

We Affirm

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

Our sole contention is a better world

It's time for the US to commit to justice---and the ICC.

Scheffer '23 [Amb David; He is the former Mayer Brown/Robert A. Helman Professor of Law at Northwestern Pritzker School of Law (2006-2020). He was the U.S. Ambassador at Large for War Crimes Issues (1997-2001) and led the U.S. delegation to U.N. talks to establish the International Criminal Court. He was Vice President of the American Society of International Law and International Francqui Professor at KU Leuven (Belgium) and is currently Professor of Practice at Arizona State University and senior fellow at the Council on Foreign Relations; "The United States Should Ratify the Rome Statute"; <https://lieber.westpoint.edu/united-states-should-ratify-rome-statute/>; Accessed 1/27/25] manan

The Pentagon should embrace the duty of the law and when necessary justify the conduct of warfare to Congress, to the public, and even to the courts during the adjudication of relevant cases. A skeptical fear of being accused of atrocity crimes is a long way from the reality of credibly being investigated or prosecuted

for such international crimes. The world has changed and any presumption of the right to commit atrocity crimes, or to be shielded from accountability, is quite antiquated. If the U.S. military dared to plan and implement genocide, crimes against humanity, or serious war crimes anywhere in the world, then such action would demand investigation and prosecution at home with enforcement of federal and military law.

Article 18 of the Rome Statute, which as a negotiator I proposed and largely drafted, is intended to give a country like the United States the opportunity to seize the reins of justice and hold onto them without interference by the ICC. We should take that option seriously if the need arises, but which actually should not arise because U.S. armed forces and indeed our civilian leadership should never be engaged in the planning and commission of atrocity crimes and certainly not of the magnitude that could trigger ICC jurisdiction. One has to think counter-intuitively to enter the world of ICC paranoia, namely that the United States must never become a State Party because it should be at liberty to act with permanent impunity as a non-party State or that the United States should be free to plan and commit atrocity crimes without consequence even if it were to become a State Party, so the Rome Statute should somehow permit that outcome.

Every study concludes the ICC has the potential to be effective

CICC 'ND [Coalition for the International Criminal Court; We are a partnership of civil society organizations, small and big, in 150 countries, fighting for global justice for war crimes, crimes against

humanity and genocide; “20 ICC benefits”;

<https://www.coalitionfortheicc.org/explore/20-icc-benefits>; Accessed 1/28/25] manan

1. It is a **Global Court** for the powerless - Around the globe, **victims of genocide, crimes against humanity and war crimes** are demanding **justice** and **redress**. By making the **ICC** and **Rome Statute** system of international justice truly **GLOBAL**, individuals **suspected** of committing these universally **abhorred** crimes can be held to **account** in courts of law **around** the **world**.
2. It is a Court of **last resort** - The ICC prosecutes individuals for war **crimes**, crimes against **humanity** and **genocide**. But only if governments **don't do so first**.
3. It **gives** us a **path to global peace** - **Grave** crimes threaten the **peace**, security and **well-being** of the world.
4. It is a symbol of **hope** – Throughout history, millions of **children, women and men** have been victims of **unimaginable** atrocities. In the 20th century **alone**, an estimated **200 million** people **died as a result of conflict, massacres and oppression**. That's around **1** in every **27** deaths.
5. It is **independent** and **impartial** - One of the main achievements and **pillars** of **the Rome Statute** is the **independence** of the **ICC**, including the prosecutor and judges, from **governments** and from the **United Nations Security Council**. The ICC Rome Statute carries with it **safeguards against politically motivated investigations and prosecution**.
6. It is **mandated** by the international **community** - By existing, the **ICC** is implementing its **mandate** as laid out in the **Rome Statute**, **bravely fought for by the likeminded group of states**. This is one of the most **remarkable** human rights and **diplomatic achievements in history**. 124 states are now **members** of the **Assembly** of States Parties. They must continue to **defend** the Court and provide it with support in **difficult** times.
7. It is **supported states** and civil **society** – The push for the **ICC** was **driven by a ground-breaking alliance** between **states** and civil **society** around the **world**. This is a movement to end impunity that has defied all the odds.
8. It is making **progress** - The **ICC has made significant progress in holding** high-level suspected **perpetrators of atrocities to account**. The Court has **issued** its first **verdicts** and **thousands** of victims are receiving **reparations**. It is true that the **Court** is not there yet - but it was only set up in **2002**. We believe that **by making the ICC stronger** and ensuring **states** can **fairly** and genuinely **investigate** and **prosecute crimes in their own courts**.
9. It is a court for **future** generations - The ICC may **stumble**, but its full potential will be realized in the **generation** of our **children**.
10. It can **contribute** to preventing **crimes**- ICC **investigations** and prosecutions can **contribute** to a global **effort** to **prevent genocide**, crimes against humanity and war **crimes** from happening in the **first** place.
11. It stands for **equality** of all before the **law** - Because of the **cornerstone** Rome Statute prohibition of **immunity**, for the first time in history, we can bring **all** individuals - including presidents, generals and rebel leaders - to **justice** for grave international crimes.
12. It is a **victim-centered Court**- Victims of grave crimes are the reason the ICC exists. In this unique system, they can participate in ICC proceedings and receive reparations, including through the Trust Fund for Victims, to help rebuild their lives.

13. It is responding to the calls of victims - Victims of grave crimes have said time and again they want justice, either through national judicial systems or through the ICC.

14. It sets justice standards – Through fair, effective and independent justice, the ICC's investigations, trials and staff must set the standard for justice for grave crimes.

15. It protects women and advances gender justice – The ICC is leading efforts to develop an international framework to prosecute those responsible for horrific sexual and gender-based crimes around the world.

16. It protects children and advances justice for children - Children suffer terribly by crimes under ICC jurisdiction. Hundreds of thousands of children are also forced to take part in these wars. The ICC's very first verdict was against Congolese militia leader Thomas Lubanga for enlisting and recruiting children under the age of 15 to actively participate in hostilities.

