# \*\*Negative\*\*

#### Thanks to Ros Goldman, Chloe Kwan, Lily Ren, Coralynn Yang, and Paul Wallace 😊

# Security Cooperation Fails

## Bureaucracy

### 1nc Complexity

#### SC is dysfunctional – bureaucratic system dooms solvency

Bergmann and Schmitt 2021

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U.S. security assistance is broken and in need of an overhaul. Over the past two decades, the bureaucratic system developed to deliver billions of dollars of military aid to partner nations has evolved and expanded not by design but as the result of a series of ad hoc legislative and policy changes. Though the U.S. Department of State was initially in charge of security assistance policy and accounts, since 9/11, the U.S. Department of Defense (DOD) has established a separate, well-funded security assistance bureaucracy at the Pentagon. This has inhibited effective congressional oversight, harmed coordination between diplomacy and defense, and contributed to the growing militarization of U.S. foreign policy. It has created a dysfunctional and bifurcated security assistance system. While it continues to control funding for its many Title 22 programs, they are largely executed via DSCA and the MILDEPs. Although Congress has recognized that it has, in effect, created the basis for confusion via the two departments’ dual congressionally mandated authorities and authorizations, a political decision to create a clear lead agent for these activities remains missing. One will return to the U.S. Government’s well-used practice of “fudging” when it comes to identifying who’s in charge.

### 2nc Complexity

Dozens of agencies with overlapping and conflicting authorities ensure SC failure

Young 2020

Thomas-Durell, phd, Senior Lecturer at the Naval Postgraduate School, “The "Politics" of Security Cooperation and Security Assistance” September 10, 2020, <https://www.dasadec.army.mil/News/Article-Display/Article/2344014/the-politics-of-security-cooperation-and-security-assistance/>

In terms of SC and SA, the proverbial elephant in the room is DOD. But this has not always been the case. This is one of the externalities of the George W. Bush administration’s response to the global war on terror; at the time, DOD found that existing U.S. training and particularly equipping programs funded by the Department of State’s appropriations and authorizations (Title 22, U.S. Code) simply were insufficiently responsive and nimble to meet operational commanders’ requirements. Congress responded to DOD’s entreaties for more authority to build partner forces in the FY 2006 NDAA, which authorized DOD (with the concurrence of the Secretary of State) to use its authorizations and appropriations (Title 10, U.S. Code) to build capabilities and capacity in partner armed forces in order to conduct counterterrorism operations. The perhaps predictable, if not inevitable, result of DOD rapidly trying to create capacity within partner armed forces was an embarrassing lack of attention paid to the financial niceties and details that are of great importance to Congress. As a RAND report observed, “DOD lacks the detailed financial data necessary to respond to new congressional reporting requirements. Moreover, DOD leaders are unable to compare SC spending across countries, regions, and programs, which is critical to future prioritization and resourcing decisions.”10 Perhaps it is inaccurate to characterize DOD as an elephant (in any room); in reality, it is more like a herd of independently minded creatures. Title 10 makes it clear that the individual MILDEPs exist in splendid political if not geographical isolation from each other, let alone from the Office of the Secretary of Defense. The MILDEPs’ Major Force Programs reflect the clear objective of Congress that the former retain a high degree of autonomy from the Office of the Secretary of Defense, notwithstanding largely ignored verbiage in the law that explicitly states in the preamble to the three departments’ sections that the exercise of their functions are “subject to the authority, direction, and control of the Secretary of Defense.”11 The record demonstrates that the intent of Congress’s annual appropriations and authorizations easily trumps this provision of the law. The canonical source of the MILDEPs’ autonomy is found in the 12 roles and missions assigned to them in Title 10.12 It is the particular authority of training under which the MILDEPs’ authority to conduct SC and SA reside (for example, continental U.S.-based professional military education and all forms of training). Other key players in the planning and execution of these programs include the Office of the Secretary of Defense, which provides policy guidance and priorities; DSCA, with its newly enhanced powers granted to it via the FY 2017 NDAA (discussed below); the combatant commands, which act as planners and coordinators of these activities (under the authority of the Unified Command Plan); the Service components that execute many of the in-country training events; and finally, as extensions of the combatant commands, defense cooperation offices resident in-country that manage and direct both training programs and equipment transfers. Given the number of stakeholders, the politics of agreeing priorities, approaches, timing, scope, and so forth, the execution of SC and SA activities can be frightfully untidy.

#### Security Cooperation fails (not with agenda DA)

Tankel and Rand 15, Rand is the former deputy director of Studies and Leon E. Panetta fellow at the Center for a New American Security. Tankel is an assistant professor at the School of International Service at American University (“Security assistance isn’t the quick fix the US thinks it is,” The Hill, https://thehill.com/blogs/congress-blog/foreign-policy/250348-security-assistance-isnt-the-quick-fix-the-us-thinks-it-is/amp/)

As we argue in a report recently released by the Center for a New American Security, Security Cooperation and Assistance: Rethinking the Return on Investment, part of the problem is that BPC has become a catchall for wide array of security assistance and cooperation programs, only some of which actually pertain to enhancing the capabilities and capacity of a partner’s military and civilian institutions. There are myriad challenges to deploying assistance and cooperation effectively. Recent events in Syria only scratch the surface. Security assistance and cooperation has been a critical pillar of U.S. statecraft for decades. The post-9/11 interest in using assistance and cooperation to incentivize and enable local partners contributed to the creation of a slew of new authorities and programs. Yet, despite its strategic centrality and large price tag, our report argues that many security assistance and cooperation programs fail to achieve U.S. objectives because of strategic and structural deficiencies. Strategically, U.S. policymakers are often not clear about the specific outcomes they intend to achieve with security assistance and cooperation. Even when objectives are clear, there may be too many of them for a single program, which results in conflicting objectives. This is especially troublesome when pressing, short-term objectives subvert long-term U.S. goals. Also, there is currently no system in place to adequately assess outcomes. This not only risks wasting taxpayers’ dollars. Failure to assess progress and adjust programs accordingly can actually reduce U.S. influence with recipient states, which may believe they can free-ride or begin to view assistance as an entitlement. The practice of using security assistance to build relationships sometimes contributes to this problem. So does the fact that policymakers too often look to security assistance as a quick fix or way to address demands to “do something.” Yet, security assistance and cooperation remains vitally important and is appealing, especially when options like large-scale U.S. military operations do not make strategic sense. This helps to explain the numerous new authorities that consecutive administrations have requested and Congress has created. The increase in new authorities has contributed to confusion about the purposes of different programs. Moreover, programs are sometimes chosen based on which authorities are available or most flexible rather than on the authority best suited to the task at hand. Finally, most of the new programs are housed at the Pentagon and not the State Department. As a result, programs are deployed to meet Defense requirements as opposed to implemented in a way that furthers broader foreign policy objectives. The bottom line is that more is not necessarily better. That goes for the number of authorities and the level of assistance or cooperation provided to U.S. partners. The spate of new authorities has exacerbated both imbalances between the Pentagon and the State Department and conflicts among the objectives that assistance and cooperation are used to achieve.

