

ONE OFF

A. Interpretation:

Debaters must open source disclose all broken non-identity case positions for this topic and all future rounds on the '24-'25 NSDA PF debate wiki with their last names and the school they attend 30 minutes before the round for a bid tournament.

B. Violation:

They didn't disclose at ALL, their disclosure cites at the bottom supercharges our offense because they know disclosure is a good norm but neglect to disclose for this tournament.

The screenshot shows the opencaselist.com website. The URL is opencaselist.com/hspf24/Nova42Academy/ChLe. The page is titled 'Schools' and has a '+ Create' button. On the left sidebar, there are links for 'Recently Modified' and 'Bulk Downloads'. Below these is a 'State' dropdown menu and a 'Filter' input field containing 'nova'. A list of schools is shown: Nova (FL), Nova 42 Academy (CA), Nova Debate Camp (XX), Nova Debate Camp LP (XX), Nova Debate Camp PL (XX), and Nova Institute (CN). The main content area is titled 'Team Notes' and has tabs for 'All', 'Aff', and 'Neg'. There is a '+ Add Round' button. Below the tabs is a table with columns: Tournament, Round, Side, Opponent, Judge, Round Report, and Open Source. The first row shows 'Disclosure--0' in the Tournament column, 'All' in the Round column, 'Pro' in the Side column, and empty cells for Opponent, Judge, Round Report, and Open Source. Below the table is a '+ Add Cite' button. The 'Cites' section shows 'Disclosure--0 | All | Pro' and a list of citations: '00--Disclosure' and 'nathanchoe90@gmail.com phoebelee0231@gmail.com email for disclosing interps or asking for disclosure'. The bottom of the page shows a Windows taskbar with various icons and the time 10:39 AM on 2/15/2025.

1 – Argument quality:

A world without disclosure rewards debaters for running arguments not because they are good, but because their opponents won't know how to respond. Disclosure forces debaters to commit to quality. Argument quality is a voter because debate is a unique space in which we need to have in-depth education about important issues. Disclosure allows debaters to pursue more information on an opponent's case and exposure to more literature. More reading means we get the most holistic education from the preparation process, rather than having the shallow process of reading taglines and hearing only what's highlighted.

2 – Inclusion: Two internal links:

a) Intel – Schools with big programs who bring more students and judges and are better connected will scout more rounds and have more flows; disclosure equalizes that intel disparity and helps curb fairness concerns.

b) Research – Disclosure forces big, wealthy programs to put their prep on the wiki, that means everyone has access to the best, pay walled evidence, and also keeps smaller programs up-to-date on the meta, keeping debate fair for all people.

3 - Clash

3 minutes within the round is never enough time to evaluate the case and see whether or not it's as true as they say this is. This is a HUGE skew because they have 30 minutes to prep our case and scrutinize it, but when we come into the round we lack the ability to effectively clash their case because of the time skew. Clash is the internal link to education -> if there's a lack of clash in the round, debaters do not actually learn how to debate efficiently and it links to fairness since both sides having clash makes the debate inherently fair.

D) Voters:

(1) Research/Education - Education is the key reason schools fund debate and the only long-term result from debate

(2) Fairness - Fairness is constitutive of debate, without fairness debaters quit because the round is arbitrary.

Drop the debater – two reasons

1) No Difference – It's the same as dropping the argument since the argument is the entire case that wasn't disclosed.

2) Norm-setting – Voting for us sets a precedent in favor of a positive model of debate—wins and losses determine the direction of activity.

Prefer competing interps for 3 reasons.

1. Reasonability collapses to Competing interps since the brightline to what is reasonable is the counter interpretation.
2. Race to the bottom – Reasonability causes a race to the bottom where debaters are encouraged to exploit a judges tolerance for questionable arguments.

No RVIs – three reasons.

A) Illogical – you shouldn't win for being fair – it's a litmus test for engaging in substance

B) Chilling Effect: abusive debaters will get really good at the rvi debate and bait theory meaning we can never check back abuse

Theory > substance: if the round is inherently unfair or uneducational, it reduces our ability to effectively rebut their case and demonstrate how flawed it really is. Theory should be preferred before we go for substance because the substance can only be holistically evaluated if the round is first fair and educational.

C1: Syria

US forces remain in Syria to stabilize the transition from Assad and combat ISIS.

Mason '12-10 [Jeff; December 10, 2024; teaches political journalism at Georgetown University. He is a graduate of Northwestern University's Medill School of Journalism and a former Fulbright scholar; "US troops are staying in Syria, White House's Finer says," <https://www.reuters.com/world/middle-east/us-troops-are-staying-syria-white-houses-finer-says-2024-12-10/>] [brett//recutZM](#)

NEW YORK, Dec 10 (Reuters) - **U.S. troops will be staying in Syria** after the fall of President Bashar al-Assad as part of a counter-terrorism mission **focused on destroying Islamic State militants**, **a top White House official said** on Tuesday. "Those troops are there for a very specific and important reason, not as some sort of bargaining chip," U.S. Deputy National Security Advisor Jon Finer said in an interview at the Reuters NEXT conference in New York. Syrian rebels seized the capital Damascus unopposed on Sunday after a lightning advance that sent Assad fleeing to Russia after a 13-year civil war and more than five decades of his family's autocratic rule. But **Washington** now **sees its military presence as a hedge against further instability**, even as it remains unclear how Syria's new rulers will view U.S. presence. Washington still designates as a terrorist organization the Sunni Muslim group Hayat Tahrir al-Sham, which was chief among the rebel forces that ended 50 years of brutal dynastic rule by Assad. "There has been no formal change in any policies," on such groups, said Finer. "Those designations are not made based on what groups say or what they say their intentions are or they intend to do, it's about actions so we will be watching." He characterized as "quite constructive" some of what those groups have been saying in recent weeks but said Washington would wait and see if those statements are followed by action to bring about "credible, inclusive governance for Syria." He said the **Biden administration is in contact with members of the incoming team of President-elect Donald Trump and keeping them apprised about Syria.**

However, the plan is an extreme reversal; the plan subjects US forces to politically motivated prosecutions. Our evidence is Syria-specific.

Yoo & Stradner '20 [John & Ivana Stradner; March 17, 2020; Emanuel S. Heller Professor of Law at the UC Berkeley School of Law, Visiting Fellow at the Hoover Institution at Stanford, and Visiting Scholar at the American Enterprise Institute; research fellow at the Foundation for Defense of Democracies; "The U.S. Must Reject the International Criminal Court's Attack on Its National Sovereignty," <https://www.nationalreview.com/2020/03/united-states-must-reject-international-criminal-court-attack-on-national-sovereignty/>] [brett//recutZM](#)

Last week, the International Criminal Court (**ICC**) authorized an **investigation of alleged** war **crimes** and crimes against humanity **by U.S.**, Afghan, and Taliban troops in Afghanistan, as well as by CIA black sites operated in Poland, Lithuania, and Romania.

While the prosecution will likely fail, it **represents another effort by** a global elite — consisting of European governments, international **organizations**, and their supporting interest groups, **academics, and activists — to threaten America's** sovereignty. The Rome Statute, which established the ICC in 1998, was supported by 120 states. It had the worthy goal of preventing the world's most horrific crimes. Today the ICC can exercise jurisdiction over war crimes, crimes against humanity, aggression, and genocide. Its founders believed that an international organization in the form of a court could replace the customary role of nation-states to punish those who violate the rules of civilized warfare. The Clinton administration signed the treaty in 2000, but did not submit it for Senate ratification. American support for the court dissolved after 9/11, as American officials worried that the ICC would become an anti-American kangaroo court used by certain countries to constrain nation-state sovereignty. In 2002, the Bush administration announced that it would not sign the agreement, and empowered then-State Department official John Bolton to lead a U.S. campaign to sign bilateral immunity agreements with more than 100 countries to protect both parties from the ICC's jurisdiction. Ever since, the ICC has labored ineffectually. To date, the Court has spent more than \$2 billion dollars and yielded just eight successful convictions and four acquittals, focusing only on African countries. While there are 123 member states, nations that still might have to wage war, such as the U.S., Israel, India, South Korea, China, and Russia, have refused to join. America's Western European allies, perhaps still hoping for a utopian future

where war has disappeared and meager conventional forces are all that is needed, lend the ICC its greatest support. Most **ICC officials** have long **hoped to achieve** international **relevance by attacking the ICC's greatest critic: the U** **S** **ates**. Since November 2017, ICC chief prosecutor Fatou **Bensouda** has **sought to use alleged crimes** in Afghanistan **to bring charges against** the U.S. **military and intelligence** community. America's response has been tough, and after numerous threats by the ICC, U.S. secretary of state Mike Pompeo ordered the revocation of the ICC chief prosecutor's U.S. entry visa (though Bensouda managed to circumvent the ban and attend her UN meetings last April). The ICC Pre-Trial Chamber later ruled against an investigation (and possible prosecution) of the U.S. for alleged crimes in Afghanistan because both would most likely fail. Last week, however, the ICC's appellate court reversed this finding and allowed Bensouda to continue her pursuits of American activities in Afghanistan and elsewhere after 9/11. **To end this charade, the U.S. should continue to challenge the Court's jurisdiction and protect the rights of nations that are bound only by rules to which they consent.** The Trump administration should continue to deny ICC officials and any government officials (such as any military or law enforcement officers) that assist them from entering the United States or using its financial system. Most important, the United States should strike at the ICC through its supporters. Japan, the United Kingdom, France, Italy, Canada, Spain, Mexico, and Australia are all major Court funders. The Trump administration should warn countries who are ICC top funders yet depend utterly on the U.S. for their defense (such as Japan) that they cannot expect American troops to protect any nation seeking to prosecute and imprison them. It should weaken defense ties with ICC member countries, and cut foreign aid to any nation that cooperates with the Court. With these actions, the Trump administration will defend the rights, not just of the United States, but of all sovereign nations. America did not join the Rome Statute. It remains unfettered by its requirements. To protect international law, it should refuse to recognize any ICC probe. International rules should only bind nations that consent to them. Allowing the ICC to claim power over the U.S., which does not consent to its jurisdiction will erode any incentive to obey any international rules at all. The ICC's actions threaten the only true mechanism for deterring human rights abuses. **Subjecting U.S. forces to an after-the-fact and idealistic human-rights barometer will only discourage Washington from intervening to end massive human-rights abuses in difficult world hotspots.** If the global elite want the U.S. to lead efforts to end killings in places **such as Syria**, Yemen, or Sudan, the last thing it should do is prosecute American troops when they take on the difficult jobs that no other nation can or will do.