17. It is a sound investment in peace – International justice is certainly not cheap in a world of ever rising prices. But consider this: the ICC \$170 million yearly budget is a fraction of the costs of the conflicts that make justice and redress necessary. In 2015, governments spent \$14 trillion on war.

18. It builds stable societies – Ratifying the Rome Statute brings states into a framework of international support to develop national laws and capacities to prosecute war crimes, genocide and crimes against humanity.

19. It increases access to justice – Access to justice is goal 16 of the new United Nations Global Goals, agreed to by all UN member states.

20. It involves states in its governance – Through its governing body, the Assembly of States Parties, the ICC provides forum for states to shape the future of international criminal justice and to advocate for reform. Each state has one equal vote.

However, the key barrier to ICC efficacy is a lack of great power membership,

Matthew Gordin , NO DATE, "Can the International Criminal Court be Effective Without Support From the Major Powers?," Democracy Lab,

<https://leadershipanddemocracy.ca/oped13>, accessed: 7-1-2024 //ZD [recut //SG!]

For many countries the court represents a possibility for change. In underdeveloped countries, the ICC represents a channel to voice their interest on the international stage; in countries like Fiji and Chili, the ICC comes as an added security check against revolting anti-democratic forces; in many countries, participation in the ICC simply symbolizes their respect for the rule of law and their solidarity with the principles of the court (Walker, 255). Key Issues Many states however are skeptical of an international institution which can hold them accountable against their sovereign will. The major powers which have not ratified the statute into their domestic law are China, India, Russia and most notably the United States. Each state has their own rational for not ratifying however their largest concern is accountability. While in theory every state should cooperate with the ICC once they have ratified the Rome Statute, it is naive to think that states will follow through when there are no big players to hand out repercussions. By not having powers such as the China, India, and most importantly the US, the ICC's credibility is damaged and states are less likely to cooperate with an international organization that can not call on major states to help reinforce their power. We have seen in the past how a hegemon's absence in international institutions has led to their failure. After WW1 the League of Nations was created to ensure world peace, however its credibility was largely weakened by the absence of the US and it was not effective in preventing the second world war. The key to improvement lies in changing the current ICC cooperation model. The court must begin to act not only as a legal entity, but a political one, acting in accordance with current political realities and convincing states that cooperating with the court will not diminish their sovereignty, but enhance it (Banteka, 530). By doing so, the court can increase its chances of gaining support from the major powers which will not only give them more

power to enforce cooperation, but also enhance their legitimacy. Article 42 of the Rome Statute currently states that “The Office of the Prosecutor (OTP) shall not act on instructions from any external source... or yield to political considerations” however, being an actor on the international stage, the ICC’s decisions are inherently political and to claim otherwise only reflects as a weakness of the court (Banteka, 531). The OTP has complete discretion in launching investigations, choosing which charges to bring, and to whom; often acting on behalf of the entire international community and taking into account the interests of civilians and states (Bensouda, 437). A court which is overly idealistic will never bring change, **but a court which embraces modern political realities and uses them to navigate the international sphere to capitalize on their unique power can make all the difference in the world** (Banteka, 532). Cooperation is not the only issue faced by the court. The Rome Statute itself, is one of the largest barriers to the ICC’s success. In order to amend the Rome Statute, an amendment request would need to come from either a member state, a majority of judges, or the prosecutor (Kacker, 118). The Rome Statute indicates if the state does not comply, the ICC may refer the matter to the UNSC, but provides no further instruction on how the ICC may enforce state cooperation (Barnes, 1600). Further, the Rome Statute says the title of ‘Head of State’ does not automatically imply immunity from prosecution but does mention ‘diplomatic immunity’ which can be interpreted as such, and gives no clarification if this immunity applies to only nationals or all indicted individuals (Barnes, 1600). Lastly, the Statute indicates the possibility for immunity or excusal in the case of existing agreements with third parties, but gives no clarification on what kind of agreement justifies an excusal (Barnes, 1600). This is problematic because it is difficult to punish a state that has breached the Rome Statute, and to determine when an individual has valid immunity (Barnes, 1600).

That’s because the ICC’s ability to enforce international law is fundamentally reliant on its member states,

Frankie Wong, 9/26/19, "Criticisms and Shortcomings of the ICC", AA,

<https://accessaccountability.org/index.php/2019/09/26/criticisms-and-shortcomings-of-the-icc/> //SG!

While the ICC is directed to try the most serious crimes, it is given “a budget that enables only a handful of prosecutions per year”. Because of the small number of sitting judges, the ICC can hear only a limited number of cases at any given time. **Without States’ support and cooperation, the ICC would have no funding, no defendants to prosecute, and no evidence with which to conduct prosecutions, all of which would go against the very purpose of setting up the ICC.** Despite the number of signatories to the Rome Statute, **there are more than 70 States that have yet to join, including the world’s four most populous countries. This leaves the majority of the globe outside the legal jurisdiction of the Rome Statute. It should be recognised that the global legitimacy and the normative effect of the Rome Statute correlate positively with the number of ICC member States. The more States willing to assist the Court, the more effective it could become, for example, in the process of obtaining evidence or arresting suspects.** The example of Omar Al-Bashir above demonstrates cooperation even from signatory States remains lacking. **The very design of the ICC entrenches a two-pillar system where the Court serves as the judicial pillar while States act as the enforcement pillar. Without State cooperation, the Court is rendered unworkable as it has no enforcement mechanism of its own.** Furthermore, lack of cooperation could increase the operating costs and diminish the Court’s ability to deliver justice in the eyes of the victims. Worse still, it might give a false impression to perpetrators that impunity is permissible and would go unpunished, thereby undermining the Court’s credibility.