#### Interagency conflicts have fragmented any security cooperation

McNerney and Moroney 18 (Michael J. McNerney, Acting Director, International Security and Defense Policy Center; Senior International/Defense Researcher; Affiliate Faculty, Pardee RAND Graduate School; M.A. in international relations, University of Maryland; B.A. in government and German, University of Notre Dame. Jennifer D. P. Moroney, Senior Political Scientist; Ph.D. in international relations, University of Kent at Canterbury, England; M.A. in European integration, University of Limerick, Ireland; B.A. in political science and history, Frostburg State University. “Reforming Security Assistance: Why the State Department Can't Lead from Behind”, <https://www.rand.org/blog/2018/09/reforming-security-assistance-why-the-state-department.html>)LR

The goal is to make the world safer and advance U.S. security interests. But is it working? For the most part, we don't know. Studies by the RAND Corporation have found evidence of potentially powerful returns on investment but also significant risks. Skeptics can point to many horror stories about American military equipment rotting in storage depots or being misused and U.S.-trained officers becoming dictators, coup plotters and human rights abusers. The State Department has oversight for all foreign assistance, including security assistance. Since 9/11, however, Congress has given the Pentagon significant increases in funding and authorities to cooperate with security forces around the world. If Secretary of State Mike Pompeo and members of Congress don't take steps toward reform, State may find it increasingly difficult to maintain this important leadership role. State's first challenge is the tangle of legislative authorities and stove-piped appropriations that drive U.S. security assistance. The U.S. spent roughly $42 billion in 2017 on foreign assistance, including $17 billion in security assistance. America's flagship security assistance program is Foreign Military Financing (FMF), which provided almost $6 billion in military equipment and services to foreign partners last year. But State oversees many other security assistance accounts to support military education, peacekeeping, counterterrorism and other efforts. Several of the laws that authorize these programs are outdated, disjointed and inhibit agility and long-term planning. A review of security assistance authorities could go a long way toward clarifying congressional priorities and expectations in an international security environment that grows increasingly complex. For example, rather than reform the 42-year-old law that prohibits security assistance to foreign law enforcement, Congress simply provides a steady stream of waivers and exemptions, to the tune of about $2 billion annually. To what extent does Congress want the State Department to strengthen foreign police forces, border security officers, counterterrorism units and counter-narcotics investigators? What priorities and restrictions do they desire on this assistance? It's hard to say. RAND's 2016 report, From Patchwork to Framework: A Review of Title 10 Authorities for Security Cooperation, identified similar problems for the Department of Defense (DoD), analyzing a convoluted patchwork of over 100 DoD authorities, many of which had been created or strengthened in the wake of 9/11. In 2017, Congress consolidated and reformed many of these authorities and created new reporting requirements to improve DoD's assessments of what's really required, monitoring of progress and evaluation of outcomes. Defense has greater authority now to re-prioritize resources from one country to another or one activity to another as it deems appropriate. In exchange for that flexibility, DoD has the responsibility to report more clearly on what's working and what's not. The State Department's second challenge involves planning. For example, FMF funding is allocated to individual partner nations, who tell the U.S. what equipment and services they would like, and U.S. officials decide whether to approve the request. Parallel discussions take place among different officials about peacekeeping, counter-narcotics, counterterrorism and other programs, each with its own planning processes and congressional reporting requirements. While there is certainly coordination along the way, there is often a transactional, disjointed feel to the process.

#### Turf wars deck solvency

Bender 16 (Bryan Bender, B.A in Political Science and English @ University of Pittsburg, Adjunct ProfessorAdjunct Professor Walter Cronkite School of Journalism and Mass Communication, Senior National CorrespondentSenior National Correspondent POLITICO .“Pentagon muscles out State Dept. on foreign aid” https://www.politico.com/story/2016/03/general-diplomats-tussle-over-pentagons-growing-military-aid-portfolio-221177)LR

“During the course of the Iraq and Afghanistan wars in particular — and then more recently related to Iraq and Syria — there has been this steady accumulation of very specific authorities that have largely gone over to the Department of Defense,” the former Air Force officer and special assistant to the chairman of the Joint Chiefs of Staff said in an interview. But now that large-scale combat in Iraq and Afghanistan has diminished, “It’s a fair question to ask, ‘Do we have the balance right between State and DoD?’” For decades, the power largely rested with the State Department, which is responsible for setting and implementing foreign policy. It has traditionally played the lead role in deciding who should get U.S. security assistance and has asserted its authority to squelch military proposals it considers unwise, officials said. Last year, the department vetoed a Pentagon plan to train snipers from Belarus, which has no free elections and where political dissidents continue to disappear with no government explanation. State also recently scuttled a plan to provide lip balm and brooms to the Jordanian military — items the department deemed wasteful. The Defense Department, though, increasingly has dollars on its side. The Pentagon’s budget for such overseas military aid has more than tripled from 2008 to 2015, compared with just 23 percent growth for the State Department, according to internal administration data provided to POLITICO. “You are going to see disagreement any time DoD is proposing a change of program in a way that the State Department would perceive as diminishing the degree of coordination that is required,” said a senior administration official directly involved in the internal deliberations. Even without a change in the law, though, the State Department has found itself virtually shut out of the review process in some cases, according to interviews with current and former department officials. For example, the diplomats recently learned the Pentagon was funding counter-narcotics operations in several nations in Central Asia that the State Department had previously deemed ineligible for military assistance. State also learned from media reports that the Pentagon was training a controversial Cambodian army general. And despite efforts to better coordinate the two departments’ activities, confusion remains about who is doing what. One consequence: The Pentagon has a program underway to provide $100 million worth of new helicopters to the Kenyan military, while State has separately pursued efforts to supply it with used helicopters. The State Department isn’t concerned solely about human rights and the aid recipients’ international behavior. Its supporters also argue that the State Department is better positioned than the military to manage the programs long-term. “There is no sustainment process with DoD,” said another administration official involved in the policy debate. “Ships we have provided are rusting pierside.” A recent analysis by the Congressional Research Service also concluded that recent policy decisions “have combined to slowly muddle the clear legal separation between State and DoD roles.” A March 9 analysis by the government-funded Rand Corp. similarly called for reviewing the two departments’ “roles, interests and coordination processes.” “This trend of giving more and more authority and taking them away from State is not a great thing,” said Ilan Goldenberg, who runs the Middle East Security Program at the Center for a New American Security. “It is largely a function that in Congress DoD gets a lot more attention and has a lot more leverage.”

