Côte D'Ivoire, Mali, Georgia, Burundi, Palestine, Bangladesh/Myanmar, Afghanistan, the Philippines, and Venezuela**. With a **large majority of the aforementioned cases stemming from Africa**, **the Court has faced severe criticism for holding an African bias** and is **claimed to be a "colonial institution."** Within these cases, **over 40 individuals have been indicted—all from African countries.** As Mia Swart from the Brookings Doha Center writes, "at the center of this debate is the ICC's nearly exclusive focus on African countries until very, very recently." After severe criticisms of the ICC from the African Union piled on, in 2011 the Court appointed Fatou Bensouda, a Gambian native and former legal adviser at the International Criminal Tribunal for Rwanda, as the new chief prosecutor. Many credit her with broadening the narrow focus on African leaders over her nine year term. In 2021, she was succeeded by Karim Khan, a British lawyer and former Assistant Secretary-General of the United Nations. Although the claims of African bias have largely been rebutted by the Court, **many feel that the sentiment of bigotry towards African nations has been well established**. Due to the voluntary nature of participation in ratifying the Rome Statute, this sense of bias has the potential to discourage both full participation and additional ratification from African states that are non-parties to the Rome Statute, straining the reputation of and thus weakening the efficacy of the Court.

However, this backfires. Duursma 20

Duursma 20 [Allard; March 27, 2020; PhD in International Relations at the University of Oxford; "Pursuing justice, obstructing peace: the impact of ICC arrest warrants on resolving civil wars," https://www.tandfonline.com/doi/abs/10.1080/14678802.2020.1741934] brett

The impact of ICC involvement on peace processes once mediation is underway is quite different. **Domestic courts are unlikely to** be willing **to prosecute government members targeted by the ICC** or able to prosecute rebels in practice, **in spite of the complementarity principle** laid down in the Rome Statute. **In countries in which the ICC has targeted individuals**,
the judicial and the executive branch could be intertwined.34 This means that **governments are unlikely to allow domestic courts to prosecute any of its members**, **let alone** domestically prosecute **a head of state**. **Since the domestic prosecution of** people on **the government and the rebel sidesis not** a **viable** route, **the only justice mechanism** in place **is the ICC**.35 This **undermines** the prospect for **conflict resolution**, **since it makes the government side determined to gain a victory rather than conclude a peace agreement**. The **government** side will **perceive the conclusion of** a **peace agreementin which political power is shared** with the armed opposition **as risky because this might lead to a shift in political power** in the future, **paving the way for an arrest** that leads to a trial in The Hague.36 Indeed, **the arrest warrant issued against Sudanese President al-Bashir** was **perceived in Khartoum as a matter of state survival**. **As US Special Envoy** to Sudan Andrew Natsios **commented** on this arrest warrant, **the regime in Khartoum** "**will do everything necessary to remain in power and make sure that Bashir is never arrested**.' 37 The **arrest warrant issued against Libyan** President Muammar **Gaddafi had a similar effect**. The International Crisis Group observed with regard Gaddafi in 2011 that "**[t]o insist that he both leaves the country and face trial in the International Criminal Court is virtually to ensure that he will stay in Libya to the bitter end** and go down fighting.' 38 The ICC arrest warrant issued against Gaddafi indeed **complicated**
the mediation effort.39 Finally, although the ICC had not yet issued an arrest warrant against President Gbagbo of Côte d'Ivoire prior to the end of the civil war on 11 April 2011, the **ICC investigation** regarding his role **in** the **violence in Côte d'Ivoire** may very well have **motivated Gbagbo to continue to resist stepping down from power** and conclude an agreement aimed at a transition of political power. **The ICC chief prosecutorissued a statement** regarding the situation in Côte d'Ivoire on 21 December 2010 **in which he promised that** "those **leaders who are planning violence will end up in The Hague**.' 40 McGovern asserts that with this statement, **the chief prosecutor** "**ensured that Gbagbo would reject any negotiated solution** and instead fight to the end.' 41 In short, **the targeting of individuals on the government side**

greatly complicates peace efforts, since continued fighting is often perceived as the only way to circumvent prosecution by the ICC. In addition, domestic courts could be unable to prosecute rebels who are targeted by the ICC. Notable cases in which domestic courts did have this ability are the Ituri courts in the DRC and the International Crimes Division in Uganda. Although ICC arrest warrants issued against rebels allows for flexibility in terms of decisions about accountability, ICC arrest warrants issued against rebels inhibits the conflict parties from agreeing on an amnesty.42 Rebels are unlikely to lay down their weapons with ICC arrest warrants against some of its membersin place, even if they anticipate that they could face a domestic trial based on the complementarity principle. Framing their theoretical argument on the basis of the cost-benefit analyses that conflict parties make, Snyder and Vinjamuri explain how conflict parties will be reluctant to make peace if this means they will have to face trial for any human rights abuses they may have committed.43 ICC arrest warrants issued against the leadership within rebel parties in civil wars thus means that these leaders are likely to see little reason reach a negotiated settlement if this can result in their detention.44 Indeed, while prospects forthe resolution of the LRA rebellion seemed positive at first,45 when it became clear to Joseph Kony by January 2008 that facing a domestic trial would be the only option to circumvent the ICC arrest warrant, he started to increasingly show his dissatisfaction with the peace process and eventually decided to not sign the final peace agreement.46 In short, ICC involvement provides strong disincentivesto conflict parties to lay down their weapons and resolve the conflict. The prospect of having to face a trial, even if this a domestic trial based on the complementarity principle, pushes conflict parties away from making peace. A systematic overview of international mediation and ICC involvement in civil wars In order to examine the impact of ICC involvement on international mediation processes,this article draws on data from the Uppsala Conflict Data Program (UCDP) supplemented with data on international mediation efforts,47 as well as data on arrest warrants on members of the conflict parties. The dataset includes all intrastate conflict dyad-years between 2002 and 2018. The UCDP defines a civil war, also referred to as an intrastate conflict, as a contested incompatibility that concerns government and/or territory where a government of a state and a rebel group use armed force to fight each other. The chosen time frame of the dataset starts in 2002 since this is the year in which the ICC was established.48 The dataset takes conflict dyad-year as the unit of analysis. A conflict dyad-year is an armed conflict between a government and a rebel group that results in at least 25 battle-related deaths a year. Conflict years rather than entire conflicts are chosen as the unit of analysis because this makes it possible to compare observations from countries before and after the ICC became involved in this country. Dyad years are chosen because in some instances not all dyads of the same conflict were targeted by the ICC. For instance, while, in Sudan, members of the JEM and the SLM/A have been targeted by the ICC, nobody within the SPLM/A-North has been targeted by the ICC. In short, using the conflict dyad-year as the unit of analysis makes it possible to examine the full range of variation of the impact of ICC arrest warrants and mediation on peace processes The ICC continuously updates a list of individuals against which an arrest warrant or a summons to appear has been issued by the ICC.49 These lists are used to code whether members of conflict parties in civil wars are targeted by the ICC with an arrest warrant or a summons to appear. In order to ensure that the analyses capture the impact of the ICC on mediation success in the right temporal order, mediation processes are only coded as having experienced ICC involvement if the mediation process is ongoing at the time the arrest warrant or summon to appear is issued. For instance, the mediation effort to end the conflict between the government of Côte d'Ivoire, led by Laurent Gbagbo, and the FDSI-CI in 2011 is coded as mediation without ICC involvement. Indeed, it was only after Laurent Gbagbo had been defeated in April 2011 that the ICC issued an arrest warrant against him in November 2011. Finally, there is one case in which an individual targeted by the ICC changed affiliations, namely former National Congress for the Defence of the People (CNDP) leader Bosco Ntagana switching to become a leading member of the M23. Although Bosco Ntagana was targeted by the ICC for crimes committed in Ituri as part of the Union des patriotes congolais (UPC), this case is coded as the ICC targeting a member of the M23 rebel group. The dataset draws on mediation data from Duursma and Svensson to code mediation efforts and the updated UCDP data on peace agreements is used to determine whether a peace agreement is concluded in a given conflict dyad-year.50 The ICC and the start of peace processes This section looks at how ICC arrest warrants and