Major powers are key to upholding an effective enforcement pillar,

Ian Courts, 6-16-2021, "The U.S. Should Sign and Ratify the Rome Statute; Global Peace & Accountability Depend On It!," Medium,

<https://ianlamarcourts.medium.com/the-u-s-should-re-sign-and-ratify-the-rome-statute-global-peace-a-c-countability-depend-on-it-e70558d92363>, accessed 1-22-2025, //ZD [recut //SG!] To increase the legitimacy of the I.C.C. in the eyes of the global community, the Court must be transparent in its internal data on its investigations and prosecutions and its enforcement methods. In response to this report, the International Prosecutor’s Office has committed to increasing transparency in its operations. Accountability The I.C.C.’s jurisdiction is limited; furthermore, the enforcement of its judgments is predicated on the parties’ acceptance and submission to the terms of the judgment. Global accountability has historically been difficult for international organizations such as the United Nations and International Criminal Court. Global **accountability for political actors is largely dependant on** the volitional decision of powerful people to submit to consequences or the cooperation of more **powerful people to force**

lesser powers to accountability. A global system that relies solely on global cooperation will continue to produce haphazard or piecemeal justice measures. **The I.C.C. absent** an independent enforcement body, or the **cooperation of the United States will continue to be impeded in holding malicious global actors accountable.** The U.S. and I.C.C. & the Opportunity for Cooperation and Agreement Despite the U.S. and the I.C.C.'s complicated relationship history, there is a real opportunity under the Biden-Harris Administration and subsequent presidential administrations to foster genuine cooperating with the Court while holding each other accountable. **The Rome Statute's mandate fits with the United States's belief in the rule of law and promotion of justice. By signing and ratifying the Rome Statute, the U.S. would signal to the world that it is committed to truth and accountability.** Further, the U.S.'s ratification of the Rome Statute would demonstrate our hopes to remedy both intentional and unintentional harm created by our global political actions. Additionally, **the ratification of the Rome Statute would further open our federal courts, notably the Supreme Court of the United States, to weigh in and develop international jurisprudence on war crimes, genocides, crimes against humanity, etc.** Furthermore, **it would put other nation-states on notice that the United States and the International Criminal Court are partnered together to enforce international criminal law and justice,** thus hopefully **ushering in a new age of global accountability.** Our world has become more interconnected; moreover, **when political violence occurs in one nation today, its effects reverberate across the globe.** We can look at the global Black Lives Matter demonstrations last year to prove that our global community is solidifying around truth, equity, and justice. The mandate of the Rome Statute and the I.C.C. is critical to transforming the "shared feelings" among our global communities into genuine accountability. Moreover, **cooperation between the United States and the I.C.C. will strengthen the enforcement of our global values and the combating of international political crimes.** The Biden-Harris has the opportunity to engender a stronger relationship between the International Criminal Court and the United States, thus bolstering the Court's mandate and reaffirming the U.S.'s commitment to the rule of law.

Indeed, Gordin ND confirms,

Matthew Gordin , no date, "Can the International Criminal Court be Effective Without Support From the Major Powers?," Democracy Lab,

<https://leadershipanddemocracy.ca/oped13>, accessed: 7-1-2024 //ZD [recut //SG!] For many countries the court represents a possibility for change. In underdeveloped countries, the ICC represents a channel to voice their interest on the international stage; **in countries like Fiji and Chili, the ICC comes as an added security check against revolting anti-democratic forces; in many countries, participation in the ICC simply symbolizes their respect for the rule of law and their solidarity with the principles of the court** (Walker, 255). Key Issues Many states however are skeptical of an international institution which can hold them accountable against their sovereign will. **The major powers which have not ratified the [rome] statute** into their domestic law are China, India, Russia and **most notably the United States.** Each state has their own rational for not ratifying however their largest concern is accountability. While in theory every state should cooperate with the ICC once they have ratified the Rome Statute, it is naive to think that states will follow through when there are no big players to hand out repercussions. **By not having powers such as** the China, India, and **most importantly the US, the ICC's credibility is damaged and states are less likely to cooperate with an international organization that can not call on major states to help reinforce their power. We have seen in the past how a hegemon's absence in international institutions has led to their failure.** After WW1 the League of Nations was created to ensure world peace, however its credibility was largely weakened by the absence of the US and it was not effective in preventing the second world war. The key to improvement lies in changing the current ICC cooperation model. The court must begin to act not only as a legal entity, but a political one, acting in accordance with current political realities and convincing states that cooperating with the court will not diminish their sovereignty, but enhance it (Banteka, 530). By doing so, the court can increase its chances of **gaining support from the major powers** which will **not only give them more power to enforce cooperation, but also enhance their legitimacy.** Article 42 of the Rome Statute currently states that "The Office of the Prosecutor (OTP) shall not act on instructions from any external source... or yield to political considerations" however, being an actor on the international stage, the ICC's decisions are inherently political and to claim otherwise only reflects as a weakness of the court (Banteka, 531). The OTP has complete discretion in launching investigations, choosing which charges to bring, and to whom; often acting on behalf of the entire international community and taking into account the interests of civilians and states (Bensouda, 437). A court which is overly idealistic will never bring change, **but a court**

which embraces modern political realities and uses them to navigate the international sphere to capitalize on their unique power can make all the difference in the world (Banteka, 532). Cooperation is not the only

issue faced by the court. The Rome Statute itself, is one of the largest barriers to the ICC's success. In order to amend the Rome Statute, an amendment request would need to come from either a member state, a majority of judges, or the prosecutor (Kacker, 118). The Rome Statute indicates if the state does not comply, the ICC may refer the matter to the UNSC, but provides no further instruction on how the ICC may enforce state cooperation (Barnes, 1600). Further, the Rome Statute says the title of 'Head of State' does not automatically imply immunity from prosecution but does mention 'diplomatic immunity' which can be interpreted as such, and gives no clarification if this immunity applies to only nationals or all indicted individuals (Barnes, 1600). Lastly, the Statute indicates the possibility for immunity or excusal in the case of existing agreements with third parties, but gives no clarification on what kind of agreement justifies an excusal (Barnes, 1600). This is problematic because it is difficult to punish a state that has breached the Rome Statute, and to determine when an individual has valid immunity (Barnes, 1600).

