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### Advantage {X}: US Aggression

#### US drone policy in Pakistan is violating Pakistan consent and setting an aggressive international precedent

Entous at. al ’12 (Adam Entous (National security correspondent for The Wall Street Journal), Siobhan Gorman (reporter for The Wall Street Journal covering terrorism, counter terrorism, and intelligence, which includes the activities of the sixteen intelligence agencies and the national security threats they aim to combat) and Evan Perez (reporter in the Washington bureau of The Wall Street Journal where he covers the Justice Department), “U.S. Unease Over Drone Strikes”, <http://online.wsj.com/news/articles/SB10000872396390444100404577641520858011452>, September 26, 2012)

Obama Administration Charts Delicate Legal Path Defending Controversial Weapons About once a month, the Central Intelligence Agency sends a fax to a general at Pakistan's intelligence service outlining broad areas where the U.S. intends to conduct strikes with drone aircraft, according to U.S. officials. The Pakistanis, who in public oppose the program, don't respond. On this basis, plus the fact that Pakistan continues to clear airspace in the targeted areas, the U.S. government concludes it has tacit consent to conduct strikes within the borders of a sovereign nation, according to officials familiar with the program. Representatives of the White House's National Security Council and CIA declined to discuss Pakistani consent, saying such information is classified. In public speeches, Obama administration officials have portrayed the U.S.'s use of drones to kill wanted militants around the world as being on firm legal ground. In those speeches, officials stopped short of directly discussing the CIA's drone program in Pakistan because the operations are covert. Now, the rationale used by the administration, interpreting Pakistan's acquiescence as a green light, has set off alarms among some administration legal officials. In particular, lawyers at the State Department, including top legal adviser Harold Koh, believe this rationale veers near the edge of what can be considered permission, though they still think the program is legal, officials say. Two senior administration officials described the approach as interpreting Pakistan's silence as a "yes." One dubbed the U.S. approach "cowboy behavior." In a reflection of the program's long-term legal uncertainty and precedent-setting nature, a group of lawyers in the administration known as "the council of counsels" is trying to develop a more sustainable framework for how governments should use such weapons. The effort is designed to fend off legal challenges at home as well as to ease allies' concerns about increasing legal scrutiny from civil-liberties groups and others. The White House also is worried about setting precedents for other countries, including Russia or China, that might conduct targeted killings as such weapons proliferate in the future, officials say. Because there is little precedent for the classified U.S. drone program, international law doesn't speak directly to how it might operate. That makes the question of securing consent all the more critical, legal specialists say. In public, Pakistan has repeatedly expressed opposition to the drone program, and about 10 months ago closed the CIA's only drone base in the country. In private, some Pakistani officials say they don't consider their actions equivalent to providing consent. They say Pakistan has considered shooting down a drone to reassert control over the country's airspace but shelved the idea as needlessly provocative. Pakistan also has considered challenging the legality of the program at the United Nations. "No country and no people have suffered more in the epic struggle against terrorism than Pakistan," Pakistan President Asif Ali Zardari told the U.N. General Assembly Tuesday. "Drone strikes and civilian casualties on our territory add to the complexity of our battle for hearts and minds through this epic struggle." A former Pakistani official who remains close to the program said Pakistan believes the CIA continues to send notifications for the sole purpose of giving it legal cover. It is possible Pakistan is playing both sides. Ashley Deeks, a former State Department assistant legal adviser under Mr. Koh who is now at the University of Virginia, said a lack of a Pakistani response to U.S. notifications might be a way for Pakistan to meet seemingly contradictory goals—letting the CIA continue using its airspace but also distancing the government of Pakistan from the program, which is deeply unpopular among Pakistanis. Legal experts say U.S. law gives the government broad latitude to pursue al Qaeda and its affiliates wherever they may be. A joint resolution of Congress after the Sept. 11, 2001, attacks authorized the president to use force against the planners of the attacks and those who harbor them. Then-President George W. Bush that month signed a classified order known as a "finding" authorizing covert action against al Qaeda. Government consent provides the firmest legal footing, legal experts say. The U.S. has that in Yemen, whose government assists with U.S. strikes against an al Qaeda affiliate. In Somalia, the nominal government, which controls little territory, has welcomed U.S. military strikes against militants. In an April speech, White House counterterrorism adviser John Brennan said the administration has concluded there is nothing in international law barring the U.S. from using lethal force against a threat to the U.S., despite the absence of a declared war, provided the country involved consents or is unable or unwilling to take action against the threat. On the international stage, matters are less clear-cut. The unwilling-or-unable doctrine, which was first publicly stated by the George W. Bush administration and has been affirmed by the Obama administration, remains open to challenge abroad, legal experts say. Conducting drone strikes in a country against its will could be seen as an act of war. Benjamin Wittes, a senior fellow at the Brookings Institution, said the U.S. drone approach in Pakistan is getting closer to the edge. "It doesn't mean it is illegal, but you are at the margins of what can reasonably be construed as consent," he said. Enlarge Image Kenneth Anderson, a law professor at American University, defended the right to conduct drone operations without consent if a country refuses to address the threat. He added, however, that such a program can't be sustained by secret winks and nods. "Strategic ambiguity is a real bad long-term policy because it eventually blows up in your face," Mr. Anderson said. "It's not stable." Senior U.S. officials worry about maintaining the support of an important ally—the U.K.—where officials have begun to express concerns privately about the extent of Pakistan's consent. Britain began a review to see whether under British law it could continue to cooperate with the program, say U.S. and British officials, after Pakistan closed the CIA's drone base in December. Pakistan took that action after a strike by a manned U.S. aircraft killed two dozen Pakistani troops mistaken for militants. Britain eventually decided to maintain its cooperation. John Bellinger, the top State Department legal adviser in the George W. Bush administration, said that for the U.S., it is "not unreasonable to assume consent" from Pakistan for the use of drones, "particularly when the U.S. conducts repeated attacks and it's open and obvious." But some in the U.K., Mr. Bellinger added, might "need to have greater clarity that there actually is consent," given increasing domestic legal scrutiny for Britain's supporting role in the program. Until the raid that killed Osama bin Laden, there was a more open channel of communication. In the early days of the Afghan war, lists of specific individuals to be targeted on Pakistani soil by U.S. drones were approved by both the U.S. and Pakistan, in what was called a "dual-key" system. Starting about four years ago, the U.S. began increasingly to go it alone. By last year, according to U.S. officials, the system in place was that the CIA would send a regular monthly fax to Pakistan's Inter-Services Intelligence agency. The fax would outline the boundaries of the airspace the drones would use—large areas along the Pakistan-Afghanistan border referred to as flight "boxes" because they are shaped like three-dimensional rectangles in the sky. There was no mention of specific targets. The ISI would send back a fax acknowledging receipt. The return messages stopped short of endorsing drone strikes. But in U.S. eyes the fax response combined with the continued clearing of airspace to avoid midair collisions—a process known as "de-confliction"—represented Pakistan's tacit consent to the program. After the May 2011 bin Laden raid, which the U.S. did without Pakistani permission or knowledge, the ISI stopped acknowledging receipt of U.S. drone notifications, according to U.S. and Pakistani officials. Replies were stopped on the order of the ISI chief at that time, said an official briefed on the matter. "Not responding was their way of saying 'we're upset with you,' " this official said. The official said the ISI chief chose that option knowing an outright denial of drone permission would spark a confrontation, and also believing that withdrawing consent wouldn't end the strikes. Administration lawyers, including those with qualms such as Mr. Koh, believe the CIA's campaign is legal. They believe they have consent, however tacit, primarily because the Pakistani military continues to clear airspace for drones and doesn't interfere physically with the unpiloted aircraft in flight, according to officials involved with the administration's legal thinking. Still, for some U.S. officials, including Mr. Koh, the lack of an ISI response to faxes was unnerving, leaving already-vague communications even more open to interpretation. Spurred by concerns about the future of the drone program in Pakistan, administration lawyers have been considering the feasibility of making changes. One idea calls for putting some of the drones under control of the U.S. military, which would allow officials to talk more openly about how the program works and open the door to closer cooperation with the Pakistanis, according to U.S. and Pakistani officials. The U.S. has also considered a coordinated campaign that could involve both U.S. drones and Pakistani F-16 fighter planes, these officials said. In meetings in Washington last month with the new chief of Pakistan's ISI, Lt. Gen. Zahir ul-Islam, American officials raised the prospect of a "drone drawdown," according to Pakistani officials. American officials said the idea of ramping down the program gradually as security conditions permit has been hotly debated for months. Pakistani officials considered the proposal to be "amorphous" and "without detail," an adviser to Pakistan's government said. Americans also raised the prospect of creating "joint ownership" of the drone program, the Pakistani adviser said, but no changes were agreed to. Since retired Gen. David Petraeus became CIA director about a year ago, the agency has taken some steps to ease concerns about the drone program, according to officials. The frequency of drone strikes in Pakistan has fallen to an average of four a month, versus 10 monthly in the prior 12 months, based on a tally from the New America Foundation, a nonpartisan think tank. Officials said Gen. Petraeus has occasionally overruled recommendations of the CIA's Counterterrorism Center and declined to authorize some strikes that could create friction with Pakistan. One U.S. official said the pace of counterterrorism operations mirrors the thinner ranks of al Qaeda after years of strikes. The effort to put the program on a firmer legal footing is running into some hurdles. The council of counsels wants to make details of counterterrorism programs public in some ways to address court challenges and reassure anxious allies, as well as to avoid spurring future use of these kinds of technologies by other countries. But the agency general counsels have drawn the line at revealing detailed criteria for picking targets or disclosing who makes the decisions. Officials say leaving these things ambiguous could help shield officials involved against possible court challenges and avoid providing information that militants could use to evade targeting. Courts in Europe have sought to put on trial some of the CIA officers and foreign partners alleged to be involved in detaining suspected militants in secret sites during the Bush administration.

#### Us legal silence is the issue- Pakistani sovereignty creates a global precedent for sovereignty violations

Rogers ’11 (Chris Rogers, Human rights lawyer, Open Society Foundations, “Can U.S. Defend Drones Without Pakistani Consent?”, <http://www.huffingtonpost.com/chris-rogers/us-pakistan-drone-attacks_b_855112.html>, April 28, 2011)

Drones may be new, futuristic weapons, but the U.S. drone campaign in Pakistan raises the oldest of international legal questions: what gives one country the right to violate the sovereignty of another? For years, it has been widely accepted that Pakistani officials had tacitly consented to drone strikes (despite public statements to the contrary) rendering this sovereignty concern moot. But since the Raymond Davis fiasco and a March 17th drone strike that reportedly killed a large numbers of civilians, it is clear that Pakistani consent can no longer be assumed. In recent weeks, Pakistani officials, including powerful military and intelligence leaders, have voiced strong opposition to U.S. strikes and both publicly and privately demanded an end to U.S. drone strikes. Meanwhile, drone strikes have continued. Much attention has been paid to the more Machiavellian nature of Pakistani officials' demands, from strengthening the country's hand for an endgame in Afghanistan to outflanking domestic political rivals. Others have focused on the civilian casualties and the popular backlash in Pakistan. With news of the deployment of drones in Libya, the debate has extended to the ethics and longer-term security implications of drone warfare. But little attention has been paid to what is now the most obvious legal problem with the U.S. drone campaign: how can the U.S. justify violating the national sovereignty of Pakistan? National sovereignty and the prohibition on the use of force are cornerstones of international law and enshrined in the U.N. charter. With officials in Pakistan now appearing to rescind any prior consent to drone strikes in their country, and without U.N. Security Council authorization, there is no clear legal basis for U.S. drone strikes in Pakistan. Statements from U.S. officials suggest that they believe, even absent Pakistan's consent, the U.S. has the right to conduct such attacks as a matter of self-defense (Article 51 of the UN Charter makes self-defense an exception to the general prohibition on the use of force). However, justifying the U.S. drone campaign on self-defense is not so straightforward. Self-defense is a narrow legal exception and the precise scope of Article 51, unsurprisingly, is subject to fierce debate. Among those aspects of Article 51 in dispute are what kinds of attacks trigger the right of self-defense, what is the permissible scope of response, and under what circumstances actions can be taken in violation of another state's sovereignty. With the legality of intervention in Pakistan apparently resting on such narrow legal grounds, there are critical questions the U.S. must answer. Who is the U.S. defending itself from? Al-Qaeda is tiny fraction of the militants in Pakistan and the Taliban are really a myriad of militant organizations with crisscrossing alliances and objectives. The acts of one group cannot simply be attributed to all armed actors in northern Pakistan. Because drone strikes can only target combatants directly tied to past attacks and represent ongoing threats to the US., untangling organizational membership and responsibility is a complex yet legally necessary task. Where can the U.S. act in self-defense? Early on, the Obama administration rejected the "Global War on Terror" moniker established by President Bush. Yet it's unclear whether the administration believes its right to act in self-defense from militants in northern Pakistan is in fact confined to any geographic territory. Granted, a state of armed conflict could arguably be said to exist in the small tribal regions in Pakistan where drones strikes now occur -- but what about Lahore or Islamabad? What about other countries in the world? In other words, in so far as the U.S. is acting in self-defense against specific militant groups based in northern Pakistan, what are the boundaries of that battlefield? What kind of response is justified? Self-defense is invoked to protect states from future attacks and the response must be necessary and proportionate to that goal. Last year there were more than 100 drone strikes, with the vast majority of those attacks killing only low-level militants -- not high level commanders. Under President Obama, the drone program has evolved from a small-scale, targeted assassination program to a much broader military action that resembles a conventional bombing campaign. Particularly in light of the elevated risk to civilians and the sustained, prolonged nature of the drone campaign, the U.S. must demonstrate that the response was, and continues to be, appropriate and justified. Under what specific circumstances can the U.S. violate Pakistani sovereignty? The U.S. adheres to the view that violating sovereignty is permissible when the target state is either "unwilling or unable" to prevent attacks from its territory. Not only is this interpretation still subject to dispute, its unclear whether U.S. actions always meet even this standard. In areas like North Waziristan, where the U.S. conducts almost all of its strikes and Pakistan has refused to take action against militants, the U.S. could make a convincing case that this requirement is met. But this may not be the case everywhere the U.S. is conducting or seeking to conduct strikes. The U.S. may in fact have answers to some or all of these questions. But thus far it has been content with say-so claims of legality and using anonymous leaks to represent its public position. The U.S.'s silence on drones does not go unnoticed by the rest of the world. In Pakistan, that void is filled with conspiracy theories and opportunistic political rhetoric. Elsewhere, unfriendly regimes and leaders will be emboldened to conduct cross-border attacks and assassinations, comforted by the increasing legal ambiguity of such actions. As opposition in Pakistan to drone strikes reaches new heights and the use of such weapons expands to other parts of the world, it's time for the US to bring drones out of the dark. Clandestinely conducted and without UN authorization or Pakistani consent, the Obama administration's drone campaign continues without clear legal justification, in sharp contrast its stated commitment to the rule of law. If drone strikes in Pakistan are in fact legal and justified as a matter of self-defense, then it is time for U.S. officials to make the case.

#### Miscalc escalates gobally- China, Indo-Pak, and Iran escalate

Bergen and Rowland ’12 [Peter Bergen, director of the National Security Studies Program at the New America Foundation, a research fellow at New York University's Center on Law and Security and CNN's national security analyst, former adjunct lecturer at the Kennedy School of Government at Harvard University and an Adjunct Professor at the Paul H. Nitze School of Advanced International Studies at Johns Hopkins University, CNN National Security analyst, and Jennifer Rowland, research associate at the New America Foundation, “A dangerous new world of drones,” <http://www.cnn.com/2012/10/01/opinion/bergen-world-of-drones/index.html>]

A decade ago, the United States had a virtual monopoly on drones. Not anymore. According to data compiled by the New America Foundation, more than 70 countries now own some type of drone, though just a small number of those nations possess armed drone aircraft. The explosion in drone technology promises to change the way nations conduct war and threatens to begin a new arms race as governments scramble to counterbalance their adversaries. Late last month, China announced that it would use surveillance drones to monitor a group of uninhabited islands in the South China Sea that are controlled by Japan but claimed by China and Taiwan. In August 2010, Iran unveiled what it claimed was its first armed drone. And on Tuesday, the country's military chief, Gen. Amir Ali Hajizadeh, disclosed details of a new long-range drone that he said can fly 2,000 kilometers (1,250 miles), which puts Tel Aviv easily in range. Israel looks to Lebanon after drone shot down But without an international framework governing the use of drone attacks, the United States is setting a dangerous precedent for other nations with its aggressive and secretive drone programs in Pakistan and Yemen, which are aimed at suspected members of al Qaeda and their allies. Just as the U.S. government justifies its drone strikes with the argument that it is at war with al Qaeda and its affiliates, one could imagine that India in the not too distant future might launch such attacks against suspected terrorists in Kashmir, or China might strike Uighur separatists in western China, or Iran might attack Baluchi nationalists along its border with Pakistan. This moment may almost be here. China took the United States by surprise in November 2010 at the Zhuhai Air Show, where it unveiled 25 drone models, some of which were outfitted with the capability to fire missiles. It remains unclear just how many of China's drones are operational and how many of them are still in development, but China is intent on catching up with the United States' rapidly expanding drone arsenal. When President George W. Bush declared a "War on Terror" 11 years ago, the Pentagon had fewer than 50 drones. Now, it has around 7,500. As Bush embarked on that war, the United States had never used armed drones in combat. The first U.S. armed drone attack, which appears to be the first such strike ever, took place in mid-November 2001 and killed the military commander of al Qaeda, Mohammed Atef, in Afghanistan. Since then, the CIA has used drones equipped with bombs and missiles hundreds of times to target suspected militants in Pakistan and Yemen. Only the United States, United Kingdom and Israel are known to have launched drone strikes against their adversaries, although other members of the International Security Assistance Force in Afghanistan, such as Australia, have "borrowed" drones from Israel for use in the war there. Drone technology is proliferating rapidly. A 2011 study estimated that there were around 680 active drone development programs run by governments, companies and research institutes around the world, compared with just 195 in 2005. In 2010, U.S.-based General Atomics received export licenses to sell unarmed versions of the Predator drone to Saudi Arabia, Egypt, Morocco and the United Arab Emirates. And in March, the U.S. government agreed to arm Italy's six Reaper drones but rejected a request from Turkey to purchase armed Predator drones. An official in Turkey's Defense Ministry said in July that Turkey planned to arm its own domestically produced drone, the Anka. Israel is the world's largest exporter of drones and drone technology, and the state-owned Israeli Aerospace Industries has sold to countries as varied as Nigeria, Russia and Mexico. Building drones, particularly armed drones, takes sophisticated technology and specific weaponry, but governments are increasingly willing to invest the necessary time and money to either buy or develop them, as armed drones are increasingly seen as an integral part of modern warfare. Sweden, Greece, Switzerland, Spain, Italy and France are working on a joint project through state-owned aeronautical companies and are in the final stages of developing an advanced armed drone prototype called the Dassault nEURon, from which the France plans to derive armed drones for its air force. And Pakistani authorities have long tried to persuade the United States to give them armed Predator drones, while India owns an armed Israeli drone designed to detect and destroy enemy radar, though it does not yet have drones capable of striking other targets. The Teal Group, a defense consulting firm in Virginia, estimated in June that the global market for the research, development and procurement of armed drones will just about double in the next decade, from $6.6 billion to $11.4 billion. States are not alone in their quest for drones. Insurgent groups, too, are moving to acquire this technology. Last year, Libyan opposition forces trying to overthrow the dictator Moammar Gadhafi bought a sophisticated surveillance drone from a Canadian company for which they paid in the low six figures. You can even buy your own tiny drone on Amazon for $250. (And for an extra $3.99, you can get next-day shipping.) As drone technology becomes more widely accessible, it is only a matter of time before well-financed drug cartels acquire them. And you can imagine a day in the not too distant future where armed drones are used to settle personal vendettas. Given the relatively low costs of drones -- already far cheaper than the costs of a fighter jet and of training a fighter jet pilot -- armed drones will play a key role in future conflicts. While the drone industry thrives and more companies, research institutes and nations jump on board the drone bandwagon, the United States is setting a powerful international norm about the use of armed drones, which it uses for pre-emptive attacks against presumed terrorists in Pakistan and Yemen. It is these kinds of drone strikes that are controversial; the use of drones in a conventional war is not much different than a manned aircraft that drops bombs or fires missiles. According to figures compiled by the New America Foundation, drone attacks aimed at suspected militants are estimated to have killed between 1,900 and 3,200 people in Pakistan over the past eight years. While there has been considerable discussion of the legality of such strikes in a number of U.S. law schools, there has been almost no substantive public discussion about drone attacks among policymakers at the international level. The time has come for some kind of international convention on the legal framework surrounding the uses of such weapons, which promise to shape the warfare of the future as much as tanks and bombers did during the 20th century.