summonses to appear influence the onset of mediation processes. Table 2 below shows a cross-tabulation of ICC involvement and mediation in the 849 conflict dyad-years between 2002 and 2018. Out of the 849 conflict dyad-years included in the dataset, 190 have experienced mediation. This constitutes around 22 percent of the total number of conflict dyad-years, from which it follows that international mediation is a standard approach to end armed violence. International mediation took place in 25 conflict dyad-years out of a total of 43 conflict dyad-years in which a member of the conflict parties was targeted by the ICC, which is around 58.1 percent. Out of a total of 806 conflict dyad-years in which no arrest warrants or summonses to appear were issued against any of the conflict parties, 165 conflict dyad-years experienced mediation, which is around 20.5 percent. This suggests that ICC involvement does not inhibit the occurrence of mediation. Of course, this finding is likely to be at least partly the result of other factors – for example, conflict intensity – associated with both the occurrence of mediation and the ICC issuing an arrest warrant. Armed conflicts in which the ICC becomes involved are likely to be more deathly and receive more international attention than those in which the ICC is not involved. This greater attention by the international community probably also prompts pressure for joining a mediation process In other words, the correlation between ICC involvement and the occurrence of mediation is probably at least partly

spurious. Yet, there are good theoretical reasons to suspect that reasons unrelated to the ICC alone cannot explain why ICC involvement is correlated with mediation processes. Mediation is always based on the consent of the conflict parties, so if the conflict parties would find mediation detrimental to their interest while being targeted by the ICC, then they would probably refuse to participate in the mediation process. Indeed, regardless of the many potential spurious factors, it is quite telling that ICC involvement at least do not seem to undermine the prospects for the start of a mediation process. Conflict dyad-years in which any of the conflict parties are targeted by the ICC seem, in fact, more likely to experience international mediation. Mediation takes place in 58.1 percent of the conflict dyad-years in which the ICC has targeted the conflict parties. This figure is only 20.5 percent for conflict dyad-years in which no conflict parties are targeted with an arrest warrant or a summons to appear. Moreover, examples abound that suggest why mediation is more likely when the ICC becomes involved. A telling example of why ICC involvement make mediation more likely is the start of the Juba peace process aimed at ending the LRA rebellion. Schomerus and Acan Ogwaro assert that peace talks at Juba offered the LRA the chance to neutralise the threat from the ICC arrest warrants and position itself as the voice of all Ugandan opposition.51 The International Crisis Group reported in April 2007 that "The International Criminal Court investigation – although controversial – has increased pressure on the LRA and created an incentive for its leaders to negotiate their safety.' 52 Similarly, O'Brien notes that "The threat of prosecution clearly rattled the LRA military leadership, providing pivotal pressure that propelled the rebels to the negotiating table. When I speak to the commanders in the bush or their delegates in Juba, 'ICC' is usually the first and last word out of their mouths. For Joseph Kony and Vincent Otti, the rebel leader and his deputy, the ICC is a crucible of the international community hanging over their heads, and the issuing of arrest warrants in particular created an incentive to talk and to deal.' 53 Indeed, part of the reason why the LRA was willing to enter into peace negotiations in Juba in July 2006 was that President Museveni had announced that, in spite of the ICC arrest warrants, he guaranteed the safety of the LRA leadership and that he would even grant amnesties if a peace agreement was signed.54 However, the positive effect of ICC arrest warrants on the onset of mediation between the Government of Uganda and the LRA may not hold in later cases. The Uganda case may be unique in that it was the first case with ICC arrest warrants issued. Kony may have believed he could negotiate with the government and in the process remove the ICC arrest warrant since there was not precedent for him to learn from, but this proved to be incorrect (as will be discussed in the next section). Other rebel and state leaders, therefore, may have learned from the Kony experience that the removal of ICC arrest warrants is unlikely. Leaders who subsequently were targeted by the ICC may therefore be less willing to negotiate in the shadow of ICC arrest warrants than Kony was in 2006. To assess whether there might be some learning going on, Table 3 replicates Table 2, except 13 observations on the conflict between the Government of Uganda and the LRA are dropped. As follows from Table 3, the positive correlation between ICC involvement and the onset of mediation remains in spite of dropping all cases related to Uganda. This could suggest that targets of the ICC have not learned from the Kony experience. It is, however, plausible that the motives for participation in mediated peace processes following the failure of the Juba peace talks between the Government of Uganda and the LRA have changed. Rather than trying to circumvent ICC arrest warrants, conflict parties may become involved in mediation because of strategic motives unrelated to peacemaking, such as short-circuiting ICC action.55 In other words, targets of the ICC might have learned from the Kony experience, but still engage in mediation. The association between mediation and ICC involvement is therefore still apparent, but perhaps as a result of different motives. A telling example of how conflict parties seek mediation to mitigate external pressure following an ICC arrest warrant is how the Government of Sudan requested the AU to mediate the Darfur conflict. When it became apparent that the UN Security Council would not defer the arrest warrant against al-Bashir, the AU inaugurated the African Union High-Level Panel on Darfur (AUDP) led by former South African President Thabo Mbeki on 18 March 2009 to explore how the issues of accountability and reconciliation could be effectively be addressed.56 The AUPD recommended that if the Sudanese people made a sovereign decision to invite the ICC to prosecute the crimes committed in Darfur, then this was within the rights of the people. Yet, since it was not feasible to carry out such a democratic process in Sudan in an effective manner, the AUPD recommended the formation of a hybrid court. This court would be part Sudanese and part African. However, since the AU did not actively pursue the formation of such a hybrid court, the Government of Sudan could participate in the peace process – and thus signal its commitment to justice – without any serious consequences.57 In short, ICC arrest warrants and summonses to appear are associated with a greater likelihood of mediation. While it should be noted that this correlation between ICC involvement and mediation might also be a result of factors unrelated to the ICC in the first place, it seems from the examples considered in this article that ICC involvement makes mediation more likely because targeted individuals have incentives to begin peace talks in order circumvent the ICC by proposing domestic transitional justice mechanisms or because they want to 'short-circuit' ICC action. The next section examines how ICC involvement influence the prospects for the conclusion of agreements, as well as the durability of these agreements. The ICC and the conclusion of peace agreements Table 4 below shows how international mediation and the issuing of ICC involvement are associated with the conclusion of peace agreements and conflict resolution. The first thing to note, in the second column, is that not a single peace agreement was concluded in any of the sixteen conflict dyad-years in which no mediation took place but in which ICC involvement were issued. One may think that this is due to the impact of ICC involvement, but comparing these figures with the first column – which shows how the peace process indicators are associated with conflict dyad-years in which neither mediation takes place nor ICC involvement were issued – suggest that this is probably not the case. The number of peace agreements concluded in these type of conflict dyad years is very low, namely 1.1 percent. Only 0.8 percent of these conflict dyad-years experienced the conclusion of a durable peace agreement. Turning to the impact of mediation efforts, one can observe that both mediation with ICC involvement and without involvement have led to the conclusion of peace agreements, namely 32.5 and 24.7 percent respectively. Yet, it should be noted that **only one of the peace agreements concluded with an ICC arrest warrant** in place **is categorised by the UCDP as a comprehensive peace agreement**. **All other agreements are** rather **partial or peace process agreements**. **The 23 March Agreement concluded between the** Government of the **DRC and the National Congress for the Defence of the People** (**CNDP**) **is the only comprehensive peace agreement concluded in which a member** of the signatory **is targeted by the ICC**. A closer look at the type of peace agreements that are concluded thus reveals that **international mediation in conflicts in which the ICC is involved mostly lead to the conclusion of peace process agreements or partial agreements**. Table 5 lists all the peace agreements concluded in civil wars with ICC involvement in Africa. An example of peace process agreement is the Agreement on Accountability and Reconciliation concluded on 29 June 2007. This agreement provided for the formation of a domestic legal framework that would function as viable national