Furthermore,

Ian Courts, 6-16-2021, "The U.S. Should Sign and Ratify the Rome Statute; Global Peace & Accountability Depend On It!," Medium,

<https://ianlamarcourts.medium.com/the-u-s-should-re-sign-and-ratify-the-rome-statute-global-peace-a-c-countability-depend-on-it-e70558d92363>, accessed 1-22-2025, //ZD [recut //SG!] To increase the legitimacy of the I.C.C. in the eyes of the global community, the Court must be transparent in its internal data on its investigations and prosecutions and its enforcement methods. In response to this report, the International Prosecutor's Office has committed to increasing transparency in its operations. Accountability The I.C.C.'s jurisdiction is limited; furthermore, the enforcement of its judgments is predicated on the parties' acceptance and submission to the terms of the judgment. Global accountability has historically been difficult for international organizations such as the United Nations and International Criminal Court. Global **accountability for political actors is largely dependant on the volitional decision of powerful people to submit to consequences or the cooperation of more powerful people to force[ing] lesser powers to accountability**. A global system that relies solely on global cooperation will continue to produce haphazard or piecemeal justice measures. **The I.C.C. absent an independent enforcement body, or the cooperation of the United States will continue to be impeded in holding malicious global actors accountable**. The U.S. and I.C.C. & the Opportunity for Cooperation and Agreement Despite the U.S. and the I.C.C.'s complicated relationship history, there is a real opportunity under the Biden-Harris Administration and subsequent presidential administrations to foster genuine cooperating with the Court while holding each other accountable. **The Rome Statute's mandate fits with the United States's belief in the rule of law and promotion of justice. By signing and ratifying the Rome Statute, the U.S. would signal to the world that it is committed to truth and accountability**. Further, the U.S.'s ratification of the Rome Statute would demonstrate our hopes to remedy both intentional and unintentional harm created by our global political actions. Additionally, **the ratification of the Rome Statute would further open our federal courts, notably the Supreme Court of the United States, to weigh in and develop international jurisprudence on war crimes, genocides, crimes against humanity, etc.** Furthermore, **it would put other nation-states on notice that the United States and the International Criminal Court are partnered together to enforce international criminal law and justice**, thus hopefully **ushering in a new age of global accountability**. Our world has become more interconnected; moreover, **when political violence occurs in one nation today, its effects reverberate across the globe.** We can look at the global Black Lives Matter demonstrations last year to prove that our global community is solidifying around truth, equity, and justice. The mandate of the Rome Statute and the I.C.C. is critical to transforming the "shared feelings" among our global communities into genuine accountability. Moreover, **cooperation between the United States and the I.C.C. will strengthen the enforcement of our global values and the combating of international political crimes**. The Biden-Harris has the opportunity to engender a stronger relationship between the International Criminal Court and the United States, thus bolstering the Court's mandate and reaffirming the U.S.'s commitment to the rule of law.

US Accession solves two key issues. The first is human rights.

US Accession, means new member states,

SYDNEY MCKENNEY 13 (it's one of two people— either [this one](#) or [this one](#), both with degrees in something PoliSci/Law Related), MAY 17 2013 "The United States' Need to Ratify the Rome Statute" E-International Relations, <https://www.e-ir.info/pdf/38002>, accessed 1-21-2025, //ZD [recut //SG!] If further study reveals that the Court does in fact breach due process rights, the United States should propose amendments to further these rights for all humans instead of abandoning the ideas of international justice. If the United States has objections to structural aspects of the Court, it should continue cooperative discussions to create those changes. **The U.S. prides itself on the high functionality of its judicial system; why would it not use its influence to further enhance the international system for people of all nationalities?** Amending areas of the Statute offers possibilities to enhance the Court and would be far preferable to remaining uninvolved. **The ability of the United States to help shape and strengthen the Court in its early stages is an extremely important factor.** Their **cooperation with the Court would strengthen international law as a whole while promoting human rights** law: **“Joining the Court would be a big boost to its legitimacy and workings.”**[32] As international and human rights law continues to grow, **the United States can help steer its path as well as lead other countries to do the same.** Recently re-elected President Barak Obama advocated the U.S.' involvement **“because there is no force in the world more powerful than the example of America.”**[33] Conclusion “President Obama is being too wimpy about joining the rest of the world,” said Progressive magazine in 2010, and two years later, ratification of the Court still seems unlikely in the foreseeable future.[34] There is a crucial distinction between rational suspicions and making excuses – the constitutionality, the safeguards and the international importance of the Court are clearly proven. What has held us back from ratification is not a legitimate concern over matters of due process; it is fear of American nationals and military leaders being held accountable for their actions. **The International Criminal Court** and many other aspects of the international community (such as the Inner-American Convention or the Convention on Women's Rights) **demonstrate the need for the United States to change the role it plays in international law from a unidirectional to a collective approach. The U.S. cannot continue its internationalist stance** in all other arenas and then claim a nationalistic role **when it comes to international accountability**. This discussion has, in no way, explored all of the many workings of the Rome Statute or the United States' objections to it. But by analyzing several of the United States' greatest concerns, it is apparent that they do not seem completely sincere or justified. All objections accumulate into a policy of exceptionalism that ignores customary law and jus cogens. **As international law grows, the U.S. should help develop the Court rather than work against it.** The theory of natural law demonstrates that there are standards of humanity that countries do not get to opt out of; the American public should be concerned by a government that so strongly defends its rights to commit atrocious acts. **“The idea is that some crimes, atrocity crimes, are so egregious and shocking to all decent people that they constitute crimes not only against the immediate victims, but against all of humankind no matter what situation.”**

That's critical now,

University, 11-21-2024, "URI-based report sheds light on human rights abuses worldwide", URI, <https://www.uri.edu/news/2024/11/uri-based-report-sheds-light-on-human-rights-abuses-worldwide/> //SG!