#### Breaks down deterrence

**Boyle ‘13** [Michael J. Boyle, PhD, is an Assistant Professor of Political Science at La Salle University in Philadelphia. He was previously a Lecturer in International Relations and Research Fellow at the Centre for the Study of Terrorism and Political Violence at the University of St. Andrews. He is also an alumnus of the Political Science Department at La Salle, research interests are on terrorism and political violence, with particular reference to the strategic use of violence in insurgencies and civil wars, “The costs and consequences of drone warfare,” International Affairs 89: 1 (2013) 1–29, <http://www.chathamhouse.org/sites/default/files/public/International%20Affairs/2013/89_1/89_1Boyle.pdf>, 2013]

The emergence of this arms race for drones raises at least five long-term strategic consequences, not all of which are favourable to the United States over the long term. First, it is now obvious that other states will use drones in ways that are inconsistent with US interests. One reason why the US has been so keen to use drone technology in Pakistan and Yemen is that at present it retains a substantial advantage in high-quality attack drones. Many of the other states now capable of employing drones of near-equivalent technology—for example, the UK and Israel—are considered allies. But this situation is quickly changing as other leading geopolitical players, such as Russia and China, are beginning rapidly to develop and deploy drones for their own purposes. While its own technology still lags behind that of the US, Russia has spent huge sums on purchasing drones and has recently sought to buy the Israeli-made Eitan drone capable of surveillance and firing air-to-surface missiles.132 China has begun to develop UAVs for reconnaissance and combat and has several new drones capable of long-range surveillance and attack under development.133 China is also planning to use unmanned surveillance drones to allow it to monitor the disputed East China Sea Islands, which are currently under dispute with Japan and Taiwan.134 Both Russia and China will pursue this technology and develop their own drone suppliers which will sell to the highest bidder, presumably with fewer export controls than those imposed by the US Congress. Once both governments have equivalent or near-equivalent levels of drone technology to the United States, they will be similarly tempted to use it for surveillance or attack in the way the US has done. Thus, through its own over-reliance on drones in places such as Pakistan and Yemen, the US may be hastening the arrival of a world where its qualitative advantages in drone technology are eclipsed and where this technology will be used and sold by rival Great Powers whose interests do not mirror its own. A second consequence of the spread of drones is that many of the traditional concepts which have underwritten stability in the international system will be radically reshaped by drone technology. For example, much of the stability among the Great Powers in the international system is driven by deterrence, specifically nuclear deterrence.135 Deterrence operates with informal rules of the game and tacit bargains that govern what states, particularly those holding nuclear weapons, may and may not do to one another.136 While it is widely understood that nuclear-capable states will conduct aerial surveillance and spy on one another, overt military confrontations between nuclear powers are rare because they are assumed to be costly and prone to escalation. One open question is whether these states will exercise the same level of restraint with drone surveillance, which is unmanned, low cost, and possibly deniable. States may be more willing to engage in drone overflights which test the resolve of their rivals, or engage in ‘salami tactics’ to see what kind of drone-led incursion, if any, will motivate a response.137 This may have been Hezbollah’s logic in sending a drone into Israeli airspace in October 2012, possibly to relay information on Israel’s nuclear capabilities.138 After the incursion, both Hezbollah and Iran boasted that the drone incident demonstrated their military capabilities.139 One could imagine two rival states—for example, India and Pakistan—deploying drones to test each other’s capability and resolve, with untold consequences if such a probe were misinterpreted by the other as an attack. As drones get physically smaller and more precise, and as they develop a greater flying range, the temptation to use them to spy on a rival’s nuclear programme or military installations might prove too strong to resist. If this were to happen, drones might gradually erode the deterrent relationships that exist between nuclear powers, thus magnifying the risks of a spiral of conflict between them. Another dimension of this problem has to do with the risk of accident. Drones are prone to accidents and crashes. By July 2010, the US Air Force had identified approximately 79 drone accidents.140 Recently released documents have revealed that there have been a number of drone accidents and crashes in the Seychelles and Djibouti, some of which happened in close proximity to civilian airports.141 The rapid proliferation of drones worldwide will involve a risk of accident to civilian aircraft, possibly producing an international incident if such an accident were to involve an aircraft affiliated to a state hostile to the owner of the drone. Most of the drone accidents may be innocuous, but some will carry strategic risks. In December 2011, a CIA drone designed for nuclear surveillance crashed in Iran, revealing the existence of the spying programme and leaving sensitive technology in the hands of the Iranian government.142 The expansion of drone technology raises the possibility that some of these surveillance drones will be interpreted as attack drones, or that an accident or crash will spiral out of control and lead to an armed confrontation.143 An accident would be even more dangerous if the US were to pursue its plans for nuclear-powered drones, which can spread radioactive material like a dirty bomb if they crash.144 Third, lethal drones create the possibility that the norms on the use of force will erode, creating a much more dangerous world and pushing the international system back towards the rule of the jungle. To some extent, this world is already being ushered in by the United States, which has set a dangerous precedent that a state may simply kill foreign citizens considered a threat without a declaration of war. Even John Brennan has recognized that the US is ‘establishing a precedent that other nations may follow’.145 Given this precedent, there is nothing to stop other states from following the American lead and using drone strikes to eliminate potential threats. Those ‘threats’ need not be terrorists, but could be others— dissidents, spies, even journalists—whose behaviour threatens a government. One danger is that drone use might undermine the normative prohibition on the assassination of leaders and government officials that most (but not all) states currently respect. A greater danger, however, is that the US will have normalized murder as a tool of statecraft and created a world where states can increasingly take vengeance on individuals outside their borders without the niceties of extradition, due process or trial.146 As some of its critics have noted, the Obama administration may have created a world where states will find it easier to kill terrorists rather than capture them and deal with all of the legal and evidentiary difficulties associated with giving them a fair trial.147

#### Two scenarios

#### First- Armenian and Caucasus conflicts- draws in Israel/Iran/Russia

Clayton ’12 (Nicholas Clayton, “Drone violence along Armenian-Azerbaijani border could lead to war”, <http://www.globalpost.com/dispatch/news/regions/europe/121022/drone-violence-along-armenian-azerbaijani-border-could-lead-war>, October 23, 2012)

Armenia and Azerbaijan could soon be at war if drone proliferation on both sides of the border continues. YEREVAN, Armenia — In a region where a fragile peace holds over three frozen conflicts, the nations of the South Caucasus are buzzing with drones they use to probe one another’s defenses and spy on disputed territories. The region is also host to strategic oil and gas pipelines and a tangled web of alliances and precious resources that observers say threaten to quickly escalate the border skirmishes and airspace violations to a wider regional conflict triggered by Armenia and Azerbaijan that could potentially pull in Israel, Russia and Iran. To some extent, these countries are already being pulled towards conflict. Last September, Armenia shot down an Israeli-made Azerbaijani drone over Nagorno-Karabakh and the government claims that drones have been spotted ahead of recent incursions by Azerbaijani troops into Armenian-held territory. Richard Giragosian, director of the Regional Studies Center in Yerevan, said in a briefing that attacks this summer showed that Azerbaijan is eager to “play with its new toys” and its forces showed “impressive tactical and operational improvement.” The International Crisis Group warned that as the tit-for-tat incidents become more deadly, “there is a growing risk that the increasing frontline tensions could lead to an accidental war.” “Everyone is now saying that the war is coming. We know that it could start at any moment.” ~Grush Agbaryan, mayor of Voskepar With this in mind, the UN and the Organization for Security and Co-operation in Europe (OSCE) have long imposed a non-binding arms embargo on both countries, and both are under a de facto arms ban from the United States. But, according to the Stockholm International Peace Research Institute (SIPRI), this has not stopped Israel and Russia from selling to them. After fighting a bloody war in the early 1990s over the disputed territory of Nagorno-Karabakh, Armenia and Azerbaijan have been locked in a stalemate with an oft-violated ceasefire holding a tenuous peace between them. And drones are the latest addition to the battlefield. In March, Azerbaijan signed a $1.6 billion arms deal with Israel, which consisted largely of advanced drones and an air defense system. Through this and other deals, Azerbaijan is currently amassing a squadron of over 100 drones from all three of Israel’s top defense manufacturers. Armenia, meanwhile, employs only a small number of domestically produced models. Intelligence gathering is just one use for drones, which are also used to spot targets for artillery, and, if armed, strike targets themselves. Armenian and Azerbaijani forces routinely snipe and engage one another along the front, each typically blaming the other for violating the ceasefire. At least 60 people have been killed in ceasefire violations in the last two years, and the Brussels-based International Crisis Group claimed in a report published in February 2011 that the sporadic violence has claimed hundreds of lives. “Each (Armenia and Azerbaijan) is apparently using the clashes and the threat of a new war to pressure its opponent at the negotiations table, while also preparing for the possibility of a full-scale conflict in the event of a complete breakdown in the peace talks,” the report said. Alexander Iskandaryan, director of the Caucasus Institute in the Armenian capital, Yerevan, said that the arms buildup on both sides makes the situation more dangerous but also said that the clashes are calculated actions, with higher death tolls becoming a negotiating tactic. “This isn’t Somalia or Afghanistan. These aren’t independent units. The Armenian, Azerbaijani and Karabakh armed forces have a rigid chain of command so it’s not a question of a sergeant or a lieutenant randomly giving the order to open fire. These are absolutely synchronized political attacks,” Iskandaryan said. The deadliest recent uptick in violence along the Armenian-Azerbaijani border and the line of contact around Karabakh came in early June as US Secretary of State Hillary Clinton was on a visit to the region. While death tolls varied, at least two dozen soldiers were killed or wounded in a series of shootouts along the front. The year before, at least four Armenian soldiers were killed in an alleged border incursion by Azerbaijani troops one day after a peace summit between the Armenian, Azerbaijani and Russian presidents in St. Petersburg, Russia. “No one slept for two or three days [during the June skirmishes],” said Grush Agbaryan, the mayor of the border village of Voskepar for a total of 27 years off and on over the past three decades. Azerbaijan refused to issue accreditation to GlobalPost’s correspondent to enter the country to report on the shootings and Azerbaijan’s military modernization. Flush with cash from energy exports, Azerbaijan has increased its annual defense budget from an estimated $160 million in 2003 to $3.6 billion in 2012. SIPRI said in a report that largely as a result of its blockbuster drone deal with Israel, Azerbaijan’s defense budget jumped 88 percent this year — the biggest military spending increase in the world. Israel has long used arms deals to gain strategic leverage over its rivals in the region. Although difficult to confirm, many security analysts believe Israel’s deals with Russia have played heavily into Moscow’s suspension of a series of contracts with Iran and Syria that would have provided them with more advanced air defense systems and fighter jets. Stephen Blank, a research professor at the United States Army War College, said that preventing arms supplies to Syria and Iran — particularly Russian S-300 air defense systems — has been among Israel’s top goals with the deals. “There’s always a quid pro quo,” Blank said. “Nobody sells arms just for cash.” In Azerbaijan in particular, Israel has traded its highly demanded drone technology for intelligence arrangements and covert footholds against Iran. In a January 2009 US diplomatic cable released by WikiLeaks, a US diplomat reported that in a closed-door conversation, Azerbaijani President Ilham Aliyev compared his country’s relationship with Israel to an iceberg — nine-tenths of it is below the surface. More from GlobalPost: Are Iran's drones coordinating attacks in Syria? Although the Jewish state and Azerbaijan, a conservative Muslim country, may seem like an odd couple, the cable asserts, “Each country finds it easy to identify with the other’s geopolitical difficulties, and both rank Iran as an existential security threat.” Quarrels between Azerbaijan and Iran run the gamut of territorial, religious and geo-political disputes and Tehran has repeatedly threatened to “destroy” the country over its support for secular governance and NATO integration. In the end, “Israel’s main goal is to preserve Azerbaijan as an ally against Iran, a platform for reconnaissance of that country and as a market for military hardware,” the diplomatic cable reads. But, while these ties had indeed remained below the surface for most of the past decade, a series of leaks this year exposed the extent of their cooperation as Israel ramped up its covert war with the Islamic Republic. In February, the Times of London quoted a source the publication said was an active Mossad agent in Azerbaijan as saying the country was “ground zero for intelligence work.” This came amid accusations from Tehran that Azerbaijan had aided Israeli agents in assassinating an Iranian nuclear scientist in January. Then, just as Baku had begun to cool tensions with the Islamic Republic, Foreign Policy magazine published an article citing Washington intelligence officials who claimed that Israel had signed agreements to use Azerbaijani airfields as a part of a potential bombing campaign against Iran’s nuclear sites. Baku strongly denied the claims, but in September, Azerbaijani officials and military sources told Reuters that the country would figure in Israel’s contingencies for a potential attack against Iran. "Israel has a problem in that if it is going to bomb Iran, its nuclear sites, it lacks refueling," Rasim Musabayov, a member of the Azerbiajani parliamentary foreign relations committee told Reuters. “I think their plan includes some use of Azerbaijan access. We have (bases) fully equipped with modern navigation, anti-aircraft defenses and personnel trained by Americans and if necessary they can be used without any preparations." He went on to say that the drones Israel sold to Azerbaijan allow it to “indirectly watch what's happening in Iran.” More from GlobalPost: Despite modern facade, Azerbaijan guilty of rights abuses According to SIPRI, Azerbaijan had acquired about 30 drones from Israeli firms Aeronautics Ltd. and Elbit Systems by the end of 2011, including at least 25 medium-sized Hermes-450 and Aerostar drones. In October 2011, Azerbaijan signed a deal to license and domestically produce an additional 60 Aerostar and Orbiter 2M drones. Its most recent purchase from Israel Aeronautics Industries (IAI) in March reportedly included 10 high altitude Heron-TP drones — the most advanced Israeli drone in service — according to Oxford Analytica. Collectively, these purchases have netted Azerbaijan 50 or more drones that are similar in class, size and capabilities to American Predator and Reaper-type drones, which are the workhorses of the United States’ campaign of drone strikes in Pakistan and Yemen. Although Israel may have sold the drones to Azerbaijan with Iran in mind, Baku has said publicly that it intends to use its new hardware to retake territory it lost to Armenia. So far, Azerbaijan’s drone fleet is not armed, but industry experts say the models it employs could carry munitions and be programmed to strike targets. Drones are a tempting tool to use in frozen conflicts, because, while their presence raises tensions, international law remains vague at best on the legality of using them. In 2008, several Georgian drones were shot down over its rebel region of Abkhazia. A UN investigation found that at least one of the drones was downed by a fighter jet from Russia, which maintained a peacekeeping presence in the territory. While it was ruled that Russia violated the terms of the ceasefire by entering aircraft into the conflict zone, Georgia also violated the ceasefire for sending the drone on a “military operation” into the conflict zone. The incident spiked tensions between Russia and Georgia, both of which saw it as evidence the other was preparing to attack. Three months later, they fought a brief, but destructive war that killed hundreds. The legality of drones in Nagorno-Karabakh is even less clear because the conflict was stopped in 1994 by a simple ceasefire that halted hostilities but did not stipulate a withdrawal of military forces from the area. Furthermore, analysts believe that all-out war between Armenia and Azerbaijan would be longer and more difficult to contain than the five-day Russian-Georgian conflict. While Russia was able to quickly rout the Georgian army with a much superior force, analysts say that Armenia and Azerbaijan are much more evenly matched and therefore the conflict would be prolonged and costly in lives and resources. Blank said that renewed war would be “a very catastrophic event” with “a recipe for a very quick escalation to the international level.” Armenia is militarily allied with Russia and hosts a base of 5,000 Russian troops on its territory. After the summer’s border clashes, Russia announced it was stepping up its patrols of Armenian airspace by 20 percent. Iran also supports Armenia and has important business ties in the country, which analysts say Tehran uses as a “proxy” to circumvent international sanctions. Blank said Israel has made a risky move by supplying Azerbaijan with drones and other high tech equipment, given the tenuous balance of power between the heavily fortified Armenian positions and the more numerous and technologically superior Azerbaijani forces. If ignited, he said, “[an Armenian-Azerbaijani war] will not be small. That’s the one thing I’m sure of.”