The plan creates a chilling effect on American power projection. The only barrier is our absence from the ICC.

Groves '9 [Steven & Brett Schaefer; 2009; J.D. from Ohio Northern, former senior counsel to the U.S. Senate Permanent Subcommittee on Investigations; Jay Kingham Fellow in International Regulatory Affairs; "The U.S. Should Not Join the International Criminal Court," https://www.heritage.org/report/the-us-should-not-join-the-international-criminal-court#_ftnref65] brett

[C]omplementarity applies only if the state in question handles the particular case at issue in a manner consistent with the ICC's understanding of the applicable legal norms. **If the court concludes** that **a state has been unwilling** or unable to prosecute one of its citizens or government officials because it does not consider the questioned conduct unlawful, **based on its own interpretation** of the relevant international legal requirements, **the court can proceed with an investigation.** [63] For example, the Obama Administration recently declared that no employee of the Central Intelligence Agency (CIA) who engaged in the use of "enhanced interrogation techniques" on detainees would be criminally prosecuted.[64] That decision was presumably the result of an analysis of U.S. law, legal advice provided to the CIA by Justice Department lawyers, and the particular actions of the interrogators. Yet if the U.S. were a party to the Rome Statute, the Administration's announced decision not to prosecute would fulfill a prerequisite for possible prosecution by the ICC under the principle of complementarity. That is, because the U.S. has no plans to prosecute its operatives for acts that many in the international community consider torture, the ICC prosecutor would be empowered (and possibly compelled) to pursue charges against the interrogators. Erosion of Fundamental Elements of the U.N. Charter. The ICC's jurisdiction over war crimes, crimes against humanity, genocide, and aggression directly involves the court in fundamental issues traditionally reserved to sovereign states, such as when a state can lawfully use armed force to defend itself, its citizens, or its interests; how and to what extent armed force may be applied; and the point at which particular actions constitute serious crimes. **Blurring the lines of authority and responsibility** in these decisions has serious consequences. As Grossman notes, "with the ICC prosecutor and judges presuming to sit in judgment of the security decisions of States without their assent, the ICC could **have a chilling effect on** the **willingness** of States **to project power in defense of** their moral and **security interests.**"[65] **The ability to project power must be protected,** not only for America's own national security interests, but also for those **individuals threatened by genocide and despotism who can only be protected through the use of force.** Complications to Military Cooperation Between the U.S. and Its Allies. The treaty creates an obligation to hand over U.S. nationals to the court, regardless of U.S. objections, absent a competing obligation such as that created through an Article 98 agreement. The United States has a unique role and responsibility in preserving international peace and security. At

any given time, U.S. forces are located in approximately 100 nations around the world, standing ready **to defend** the interests of the U.S. **and** its **allies, engaging in peacekeeping** and humanitarian operations, conducting military exercises, or protecting U.S. interests through military intervention. The worldwide extension of U.S. armed forces is internationally unique. **The U.S. must ensure** that its **soldiers and** government **officials** are **not exposed to politically motivated investigation**s and prosecutions. Supporters of U.S. ratification of the Rome Statute often dismiss these concerns as unjustified, disproved by the ICC's conduct during its first seven years in operation, or as insufficient to overcome the need for an international court to hold perpetrators of serious crimes to account.[66] Considering the other options that exist or could be created to fill the ICC's role of holding perpetrators of war crimes, crimes against humanity, genocide, and aggression to account, the benefits from joining such a flawed institution do not justify the risks. Furthermore, based on the **ICC's** record and the trend in international legal norms, they **are being disingenuous in** dismissing concerns about **overpoliticization** of the ICC, its impact on diplomatic initiatives and sovereign decisions on the use of force, its expansive claim of jurisdiction over the citizens of non-states parties, **and incompatibility with U.S.** legal norms and traditions. A number of specific risks are obvious. Politicization of the Court. Unscrupulous individuals and groups and nations seeking to influence foreign policy and security decisions of other nations have and will continue to seek to misuse the ICC for politically motivated purposes. Without appropriate checks and balances to prevent its misuse, the ICC represents a dangerous temptation for those with political axes to grind. The prosecutor's proprio motu authority to initiate an investigation based solely on his own authority or on information provided by a government, **a nongovernmental organization** (NGO), or individuals[67] **is an open invitation for political manipulation.**

American willingness to project power is the key factor preventing resurgence.

AW '12-10 [Arab Weekly; December 10, 2024; Al-Arab, known as The Arab Weekly, is a pan-Arab newspaper published from London, England; "Power vacuum after fall of Assad fuels concerns of ISIS resurgence," <https://the arabweekly.com/power-vacuum-after-fall-assad-fuels-concerns-isis-resurgence>] brett//recutZM

Although rejoicing in the fall of Syria's autocratic ruler Bashar al-Assad after nearly 24 years in power, Western nations are worried that **a power vacuum in Syria** could **allow the resurgence of** the Islamic State (**ISIS**) extremist group. US Secretary of State Antony Blinken said Monday **Washington is determined to prevent the Islamic State (ISIS) group from rebuilding in Syria, as well as the fragmentation of the country.** "ISIS will try to use this period to re-establish its capabilities, to create safe havens. As our precision strikes over the weekend demonstrate, we are determined not to let that happen," Blinken said at an event at the State Department. In a tacit differentiation with President-elect Donald Trump, who has insisted that the United States has little at stake in the long-troubled nation, Blinken said that Washington had a series of interests in Syria, including keeping it together. "We have a clear interest in doing what we can to avoid the fragmentation of Syria, mass migrations from Syria and, of course, the export of terrorism and extremism," he said. US President Joe Biden on Sunday welcomed Assad's toppling but warned that his departure was a moment of "risk and uncertainty". One senior Western diplomat in the region, who spoke on condition of anonymity, told Reuters that with the rebel forces fragmented, there were fears that lawlessness in Syria could allow the flourishing of extremist groups including Islamic State (ISIS), which in 2014 swept through large areas of Syria and Iraq and established an Islamic Caliphate before it was driven out by a US-led coalition by 2019.

Analysts warn that what remains of the Islamic State (ISIS) group in Syria could gain new life after Bashar al-Assad's fall, potentially claiming territory and freeing its fighters in the

Kurdish-controlled northeast. ISIS has long flourished in conditions of war or uncertainty, often on the territory of failing states. Its fighters are for now holed up in small cells spread across the eastern Syrian desert, with their survival already marking a win in the face of the defunct Assad leadership's weak grip on the region. A chaotic political transition following the bloody half-century of the Assad dynasty's rule and 13 years of civil war could offer the scattered jihadists tangible benefits. "Chaos and anarchy will inevitably be a boon to **the Islamic State**, which has been **biding its time**, slowly and steadily **rebuilding its networks throughout the country,"** said Colin Clark, research director at the New York-based Soufan Center. ISIS wrote in its own official weekly Al-Naba that it would accept no new government in Damascus unless the group itself was in charge. ISIS has rejected the victorious rebels' appeals for peaceful coexistence with religious minorities such as Alawites, Yazidis and Christians. ISIS is widely seen today as a shadow of its former self. But **many experts have for years warned against consigning**

the group and its “brand” prematurely to the history books. It claimed just 121 attacks across Syria in 2023, down from 1,055 in 2019, although the figure has increased this year, wrote Aaron Zelin of the US-based Hudson Institute think tank. “There has been significant evidence suggesting that the Islamic State has purposefully under-reported its claims in Syria to make it appear weaker than it actually is,” Zelin added. Even after the fall of the “caliphate”, ISIS “has continued to try and tax individuals at 2.5 percent ... in different parts of eastern Syria”, he added. According to Yoram Schweitzer, a former Israeli intelligence officer and now researcher at the Tel-Aviv-based Institute for National Security Studies, the **strategy of ISIS** could **match** “what ISKP (The ISIS Khorassan grup) did when the Taliban took control” of Afghanistan, he added, referring to attacks by **the ISIS Afghan branch following the US withdrawal from Kabul** in 2021. Whatever authority ends up controlling Damascus, the ISIS reaction is likely to be the same. One weak spot expected to swiftly draw the attention of ISIS is the string of overcrowded, lightly-guarded camps in the Kurdish zone where tens of thousands of former ISIS fighters, women and children have been held for years. The thousands of detainees, whose home countries have refused to repatriate, could be a time-bomb. If let loose, these ISIS elements would be a serious security threat for the immediate region and for their home countries, experts say. The group already staged a successful breakout from the Ghwayran prison camp in January 2022. But top of the target list would likely be the gigantic Al-Hol camp. “They will try to take advantage of the situation and try to either break in the jail or try to assist those in the jail to break out”, Schweitzer said. He pointed to Kurdish authorities’ trouble maintaining order in the camps in recent years, even as they come under attack from Turkish forces who in turn label the Kurds as “terrorists”. **One key factor in the fight against ISIS will be American willingness to maintain** its roughly 1,000 **troops on the ground** in Syria and keep Ankara from striking the Kurds. In a sign of the concern, US **warplanes** on Sunday carried out strikes on 75 ISIS targets in Syria, warning it would **“remain vigilant”** against the emergence of “terrorist” groups. “I think there will be a **continuing US-led effort to push back against a re-emergence of ISIS**,” said Ian Lesser, of the German Marshall Fund think tank.