KINGSTON, R.I. – Nov. 21, 2024 – **In the last quarter century, most countries around the world have failed to adequately protect the human rights of their citizens. In that time, nations’ efforts to protect human rights have been stagnant – with the number of countries receiving failing grades easily twice as high as those receiving passing grades.** Those are the findings of the second annual report on global human rights released today by the University of Rhode Island. The 2024 Global Rights Project (GRIP) report, produced by a team of researchers based at the University of Rhode Island’s Center for Nonviolence and Peace Studies, finds an alarming disregard for the respect of human rights around the globe. In its 2024 report card, **62 percent of the world’s 195 countries receive an ‘F’ (scores from 0 to 59) for their human rights practices, while just 18 percent earned between an ‘A’ and a ‘B’ (scores between 80-100).** The global median score was 52, up two points from the 2023 report. **“The global rise in democratic backsliding, inequality, and digital repression make me pessimistic about the future of human rights,”** said Skip Mark, assistant professor of political science at URI and director of the Center for Nonviolence and Peace Studies. “The CIRIGHTS project shows that global respect has declined over the past decade. Despite a growth in human rights law, institutions, NGOs, and technology to document and disseminate information about human rights, things are getting worse.” Launched last year, the GRIP report draws on the world’s largest quantitative human rights dataset – the CIRIGHTS Data Project – to grade each of the world’s countries on a 100-point scale. CIRIGHTS, which was launched by researchers at URI and Binghamton University in 2022, provides measurements for each of 24 human rights in every country, using data from such annual reports as the U.S. Department of State, Amnesty International, and the United Nations’ State of the World’s Indigenous Peoples Report, among others. This year’s GRIP report draws on data from 2022

2] Genocides

Increasing violence and war, present all over the world, points to increased likelihood of new mass killings.

Landau 23 [Ashleigh; 7-10-2023; Research Associate at the Simon-Skjodt Center for the Prevention of Genocide and full-time researcher for the US Holocaust Memorial Museum's Simon-Skjodt Center for the Prevention of Genocide; The Early Warning Project assesses the risk of mass atrocities in countries around the world; "State of the World: Mass Killing in 2022- Early Warning Project”;

<https://earlywarningproject.ushmm.org/reports/state-of-the-world-mass-killing-in-2022>; Accessed 12-28-2024; Ryan]//rehilight GN

Reports of increased **violence against civilians in Oromia** by nonstate actors in 2022 **raise acute concerns about the possibility of an onset of a new mass killing**. Conflict in Oromia, **marked by widespread impunity for human rights abuses by both state and nonstate actors, has been ongoing since the 1970s.**

While information is limited, there were several **reports of large-scale killings in the Oromia region of Ethiopia in 2022**. Most notably, on **June 18, 2022, nonstate armed groups reportedly killed over 400 people** primarily ethnic Amhara. Just two weeks later, another series of attacks reportedly killed over 100 civilians. **Some sources indicate that more than 1,000 civilians were killed in Oromia in 2022**. However, restricted access to humanitarian organizations, telecommunication cuts, and fear of retaliation have made reporting on the conflict difficult.

Based on the limited and conflicting information on total fatalities, perpetrators, and targeted groups, we did not conclude that a new mass killing had begun. Some attacks are clearly attributed to the Oromo Liberation Army (OLA), while in other cases, reports remain inconclusive regarding whether the Oromia regional government forces, Amhara militias, or other unidentified armed groups were responsible.

In an effort to address the long-standing conflict and grievances, the Ethiopian government and the OLA agreed to meet for peace talks in April 2023. Unfortunately, this first round of talks concluded without an agreement, but both groups have agreed to keep talking.

In addition to monitoring the situation in Oromia, the Early Warning Project also continues to closely monitor the ongoing episode of mass killing in Tigray and the progress and implementation of the November 2022 Cessation of Hostilities Agreement.

What about violence against civilians in Ukraine?

On February 24, 2022, **Russia** launched a **military assault against Ukraine** that has **included large-scale attacks against civilians**. The Museum issued a statement strongly condemning Russia's invasion of Ukraine. Since then, **Russia** and Russian officials have been **accused, including by the US government and the International Criminal Court, of committing war crimes and crimes against humanity** against Ukrainian civilians. Publicly available **information warrants investigation into the potential commission of genocide**. The **toll** the conflict has taken **on human life is staggering**. According to the UN, almost **9,000 civilians** have **been killed** since the invasion started.

ICC is the solution, it prosecutes actors of genocide and atrocities, punishing and deterring further violence – It's empirically worked.

Powell 17 [Catherine; 1-9-2017; Adjunct senior fellow in the Women and Foreign Policy program at the Council on Foreign Relations and a professor at Fordham Law School, where she teaches international law, human rights, constitutional law, and comparative constitutional law; “Trump Should Support the International Criminal Court”; <https://www.cfr.org/blog/trump-should-support-international-criminal-court>; Accessed 12-28-24; Ryan]

With the presidential transition underway, observers have noted with concern President-elect Trump's hostility toward international institutions. As CFR Senior Fellow Stewart Patrick notes, “[T]here is one prediction we can take to the bank: The United Nations is going to get hammered.”

In the aftermath of the recent controversial UN Security Council resolution criticizing Israeli settlements, Trump accused the world body of causing more problems than it solves, calling the 71 year-old institution “a waste of time and money,” and tweeting, “The United Nations has such great potential but right now it is just a club for people to get together, talk and have a good time. So sad!” Indeed, it has become fashionable once again in Washington to beat up on the UN—that is—until the next international emergency when the world will turn to Turtle Bay to solve global problems and respond to crises that no one state can address alone. As Suzanne Nossel points out, “Though they may be loath to recognize it, the president-elect and his top official will quickly find that they need the UN as a negotiating forum, a source of international legitimacy and an expeditious body ready to venture where the United States won't go.”