#### Israel-Iran conflict escalates

Russell ‘9 (James, Senior lecturer in the Department of National Security Affairs at NPS, Strategic Stability Reconsidered: Prospects for Escalation and Nuclear War in the Middle East. Proliferation Papers, 2009)

America’s disapproval of Israeli pre-emption may reflect a reduced national appetite for military action in general, and for unilateral strategic action. However, the intensity of U.S.-Israeli bilateral relations places the United States in an extremely awkward position: on the one hand, a cherished ally could openly be calling for the fulfillment of security commitments77 for its protection and security in response to an external threat; on the other hand, U.S. security commitment to its allies include deterrence and defense, but are widely regarded as excluding preventative actions. To summarize, systemic weaknesses in the coercive bargaining framework induce the prospect of strategic instability in which escalation could unfold in a number of scenarios leading to the use of nuclear weapons by either the United States, Israel, or Iran. For purposes of this paper, escalation means an expansion of the intensity and scope of the conflict.78 The common denominator for the proposed scenarios is that nuclear use occurs in the context of conflict escalation – a conflict that could be initiated by a variety of different parties and in a variety of different circumstances.79 It is extremely unlikely that either the United States or Israel would initiate the use of nuclear weapons as part of a pre-emptive attack on Iran’s nuclear sites.80 However, there are escalation scenarios involving state and non-state actors in the coercive bargaining framework that could conceivably lead to nuclear weapons use by Israel and/or the United States. Iran’s response to what would initially start as a sustained stand-off bombardment (Desert Fox Heavy) could take a number of different forms that might lead to escalation by the United States and Israel, surrounding states, and non-state actors. Once the strikes commenced, it is difficult to imagine Iran remaining in a Saddam-like quiescent mode and hunkering down to wait out the attacks. Iranian leaders have unequivocally stated that any attack on its nuclear sites will result in a wider war 81 – a war that could involve regional states on both sides as well as non-state actors like Hamas and Hezbollah. While a wider regional war need not lead to escalation and nuclear use by either Israel or the United States, wartime circumstances and domestic political pressures could combine to shape decision-making in ways that present nuclear use as an option to achieve military and political objectives. For both the United States and Israel, Iranian or proxy use of chemical, biological or radiological weapons represent the most serious potential escalation triggers. For Israel, a sustained conventional bombardment of its urban centers by Hezbollah rockets in Southern Lebanon could also trigger an escalation spiral.

#### Second- China and Asian drone wars

Brimley et al 9/17 (Shawn Brimley, Ben Fitzgerald, Ely Ratner, Shawn Brimley, Ben FitzGerald, and Ely Ratner are, respectively, vice president, director of the Technology and National Security Program, and deputy director of the Asia Program at the Center for a New American Security, Foreign Policy, “The Drone War Comes to Asia”, <http://www.foreignpolicy.com/articles/2013/09/17/the_drone_war_comes_to_asia>, September 17, 2013)

How China sparked a dangerous unmanned arms race. It's now been a year since Japan's previously ruling liberal government purchased three of the Senkaku Islands to prevent a nationalist and provocative Tokyo mayor from doing so himself. The move was designed to dodge a potential crisis with China, which claims "indisputable sovereignty" over the islands it calls the Diaoyus. Disregarding the Japanese government's intent, Beijing has reacted to the "nationalization" of the islands by flooding the surrounding waters and airspace with Chinese vessels in an effort to undermine Japan's de facto administration, which has persisted since the reversion of Okinawa from American control in 1971. Chinese incursions have become so frequent that the Japanese Air Self-Defense Forces (JASDF) are now scrambling jet fighters on a near-daily basis in response. In the midst of this heightened tension, you could be forgiven for overlooking the news early in September that Japanese F-15s had again taken flight after Beijing graciously commemorated the one-year anniversary of Tokyo's purchase by sending an unmanned aerial vehicle (UAV) toward the islands. But this wasn't just another day at the office in the contested East China Sea: this was the first known case of a Chinese drone approaching the Senkakus. Without a doubt, China's drone adventure 100-miles north of the Senkakus was significant because it aggravated already abysmal relations between Tokyo and Beijing. Japanese officials responded to the incident by suggesting that Japan might have to place government personnel on the islands, a red line for Beijing that would have been unthinkable prior to the past few years of Chinese assertiveness. But there's a much bigger and more pernicious cycle in motion. The introduction of indigenous drones into Asia's strategic environment -- now made official by China's maiden unmanned provocation -- will bring with it additional sources of instability and escalation to the fiercely contested South and East China Seas. Even though no government in the region wants to participate in major power war, there is widespread and growing concern that military conflict could result from a minor incident that spirals out of control. Unmanned systems could be just this trigger. They are less costly to produce and operate than their manned counterparts, meaning that we're likely to see more crowded skies and seas in the years ahead. UAVs also tend to encourage greater risk-taking, given that a pilot's life is not at risk. But being unmanned has its dangers: any number of software or communications failures could lead a mission awry. Combine all that with inexperienced operators and you have a perfect recipe for a mistake or miscalculation in an already tense strategic environment. The underlying problem is not just the drones themselves. Asia is in the midst of transitioning to a new warfighting regime with serious escalatory potential. China's military modernization is designed to deny adversaries freedom of maneuver over, on, and under the East and South China Seas. Although China argues that its strategy is primarily defensive, the capabilities it is choosing to acquire to create a "defensive" perimeter -- long-range ballistic and cruise missiles, aircraft carriers, submarines -- are acutely offensive in nature. During a serious crisis when tensions are high, China would have powerful incentives to use these capabilities, particularly missiles, before they were targeted by the United States or another adversary. The problem is that U.S. military plans and posture have the potential to be equally escalatory, as they would reportedly aim to "blind" an adversary -- disrupting or destroying command and control nodes at the beginning of a conflict. At the same time, the increasingly unstable balance of military power in the Pacific is exacerbated by the (re)emergence of other regional actors with their own advanced military capabilities. Countries that have the ability and resources to embark on rapid modernization campaigns (e.g., Japan, South Korea, Indonesia) are well on the way. This means that in addition to two great powers vying for military advantage, the region features an increasingly complex set of overlapping military-technical competitions that are accelerating tensions, adding to uncertainty and undermining stability. This dangerous military dynamic will only get worse as more disruptive military technologies appear, including the rapid diffusion of unmanned and increasingly autonomous aerial and submersible vehicles coupled with increasingly effective offensive cyberspace capabilities. Of particular concern is not only the novelty of these new technologies, but the lack of well-established norms for their use in conflict. Thankfully, the first interaction between a Chinese UAV and manned Japanese fighters passed without major incident. But it did raise serious questions that neither nation has likely considered in detail. What will constrain China's UAV incursions from becoming increasingly assertive and provocative? How will either nation respond in a scenario where an adversary downs a UAV? And what happens politically when a drone invariably falls out of the sky or "drifts off course" with both sides pointing fingers at one another? Of most concern, how would these matters be addressed during a crisis, with no precedents, in the context of a regional military regime in which actors have powerful incentives to strike first? These are not just theoretical questions: Japan's Defense Ministry is reportedly looking into options for shooting down any unmanned drones that enter its territorial airspace. Resolving these issues in a fraught strategic environment between two potential adversaries is difficult enough; the United States and China remain at loggerheads about U.S. Sensitive Reconnaissance Operations along China's periphery. But the problem is multiplying rapidly. The Chinese are running one of the most significant UAV programs in the world, a program that includes Reaper- style UAVs and Unmanned Combat Aerial Vehicles (UCAVs); Japan is seeking to acquire Global Hawks; the Republic of Korea is acquiring Global Hawks while also building their own indigenous UAV capabilities; Taiwan is choosing to develop indigenous UAVs instead of importing from abroad; Indonesia is seeking to build a UAV squadron; and Vietnam is planning to build an entire UAV factory. One could take solace in Asia's ability to manage these gnarly sources of insecurity if the region had demonstrated similar competencies elsewhere. But nothing could be further from the case. It has now been more than a decade since the Association of Southeast Asian Nations (ASEAN) and China signed a declaration "to promote a peaceful, friendly and harmonious environment in the South China Sea," which was meant to be a precursor to a code of conduct for managing potential incidents, accidents, and crises at sea. But the parties are as far apart as ever, and that's on well-trodden issues of maritime security with decades of legal and operational precedent to build upon. It's hard to be optimistic that the region will do better in an unmanned domain in which governments and militaries have little experience and where there remains a dearth of international norms, rules, and institutions from which to draw. The rapid diffusion of advanced military technology is not a future trend. These capabilities are being fielded -- right now -- in perhaps the most geopolitically dangerous area in the world, over (and soon under) the contested seas of East and Southeast Asia. These risks will only increase with time as more disruptive capabilities emerge. In the absence of political leadership, these technologies could very well lead the region into war.

#### That goes nuclear

Lowther ‘13 (William Lowther, Staff Rreporter in Washington, “Taiwan could spark nuclear war: report”, <http://www.taipeitimes.com/News/taiwan/archives/2013/03/16/2003557211>, March 16, 2013)

Taiwan is the most likely potential crisis that could trigger a nuclear war between China and the US, a new academic report concludes. “Taiwan remains the single most plausible and dangerous source of tension and conflict between the US and China,” says the 42-page report by the Washington-based Center for Strategic and International Studies (CSIS). Prepared by the CSIS’ Project on Nuclear Issues and resulting from a year-long study, the report emphasizes that Beijing continues to be set on a policy to prevent Taiwan’s independence, while at the same time the US maintains the capability to come to Taiwan’s defense. “Although tensions across the Taiwan Strait have subsided since both Taipei and Beijing embraced a policy of engagement in 2008, the situation remains combustible, complicated by rapidly diverging cross-strait military capabilities and persistent political disagreements,” the report says. In a footnote, it quotes senior fellow at the US Council on Foreign Relations Richard Betts describing Taiwan as “the main potential flashpoint for the US in East Asia.” The report also quotes Betts as saying that neither Beijing nor Washington can fully control developments that might ignite a Taiwan crisis. “This is a classic recipe for surprise, miscalculation and uncontrolled escalation,” Betts wrote in a separate study of his own. The CSIS study says: “For the foreseeable future Taiwan is the contingency in which nuclear weapons would most likely become a major factor, because the fate of the island is intertwined both with the legitimacy of the Chinese Communist Party and the reliability of US defense commitments in the Asia-Pacific region.” Titled Nuclear Weapons and US-China Relations, the study says disputes in the East and South China seas appear unlikely to lead to major conflict between China and the US, but they do “provide kindling” for potential conflict between the two nations because the disputes implicate a number of important regional interests, including the interests of treaty allies of the US. The danger posed by flashpoints such as Taiwan, the Korean Peninsula and maritime demarcation disputes is magnified by the potential for mistakes, the study says. “Although Beijing and Washington have agreed to a range of crisis management mechanisms, such as the Military Maritime Consultative Agreement and the establishment of a direct hotline between the Pentagon and the Ministry of Defense, the bases for miscommunication and misunderstanding remain and draw on deep historical reservoirs of suspicion,” the report says. For example, it says, it is unclear whether either side understands what kinds of actions would result in a military or even nuclear response by the other party. To make things worse, “neither side seems to believe the other’s declared policies and intentions, suggesting that escalation management, already a very uncertain endeavor, could be especially difficult in any conflict,” it says.

#### Independently- Executive uncertainty of US Drone policy cause accident and escalatory wars

**Dean ‘13** [Adriana, degree from the University of Southern California in Philosophy, Politics and Law, Chapter Officer of Young Americans for Liberty, an organization with over 125,000 members nationwide, “Targeted Killings Behind the Veil of Ignorance,” <http://www.academia.edu/3832442/Targeted_Killings_Behind_the_Veil_of_Ignorance>]

While there are some justifiable points for the targeted killing program that individuals behind the veil of ignorance may find appealing, there is something to be said for the intuition that the possibility of a superpower state running rogue with a lethal program that has little to no oversight and a high probability for civilian casualties would be unnerving to anyone behind the veil of ignorance. Behind the veil, individual states cannot definitively determine if they would be on the sending or receiving end of a Hellfire missile. This uncertainty alone would pose truly terrifying implications for every state involved. It can be just as reasonably argued behind the veil of ignorance that al-Qaeda could have the drones and the whole of the United States would be under attack. This reality would place the entire American populace at risk. Al-Qaeda has definitively identified the United States as the single greatest threat to Islam. Unlike the United States, which has said repeatedly that it is not at war with Islam or with Muslims in general; al-Qaeda would not discriminate between leaders, military members, and civilians. While flawed, there is still a general attempt by the United States to minimize civilian casualties. Al-Qaeda would not be so kind. Perhaps even more chilling than simply the role reversal of the United States and al-Qaeda, the use of drones by the United States has had a consequence that no one could have predicted. Drones seem to have effectively erased the conventional understanding of “battlefields.” While the United States operates in¶ Pakistan with some semblance of approval from the government, it is generally understood that Pakistan is not approving every single strike that is carried out on its soil. If the President only signs off on a third of ¶ personality ¶ strikes in Pakistan, how many strikes can we reasonably assume that the Pakistani government is informed of? And what of signature strikes? The incessant pursuit of terrorists by the United States has opened up the entire world to the realm of drone strikes. Indeed, although not covered in this paper, the United States has also expanded its use of drones to both Yemen and Somalia, and these three states only constitute the states in which that the international community¶ knows¶ drone strikes are taking place. If the United States is capable of riding roughshod over the world and the general principles of engagement, it has set a dangerous precedent for the future use of drones by other states. The global implications of modern drone warfare would be fully realized if the conditions of the veil of ignorance were simply equalized, meaning that every state, and perhaps even all terrorist organizations, had access to drones. While it can be easily argued that terrorist organizations¶ would never abide by legal rules of “drone engagement,” just as¶ they do not follow military rules of engagement now, the United States has certainly done itself no favors by not regulating itself with respect to drone usage. If states such as Iran, who are openly hostile to the United States, had access to drones (a possibility that is not entirely far-¶ fetched given Iran’s current possession of a downed US drone) it could pose a threat even more terrifying than nuclear proliferation. Drones are silent, precision weapons. In a world where numerous states had obtained drones, they could be utilized covertly without much risk of discovery. It is easy to envision scenarios in which political figures could be assassinated, military instillations targeted, and major civilian population centers attacked without any indication as to who the perpetrator might be. The lack of oversight and accountability championed by the¶ United States in today’s targeted killing program only lends to this horrifying scenario of ¶ globalized drone usage. If the United States cannot regulate itself in its own usage of drones, it cannot reasonably expect that any other state would listen to international cries for oversight once it obtained drones of its own. The view of targeted killings from behind the veil of ignorance should disturb any state or group. In the first place, the equal likelihood that a state could be the exactor or victim of drone strikes should be enough to deter states from any inclination to utilize drone strikes in which there is no definitive oversight program and the possibility to use signature strikes. Secondly, the knowledge that the loose standards for using targeted killings within ones own country could lead to unfettered global drone warfare among a host of different states should be an even greater incentive for states to adopt more egalitarian means by which to utilize drones. This is not to say that the use of drones is outright unjustifiable. More to the point, it can simply be said that certain components and the resulting implications of the program are categorically unfair. The¶ unfairness inherent in the United States’ lack of oversight and accountability,¶ the use of signature strikes, and the hypothetical role reversal between the United States and al-Qaeda, or the expansion of drone strikes to a global model, behind the veil of ignorance indicates¶ a need for profound change within the United States’ targeted killing¶ program. While there seems to be little to object to with regard to the use of strikes against clearly identified senior-level al-Qaeda targets, the targeted killing program has expanded far beyond the bounds of permissibility behind the veil of ignorance. To this end, the United States must recognize that somewhere along its path of pursuing terrorist is has lost the fundamental principles that defined its claim to self-defense. Senseless collateral loss of civilian life, as well as questionable targeting practices by the executive branch, aid only in¶ undermining the United States’ goal of national security. The drone program must be either¶ drastically reformed in order to return it to a state of justifiability, or else it must be ended entirely. It is clear that the program has departed entirely from the realm of fairness, and every day that the United States continues to utilize the current program is one step further down the path of a precedent that will one day come back to haunt not only the executive, but the United States as a whole.