Resurgence of ISIS snowballs into CBRN (Chemical, Biological, Radioactive, Nuclear) terror. Extinction.

Fyanka ’20 [Bernard; February 7; Ph.D. in History and Strategic Studies from the University of Lagos in Nigeria; African Security Review, “Chemical, biological, radiological and nuclear (CBRN) terrorism: Rethinking Nigeria’s counterterrorism strategy,” vol. 28]//ZM

The end of the **Cold War** might have **represented the end of mutually assured destruction** (MAD), **but** it did **not** necessarily dispel **the dangers of the nuclear age** – in fact, to some extent **the globalised proliferation of non-conventional weapons** has instead **escalated the possibilities for a nuclear attack** being carried out. During the Cold War, the belligerents of any nuclear conflict would have been easily identifiable; however, **in the post-Cold-War era, non-state actors and terrorist groups** like **Boko Haram** have **emerged** as potential players in a **new variety of nuclear conflicts** that would **entirely be based on terrorist models**. The ominous **possibilities for this new kind of warfare are** indeed **terrifying, and the rise in terrorist attacks around the globe enhances the likelihood** of such an occurrence. Since 9/11, the body of academic literature on the threat posed by terrorists regarding weapons of mass destruction (WMDs) and chemical, biological, radiological and nuclear (CBRN) devices has increased. In Gary Ackerman and Jeremy Tamsett’s edited volume, *Jihadists and Weapons of Mass Destruction*, there is disagreement as to whether this threat is overestimated or underestimated.¹ In recent times, however, **ample ideological incentive for the use of CBRN devices** has been **provided** by the likes of Abu Mus’ab al-Suri – author of the ‘Global Islamic Resistance Call’ – who has stated that “[t]he aim of carrying out resistance missions and individual jihad terrorism “jihad al-irhabi al-fardi” is to inflict the largest human and material casualties possible on American interests and its allied countries’.² This echoes the previous call of Grand Ayatollah Ahmad Husayni al-Baghdadi, who maintained: **If the objective and subjective conditions materialize**, and there are soldiers, weapons, and money – **even if this means using biological, chemical, and bacterial weapons** – we will conquer the world, so that ‘There is no God but Allah, and Muhammad is His Prophet’ will be triumphant over the domes of Moscow, Washington, and Paris.³ **For Boko Haram and other groups, there** definitely **exists a strong motivation for the use of WMDs**, and the global reach of this thinking is not in doubt: **The globalization of the jihadist struggle** has also **led to an increased emphasis on** Islamic identity. In combination with **the ideological theme of revenge, the global struggle for Islamic identity has the potential to** create a new jihadist cultic worldview in which its endorses **seek out WMDs** because they represent the only means to significantly transform reality.⁴ Contextual **scenarios in Nigeria** strongly **suggest that Boko Haram** is one such group which has **embraced the jihadist world view that endorses the use of WMDs**. In this regard, the strengthened affiliation of Boko

Haram's splinter group – the Islamic State West Africa Province (ISWAP) – with the Islamic State of Iraq and Syria (ISIS) confirms their ideological persuasions. The motivation for Boko Haram to use such weapons is thus grounded in the recent use of chemical weapons by ISIS in both Iraq and Syria against both military and civilian targets.⁵ If ISIS is claiming ownership of a faction of Boko Haram as its West African province, it is likely to extend its tactics to its African allies. In the light of the above, the use of WMDs by terrorists cannot be explained within the framework of orthodox terrorism theories. With this in mind, what Russell Worth Parker refers to as the 'Islamic just war theory' suitably anchors a discourse on terrorism and advanced weapons of war.⁶ Most theorists do not support a subjective theory of 'just war', but rather the traditional version that relies on Western ideas of morality and proportionality, as well as on motives for waging war.⁷ On the other hand, ijahidist traditions reinterpret just war's key tenet of proportionality to suit Islamists' conflict rationale. According to the Western form of just war theory, wherein discrimination proves strategically impossible, any response should be proportionate to the action that compels it – hence, proportionality dictates that a military operation should not cause greater harm than the act that it was designed to counter or prevent.⁸ This proportionality argument is exemplified in the use of nuclear weapons in the Second World War; since casualty estimates for an invasion of Japan exceeded one million Allied lives, with similar estimates for Japanese military and civilians, a nuclear attack was preferable. Eventually, the actual casualties suffered from the bombing of Hiroshima and Nagasaki reached 200,000, which represents 10% of the casualties that would likely have been incurred if Japan had been invaded (see <https://avalon.law.yale.edu/>). In the light of this argument, justification for the use of WMDs by terrorist groups would rest on their interpretation of the extent of the damage caused by the military aggression and long-term imperialism of Western powers. Fighting faceless enemies in a CBRN conflict, whether in West Africa or the Middle East, is hard to imagine. Enemies who can easily blend into the crowd and take on the face of ordinary civilians represent a nightmare scenario for security strategists all around the world. The risk of WMDs falling into the hands of terrorist groups is largely dependent on their ability to obtain weapons-grade nuclear material like uranium and plutonium, combined with gaining the capability to build and deploy weapons which make use of them. The global proliferation of nuclear material has made this possible today. The collapse of the Soviet military-industrial complex ushered in a period of uncertainty regarding the security of nuclear material. Consequently, the risk of fissile material falling into the hands of terrorist groups – or into the hands of states that sympathise with or harbour such groups – increased considerably. Lax security at former Soviet nuclear facilities was widespread, making the theft of nuclear material possible. In the chaos that followed the Soviet collapse in the early 1990s, radioactive material was frequently stolen from poorly guarded reactors and nuclear facilities in Russia and its former satellite states. Police operations have intercepted shipments of Soviet nuclear material in cities as far away as Munich and Prague, and experts believe that large batches are still unaccounted for and most likely accessible to well-connected traders on the black market.⁹ Over 1800 metric tons of nuclear material is still stored in facilities belonging to more than 25 countries all around the world.¹⁰ Not all of this material is located in military stockpiles – in fact, most countries maintain civil stockpiles of plutonium for use in nuclear power reactors. The civil stockpiles in the United Kingdom (UK), India, Belgium, France, Germany, Japan and Russia add up to over 230 metric tons of plutonium. In spite of these enormous quantities, the UK, India, France, Japan and Russia have not yet reduced the reprocessing of plutonium for civil use. Although civil plutonium is not weapons-grade, it remains viable as a raw material that can be transformed through an enrichment process for use in a bomb. The United States (US) on the other hand has a comparatively small amount of civil plutonium because of its 1970 policy to suspend the separation of plutonium from spent nuclear fuel.¹¹ About 25 kg of highly enriched uranium (HEU) is required to build a bomb – an insignificant amount in comparison to the global stockpile, which is in excess of 1.6 million kg. On the other hand, about 8 kg of plutonium is needed to build a bomb – a tiny fraction of the 500,000 kg global stockpile.¹² Nuclear facilities that are relics of the Cold War era, especially those located in Eastern Europe, represent a high security risk. More than 130 nuclear reactors powered by HEU are operational in over 40 countries – the fallout of an early Cold-War-era programme in which the US and the Soviet Union helped their allies to obtain nuclear technology. Several other reactors have been shut down but may still contain nuclear fuel on site. In total, the world's research reactors contain 22 tons of HEU – enough to build hundreds of nuclear bombs. The problem is that research reactor fuel tends to be stored under notoriously light security, making it a very vulnerable target for terrorists.¹³

Nuclear war causes extinction;

Starr '15 (Steven Starr, 2-28-2015, Steven Starr: Nuclear War: An Unrecognized Mass Extinction Event Waiting to Happen, Symposium: The Dynamics of Possible Nuclear Extinction, <https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html/>) SM

A war fought with 21st century strategic nuclear weapons would be more than just a great catastrophe in human history. If we allow it to happen, such a war would be a mass extinction event that ends human history. There is a profound difference between extinction and "an unprecedented disaster," or even "the end of civilization," because even after such an immense catastrophe, human life would go on. But extinction, by definition, is an event of utter finality, and a nuclear war that could cause human extinction should really be considered as the ultimate criminal act. It certainly would be the crime to end all crimes. The world's leading climatologists now tell us that nuclear war threatens our continued existence as a species. Their

studies predict that a large nuclear war, especially one fought with strategic nuclear weapons, would create a post-war environment in which for many years it would be too cold and dark to even grow food. Their findings make it clear that not only humans, but most large animals and many other forms of complex life would likely vanish forever in a nuclear darkness of our own making. The environmental consequences of nuclear war would attack the ecological support systems of life at every level. Radioactive fallout, produced not only by nuclear bombs, but also by the destruction of nuclear power plants and their spent fuel pools, would poison the biosphere. Millions of tons of smoke would destroy Earth's protective ozone layer and block most sunlight from reaching Earth's surface, creating Ice Age weather conditions that would last for decades.