### 2nc Complexity – Recipient Countries

#### Recipient countries fail to understand the complexity of US bureaucracy

Arnold 20, colonel in USAF (Jason, “Add Value to Security Cooperation through Joint Unification,” FAO Journal of International Affairs, https://faoajournal.substack.com/p/add-value-to-security-cooperation?s=r)

In the Security Cooperation Enterprise, the military departments loom large as the primary implementing agencies of Foreign Military Sales (FMS) cases, Building Partner Capacity (BPC) cases, and in training activities.[6] These SC programs provide our international partners with the capabilities they require both for their own security and to assist in regional security objectives that improve the overall global security situation. Most open SC cases have one of the military departments as an Implementing Agency (IA) and each service has built its own organizational structure, bureaucracy, and automated systems to support the effort.[7] Over the decades, a familiar dynamic has taken place. The military departments have developed their own implementing processes in an insular way, isolated from the other branches, and accommodating their own unique business rules, methods, and systems separate from the others. In addition to contributing to the already significant complexity of the SC Enterprise, the familiar replication of effort, divergent doctrine and practice, and inefficient use of resources is again evident. Still, the Services continue to diverge. Consider the difficulties these differing systems place on our international partners. Friendly foreign nations, committed to working toward our mutual security interests, must not only understand the various roles and processes in the general realm of SC, but also must learn the complexities of several different systems, depending on the implementing agency for a particular program. Indeed, this complexity is one of the primary complaints of the SC processes from our partners. Perhaps the complexity would be justified if it added value, but in almost all cases, the different processes add no greater benefit, but are due simply to the fact that they were developed in isolation by different organizations. Integrated processes and systems that are standardized across the implementing agencies would be a vast improvement, providing increased transparency, reduced complexity, and greater effectiveness across the board. Security Cooperation is inherently an interagency process, and requires a whole of government effort. Presidential Policy Directive 23 identified the Department of State (DoS) as the lead agency for United States Security Sector Assistance Policy, and all Security Assistance and Security Cooperation efforts require coordination and consent across agencies. The interagency process can be hampered by the diversity of processes and players that are presented by the separate Services’ SC organizations. It is not only our international partners that struggle with learning the different ways and means of the various implementing agencies, our own interagency partners can experience confusion as well in navigating the various systems, doctrine, and processes.

## Slow/Legal Barriers

### 1nc Delays

#### Slow, and the US will prevent transfer of all the good stuff

Teichert 22, currently serving as assistant deputy undersecretary of the Air Force for international affairs. His previous positions have included the senior defense official and defense attaché to Iraq, the commander of Edwards Air Force Base, and the commander of Joint Base Andrews (Johm, “THE HARD POWER OF SECURITY COOPERATION,” War on the Rocks, https://warontherocks.com/2022/03/the-hard-power-of-security-cooperation/)

There is still much work to be done to overcome security cooperation obstacles and properly create a force that is fully ready for strategic competition and ideally postured for integrated deterrence. First, onerous security barriers hinder progress in interoperability and integration, creating operational risk to avoid minor technical risk. When making exportability rulings, decision-makers too heavily and strictly consider security risk or concerns about technological exploitation, preventing the export of U.S. weapons systems without a proper consideration for the operational necessity of offering that capability to allies and partners in order to share burdens and develop interoperability. As a result, in the name of maintaining a unilateral technological advantage, bureaucrats pass on operational risk to combatant commanders and warfighters who expect to fight shoulder-to-shoulder with fully-capable allies and partners. Second, exportability of combat-relevant systems remains an afterthought of the acquisition process. Though American policy directs that new systems be designed for exportability, waivers to this policy are liberally applied and commonplace. Finally, slow security cooperation processes often deliver certain systems late-to-need, in part because of plodding security-focused decision-making mechanisms that are a part of exportability rulings. Delayed delivery schedules create a competitive disadvantage as compared to strategic rivals while frustrating the allies and partners that the United States will rely upon in the next conflict. In the end, some Defense Department and interagency policies and processes continue to zealously guard capabilities while hindering interoperability and harming operational effectiveness. American leaders and security cooperation professionals need to systematically eliminate these remaining obstacles to properly meet integrated deterrence objectives.

### 2nc XT Delays

#### Contracting and supply delays plague SC

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Fourth, the speed of delivery of security cooperation should increase for major capital equipment items (e.g., artillery, air defense, tanks, and aircraft.) As evidenced by Russia’s unprovoked invasion of Ukraine, European allies need access right away to the tools and resources that will prepare them to combat potential threats from Russia tomorrow. Often major slowdowns in security assistance and cooperation programs occur in the contracting processes and production timelines.

## Mission Objectives

### 1nc US Lacks Influence

US dearth of influence keeps partner countries’ ill equipt – corruption

Tecott 21, PhD in Political Science @ MIT (Rachel, “The Cult of the Persuasive: The U.S. Military’s Aversion to Coercion in Security Assistance,” Proquest Dissertations)