While the incoming president has expressed skepticism toward the UN and other international institutions, Trump has not said much about **the International Criminal Court (ICC)**. Like the UN, **the idea behind creating the ICC emerged from the ashes of World War II and the Nazi Holocaust. It took another half century after the founding of the UN before the ICC came into effect. Its establishment not only offers a way to punish war atrocities, but also provides deterrence against would-be abusers from contemplating committing genocide and other serious international crimes.**

Only U.S support will help – increased resources and military backing will solidify and increase capabilities of the ICC, bringing its jurisdiction over more areas.

Bosco 13 [David; 12-17-13; American journalist, author and academic who writes on the subject of international relations with a focus on the United Nations, international courts, and the law of the sea; “Rough Justice: The International Criminal Court in A World of Power Politics”; Oxford University Press. Kindle Edition, Page 182; Ryan]

Throughout the book, I place **particular emphasis on the relationship between the court and the United States**. There are several reasons for this focus. **US opposition to the court** has been the most **pronounced and articulated**, and **its early effort to limit the court's reach** was the **most developed**. The US stance toward the court has also changed considerably in the past decade and describing that transformation requires sustained attention. **The United States** also **stands alone in terms of its global interests and capabilities**. Whether its

military and intelligence resources and its diplomatic weight are deployed to assist the court is a critical factor in the institution's trajectory.

Overall, the US's rule of law is of utmost importance.

Barnett '11 [Thomas P.M. Barnett, Former Senior Strategic Researcher and Professor in the Warfare Analysis & Research Department, Center for Naval Warfare Studies, U.S. Naval War College American military geostrategist and Chief Analyst at Wikistrat, worked as the Assistant for Strategic Futures in the

Office of Force Transformation in the Department of Defense, "The New Rules: Leadership Fatigue Puts U.S., and Globalization, at Crossroads," 03-07-2011,

<http://www.worldpoliticsreview.com/articles/8099/the-new-rules-leadership-fatigue-puts-u-s-and-globalization-at-crossroads>] **leon**

It is worth first examining the larger picture: We live in a time of arguably the greatest structural change in the global order yet endured, with this historical moment's most amazing feature being its relative and absolute lack of mass violence. That is something to consider when Americans contemplate military intervention in Libya, because if we do take the step to prevent larger-scale killing by engaging in some killing of our own, we will not be adding to some fantastically imagined global death count stemming from the ongoing "megalomania" and "evil" of American "empire." We'll be engaging in the same sort of system-administering activity that has marked our stunningly successful stewardship of global order since World War II.

Let me be more blunt: As the guardian of globalization, the U.S. military has been the greatest force for peace the world has ever known. Had America been removed from the global dynamics that governed the 20th century, the mass murder never would have ended. Indeed, it's entirely conceivable there would now be no identifiable human civilization left, once nuclear weapons entered the killing equation. But the world did not keep sliding down that path of perpetual war. Instead, America stepped up and changed everything by ushering in our now-perpetual great-power peace. We introduced the international liberal trade order known as globalization and played loyal Leviathan over its spread. What resulted was the collapse of empires, an explosion of democracy, the persistent spread of human rights, the liberation of women, the doubling of life expectancy, a roughly 10-fold increase in adjusted global GDP and a profound and persistent reduction in battle deaths from state-based conflicts. That is what American "hubris" actually delivered. Please remember that the next time some TV pundit sells you the image of "unbridled" American military power as the cause of global disorder instead of its cure. With self-deprecation bordering on self-loathing, we now imagine a post-American world that is anything but. Just watch who scatters and who steps up as the Facebook revolutions erupt across the Arab world. While we might imagine ourselves the status quo power, we remain the world's most vigorously revisionist force. As for the sheer "evil" that is our military-industrial complex, again, let's examine what the world looked like before that establishment reared its ugly head. The last great period of global structural change was the first half of the 20th century, a period that saw a death toll of about 100 million across two world wars. That comes to an average of 2 million deaths a year in a world of approximately 2 billion souls. Today, with far more comprehensive worldwide reporting, researchers report an average of less than 100,000 battle deaths annually in a world fast approaching 7 billion people. Though admittedly crude, these calculations suggest a 90 percent absolute drop and a 99 percent relative drop in deaths due to war.

We are clearly headed for a world order characterized by multipolarity, something the American-birthed system was designed to both encourage and accommodate. But given how things turned out the last time we collectively faced such a fluid structure, we would do well to keep U.S. power, in all of its forms, deeply embedded in the geometry to come.

Judge, before you vote on anything within this round, I want you to consider the ramifications of continuing the harmful status quo. Given that international order is at a decline, and President Trump's rise has not given better credibility towards this, it is clear that the status quo is flawed. As someone who

wants to be able to change the world, you should lean AFFIRMATIVE, since we are the only team that can change the shattered status quo.

In their speech, they talk about Trump being a detriment, yet defend the status quo. Makes no sense, shouldn't we try to change things?

To their first three arguments about ICC uplifting dictators, being ineffective, and causing conflict: there is a clear reason why, which our CICC, Wong 19, Courts '21 evidence clearly states for you. It answers this perfectly -> it tells you that this lack of effectiveness is due to the lack of state parties LIKE THE U.S.

Their Holt 06 evidence talks in the present tense, which means that troops ALREADY are fearful of being prosecuted. This means that there is no unique reason why affirming will cause the impacts they talk about, since troops are already scared.

The U.S. solves the problem. Acceding gives credibility to the ICC because it is backed by a global power.