Power projection caps great power escalation.

Feaver and Brands 19, *Peter D. Feaver, professor of political science and public policy at Duke University, where he heads the Program in American Grand Strategy and the Triangle Institute for Security Studies. **Hal, Henry A. Kissinger Distinguished Professor at Johns Hopkins School of Advanced International Studies and a senior fellow at the Center for Strategic and Budgetary Assessments. (Spring 2019, "Correspondence: The Establishment and U.S. Grand Strategy", International Security, 43(4), pg. 198–199, doi:10.1162/isec_c_00347)

Fourth, and related, Porter slights the simplest explanation for why there has been substantial consistency in U.S. strategy: because it works. As scholars have demonstrated, the past seventy years have been among the best in human history in terms of rising global and U.S. prosperity, the spread of democracy and human rights, the avoidance of great power war, and the decline of war in general.⁸ It has also been a period when the world's leading power consistently pursued a grand strategy geared explicitly toward achieving those goals. To prove that U.S. grand strategy persists for reasons other than utility, Porter would have to show that U.S. leadership has not been necessary to those outcomes or that it is no longer necessary. But he does not do so (or even really try to do so), and his article does not engage the relevant social science scholarship and historical literature establishing a causal connection between U.S. engagements and key aspects of the relatively benign global order.⁹

C2: Russo-Ukraine

Right NOW, Trump and Putin are having the most productive talks - they are solving the war, Collins LITERALLY YESTERDAY, said

Kaitlan Collins [Anchor and Chief White House Correspondent] 2-12-2025, "After Putin call, Trump says negotiations to end Ukraine war will start 'immediately'," <https://www.cnn.com/2025/02/12/politics/putin-trump-phone-call/index.html>, accessed 2-12-2025, //ZM

President Donald Trump said negotiations to end the Ukraine war will start "immediately" after holding a "lengthy and highly productive" telephone call with Russian President Vladimir Putin on Wednesday morning. The call, which is the first known conversation between the presidents since Trump assumed office last month, came as as Trump makes clear to his advisers he wants to bring the Ukraine conflict to a swift end. Trump administration officials said they hoped a prisoner "exchange" on Tuesday could portend renewed efforts to end the war, which is about to enter its fourth year. Now, as the two leaders resume communication after a long period of silence between the White House and Kremlin, the contours of Trump's

settlement **plan** are **coming into** clearer **focus**. In a readout of the conversation posted on Truth Social, Trump said, "We discussed Ukraine, the Middle East, Energy, Artificial Intelligence, the power of the Dollar, and various other subjects." "We **agreed to work together**, very closely, including visiting each other's Nations. We have **also agreed to** have our respective teams **start negotiations immediately**, and we will begin **by calling** President **Zelenskyy**, of Ukraine, to inform him of the conversation, something which I will be doing right now," Trump wrote.

However the aff is horrific, ruins this progress as Russia doesn't cooperate with the ICC due to the arrest warrant against Putin, HRW '23,

Human Rights Watch [work has expanded to five continents. We investigated massacres and even genocides, along with government take-overs of media and the baseless arrests of activists and political opposition figures], 5-5-2023, "Russia: Law Targets International Criminal Court," <https://www.hrw.org/news/2023/05/05/russia-law-targets-international-criminal-court>, accessed 1-22-2025 [↗](#) JRS

(Berlin) – **Russia's adoption on April 28, 2023, of a law** criminalizing assistance to foreign and international bodies is an affront to victims of serious crimes, Human Rights Watch said today. The law **prohibits cooperation with international bodies, "to which Russia is not a party," such as the** International Criminal Court (ICC) **or any ad hoc international tribunals that may be established to prosecute Russian officials and military personnel, as well as foreign courts. Such cooperation is punishable by up to five years in prison.** "The new law is apparently aimed at further undermining international efforts to secure accountability for crimes committed by Russian nationals, including in Ukraine," said Balkees Jarrah, associate international justice director at Human Rights Watch. "The law in Russia is a new toxic addition to the growing array of draconian criminal legislation adopted in recent years in the name of 'state security.'" On March 17, **ICC judges issued arrest warrants for** Russian President Vladimir **Putin** and his children's rights commissioner, Maria Lvova-Belova. The judges found reasonable grounds to believe that Putin and Lvova-Belova bear criminal responsibility for the alleged unlawful deportation and transfer of Ukrainian children from occupied areas of Ukraine to Russia. **A Kremlin spokesperson denounced the ICC warrants and indicated that Russia does not recognize the court's authority** Separately, Russian investigators had also opened criminal cases against the ICC prosecutor and the panel of judges charged with the case. On March 25, the speaker of Russia's lower house of parliament, Vyacheslav Volodin, presented **the new law as a response to the ICC's arrest warrants**. In addition to the ICC, the new law refers to foreign state bodies, such as Ukrainian courts and the District Court of The Hague in the Netherlands, which handed down a long-awaited ruling on November 17, 2022, related to Malaysia Airlines flight MH17, which was shot down over eastern Ukraine in July 2014. The Dutch court convicted two Russian nationals and a Ukrainian in absentia of murder for their role in the downing of the plane. Ukrainian authorities have also been conducting their own criminal investigations into serious crimes committed by Russian forces in Ukraine as part of the Russia-Ukraine war. Other **laws** in Russia also **criminalize "confidential cooperation" with foreign governments or international organizations deemed contrary to Russia**'s broadly defined "state security," punishable with up to eight years in prison. Repeat offenses of calling for sanctions against Russia are punishable with up to three years.

Continuation of the war causes nuclear escalation, the brink is now, as Ukraine has lost morale and Russia is going to win

Timothy Garton **Ash**, 1/2/25 [Chief expert at the European Council of Foreign Relations], "What if Russia wins in Ukraine? We can already see the shadows of a dark 2025," <https://ecfr.eu/article/what-if-russia-wins-in-ukraine-we-can-already-see-the-shadows-of-a-dark-2025/>, accessed 2-6-2025, //ZM

There are human activities in which both sides can win. **War is not one of them.** Either **Ukraine** wins this war or Russia does. **Ukraine's former foreign minister Dmytro Kuleba says bluntly that unless the current**

trajectory is changed, “we will lose this war.” To be clear: this is still avoidable. Suppose the roughly four-fifths of Ukrainian territory still controlled by Kyiv gets military commitments from the West strong enough to deter any further Russian advances, secure large-scale investment in economic reconstruction, encourage Ukrainians to return from abroad to rebuild their country, and allow for stable, pro-European politics and reform. In five years, the country joins the EU, and then, under a new United States administration, starts the process of entering NATO. Most of Ukraine becomes a sovereign, independent, free country, firmly anchored in the West. The loss of a large amount of territory, the suffering of at least 3.5 million Ukrainians living under Russian occupation and the toll of dead, maimed and traumatised would amount to a terrible cost. **This would not be the complete victory Ukrainians have hoped for and deserve; but it**

would still be a victory for Ukraine and a historic defeat for Russia. A majority of Ukrainians could come to see it as such. In polling the Kyiv International Institute of Sociology (KIIS) has shared with me in advance, Ukrainians are asked if to end the war they could (albeit with difficulty) accept the combination of economic reconstruction and European Union and NATO membership for the current territory. In just the past six months, the proportion saying yes has jumped from 47% to 64%. To try to persuade Europeans to support the necessary policies, but also to understand the

consequences if—as seems most likely—they don’t do so in time, the question we have to ask is: **what if Russia wins?** However, to get to this outcome with Donald Trump in the White House would require a European coalition-of-the-willing to make security commitments of a size and boldness not seen so far. There is a growing understanding of this among European leaders, but the democratic politics in most European countries are miles away from empowering them to do it. To try to persuade Europeans to support the necessary policies, but also to understand the consequences if—as seems most likely—they don’t do so in time, the question we have to ask is: what if Russia wins? **If Russia**

wins we should realistically expect the following consequences for Ukraine, Europe, the US, and world peace. Ukraine would be defeated, divided, demoralised and depopulated. The money would not come in to reconstruct the country; instead, another wave of people would leave it. The politics would become rancorous, with a strong anti-Western trend. New possibilities for Russian disinformation and political destabilisation would emerge. Necessary reforms would stall, and hence also progress towards EU membership. **Europe** as a whole

would see an **escalation of the hybrid war** that Russia is already waging against it, still largely unnoticed by most blithely

Christmas-shopping western Europeans. Not a week passes without some incident: **a Russian destroyer fires a flare at a German military helicopter; there are exploding DHL packages, sabotage on the French railways, an arson attack on a Ukrainian-owned business in east London**; undersea cables in the Baltic Sea are cut; there is a credible death threat to a top

