

Constructive

CI

Subpoint A is Israel

America's stance against the ICC maintains Israel's trust.

Patricia **Zengerle**; January 10, 20**25**; US House votes to sanction International Criminal Court over Israel;

<https://www.reuters.com/world/us-house-votes-sanction-international-criminal-court-over-israel-2025-01-09/> // ose

WASHINGTON, Jan 9 (Reuters) - **The U.S. House of Representatives voted** on Thursday **to sanction the International Criminal Court in protest at its arrest warrants for** Israeli Prime Minister Benjamin **Netanyahu** and his former defense minister **over Israel's campaign in Gaza**. The vote was 243 to 140 in favor of the "Illegitimate Court Counteraction Act," which would sanction any foreigner who investigates, arrests, detains or prosecutes U.S. citizens or those of an allied country, including Israel, who are not members of the court. Forty-five Democrats joined 198 Republicans in backing the bill. No Republican voted against it. **"America is passing this law** because a kangaroo court is seeking to arrest **the prime minister of our great ally, Israel,"** Representative Brian Mast, Republican chairman of the House Foreign Affairs Committee, said in a House speech before the vote. The House vote, one of the first since the new Congress was seated last week, **underscored strong support among** President-elect Donald Trump's fellow Republicans **for Israel's government**, now that they control both chambers in Congress. The ICC said it noted the bill with concern and warned it could rob victims of atrocities of justice and hope. "The court firmly condemns any and all actions intended to threaten the court and its officials, undermine its judicial independence and its mandate and deprive millions of victims of international atrocities across the world of justice and hope," it said in a statement sent to Reuters. Trump's first administration imposed sanctions on the ICC in 2020 in response to investigations into war crimes in Afghanistan, including allegations of torture by U.S. citizens.

As a result, the region is stabilizing now.

Shinego 25 [Wes Shinego; Jan. 16, 2025; Biden Announces Ceasefire Deal Between Hamas, Israel in Farewell Address;

<https://www.defense.gov/News/News-Stories/Article/Article/4032622/biden-announces-ceasefire-deal-between-hamas-israel-in-farewell-address/>] //ose

In his final address from the Oval Office yesterday, President Joe **Biden announced a ceasefire and hostage-exchange deal between Israel and Hamas** — a truce that Defense Department officials believe **signal[ing] a possible end to 15 months of conflict in the region**. Since Hamas kicked off hostilities with a surprise attack on Israeli military personnel and civilians

Oct. 7, 2023, DOD has maintained its steadfast commitment to Israel while simultaneously encouraging a diplomatic solution to secure long-term stability in the region.

Problematically, affirming puts the U.S. under the complete jurisdiction of the ICC – taking a clear stance against Israel. By law, we're forced to cooperate in prosecuting Israeli officials.

Rome Statute [International Criminal Court; July 17, 1998; Rome Statute of the International Criminal Court;

<https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>] //ose

Article 12 Preconditions to the exercise of jurisdiction 1. **A State which becomes** a **Party to this Statute** thereby

accepts the **jurisdiction of the Court with respect to** the **crimes** referred to in article 5. 2. In the case of article 13, paragraph (a) or (c), the Court may exercise its jurisdiction if one or more of the following States are Parties to this Statute or have accepted the jurisdiction of the Court in accordance with paragraph 3: (a) The State on the territory of which the conduct in question occurred or, if the crime was committed on board a vessel or aircraft, the State of registration of that vessel or aircraft; (b) The State of which the person accused of the crime is a national. 3. If the acceptance of a State which is not a Party to this Statute is required under paragraph 2, that State may, by declaration lodged with the Registrar, accept the exercise of jurisdiction by the Court with respect to the crime in question. The accepting State shall cooperate with the Court without any delay or exception in accordance with Part 9.

Even the perception of the U.S. turning away motivates Israel to lash out.