Security assistance has been a central dimension of U.S. foreign policy and military strategy since World War II and has emerged today a pillar of the United States’ touted return to great power competition.4 The United States intends security assistance to improve the capacity of partner militaries to manage local security threats, freeing the U.S. military to shift its weight to China and Russia. Though the core of U.S. military planning remains preparation for war, the vast majority of what the U.S. military is actually doing outside of the United States on a given day is some form of cooperation to build stronger partners. Between 1999 and 2016, the United States trained some 2,390,080 trainees from virtually every country in the world.5 In February 2018, the first U.S. Security Force Assistance Brigade (SFAB) was born, institutionalizing security assistance as an enduring, core competency of the U.S. Army.6 And the United States is not the only player in the game. The United States encourages its allies to strengthen the militaries in their own backyards, and eyes the People’s Liberation Army warily as it trains and equips soldiers around the world.7 The trouble is, though, that security assistance does not actually seem to work all that well.8 Few of the militaries the United States tried to build demonstrated any clear improvement. Start FN 9 U.S. efforts to build the Hellenic Army in Greece and the Republic of Korea Army are widely recognized as rare examples of clear success stories for U.S. security assistance. The three largest-scale security assistance efforts in U.S. history—Vietnam, Afghanistan, and Iraq—are broadly understood as abject failures. Most smaller scale security assistance efforts have escaped systematic evaluation. End FN 9 Despite the emergence of security assistance as a foundation of United States foreign policy and a ubiquitous feature of international relations, few scholars have examined how the United States goes about building partner militaries, the relative effectiveness of varying approaches, or the forces shaping U.S strategy. 10 This study takes on these questions. Security assistance is tricky for reasons familiar to students of military effectiveness. After a certain resource threshold is met, military effectiveness depends largely on military organizational practices around personnel, command structures, training, and resource allocation.11 Local political and military leaders are not always interested in building militaries that can fight, and may instead implement policies optimized to coup-proofing, consolidating political power, or lining their own pockets.12 The United States tends to provide the most assistance to nations that need it most desperately—nations whose leaders are often less motivated to build them in the first place.13 These leaders may welcome huge infusions of cash, equipment, and assistance from the United States, while simultaneously ignoring U.S. advice and implementing policies that keep their militaries weak. Fundamentally, then, the core challenge of security assistance is influence. The success or failure of large-scale U.S. security assistance projects depends less on the amount of assistance the U.S. pours into recipient nations than on the decisions of recipient leaders about what to do with U.S. assistance. The United States builds better militaries when it successfully influences recipient leaders—it fails when U.S. influence fails. U.S. influence fails a lot.

### 1nc Technicism/Militarism Focus Fails

#### Technicism ensures failure – internal DOD politics and the interorganizational politics prevent effective security cooperation

Young 2020

Thomas-Durell, phd, Senior Lecturer at the Naval Postgraduate School, “The "Politics" of Security Cooperation and Security Assistance” September 10, 2020, <https://www.dasadec.army.mil/News/Article-Display/Article/2344014/the-politics-of-security-cooperation-and-security-assistance/>dmr

The intrinsically political nature of military organizations is no less true when it comes to armies’ efforts in the education, training, and equipping of foreign partner nations’ armed forces, known as security cooperation (SC) and security assistance (SA). Yet much of the American bureaucracy and legal framework for these activities treat them as fundamentally technical problems that are susceptible to improvement through better procedures. This technicism, to purloin a term from Samuel Huntington,4 is arguably at the heart of many of our failures and disappointments in building partner security forces (for example, those of Afghanistan,5 Iraq,6 and Mali7) or in reforming defense institutions in Central and Eastern Europe.8 Virtually every fix proposed to partners is yet another technical or bureaucratic adjustment rather than an acknowledgment of the fundamentally political nature of these activities, both within a partner nation as well as among U.S. agencies responsible for planning and carrying out the assistance programs. The objective of this article is to argue that administration officials and Congress face two different political challenges related to improving SC and SA. Unless and until U.S. officials formulate solutions to these political problems, both branches of government will struggle to achieve more effective means of reforming partner nations’ key governmental institutions. First—and perhaps the easiest challenge to address—is that SC and SA have unintended political consequences in the government institutions of recipient countries and are not solely technical tasks. No one has expressed this point better than Mara Karlin, albeit she was speaking in reference to weak states: Past experience offers two key lessons for U.S. officials as they seek to strengthen the security sectors of weak states. First, like all state-building endeavors, these are political, not technical, exercises. Instead of focusing narrowly on training and equipment, U.S. policymakers responsible for implementing such programs must address the purpose and scope of the U.S. role and the mission, leadership, and organizational structure of the partner’s military.9 Second, SC and SA are highly politicized; both are inefficient, because of the lack of coordination between the Department of Defense (DOD) and Department of State, and ineffective, because of lack of alignment with national security goals (and/or foreign policy objectives). This important reality needs wider appreciation by these departments, as well as by Congress, if the U.S. Government is to improve its ability to find value for money by improving partner nations’ ability to defend their sovereignty, let alone contribute to expeditionary operations. Recent reforms initiated by Congress, most notably in the fiscal year (FY) 2017 National Defense Authorization Act (NDAA), constitute a good first effort at addressing these longstanding problems; however, a review of the evidence shows that this legislation should be augmented to define the problem as largely political in nature, as opposed to accepting the traditional default assumption that it is solely technical, which would have enabled it to call for even deeper reforms within these bureaucracies. This article argues that, due to internal DOD politics and the interorganizational politics within the U.S. Government, suboptimal results ensue from the way the United States plans and executes SC and SA. It then suggests legislative and policy changes that might better take this reality into account. The stakes are high. If U.S. strategy is to bring troops home from the so-called endless wars overseas and let others do the fighting, then its success must be a core priority. But only by reforming the way the United States organizes itself to build allies’ and partners’ armed forces are we likely to meet with any greater success than we have in the past.

### 2nc Militarism

#### Failure to make institutional changes ensures SC fails

Gwinn 4-19 (Jeremy Gwinn, PhD inInternational Relations at Tufts University, MBA in Finance at UNC Kenan-Flagler Business School, BA in History, Middle East Studies, and Military Science at Penn State University. Teaching Fellow at Harvard Kennedy School, Director, Army and Special Missions Team at OSC-I at DOD, active-duty Army officer and national security professional. Doctoral research focused on U.S. national security policy and unconventional warfare after 9/11. Professional experience includes leading 700+ person organizations, overseas operations in complex, multi-national environments, service in the Pentagon, and teaching and conducting research at West Point, The Fletcher School, and Harvard. “SWEETER CARROTS AND HARDER STICKS: RETHINKING U.S. SECURITY ASSISTANCE” https://warontherocks.com/2022/04/sweeter-carrots-and-harder-sticks-rethinking-u-s-security-assistance/)LR