German arms manufacturer. Not all can definitely be traced back to Moscow, but many can. Full-spectrum hybrid warfare includes election interference. In Georgia, the election was rigged. In the Moldovan EU referendum, about 9% of the votes were directly bought by Russia, according to the president, Maia Sandu. In Romania, the first round of the presidential election will be re-run, because a court found large-scale violation of campaigning rules on TikTok. “Ah, that’s eastern Europe!” cries the complacent Christmas shopper in Madrid, Rome or Düsseldorf. But the head of Germany’s domestic security service recently warned that Russia will try to interfere in February’s German general election, which is hardly marginal to the future of Europe. In December we saw president Vladimir Putin again supremely confident in his annual end-of-year marathon press conference cum Call-the-Tsar phone-in, despite the recent Ukrainian assassination of his WMD general. His is now a war economy, dependent on military production for sustaining growth, and a dictatorship defined by confrontation with the West. It would be beyond naive to hope that diplomacy can achieve some magical moment when Putin’s Russia will suddenly become “satisfied” with an outcome in Ukraine, and return to peacetime business as usual. When NATO planners say we should be ready for possible Russian aggression against NATO territory by 2029, they are not simply peddling horror stories so as to increase military budgets. **Maga voters in the US may say “well, what’s all that to us?”**

You Europeans look after yourselves! We have to worry about China”. But **Russia** is now **working** more **closely** than ever **with**

China, North Korea and Iran. Putin may be indicted by the international criminal court, but he still travels half the world as a

welcome guest. He himself has **talked of a new “global majority” and “the formation of a completely new world order.”** In that new order, war and territorial conquest are entirely acceptable instruments of policy, on a continuum with

poisoning, sabotage, disinformation and election interference. **Victory for Russia in Ukraine will encourage China to step up its pressure on Taiwan and North Korea** its needling **of South Korea. That brings** us to the most

serious consequence of all: **nuclear proliferation.** Remember that Ukraine voluntarily gave up its nuclear weapons in 1994, in return for security assurances from the US, the United Kingdom and Russia—and then got hammered by one of the powers that promised it security. In

the latest KIIS polling, **73% of Ukrainians support Ukraine “restoring nuclear weapons”.** Remarkably, **46% say they would do so even if the West imposed sanctions and stopped aid.** In effect, Ukrainians are

saying to the West: if you won’t defend us, we’ll [expletive deleted] do it ourselves. On recent visits to Ukraine I’ve been told several times, “It’s NATO or nukes!” But this is not just about Ukraine. **Vulnerable countries around the world,** also looking at **what is**

happening in the Middle East, will draw the same conclusion. The more countries—and possibly non-state

actors—acquire nuclear weapons, the **more certain** it is that one day **they will be used.** In the German election, Chancellor Olaf Scholz has been shamelessly and shamefully trying to exploit the fear of nuclear war for electoral advantage over his chief rival, the Christian Democrat Friedrich Merz. In fact, it is precisely the consequences of the West’s self-deterrence for fear of Russian nuclear escalation in Ukraine, personified by Scholz and skilfully exploited by Putin, that are **increasing the likelihood** of nuclear proliferation and therefore the

long-term risk **of nuclear war.**

Nuclear war causes extinction;

Starr ‘15 (Steven Starr, 2-28-2015, Steven Starr: Nuclear War: An Unrecognized Mass Extinction Event Waiting to Happen, Symposium: The Dynamics of Possible Nuclear Extinction, <https://ratical.org/radiation/NuclearExtinction/StevenStarr022815.html/>) SM

A war fought with 21st century strategic **nuclear weapons would be more than just a great catastrophe in human history. If we allow it to happen, such a war would be a mass extinction event that ends human history.** There is a profound difference between extinction and “an unprecedented disaster,” or even “the end of civilization,” because even after such an immense catastrophe, human life would go on. But extinction, by definition, is an event of utter finality,

and a nuclear war that could cause human extinction should really be considered as the ultimate criminal act. It certainly would be the crime to end all crimes. The world's leading climatologists now tell us that nuclear war threatens our continued existence as a species. **Their studies predict that a large nuclear war, especially one fought with strategic nuclear weapons, would create a post-war environment in which for many years it would be too cold and dark to even grow food.** Their findings make it clear that not only humans, but most large animals and many other forms of complex life would likely vanish forever in a nuclear darkness of our own making. The environmental consequences of nuclear war would attack the ecological support systems of life at every level. Radioactive fallout, produced not only by nuclear bombs, but also by the destruction of nuclear power plants and their spent fuel pools, would poison the biosphere. **Millions of tons of smoke would destroy Earth's protective ozone layer and block most sunlight from reaching Earth's surface, creating Ice Age weather conditions that would last for decades.**

(dont read this Rishaan this is rebuttal)

Rebuttal

On c1:

Groves '9

1. NU - ICC has no accountability or enforcement mechanism- regional tribunals destroy any aff uniqueness.

Groves, Steven. U.N., 8-18-2009, "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>, accessed 1-30-2025 //CLD

The idea of establishing an international court to prosecute serious international crimes--war crimes, crimes against humanity, and genocide--has long held a special place in the hearts of human rights activists and those hoping to hold perpetrators of terrible crimes to account. In 1998, that idea became reality when the Rome Statute of the International Criminal Court was adopted at a diplomatic conference convened by the U.N. General Assembly. The International Criminal Court (ICC) was formally established in 2002 after 60 countries ratified the statute. The ICC was created to prosecute war crimes, crimes against humanity, genocide, and the as yet undefined crime of aggression. Regrettably, although the court's supporters have a noble purpose, there are a number of reasons to be cautious and concerned about how ratification of the Rome Statute would affect U.S. sovereignty and how ICC action could affect politically precarious situations around the world.

Among other concerns, past U.S. Administrations concluded that **the Rome Statute created a seriously flawed institution that lacks prudent safeguards against political manipulation, possesses sweeping authority without accountability to the U.N. Security Council, and violates national sovereignty by claiming jurisdiction over** the nationals and military personnel of **non-party states** in some circumstances. These concerns led President Bill Clinton to urge President George W. Bush not to submit the treaty to the Senate for

advice and consent necessary for ratification.[1] After extensive efforts to change the statute to address key U.S. concerns failed, President Bush felt it necessary to "un-sign" the Rome Statute by formally notifying the U.N. Secretary-General that the U.S. did not intend to ratify the treaty and was no longer bound under international law to avoid actions that would run counter to the intent and purpose of the treaty. Subsequently, the U.S. took a number of steps to protect its military personnel, officials, and nationals from ICC claims of jurisdiction. Until these and other concerns are fully addressed, the Obama Administration should resist pressure to "re-sign" the Rome Statute, eschew cooperation with the ICC except when U.S. interests are affected, and maintain the existing policy of protecting U.S. military personnel, officials, and nationals from the court's illegitimate claims of jurisdiction. Nor should the Obama Administration seek ratification of the Rome Statute prior to the 2010 review, and then only if the Rome Statute and the ICC and its procedures are amended to address all of the serious concerns that led past U.S. Administrations to oppose ratification of the Rome Statute. Background The United States has long championed human rights and supported the ideal that those who commit serious human rights violations should be held accountable. Indeed, it was the United States that insisted--over Soviet objections--that promoting basic human rights and fundamental freedoms be included among the purposes of the United Nations.[2] Eleanor Roosevelt served as chairman of the U.N. Human Rights Commission when it drafted the Universal Declaration of Human Rights, which has served as the U.N.'s bedrock human rights document since 1948. The United States also played a lead role in championing major international efforts in international humanitarian law, such as the Geneva Conventions. The U.S. has supported the creation of international courts to prosecute gross human rights abuses. It pioneered the Nuremberg and Tokyo tribunals to prosecute atrocities committed during World War II. Since then, the U.S. was a key supporter of establishing the ad hoc International Criminal Tribunal for the former Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR), which were both approved by the Security Council. Continuing its long support for these efforts, the U.S. initially was an eager participant in the effort to create an International Criminal Court in the 1990s. However, once negotiations began on the final version of the Rome Statute, America's support waned because many of its concerns were ignored or opposed outright in the five-week United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court held in Rome, Italy, in June 1998. According to David J. Scheffer, chief U.S. negotiator at the 1998 Rome conference: In Rome, we indicated our willingness to be flexible. ... Unfortunately, a small group of countries, meeting behind closed doors in the final days of the Rome conference, produced a seriously flawed take-it-or-leave-it text, one that provides a recipe for politicization of the court and risks deterring responsible international action to promote peace and security.[3] In the end, despite persistent efforts to amend the Rome Statute to alleviate U.S. concerns, the conference rejected