Shapiro 17 [Daniel B. Shapiro, Master's Degree in Middle East Studies from Harvard University, BA in Near Eastern and Judaic Studies from Brandeis University, Principal at WestExec Advisors, Distinguished Visiting Fellow at the Institute for National Security Studies, Former U.S. Ambassador to Israel and Senior Director for the Middle East and North Africa on the National Security Council during the Obama Administration; "Trump's International Debacles Spell Trouble for Israel"; The Times of Israel Blog; 6/4/2017; <https://blogs.timesofisrael.com/trumps-international-debacles-spell-trouble-for-israel/>] //recut ose

Second, the perception of US strength and its credibility as a reliable ally are critical Israeli assets. So closely aligned with the United States, and reliant on US security assistance, Israel obviously depends on American support to ensure its own ability to defend itself and to deter enemies who might attack. The perception of an unreliable United States, turning away from its closest allies, withdrawing from signed agreements, and calling into question solemn commitments, does Israel no favors. As the US reputation as an ally declines, more of Israel's enemies may be prepared to challenge it, dubious as they will be about how the United States will respond. How can Israel take American pledges seriously, when even the United States's oldest and closest allies cannot? Finally, Israel has good reason to be unnerved by the articulation of a new America First doctrine, outlined most recently by White House Economic Adviser Gary Cohn and National Security Adviser H.R. McMaster in an op-ed in the Wall Street Journal, and exemplified by the Paris Accords decision. Cohn and McMaster describe a theory of international relations that is purely transactional and competitive. To state the obvious, such a model produces relations between nations that are inherently less stable, as the organizing structures of alliances that seek to advance common interests give way to a "winner takes all" mentality, even among friends.

This chaos would collapse the ceasefire – and that's devastating.

Emma Graham-**Harrison** [senior international affairs correspondent @the Guardian; BA @Oxford University], "The devastating impact of 15 months of war on Gaza" January 15, 20**25**

<https://www.theguardian.com/world/2025/jan/15/the-devastating-impact-of-15-months-of-war-on-gaza> // Oliver J

The Israeli response to Hamas's attacks on 7 October 2023 has killed tens of thousands, left most schools and hospitals in ruins, and caused long-term damage to agricultural land in the territory Israel began bombing Gaza on 7 October 2023, after Hamas crossed the border, killed approximately 1,200 people and took 251 others hostage to Gaza. When ground operations began a week later, most observers in Israel and beyond expected the fighting to last weeks. Instead, it extended for 15 months until Wednesday's announcement of a ceasefire, to become Israel's longest war since the 1948 conflict that led to the country's creation. **The majority of those killed** by militants on 7 October

were civilians and the scale and ferocity of the attack was unprecedented. So was the scale and ferocity of Israel's response. After one brief

ceasefire and hostage release deal in November 2023, Israeli prime minister Benjamin Netanyahu vowed to keep fighting, promising "total victory" over Hamas. The impact of the campaign on civilians living in Gaza led to accusations of genocide, including from rights groups, scholars and foreign governments. South Africa brought a case to the international court of justice. Omer Bartov, a former soldier in the Israel Defense Forces and historian of genocide, wrote that by May 2024 "it was no longer possible to deny that Israel was engaged in systematic war crimes, crimes against humanity and genocidal actions". The UN Human Rights Office said in November that data on verified deaths indicates "an apparent indifference to the death of civilians and the impact of the means and methods of warfare". Even Israel's staunchest ally, the United States, restricted some weapons shipments over the concerns, and in September the UK suspended some arms export licences owing to Israel's conduct of the war. **Netanyahu and his former minister of defence Yoav Gallant have**

been issued with arrest warrants by the international criminal court for alleged war crimes relating to the conflict.

The Hamas military leader Mohammed Deif has also been issued with an arrest warrant. Below is a

summary of **the cost of the war for Gaza** and its people. The dead and wounded in Gaza **More than 46,000 Palestinians**

have been killed inside Gaza by Israeli attacks, according to health officials in the territory. Most of the dead are civilians, and **the total**

represents about 2% of Gaza's prewar population, or one in every 50. More than 40,000 have been identified,

including 13,319 child victims, the youngest only a couple of hours old. The elderly dead include a 101-year-old great-great-grandfather. Another 110,000 have been wounded, over a quarter of whom now live with life-changing injuries including amputations, major burns and head injuries.