alternative for the ICC arrest warrants against the five top-LRA leaders.58 The agreement stipulated that the rebel commanders accused of serious crimes would have to face criminal and civil justice proceedings in a special division of the High Court of Uganda, which could impose "alternative penalties and sanctions' that will replace existing penalties. In addition, the agreement stipulated that abuses by the national army were to be pursued in the criminal justice system. However, this agreement was meant to serve as a peace process agreement, with the implementation of it being dependent on the signing of a final agreement that would integrate a series of separate peace process agreements. **The different impact of mediation and ICC involvement** on the one hand **and mediation and no ICC involvement** on the other hand **becomes particularly pronounced when looking at the impact on durable peace agreements that resolve the conflict**. **A durable peace agreement** was **concluded in only 4**.1 **percent of the conflict dyadyearsthat experienced** both **mediation and ICC involvement**, **as opposed to 24**.7 **percent when mediation took place without ICC involvement**in place. **International mediation in a conflict dyad-year with ICC involvement is thus relatively unlikely to lead an agreement that terminates the conflict**. **The only durable peace agreement**, according to the UCDP criteria, **which came about**in a mediation process **with ICC involvement**is the 23 March 2009 Agreement. Yet, **it should be noted that**the CNDP **leaders decided to leave their government posts in protest over the lack of implementation and formed the M23 rebel group in 2012 to challenge the government anew**. In other words, **while the UCDP coding of this peace agreement as terminating the conflict might be technically correct** because the new challenge came from a group with a new name,**the peace agreement certainly does not constitute** a **successful peace** implementation **process**. A closer look at why almost no mediation effort in conflicts in which ICC arrest warrants have been issued has led to a durable peace agreement suggest that it is the **ICC involvement**that is **driving** this finding rather than that **a** "**reversed causality**' **effect**. That the 23 March Agreement is the only comprehensive agreement and the only agreement that terminated the conflict can be explained by the fact that**the** Government of the **DRC essentially provided** a **full amnesty to Bosco Ntaganda**,**the military chief of staff of the CNDP**. The ICC issued an arrest warrant against Ntaganda on 22 August 2006 for his role in the military wing of the Union of Congolese Patriots (UPC), though the arrest warrant was not unsealed until 2008. The UPC committed grave human rights abuses in the Ituri region of the DRC between July 2002 and December 2003.59 Ntaganda joined the CNDP, which was led by Laurent Nkunda, in 2006, but in early 2009 **Ntaganda assumed leadership over the CNDP and declared that the CNDP would stop fighting** the Government of the DRC. **Instead**, **the CNDP would join the government forces**in in fighting the Democratic Forces for the Liberation of Rwanda (FDLR). **The Government** of the DRC, in return, **informally grantedNtaganda immunity** from prosecution.60 While this is only one case, the **willingness of Ntaganda to make peace with the Government of the DRC suggest that a government not complying with the ICC can mitigate concerns of rebels to make peace**.

Uniquely, 2025 in the Sahel is key. GG 24

GG 24 [Global Guardian Team, Provides security and risk assessment services, including journalism that highlights global hotspots that could impact business operations, 10-28-2024, Global Risks of **2025**: How to Prepare for the Age of the '**Polycrisis'**, No Publication, https://www.globalguardian.com/global-digest/global-risks-polycrisis, accessed 12-17-2024.] //aayush

Spiraling Situation **in the Sahel** If you look at a map of the **coup belt and a map of the Sahel, the geological area south of the Sahara, they're almost a one-to-one match**. The **Sahel's countries feature weak institutions that are coup-prone, a lack of state legitimacy, and anti-Western sentiment that precludes cooperation with responsible security partners**. This all **leads to a situation where the region's regimes, with their very narrow bases of support, need to enlist support for their regimes from groups like Wagner**that end up being paid through concessions of mining and extractive resources. **These conditions further exacerbate the ethno-religious grievances, the economic grievances, and the climate impact of desertification**. As chaos in the Sahel spirals, the **neighboring regions of Coastal West Africa and Central African are experiencing spillover. As these conflicts begin to merge, it is increasingly difficult to address completely independent crises like** monkeypox, which is now spreading in the DRC, **or the spread of separatism** and piracy in the Gulf

of Guinea. **Crisis begets crisis, creating opportunities for actors who profit from destabilization**. These co-constituent and **simultaneous crises are greater than the sum of their parts**.

Affirming politicizes the court. Sewall ND

Sewall ND [Sarah Sewall and Carl Kaysen, Carl Kaysen is Co-chairman of the Committee on International Security Studies at the American Academy of Arts and Sciences and the David W. Skinner Professor of Political Economy at the Massachusetts Institute of Technology, Sarah Sewall is the Programs Director of the Carr Center for Human Rights Policy at the John F. Kennedy School of Government, Harvard University, xx-xx-xxxx, The US and the International Criminal Court: The Choices Ahead, American Academy of Arts & Sciences, https://www.amacad.org/publication/us-and-international-criminal-court-choices-ahead, accessed 2-10-2025.] //aayush

As a purely pragmatic matter,**there are stronger arguments for joining the Court in order to shape it from the inside**, as the United States has done in the case of other major international institutions. **If the United States joined the ICC, it could help nominate, select and dismiss ICC Judges and Prosecutors, helping ensure the competence of those who will carry out ICC responsibilities**. Becoming a State Party also **would allow the United States to participate in efforts to define the crime of aggression, or any potential new crime of ICC jurisdiction**. And while the United States could not control the Assembly of States Parties, **America's influence certainly would be stronger if it supported the institution**. Even ICC skeptics should be able to see that **practical American interests are better served by engaging**, not fighting,**the Court**.

That's key — Trump's foreign policy prioritizes non-intervention militarily in Africa. Donelli 24

Donelli 24 [Federico Donelli, Non-Resident Fellow at the Orion Policy Institute (OPI) and Assistant Professor at the University of Trieste, 12-12-2024, Trump 2.0: Impact on Africa and the African Union, Orion Policy Institute, https://orionpolicy.org/trump-2-0-africa/, accessed 2-10-2025.] //aayush

The first thing to note is that **Trump will not prioritize Africa.** As was the case during his first term, **a constant even during the Biden presidency, US policy will continue to pivot towards Asia**. For more than a decade,**the US has been in the difficult position of finding a new balance between resources and international engagement**. In this context, **US relations with African states have had to evolve through multiple solutions, some of which are alternative and some complementary**. The **Biden** administration **chose to focus on African agency and the development of a flexible regional architecture**, comprising a network of multilateral relationships involving African state and non-state actors. **The US approach under the Biden administration also sought greater coordination with non-regional partners such as the EU and European states**. Specifically, the **Biden administration sought to revitalize Africa policy through a mix of bottom-up engagement with African societies and indirect military support to African states**to address key challenges such as transnational terrorism. **The new presidency is likely to decide to do things differently**. The four pillars of Biden's Africa policy – a. promoting openness and open societies, b. delivering democratic and security dividends, c. promoting pandemic recovery and economic opportunity, d. environmental protection, climate adaptation and a just energy transition – will be replaced by a policy based on security, stability and prosperity. This shift is largely due to the different ways in which the two presidents view international politics. **Behind Trump's "America First" rhetoric lies a more realist approach to global politics than Biden's**. If the incoming Trump administration has its

way,**there will be no crusade to promote democracy and liberal principles**. In some ways, **it will be reminiscent of what happened during the Obama presidency**. **After eight years of international hyper activism driven by a desire to export liberal democracy, President Obama decided to dramatically reduce American involvement in international affairs**. But whereas Obama accompanied this withdrawal with a revival of multilateralism, **Trump is likely to insist on bilateralism, delegation to partner countries and direct leader diplomacy**. Indeed, compared to President Obama, **Trump has less regard for commitments to some of its historical allies, such as NATO members**. As a result, the **Trump 2.0 US is unlikely to adopt a regulatory approach based on the spread of democratic institutions**. Instead, it will opt for **pragmatic relationships driven by strategic considerations**.