The more recent U.S. experience in Iraq from 2003 until the withdrawal in 2011 contains echoes of Vietnam. David Lake’s study of that conflict suggests that provision of unconditional security assistance may still be America’s default setting. Despite massive volumes of military aid provided to the Iraqi government during this period, U.S. urging to reform the security forces and national government repeatedly failed. Nouri al-Maliki, prime minister during much of this period, resisted efforts to make the armed forces more broadly inclusive and apolitical, instead continuing to employ them as his own sectarian instrument. Again, the United States used an approach focused on training and equipping, known in the current lexicon as building partner capacity. The Iraqi government received assistance regardless of its effort, or **lack thereof, to implement much-needed reform** while the United States failed to use the leverage which hundreds of millions of dollars of assistance could buy. Several years later, the Iraqi military in which the United States had invested so much fell apart virtually upon first contact with the Islamic State’s irregular militia. The “building partner capacity” approach has two main flaws. First, it ignores fundamental problems, such as corruption, coup-proofing, and otherwise weak defense institutions which additional military capacity cannot overcome and may even exacerbate. Paradoxically, a focus primarily on capacity-building often fails to build meaningful, long-term capacity because it neglects underlying institutional problems. Second, **it ignores principal-agent problems by assuming that once in possession of highly capable security forces, the partner will wield them in a manner aligned with U.S. interests.** U.S. advisors and diplomats may recognize the pressing need for security sector reform in the partner. Unfortunately, the ingrained culture of U.S. security assistance seemingly relies on the false premise that with enough U.S. training and relationship-building, other countries’ militaries will voluntarily reform even though it is often not in their personal interests to do so. The United States is not getting the most for its security assistance dollars. Programs intended to build partner capacity tend to underperform because they fail to address underlying weakness in defense institutions or take principal-agent problems into account. To build meaningful, long-lasting capacity in partners and better align security assistance with policy goals, the United States should shift from a “building partner capacity” approach to a reform focus using conditional aid as leverage. Doing so in an environment where security assistance is yet another arena for strategic competition with Russia, China, and others will require internal reform of the U.S. security assistance apparatus. Rather than a slow-moving bureaucracy, the United States needs an agile and streamlined security assistance enterprise able to deliver aid rapidly when needed and be paused or turned off just as easily when conditions require. In short, the United States needs sweeter carrots and harder sticks.

#### Misaligned strategies guarantee failure - three reasons

Rauen et al 18 (Brian Rauen, Terri Erisman, and Edward Ballanco are officers in the U.S. Army and graduates of the U.S. Army War College class of 2018. The views expressed in this article are those of the authors and do not necessarily reflect those of the U.S. Army War College, U.S. Army, or Department of Defense.” MORE IS NOT BETTER: FIXING SECURITY COOPERATION”, https://warroom.armywarcollege.edu/articles/more-is-not-better-fixing-security-cooperation/)LR

**First**, each host **nation has its own unique structure**, interests, and strategy to address threats. Each partner military operates within a set of authorities, regulations, and other constraints or limitations that also impact the efficacy of U.S. security cooperation engagements. The relationship with the host nation can be particularly challenging as misalignment of strategies may reflect a classic principle-agent problem, a simple communication problem between well-meaning partners, or a combination of both. Security cooperation has the most potential to be effective when the strategic, operational, and tactical aspects for the United States and its partner align. **Second, U.S. national, regional and partner-specific goals may not be coherent or compatible**. U.S. national interests are typically broad and may be in competition with one another. For instance, one U.S. interest in a country may be prevention of terrorist attacks against U.S. citizens while a potentially competing interest is the adherence to the rule of law, including due process, by the partner nation. Geographic combatant commands (GCC) develop an overarching regional campaign plan and use security cooperation engagements to support that plan, but these efforts may not align with those of the U.S. Ambassador and country team, who also develop a concept for advancing U.S. interests and engagements in their respective countries. The country team is in theory the focal point for integrating all U.S. Government programs and perspectives, including the COCOM strategies and security assistance efforts. Their regular engagement with the host nation contributes to a more detailed and in-depth understanding of the partner, the unique challenges they face, and the viability of U.S. strategies. Yet their **country focus does not encourage a holistic view of regional goals to the same degree as the GCC.** Assessments and feedback provided by rotational forces, visiting personnel, and analysts in Washington can be incongruent with the perspectives of the country team and **lead to disagreements about how to engage effectively**. **Finally, the goals of U.S. military service-provided units often differ from those of the regional or country-specific teams.** Service-provided units are usually not assigned to the GCC. As rotational forces, acting under their respective service component command, they typically execute security cooperation in a decentralized manner. Whereas the services are responsible for manning, training, and equipping their forces to ensure they are ready for deployment, the GCC is focused on its campaigns and strategies. While the two should be mutually supporting, some units deploy with limited knowledge or awareness of long term strategic objectives and therefore focus on their service-directed requirements**. In Mali**, for example, some units on **small-scale deployments viewed** their engagements **primarily as a unit training opportunity** or solely in support of a foreign military sales case, **not as part of the plan to facilitate security.**

# NATO Engagement Fails

## Say “No”

### 1nc No US Cred

#### Allies say no --- Afghan withdrawal makes the US look like an uncredible partner

Cooper 21, nonresident senior fellow with the Atlantic Council, a former assistant secretary at the Department of State, and a US Army combat veteran (R Clarek, American security cooperation needs an ‘integrity check’,” Atlantic Council, https://www.atlanticcouncil.org/blogs/new-atlanticist/american-security-cooperation-needs-an-integrity-check/)

Yet successful security cooperation—which includes arms transfers, training, security assistance, treaties, or agreements—is built around two key principles: trust and integrity of commitment, both of which are at risk today thanks to the haphazard US withdrawal from Afghanistan. In the US military, the term “integrity check” refers to a concern about an individual’s or unit’s capability or trustworthiness. Following the debacle in Kabul, the United States and its global security cooperation posture is in dire need of one. Just look at the anger expressed by stalwart NATO allies such as the United Kingdom, which in the aftermath of 9/11 unquestionably joined in to invoke the Washington Treaty’s Article 5 for collective self-defense (the first time the Alliance ever did so). That NATO launched its first operations outside the Euro-Atlantic area and began a far-reaching transformation of capabilities signaled its trust in the United States’ reliability when it came to security cooperation. Now, treaty allies and partner nations are reassessing their bilateral security relationships with the United States. It’s not just the NATO states caught off-guard by the haphazard departure from Afghanistan that will think twice before embarking upon future military campaigns with the United States. Resolute defense partners in the Middle East and the Indo-Pacific—including Saudi Arabia, Jordan, Qatar, Japan, South Korea, and Taiwan—likely also need overt reassurance, such as a clear national-security strategy and declared recommitments. Additionally, these partners are increasingly feeling the need to proactively raise their own defense capabilities by boosting their budgets or coordinating with allies to ensure regional security along with the United States. Besides stress-testing the integrity of American security cooperation, the Afghanistan withdrawal also highlights the necessity of staying the course on long-term investment in mutually beneficial security partnerships with countries with which the United States has shared interests—or shared threats. Well before the fall of Afghanistan, foreign partners were already questioning the reliability of the United States at a time when the debate in Washington about our global posture was becoming increasingly politicized. The case for partnering with the United States needs to be clearly articulated through the presence, performance, and processes of American security cooperation. The quality of US aerospace and defense equipment, the commitment to build capabilities, and the reassurance that comes from partnering with the US military must include further transparency, accountability, and predictability of policies. If not, American allies and partners will be hesitant to collaborate with us on future shared security requirements—or simply seek cooperation elsewhere.