Yet these figures do not tell the full story of Palestinian losses. The official count of the war dead includes only those killed by bombs and bullets,

whose bodies have been recovered and buried. About 10,000 **people** killed by airstrikes are thought to be entombed in collapsed buildings,

because of the lack of heavy equipment or fuel to dig through steel and concrete ruins looking for them. A study published this month found the

official toll underestimated deaths from traumatic injuries in the first nine months of the war, failing to capture two in every five casualties. That

would suggest that by October 2024 "the true mortality figures probably exceeded 70,000", the authors wrote. Authorities plan to count those dead when

the fighting stops, Dr Marwan al-Hams, the director of field hospitals at the ministry of health, has said. Israeli officials question the death toll given by the authorities in Gaza, arguing that

because Hamas controls the government there, Gaza's health officials cannot provide reliable figures. But doctors and civil servants in the territory have a credible record from past wars. After

several conflicts between 2009 and 2021, UN investigators drew up their own lists of the dead and found they closely matched ones from Gaza. Israel's campaign of intense aerial bombing and

mass demolitions has levelled swathes of Gaza, and left whole neighbourhoods barely habitable. **Nine in 10 homes in the territory have been**

destroyed or damaged, the latest UN figures show. Schools, hospitals, mosques, cemeteries, shops **and** offices have also

been repeatedly hit. The devastation is so intense that some experts say that the large-scale destruction of homes and the infrastructure of daily life should be recognised as a new war crime: "domicide". **Even where homes are still standing, many residents have been forced to leave. Eighty percent of Gaza's territory was placed under evacuation orders** that were still active in late December. Some **1.9 million people have been displaced, 90% of the population,** with many of them forced to move repeatedly. Hundreds of thousands now are living in tent cities and severely overcrowded shelters with poor sanitation and access to little clean water. Shelters have also been attacked.

Subpoint B is Africa

Given that 47 out of the ICC's 52 indictments were made against African leaders – we must look at how the ICC affects this region. There are two ways the Court harms African countries.

First is undermining Domestic Courts

Domestic courts in Africa are on the rise.

Paul Tiyaambe **Zeleza**, 12-20-20**24**, "The Rule of Law in Africa: A Reappraisal", African analysis, opinion and investigation,

<https://www.theelephant.info/opinion/2024/12/20/the-rule-of-law-in-africa-a-reappraisal/> // RB

Judicial reforms and constitutional amendments have played a critical role in enhancing institutional capacity and **advancing the rule of law across Africa. Ghana's judicial reforms,** for example, have focused on establishing transparent appointment processes that emphasize merit and professionalism, reducing the influence of political interference. These efforts aim

to strengthen public confidence in the judiciary as an impartial arbiter of justice. Anti-corruption measures, such as disciplinary actions against judges involved in bribery scandals, have further underscored Ghana's commitment to judicial integrity, fostering greater trust in the legal system. Similarly, **Kenya's 2010 Constitution marked a turning point for judicial and governance reforms.** By promoting judicial independence through the creation of a Judicial Service Commission responsible for appointments, Kenya has enhanced the accountability and transparency of its courts. The constitutional emphasis on devolution has also brought decision-making closer to the people, empowering local governments to address community-specific issues. These reforms collectively aim to decentralize governance, reduce corruption, and ensure justice reaches underserved populations, although challenges such as implementation gaps and resistance from entrenched interests remain significant obstacles. Regional and international organizations, such as **the African Union (AU) and regional economic communities**, play a crucial role in promoting accountability, upholding democratic norms, and addressing transnational challenges across Africa. **The AU's African Court on Human and Peoples' Rights provides a platform for addressing human rights violations**, offering recourse for individuals and groups who have exhausted domestic remedies. Similarly, ECOWAS has demonstrated the potential of regional frameworks through its mediation in electoral disputes, such as its intervention in The Gambia during the 2016 political crisis, which upheld the election results and facilitated a peaceful transfer of power. These initiatives showcase the capacity of African-led mechanisms to address governance and human rights issues. **Technology is emerging as a transformative tool** in strengthening the rule of law across Africa, particularly **in addressing longstanding barriers** to justice. Mobile courts in Uganda exemplify this approach, bringing legal services to remote and underserved areas where access to formal judicial systems is limited. These courts not only provide practical solutions for resolving disputes but also foster trust in the legal system among rural populations who might otherwise rely on customary practices. Similarly, digital case management systems in Nigeria and South Africa have been instrumental in reducing delays and enhancing transparency. By automating case tracking and providing accessible records, these systems help alleviate judicial backlogs, allowing courts to operate more efficiently and fairly. Rwanda's blockchain initiative for land registries takes this innovation further, leveraging secure and immutable records to mitigate property disputes and ensure tenure rights, a critical issue in many African countries where unclear or contested land ownership undermines social stability.