McKenney, Sydney. [Graduate of James Madison University] "The United States' Need to Ratify the Rome Statute." E - IR, E - IR, 17 May 2013, www.e-ir.info/2013/05/17/the-united-states-need-to-ratify-the-rome-statute/#google_vignette. Accessed 1/25/2025. //ZM

The ICC plays an important and distinctive role in international law; it can be seen symbolically as a definite step of progress in the worldwide framework for human rights. **The United States' disappointing role in the Court is clearly of high importance,** but it begs an even broader question: what is the role that the United States is playing in international law as a whole? It seems like a lesson learned by children: it's not what you say, it's what you do. **And the United States can give (and has given) as many long-winded speeches as it desires about its dedication to international human rights, but all of its red, white and blue rhetoric means nothing without decisive**

action. The United States continues to act like a bully instead of the protector of human rights it claims to be. In the debate over the UNSC and the specifics of constitutionality, many critics of the Court fail to take a step back and look at the bigger picture. While they cite the necessity of the United States Supreme Court, they often forget what many international lawyers consider the true supreme values.[26] Although positivist thinking has dominated recent decades of law, [27] natural law cannot be ignored.[28] There are clear principles, respected by nations and people around the world, which cannot be denied. Proposing that genocide or torture do not contain clear ethical divides between right and wrong is illogical. The idea of jus cogens and natural law rests in the roots of law as a whole, the self-evident truths that make us human.[29] "The idea of a universal human nature which recognizes that because such a nature is universal and its good common amongst all of humanity regardless of nation, tribe or state, points to one global human community as a result of the shared nature of all humans." [30] In many treaties and instances of international law, a positivist point of view is rational based on state sovereignty and national interest. But when it comes to human rights and these very evident laws of jus cogens, a naturalist's perspective must override the positivist viewpoint. A collective model of international law must replace this unidirectional approach: "Since all states have an interest in an international system governed by the rule of law, they will recognize that certain rules must bind them all equally even where they are opposing the rule's development." [31] Based on Dubois'

lengthy discussion, as well as the general theories of peremptory law, **the United States' involvement in the ICC is not just beneficial; it is a moral obligation.** While many critics of the Court cite the fact that the U.S.' role as the leading world hegemon offers protection against atrocity crimes such as torture, **the inverse of this argument seems more logical. It is the very same role as the world police and chief peacemaker that make it crucial for the United States to defend human rights with more action and more decisiveness than any other nation. If the U.S. continues to insist on leading the world then it must actually do so.** Human rights, the most fundamental of all laws, deserve far less hesitation from what is supposedly their strongest supporter. If further study reveals that the Court does in fact breach due process rights, **the United States should propose amendments** to further these rights for all humans instead of abandoning the ideas of international justice. If the United States has objections to structural aspects of the Court, it should continue cooperative discussions to create those changes. **The U.S. prides itself on the high**

functionality of its judicial system; why would it not use its influence to further enhance the international system for people of all nationalities? Amending areas of the Statute offers possibilities to enhance the Court and would be far preferable to remaining uninvolved. The ability of the United States to help shape and strengthen the Court in its early stages is an extremely important factor. Their cooperation with the Court would strengthen international law as a whole while promoting human rights law:

"Joining the Court would be a big boost to its legitimacy and workings." [32] As international and human rights law continues to grow, the United States can help steer its path as well as lead other countries to do the same. Recently re-elected President Barack Obama advocated the U.S.' involvement "because there is no force in the world more powerful than the example of America." [33]

International law is self-correcting AND militates against a laundry list of existential catastrophes.

Brooks '14 [Rosa; November 14; Professor of Law at Georgetown University, Senior Fellow with the New America and Arizona State University Future of War Project, former Senior Advisor at the U.S. State Department; Foreign Policy, "Embrace the Chaos," <https://foreignpolicy.com/2014/11/14/embrace-the-chaos/>; RP]

I. The Character of the Mess Defining the character of the current mess is the easy part. Briefly: The last century's technological revolutions have made our world more globally interconnected than ever. Power (along with access to power) has become more democratized and diffuse in some ways, but more concentrated in other ways. For most individuals around the globe, day-to-day life is far less dangerous and brutal than in previous eras; for the species as a whole, however, the risk of future global catastrophe has increased. The continuously accelerating rate of technological and social change makes it increasingly difficult to predict the geopolitical future. Nothing is particularly original about these observations; they're repeated in some fashion in every major national strategic document produced over the last decade. They probably teach this stuff to kindergarteners now. Indeed, we've heard it all so often that it's tempting to dismiss such claims as meaningless platitudes: Been there; theorized that. Can we get please get back to foreign-policy business as usual? No, we can't. Not if we want our children and grandchildren to live decent lives. If we care about the future at all, we need to do more than prattle on at cocktail parties about globalization, interconnectedness, complexity, danger, and uncertainty. We need to feel these seismic changes in our bones. So bear with me. Let's try to breathe some life into the clichés. I've written about these issues before (here and here), and at risk of being both a narcissist and a broken record, I'll quote myself: The world has grown more complex. Believe it. The world now contains more people living in more states than ever before, and we're all more interconnected. A hundred years ago, the world population was about 1.8 billion, there were roughly 60 sovereign states in the world, the automobile was still a rarity, and there were no commercial passenger flights and no transcontinental telephone service. Fifty years ago, global population had climbed to more than 3 billion and there were 115 U.N. member states, but air travel was still for the wealthy and the personal computer still lay two decades in the future. Today? We've got 7 billion people living in 192 U.N. member states and a handful of other territories. These 7 billion people take 93,000 commercial flights a day from 9,000 airports, drive 1 billion cars, and carry 7 billion mobile phones around with them. In numerous ways, life has gotten substantially better in this more crowded and interconnected era. Seventy years ago, global war killed scores of millions, but interstate conflict has declined sharply since the end of World War II, and the creation of the United Nations ushered in a far more egalitarian and democratic form of international governance than existed in any previous era. Today, militarily powerful states are far less free than in the pre-U.N. era to use overt force to accomplish their aims, and the world now has numerous transnational courts and dispute-resolution bodies that collectively offer states a viable alternative to the use of force. The modern international order is no global utopia, but it sure beats colonial domination and world wars. In the 50 years that followed World War II, medical and agricultural advances brought unprecedented health and prosperity to most parts of the globe. More recently, the communications revolution has enabled exciting new forms of nongovernmental cross-border alliances to emerge, empowering, for instance,

global human rights and environmental movements. In just the last two decades, the near-universal penetration of mobile phones has had a powerful leveling effect: All over the globe, people at every age and income level can use these tiny but powerful computers to learn foreign languages, solve complex mathematical problems, create and share videos, watch the news, move money around, or communicate with far-flung friends. All this has had a dark side, of course.