## Spoilers/ “No”

### 1nc Illiberal Spoil

#### Spoilers will ruin the process.

Basu ’5-18 — Zachary; national security reporter at Axios. "Strongmen spoilers in Turkey and Hungary threaten Western unity"; *Axios*; https://www.axios.com/2022/05/18/turkey- NATO-finland-sweden-hungary-russia; //CYang

Why it matters: Critics have accused Turkish President Recep Tayyip Erdoğan of employing a "hostage-taking" tactic also practiced by Hungary, which for weeks has been singlehandedly blocking the European Union from imposing an embargo on Russian oil. The outsized influence of single-member states in the EU and NATO has drawn increased scrutiny in recent years, especially as both Hungary and Turkey have drifted toward authoritarianism and strengthened their ties with Russia. Their resistance to two critical Western priorities risks undermining the united front that leaders like President Biden have touted as key to effectively responding to Russia's invasion of Ukraine. Driving the news: U.S. Secretary of State Antony Blinken, who has said he is "very confident" all NATO allies will ultimately approve Sweden and Finland's applications, will meet on Wednesday with Turkish Foreign Minister Mevlüt Çavuşoğlu. Çavuşoğlu said Sunday that in exchange for Turkey lifting its opposition, Sweden and Finland must end their alleged support for Kurdish groups that Turkey views as terrorists and a top national security threat. Turkey is also expected to use its leverage to seek bilateral concessions from the U.S., including speeding up the potential sale of F-16 fighter jets. Between the liens: Özgür Ünlühisarcıklı, director of the German Marshall Fund's office in Ankara, told Axios that Erdoğan "saw an opportunity to extract some benefits both for Turkey and for his own political standing" ahead of a crucial election next year. Erdoğan believes he's "more or less free to do whatever he wants," Ünlühisarcıklı said. He argued it's hard to stand up to Erdogan on this issue, given the high stakes of Sweden and Finland's NATO applications, and the unique role Turkey is playing in Ukraine as both a mediator in peace talks and supplier of highly effective drones. Critics, meanwhile, say the stunt could set a precedent for other NATO leaders to essentially seek bribes in moments of crisis — with some going as far as to call Turkey a "Trojan horse" within the Western alliance. Zoom out: That label has long been used to describe Hungary's role as a spoiler within the EU. Hungary's far-right prime minister Viktor Orbán is viewed as the most pro-Russian leader in the EU, and for weeks has used his veto to prevent the bloc from banning imports of Russian oil. In the meantime, Orbán has used his leverage to pressure the EU to send Hungary a financial compensation package — effectively neutralizing Brussels' landmark decision this year to withhold pandemic recovery funds from Hungary over its democratic backsliding.

### 2nc Illiberal Spoil

#### Democratic backsliding ensures political divisions wrecking NATO cohesion

Flockhart 2021

Trine Flockhart is Professor of International Relations in the Department of Political Science and Public Management at the University of Southern Denmark and Co-Director of the Center for War Studies. Trine’s research focuses on international order and processes of change and transformation, the crisis in the liberal international order, resilience and NATO and transatlantic relations. “Democratic Backsliding and Contested Values Within the Alliance,” NATO 2030: Towards a New Strategic Concept and Beyond, (177-194), 2021.dmr

The authors of the 2030 report are correct in emphasizing the importance of NATO’s commitment to shared values, but it must also be recognized that in the current political environment, agreement about those values can no longer be taken for granted—this is the case both within the Alliance, but it is also a wider problem reflecting that there is now a broadly shared consensus that the basic norms underpinning the overall liberal international order are under pressure and that global politics will be shaped by open disagreements about its basic values.8 The very same challenging international security environment that makes the commitment essential has also stirred political sentiments within the Alliance that may make it difficult—perhaps even impossible—for the Alliance to live up to the commitment. Democracy today is in crisis and NATO’s foundational values are contested in several member states such as Hungary, Turkey, and even Poland. In these member states, the possibility of democratic backsliding is today no longer unthinkable—it is already taking place.9 Even some of the oldest democracies—the United States, Britain, and France—face diminishing confidence in their democratic institutions and significant disruptions in their domestic politics. The rise of right-wing, authoritarian-style populism and an apparent mainstreaming of national(ist) politics is no longer just an abstract threat but a reality that is currently in the process of altering long established cleavage structures in party politics.11 These changes seem likely to result in new political divisions within the Alliance between liberal internationalism and illiberal nationalism. Clearly such a situation will have profound ramifications for cohesion within the Alliance and for the continued shared commitment to NATO’s foundational values. This chapter asks if the Alliance can continue to live up to its commitment to “democracy, individual liberty and rule of law” and asks how democratic backsliding may constitute an existential threat to NATO. The chapter consists of four sections. The first section outlines how NATO has historically been able to adapt to a frequently changing external strategic environment to meet a seemingly never-ending stream of crises—qualities that arguably made NATO a resilient institution. In the second section, the chapter attributes NATO’s resilience to the ability of the Alliance to balance between two different, but intertwined identities—an identity as a defense alliance and an identity as a community of values.12 The chapter demonstrates that historically, NATO’s crises, tensions, and contradictions have primarily been associated with the identity as a defense alliance, whereas the value foundation of the Alliance has been continuously reinforced and reified through deeply embedded practices associated with NATO’s identity as a community of values. In the third section, the chapter shows that today, the situation has changed fundamentally as the Alliance is doing well in areas that have historically caused the most concern such as its military capabilities, whereas NATO’s assumed bedrock of strength—its stable identity, deeply embedded practices, and shared values—is now contested from within its own ranks. In the final section, the chapter turns to contemplating NATO’s future and the prospects for NATO not only to return to long-established practices to reinforce the shared values of the Alliance, but also the prospects for the Alliance to reorient itself towards a very different and challenging strategic environment.