Alternatives are better. Muhammed 24

Muhammed 24 [Muhammed, Joshua, Editorial Correspondent at African Leadership Magazine, (Wed Oct 16 2024 04:01:21 GMT-0500 (Central Daylight Time)), "Justice And Peace: How African Courts Are Resolving Political Crises", African Leadership Magazine, https://www.africanleadershipmagazine.co.uk/justice-and-peace-how-african-courts-are-resolving-political-crises/. Accessed on Tue Feb 04 2025 16:34:16 GMT-0600 (Central Standard Time)] //abhiram

The judiciary in Africa has played a crucial **role in upholding justice and peace, particularly during times of political** crises**.** Whether in post-election disputes or general political instability, **African courts have been** instrumental **in averting lawlessness and restoring order. From addressing** complex **electoral challenges to resolving constitutional crises, these judicial institutions have provided mechanisms for mediating, arbitrating, and peacefully resolving conflicts.** This has been essential in **preventing** political **instability and civil unrest, which might otherwise have spiralled into anarchy.** Over the years, courts have not only provided legal avenues for dispute resolution but have also been central to upholding democratic principles across the continent. A Kalenjin elder, reflecting on the lack of justice following post-election violence, once remarked: “We are very good at saying we don’t leave a single stone unturned, but we don’t turn a single stone. Perhaps we turn pebbles. Small stones are turned, but no one dares touch the big ones.” **The history of judicial systems in Africa is rooted in a blend of traditional and colonial influences.** Pre-colonial African societies relied on indigenous conflict resolution mechanisms, such as mediation by local chiefs or elders. The advent of colonialism, however, introduced formal legal systems based on Western models, which were imposed on these traditional structures. After independence, many African countries inherited colonial legal frameworks that were later adapted to the needs of modern states. Over time, these systems have evolved. For instance, South Africa has developed a robust constitutional court, while countries like Kenya and Nigeria have established electoral courts specifically to handle post-election disputes. Case Studies: Courts in Action Kenya (2007/2008 Post-Election Violence) A significant example of the judiciary’s role in averting political crises is Kenya’s 2013 Supreme Court decision following a contested presidential election. After the post-election violence of 2007/2008, which claimed over 1,000 lives, the judiciary underwent major reforms. In 2013, opposition leader Raila Odinga challenged the presidential election results. The Supreme Court handled the case transparently and peacefully, ruling in favour of Uhuru Kenyatta. **This legal process helped prevent a recurrence of the 2007 violence, highlighting the judiciary’s importance in safeguarding peace.** Ivory Coast (2010 Election Dispute) Following the 2010 election, Ivory Coast descended into a near civil war when incumbent President Laurent Gbagbo refused to concede defeat to Alassane Ouattara. The Constitutional Council initially upheld Gbagbo’s claim to victory, but pressure from international and regional bodies led to a legal resolution. Ultimately, Gbagbo was arrested and tried at the International Criminal Court (ICC). **This case underscores the role of courts in** managing political crises**, although** international legal bodies **played a crucial part in restoring peace.** South Africa (The Constitutional Court’s Role) South Africa’s Constitutional Court has been central in maintaining political stability by holding the government accountable. In 2016, the Court ruled that then-President Jacob Zuma had violated the Constitution by failing to repay public funds used to upgrade his private residence. This landmark ruling reinforced the judiciary’s role as a check on executive power, preventing political unrest and strengthening South Africa’s democracy. Challenges and the Road Ahead While African courts have been effective in resolving political disputes, challenges persist. Courts are often overburdened, resulting in delays in delivering justice, which can frustrate litigants and exacerbate conflicts. In some cases, the judiciary has been accused of bias or undue influence from political elites, eroding public confidence in judicial processes. Furthermore, enforcing court rulings can be problematic, particularly when decisions go against the political establishment. Despite these challenges, **ongoing efforts**

to strengthen judicial institutions and implement reforms aimed at ensuring judicial independence have created opportunities to further stabilise the region. Institutions such as the African Court on Human and Peoples' Rights, along with regional judicial bodies, have contributed to enhancing legal recourse during political crises. **The role of African courts in managing political crises is indispensable. Through legal rulings and the promotion of** peaceful conflict resolution**, courts have been vital in averting chaos and ensuring the stability of democratic institutions.** As African nations continue to fortify their judicial systems, the judiciary will remain a cornerstone in fostering justice and peace across the continent.

The ICC is structurally toothless. Vega 20

Vega 20 [Octavio; September 25; staff writer for HIR, and writes about security and defense, human rights, international law, and geopolitics; Harvard International Review, "Beyond Justice's Reach, Part 1: The Limits of the International Criminal Court," https://hir.harvard.edu/failure-international-criminal-court/]

Upon its inception with the Rome Statute in 1998 and its later activation in July 2002,**the Court was initially hailed as a breakthrough** in the fields of justice and equality. But as time went by,**the world's most severe crimes were often left uninvestigated or unprosecuted**. **Criticisms of inconsistent judiciousness and inefficient procedures are increasingly relevant as impunity endures**. Many of the challenges in question are not the direct fault of the Court. On the international scene, a court of last resort would ideally see a minimal number of trials and address only grave crimes threatening humanity, as opposed to frivolous cases that can easily be settled in national courts. While expeditious trials are generally favored, the atrocities of war crimes are committed on such a massive scale that such international trials understandably require a much greater duration. As such, the Court's other inefficiencies warrant more attention, including the detention of the transgressors themselves. **One notable example of the Court's failures and of the unreliability of many nations to uphold justice** is that former **Sudanese President Omar al-Bashir was able to skip around the globe as a well-known fugitive** without any fear of arrest. Al-Bashir was the first leader of an Arab nation to physically travel to Syria during its civil war and endorse the brutal measures that the Bashar al-Assad regime used against its rebellious population. He visited a number of other countries on similarly diplomatic visits, including Saudi Arabia, Egypt, and South Africa. Al-Bashir first came to power in Sudan in 1989 at a time when the country was embroiled in a tumultuous civil war. **During his reign, the ICC indicted al-Bashir**(in the latter's absence) **with a laundry list of war crimes committed in the western region of Darfur**, including rape, torture, genocide, attacking civilians, and pillaging villages. By 2009, **the ICC prosecutors sent an official warrant for al-Bashir's arrest on most of these charges**, **but astoundingly cited** "**insufficient evidence**" **to try him for genocide**. The case of Omar al-Bashir was not the first time that**the ICC demonstrated a culture of feigning ignorance or requiring** "**additional evidence**" despite thousands upon thousands of victim stories, and is far from being the only unsettled drawback of the Court's structure. Would al-Bashir's movements have been so free if the countries that housed him had been able to hold him accountable? Would his capture have been guaranteed much sooner if his own nation could fit fairly into a system of equal representation and accountability? Some of the issues stem from the Court, but far more come from state parties and the world's various nations. **The incidentally fruitless powers of the Court and its parties bring into question the integrity of the very fabric meant to weave them together**: **the Rome Statute itself**. The Rome Statute The first and most basic aspect of the Court's structure is its establishing document:**the Rome Statute**. **Adopted in Rome**, Italy, in 1998 and put into force in 2002,**the statute is effectively a non-binding treaty to which only states may be parties**. By the self-evident fundamentals of international law, **a treaty cannot hold non-parties under its jurisdiction**. Therefore, assuming momentarily that the ICC is fully capable of executing justice swiftly and efficiently, **any representative of a non-state party could nonetheless commit the most egregious of crimes against humanity in the world's plain view without facing an ounce of retribution** in The Hague. As
there are more nuances to the Court's structure, this is a simplification; however, the ICC's framework still virtually guarantees this freedom to all citizens of non-parties of the Rome Statute. Further,**the court's stipulations demand that only individuals may be tried for their crimes**, **not state parties or organizations**. For instance, imagining for a moment that the United States were a party to the Rome Statute,**the Central Intelligence Agency** (**CIA**) **would not be an eligible defendant**, but its individual constituent officers would be. Ultimately, it is not only the inherent structure of the ICC that limits the full extent of practicing judges, but it is certainly a major factor that requires attention. Unequal in the Eyes of the ICC The International Criminal Court's goal is to seek out and prosecute individuals responsible for inflicting serious harm against human subjects. However, of the world's 193 official countries, only 123 (roughly 64 percent) of them are state parties to the Rome Statute. The fact that **over a third of the globe is exempt from the**