1. ICC is investigating high profiled defendants, unseen in the past

Flacks'23 Flacks, Marti. "The ICC Wants Putin. Now What?" Csis.org, 2023, www.csis.org/analysis/icc-wants-putin-now-what. Accessed 8 Feb. 2025.

At the request of International Criminal Court (ICC) chief prosecutor Karim Khan, **judges at the ICC issued arrest warrants for Russian president Vladimir Putin** and Commissioner for Children's Rights Maria Lvova-Belova on March 17, 2023. This is not the first time the ICC has sought to prosecute a head of state, but **Putin is by far the most high-profile defendant wanted by the ICC in its 22-year history**. His case will also be one of the most complicated to prosecute. This Critical Questions offers insight into how the arrest warrant came about, how the case is likely to proceed, and what this means for efforts to hold Russian leaders accountable for their actions in Ukraine. Q1: How did the ICC obtain jurisdiction to investigate Putin? A1: Neither Russia nor Ukraine are members of the ICC, which would have granted it automatic jurisdiction to investigate crimes committed by Russia during the ongoing invasion. However in 2015, following the invasion of Crimea, the Ukrainian government granted the ICC jurisdiction to investigate crimes against humanity and war crimes committed on Ukrainian territory by Russ

Judge, when it comes to great power conflict -> two issues

1. There is no quantifiable impact to a "great power conflict." How many people does this affect? When will this conflict occur?
2. Great power conflict empirically has never occurred. Hold the line for them judge, great power conflict has never occurred in the past so why would it happen now? Economic interdependence, checks to prevent miscalculation, and more have thumped.
3. Why would joining a random treaty cause great power conflict?

On their arg 2 of Ukraine:

Biden alr put sanctions on Russia -> why did they not see anything happen + talks don't mean anything

Trump mediation has failed.

Ordoñez found last week, 1/29 [Franco Ordoñez, "Trump's callout of Russia's Vladimir Putin is raising eyebrows", January 28th, 2025, NPR, <https://www.npr.org/2025/01/28/nx-s1-5271619/trumps-callout-of-russias-vladimir-putin-is-raising-eyebrows>] //SC "brackets in og"

President Trump is threatening sanctions and tariffs **on Russia if its president, Vladimir Putin, doesn't reach an agreement to end the war in Ukraine**. Now, threatening economic tariffs against a foreign country is nothing new. But **the fact that he's calling out Putin by name is raising eyebrows**, considering Trump's long and well-documented affinity for the Russian leader. NPR White House correspondent Franco Ordoñez reports on the relationship between Trump and Putin. FRANCO ORDOÑEZ, BYLINE: Almost seven years ago, meeting with Vladimir Putin in Helsinki, Finland, President Trump was asked about allegations of Russian meddling in the 2016 elections and if he believed his own intelligence agencies or Putin. (SOUNDBITE OF ARCHIVED RECORDING) PRESIDENT DONALD TRUMP: I have President Putin. He just said it's not Russia. I will say this - I don't see any reason why it would be. ORDOÑEZ: It was an extraordinary moment that helped paint Trump's approach to dealing with Putin - let alone other autocratic leaders - which was also in stark contrast to his abrasive approach with allies. The fawning continued. He even called Putin a genius when Russia invaded Ukraine three years ago. So **it was quite a shift last week when Trump warned of big tariffs if Russia didn't make a deal soon**. In a statement, **he told Putin**, quote, **"we can do this the easy way or the hard way"**. (SOUNDBITE OF ARCHIVED RECORDING) TRUMP: I mean, he's grinding it out, but most people thought that war would've been over in about one week. And now you're into three years. So he can't be thrilled. **It's not making him look very good**. ORDOÑEZ: Russian analyst Sam Charap, who is at RAND, says **it's a sign of Trump's struggles to make progress**. SAM CHARAP: **Trump does seem to have come to the view that Putin is resisting engaging on this issue**. ORDOÑEZ: Charap emphasized that no one knows what type of talks are happening behind closed doors,

Think to the past, he placated Russia in their first term. He would hand it over

Amy 25

https://foreignpolicy.com/2025/01/30/trump-putin-ukraine-war-peace-talks-deal-frustrate-kyiv-zelensky-kellogg/#cookie_message_anchor DOA: 2/4/25 //SC

Trump doesn't care about the court, just interests

Fisher 2-6 Fisher, Julian. "Putin Has Little Incentive to Accept Trump's Peace Plan." RealClearWorld, 6 Feb. 2025,

www.realclearworld.com/articles/2025/02/06/putin_has_little_incentive_to_accept_trumps_peace_plan_1089663.html. Accessed 9 Feb. 2025.

President Trump has repeatedly vowed to end the war in Ukraine. **However, neither Russia nor Ukraine appears willing to accept the leaked terms of Trump's proposed peace plan. Regardless of the outcome of his coming talks with Putin and Zelensky, Trump is in a strong position to advance American interests.**

According to a peace plan leaked by the Ukrainian outlet Strana, President Trump will ask Ukraine to renounce its aspiration to join NATO, withdraw from pre-war Russian territory in the Kursk pocket and recognize Russian sovereignty over annexed territories. In exchange, Ukraine will continue receiving U.S. military support and join the European Union by 2030, while Russia will receive limited sanctions relief if it complies with the final settlement. Although these details remain unconfirmed, they resemble the contours of Trump's original peace plan, which was devised by former national security adviser Keith Kellogg, the man that Trump has tapped to be his administration's peace envoy for the war in Ukraine. At the moment, the Strana leaks and Kellogg's policy recommendations represent the most likely starting point for U.S.-mediated negotiations.