#### Creating a legal drone regime with Pakistan key

Hauri ’10 (Andrin Hauri, Andrin Hauri is a research assistant for the Center for Security Studies, ETH Zurich. He holds a master’s of philosophy in political science from the University of Lausanne, Analyst @ International Relations and Security Network, ISN Security Watch, “Obama’s Drone Handicap”, <http://www.isn.ethz.ch/Digital-Library/Articles/Detail/?lng=en&id=116243>, May 17, 2010)

The CIA drone campaign in Pakistan has been stepped up under President Barack Obama without having its legal issues addressed – a fact that could backfire on the US, Andrin Hauri comments for When Barack Obama took office in January 2009, he announced a review of the contended practices utilized in the war on terror that were introduced by his predecessor. He forbade the CIA from using harsh interrogation methods beyond those permitted by the US military, shut down the Agency's network of secret prisons around the world and announced the eventual closure of Guantanamo Bay. However, when it comes to CIA drone strikes in Pakistan, the new US administration continues with the practice established under the previous presidency and has even authorized a sharp increase in the number of such strikes. The overall use of drones by the US military, and the CIA in particular, has significantly increased over the last decade, as they have proven an excellent tool for operations such as targeted assassinations in Afghanistan and Iraq. The US military budget has allocated $3.5 billion for drones in 2010 alone, and this figure is predicted to rise to $55 billion by 2020. Today, the US Air Force already trains more drone operators than fighter and bomber pilots, and has plans to commission hundreds of new drones over the next few years. Given that the capabilities provided by drones - such as 24/7 surveillance or timely strikes against time-sensitive targets - are widely considered in the US military as ‘game changing,’ their use is bound to increase as part of the campaign against terrorism and future conflicts. After taking office in summer 2009, the new commander of US forces in Afghanistan, General Stanley A McChrystal, responded quickly to mounting criticism of spiralling civilian casualties among the Afghani population over the last two years. He declared population protection his most important objective and set tough new guidelines for the use of air strikes in Afghanistan - with the notable exception of drone strikes. The US Air Force in Afghanistan and particularly the CIA operating in the remote tribal areas in Pakistan were granted even more leeway in their respective drone campaigns. Consequently, the number of CIA drone strikes in Pakistan rose from 34 in 2008 to 53 in 2009, and is expected to significantly exceed this number in 2010. As of the end of April, 33 strikes have already been executed. Despite official protests from Pakistan against the drone strikes, the Pakistani government has secretly given its okay and now partially supports them as they are regarded as less objectionable violations of Pakistan’s sovereignty than ground incursions by US Special Forces. Given that the US military has no UN mandate outside of Afghanistan, CIA drone strikes are largely considered by the Obama administration as the most effective tool to hand against militants in Waziristan. CIA Director Leon Panetta has even referred to the drone program as "the only game in town." Hence, Obama seems determined to continue to make intensive use of this means in future. Against this background, it is remarkable that there still is not and never has been a large public debate about the legal and moral issues surrounding the CIA drone program of targeted assassinations within the borders of Pakistan. This is all the more surprising when bearing in mind that former US president George W Bush previously came under fire for considering to dispatch somewhat more traditional hit -squads abroad to capture or take out suspected terrorists. The drone strikes in Waziristan on the other hand do not per se provide for the option to capture any suspects alive. Prior to 9/11, US governments had also continuously condemned the Israeli campaign of targeted assassinations in the Palestinian Territories as "extrajudicial killings, we do not support", as Martin Indyk, then-US ambassador to Israel, put it in July 2001. Back then, even former CIA chief George Tenet advised against the use of armed drones by his agency, arguing that it would be "a terrible mistake [for] the CIA to fire a weapon like that." Nonetheless, in the post-9/11 atmosphere, criticism on the issue largely withered away, though it had lost nothing of its significance. Among the issues raised in the discussion of the CIA drone program in Pakistan, two main criticisms stand out. Firstly, it is the use of drones by a US intelligence agency to conduct clandestine strikes in a theater where the US military is currently not operating that is met with criticism, not the use of the technology as such. Thus, the CIA drone strikes not only covertly extend the war in South Asia, but the program’s secrecy also obscures the possible consequences if something goes wrong as no visible structures of accountability are in place. This creates a situation with the potential to open the floodgates to the indiscriminate use of CIA drones in other theaters worldwide, where the US military is prohibited to operate. Secondly, connected to this, it is claimed that the CIA drone strikes amount to a program of extrajudicial targeted killings without a clear guiding policy. In 2009, UN Special Rapporteur on Extrajudicial Executions Philip Alston stated that "the onus is really on the US government to reveal more about the ways in which it makes sure that arbitrary extra judicial executions aren’t in fact being carried out through the use of these weapons." Given that both the definition of acceptable high value targets by the US and the geographic scope of the program appear to keep broadening, the unchallenged usage by Washington of what it had criticized other countries for only a few years previously raises the question of whether such strikes are now more legitimate because it is the US that perpetrates them. So far, Washington has refused to disclose the legal basis of the program, the precautions taken to ensure the legality of the targets under international humanitarian law as well as potential review mechanisms after the strike, and the safeguards designed to minimize civilian harm. What we are witnessing in northwest Pakistan is the massive expansion of a new method of warfare, spearheaded by the US. It is a war that promises quick and seemingly clean successes without having to put one’s own troops in danger. Nonetheless, it also has the potential to ultimately result in state-ordered murder, eroding the international norm against targeted assassinations. For this reason, there is the need for a large public debate about the use of armed drones by a US intelligence agency. The US administration would be well advised to bring more transparency into the CIA program with regard to any relevant bilateral agreement between the US and the states where the CIA deploys armed drones as well as to the legal grounds on which it justifies who and what constitutes a legitimate target. Moreover, it should seek a binding, over-arching legal regime that governs the utilization of armed drones internationally, clarifying ambiguities and grey areas. By putting the use of armed drones by the military and intelligence agencies on a solid legal fundament, such a regime would likely create greater support for drone strikes even within Pakistan, allow for the prosecution of potential misuse, and regulate their deployment in conflicts to come. Failure to do so undermines the US stance of occupying the moral high ground in this war and may sooner rather than later rebound upon the US itself.

#### Congress is key to a *binding* regime

Webb ’13 (Jim Webb is a former U.S. senator from Virginia and served as Secretary of the Navy in the Reagan administration, <http://www.jameswebb.com/articles/natlinterest-congabdication.html>, March/April Edition 2013)

The Obama administration has proven itself to be acutely fond of executive orders designed to circumvent the legislative process in domestic politics. Thus, it is not surprising that this approach would be used also in foreign policy. The phrase "legally binding" as it pertains to executive agreements had come up earlier in the Obama administration. In November 2009, the administration announced that the president would return from a conference of the United Nations Framework Convention on Climate Change in Copenhagen, Denmark, with a "binding commitment" for a nationwide emission-reduction program. On November 25, 2009, this writer sent a cautionary letter to the president, reminding him that "only specific legislation agreed upon in the Congress, or a treaty ratified by the Senate, could actually create such a commitment on behalf of our country." It is difficult to understand how any international agreement negotiated, signed and authorized only by our executive branch of government can be construed as legally binding in our constitutional system. And, with respect to Afghanistan, one strains to find the rationale under which the president alone holds the power to commit our country to a long-term economic and security arrangement that far transcends his authority as commander in chief to oversee combat operations against international terrorism. If such an agreement were "legally binding," one must ask what law binds it and how, and against whom it would be enforced?

#### Law is key to modeling- only statutory restrictions scale-up

Maxwell ’12 (Mark David Maxwell, Colonel, Judge Advocate with the U.S. Army, TARGETED KILLING, THE LAW, AND TERRORISTS, Joint Force Quarterly, <http://www.ndu.edu/press/targeted-killing.html>, Winter 2012)

The weakness of this theory is that it is not codified in U.S. law; it is merely the extrapolation of international theorists and organizations. The only entity under the Constitution that can frame and settle Presidential power regarding the enforcement of international norms is Congress. As the check on executive power, Congress must amend the AUMF to give the executive a statutory roadmap that articulates when force is appropriate and under what circumstances the President can use targeted killing. This would be the needed endorsement from Congress, the other political branch of government, to clarify the U.S. position on its use of force regarding targeted killing. For example, it would spell out the limits of American lethality once an individual takes the status of being a member of an organized group. Additionally, statutory clarification will give other states a roadmap for the contours of what constitutes anticipatory self-defense and the proper conduct of the military under the law of war. Congress should also require that the President brief it on the decision matrix of articulated guidelines before a targeted killing mission is ordered. As Kenneth Anderson notes, “[t]he point about briefings to Congress is partly to allow it to exercise its democratic role as the people’s representative.”74 The desire to feel safe is understandable. The consumers who buy SUVs are not buying them to be less safe. Likewise, the champions of targeted killings want the feeling of safety achieved by the elimination of those who would do the United States harm. But allowing the President to order targeted killing without congressional limits means the President can manipulate force in the name of national security without tethering it to the law advanced by international norms. The potential consequence of such unilateral executive action is that it gives other states, such as North Korea and Iran, the customary precedent to do the same. Targeted killing might be required in certain circumstances, but if the guidelines are debated and understood, the decision can be executed with the full faith of the people’s representative, Congress. When the decision is made without Congress, the result might make the United States feel safer, but the process eschews what gives a state its greatest safety: the rule of law.

### Advantage {X}: Sharif Legitimacy

Drones will ruin Sharif’s political leadership in the squo- this risk total kickout and backlash

Toosi ’13 (Nahal Toosi, Associated Press Editor, “Pakistan Summons U.S. Envoy Over Drone Strike”, <http://www.huffingtonpost.com/2013/06/08/pakistan-us-envoy-summoned_n_3407803.html>, June 8, 2013)

ISLAMABAD — Just days after taking power, Pakistan's new government summoned a top U.S. envoy Saturday to lodge a protest over a U.S. drone strike, suggesting that Prime Minister Nawaz Sharif's team fully intends to make good on its promise to aggressively push for an end to such strikes. Friday night's drone strike near the Afghan border, which was said to have killed seven militants, came two days after Sharif was sworn in as premier and the same day his Cabinet members took their oaths. Sharif's Pakistan Muslim League-N handily won general elections last month and is expected to govern with a relatively strong mandate because it doesn't need to rely on coalition partners. Sharif, who wants to pursue peace talks with militants threatening his country, has insisted the U.S. stop the drone strikes, saying they violate Pakistan's sovereignty and are counterproductive because they often kill innocent civilians and stoke anti-U.S. sentiment in this nation of 180 million. The U.S. insists the CIA-run strikes primarily kill al-Qaida and other militants who threaten the West as well as efforts to stabilize Afghanistan. In a recent speech, President Barack Obama pledged more transparency and restrictions on the highly secretive program. Sharif adviser Tariq Fatemi, acting on the premier's instructions, summoned U.S. Embassy Charge D'Affaires Richard Hoagland to the Foreign Office on Saturday to complain about the latest drone strike, according to a Pakistani government statement. U.S. Ambassador Richard Olson was out of Pakistan at the time. "The importance of bringing an immediate end to drone strikes was emphasized," the government statement said. "It was also stressed that these drone strikes have a negative impact on the mutual desire of both countries to forge a cordial and cooperative relationship and to ensure peace and stability in the region." A U.S. Embassy official confirmed the encounter but did not provide further details. He requested anonymity because he was not authorized to publicly talk about diplomatic discussions. Issuing the summons so quickly after taking power indicates Sharif wants to quickly carve out as much political space as he can – domestically and in his relations with the U.S. It could also be a fairly calculated move in this country, where the military retains significant power and where political rivals have gained traction by being even more vocal against drones. While the previous government of the Pakistan People's Party did, on occasion, summon U.S. envoys over drone strikes, it usually stuck to routine press releases denouncing them. It was also widely believed that many People's Party leaders privately supported the drone strikes. At the same time, Sharif has to strike a balance in his approach to a powerful ally such as the U.S., which has provided Pakistan with billions in military and humanitarian aid over the years, said Babar Sattar, a political and legal analyst in Pakistan. "Reaction more stringent than this with an ally and friend would obviously have the possibility of disrupting the relationship – and he's made it clear that's not what he wants," Sattar said, noting that Sharif has not, for example, backed calls by some activists that Pakistan shoot down the drones. Sharif also has been far more careful than his People's Party predecessors in his rhetoric about militancy in Pakistan and has said he wants to enter a dialogue with the Pakistani Taliban. That has raised concerns in the West that he might be too sympathetic to the Islamist extremists, but he also may simply want to exhaust the option of peace talks so as to later gain public support for military action, Sattar said. A stop to drone strikes could give him more space in that process. In its first drone strike in Pakistan after the country's recent election, the U.S. in late May killed Waliur Rehman, deputy leader of the Pakistani Taliban. The Pakistani Taliban, who have killed thousands of people in bombings and other attacks across the country, confirmed Rehman's death and promptly said they would not talk peace with Sharif. Sharif – while not naming Rehman or the Taliban – spoke out against that drone strike, and his party in a statement noted that it was "highly regrettable" that it came after Obama's speech. The drone strike Friday night struck a compound in Mangrothi village in the Shawal area, along the border dividing the North and South Waziristan tribal regions, two Pakistani intelligence officials said, speaking on condition of anonymity because they were not authorized to release the information on the record. The tribal regions are nearly impossible to access for foreign and many Pakistani journalists, so the report could not be independently confirmed. But North and South Waziristan are known to be havens for multiple militant groups, including the Pakistani Taliban. The U.S. has launched hundreds of drone strikes in Pakistan since 2008, though the frequency has fallen significantly in recent years. For all his rhetoric, it remains unclear if Sharif can actually stop the U.S. from using the drones to launch missiles at militants Washington believes are a threat. For one thing, despite his numbers in parliament, Sharif still has to contend with Pakistan's army for influence over security and foreign policies. And If he's unable to end the strikes in Pakistan as the months wear on, that could give more room to opposition politician Imran Khan, the former cricket star, to drain support from Sharif and his party. Khan has been especially strident in campaigning against the drone strikes.

#### Obama has recently halted Pakistani drone strikes but it isn’t sufficient- still undermines Sharif

Goodman 2/6 (Ryan Goodman, co-editor-in-chief of Just Security. He is the Anne and Joel Ehrenkranz Professor of Law and Co-Chair of the Center for Human Rights and Global Justice at New York University School of Law, and he is also Professor of Politics and Professor of Sociology at NYU. He was the inaugural Rita E. Hauser Professor of Human Rights and Humanitarian Law and the Director of the Human Rights Program at Harvard Law School. He received a JD from Yale Law School, a Ph.D. from Yale University, and a B.A. from the University of Texas at Austin. He is a member of the Department of State’s Advisory Committee on International Law, a member of the Council on Foreign Relations, and member of the Board of Editors of the American Journal of International Law, “US to Reduce Drone Program in Pakistan – But Does Pakistan “Agree”? “, <http://justsecurity.org/2014/02/06/reduce-drone-program-pakistan-pakistan-agree/>, February 6, 2014)

A must-read story in the Wall Street Journal this morning details a “general agreement” between the US and Pakistan to “narrow” the drone program to a short list of high-level terrorists with an “aim to end” the program by the time Prime Minister Sharif’s first term in office expires in 2018. (The sources for the report are anonymous US officials.) Does this “new approach” reflect the Pakistan government’s consent? And how does a statement by Pakistan’s Ministry of Foreign Affairs today correspond to these reports? It is important to note that the WSJ story comes on the heels of yesterday’s Washington Post report that the “Obama administration has sharply curtailed drone strikes in Pakistan after a request from the government there for restraint as it pursues peace talks with the Pakistani Taliban” (my emphasis). So, did Sharif’s government ask for restraint or reduction—rather than termination–of drone strikes? And does the tapering off approach with a timetable for termination satisfy Pakistan’s demand to bring the program to cessation? The WSJ reports that “Senior U.S. officials characterized the timetable as a ‘general agreement’ within the Obama administration and between the U.S. and Pakistani governments.” That said, other passages in the story suggest that Sharif’s government has demanded an immediate cessation: The changes fall short of Prime Minister Nawaz Sharif’s demands for an immediate freeze in drone strikes. … In meetings last month in Washington, top Pakistani officials repeated their demand that the U.S. suspend the drone program. U.S. officials told their Pakistani counterparts during those meetings that an immediate suspension wasn’t possible …. It is unclear, from the WSJ report, whether (a) these “demands” by the Pakistan government simply preceded the “general agreement” reached after negotiations with the US or (b) the Pakistan government’s demands persist and thus no true “agreement” has been reached. On Thursday, Pakistan’s Ministry of Foreign Affairs appeared to answer that quandary in terms that suggest the latter. A question was posed to the Ministry’s spokesperson in light of the Washington Post story. Here is the full exchange (my emphasis): Question It has been stated that the US has reduced the frequency of drone attacks on Pakistan’s request during the proposed dialogue between Pakistan and Taliban. As and when did it happen? Answer Our position on the drone strikes is very clear. We have stated it from this forum many a times that drone strikes are unacceptable. They kill innocent people in Pakistan and they violate Pakistan’s sovereignty. Pakistan has consistently worked with the US. We have demanded that these violations of our territory should stop. We have been engaged with the international community. We have built international consensus and now you see that this issue is being discussed by human rights organizations, lawyers’ organizations internationally and it was taken up by the UN, a special rapporteur was appointed who presented the report that looks into the question of legality of drone strikes, then the United Nations General Assembly resolution talked about it. We have said that we intend to take this issue to the Human Rights Council in March as well. So there is no question of Pakistan requesting the US to cut down on the number of strikes. Our position has been clear. We want complete stop. At least in terms of its official public position, the Pakistani government still apparently opposes the current drone program—even the tapering off approach.