#### NATO has no solidarity – illiberal members spoil the plan – the plan can’t overcome these structural differences

Dempsey ’18 — Judy; nonresident senior fellow at Carnegie Europe and editor in chief of Strategic Europe. April 3, 2018; "NATO’s Bad Apples"; *Carnegie Europe*; https://carnegieeurope.eu/strategiceurope/75962; //CYang

Over the past few years — and in particular, over the past nine months — several members of the U.S.-led military alliance have run roughshod over NATO solidarity and the basic principles upon which the alliance was founded in April 1949. Turkey, for example, actually revealed the positions of French troops in northeast Syria. Since 2016, according to the AFP, these forces have been based in areas controlled by the YPG/PKK. The Kurdish YPG dominates the Syrian Democratic Forces (SDF). President Recep Tayyip Erdoğan recently sharply criticized his French counterpart, Emmanuel Macron, for meeting SDF leaders in Paris and for offering to mediate between the SDF and Turkey. For Erdoğan, that was tantamount to negotiating with the Syrian branch of the PKK, which Ankara insists is a terrorist organization. Yet Erdoğan went further. A Turkish news agency revealed the positions of the French forces. What sort of solidarity and discretion does that amount to, when one ally could endanger another? Closer to home, NATO has to contend with Poland and Hungary undermining the independence of the judiciary and an independent media, not to mention that way in which nongovernmental organizations in Hungary have been vilified and refugees refused shelter. Then there is the corruption in the alliance’s newest member, Montenegro, and the persistent attacks on the judiciary and anticorruption watchdogs in Romania. Altogether, these examples do much to undermine NATO as an alliance, whose members pledge “to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty, and the rule of law. They seek to promote stability and well-being in the North Atlantic area.” Back in the last 1940s, the rule of law and democracy didn’t matter that much for NATO. The alliance’s priorities focused on the security, safety, and protection of its members (in short, the West). When Greece and Turkey joined NATO in 1952, their membership was about bolstering the defenses of this part of Europe against the Soviet threat. Geostrategic interests and strengthening the anti-Communist bulwark took precedence over the rule of law and strong, democratic, accountable institutions. In recent years, when it’s come to countries wanting to join NATO, there has been more emphasis on values and democracy. But in its own home, NATO’s record for upholding basic principles is far from stellar. And its reluctance to criticize its allies exposes some of its intrinsic weaknesses. The first is that NATO countries are loathed to criticize each other, either publicly or even behind closed doors in the North Atlantic Council (NAC) — the forum in which alliance ambassadors meet. The NAC got its fingers badly burned during the U.S-led war against Iraq in 2002. Apart from NATO countries being so bitterly divided over the invasion, NAC sessions often ended up in shouting matches between the American and French ambassadors. NATO’s fragility was exposed for all to see. Yet, wasn’t it necessary for ambassadors to speak out? Yes, they are constrained by their own governments. But if NATO could not — and did not — speak out against torture, or renditions, or the illegality of the U.S. invasion of Iraq, or what is now happening to Turkey’s democratic institutions, then what does that say about the alliance’s principles? The second weakness is that NATO doesn’t have formal mechanisms to suspend an ally. And even if it wanted to discipline a member, that would require consensus.

### 2nc Turkey Spoils

#### Empirics prove — here’s a slew of examples.

Crowley & Erlanger ‘5-30 — Michael Crowley is a diplomatic correspondent in the Washington bureau. Steven Erlanger is the chief diplomatic correspondent in Europe for The New York Times. May 30, 2022; "For NATO, Turkey Is a Disruptive Ally"; *New York Times*; https://www.nytimes.com/2022/05/30/us/politics/turkey- NATO-russia.html; //CYang

Within an alliance that operates by consensus, the Turkish strongman has come to be seen as something of a stickup artist. In 2009, he blocked the appointment of a new NATO chief from Denmark, complaining that the country was too tolerant of cartoons of the Prophet Muhammad and too sympathetic to “Kurdish terrorists” based in Turkey. It took hours of cajoling by Western leaders, and a face-to-face promise from President Barack Obama that NATO would appoint a Turk to a leadership position, to satisfy Mr. Erdogan. After a rupture in relations between Turkey and Israel the next year, Mr. Erdogan prevented the alliance from working with the Jewish state for six years. A few years later, Mr. Erdogan delayed for months a NATO plan to fortify Eastern European countries against Russia, again citing Kurdish militants and demanding that the alliance declare ones operating in Syria to be terrorists. In 2020, Mr. Erdogan sent a gas-exploration ship backed by fighter jets close to Greek waters, causing France to send ships in support of Greece, also a NATO member. Now the Turkish leader is back in the role of obstructionist, and is once again invoking the Kurds, as he charges that Sweden and Finland sympathize with the Kurdish militants he has made his main enemy. “These countries have almost become guesthouses for terrorist organizations,” he said this month. “It is not possible for us to be in favor.” Mr. Erdogan’s stance is a reminder of a long-festering problem for NATO, which currently has 30 members. Russia’s invasion of Ukraine may have given the alliance a new sense of mission, but NATO must still contend with an authoritarian leader willing to use his leverage to gain political points at home by blocking consensus — at least for a time.

#### Erdogan won’t say yes — he’s a hard-liner — BUT even if he does, the process will still undermine solvency.

Zaman ‘5-16 —Amberin; senior correspondent reporting from the Middle East, North Africa and Europe exclusively for Al-Monitor. Zaman has been a columnist for Al-Monitor for the past five years, examining the politics of Turkey, Iraq and Syria and writing the daily Briefly Turkey newsletter. Prior to Al-Monitor, Zaman covered Turkey, the Kurds and conflicts in the region for The Washington Post, The Daily Telegraph, The Los Angeles Times and the Voice of America. May 16, 2022; "Turkey continues to play hard ball over Sweden, Finland NATO membership"; *Al-Monitor: The Pulse of the Middle East*; https://www.al-monitor.com/originals/2022/05/turkey-continues-play-hard-ball-over-sweden-finland- NATO-membership; //CYang