world's current most powerful judicial body reach is troubling for an organization dedicated to global justice. Although it is unreasonable to believe that the ICC can yet impose its law on non-agreeable states,**the Court has much to answer for in its quest for egalitarian**, **impartial relief**. As of July 2020,**the Court has 14 outstanding arrest warrants**, and the defendants to which they are subject originate from North and sub-Saharan African nations. **The vast majority of these indictments and warrants were issued in the early to mid 2000s,testifying to the generally feeble reach of the ICC** in quickly apprehending defendants at large. The 31 remaining current and past defendants also all hail from African nations in which the alleged crimes were committed. **This is** positively not a reflection of where the world's only crimes against humanity are concentrated, but rather **a window into the broken and limited legal architecture of the Court's international law**.

Even if it isn't, the US will amend the Rome statute post-aff. Kuo 24 **Kuo 24** [Felisha Kuo, Chemistry undergraduate at UCLA, 5-10-2024, Analyzing the United States in International Law: A Case for U.S. Membership in the International Court of Justice (ICJ) and International Criminal Court (ICC), No Publication, https://bruinpoliticalreview.org/articles?post-slug=analyzing-the-united-states-in-international-law-a-cas e-for-u-s-membership-in-the-international-court-of-justice-icj-and-international-criminal-court-icc-, accessed 2-10-2025.] //aayush

In December 2023, the International Criminal Court (ICC) issued arrest warrants for Putin's commanders, but the **chances for the extradition of the Russian nationals are slim**–the Kremlin's spokesperson Dmitry Peskov says that**they would not recognize the warrants as Russia is not a signatory to the Rome Statute**. **With the Russian invasion of Ukraine and the Israel-Palestine conflict, international law struggles to find legal avenues to hold individuals in power accountable because the ICC has no jurisdiction** over non-member states. **The United States**, the self-proclaimed champion of human rights and leader of the democratic world, **is no exception**. **Created by the Rome Statute in 2002, the ICC is the first treaty-based court that serves to try four specific crimes: genocide, crime against humanity, war crimes, and the crime of aggression**. Unlike past tribunals,**the ICC has the power to initiate an investigation without the referral of a State under certain circumstances**, which **makes it more independent from states**. Under the Rome Statute,**the United Nations Security Council (UNSC) has the power to pause ICC investigations for up to a year**. **The United States**, equipped with veto power as one of the five permanent members of the United Nations Security Council, **has the ability to undermine international law**. **With its veto power, the United States can vote against the ICC from proceeding with a case, which it has done many times**. The **United States**, despite being heavily involved in the drafting of the Rome Statute, **is not a treaty member and thus has been able to evade legal accountability**. The question of whether the United States should join the ICC arises as it seeks to hold Russia accountable for its violations of international law. **Despite being the global superpower with the ability to evade international law, the United States still has stakes to consider when it comes to its image and soft power**. Unlike hard power, which illustrates military might and economic wealth, American soft power is its ability in **diplomacy to appeal to other states, such as through cultural influences or the attractiveness of American democratic values**. Part of what influences the level of soft power is the public image of the State. However,**the United States is losing grip on its influence on the global platform**. Immediately after World War II,**the United States was able to easily push forth its agenda, convincing its allies to support its policies by appealing to them with a vision of democracy and human rights without the use of military force or economic coercion. This is not the case today and the United States should be concerned with the soft war it is losing as its image plummets on the international stage** [1]. Historically, the United States has a record of signing treaties and promptly withdrawing or refusing to ratify UN Security Council treaties regarding human rights. **Its track record is more than horrific when it comes to human rights violations**. For example, the United States **lost its seat in the UN Human Rights Council in 2002 after the Bush Administration insisted on constructing a nuclear missile defense system**– a flagrant violation of the 1972 Anti-Ballistic Missile Treaty. A few years later,

the U.S. alone abstained from voting in a 2009 UNSC resolution calling for a ceasefire in the war in Gaza. This **trend of violating international law and unilateralism continues today as the U.S. repeatedly vetoes the UNSC resolutions calling for a humanitarian ceasefire in Gaza**. Egypt's foreign affairs minister warns that **the U.S. "is losing a tremendous amount of credibility in the Arab world" as it continues to support Israel militarily** [2]. In the international arena, these **actions translate to the United States abandoning multilateralism and international law**. But even in the glaring hypocrisy of its actions,**the past and present United States administrations have been reluctant to join or support the ICC**. When first established, the Clinton administration, **fearing that the ICC's jurisdiction would infringe on the U.S.' sovereignty over its military personnel and citizens, considered the statute incompatible with the U.S. Constitution**, further citing an unchecked power and politicization. U.S. **hostility towards the ICC grew during the Bush administration**. In the same year the ICC started its operations, President **Bush signed the so-called "Hague Invasion Act," which "authorizes the President to use all means necessary to bring about the release of covered U.S. persons and allied persons held captive by… the Court"** [3]. The **law then takes additional steps to ensure that its troops get immunity from prosecution, threatening the withdrawal of military assistance from countries ratifying the ICC treaty** [4]. **This obstructs the ICC from prosecuting any United States citizen, rendering international law inapplicable to Americans**. In addition to the hostility towards ICC investigations concerning the United States, **Congress has attempted to obstruct ICC investigations in its allies, such as in 2021 when Secretary of State Antony Blinken stated the United States "firmly opposes and is deeply disappointed" by the decision to open an investigation into the Palestine situation** [5]. **To regain its soft power, the United States should ratify the Rome Statute**. The United States **could regain its legitimacy as a legal actor in international law among global actors, and increasing legitimacy is an investment in soft power**. Furthermore, **by signing the Rome Statute, the United States can help reshape the ICC's legal infrastructure in the direction of the United States' interests and address its current critiques of the Court**. As the Court's **efficacy depends** heavily **on** the amount of financial and **legal resources**its **member** state**s are willing to contribute**, **the United States could gain opportunities to explore changes to the Court's structure**.