most of the changes proposed by the U.S., and the final document was approved over U.S. opposition.[4] Since the approval of the Rome Statute in 1998, U.S. policy toward the ICC has been clear and consistent: The U.S. has refused to join the ICC because it lacks prudent safeguards against political manipulation, possesses sweeping authority without accountability to the U.N. Security Council, and violates national sovereignty by claiming jurisdiction over the nationals and military personnel of non-party states in some circumstances. The United States is not alone in its concerns about the ICC. As of August 6, 2009, only 110 of the 192 U.N. member states had ratified the Rome Statute.[5] In fact, China, India, and Russia are among the other major powers that have refused to ratify the Rome Statute out of concern that it unduly infringes on their foreign and security policy decisions—issues rightly reserved to sovereign governments and over which the ICC should not claim authority. The ICC's Record The International Criminal Court has a clear legal lineage extending back to the Nuremberg and Tokyo trials and ad hoc tribunals, such as the ICTY and the ICTR, which were established by the U.N. Security Council in 1993 and 1994, respectively. However, the ICC is much broader and more independent than these limited precedents. Its authority is not limited to disputes between governments as is the case with the International Court of Justice (ICJ) or to a particular jurisdiction as is the case with national judiciaries. Nor is its authority limited to particular crimes committed in a certain place or period of time as was the case with the post-World War II trials and the Yugoslavian and Rwandan tribunals. Instead, the ICC claims jurisdiction over individuals committing genocide, crimes against humanity, war crimes, and the undefined crime of aggression. This jurisdiction extends from the entry into force of the Rome Statute in July 2002 and applies to all citizens of states that have ratified the Rome Statute. However, it also extends to individuals from countries that are not party to the Rome Statute if the alleged crimes occur on the territory of an ICC party state, the non-party government invites ICC jurisdiction, or the U.N. Security Council refers the case to the ICC. International lawyers Lee Casey and David Rivkin point out that the ICC is a radical departure from previous international courts: The ICC represents a fundamental break with the past. It has jurisdiction over individuals, including elected or appointed government officials, and its judgments may be directly enforced against them, regardless of their own national constitutions or court systems. Unlike the ICJ, the ICC has the very real potential to shape the policies of its member states in the substantive areas where it operates. These include the core issues of when states can lawfully resort to armed force, how that force may be applied, and whether particular actions constitute the very serious international offenses of war crimes, crimes against humanity, or genocide.[6] Moreover, although it is generally considered to be within the U.N. family, the ICC is not explicitly a U.N. body. It is an independent treaty body overseen by the states that have ratified the Rome Statute. The ICC is divided into five main components: the Assembly of States Parties, the presidency, the judges, the prosecutor's office, and the registrar.[7] The assembly elects the court's judges and the prosecutor, determines the court's budget, and broadly oversees ICC operations. The presidency, composed of three judges elected by their peers, administers the daily operations of the court, except the independent Office of the Prosecutor. The 18 judges are divided into the Pre-Trial Division, the Trial Division, and the Appeals Division and handle the various judicial responsibilities of the ICC. The Office of the Prosecutor is charged with receiving referrals and information on alleged crimes, considering them, and conducting investigations and prosecutions. The registry handles the non-judicial administration of court matters. The court's structure establishes few, if any, practical external checks on the ICC's authority. Among the judges' responsibilities are determining whether the prosecutor may proceed with a case and whether a member state has been "unwilling or unable genuinely to carry out the investigation or prosecution,"[8] which would trigger the ICC's jurisdiction under the principle of "complementarity," which is designed to limit the court's power and avoid political abuse of its authority. Thus, the various arms of the ICC are themselves the only real check on its authority. This absence of external checks raises serious concerns: The ability both to interpret the law and effectively to force member states to adopt its view gives the ICC unprecedented power. For the first time, a permanent international institution is entitled to determine the legal obligations of states and their individual citizens and to criminally punish those individual citizens—even if its understanding of the law radically differs from the relevant state's position. Moreover, the ICC's judges are not otherwise subject to the supervision or control of the states parties, except in matters of personal corruption. Thus, when the ICC determines what international law requires in any of its areas of competence, this is arguably the final word.[9] The Assembly of States Parties first met in August 2002 to establish a budget and approve various documents and instruments negotiated by states parties between 1998 and 2002 that detailed the court's rules, procedures, and operations. In early 2003, the judges were elected and sworn in, and Luis Moreno-Ocampo was selected as the prosecutor in April 2003.[10] The proposed 2010 ICC budget, which must be approved by the Assembly of States Parties, would provide for a staff of 781 and a budget of \$102.98 million (about \$145 million).[11] Even though the Rome Statute entered into force in July 2002, there is little concrete basis for judging the ICC's performance. Shortly after its formal establishment, the ICC began receiving its first referrals. Currently, the ICC has opened four cases, involving situations in the Democratic Republic of Congo (DRC), Uganda, the Central African Republic, and Darfur, Sudan. The Democratic Republic of Congo. President Joseph Kabila of the Democratic Republic of Congo referred "crimes within the jurisdiction of the Court allegedly committed anywhere in the territory of the DRC since the entry into force of the Rome Statute" to the IC in an April 2004 letter to the prosecutor.[12] In June 2004, the prosecutor announced his decision to open the ICC's first investigation into "grave crimes allegedly committed on the territory of the Democratic Republic of Congo" after concluding that "an investigation...will be in the interest of justice and of the victims." [13] The ICC issued four arrest warrants. Bosco Ntaganda remains free. Germain Katanga and Mathieu Ngudjolo Chui are in ICC custody, and their cases are in pre-trial. Thomas Lubanga Dyilo is under trial by the ICC for the war crime of "[e]luding and conscripting of children under the age of 15 years...and using them to participate actively in hostilities in the context of an international armed conflict." [14] His trial has experienced numerous problems, including a halt in June 2008 by the ICC after the prosecutor refused to disclose documents with "potential exculpatory effect" to the defense.[15] The court granted Lubanga's application for release in July, but it was delayed to permit a series of appeals by the prosecution. The trial proceeded after the prosecutor agreed to make the information available to the defense.[16] but again experienced several missteps.[17] The prosecution rested its case on July 14, 2009.[18] Uganda. In December 2003, President of Uganda Yoweri Museveni referred to the prosecutor crimes against humanity allegedly committed by the Lord's Resistance Army (LRA) rebel group against the population of northern Uganda.[19] The prosecutor announced his determination that there was a "reasonable basis to open an investigation into the situation" in July 2004.[20] Arrest warrants have been issued against five members of the Lord's Resistance Army, including LRA leader Joseph Kony.[21] No arrests have been made, and all suspects remain at large except for one who is dead. The LRA has refused to engage in peace talks or ceasefire negotiations until the ICC arrest warrant for Kony is withdrawn.[22] The Central African Republic. In a July 2005 letter, the government of the Central African Republic referred to the ICC all crimes within the jurisdiction of the court committed anywhere on the territory of the Central African Republic since July 2002.[23] In May 2007, the prosecutor decided to open an investigation into "grave crimes.... Civilians were killed and raped; and homes and stores were looted. The alleged crimes occurred in the context of an armed conflict between the government and rebel forces." [24] In 2008, the ICC issued a warrant for the arrest of Jean-Pierre Bemba, leader of the DRC rebel group Movement for the Liberation of Congo (since transformed into a DRC political party), for war crimes and crimes against humanity committed in the Central African Republic in 2002-2003.[25] Bemba was arrested by Belgian authorities in May 2008 and transferred to ICC custody. Darfur, Sudan. The Security Council referred the situation in Darfur since July 2002 to the ICC in March 2005.[26] The prosecutor announced his decision to proceed with an investigation in June 2006.[27] The ICC has issued four arrest warrants involving the situation in Darfur. Bahr Idriss Abu Garda appeared voluntarily and is not in custody based on his cooperation with the investigation. The three other suspects remain at large, including President of Sudan Omar Hassan Ahmad al-Bashir. The decision to issue an arrest warrant against a sitting head of state was very controversial and led the African Union (AU) to request that the ICC withdraw the warrant out of concern that it could impede the Darfur peace process—concern echoed by aid workers who have since faced increased harassment in Darfur—and undermine the 2005 peace agreement that ended the decades of civil war between Khartoum and southern Sudanese rebels.[28] The AU also decided to refuse to cooperate with the ICC.[29] and several African leaders have argued that the African states party to the ICC should withdraw from the Rome Statute.[30] Other investigations. In addition to these four cases, the Office of the Prosecutor is "currently conducting preliminary analysis of situations in a number of countries including Chad, Kenya, Afghanistan, Georgia, Colombia and Palestine." [31] Interest in using the ICC to investigate situations has increased rapidly. By February 2006, the prosecutor had received 1,732 communications alleging crimes.[32] As of July 2009, the prosecutor has "received over 8137 communications...from more than 130 countries." [33] Thus, the prosecutor received nearly four times as many communications in the past three and a half

years (February 2006 to July 2009) as in its first three and a half years (July 2002 to February 2006).

As an institution, the ICC has performed little, if any, better than the ad hoc tribunals that it was created to replace. Like the Rwandan and Yugoslavian tribunals, **the ICC is slow to act.**

The ICC prosecutor **took six months to open an investigation in Uganda**, two months with the DRC, over a year with Darfur, **and nearly two years with the Central African Republic. It has yet to conclude a full trial cycle** more than

seven years after being created. Moreover, like the ad hoc tribunals, **the ICC can investigate and prosecute crimes only after the fact**. The alleged **deterrent effect** of a standing international criminal court **has not ended atrocities in the DRC, Uganda, the Central African Republic, or Darfur, where cases are ongoing**. Nor has it deterred atrocities by Burma against its own people, crimes committed during Russia's 2008 invasion of Georgia (an ICC party), ICC party Venezuela's support of leftist guerillas in Colombia, or any of a number of other situations around the world where war crimes or crimes against humanity may be occurring.

Another problem is that **the ICC lacks a mechanism to enforce its rulings** and is, therefore, entirely dependent on governments to arrest and transfer perpetrators to the court. However, such **arrests can have significant diplomatic consequences, which** can **greatly inhibit the efficacy of the court in pursuing its warrants** and prosecuting outstanding cases. The most prominent example is **Sudanese President Bashir's willingness to travel to other countries on official visits**--thus far only to non-ICC states-- despite the ICC arrest warrant. This flaw was also present with the ICTY and the ICTR, although they could at least rely on a Security Council resolution mandating international cooperation in enforcing their arrest warrants. In contrast, the Nuremberg and Tokyo tribunals were established where the authority of the judicial proceedings could rely on Allied occupation forces to search out, arrest, and detain the accused.