#### And Sharif’s election means relations are in a position to skyrocket but drones are acting as a floodgate

Riechmann ’13 (Deb Riechmann, writer for The Associated Press, “US, Pakistan to Resume High-Level Negotiations”, <http://www.military.com/daily-news/2013/08/01/us-pakistan-to-resume-high-level-negotiations.html>, August 1, 2013)

ISLAMABAD - U.S. Secretary of State John Kerry and his Pakistani counterpart, Sartaj Aziz, said Thursday that the two countries will resume high-level negotiations over security issues. Kerry also said he had invited Pakistan's newly elected Prime Minister, Nawaz Sharif, to come to Washington to meet with President Barack Obama. "I'm pleased to announce that today, very quickly, we were able to agree to a resumption of the strategic dialogue in order to foster a deeper, broader and more comprehensive partnership between our countries," Kerry said at a press conference with Aziz in Islamabad. He said the talks will cover "all of the key issues between us, from border management to counterterrorism to promoting U.S. private investment and to Pakistan's own journey to economic revitalization." The U.S. and Pakistan launched high-level talks on a wide swath of security and development programs in 2010. But the talks stalled in November 2011 after U.S. airstrikes on a Pakistani post on the Afghan border accidentally killed 24 Pakistani soldiers. Even before that, the bilateral relationship was severely damaged by a variety of incidents, including a CIA contractor shooting to death two Pakistanis in the eastern city of Lahore and the covert U.S. raid that killed Osama bin Laden in Pakistani town of Abbottabad. The resumption of the strategic dialogue indicates that the relationship between the two countries has improved since that low point. But there is still significant tension and mistrust between the two countries, especially regarding U.S. drone strikes and Pakistan's alleged ties with Taliban militants using its territory to launch cross-border attacks against American troops in Afghanistan. "It is also no secret that along this journey in the last few years we've experienced a few differences," Kerry said. "I think we came here today, both the prime minister and myself, with a commitment that we cannot allow events that might divide us in a small way to distract from the common values and the common interests that unite us in big ways." Kerry was also asked about progress on a bilateral security agreement with Afghanistan that would keep some U.S. forces in that country after 2014. "I am personally confident that we will have an agreement, and the agreement will be timely," he replied. "And I am confident that the president has ample space here within which to make any decisions he wants to make regarding future troop levels." While this is Kerry's first visit to Islamabad as secretary of state, he has a long history of dealing with Pakistan as former chairman of the Senate Foreign Relations Committee. Sharif described him as "a wonderful friend," and Kerry said, "I have had the pleasure of visiting (Sharif's) home and having a number of meals with him." Before heading into a closed-door meeting, Sharif asked Kerry about his wife, Teresa Heinz Kerry, who was hospitalized after a seizure last month. "She's doing better," Kerry said. Sharif came to power in an election that marked the first time in Pakistan that a civilian government completed its full five-year term and transferred power in democratic elections. The country has a history of civilian leaders being overthrown in military coups. "This is a historic transition that just took place," Kerry told U.S. Embassy employees. "Nobody should diminish it." Senior administration officials traveling with Kerry told reporters that while relations with Pakistan have grown touchy in recent years, there is the prospect of resetting those ties with Sharif's government and working together on major issues - counterterrorism, energy, regional stability, economic reforms, trade and investment. The officials spoke on condition of anonymity because they weren't authorized to publicly discuss Kerry's agenda. The U.S. wants to help strengthen the role of the civilian government in Pakistan, where the military long has been dominant, and wants Sharif to tackle rising extremist attacks inside his country. The prison break this week that freed hundreds of inmates raises serious questions about Pakistan's ability to battle an insurgency that has raged for years and killed tens of thousands. Suspected Islamic militants killed at least 160 people during the new government's first month in office. Sharif's government has not articulated an alternate strategy. The U.S. also wants Pakistan to pressure leaders of the Afghan Taliban to negotiate with Afghan President Hamid Karzai's government, renounce violence and sever ties with al-Qaida. Officials in neighboring Afghanistan are demanding that Pakistan dismantle extremists' havens inside Pakistan and push the Taliban to join the peace process. Both the U.S. and Afghanistan say that if attacks are allowed to continue, the region will never become stable. Pakistani officials say they do not control the Taliban, but Karzai's government isn't convinced. Drone strikes are another point of contention. Washington says it needs to attack dangerous militants with drones because Pakistan's government refuses to engage them militarily. Pakistan contends the drone strikes are a fresh violation of its sovereignty, and they have increased widespread anti-American sentiment in the country. The United States has reduced the number of drone attacks against militants in Pakistan and limited strikes to top targets. These moves appear to have appeased Pakistan's generals for now, U.S. officials said. But some officials worry about pushback from the new civilian officials, including Sharif, who wants the attacks ended. There have been 16 drone strikes in Pakistan this year, compared with a peak of 122 in 2010, 73 in 2011 and 48 in 2012, according to the New America Foundation, a U.S.-based think tank. After Kerry wraps up his meetings in Islamabad, he is scheduled to fly to London. The State Department said he will meet there with United Arab Emirates Foreign Minister Abdullah bin Zayed Al-Nahyan to discuss Egypt, Syria and Middle East peace.

#### Two scenarios- first energy

#### Sharif solves Pakistan economic collapse and trading blocs- key to solve multiple scenarios for escalatory great power war

**Younus ‘13** [Uzair, international security studies analyst for the Fletcher Security Review, focusing on international trade in South West Asia, the Middle East, and North Africa, graduated summa cum laude from Bentley University, “PAKISTAN LOOKS TO NAWAZ SHARIF WITH HOPE,” June 10, http://foreignpolicy.com.pk/pakistan-looks-to-nawaz-sharif-with-hope/]

In his first speech as Prime Minister, Nawaz Sharif spoke with a seriousness rarely found in Pakistani politicians. He spoke of the crippling issues facing the country today and expressed the need for consensus in developing cohesive policies needed to rescue Pakistan. Unlike most Pakistani politicians, the PM has shown that he means what he says: he outrightly declined proposals of Maulana Fazlur Rehman to sideline PTI in Khyber-Pakhtunkhwa and made a brave decision in nominating Mr. Baloch as Chief Minister of Baluchistan.¶ REINVIGORATING A CRIPPLING ECONOMY WILL BE A TOUGH TEST¶ Nawaz Sharif’s biggest challenge will lie on the economic and foreign policy front and luckily or unluckily, the two are interconnected. The fact of the matter is that the Pakistani economy is on the brink of collapse: foreign exchange reserve are falling rapidly, the economy is stagnating due to energy shortfalls and poor law and order, and massive government debts and interest payments have left the new government with little room for expansionary policy.¶ The foreign policy of the government will determine whether Pakistan can develop a local environment where investment, development, and trade can flourish again. Popular discourse in Pakistan on foreign policy revolves mainly around drone strikes and the United States. This is a futile exercise and draws attention away from more serious issues. Fact of the matter is that the United States will slowly withdraw from Afghanistan but continue its much-despised drone strikes in the tribal belt. There is simply no alternative to this for the time being. However, Pakistan’s relations with its immediate neighbors in a post-NATO world will be key in determining the country’s future.¶ NAWAZ SHARIF MUST PROMOTE REGIONAL TRADE AND COOPERATION¶ For centuries, the land mass that we now call Pakistan has been used as a trade route connecting the landlocked countries of Central Asia and ancient Persia to the fertile and rich empires of India and China. It was from this region that trade flowed from the East to the West and vice versa, enabling everyone from Pashtun tribes, Punjabi Nobles, and Sindhi bankers to enrich themselves and develop their states. Poor relations between India and Pakistan and the collapse of Afghan society essentially froze this ancient route. This continues to be an issue today: India cannot get its products across Pakistan into Central Asia, Iran cannot sells its oil and gas to China and India, and Afghanistan is unable to use its land mass as a corridor for Central Asian gas and Chinese and Indian goods.¶ Nawaz Sharif has made statements about the need for developing strong and peaceful relations with India and hinted that trade-based solutions would be a good starting point. Afghanistan is also keen on being part of these developments, while the Iranians are watching with interest and would be interested in joining on as well. China has already bought up large chunks of mines in Afghanistan and would be a party to any trade agreements and would be keen on developing energy routes that reduce its dependence on the shipping lanes of the Indian Ocean. China’s continuing interest in Gwadar despite the poor law and order situation in Baluchistan is proof of this interest. Everyone in the region has something to gain from cooperation but so far, no one has been able to bring all parties to the table.¶ It is Pakistan today that holds the key to the reintegration of Central and Southwest Asia and Pakistani policymakers must realize that history can pave way for a prosperous future. For centuries the trading routes connecting Central Asia to China and India brought wealth, trade, and even war to this region. Today, these routes are virtually frozen and the development of a cohesive trading bloc could do wonders. The economic growth generated by just enabling trade between Afghanistan, Pakistan, and India would go a long way in diffusing tensions, militancy, and the current crisis that our region is in the midst of.¶ Nawaz Sharif has emphasized the need to bring all local stakeholders in Pakistan to the table in solving the country’s vast problems. A similar strategy of building rapport and asking all regional stakeholders to come to the table to discuss solutions would do wonders. Luckily for Mr. Sharif, regional and global leaders feel that he is someone that they can work with. Mr. Sharif must use this trust as a means to further Pakistan’s interests and move the region towards greater economic and trade cooperation.¶ REGIONAL INTEGRATION CAN DRAMATICALLY REDUCE TENSIONS¶ In a rapidly globalizing world, our region is one of the few in the world that is not integrated by trade. The animosity amongst all the neighboring countries creates a scenario where no one is better off. It also creates an environment where scarce resources are used to fund an arms-race that leads to further escalation in tensions. Pakistan, India, China, Iran, and now even Afghanistan are locked in a regional battle for supremacy and each government is increasingly more and more aggressive. Fostering greater trade and economic cooperation would reduce this animosity and if Nawaz Sharif really wants to take Pakistan forward, he must seriously develop a means to further trade between Pakistan’s neighbors. If he succeeds, then the Pakistani state would be very different than the one Mr. Sharif is ruling today. A failure to do so would all but guarantee further militancy, instability, and increases in defence spending.

#### Central Asian resource crunch causes war

Makarenko ‘9 (Dr Tamara Makarenko is Associate Lecturer, University of Dundee and Partner, West Sands Advisory LLP. She was also a key speaker at a NATO Science for Peace and Security workshop, “Central Asia: where power, politics and economics collide”, <http://www.nato.int/docu/review/2009/Asia/central_asian_geopolitics/EN/index.htm>, 2009)

Central Asia: where power, politics and economics collide

In an increasingly energy hungry world, Central Asia's resources are attracting growing interest Having been involved with Central Asia since 1998 on both an academic and professional level, I have concluded that the region provides exhaustive case studies of how relations between international interests, the legitimate economy, criminality and political violence collide and/or converge. This view originally resulted from my academic research on the crime-terror nexus – deducing in 2000 that the Islamic Movement of Uzbekistan gained momentum because Juma Namanganiy was able to weave (the façade of) legitimate business dealings with narcotics trafficking. Examples evolved into more sophisticated operations over the years as business, criminal and political interests increasingly converged. For example, evidence in Kyrgyzstan suggests that although key economic sectors are often intertwined with illegal activities, they are given carte blanche access to the banking system and attract foreign investment. Instead of adopting Western espoused and supported democratic ideals and market mechanisms as the a priori ways through which economic growth and political stability could be achieved, Central Asia has found its development constrained by the power amassed by authoritarian regimes, oligarchs, and criminal networks. Furthermore, despite regularly admonishing the region for their lack of democratic progress or their inability to establish control over criminality and rising extremism, the actions of external actors perpetuate autocratic rule and corruption, which subsequently feeds into a climate of economic, political and social instability. Central Asia is part of several struggles that intermittently see external actors compete for attention and ultimately for access to resources Geo-economics as the New Geopolitics Historically, Central Asia has been referred to in the context of its position at the crossroads of East and West, nestled between empires and bordering zones of conflict and insecurity (e.g. Afghanistan, China’s Xinjiang province, and Iran). Although the region was largely ignored throughout the Cold War, its vitality and importance was quickly rediscovered. Central Asia is continuously recognised as an important stakeholder in the Caspian energy game, a conduit to Chinese energy security, a playground of Russian power politics, and a transit area for criminal activity and religious fervour that is played out to its extreme in Afghanistan. Given these regional realities, Central Asia is part of several struggles that intermittently see external actors compete for attention and ultimately for access to resources. The competition for control over regional resources is often exemplified in bilateral and multilateral economic and military agreements that are negotiated with the Central Asian states. Although there is no illusion that external states are in a position to dictate terms of engagement, regional elites have recognised that they can leverage competing interests to their (often personal) advantage. As a result, concepts such as the rule of law, corporate governance, and transparency in commercial operations are often considered to be expendable in the national interest. Plays of power politics are no longer isolated to state actions alone, but incorporate the ability of states to use commercial interests and circumvent criminal control over economic spheres without creating greater short-term instability. Isolating the activities of China, Russia and the U.S., it may be argued that – in doing so - each of these states have helped sustain the status quo of the Central Asian republics. Access to resources and infrastructure have become prioritised as soft power tools through which they perceive to be able to incrementally increase their regional influence. China’s Extended Africa Strategy Involved in the region since the 1990s, the Chinese strategy in Central Asia is undoubtedly multifaceted. A key driver of China’s policy in the region, however, appears to be mirroring its Africa policy. In other words, China is steadily increasing its regional presence through the acquisition of stakes in energy and infrastructure assets, and by providing “no-strings attached” loans. For example, Beijing recently agreed to provide Astana with a U.S. $10 billion loan to be used exclusively for the development of the oil and gas industry: a move likely to be used to expand its energy links in the region. Although several bilateral agreements have been finalised between Beijing and Dushanbe, Tashkent, Almaty and Bishkek respectively and Beijing has attained a balanced position with Russia in the Shanghai Cooperation Organisation, its strongest foothold has been gained through a carefully targeted investment strategy. This is evident in Tajikistan, with Chinese participation in the aluminium industry and in Kazakhstan, with key commercial agreements signed with KazMunaiGaz and Kazatomprom. Europe has begun to note with concern China’s investment patterns, with Chinese foreign direct investment and long-term loans equalling an estimated U.S. $13 billion in the region. © Reuters/POOL New Leaders of countries in the Shanghai Cooperation Organisation (SCO) at a SCO meeting Russia’s Oligarch Power Plays Russia has also successfully managed to use the commercial sphere to consolidate its influence and power in Central Asia. This has been especially evident in Kazakhstan – arguably Russia’s only direct link to the other republics. Russia has made its initial inroads in the Kazakh banking system through state-owned banks – both through the direct and indirect acquisition of shares. In theory, this policy will allow Moscow to exert influence on the Kazakh economy by controlling access to loans, and decisions on commercial debt. Vnesheconombank, for example, gave Astana a U.S. $3.5 billion loan to be used solely to purchase Russian products. It is also likely that Kazakh BTA Bank will follow a restructuring path that involves a possible sale to Russia’s Sberbank. Despite a focus on cornering the financial market, Russia is also gaining influence in the energy and mining sectors. Companies including Polyus Gold and Polymetal have gained considerable leverage over gold and copper deposits; and LUKoil continues to expand its presence. For example, Moscow offered capital at a time of crisis to ensure that LUKoil could purchase BP’s stake in the Caspian Pipeline Consortium project. It is also worth noting that LUKoil was invited to sit on Kazakhstan’s Foreign Investments Council in 2003 by President Nursultan Nazarbayev. Both China and Russia, in following commercial strategies to gain influence in the region, have inadvertently contributed to securing the current political status quo. Investigating various business deals that have included Chinese or Russian interests has confirmed that in many instances the rule of law, corporate governance, and transparency of beneficial ownership are considered to be luxuries and thus dispensable. State involvement in commercial transactions thus has little to do with contributing to the creation of sustainable economic growth. In fact, several commercial transactions have merely worked to sustain the ‘shadow state’, ensuring that income generation is not tied to economic development but to securing regime survival. U.S. Focus on Security Priorities Unlike China and Russia whose engagement with Central Asia has not been constrained or driven by security considerations, much of U.S. involvement in the region post-9/11 has been focused on securing and managing military base agreements. It is in these commercial agreements that the U.S. has mirrored the actions of China and Russia – circumventing market mechanisms cherished in the West to secure its own national priorities. The example of Manas base in Kyrgyzstan is a well-documented case in point. In 2005 the FBI initiated an investigation that uncovered the embezzlement of millions of dollars from fuel contracts the Pentagon awarded to companies controlled by the then-President’s son and son-in-law. This trend merely continued after Bakiev replaced Akayev, with lucrative fuel contracts now going to companies allegedly controlled by the current President’s son. Not only did the U.S. pay a high financial price to secure access (commercial agreements combined with increased aid), but some also accused Washington of turning a blind eye to the many reported anomalies associated with the last Kyrgyz presidential elections. The heightened importance of Central Asia in the post-9/11 environment has created an altered reality Geo-economic Power Plays & Central Asian Security Security in Central Asia has most readily fallen under the rubric of geopolitics, territorially used as a stage upon which external actors could engage in games of power politics. The heightened importance of the region in the post-9/11 environment has created an altered reality; however one in which the fundamental games have not changed, merely the ways in which they are played. Although the immediate impact of this slight twist in context is not obvious, there is a danger that in building an economic house of cards, Central Asia will be in a position to affect regional instability more directly. Dr Tamara Makarenko The emergence of legitimate business interests and investment opportunities will undoubtedly continue to contribute to some form of widespread economic stability, as it has throughout Central Asia since independence. However, at the same time this commercial environment is being built on an unstable foundation – one layered with corruption, competing political interests, civil unrest and disappointment, and criminally induced instability. Affluence is still the domain of the influential, capital continues to be sent to offshore accounts (often facilitating the movement of illicitly gained money), and civil society is left watching internal and external political actors pursue contradictory policies. For as long as the U.S., Russia and China continue to play geo-economic games in the region, there will remain a semblance of stability. It is in their interests to ensure that this is the case. However, one must question the longevity of this policy, and recognise that any slight withdrawal of interests – for whatever reason – may act as the catalyst that leads the region to slide back into more overt instability.