Otherwise, African war draws in great powers. O'Connor 23

O'Connor 23 [Tom O'Connor 23. Senior Writer of Foreign Policy, Deputy Editor of National Security and Foreign Policy at Newsweek. "The countdown to the next great war has begun in Africa." Newsweek. 8-3-2023. https://www.newsweek.com/countdown-next-great-war-has-begun-africa-1817095]

Only four days remain in the deadline established by a coalition of West African nations for Niger to return to democratic rule, a demand that has been shunned by fellow military-led Burkina Faso and Mali, who have jointly warned that any intervention would amount to a declaration of war. While conflict is far from guaranteed, the **conditions for** a **major escalation are** quickly **brewing on a continent that has played host to** some of the **deadliest wars** of the past century. Such a **confrontation would have vast ramifications, not only for**the peoples of the **Sahelregion, but far beyond, with** the **potential to draw in** the likes **ofthe United States**, **France and Russia among other**invested **powers**. And **with** Economic Community of West African States (ECOWAS) Chair**Nigerian President** Bola Tinubu **committed to undoing** Nigerien General Abdourahamane "Omar" Tchiani's **takeover of** the **neighboring nation** last week, the **threat of a confrontation looms heavy on the horizon**. "I think we shouldn't underestimate ECOWAS' resolve to see this coup fail in Niger," Ibrahim Maiga, senior adviser of the International Crisis Group's Sahel Project, told Newsweek. "Tinubu has shown firmness in terms of seeing this not go through, and **Tinubu is loyal for** all the strong **decisions**that **he took** in his country," he added. "So, **we shouldn't underestimate his willingness to** go that far, including the **use** of **military intervention**." Maiga, who previously served as special adviser to Mali's prime minister between two military coups that occurred in that country in 2020 and 2021, was skeptical of Burkina Faso and Mali's capacity to resist such an incursion through military force, but he spoke to the urgency through which they have responded. "They suspect that, if ECOWAS

were to succeed in reversing the coup in Niger, they would all be under threat of seeing ECOWAS coming to their own countries," Maiga said. "So, it's actually for their own security too and for themselves." On the other hand, if ECOWAS fails to restore Niger's democracy and "if the coup in Niger succeeds," Maiga said, "I think that other countries should start fearing that something similar will happen to them." The high stakes of the situation in Niger extend beyond the Sahel but its causes are ultimately rooted in longstanding issues at home and in the immediate region. Despite the impoverished conditions in which much of the country's roughly 25 million people live, Niger is home to a wealth of resources, including uranium that serves as a major export to European nations such as former colonizer France. Niger secured its independence in 1960 and has since experienced intermittent periods of military and democratic rule, the latest of which occurred with President Mohamed Bazoum, who appears to be in custody since his ousting last week. As is the case in many post-colonial states in West Africa, France has maintained strong influence in Niger, including a military presence. Around 1,500 French troops are stationed there as part of ongoing counterterrorism operations against groups active in the broader Sahel region, including those tied to Al-Qaeda and the Islamic State militant group (ISIS). Niger's importance to the French military footprint in Africa has grown in recent years as French forces were expelled from neighboring Burkina Faso and Mali, as well as from the Central African Republic. In each of these countries, growing anti-French sentiment has been matched by a swell of support for Russia and its leading private military company, the Wagner Group, whose chief, Yevgeny Prigozhin, welcomed Tchiani's takeover. Russian flags and anti-French slogans were abundant in Niger among supporters of the upheaval and the establishment of the now-ruling National Council for the Safeguard of the Homeland. Non-state actors have also seized on the discontent, with a group known as the M62 Movement threatening to detain European nationals until foreign troops are expelled from the country. Maiga, however, asserted that Moscow's influence was not the driving factor behind the mutiny and the rise in anti-Western sentiment. Instead, he pointed to factors both local and regional. "It all goes back to the history of colonialism, neocolonialism, but recently what makes anti-French sentiment stronger is the perception that France is not playing a fair game in its fight against terrorism," Maiga said. While Niger has had greater success in the fight against Sahel-based insurgency than Burkina Faso and Mali, insecurity remains a major issue in the country in spite of a decade of French support. Also weighing on the minds of Nigeriens is a "growing disenchantment with the democratic elite" leading the country who "have not given the example of right and effective governance, addressing people's needs, performing up to people's expectations," according to Maiga. J. Peter Pham, an Atlantic Council fellow who served as U.S. special envoy for the African Great Lakes from 2018 to 2020 and then as special envoy for Sahel up until 2021, also spoke to these underlying issues. He argued that, throughout his tenure, he emphasized that "the **crisis of the region is**, ultimately, **one ofstate legitimacy, of the social contract between citizens and** their **governments**—which, of course, implies an honest effort on the part of the latter to deliver security in its fullest sense, beginning with security from physical attacks by jihadist **insurgents**—as well as government forces—but also embracing some modicum of basic necessities of life." "The **challenge for governments is**that after decades of **nonperformance**, the **patience of citizens is exhausted and many**, manipulated by disinformation campaigns exploiting legitimate grievances, **are willing to embrace** the **mirage of a quick fix**," Pham told Newsweek. Like Maiga, he noted the rise in anti-French sentiment that he too partially blamed on the rise of concerted disinformation campaigns while also noting legitimate divisions between the positions of Washington and its European allies, even as they seek to band together resist Moscow's actions thousands of miles away in Ukraine. "I have long argued that while the United States shares values and many interests with our European allies, the latter are not completely aligned, especially in the Sahel," Pham said. "We need to keep that in mind and, while we do not want open breaches while the conflict continues in Ukraine, neither should we be hesitant to ensure that our African partners, military forces and civilian populations, are clear on the strategic motivations and objectives of our engagement." The U.S. also maintains roughly 1,000 troops in Niger, including at an air base in the city of Agadez, which has served as the center for U.S. Africa Command (AFRICOM) drone operations. U.S. operations in the country drew international attention in 2017 when four U.S. Special Forces and four Nigerien Armed Forces personnel were killed in an ambush claimed by ISIS' Greater Sahara branch. With international tensions now overshadowing the extant jihadi threat, an AFRICOM spokesperson told Newsweek that "AFRICOM is continuing to monitor the situation in Niger and statements made by officials, including statements from ECOWAS and neighboring countries." As defense chiefs of active ECOWAS member states gathered to discuss their response to the situation in Niger, including the potential use of force, Niger's former defense chief and current deputy junta leader, Major General Salifou Modi, who was sacked by President Bazoum in March, traveled to both Mali and Burkina Faso to shore up ties between the countries. So, while Pham too doubted that Burkina Faso and Mali could muster up a serious military challenge to a potential ECOWAS intervention against Niger given the two nations' ongoing struggles with insurgency, he said "they are trying to signal their political commitment, despite their lack of actual capacity." ECOWAS does have a history of such interventions dating back to 1990, when the West African coalition deployed troops to defend Liberia's government amid civil war. But this campaign, like those that followed, produced mixed results, with Liberia returning to civil war in 2003, drawing a second intervention. The recent military takeovers in Burkina Faso and Mali have further undermined ECOWAS' record, as did the 2021 seizure of power by the armed forces in Guinea, which, along with Algeria, has joined in the rejection of intervention in Niger. But Ovigwe Eguegu, a policy analyst at the Development Reimagined think tank, warned that "intervening has never been this dicey" as it is in the case of Niger, as it marks the first time two separate nations, themselves suspended members of ECOWAS, have vowed to meet such action with force. "That means this is no longer intervention," Eguegu told Newsweek. "The moment that troops from Nigeria or Chad cross into Niger, we now have a war in West Africa. These are not militant groups, these are countries
with standing armies, conventional armies, so this is going to be a conventional war." And he warned that "West Africa, particularly the Sahel region, is not in the condition to deal with the war," not least because of the ongoing threat posed by militant groups and the lack of capacity of neighboring states to handle the inevitable mass flow of refugees that would result from such a protracted conflict. The **risks are compounded when** the **possibility of foreign powers being drawn in** are considered, as was the case in the NATO-led intervention against longtime Libyan leader Muammar el-Qaddafi in 2011. The subsequent destabilization of Libya helped to cultivate fertile ground for militant activities across the Sahel in what Eguegu called a "very devastating" event of which "African countries are still dealing with