That's why

Chidi **Blyden** and Jake Grover, Wilson Center, January 16, 20**25**, "Institutional Reforms in Africa: A Catalyst for Democratic and Economic Advancement", <https://www.wilsoncenter.org/article/institutional-reforms-africa-catalyst-democratic-and-economic-advancement>

While the common narrative of 2024 was of African democracy in decline, this overlooks the long-term trend on the continent and fails to recognize pent-up demand for democracy. It also obscures **the less visible stories of democratic progress and economic opportunity that many African nations have experienced.**

Despite a few high-profile setbacks, **more than half of Africa's population has seen improvements in their country's governance over the last decade, and the long-term trend is unequivocally positive.** Yet progress has plateaued in recent years, and democracies have not always delivered. Rather than focus on the negatives, the United States and countries seeking to engage more deeply with Africa should work closely with African nations that have undertaken reform agendas or embarked on a newly democratic path.

Problematically, the ICC's distanced approach creates ineffective results in Africa.

Chidi **Blyden** and Jake Grover, Wilson Center, January 16, 20**25**, "Institutional Reforms in Africa: A Catalyst for Democratic and Economic Advancement", <https://www.wilsoncenter.org/article/institutional-reforms-africa-catalyst-democratic-and-economic-advancement>

Taken together, the first fifteen years of the ICC's work – with its **singular focus on** situations, crimes and suspects in **Africa** – **shows a Court that, in key respects, [it] is ill-equipped to** fulfil its mandate of **addressing serious crimes in contexts that are geographically removed** and foreign to most of its staff. **Attempting to distance itself from domestic politics, it has become embroiled in – and has profoundly shaped – the politics of African states.** Compounding these problems is the Court's insistence on its superiority to domestic responses to mass atrocity and its failure to live up to its own principle of complementarity. The final chapter in this book provides some insights into ways to make the Court more effective by returning it to this core principle.

ICC interventions prevent domestic courts from acting – even though these courts have better, more knowledgeable solutions to regional issues.

Sophie **Rigney**, 11-13-20**20**, "Distant Justice: The Impact of the International Criminal Court on African Politics", OUP Academic,

<https://academic.oup.com/ejil/article/31/3/1157/5980785> // RB

6 In response to the challenges above, the ICC has persisted with a broadly distanced approach to the African situations analysed here. **Prosecution and Defence investigators have spent limited time on the ground in all eight situations,** while ICC outreach programmes through the Registry have often begun years after the launch of investigations and sometimes not at all. While the Court lauds victim participation as a central feature of its operations,¹⁰⁷ this has also increasingly taken a distant form through the use of common legal counsel, designed to aggregate victim perspectives, as opposed to giving individual victims a voice in the courtroom, as occurred in the early ICC cases in the DRC. **The Prosecution has** been particularly energetic in both **limiting victim participation in trial**s and arguing against in situ trials, which would bring the ICC's work closer to affected populations. All of these factors, coupled with perennial weaknesses in ICC witness protection, have greatly **undermined the Court's relations with local communities**. A final recurring feature of **the ICC's distanced approach has been its inconsistent – and sometimes dismissive – response to admissibility challenges by domestic judiciaries.** **Nearly all of the eight African situations have** generated such **challenge**s but only the al-Senussi case in Libya has led the **ICC** to cede jurisdiction to national courts. As argued earlier, the **Lubanga, Katanga, Ngudjolo and Simone Gbagbo cases** **provided an equally, if not more, compelling basis to challenge the ICC's admissibility** on the grounds of ensuing domestic investigations into these individuals. **A key outcome** of these issues concerning admissibility and complementarity **is the weakening of** relations between the ICC and domestic courts, with lasting