#### Pakistan instability causes indo-pak war

Pitt ‘9 (William, a New York Times and internationally bestselling author of two books: "War on Iraq: What Team Bush Doesn't Want You to Know" and "The Greatest Sedition Is Silence.", “Unstable Pakistan Threatens the World,” <http://www.arabamericannews.com/news/index.php?mod=article&cat=commentary&article=2183>, May 8, 2009)

But a suicide bomber in Pakistan rammed a car packed with explosives into a jeep filled with troops today, killing five and wounding as many as 21, including several children who were waiting for a ride to school. Residents of the region where the attack took place are fleeing in terror as gunfire rings out around them, and government forces have been unable to quell the violence. Two regional government officials were beheaded by militants in retaliation for the killing of other militants by government forces. As familiar as this sounds, it did not take place where we have come to expect such terrible events. This, unfortunately, is a whole new ballgame. It is part of another conflict that is brewing, one which puts what is happening in Iraq and Afghanistan in deep shade, and which represents a grave and growing threat to us all. Pakistan is now trembling on the edge of violent chaos, and is doing so with nuclear weapons in its hip pocket, right in the middle of one of the most dangerous neighborhoods in the world. The situation in brief: Pakistan for years has been a nation in turmoil, run by a shaky government supported by a corrupted system, dominated by a blatantly criminal security service, and threatened by a large fundamentalist Islamic population with deep ties to the Taliban in Afghanistan. All this is piled atop an ongoing standoff with neighboring India that has been the center of political gravity in the region for more than half a century. The fact that Pakistan, and India, and Russia, and China all possess nuclear weapons and share the same space means any ongoing or escalating violence over there has the real potential to crack open the very gates of Hell itself. Recently, the Taliban made a military push into the northwest Pakistani region around the Swat Valley. According to a recent Reuters report: The (Pakistani) army deployed troops in Swat in October 2007 and use d artillery and gunship helicopters to reassert control. But insecurity mounted after a civilian government came to power last year and tried to reach a negotiated settlement. A peace accord fell apart in May 2008. After that, hundreds — including soldiers, militants and civilians — died in battles. Militants unleashed a reign of terror, killing and beheading politicians, singers, soldiers and opponents. They banned female education and destroyed nearly 200 girls' schools. About 1,200 people were killed since late 2007 and 250,000 to 500,000 fled, leaving the militants in virtual control. Pakistan offered on February 16 to introduce Islamic law in the Swat valley and neighboring areas in a bid to take the steam out of the insurgency. The militants announced an indefinite cease-fire after the army said it was halting operations in the region. President Asif Ali Zardari signed a regulation imposing sharia in the area last month. But the Taliban refused to give up their guns and pushed into Buner and another district adjacent to Swat, intent on spreading their rule. The United States, already embroiled in a war against Taliban forces in Afghanistan, must now face the possibility that Pakistan could collapse under the mounting threat of Taliban forces there. Military and diplomatic advisers to President Obama, uncertain how best to proceed, now face one of the great nightmare scenarios of our time. "Recent militant gains in Pakistan," reported The New York Times on Monday, "have so alarmed the White House that the national security adviser, Gen. James L. Jones, described the situation as 'one of the very most serious problems we face.'" "Security was deteriorating rapidly," reported The Washington Post on Monday, "particularly in the mountains along the Afghan border that harbor al-Qaeda and the Taliban, intelligence chiefs reported, and there were signs that those groups were working with indigenous extremists in Pakistan's populous Punjabi heartland. The Pakistani government was mired in political bickering. The army, still fixated on its historical adversary India, remained ill-equipped and unwilling to throw its full weight into the counterinsurgency fight. But despite the threat the intelligence conveyed, Obama has only limited options for dealing with it. Anti-American feeling in Pakistan is high, and a U.S. combat presence is prohibited. The United States is fighting Pakistan-based extremists by proxy, through an army over which it has little control, in alliance with a government in which it has little confidence." It is believed Pakistan is currently in possession of between 60 and 100 nuclear weapons. Because Pakistan's stability is threatened by the wide swath of its population that shares ethnic, cultural and religious connections to the fundamentalist Islamic populace of Afghanistan, fears over what could happen to those nuclear weapons if the Pakistani government collapses are very real. "As the insurgency of the Taliban and Al Qaeda spreads in Pakistan," reported the Times last week, "senior American officials say they are increasingly concerned about new vulnerabilities for Pakistan's nuclear arsenal, including the potential for militants to snatch a weapon in transport or to insert sympathizers into laboratories or fuel-production facilities. In public, the administration has only hinted at those concerns, repeating the formulation that the Bush administration used: that it has faith in the Pakistani Army. But that cooperation, according to officials who would not speak for attribution because of the sensitivity surrounding the exchanges between Washington and Islamabad, has been sharply limited when the subject has turned to the vulnerabilities in the Pakistani nuclear infrastructure." "The prospect of turmoil in Pakistan sends shivers up the spines of those U.S. officials charged with keeping tabs on foreign nuclear weapons," reported Time Magazine last month. "Pakistan is thought to possess about 100 — the U.S. isn't sure of the total, and may not know where all of them are. Still, if Pakistan collapses, the U.S. military is primed to enter the country and secure as many of those weapons as it can, according to U.S. officials. Pakistani officials insist their personnel safeguards are stringent, but a sleeper cell could cause big trouble, U.S. officials say." In other words, a shaky Pakistan spells trouble for everyone, especially if America loses the footrace to secure those weapons in the event of the worst-case scenario. If Pakistani militants ever succeed in toppling the government, several very dangerous events could happen at once. Nuclear-armed India could be galvanized into military action of some kind, as could nuclear-armed China or nuclear-armed Russia. If the Pakistani government does fall, and all those Pakistani nukes are not immediately accounted for and secured, the specter (or reality) of loose nukes falling into the hands of terrorist organizations could place the entire world on a collision course with unimaginable disaster. We have all been paying a great deal of attention to Iraq and Afghanistan, and rightly so. The developing situation in Pakistan, however, needs to be placed immediately on the front burner. The Obama administration appears to be gravely serious about addressing the situation. So should we all.

#### India-Pakistan causes extinction

Starr ’11 (Consequences of a Single Failure of Nuclear Deterrence by Steven Starr February 07, 2011 \* Associate member of the Nuclear Age Peace Foundation \* Senior Scientist for PSR)

Only a single failure of nuclear deterrence is required to start a nuclear war, and the consequences of such a failure would be profound. **Peer-reviewed studies** predict that less than 1% of the nuclear weapons now deployed in the arsenals of the Nuclear Weapon States, if detonated in urban areas, would immediately kill tens of millions of people, and cause long-term, catastrophic disruptions of the global climate and massive destruction of Earth’s protective ozone layer. The result would be a global nuclear famine that could kill up to one billion people. A full-scale war, fought with the strategic nuclear arsenals of the United States and Russia, would so utterly devastate Earth’s environment that most humans and other complex forms of life would not survive. Yet no Nuclear Weapon State has ever evaluated the environmental, ecological or agricultural consequences of the detonation of its nuclear arsenals in conflict. Military and political leaders in these nations thus remain dangerously unaware of the existential danger which their weapons present to the entire human race. Consequently, nuclear weapons remain as the cornerstone of the military arsenals in the Nuclear Weapon States, where nuclear deterrence guides political and military strategy. Those who actively support nuclear deterrence are trained to believe that deterrence cannot fail, so long as their doctrines are observed, and their weapons systems are maintained and continuously modernized. They insist that their nuclear forces will remain forever under their complete control, immune from cyberwarfare, sabotage, terrorism, human or technical error. They deny that the short 12-to-30 minute flight times of nuclear missiles would not leave a President enough time to make rational decisions following a tactical, electronic warning of nuclear attack. The U.S. and Russia continue to keep a total of 2000 strategic nuclear weapons at launch-ready status – ready to launch with only a few minutes warning. Yet both nations are remarkably unable to acknowledge that this high-alert status in any way increases the probability that these weapons will someday be used in conflict. How can strategic nuclear arsenals truly be “safe” from accidental or unauthorized use, when they can be launched literally at a moment’s notice? A cocked and loaded weapon is infinitely easier to fire than one which is unloaded and stored in a locked safe. The mere existence of immense nuclear arsenals, in whatever status they are maintained, makes possible their eventual use in a nuclear war. Our **best** scientists now tell us that **such a war would mean the end of human history**. We need to ask our leaders: Exactly what political or national goals could possibly justify risking a nuclear war that would likely cause the extinction of the human race? However, in order to pose this question, we must first make the fact known that existing nuclear arsenals – through their capacity to utterly devastate the Earth’s environment and ecosystems – threaten continued **human existence**. Otherwise, military and political leaders will continue to cling to their nuclear arsenals and will remain both unwilling and unable to discuss the real consequences of failure of deterrence. We can and must end the silence, and awaken the peoples of all nations to the realization that “nuclear war” means “global nuclear suicide”. A Single Failure of Nuclear Deterrence could lead to: \* A nuclear war **between India and Pakistan**; \* 50 Hiroshima-size (15 kiloton) weapons detonated in the mega-cities of both India and Pakistan (there are now 130-190 operational nuclear weapons which exist in the combined arsenals of these nations); \* The deaths of 20 to 50 million people as a result of the prompt effects of these nuclear detonations (blast, fire and radioactive fallout); \* Massive firestorms covering many hundreds of square miles/kilometers (created by nuclear detonations that produce temperatures hotter than those believed to exist at the center of the sun), that would engulf these cities and produce 6 to 7 million tons of thick, black smoke; \* About 5 million tons of smoke that would quickly rise above cloud level into the stratosphere, where strong winds would carry it around the Earth in 10 days; \* A stratospheric smoke layer surrounding the Earth, which would remain in place for 10 years; \* The dense smoke would heat the upper atmosphere, destroy Earth’s protective ozone layer, and block 7-10% of warming sunlight from reaching Earth’s surface; \* 25% to 40% of the protective ozone layer would be destroyed at the mid-latitudes, and 50-70% would be destroyed at northern and southern high latitudes; \* Ozone destruction would cause the average UV Index to increase to 16-22 in the U.S, Europe, Eurasia and China, with even higher readings towards the poles (readings of 11 or higher are classified as “extreme” by the U.S. EPA). It would take 7-8 minutes for a fair skinned person to receive a painful sunburn at mid-day; \* Loss of warming sunlight would quickly produce average surface temperatures in the Northern Hemisphere colder than any experienced in the last 1000 years; \* Hemispheric drops in temperature would be about twice as large and last ten times longer then those which followed the largest volcanic eruption in the last 500 years, Mt. Tambora in 1816. The following year, 1817, was called “The Year Without Summer”, which saw famine in Europe from massive crop failures; \* Growing seasons in the Northern Hemisphere would be significantly shortened. It would be too cold to grow wheat in most of Canada for at least several years; \* World grain stocks, which already are at historically low levels, would be completely depleted; grain exporting nations would likely cease exports in order to meet their own food needs; \* The one billion already hungry people, who currently depend upon grain imports, would likely starve to death in the years following this nuclear war; \* The total explosive power in these 100 Hiroshima-size weapons is less than 1% of the total explosive power contained in the currently operational and deployed U.S. and Russian nuclear forces.

#### 2) Afghanistan withdrawal

#### US-Pakistan relations key Afghan withdrawal

Waqas ’13 (Muhammad Waqas, Arab News, “US-Pak ties key to region’s stability”, ﻿<http://www.arabnews.com/news/461598>, August 18, 2013)

WHEN the relationship between Pakistan and United States turned sour after Salala incident in May 2011, it was feared that allied forces could lose the plot on war against terror. The two year long stalemate has allowed both countries to reassess the importance of their engagement and define common goals to safeguard their national interests. In this regard, the recent agreement between US Secretary of State John Kerry and new leadership of Pakistan to deepen their partnership and revive the strategic dialogue is a good omen for regional stability. With the allied forces slated to withdraw from Afghanistan in 2014, a stable and prosperous Pakistan is key to ensuring a safe exit from the war-ravaged country. The US fully appreciates Pakistan’s efforts in facilitating a dialogue process with the Taleban and end violence in neighboring Afghanistan. The country has also led from the front and sacrificed the lives of several thousands of civilians and security forces in the fight against terror. Pakistan’s turbulent north region, which borders Afghanistan, is key to withdrawal of US forces from the region as it is remains a key logistics route. To achieve its objectives, the US administration has expressed its interest to develop its mercurial relationship with Pakistan on a broader and more comprehensive level. However, the strategic dialogue faces several thorny issues that have remained in the spotlight of Pakistan’s public. Drone attacks that violate Pakistan’s sovereignty and the return of Dr. Aafia top the list of these contentious issues. The US government needs to urgently resolve these outstanding issues to change its perception in Pakistan and overcome other obstacles to counterterrorism. At the same time, the US should also extend greater financial support to Pakistan and encourage US-based companies to explore the country’s tremendous business potential. Any US support to overcome the country’s crippling energy crisis and sluggish economic growth would be welcomed by Pakistan. The US has already previously warned Pakistan that any decision to import gas from Iran to deal with the country’s persistent energy shortages would prove counterproductive and harm regional stability. Reviving relations with Pakistan are also in the interest of America’s greater designs for the Asian region. The US is seeking to protect its strategic interests by trying to contain China’s growing influence in the region. China’s military and economic rise has posed a serious challenge to US dominance in the region. As Pakistan and China historically enjoy brotherly relations, the US efforts to revitalize its relationship with Pakistan may face a limitation and strategic dialogue may only yield mixed results. Warm ties between the US and India may also help the peace process between India and its archrival Pakistan. By bringing the two sides on a negotiation table, the US can actively play its role in ensuring regional peace and stability. Nevertheless, Pakistan’s stand on Kashmir issue could prove to be an irritant in the dialogue and disrupt the peace efforts. At the same time, Pakistan may use its influence on Iran to convince its neighbor to surrender its nuclear ambitions as desired by the US and global community. Despite its limitations, close cooperation between Pakistan and the US remains in the best interests of South Asia. Full restoration of bilateral ties between the two countries, based on mutual respect and understanding, would help Pakistan to deal with its internal and external challenges, while at the same time promote US interests in the region.

#### Afghanistan withdrawal key to prevent nuclear war

Cronin 13 (Audrey Kurth Cronin is Professor of Public Policy at George Mason University and author of How Terrorism Ends and Great Power Politics and the Struggle over Austria. Thinking Long on Afghanistan: Could it be Neutralized? Center for Strategic and International Studies The Washington Quarterly • 36:1 pp. 55\_72 <http://dx.doi.org/10.1080/0163660X.2013.751650>)

With ISAF withdrawal inevitable, a sea change is already underway: the question is whether the United States will be ahead of the curve or behind it. Under current circumstances, key actions within Afghanistan by any one state are perceived to have a deleterious effect on the interests of other competing states, so the only feasible solution is to discourage all of them from interfering in a neutralized state. As the United States draws down over the next two years, yielding to regional anarchy would be irresponsible. Allowing neighbors to rely on bilateral measures, jockey for relative position, and pursue conflicting national interests without regard for dangerous regional dynamics will result in a repeat of the pattern that has played out in Afghanistan for the past thirty years\_/except this time the outcome could be not just terrorism but nuclear war.

#### Failed withdrawal causes Russian war

Blank ‘12 (Stephen Blank, Strategic Studies Institute, US Army War College- he studies this stuff, January 27, “Whither the new great game in Central Asia?”, pdf)

Although many scholars dislike the term “great game”¶ or “new great game” because to them these terms smack of¶ echoes of the imperial rivalry of the nineteenth and¶ twentieth centuries; the point of the term “new great¶ game” is precisely that we have surmounted the era and¶ what we see now is something entirely different. This¶ difference does not, however, mean that we have seen the¶ end of policies resembling those of the age of imperialism.¶ First, there is an enormous competition among the US,¶ Russia, India, and China for military bases in Central Asia.¶ All of these states either have bases, have had bases, or have¶ sought bases in Central Asia in the last decade and the¶ growth of the CSTO eloquently testifies to the continuation¶ of the military dimension in the great powers’ search for¶ security in Central Asia. The different factor today is that¶ local governments of their own accord are actively soliciting¶ US military involvement if not that of Russia and China¶ for the reasons outlined above (Kucera, 2011a).¶ Similarly we see what amounts to naked land grabs by¶ the great powers, albeit on a relatively small scale in Central¶ Asia. For example, Tajikistan has been induced to surrender¶ to China 1100 square miles (2000 ha of land) to Chinese¶ farmers. Allegedly this “rectification” of the borders¶ ensures Tajikistan’s inviolability of its borders, definitively¶ solves its border problems with China, and ensures its¶ stability “for decades to come.” (Laruelle & Peyrouse, 2011c)¶ But that statement implies that without this agreement¶ Tajikistan’s security vis-à-vis China would have been¶ questioned if not at risk. And the further details of this¶ agreement indicate the visible presence of Chinese power¶ in Dushanbe’s decision-making.¶ This agreement, allegedly based on a prior accord¶ between the two governments in 2002 that was ratified¶ again in 2010 cedes about 1000 square km in the Pamir¶ Mountains to China, about 1 percent of Tajikistan, albeit¶ a sparsely settled area (Singh, 2011; Pannier, 2011a, 2011b).¶ Tajikistan’s government hailed this as a victory because¶ China had actually claimed some 28,000 km and settled for¶ only about 3.5 percent of its claims. Moreover, Shukhrob¶ Sharipov, Director of the Presidential Center for Strategic¶ Studies, argued that, “If we hadn’t decided to transfer the¶ land (at this time), we would not have been able to resist¶ China’s pressure” (Pannier, 2011a, 2011b). This remark¶ basically sums up the nature of Central Asian states’ relationship¶ to China.¶ This agreement clearly also conformed to the pattern we¶ have seen in China’s earlier expansionist activities vis-à-vis¶ Kazakhstan and Kyrgyzstan. Worse yet, the raw material¶ resources in the land ceded by Tajikistan allegedly equals¶ the entire Chinese investment in Tajikistan to date. Thus¶ China has allegedly recouped its investment at no cost to¶ itself and has both the land and its resources as well as¶ maintaining its investments and penetration of Tajikistan¶ (Singh, 2011). On the other hand, these deals triggered¶ a strong political backlash in all three countries against¶ China and its perceived intentions. Perhaps Tajikistan’s¶ backlash was triggered more by the fact that between 1500¶ and 2000 Chinese farmers will settle another 2000 ha of¶ land beyond the border agreement (Pannier, 2011a, 2011b).¶ According to the opposition Tajikistan is becoming¶ increasingly economically dependent on China due to its¶ large investment in the area and this causes great resentment.¶ Attacks on Chinese workers in other countries also¶ testifies to this backlash across Central Asia.¶ At the same time, we might also point to the following¶ likely developments in what presently constitutes the great¶ power rivalry for influence in Central Asia. In the current¶ configuration it is not only the great powers: US, Russia,¶ China, India, and the EU who are pursuing influence, access,¶ and leverage in Central Asia, indeed, middle ranking¶ powers: Pakistan and Iran are clearly enhancing their¶ efforts to improve relations with all the actors in Central¶ Asia as are South Korea and Japan in order to obtain¶ economic-political and possibly even strategic benefits.¶ Third, beyond these aforementioned trends, regional¶ actors like Kazakhstan and Uzbekistan have already begun¶ to take actions to shape their security environment as their¶ power and wealth grows and second, in the expectation of¶ both the US withdrawal and concurrently intensified Sino-¶ Russian pressure upon them and rivalry with each other for¶ precedence in Central Asia. Indeed, we even find Uzbekistan¶ and Kazakhstan thinking of projecting their influence¶ and power into neighboring Central Asian states like¶ Kyrgyzstan either through investments as in Kazakhstan’s¶ case or in more direct military threats and interference in¶ other states’ economic activity as we often see with Uzbekistan¶ (Weitz, 2008b). But we also find that on occasion, e.g.¶ during the Kyrgyz revolution of 2010, these two governments¶ engaged each other in substantive disussions about¶ possible reactions and power projection into Kyrgyzstan.¶ Fourth, international financial institutions (IFI) like the¶ Asian Development Bank, the World Bank, the UN and its¶ agencies like the UN Development Program (UNDP), are¶ also heavily involved in major projects and policies here.¶ Finally, and perhaps most important, as a mark of distinction¶ from the imperial past, each of the Central Asian states¶ is now a fully empowered (at least formally) state and¶ sovereign foreign policy actor. Consequently each one is¶ conducting its own version, insofar as possible, of a multivector¶ or more accurately balancing approach attempting¶ to balance all the multiple external sources of benefits to¶ them to enhance their domestic stability.¶ Therefore, based on the foregoing we can point to¶ certain likely developments regarding interstate rivalry¶ and especially great or major power rivalry and competition¶ in Central Asia for the foreseeable future. First, because the effort to define and gain control over Central Asia or at¶ least gain lasting influence over it coincides with the¶ escalation of the war in Afghanistan since 2008 the stakes¶ involved in the effort to direct the destiny of Central Asia¶ Central Asia have grown. Though the following assertion by¶ Ahmed Rashid may somewhat exaggerate the importance¶ of these stakes, from the standpoint of regional governments¶ this is actually an understatement because they¶ believe their fate is linked with that of Afghanistan. Thus¶ Rashid writes that,¶ The consequences of state failure in any single country¶ are unimaginable. At stake in Afghanistan is not just the¶ future of President Hamid Karzai and the Afghan people¶ yearning for stability, development, and education but¶ also the entire global alliance that is trying to keep¶ Afghanistan together. At stake are the futures of the¶ United Nations, the North Atlantic Treaty Organization¶ (NATO), the European Union, and of course America’s¶ own power and prestige. It is difficult to imagine how¶ NATO could survive as the West’s leading alliance if the¶ Taliban are not defeated in Afghanistan or if Bin Laden¶ remains at large indefinitely.(Rashid, 2009, p. xxxix)¶ Those stakes also involve the other states of Central Asia¶ as well since it is widely believed that a Taliban victory in¶ Afghanistan makes them a prime target for insurgency in¶ the future. Especially in the light of fears for the stability of¶ the Karzai government and the overall region in the light of¶ a US withdrawal, every state, large or small, is jockeying for¶ greater capability and power in the region and some, like¶ Uzbekistan, clearly expect both to have to project power¶ and that they will be asked to project power to neighbors to¶ preserve stability in the area after 2014. Second, as Emelian¶ Kavalski has observed, the nature of what we call the “new¶ great game,” the proliferation of actors in a continuous¶ multi-dimensional struggle for influence in Central Asia¶ precludes any one actor obtaining previous levels of¶ imperial or neo-imperial domination, though Russia still¶ tries for it, and has led to a situation where, given the¶ concurrent proliferation of actors and agents operating in¶ Central Asia,¶ The simultaneity of these two dynamics reveals that the¶ agency of external actors is distinguished not by an¶ imperial desire for the control of territory, but by the¶ establishment of ‘niches of influence.’ Consequently, the¶ notion of the ‘new great game’ comes to characterize the¶ dynamics of processing, selection and internalization of¶ some externally promoted ideas and not others. (Rashid,¶ 2009, p. xxxix).¶ Third, in view of the impending US military withdrawal¶ ssit is not clear that Washington, confronted by wrenching¶ fiscal stresses, either has the vision or the means to develop¶ or implement a coherent post-Afghanistan Central Asian¶ strategy, a vacuum could well develop there with regard to¶ the US position that will inevitably be filled by other actors.¶ Certainly there is no sign yet of what will replace the US¶ military presence after 2014 and no sign of a formal¶ document worked out with Afghanistan that delineates the¶ extent to which a US presence in the region will look like. In¶ the absence of such a policy statement every regional actor¶ is hedging its bets and preparing for the worst in the future,¶ a trend that most likely means intensified competition¶ among the great, regional, and local powers for influence in¶ Central Asia.¶