the outcome." Tchiani referenced the example of Libya directly on Wednesday during a speech in which he vowed his country would stand strong against those who seek to "destroy" it and thanked the countries that were standing in solidarity with his defiance of external threats. The component of great-power competition between the West, China and Russia is also aggravating temperaments surrounding the situation in Niger. "Because of the tension between Russia and the West now, many groups of people, militias and even some disgruntled military officers see the opportunity for power grabs and that is what is happening," Eguegu said. "And the West sees this dynamic as well and says, 'We have to intervene because this has to stop somewhere.'" Still, Eguegu argued there was a chance for a "middle ground" response, but he warned that **any form of intervention risked escalating** in the absence of a plan "to go diplomatically and politically and engage with these putschists and try to solve this issue politically." "The **stakes are very high**, not only the stakes, but the **collateral of this being a debacle is very high**," Eguegu said. "It's not even a military problem, the issue is a political problem." So far, Russia has not endorsed the military takeover in Niger and has called for a restoration of constitutional order. At the same time, **Moscow has warned against any outside intervention**. At a time when relations between the West and Russia are at their lowest point since the end of the Cold War, throughout which the Soviet Union forged partnerships with anti-colonial movements **across Africa, Moscow has sought to reinvigorate its ties** on the continent, including through a high-profile leaders' summit held in Saint Petersburg late last month. Colin P. Clarke, director of research at The Soufan Group who has specialized in counterterrorism research and testified before Congress on the issue, warned of "the worst-case scenario" should tensions in Niger flare up into a "regional conflagration." "This **could take on** the **dimensions of** a **regional proxy war**, with Western countries supporting ECOWAS and Russia supporting Niger—and Burkina Faso and Mali, if they joined in—with muscle from the Wagner Group," Clarke told Newsweek. "Civilians would be caught in the crossfire and it would vastly increase the likelihood of a humanitarian disaster, while also driving migration throughout the region, putting further stress on governments already overwhelmed by climate change and spillover violence." In that event, "the only clear winner" identified by Clarke "would be jihadist groups linked to Al-Qaeda and Islamic State, which would use the instability to recruit and fundraise, while also seeking to capitalize on the chaos by taking over new swaths of territory." And though these jihadi groups are the common enemy of both African nations and the **great powers vying forinfluence on the continent**, Clarke argued it was **unlikely** that the **likes of Washington, Paris, Moscow and Beijing** would **be able to put their differences aside to pursue common goals in Africa**. "**What's happening in the Sahel** is not a sideshow to great power competition, it **is great power competition**," Clarke said. "The **events unfolding are not doing so in a vacuum. The U.S., France, China, and Russia each have their own vested interestsin Sahelian countries**."

Goes nuclear. Beres 21

Beres 21 [Louis Rene Beres is a Emeritus Professor of Political Science and International Law at Purdue. Beres has worked on matters with Department of Defense agencies, The Defense Nuclear Agency, the JFK Special Warfare Center; with Arms Control and Disarmament Agency; Defense Advanced Research

Projects Agency; and with Nuclear Control Institute Beres has written twelve books and several hundred scholarly articles and monographs. He also lectures widely on matters of terrorism, strategy and international law - – "Controlling Nuclear Risks: A Basic Obligation of U.S, Law and Policy" – Jurist – March 10th - #E&F - https://www.jurist.org/commentary/2021/03/louis-rene-us-nuclear-policy-biden/]

"Cold War II" represents a comprehensive systemic structure within which virtually all contemporary world politics and world law could be meaningfully categorized and assessed. Current "Great Power" dispositions to war, however they might most usefully be ascertained, offer auspicious analytic background for still-wider **nuclear interactions**. What

next? Planning ahead, what explanatory theories and scenarios could best guide the Biden administration in its multiple and foreseeable interactions with North Korea, Iran, China and Russia? Before answering this many-sided question with conceptual

clarity and adequate specificity, a "correct" answer – any correct answer – will depend upon a more considered awareness of intersections and overlaps. Accordingly, some of these intersections and overlaps will be synergistic. By definition therefore, the consequential "whole" of any one particular interaction will be greater than the simple sum of its constituent "parts." Going forward, the new American president's advisors

will have to consider one overarching assumption. This is the inherently problematic expectation of adversarial rationality. Depending upon the outcome of such consideration, the judgments they make about this will be decidedly different and more-or-less urgent. It now follows further that a primary "order of business" for American strategic analysts and planners will be reaching informed judgments about each specified adversary's determinable ordering of preferences. Unequivocally, only those adversaries who would value national survival more highly than any other preference or combination of preferences would be acting rationally. But what about the others? For scholars and policy-makers, further basic questions must now be considered. First, what are the operational meanings of relevant terminologies and/or vocabularies? In the formal study of international relations and military strategy, decisional irrationality never means quite the same as madness. Nonetheless, certain residual warnings about madness should still warrant serious US policy consideration. This is because both "ordinary" irrationality and full-scale madness could exert more-or-less comparable effects upon any examined country's national security decision-making processes. There is nothing here for the intellectually faint-hearted. This is not about "attitude" (the term Trump used to describe what he had regarded as most important to any negotiation), but about fully science-based "preparation". Sometimes, for the United States, understanding and anticipating these ascertainable effects could display existential importance. In all such prospective considerations, words could matter a great deal. In normal strategic parlance, "irrationality" identifies a decisional foundation wherein national self-preservation is not summa, not the very highest and ultimate preference. This preference ordering would have decidedly significant policy implications. An irrational decision-maker in Pyongyang, Tehran or elsewhere need not be determinably "mad" to become troubling for policy analysts in Washington. Such an adversary would need "only" to be more conspicuously concerned about certain discernible preferences or values than about its own collective self-preservation. An example would be those preferences expressed for feasible outcomes other than national survival. Normally, any such national behavior would be unexpected and counter-intuitive, but it would still not be unprecedented or inconceivable. Identifying the specific criteria or correlates of any such considered survival imperatives could prove irremediably subjective and/or simply indecipherable. Whether a particular American adversary were sometime deemed irrational or "mad," US military planners would still have to input a generally similar calculation. Here, an analytic premise would be that the particular adversary "in play" might not be suitably deterred from launching a military attack by any American threats of retaliatory destruction, even where such threats would be fully credible and presumptively massive. Moreover, any such failure of US military deterrence could include both conventional and nuclear retaliatory threats. In fashioning America's nuclear strategy vis-à-vis nuclear and not-yet-nuclear adversaries, US military planners must include a mechanism to determine whether a designated adversary (e.g., North Korea or Iran) will more likely be rational or irrational. Operationally, this means ascertaining whether the identifiably relevant foe will value its collective survival (whether as sovereign state or organized terror group) more highly than any other preference or combination of preferences. Always, this early judgment must be based upon defensibly sound analytic or intellectual principles. In principle, at least, it should never be affected in any tangible way by what particular analysts might themselves simply "want to believe". A further analytic distinction is needed here between inadvertent nuclear war and accidental nuclear war. By definition, an accidental nuclear war would be inadvertent, but reciprocally, an inadvertent nuclear war need not always be accidental. False warnings, for example, which could be spawned by mechanical, electrical or computer malfunction (or by hacking) would not signify the origins of inadvertent nuclear war. Conceptually, they would fit under the more clarifying narratives of accidental nuclear war. **Most worrisome**, in such concerns, would be avoiding nuclear war caused by miscalculation. In striving for "escalation dominance," competitive nuclear powers caught up with multiple bewildering complexities in extremis atomicum could sometime find themselves embroiled in an **inadvertent nuclear exchange**. Ominously, any such **unendurable outcome** could arise suddenly **and irremediably**, though neither side had actually wanted such a war.