consequences for the reform of national judiciaries in several of the African situations within the ICC's purview.

As a result,

Alyssa K. **Prorok**, Spring 20**17**, Associate Professor, Political Science Associate Head of Undergraduate Programs, Political Science "The (In)compatibility of Peace and Justice? The International Criminal Court and Civil Conflict Termination on JSTOR", No Publication, <https://www.jstor.org/stable/44651940>

As expected, **ICC involvement** significantly **decreases the likelihood of conflict termination** in Model 1, thereby lengthening war. Figure 1 demonstrates that this effect is sizeable: the predicted probability of termination without ICC involvement is 21 percent, but drops to 1.1 percent when the ICC is involved, a **47 percent** decrease in the likelihood of termination.

Second is disengagement

Currently, the U.S.' relationship with African countries is improving.

Zainab **Usman**, 12-20-20**24**, "Priorities for the New U.S. Administration and Congress on Strengthening Economic Relations with Africa", Carnegie Endowment for International Peace, <https://carnegieendowment.org/research/2024/12/priorities-for-the-new-us-administration-and-congress-on-strengthening-economic-relations-with-africa?lang=en> // TT

America now frames its relations with the rest of the world, including Africa, through the lens of great power competition. Within this geopolitical context, **recent U.S. national security strategies have in various ways underscored the role of the African continent in the pursuit of** American strategic interests—whether for **maintaining supply chain security, securing UN votes, or containing risks.**¹ This **recognition of Africa's**

importance to U.S. strategic interests is happening amid parallel efforts by other global powers. China is Africa's largest bilateral trading partner and investor in energy projects. Russia is negotiating new security partnerships with countries ravaged by terrorism in West and Central Africa. Türkiye has expanded its diplomatic engagement to nearly all of the continent. Oman, Qatar, Saudi Arabia, and the United Arab Emirates, among others, are important investors and brokers to various political movements in the Horn of Africa. As Africa is increasingly recognized at the highest levels of American decisionmaking in new and dynamic ways, the tools of U.S. engagement with the continent largely have not caught up. U.S. economic engagement is still dominated by aid flows as two-way trade volume declines (see figure 1). After a decade of steep decline, **U.S. foreign direct investment flows to Africa** have only **recently started to trend upwards** (see figure 2).

However, history has shown when the U.S. and ICC collaborate, it only prolongs conflict and increases violence in affected countries – especially in Africa. For example, when the ICC issued an arrest warrant in Sudan,

Steven **Groves**, 08-18-20**09**, "The U.S. Should Not Join the International Criminal Court", Heritage Foundation,

<https://www.heritage.org/report/the-us-should-not-join-the-international-criminal-court> // RB

In response to his indictment, Bashir promptly **expelled vital humanitarian NGOs from Sudan**.^[79] Bashir may ultimately **decide he has nothing to lose** and increase his support of the janjaweed, **encouraging them to escalate their attacks, even against aid workers and U.N. and AU peacekeepers** serving in the African Union/UN Hybrid operation in Darfur (UNAMID). **It could also undermine the 2005 peace agreement meant to reconcile the 20-year north-south civil war**, which left more than 2 million dead. Moreover, the decision to seek the arrest of Bashir, cheered by ICC supporters, may actually **hurt the court in the long run**. **African countries, which would bear the most immediate consequences of a more chaotic Sudan, have called on the Security Council to**

defer the Bashir prosecution. Sudan's neighbors may be forced to choose between arresting Bashir,

which could spark conflict with Sudan, or ignoring the court's arrest warrant. Indeed, all AU members except for

Botswana announced in July 2009 that they would not cooperate with the ICC in this instance. South Africa subsequently announced that it would honor the ICC warrant in August 2009.^[80] Whether the AU decision will have broader ramifications for the court's relationship with

African governments remains to be seen. **Some African ICC parties have mentioned withdrawing from the Rome**

Statute. The desire to see Bashir face justice for his role in the crimes committed in Darfur is understandable and should not be abandoned.