#### US- Russian war causes extinction

**Barrett et al. 13** (Anthony M. Barrett- Global Catastrophic Risk Institute, Seth D. Baum- Center for Research on Environmental Decisions, Columbia University, Kelly R. Hostetler- Department of Geography, Pennsylvania State University, 2013, “Analyzing and Reducing the Risks of Inadvertent Nuclear War Between the United States and Russia”, http://sethbaum.com/ac/fc\_NuclearWar.pdf)

War involving significant fractions of the U.S. and Russian nuclear arsenals, which are by far the largest of any nations, could have globally catastrophic effects such as severely reducing food production for years, 1,2,3,4,5,6 potentially leading to collapse of modern civilization worldwide and even the extinction of humanity. 7,8,9,10 Nuclear war between the US and Russia could occur by various routes, including accidental or unauthorized launch; deliberate first attack by one nation; and inadvertent attack. In an accidental or unauthorized launch or detonation, system safeguards or procedures to maintain control over nuclear weapons fail in such a way that a nuclear weapon or missile launches or explodes without direction from leaders. In a deliberate first attack, the attacking nation decides to attack based on accurate information about the state of affairs. In an inadvertent attack, the attacking nation mistakenly concludes that it is under attack and launches nuclear weapons in what it believes is a counterattack. 11,12 (Brinkmanship strategies incorporate elements of all of the above, in that they involve deliberate manipulation of the risk of otherwise unauthorized or inadvertent attack as part of coercive threats that “leave something to chance,” i.e., “taking steps that raise the risk that the crisis will go out of control and end in a general nuclear exchange.” 13,14 ) Over the years, nuclear strategy was aimed primarily at minimizing risks of intentional attack through development of deterrence capabilities, though numerous measures were also taken to reduce probabilities of accidents, unauthorized attack, and inadvertent war. 15,16,17 For purposes of deterrence, both U.S. and Soviet/Russian forces have maintained significant capabilities to have some forces survive a first attack by the other side and to launch a subsequent counter-attack. However, concerns about the extreme disruptions that a first attack would cause in the other side’s forces and command-and-control capabilities led to both sides’development of capabilities to detect a first attack and launch a counter-attack before suffering damage from the first attack. 18,19,20 Many people believe that with the end of the Cold War and with improved relations between the United States and Russia, the risk of East-West nuclear war was significantly reduced. 21,22 However, it has also been argued that inadvertent nuclear war between the United States and Russia has continued to present a substantial risk. 23,24,25,26,27,28,29,30,31,32,33 While the United States and Russia are not actively threatening each other with war, they have remained ready to launch nuclear missiles in response to indications of attack. 34,35,36,37,38 False indicators of nuclear attack could be caused in several ways. First, a wide range of events have already been mistakenly interpreted as indicators of attack, including weather phenomena, a faulty computer chip, wild animal activity, and control-room training tapes loaded at the wrong time. 39 Second, terrorist groups or other actors might cause attacks on either the United States or Russia that resemble some kind of nuclear attack by the other nation by actions such as exploding a stolen or improvised nuclear bomb, 40,41,42 especially if such an event occurs during a crisis between the United States and Russia. 43 A variety of nuclear terrorism scenarios are possible. 44 Al Qaeda has sought to obtain or construct nuclear weapons and to use them against the United States. 45,46,47 Other methods could involve attempts to circumvent nuclear weapon launch control safeguards or exploit holes in their security. 48,49 It has long been argued that the probability of inadvertent nuclear war is significantly higher during U.S.-Russian crisis conditions, 50,51,52,53 with the Cuban Missile Crisis being a prime historical example of such a crisis. 54,55,56,57,58 It is possible that U.S.-Russian relations will significantly deteriorate in the future, increasing nuclear tensions. 59 There are a variety of ways for a third party to raise tensions between the United States and Russia, making one or both nations more likely to misinterpret events as attacks. 60,61,62,63

### Solvency

#### The United States Congress should restrict the president’s targeted killing authority by requiring that targeted killing operations be taken under agreed upon specified areas with the Pakistani Defense Committee of the Cabinet.

#### Solves case

Markey ’13 (Daniel Markey, Senior Fellow at the Council on Foreign Relations and author of the forthcoming No Exit From Pakistan: America's Tortured Relationship with Islamabad, “A New Drone Deal For Pakistan How to Bargain With a Newly Drone-Skeptical Islamabad”, <http://www.foreignaffairs.com/articles/139584/daniel-markey/a-new-drone-deal-for-pakistan?page=show>, July 16, 2013)

For all its successes, the U.S. drone program in Pakistan is unlikely to survive much longer in its current form. Less than a week after his election on May 11, Pakistan’s new prime minister, Nawaz Sharif, reportedly declared to his cabinet that “the policy of protesting against drone strikes for public consumption, while working behind the scenes to make them happen, is not on.” This fall, Pakistan’s national and provincial assemblies will elect a new president, likely a Sharif loyalist, and the prime minister will also select a new army chief. It is safe to say that these men are unlikely to follow their predecessors in offering tacit endorsements of the United States' expansive counterterrorism efforts. In other words, the United States is going to have to hammer out a new drone deal with Pakistan in the years ahead, one that is sensitive to Pakistan's own concerns and objectives. This will likely mean that Washington will face new constraints in its counterterrorism operations. But managed with care, a new agreement could put the targeted killing campaign against al Qaeda on firmer political footing without entirely eliminating its effectiveness. Ever since its inception in 2004, the U.S. drone campaign in Pakistan has been stumbling along shaky legal and strategic ground. At various points in time, Washington and Islamabad constructed different fictions to enable the drone campaign. Before launching the first drone strike that killed Taliban leader Nek Muhammad in June 2004, Washington sought personal authorization from then President and army chief Pervez Musharraf. For several years thereafter, the Pakistani army claimed responsibility for all drone strikes, publicly denying (however implausibly) American intervention. But the program’s remarkable success in killing al Qaeda and Taliban leaders, combined with the otherwise largely unaddressed problem of sanctuaries in Pakistan’s tribal areas, encouraged U.S. officials to expand their list of targets. As the program grew, and especially as Washington killed militants with suspected links to Pakistan’s own military and intelligence services, such as members of the Afghan Taliban–affiliated Haqqani Network, Pakistani officials shed the fiction that the strikes were their own. Islamabad instead bowed to what it perceived as a powerful domestic consensus against the drones and criticized the United States in increasingly shrill terms for violating Pakistan’s territorial sovereignty. Privately, however, Musharraf and his immediate successors -- including the civilian government led by the Pakistan People’s Party (PPP) and the army under General Kayani -- continued to greenlight the drone program. As the drone strikes mounted, the hypocrisy of the official Pakistani position became ever more difficult to hide. Opposition politician and former cricket star Imran Khan made the criticism of drones a centerpiece of his Tehreek-e-Insaf (PTI) party’s election campaign in 2011 and 2012. And in early 2012, the Pakistani parliament unequivocally denounced the drone strikes and called for them to end. This unmistakable sovereign act called into question oft-repeated U.S. claims that Pakistan actually provides “tacit consent” for the drone campaign. Pakistan's current and future leaders, starting with Nawaz Sharif, will have little reason to implicate themselves in the drone hypocrisy of their predecessors. Sharif is on sounder political footing than his predecessor, but -- as his top lieutenants are already signaling -- he cannot weather the political storm that is likely to result if the United States appears to blithely disregard his authority. Washington’s failure to shift its policy would lead Islamabad to escalate its diplomatic protests. One step in this escalation has already happened, with Pakistan taking its case against drones to the international community by way of the United Nations. If Pakistani frustration mounts without yielding results, one can imagine Sharif’s new army chief threatening to shoot U.S. drones from the sky, just as past Pakistani leaders have threatened to take down helicopters that cross into the nation’s airspace. At that stage, Washington would likely pull the drones from normal operation rather than play a high-stakes game of chicken. (Indeed, Washington has a habit of taking extended breaks from drone strikes at sensitive periods: for instance, there were no strikes for over six weeks after the so-called Salala incident at the Afghan border.) The question is whether Washington and Islamabad can find a deal that addresses Pakistani concerns without depriving the United States of a counterterrorism tool that has been more effective, at least in a tactical sense, than any other. Short of ending the drone program altogether, the only way that Pakistan’s leaders can credibly claim to assert their sovereign authority -- and thereby prove their nationalist credentials to political allies and adversaries alike -- is if Washington cedes to Islamabad a greater degree of control over the program, especially when it comes to target selection. At one extreme, this would mean doing what a number of Pakistani leaders (including General Musharraf) have requested for years: placing the drones under Pakistani command. Of course, given the highly sensitive nature of drone technology, along with the fact that U.S. officials do not adequately trust their Pakistani counterparts to deploy the drones in ways that would effectively eliminate top terrorist leaders, this solution remains off the table in nearly any conceivable future. Somewhat less pie-in-the-sky, if still unrealistic at this stage, would be the idea of disarming U.S. drones and leaving Pakistani forces to act as the “trigger pullers” whenever terrorist targets are identified. Strikes would then be launched by Pakistani Air Force jets, helicopters, or perhaps even artillery, and would use U.S. intelligence for target selection. This solution also has an assortment of practical problems, from the time lag between identifying targets and shooting at them to, once again, U.S. officials’ lack of faith in their Pakistani counterparts’ ability and desire to act on that intelligence in the first place. Then there is the option of crafting a “dual-key” authority at the operational level, perhaps by informing Pakistani officers in real time as drone strikes are launched and by implementing a mutually acceptable mechanism through which Islamabad could veto a specific strike, or at least raise it up the chain of command in a timely manner. Versions of a dual-key approach have been tried in the past, with some success. But given the fraught terms of cooperation between Washington and Islamabad in recent years, it is hard to imagine U.S. officials accepting this sort of arrangement, at least not yet. The real-time nature of the decision process would limit the potential for unwanted leaks or tip-offs to targets, but U.S. officials would still be wary that Pakistani officials could acquire too much knowledge of the drone program and its capabilities. If political trust improves over time, however, this might be a useful model for cooperation. A final option -- and the only realistic compromise at present -- would be for Washington to seek Islamabad’s pre-authorization for specific targets and zones for strikes. The United States would retain full operational control over drone missions, and unlike the earliest stage in the drone program, when Musharraf’s explicit approval was required to kill Nek Muhammad, this process could provide blanket authority for a much longer (mutually agreed, if not publicly disclosed) target list. In return, Pakistani leaders would acknowledge publicly the terms of the new arrangement. Accompanying this preauthorization regime, Washington and Islamabad could establish a mechanism for reviewing claims of civilian losses and providing appropriate compensation, as the United States has done in Afghanistan and Iraq. In bringing the program out of the shadows, U.S. operational authority for the drones would almost certainly have to shift from the CIA to the Pentagon, as the Obama administration has already said it plans to do in other countries. Admittedly, this final compromise option would be painful for both Islamabad and Washington. Pakistani leaders would finally have to come clean to their people about authorizing drone strikes. That would eliminate even the thin veneer of deniability that past leaders have maintained to protect themselves from political fallout. It would also place Sharif’s party firmly on the blacklists of the Pakistani Taliban and other targeted groups, which to date have enjoyed slightly more ambiguous relationships. For their part, U.S. counterterror officials would chafe at any preauthorization program. This would be especially true if the target list excluded individuals, such as senior Afghan Taliban commanders, with whom the Pakistanis would prefer to maintain ties. A preauthorization regime would also mean foregoing the controversial U.S. practice of signature strikes, in which drones have been used to attack individuals who fit the profile of terrorists -- for example, people who move about in armed convoys or visit known terrorist camps -- but whose identities are not yet known to U.S. officials. The new drone deal would be premised on the assumption that the United States is prepared to accept less frequent drone strikes than it has become accustomed to. So one potentially insurmountable stumbling block to this compromise would be if Washington planned to use the drone campaign as a primary tool for shaping the battlefield in Afghanistan, for instance by intensifying strikes against the Haqqani Network in the FATA’s North Waziristan agency. Pakistani leaders would almost certainly reject this strategy. Under such conditions, however, it is hard to imagine anything other than a tense and conflict-prone relationship between Washington and Islamabad, whether or not any new drone deal has been negotiated. But officials in Washington would be wise not to let relations with Pakistan deteriorate to that point. The United States faces potential challenges in Pakistan that are even more daunting than the war in Afghanistan or the fight against al Qaeda. Nuclear-armed and battling a hardened Islamist insurgency, Pakistan is on track to be the fourth most populous country in the world by midcentury. Pakistan, in short, is here to stay -- as is Nawaz Sharif, at least for the immediate future. Sharif may not be the man that the United States would choose to lead Pakistan, but he is one that Washington would be wise to learn how to bargain with.

#### Ending drones strikes *isn’t enough*- Pakistanis want a voice in the process- that’s key to increase relations and boost Sharif legitimacy

Rodriquez ’13 (Alex Rodriquez, Los Angeles Times , “Obama's drone limits may bolster ties with Pakistan”, <http://articles.latimes.com/2013/may/24/world/la-fg-pakistan-drones-20130525>, March 24, 2013)

ISLAMABAD, Pakistan — President Obama's commitment to scaling back the use of unmanned aircraft to kill suspected terrorists could pave the way for improved relations between the United States and Pakistan, analysts and political leaders said Friday. But the Pakistani government maintained its insistence that the drone campaign does more harm than good and should be shut down. Obama's decision to continue using targeted killings abroad while imposing restrictions that could significantly reduce the frequency of drone strikes comes at a particularly sensitive time for Islamabad as it prepares for a new civilian government led by Nawaz Sharif, who served as prime minister in the 1990s. In the wake of their party's victory in national elections May 11, Sharif and his aides have been careful in their remarks, declaring opposition to the drone campaign — deeply unpopular in Pakistan — without appearing excessively confrontational to Washington, which Islamabad relies on for billions of dollars in military and economic aid. One of Sharif's advisors, Sen. Tariq Azeem, on Friday called the policy shift outlined by Obama in a speech a day earlier "a positive sign." "Apart from killing a few Al Qaeda terrorists, drones have caused immense damage to the image of the U.S.," said Azeem, a member of Sharif's Pakistan Muslim League-N Party. "If President Obama has had a rethink, I think it's a welcome step." The United States has relied heavily on its controversial drone campaign to take out Al Qaeda and Taliban leaders holed up in Pakistan's tribal regions, a swath of rugged territory along the Afghan border that Islamabad has never been able to fully control. Since Obama took office in January 2009, the United States has carried out 293 drone strikes in northwestern Pakistan, according to the Long War Journal website. Several top Al Qaeda leaders have been killed in such strikes in recent years, including the terrorist network's second in command, Abu Yahya al Libi, in June 2012. Privately, commanders in Pakistan's politically powerful military have acknowledged the utility of drone strikes in taking out top militant commanders and leaders. Under President Asif Ali Zardari's administration, Pakistan has maintained a policy of publicly condemning drone strikes while tacitly allowing them to occur. But the drone campaign has been one of the primary sources of friction in Washington's tenuous relationship with Islamabad. Pakistanis view it as a blatant violation of their country's sovereignty and say it has become a major recruiting tool for militants because of the number of civilians mistakenly killed in the strikes. Foreign Ministry spokesman Aizaz Ahmad Chaudhry, in a statement released Friday, said Pakistan appreciated Obama's remarks that "force alone cannot make us safer." The Pakistani government maintains that drone strikes "are counterproductive, entail loss of innocent civilian lives … and violate the principles of national sovereignty, territorial integrity and international law, " said Chaudhry, a member of a caretaker government serving as a transition between Zardari's administration and the incoming government led by Sharif, presumably as prime minister. Analysts said that if the U.S. followed through on scaling back the drone program, it would help shield Sharif from public pressure on the issue as he begins tackling the country's most pressing problems, including crippling power outages and a weak economy. "This is a welcome development, especially if there's great restraint applied during the initial months of the new government," said Talat Masood, a security analyst and retired Pakistani general. "It won't put the new government on the defensive." Reducing the frequency of strikes makes sense for Washington, which needs Pakistan's help in facilitating peace talks with Taliban leaders in Afghanistan and in using Pakistani territory as a transit route for the withdrawal of most U.S. troops from the Afghan conflict by the end of next year. Even before Obama's speech Thursday, the number of drone strikes had fallen steadily. There have been 13 drone strikes in Pakistan's tribal areas so far this year, compared with 64 in all of 2011 and 117 in 2010, according to the Long War Journal. Last year there were 46 U.S. drone strikes in the tribal belt. "It's a great opportunity for both countries to further improve their relations," Masood said. "And it's in the U.S. interests to be more sensitive about drones. Pakistan-U.S. relations are at a critical stage, and the upcoming withdrawal from Afghanistan makes it even more important." Vali Nasr, a former State Department senior advisor on Pakistan, said that while most Pakistanis would welcome new limits on drone use, Obama stopped far short of offering what Pakistanis really want, which is some control over the use of the weapons in their country. "He got the program out in the open, put limits on it and explained the U.S. view, and all that's positive," said Nasr, dean of the Johns Hopkins University School of Advanced International Studies. "But he didn't provide a role for the people in the countries where the drones are used."