US not key – other holdouts and withdrawals

Wittner 22 [Lawrence Wittner, US Historian, BA from Columbia College, MA from University of Wisconsin, Ph.D from

Columbia University, 8-11-2022, "Why Should War Criminals Operate with Impunity?", CounterPunch.org,

<https://www.counterpunch.org/2022/08/11/why-should-war-criminals-operate-with-impunity/>]/Kannee

The development of a permanent international court dealing with severe violations of human rights has already produced some important results. Thirty-one criminal cases have been brought before the ICC, resulting, thus far, in 10 convictions and four acquittals. The first ICC conviction occurred in 2012, when a Congolese warlord was found guilty of using conscripted child soldiers in his nation. In 2020, the ICC began trying a former Islamist militant alleged to have forced hundreds of women into sexual slavery in Mali. This April, the ICC opened the trial of a militia leader charged with 31 counts of war crimes and crimes against humanity committed in Darfur, Sudan. Parliamentarians from around the world have lauded “the ICC’s pivotal role in the prevention of

atrocities, the fight against impunity, the support for victims’ rights, and the guarantee of long-lasting justice.” Despite these advances, **the ICC faces** some **serious problems**. Often years after criminal transgressions, it **must locate the criminals and people**

willing to testify in their cases. **Furthermore, lacking a police force, it is forced to rely** up **on national governments** some with a **minimal** commitment to justice, **to capture and deport** suspected criminals **for trial**. Governments also occasionally **withdrew** from the ICC, when angered, as the Philippines did after its president, Rodrigo Duterte, came under investigation. The ICC's most serious problem, however, is that **70 nations, including** the world's **major military powers** have **refused to become parties** to the treaty. The governments of **China, India, and Saudi Arabia never signed** the Rome Statute. **Although** the governments of the United States, **Russia, and Israel did** sign it, **they never ratified** it. Subsequently, in fact, they withdrew their **signatures**. The motive for these holdouts is clear enough. In 2014, Russian President Vladimir Putin ordered the **withdrawal** of his nation from the process of joining the ICC. This action occurred in response to the ICC ruling that Russia's seizure of Crimea amounted to an "ongoing occupation." Such a position, said Kremlin spokesman Dmitry Peskov, "contradicts reality" and the Russian foreign ministry dismissed the court as "one-sided and inefficient." Understandably, **governments harboring** current and future war **criminals would rather not face** investigations and possible **prosecutions**.

Evenson '21

US will manipulate the ICC- Trump hated it first term

Elizabeth Evenson, 5-19-2021, "The US Should Respect the ICC's Founding Mandate," Human Rights Watch, <https://www.hrw.org/news/2021/05/19/us-should-respect-iccs-founding-mandate>, accessed 1-30-2025 //CLD

After more than two years combatting the Trump administration's egregious attacks on the International Criminal Court (ICC), it is refreshing to contemplate a possible return to a constructive U.S. policy toward the Court. The American Society of International Law Task Force report is a critical contribution to the discussion. The task force describes ways in which the ICC's work intersects with U.S. interests, and it makes valuable recommendations even beyond the ICC — for example, on advancing domestic prosecutions of atrocity crimes — that the Biden administration hopefully will adopt. But we disagree with recommendations that would make prosecution of U.S. nationals before the Court less likely, even in the absence of genuine national proceedings. This would advance neither justice nor the Court's success. The task force provides a panoply of options for constructive U.S. engagement with the ICC, even though it is not a State party. They include supporting witness protection and assistance to victims at the Court, reporting to Congress on ICC-related developments, and tasking its diplomatic missions to follow relevant developments in "situation countries" where the Court's prosecutor is conducting investigations or preliminary examinations. It also recommends supporting ICC investigations under appropriate circumstances. While these recommendations are positive, and would go beyond what the Biden administration has signaled about its prospective cooperation in "exceptional cases," they do not go far enough. Since 2017, the ICC prosecutor has opened four new investigations, including on Burundi and Bangladesh/Myanmar, and announced that investigations are also warranted in Ukraine and Nigeria. **The ICC is relevant in far too many places for the United States to sit on the sidelines.** In the long term, the United States should join the Court, but in the meantime U.S. cooperation with the ICC should be the rule, not the exception. **The prospect of investigations in Afghanistan and Palestine** — to the extent they could implicate the conduct of U.S. and Israeli nationals — **triggered Trump's attacks.** The Afghanistan and Palestine situations, both now open before the Court but still in their earliest phases, **are likely to be the source of considerable tension in the U.S. relationship with the Court.** The Biden administration has already reiterated that it "disagree[s] strongly with the ICC's actions relating to the Afghanistan and Palestinian situations." The task force (Just Security Executive Editor Beth Van Schaack is a co-chair of the task force, with Ambassador Todd Buchwald) grappled with this reality. It provides several potential U.S. arguments to ensure the Court does not pursue cases against U.S. nationals, and suggests the U.S. could work in a mutually supportive way with Israel to the extent the latter also seeks to deprioritize cases against its nationals. The task force sees these options as consistent with "reduc[ing] the prospect of future clashes between the ICC and the US," and also to "put the Court on a firmer footing" in light of its track record of few convictions and inconsistent rulings. These options can be grouped in two categories: (1) U.S. steps to support a view that the ICC should deprioritize cases against U.S. nationals in the Afghanistan investigation, and (2) ways to engage with the ICC review process that would make future prosecution of U.S. nationals less likely in any situation by narrowing the scope of the Court's work. (The review is being conducted under a December 2019 resolution of the Assembly of States Parties intended to strengthen the ICC "as a means to end impunity" for perpetrators and "bring justice to the victims," and to "improve its performance.") While these recommendations seek to work with the Court's legal framework, at least some presume the United States has instituted a degree of accountability that doesn't reflect the reality of the government's actions. Furthermore, some recommendations could distort the review process in a manner that would undermine the ICC and accountability efforts far beyond the Afghanistan (and Palestine) situations. U.S. Inaction on Justice for Abuses in Detention The task force does not trivialize allegations of abuse by U.S. nationals in connection with the Afghanistan conflict. It also rebuts Trump administration arguments about politicization of the ICC and reiterates that the longstanding U.S. objection to ICC jurisdiction over nationals of non-states parties has no basis in the Rome Statute. It seeks instead to identify arguments to convince the prosecutor to deprioritize cases against U.S. nationals based "on the totality of steps that [the United States] has taken to address

allegations and prevent recurrence, together with the scale of abuses.” The Rome Statute contains avenues for national authorities to challenge the Court’s jurisdiction based on genuine domestic proceedings, consistent with the principle of complementarity. The ICC is a court of last resort. But the lackluster U.S. record on domestic proceedings to date should not preclude ICC investigation of these very serious abuses.

While the U.S. has conducted limited investigations into alleged abuses by U.S. personnel in Afghanistan, it has not prosecuted senior civilian and military officials who could bear responsibility for authorizing

these abuses or for failing to punish perpetrators. The task force seeks to distinguish abuses by military personnel on grounds including that — unlike CIA torture — abuses were not explicitly authorized at the most senior level. The public record is clear, however, that abuses were not exclusively by rogue actors but based on formal policies that authorized abusing detainees. Moreover, the failure to stop the abuses — and to continue to authorize using them elsewhere — led to a culture that condoned them. As the then-chairman of the Senate Armed Services Committee, Carl Levin (D-MI), said in opening an inquiry into detainee abuse in 2008, “when [Defense] Secretary Rumsfeld approved the use of abusive techniques against detainees, he unleashed a virus which ultimately infected interrogation operations conducted by the U.S. military in Afghanistan and Iraq.” When it comes to CIA abuses, the task force presents possible arguments as to why, despite the absence of prosecutions, limited U.S. investigations should be considered sufficient to meet the Court’s test of genuine proceedings. It also suggests building out a complementarity defense based on non-criminal measures, like investigative commissions and legal and policy reforms to prevent recurrence. But there is no excuse for the failure to prosecute senior officials for CIA torture. Nor is there evidence that even absent criminal prosecution, individuals were otherwise sanctioned. **The U.S. record on accountability for military abuses is**

abysmal. Victims were harmed without accountability, regardless of whether crimes were committed by the CIA or

Department of Defense personnel. **Policy and legal reforms do not suffice** given the nature of the abuses. **The 6,000-page**

Senate Intelligence Committee report on CIA torture, most of which remains classified, provides

gruesome accounts. Some victims remain in circumstances that perpetuate the harm they suffered, despite more than 15 years in U.S.

custody. The task force stresses that this is a pragmatic approach, not necessarily an ideal one. But accepting this record as reflecting genuine efforts to bring about accountability would shortchange victims and dilute the Court’s standards. The task force also suggests the U.S. could underscore its status as a non-State party. But creating a lower threshold would undo a core element of the Court’s treaty: making the nationality of the accused irrelevant for crimes committed on the territory of States parties, as is the case in the Afghanistan situation.