However, **premature efforts to bring Bashir to justice** may **be counterproductive.** The priority in Sudan is to reduce the violence, stop the atrocities, restore peace and security, reconstitute refugees, and set the region on a path to avoid a return to conflict.

This requires strong action by the AU and the international community, **including economic and diplomatic**

sanctions designed to bring maximum **pressure** to bear **on Bashir** and his allies. It may require military intervention. Once this is

achieved, **justice can be pursued by the Sudanese themselves through their courts,** through an ad hoc tribunal, or

even through the ICC. In another situation, the Ugandan government referred alleged crimes committed by the **Lord's Resistance Army**

in northern Uganda to the court in 2004 in hopes of "engaging the western powers who had ignored the situation in northern Uganda"^[81]

and **pressuring the LRA to negotiate a peace.** Regrettably, **the LRA has responded by announcing that it will**

not agree to peace talks until the ICC arrest warrants are withdrawn. If Uganda could resolve its long festering

conflict with the LRA by agreeing not to prosecute its leader, it would have no ability to call off the ICC prosecution. Thus, the ICC's involvement

could be a real impediment to peace in Uganda, assuming the LRA would abide by an agreement.^[82]

Joining and dominating the ICC would appear that the U.S. is overstepping again. This would be the nail in the coffin for African countries, who are increasingly dissatisfied with the Court.

Mills 12 warns:

Kurt **Mills**, May 20**12**, "Bashir is Dividing Us": Africa and the International Criminal Court" Johns Hopkins University, Human Rights Quarterly, <https://muse.jhu.edu/pub/1/article/475692/pdf> // RB

It did this because, in the view of the PSC, "approval by the Pre-Trial Chamber of the application by the **ICC Prosecutor** could **seriously undermine the ongoing efforts** aimed **at facilitating the early resolution of the conflict in Darfur**" and Sudan more broadly, and thus result in greater suffering.⁹¹ It also reiterated its condemnation of its perceived abuse of universal jurisdiction and **insinuated that there were double standards in the application of international justice mechanisms in Africa**, which could affect the rule of law, stability, and the development of national institutions in Africa.⁹² There appears to be a muddling of universal jurisdiction and the ICC,⁹³ **a general feeling of unfair persecution**,⁹⁴ **and a perception that the ICC** and other international justice processes could harm peace efforts and institutional development. In other words, the very development of a united Africa was being put in jeopardy by rogue magistrates and prosecutors. At the same time, it recognized the serious nature of the situation and asked the government of Sudan, "in line with the principle of complementarity as enshrined in the ICC Rome Statute"⁹⁵ to bring perpetrators to justice. It also asked the AU Commission to create a high level panel to look at how to address the situation in Darfur.⁹⁶ So, while recognizing that the situation in Darfur was dire, it wanted the international community to stay out of the way while it tried to address the situation as it had since 2004, when AMIS was put into place, with rather disappointing results. **The issuance of an arrest warrant for Bashir**, in particular, **rankles** some **African states** because of a **perceived double standard on the part of the Security Council, and in particular the United States**. In 2002, soon after the Rome Statute came into force, the Security Council passed resolution 1422 which in effect attempted to give blanket immunity to any individual from a non-state party for any action related to a peacekeeping mission for twelve months.¹⁴⁰ Although it is questionable whether Article 98 allows such blanket immunity, this provision was demanded by the Bush administration as the price for renewing the mandate for the UN Mission in Bosnia-Herzegovina.¹⁴¹ The indictment of Bashir, President of a non-state party who would normally have a wide range of diplomatic immunities, **would be perceived as** particularly galling and **hypocritical to African leaders** in light of the attempt by the United States to exempt individuals of non-state parties (i.e. US citizens) from ICC jurisdiction. **There is** also, of course, the concern that one of their number might be next. But the broader context is **the feeling of being persecuted by the West** and ignored by the Security Council. African leaders felt that the AU's