Extinction. Sargoytchev 8

Sargoytchev 8. (Dr. Stoyan Sargoytchev, Engineering Diploma, PhD in Physics in the Field of Space Research, Worked with European Space Agency, Worked with the Program Intercosmos Coordinated by the Former Soviet Union, Visiting Scientist @ Cornell Univ, Worked in Arecibo Observatory, Currently Works with the Canadian Space Agency, and York University, Editor in Chief. "MANIFESTO: Prevent Nuclear Disaster – Doomsday" Paper Prepared by International Group of Scientists and Engineers, https://drive.google.com/file/d/1OMZpbkEkwxqq5jO2Wg0cj1bjr40mugUS/view?usp=sharing] SARG = Stimulated Anomalous Reaction to Gravity

One new physical phenomenon that resulted from antigravity research was reported at the 27 th Annual Meeting of the Society for Scientific Exploration, 25-28 June, 2008, in Boulder, CO, USA [2]. The unique gravito-inertial phenomenon achieved in the laboratory was called Stimulated Anomalous Reaction to Gravity (SARG). It was a result of years of research following successful theoretical predictions, and was supported by international private organizations. The theoretical and experimental research leading to the discovery of this effect were published at a number conferences and international meetings, and is the subject of a patent application [3,4,5]. In parallel with the laboratory experiments, extensive analysis was done on the effects of nuclear tests in the atmosphere using the physics behind the observed SARG effect. **A large quantity of** unclassified **nuclear test data from** both **the USA and** the former **Soviet Union** was used. Pictures and technical specs, as well as video material, are available via the Internet. The videos are **useful for observing** the **dynamics in the first few**

seconds ofthe nuclear explosion when unusual phenomena take place. It was observed that an extremely large scale SARG effect takes place in the first few seconds or tens of seconds. The effect is stronger when the nuclear explosion takes place in the atmosphere between 200 m to 2 km above the ground. It is less strong at higher altitudes due to the rarefied atmosphere. Even for the non-scientist,the effect of antigravity is apparentin several videos such as the unclassified documentary movie entitled "Declassified U.S. Nuclear Test Film #70" [6]. The atmospheric nuclear test near the beginning of the documentary occurs at an altitude of 610 m from the ground. As the plasma from the nuclear explosion expands, a thick column of dust and condensed air beginsto rise from the ground. It reaches the expanding plasma in about 20 sec. Small-diameter tornado-like columns also arise simultaneously, and this phenomenon is very common during atmospheric nuclear explosions. Note that the rising main column not only reaches the bulk of expanded plasma but also punches through it. The SARG effect explains the rising column and surrounding tornados. The nuclear explosion causes the formation of a vast quantity of expanding plasma. This plasma affects the physical vacuum in such a way that an antigravity effect is created below the nuclear explosion. The dust and condensed gases rise because of the antigravity effect. They obtain a vertical pulse momentum during the existence of the plasma resulting from the explosion, which may last for a few seconds to tens of seconds. The explosion also creates another detectable effect – a strong EM pulse. (In the laboratory experiment demonstrating the SARG effect, such a pulse is quite weak and is invoked by other means). The rising column and the expanding plasma create the well-known shape of the nuclear mushroom cloud. The same antigravity phenomenon with multiple tornados is also visible in the videos [7,8] of other atmospheric nuclear tests. From 1945 to 1963 the USA conducted an extensive campaign of atmospheric nuclear tests, grouped into roughly 20 test series [9]. USSR also conducted extensive atmospheric nuclear tests in the period from 1949 to 1962. They are summarized in a Catalog of Worldwide Nuclear Testing edited by V. N. Michailov [10]. After the Limited Test Ban Treaty was signed in 1963, testing by the U.S., Soviet Union, and Great Britain moved underground. France continued atmospheric testing until 1974 and China did so until 1980. In all the available information, there is no indication that simultaneous atmospheric nuclear tests separated by a finite distance have ever been performed. This has been our good fortune, as we will see. In a single atmospheric test, the antigravity effect is usually directed vertically upward. But what might happen if simultaneous tests within a finite time and distance were done? The disturbance of the physical vacuum would lead to an antigravity effect that is not vertical. Additionally, the two disturbances would interact and the columns from the rising dust and gases will be twisted. The new physics of this phenomenon predictsthatthe antigravity effect from the two explosions will be much stronger. This may cause a part of the atmosphere to be thrown into space. Further, it is possible that a self-supported tornado-like effect may extend the life of the phenomenon, so a significant fraction ofthe earth's atmosphere may be sucked into space. This is more than just speculation since exactly such an effect was observed on the Sun by some solar orbit satellites[11,12]. The video clip on the National Geographic website [13] clearly shows the dynamics of the solar tornado extended into space. Now scientists claim that such a tornado is responsible for throwing large quantities of solar gaseous mass into space [14]. The phenomenon observed at the Sun could happen on the Earth during simultaneous nuclear atmospheric explosions that create similar conditions. To understand the gravity effects, one must have a correct model of the physical vacuum. The model adopted about 100 years ago is now not supported by laboratory experiments. We may think that the space outside the earth's atmosphere is empty but it still has the properties of the physical vacuum, and many experiments show that it is not void. This new understanding is completely unknown to military advisors and politicians. They don't have a clear idea what could happen during multiple nuclear explosions in the atmosphere because, fortunately, such experiments have never been done. We must not think that the atmosphere is something permanent and cannot be destroyed. The planet Mars is a good example of an atmosphere's vulnerability. Once Mars had an atmosphere. This is evident from apparent surface erosion from rivers. Now the atmospheric pressure on Mars is about 0.1% of Earth's atmospheric pressure. Mars lost its atmosphere probably because of some natural event such as a huge volcanic eruption. If the policy of preemptive nuclear strike is applied during a military conflict, there will likely be multiple cases of simultaneous nuclear explosions within a limited range and time. The probability is high that conditions will be created which can result in the loss of a fraction of the Earth atmosphere. Let us describe the consequences of this worst-case scenario that might develop during the initial phase of the nuclear strikes. If an atmospheric sucking-tornado effect occurs somewhere, the first effect will be a huge windstorm that equalizes the atmospheric pressure. This, of course, will not stop the nuclear strikes. The worst case is that the global atmospheric pressure will drop below some critical level. It is well known that human beings are quite sensitive to changesin atmospheric pressure. (Even a trained mountain climber could not climb a peak higher than 5 km without an oxygen mask). At some low level of atmospheric pressure, a person loses consciousness. Since the effect of a pressure drop will be permanent, there is no chance of returning to consciousness. Protective measures exist to counter all known effects of a nuclear explosion: i.e., direct radiation, shock waves, and radioactivity. Protection from reduced atmospheric pressure, however, is impossible. In the worst-case scenario,there will be no survivors. It does not matterthat you are rich or poor, living in a highly developed or

a poor country, in an urban or low populated area. Everyone on Earth will die. This may happen in a time interval of 1-3 days. The dead people will lay unburied together with animals. Microbes and fungi will survive while the **biomass of Earth's human and animal population slowly disintegrates.** This will be a very tragic end to Earth's civilization; a civilization that reached its apogee in order to destroy itself. **There will be no one leftto document the end of humankind.**