#### Congress key --- self-restraint HURTS Obama’s credibility

Goldsmith ’13 (Jack Goldsmith, Henry L. Shattuck Professor at Harvard Law School, where he teaches and writes about national security law, presidential power, cybersecurity, international law, internet law, foreign relations law, and conflict of laws. Before coming to Harvard, Professor Goldsmith served as Assistant Attorney General, Office of Legal Counsel from 2003-2004, and Special Counsel to the Department of Defense from 2002-2003, “How Obama Undermined the War on Terror The President promised not to undercut the rule of law for expedience's sake. He did. Now we face the consequences”, <http://www.newrepublic.com/article/112964/obamas-secrecy-destroying-american-support-counterterrorism>, May 1, 2013)

Questions grew when the administration continued to withhold legal memos from Congress, and when John Brennan danced around the issue during his confirmation hearings to be director of the CIA. Senator Rand Paul then cleverly asked Brennan whether the president could order a drone to kill a terrorist suspect inside the United States. When Brennan and Attorney General Eric Holder seemed to prevaricate, Paul conducted his now-famous filibuster. "I cannot sit at my desk quietly and let the president say that he will kill Americans on American soil who are not actively attacking the country," Paul proclaimed. The president never said, or suggested, any such thing. But with trust in Obama falling fast, Paul was remarkably successful in painting the secret wars abroad as a Constitution-defying threat to American citizens at home. Paul's filibuster attracted attention to the issue of drone attacks on Americans in the homeland. A more serious challenge to the president comes from growing concerns, including within his own party, about the legal integrity of his secret wars abroad. Anne-Marie Slaughter, a former senior official in Obama's State Department, recently gainsaid "the idea that this president would leave office having dramatically expanded the use of drones—including [against] American citizens—without any public standards and no checks and balances." Many in Congress want to increase the transparency of the processes and legal standards for placing a suspect (especially an American) on a targeting list, to tighten those legal standards (perhaps by recourse to a "drone court"), and to establish a more open accounting of the consequences (including civilian casualties) from the strikes. "This is now out in the public arena, and now it has to be addressed," Senator Dianne Feinstein, a Democrat, recently said. Others in Congress worry about the obsolescence of the legal foundation for the way of the knife: the congressional authorization, in 2001, of force against Al Qaeda. "I don't believe many, if any, of us believed when we voted for [the authorization] that we were voting for the longest war in the history of the United States and putting a stamp of approval on a war policy against terrorism that, 10 years plus later, we're still using," said Senator Richard Durbin, also a Democrat, in a Wall Street Journal interview. "What are the checks and balances of the system?" he asked. Senator John McCain, who led bipartisan efforts against what he saw as Bush-era legal excesses, is now focusing similar attention on Obama. "I believe that we need to revisit this whole issue of the use of drones, who uses them, whether the CIA should become their own air force, what the oversight is, [and] what the legal and political foundations [are] for this kind of conflict," he said last month. These are unhappy developments for the president who in his first inaugural address pledged with supercilious confidence that, unlike his predecessor, he would not expend the "rule of law" for "expedience's sake." Obama reportedly bristles at the legal and political questions about his secret war, and the lack of presidential trust that they imply. "This is not Dick Cheney we're talking about here," he recently pleaded to Democratic senators who complained about his administration's excessive secrecy on drones, according to Politico. And yet the president has ended up in this position because he committed the same sins that led Cheney and the administration in which he served to a similar place. The first sin is an extraordinary institutional secrecy that Obama has long promised to reduce but has failed to. In part this results from any White House's inevitable tendency to seek maximum protection for its institutional privileges and prerogatives. The administration's disappointing resistance to sharing secret legal opinions about the secret war with even a small subset of Congress falls into this category. But the point goes deeper, for secrecy is the essence of the type of war that Obama has chosen to fight. The intelligence-gathering in foreign countries needed for successful drone strikes there cannot be conducted openly. Nor can lethal operations in foreign countries easily be acknowledged. Foreign leaders usually insist on non-acknowledgment as a condition of allowing American operations in their territories. And in any event, an official American confirmation of the operations might spark controversies in those countries that would render the operations infeasible. The impossible-to-deny bin Laden raid was a necessary exception to these principles, and the United States is still living with the fallout in Pakistan. For official secrecy abroad to work, the secrets must be kept at home as well. In speeches, interviews, and leaks, Obama's team has tried to explain why its operations abroad are lawful and prudent. But to comply with rules of classified information and covert action, the explanations are conveyed in limited, abstract, and often awkward terms. They usually raise more questions than they answer—and secrecy rules often preclude the administration from responding to follow-up questions, criticisms, and charges. As a result, much of what the administration says about its secret war—about civilian casualties, or the validity of its legal analysis, or the quality of its internal deliberations—seems incomplete, self-serving, and ultimately non-credible. These trust-destroying tendencies are exacerbated by its persistent resistance to transparency demands from Congress, from the press, and from organizations such as the aclu that have sought to know more about the way of the knife through Freedom of Information Act requests. A related sin is the Obama administration's surprising failure to secure formal congressional support. Nearly every element of Obama's secret war rests on laws—especially the congressional authorization of force (2001) and the covert action statute (1991)—designed for different tasks. The administration could have worked with Congress to update these laws, thereby forcing members of Congress to accept responsibility and take a stand, and putting the secret war on a firmer political and legal foundation. But doing so would have required extended political efforts, public argument, and the possibility that Congress might not give the president precisely what he wants. The administration that embraced the way of the knife in order to lower the political costs of counterterrorism abroad found it easier to avoid political costs at home as well. But this choice deprived it of the many benefits of public argumentation and congressional support. What Donald Rumsfeld said self-critically of Bush-era unilateralism applies to Obama's unilateralism as well: it fails to "take fully into account the broader picture—the complete set of strategic considerations of a president fighting a protracted, unprecedented and unfamiliar war for which he would need sustained domestic and international support." Instead of seeking contemporary congressional support, the administration has relied mostly on government lawyers' secret interpretive extensions of the old laws to authorize new operations against new enemies in more and more countries. The administration has great self-confidence in the quality of its stealth legal judgments. But as the Bush administration learned, secret legal interpretations are invariably more persuasive within the dark circle of executive branch secrecy than when exposed to public sunlight. On issues ranging from proper targeting standards, to the legality of killing American citizens, to what counts as an "imminent" attack warranting self-defensive measures, these secret legal interpretations—so reminiscent of the Bushian sin of unilateral legalism—have been less convincing in public, further contributing to presidential mistrust. Feeling the heat from these developments, President Obama promised in his recent State of the Union address "to engage with Congress to ensure not only that our targeting, detention, and prosecution of terrorists remains consistent with our laws and system of checks and balances, but that our efforts are even more transparent to the American people and to the world." So far, this promise, like similar previous ones, remains unfulfilled. The administration has floated the idea of "[shifting] the CIA's lethal targeting program to the Defense Department," as The Daily Beast reported last month. Among other potential virtues, this move might allow greater public transparency about the way of the knife to the extent that it would eliminate the covert action bar to public discussion. But JSOC's non-covert targeted killing program is no less secretive than the CIA's, and its congressional oversight is, if anything, less robust. A bigger problem with this proposed fix is that it contemplates executive branch reorganization followed, in a best-case scenario, by more executive branch speeches and testimony about what it is doing in its stealth war. The proposal fails to grapple altogether with the growing mistrust of the administration's oblique representations about secret war. The president cannot establish trust in the way of the knife through internal moves and more words. Rather, he must take advantage of the separation of powers. Military detention, military commissions, and warrantless surveillance became more legitimate and less controversial during the Bush era because adversarial branches of government assessed the president's policies before altering and then approving them. President Obama should ask Congress to do the same with the way of the knife, even if it means that secret war abroad is harder to conduct. Administration officials resist this route because they worry about the outcome of the public debate, and because the president is, as The Washington Post recently reported, "seen as reluctant to have the legislative expansion of another [war] added to his legacy." But the administration can influence the outcome of the debate only by engaging it. And as Mazzetti makes plain, the president's legacy already includes the dramatic and unprecedented unilateral expansion of secret war. What the president should be worried about for legacy purposes is that this form of warfare, for which he alone is today responsible, is increasingly viewed as illegitimate.

#### Obama *strictly adheres* to legal policy- status quo policy is firmly backed by legal grounding- their evidence doesn’t assume Congressional change

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When the Obama administration made the decision to kill Awlaki, it did not rely on the president's constitutional authority as commander in chief. Rather, it relied on authority that Congress gave it, and on guidance from the courts. In September 2001, Congress authorized the president "to use all necessary and appropriate force against those nations, organizations, or persons he determines" were responsible for 9/11. Whatever else the term "force" may mean, it clearly includes authorization from Congress to kill enemy soldiers who fall within the statute. Unlike some prior authorizations of force in American history, the 2001 authorization contains no geographical limitation. Moreover, the Supreme Court, in the detention context, has ruled that the "force" authorized by Congress in the 2001 law could be applied against a U.S. citizen. Lower courts have interpreted the same law to include within its scope co-belligerent enemy forces "associated" with al Qaeda who are "engaged in hostilities against the United States." International law is also relevant to targeting decisions. Targeted killings are lawful under the international laws of war only if they comply with basic requirements like distinguishing enemy soldiers from civilians and avoiding excessive collateral damage. And they are consistent with the U.N. Charter's ban on using force "against the territorial integrity or political independence of any state" only if the targeted nation consents or the United States properly acts in self-defense. There are reports that Yemen consented to the strike on Awlaki. But even if it did not, the strike would still have been consistent with the Charter to the extent that Yemen was "unwilling or unable" to suppress the threat he posed. This standard is not settled in international law, but it is sufficiently grounded in law and practice that no American president charged with keeping the country safe could refuse to exercise international self-defense rights when presented with a concrete security threat in this situation. The "unwilling or unable" standard was almost certainly the one the United States relied on in the Osama bin Laden raid inside Pakistan. These legal principles are backed by a system of internal and external checks and balances that, in this context, are without equal in American wartime history. Until a few decades ago, targeting decisions were not subject to meaningful legal scrutiny. Presidents or commanders typically ordered a strike based on effectiveness and, sometimes, moral or political considerations. President Harry Truman, for example, received a great deal of advice about whether and how to drop the atomic bomb on Hiroshima and Nagasaki, but it didn't come from lawyers advising him on the laws of war. Today, all major military targets are vetted by a bevy of executive branch lawyers who can and do rule out operations and targets on legal grounds, and by commanders who are more sensitive than ever to legal considerations and collateral damage. Decisions to kill high-level terrorists outside of Afghanistan (like Awlaki) are considered and approved by lawyers and policymakers at the highest levels of the government. The lawyers and policymakers are guided in part by Supreme Court and lower court decisions that, in the context of reviewing military detentions, have interpreted the meaning, scope, and limits of the congressional authorization to use force. The executive branch also has tools at its disposal -- an elaborate intelligence bureaucracy, precision weapons, and computer targeting algorithms -- to minimize collateral damage in war like never before (indeed, these tools sometimes force an operation or target to be avoided or aborted). We do not know the full details of targeting decisions, but we do know -- from administration speeches and press coverage of internal deliberations -- that Obama administration policymakers and lawyers seriously grapple with the legal limits of their authorities, construe them narrowly to meet the case at hand, and are constrained in who they target. Congress too is involved. The executive branch only targets enemy forces that fall within the parameters set by Congress in 2001. All major targeting operations conducted as "covert actions" must, under laws in place before 9/11, be conducted in conformity with presidential "findings" and reported to congressional intelligence committees. These committees lack a formal veto, but they have many ways to push back against covert actions they dislike. House Minority Leader Nancy Pelosi is said to have scaled back a covert operation in 2004 to influence the outcome of elections in Iraq by complaining to the White House, while the House Intelligence Committee reportedly persuaded the Obama administration not to arm the Libyan rebels in 2011. Operations by the U.S. military are also reported to and scrutinized by congressional armed services committees through less formal means. More broadly, Congress as a whole is well aware of the president's targeted killing program, and many congressional committees have held public hearings on targeted killing in the last few years. And yet, in contrast to its actions to tighten the president's traditional military authorities in other contexts (like interrogation, military detention, and military commissions), Congress has not tightened the president's power to target. Instead, Congress chose to reaffirm the 2001 authorization on which the president has rested his targeting practices in December 2011, and to bless the judicial construction of the statute that extended the president's authorities to co-belligerents like Awlaki, all without a word about limitations on targeted killing. Congress did this against the backdrop of many public reports that the 2001 statute was relied on to kill Awlaki. The targeted killing of Awlaki was also subject to a limited but important form of judicial scrutiny. In 2010, the ACLU and the Center for Constitutional Rights brought a novel lawsuit that sought to enjoin the president from killing Awlaki. Judge John Bates of the U.S. District Court for the District of Columbia dismissed the case, in part because of "the impropriety of judicial review." Bates explained that the Constitution places "responsibility for the military decisions at issue in this case 'in the hands of those who are best positioned and most politically accountable for making them'" -- Congress and the president. This ruling, based on extensive precedent, is almost certainly right. Commanders in chief have always had discretion over targeting decisions in wars authorized by Congress. No court has ever suggested that judicial approval for these decisions was appropriate or necessary. This is so even though the U.S. military killed U.S. citizens in the Civil War and most likely in World War II as well, when some fought in the Italian and German armies. The Supreme Court itself has ruled -- in the context of military commissions and military detention -- that U.S. citizenship does not by itself preclude the commander in chief from exercising traditional forms of military force. This is the background against which to assess Attorney General Holder's claim that the Constitution "guarantees due process, not judicial process." Holder was referring to the Fifth Amendment's prohibition on taking life without due process, a further legal limitation on the targeted killing of U.S. citizens. Critics belittled Holder for distinguishing due process from judicial process, but Holder is right. The Supreme Court has ruled in many contexts that due process does not always demand judicial scrutiny. It has also ruled that the type and extent of process due depends on the nature and circumstances of the deprivation, including a balance between the interests of the individual and the government. A U.S. citizen's interest is obviously at its height when he is targeted with lethal force. The government's interest is at its height when it seeks to incapacitate a threatening enemy in a congressionally sanctioned war. Holder only defended the wartime authority to kill a U.S. citizen who presents "an imminent threat of violent attack against the United States" and for whom "capture is not feasible," and only when operations are "conducted in a manner consistent with applicable law of war principles." In these circumstances, he claimed, high-level executive deliberation, guided by judicial precedent and subject to congressional oversight, is all the process that is due. Is Holder right? It is hard to say for sure because the due process clause has never before been thought relevant to wartime presidential targeting decisions. The system described above goes far beyond any process given to any target in any war in American history. Awlaki was not given a formal notice and opportunity to defend himself in court, but war does not permit such formal practices. One predicate for the killing was that Awlaki was in hiding -- beyond legal process or the reasonable possibility of capture -- and plotting and directing attacks on the United States. The U.S. government made clear that if Awlaki "were to surrender or otherwise present himself to the proper authorities in a peaceful and appropriate manner, legal principles with which the United States has traditionally and uniformly complied would prohibit using lethal force or other violence against him in such circumstances." And as Judge Bates noted, while Awlaki's placement on a targeting list was publicly disclosed in January 2010, Awlaki publicly disclaimed any intention of challenging his status or turning himself in. It is hard to see how the executive branch could have taken its constitutional responsibilities more seriously while honoring its obligation to keep the nation safe. In light of Judge Bates's ruling and the analysis on which it rests, and until Congress thinks the president's approach to targeting requires change, the current system -- executive deliberation guided by judicial precedent and subject to congressional oversight -- almost certainly satisfies any constitutional requirement. In any event, it belies the claim that the president is not subject to checks and balances. This conclusion will not assuage critics like Andrew Rosenthal who insist that "the president must receive judicial input before ordering the death of an American citizen." What Rosenthal and other krytocrats have not explained is how the Constitution permits, much less demands, such ex ante judicial input. These critics have not grappled with Judge Bates's analysis. Nor have they explained how a presidential request for judicial approval to target and kill a terrorist suspect is consistent with the constitutional limitation of judicial power to cases and controversies between parties in court. It is also unclear whether judges possess the competence to assess and quickly act upon military targets, or whether they would welcome the responsibility for targeting decisions. Perhaps Congress could devise a lawful and effective scheme of judicial or administrative review of the president's targeting decisions. But it has shown no inclination to do so, and it appears to support the current arrangement.