Distorting the ICC Review Process The task force recommendations on using the review process to influence the ICC’s admissibility criteria are particularly worrisome. Recommended changes would echo the task force suggestions for U.S. arguments in the Afghanistan situation, namely: (1) raising the gravity threshold, or (2) reimagining complementarity in a way that would fall short of traditional criminal prosecutions, with different standards for non-States parties. The review process, however, is aimed at strengthening the Court’s delivery of justice, following disappointment in its performance. It should not be used to subvert the Court’s reach in applying justice. The design of the review process included hard-won safeguards to insulate it from the agendas of individual States parties, with an assessment of the Court’s functioning by a group of independent experts at its center. To be sure, there has been interest among some States parties to clarify aspects of complementarity as part of the review, and the independent expert review addressed the alarming gap between the Court’s workload and available resources. But that group’s recommendations for policy or practice changes in these areas were addressed exclusively to the Court’s prosecutor and not to States parties. Indeed, States parties — and the United States — should approach complementarity in the review process with extreme caution, if at all. Decisions about which situations and cases to pursue go to the heart of prosecutorial and judicial independence. These principles are not up for grabs. We agree that “the Court is spread too thin.” Its budget has remained more or less at

zero-growth since 2017. But widening the impunity gap by advancing an understanding of complementarity that would justify non-prosecution — particularly by non-States parties where the ICC properly has jurisdiction — is no answer. The test advanced by the task force may also worsen double standards. **Powerful**

states could mount national inquiries to insulate themselves from the Court’s reach, even without

prosecutions, while less-resourced states would remain subject to the Court’s jurisdiction. Better solutions

include: developing robust strategies for responsibly completing ICC investigations to maximize true justice for affected communities and build capacity to support domestic investigations and prosecutions to complement those brought by the Court; expanding the Court’s capacity through better resourcing and performance; redoubling atrocity prevention and rule-of-law efforts globally; and conducting a stakeholder discussion to set out a 10-year strategy for the Court, as the independent expert group recommended. **Bringing the United States**

into partnership on international justice is important. But States parties and other stakeholders **should** remain vigilant that it does

not come at the expense of the Court’s mandate. The review process should not be a Trojan horse that undermines, rather

than strengthens, the Court’s delivery of justice. U.S. support for international justice has been game-changing in some situations, such as the impact of U.S. involvement when it came to the International Criminal Tribunal for the former Yugoslavia, and it could be for future efforts to

pursue justice through the ICC, as already seen given the U.S. role in the surrender of two suspects to the Court. **It should not come,**

however, at the cost of subtly degrading the Court's legal framework or excluding valid claims from victims of grave crimes.

On c2:

NU - Empirics prove: Trump leaving the Paris Agreement in 2017 had immense backlash on the US

Brendan **Guy**, 6-9-20**17**, "Universal Backlash From Leaders on Trump's Paris Blunder," No Publication, <https://www.nrdc.org/bio/brendan-guy/universal-backlash-leaders-trumps-paris-blunder>, accessed 1-30-2025 //YHJL

The blowback to President **Trump's announcement to exit the Paris climate agreement** came swift and thunderous. Only such a generationally irresponsible move could **raise the ire of leaders** across all walks of society so quickly. Leaders from business, security, faith, and labor, as well as **government leaders** at all levels, roundly **condemned Trump's** move as a colossal **failure** of responsibility **to protect people**, and a failure to capitalize on the economic opportunities of the clean energy economy. In announcing America's withdrawal from the world, Trump rationalized the decision by saying, "we don't want other leaders and other countries laughing at us anymore." Far from laughing, **the most common reaction from leaders was** a sense of profound **disappointment in Trump's** decision, accompanied by a strong resolve to double down their own and collaborative efforts to tackle the climate change challenge. The only thing leaders are laughing about is Trump's claim that he would seek to "renegotiate" the Paris climate agreement. No leader has expressed an iota of interest in renegotiating a pact supported by all countries in the world except Syria and Nicaragua, and it is pretty tough to have any negotiating leverage when Trump has turned America into a global climate outcast. Below are many of the strong reactions from world leaders, business and investment leaders, governors, mayors, and labor, security, and faith leaders that demonstrate just how isolated President Trump is on this irresponsible decision, both abroad and at home:

World Leaders "China is a big country, and China will therefore keep to its international responsibility." —Chinese Premier Li Keqiang "India stands committed to its commitments made at Paris irrespective of what happens in the rest of the world. Clean energy is not something that we are working on because somebody else wants us to do it. It's a matter of faith and the faith of the leadership in India. Nothing on Earth is going to stop us from doing that." —Indian Power, Coal, Mining, and Renewable Energy Minister Piyush Goyal "The EU and China consider climate action and the clean energy transition an imperative more important than ever. They confirm their commitments under the historic 2015 Paris Agreement and step up their co-operation to enhance its implementation." —European Union-China Joint Leaders' Statement "We deem the momentum generated in Paris in December 2015 irreversible and we firmly believe that the Paris Agreement cannot be renegotiated since it is a vital instrument for our planet, societies and economies." —Joint statement from German Chancellor Angela Merkel, French President Emmanuel Macron, and Italian Prime Minister Paolo Gentiloni "We **are deeply disappointed that the United States** federal government **has decided to withdraw from the Paris Agreement**. Canada is unwavering in our commitment to fight climate change and support clean economic growth."

[T] Hegemony risks moral hazards, causes all of their war scenarios

Posen 13 - (Ford International Prof of Political Science and Director of the Security Studies @ MIT. Barry R, "The Case for a Less Activist Foreign Policy," 92 Foreign Aff. 116)//YHJL

U.S. security guarantees also encourage plucky allies to challenge more powerful states, confident that Washington will save them in the end—a classic case of moral hazard. This phenomenon has **caus[ing]**ed the **United States to incur political costs, antagonizing powers great and small for no gain and encouraging them to seek opportunities to provoke the United States in return.** So far, the United States has escaped getting sucked into **unnecessary wars**, although Washington dodged a **bullet in Taiwan** when the Democratic Progressive Party of Chen Shui-bian governed the island, from 2000 to 2008. His frequent allusions to independence, which ran counter to U.S. policy but which some Bush administration officials reportedly encouraged, unnecessarily provoked the Chinese government; had he proceeded, he would have surely triggered a dangerous crisis. Chen would never have entertained such reckless rhetoric absent the long-standing backing of the U.S. government. **The Philippines and Vietnam** (the latter of which has no formal defense treaty with Washington) **also seem to have figured out that they can needle China over maritime boundary disputes and then seek**

shelter under the U.S. umbrella when China inevitably reacts. Not only do these disputes make it harder for Washington to cooperate with Beijing on issues of global importance; they also risk roping the United States in to conflicts over strategically marginal territory. Georgia is another state that has played this game to the United States' detriment. Overly confident of Washington's affection for it, the tiny republic deliberately challenged Russia over control of the disputed region of South Ossetia in August 2008. Regardless of how exactly the fighting began, Georgia acted far too adventurously given its size, proximity to Russia, and distance from any plausible source of military help. This needless war ironically made Russia look tough and the United States unreliable. This dynamic is at play in the Middle East, too. Although U.S. officials have communicated time and again to leaders in Jerusalem their discomfort with Israeli settlements on the territory occupied during the 1967 war, Israel regularly increases the population and dimensions of those settlements. The United States' military largess and regular affirmations of support for Israel have convinced Israeli hawks that they will suffer no consequences for ignoring U.S. advice. It takes two to make peace in the Israeli-Palestinian conflict, but the creation of humiliating facts on the ground will not bring a negotiated settlement any closer. And Israel's policies toward the Palestinians are a serious impediment to improved U.S. relations with the Arab world.

2. NQ: Affirming doesn't solve because the ICC can never get enough power to arrest Russian officials

Rashmin **Sagoo**, 03-20-20**23**, "The ICC response to Russia's war gives hope for justice," Chatham House – International Affairs Think Tank, <https://www.chathamhouse.org/2023/03/icc-response-russias-war-gives-hope-justice>, accessed 1-30-2025 //YHJL

Warrants of arrest for Russian president Vladimir **Putin** and Maria Alekseyevna Lvova-Belova, commissioner for children's rights in the president's office, **have been issued because the** Pre-Trial Chamber II of the International Criminal Court (**ICC**) has reasonable grounds to **believe they have committed war crime**s. Following an independent investigation and evidence-gathering by the ICC prosecutor Karim Khan in his first new case since taking office, the pair are accused of committing two different war crimes – the unlawful deportation of children from Ukraine to Russia, and the unlawful transfer of children from occupied areas of Ukraine to the Russian Federation. The focus on those two war crimes is likely due to clear evidence that deportation and forcible transfer of thousands of Ukrainian children have occurred, as the Russian government was overt about its policy of taking Ukrainian children to Russia and placing them in camps or putting them up for adoption by Russian families. Furthermore, in line with the Office of the Prosecutor's policy on children, crimes against children are prioritized given their particularly vulnerable status. Jurisdiction and enforcement The ICC does not have jurisdiction over crimes committed fully in Russia by Russian nationals, as Russia is not a party to the Rome Statute which created the ICC. However, it does have jurisdiction over war crimes, crimes against humanity, and genocide committed in Ukraine irrespective of who committed them, pursuant to two declarations lodged by Ukraine in 2014 accepting the Court's jurisdiction over its territory from November 2013. Making the warrants public enables the ICC to reclaim itself as a key avenue for ensuring accountability for international crimes, following a wave of criticism and disenchantment about its work. Although a prosecution has been initiated, it is ultimately for the judges of the ICC to decide on the accused's fate. **But the chances of Putin getting arrested** or tried for these offences **are slim. The ICC lacks** enforcement or police **power and depends on** state **cooperation to** execute **arrest** warrants. Also, because it cannot try individuals in their absence, a trial or conviction cannot occur without Putin and Lvova-Belova being in custody.

Cross apply 1st con of ukraine, trump is independently mediating the conflict with a ceasefire. This means that they don't actually prevent anything because the U.S. is already solving the ukraine crisis.