request to the Security Council was not acted upon. Indeed, there was no official discussion of the request in the Security Council, although there were likely unofficial discussions. There was no decision—either affirmative or negative—on the request. Some have suggested that many **African leaders just wanted some sort of acknowledgement of their concerns and their standing as global leaders.** If there had been evidence that their concerns were being taken seriously, it is possible that there would not have been **as widespread support on the part of African ICC state parties** as there was for this and ensuing actions.¹¹⁵ 3 Although significant rhetorical—and actual—progress in the wide field of human rights has been made on the continent, **many African states still feel pressure from** universalist—read “**Western**”—human rights notions and **institutions** and, as **in the case of the ICC,** may see them as part of a conspiracy against Africa—**hence the** sometimes rather **defensive stances taken by the AU.** While some **African states** parties—in particular **Botswana and South Africa**¹⁷⁵—**have vowed to defy** the call for non-cooperation, others have spoken in support. **The President of Malawi**—which is a party to the Rome Statute—Bingu wa Mutharika, who was also **Chair of the AU** at the time, stated, **“To subject a sovereign head of state to a warrant of arrest is undermining African solidarity and African peace and security that we fought for for so many years.”**¹⁷⁶ Although the Rome Statute explicitly says that heads of state or government are not immune from **prosecution**, the first case involving a sitting leader appears to have shaken many African leaders. Mutharika, for example, said that “Bashir could not and would not be tried outside the African soil.”¹⁷⁷ Thus, even the president of a country that is a party to the Rome Statute does not want an African head of state tried outside the continent, although apparently it is OK for non-leaders to be tried. This, once again, illustrates the core of the purported change in the status of human rights over the last few decades, and in particular those related to the creation of the ICC.

The impact is authoritarianism.

As Africa distances from the U.S., China swoops in to take advantage.

Michael **Schuman**, 08-29-20**24**, “Xi wants to enlist the Global South in his anti-American movement”, Atlantic Council,

<https://www.atlanticcouncil.org/blogs/new-atlanticist/xi-wants-to-enlist-the-global-south-in-his-anti-american-movement/> // RB

Beijing will once again **seek to deepen its engagement with countries in the Global South**. Chinese leader Xi Jinping was, to his credit, prescient in recognizing the frustrations and aspirations within the developing world and has capitalized on those sentiments to build China's global political and economic influence. The three-day event, which the Chinese foreign ministry **called** "the largest diplomatic event China has hosted in recent years," is only one of a series of programs, initiatives, and gatherings that Beijing has launched to tighten its bonds of diplomacy, business, and trade with countries throughout the Global South. Yet over the past two years, **Xi's approach to the developing world has undergone a significant change: It has become increasingly consumed by Beijing's geopolitical competition with the United States and its allies and partners**. This shift will have major consequences for Beijing's relations with the Global South, China's role in the international order, and the future course of its global power. The aim of **Xi's** strategy is to **build a coalition of states within the Global South to** act as a **counter** weight to **the US global alliance system** and a base upon which to promote China's political, economic, and ideological interests. Xi wants to undermine the US-led rules-based international order by creating a Chinese-led alternative order based on illiberal political principles that can roll back US influence and shape global governance through international institutions and forums.

That's devastating.

Hal **Brands**, Jake Sullivan, 05-22-20**20**, "China Has Two Paths to Global Domination", Foreign Policy,

<https://foreignpolicy.com/2020/05/22/china-superpower-two-paths-global-domination-cold-war/> //vy

As China builds economic power through these efforts, **it will sharpen its capacity to convert that power into geopolitical influence**. Carnegie's Evan Feigenbaum has identified multiple types of leverage China can use to "lock in its political and economic preferences," ranging from latent-and-passive to active-and-coercive. He assesses that **Beijing will** keep refining a "mix and match" strategy that deploys the full range of these tools in dust-ups with a diverse array of countries, from South Korea to Mongolia to Norway. Eventually, China may well adapt a more systematic ladder of escalation to produce preferred outcomes. **And just as the United States built the key postwar institutions in its political image, this second road would lead China toward reshaping the central political norms of**

the international order. A number of studies have documented Beijing's full-court press across the U.N. system to both protect narrow Chinese equities (denying Taiwan status in the United Nations, blocking criticism of China) and to reinforce a hierarchy of values in which national sovereignty trumps human rights. And the phrase "sharp power" has now become commonplace to describe China's intrusive efforts to influence the political discourse in democratic countries including Australia, Hungary, and Zambia. Beijing is also rapidly enhancing its diplomatic throw-weight, passing the United States in the number of diplomatic posts around the world and persistently expanding its influence in multilateral finance, global climate and trade institutions, and other key rule-setting bodies. The Brookings Institution's Tarun Chhabra aptly observes that Beijing's approach to ideology may be flexible, but its cumulative effect is to expand the space for authoritarianism and constrain the space for transparency and democratic accountability.

It's an impact filter.

Larry **Diamond**, 04-14-2020, "Ill Winds: Saving Democracy from Russian Rage, Chinese Ambition, and American Complacency", [//vy](https://books.google.com/books?id=GFrXDwAAQBAJ&dq=diamond+In+such+a+near+future,+my+fellow+experts+would+no+longer+talk+of+democratic+erosion.+We+would+be+spiraling+downward+into+a+time+of+democratic+despair,+recalling+Daniel+Patrick+Moynihan's+grim+observation+from+the+1970s+that+liberal+democracy+is+where+the+world+was,+not+where+it+is+going.+5+The+world+pulled+out+of+that+downward+spiral—but+it+took+new,+more+purposeful+American+leadership.+The+planet+was+not+so+lucky+in+the+1930s&source=gbs_navlinks_s)

Famine and genocide are the curse of authoritarian states, not democratic ones. Outright state collapse is the ultimate, bitter fruit of tyranny. When countries like Syria, Libya, and Afghanistan descend into civil war; when poor states in Africa cannot generate jobs and improve their citizens' lives due to rule by corrupt and callous strongmen; when Central American societies are held hostage by brutal gangs and kleptocratic rulers, people flee—and wash up on the shores of the democracies. Europe and the United States cannot withstand the rising pressures of immigration unless they work to support better, more stable and accountable government in troubled countries. The world has simply grown too small, too flat, and too fast to wall off rotten states and pretend they are on some other planet. Hard security interests are at stake. As even the Trump administration's 2017 National Security Strategy makes clear, the main threats to U.S. national security all stem from authoritarianism, whether in the form of tyrannies from Russia and China to Iran and North Korea or in the guise of antidemocratic terrorist movements such

as ISIS.1 By supporting the development of **democracy around the world, we can deny these** authoritarian **adversaries** the **geopolitical running room** they seek. Just as Russia, China, and Iran are trying to undermine democracies to bend other countries to their will, so too can we contain these autocrats' ambitions by helping other countries build effective, resilient democracies that can withstand the dictators' malevolence. Of course, democratically elected governments with open societies will not support the American line on every issue. But no free society wants to mortgage its future to another country. The American national interest would best be secured by a pluralistic world of free countries—one in which **autocrats** can no longer **use corruption and coercion to gobble up resources, alliances, and territory.** If you look back over our history to see who has posed a threat to the United States and our allies, it has always been authoritarian regimes and empires. **As political scientists have long noted, no two democracies have ever gone to war with each other—ever. It is not the democracies of the world that are supporting international terrorism, proliferating weapons of mass destruction, or threatening the territory of their neighbors.**

Rebuttal

All were analytics.