Tensions within NATO over Turkey’s demands for concessions from Finland and Sweden in exchange for backing the Nordic states’ membership of the Western alliance show no signs of abating, even as Western officials seek to play them down. Sweden confirmed today that it is sending a delegation to Ankara to discuss its decision to formally apply for NATO membership in response to Russia’s invasion of Ukraine. The move is further evidence that Turkey’s objections have not been overcome. Upping the ante, Turkey’s President Recep Tayyip Erdogan said today they “need not bother to come” unless military sanctions imposed by the Nordic countries on Turkey were rescinded. “The crisis mode is confirmed,” a source with close knowledge of the discussions told Al-Monitor. The source said there were few signs, if any, that Turkey was ready to drop its demands that both countries cease what Ankara calls their support for “terrorists.” It is referring in particular to Kurdish groups sympathetic to imprisoned Kurdish leader Abdullah Ocalan and Pennsylvania-based Sunni cleric Fethullah Gulen. Turkey accuses Gulen of orchestrating the failed attempt to violently overthrow the government in 2016. Turkey’s Islamic-leaning Justice and Development Party government is also demanding that both countries end their arms embargoes on Turkey over its military intervention in 2019 against the Kurds in northeast Syria. Turkey’s Foreign Minister Mevlut Cavusoglu said on Sunday that progress was being made with Finland on the issue but that Sweden was continuing to be “provocative.” He did not elaborate. US Secretary of State Tony Blinken said he had spoken to Cavusoglu after a meeting of NATO foreign ministers that was held Sunday in Berlin, and he was confident that consensus could be struck. NATO Secretary-General Jens Stoltenberg said he was confident that “we will be able to address the concerns that Turkey has expressed in a way that doesn’t delay the membership or accession process.” Turkey’s real beef is with Sweden, a long-time sanctuary for Turkish dissidents of all stripes since 1980 when Turkey’s generals carried out their last hard coup. In Sunday’s meeting, Cavusoglu was described by the source as being “very tough.” Cavusoglu demanded that Sweden and Finland publicly acknowledge that there are links between Ocalan’s Kurdistan Workers Party (PKK) and the Syrian Kurdish groups running the autonomous region in northeast Syria that is protected by US special operation forces. Cavusgolu singled out Sweden’s Foreign Minister Ann Linde and what he called her “so-called feminist policy.” It was an overt swipe at Linde’s overt embrace of the Syrian Kurdish leadership, which has strong female representation in keeping with Ocalan’s emphasis on gender equality. Ilham Ahmed, the executive president of the Syrian Democratic Council, one of the main arms of the Syrian Kurdish administration, has met numerous times with Linde in Stockholm. Britain’s Foreign Secretary Liz Truss pushed back “very hard” against Cavusoglu, saying the priority should be “to not send the wrong message to Russia.” “Finland Sweden’s decision to seek NATO membership is a historic step. The position of Turkey and the Erdogan regime on this is frankly bizarre and not surprising,” said Feryal Clark, the first Kurdish Turkish member of the UK parliament for Labor and a member of the NATO Parliamentary Assembly. “It’s another example of Erdogan’s regime trying to further isolate and cut off support for Kurdish minorities,” she told Al-Monitor. In 2020, Linde angered Cavusoglu by telling him that Turkey must withdraw from northeast Syria. The Turkish Justice Ministry on Monday announced that Ankara had requested the extradition of six alleged PKK members from Finland and 11 alleged PKK members from Sweden. Ankara’s demands have struck a raw nerve in Sweden, a country that has long prided itself on putting human rights first in its foreign policy. “Ankara’s statements do raise concern in Sweden, as they come at a time when the [ruling] Social Democrats have just taken a very difficult decision to change position on the question of NATO membership,” noted Paul Levin, director of Stockholm University’s Institute for Turkish Studies. Turkey’s demands of the Swedish government “hits right at the reason many on the left have been uneasy over NATO membership — the fear that Sweden would lose its voice on matters concerning human rights and democracy.” “There is a great deal of sympathy for the Kurdish cause, especially on the left, and I think it will be difficult [for Sweden] to make any meaningful concessions,” Levin told Al-Monitor. And with elections looming in Turkey and Sweden alike, “There is a risk that a mutual inability to be seen as backing down could make for a difficult road ahead,” Levin added. “The issue is serious,” concurred Aaron Stein, director of research at the Foreign Policy Research Institute, a think tank in Philadelphia. Stein sees parallels with Turkey’s reaction to US support for the Syrian Kurdish People’s Protection Units (YPG). Sweden’s “big sin,” he told Al-Monitor, is “that they adopted the same policy as the United States, which is that they view the YPG and the PKK as separate entities.” Sweden is one of the first countries to have followed in Turkey’s steps, treating the PKK as a terrorist organization since the early 1980s. “They are using a strict interpretation of the law to facilitate a policy in Syria of using the YPG to go after the Islamic State,” Stein noted, much as the United States has done, leading to a meltdown in US Turkish ties. This is hardly the first time that Erdogan is playing hardball with NATO. In 2009, Turkey withdrew its objections to the nomination of Anders Fogh Rasmussen, a former Danish prime minister, to lead the alliance only after the last-minute intervention by then-President Barack Obama. Turkey was opposed to Rasmussen because of his defense of free speech in the midst of the Danish cartoons crisis over depictions of the Prophet Mohammed that were deemed to be blasphemous. In 2019, Turkey held up defense plans for the Baltic states and Poland, insisting that NATO needed to recognize the YPG as a terrorist threat and defend Turkey against it. “It took some bureaucratic chicanery to get that one through,” recalled Stein. This included greater Turkish representation in the higher echelons of NATO. “Of course [the current crisis] probably will be worked out, but again, they made a spectacle, and in so doing, they undermined NATO solidarity at a time when two members want to join because they correctly fear Russian aggression. Turkey elevated its own security issues over those of the collective security of the alliance.”

#### Turkish obstacles are multi-dimensional the plan can’t overcome

Kunz 2021

Barbra, senior researcher at the Institute for Peace Research and Security Policy at the University of Hamburg. She specializes in European security and the debates surrounding it, with a special emphasis on France and Germany. “’There is No “Europe’: Disagreements Within NATO Are Not Solely Transatlantic and Pertain to the Fundamentals of European Security”, NATO 2030: Towards a New Strategic Concept and Beyond, (157-176), 2021.dmr

Under current circumstances, the most prominent cases of disputes among NATO members include Turkey, in an overall context of the country’s government no longer interested in being an integral part of the ‘West.’4 Tensions occur both at the bilateral level between Turkey and individual members of the Alliance—notably with Turkey’s ‘traditional’ antagonist Greece, but also the United States and France—and at the multilateral level, with Ankara blocking strategic cooperation between the NATO and the European Union or NATO and partner countries such as Armenia, Jordan, or Israel. Greece and Turkey have a longstanding conflict over Cyprus, as well as disputes over natural resources in contested waters. The United States notably ejected Turkey from the F-35 program after Turkey purchased the S-400 air defense system from Russia.5 Franco-Turkish tensions, finally, are multi-dimensional in nature and range from personal attacks between presidents Erdoğan and Macron, religious and cultural issues, to geo-strategic rivalry.6 The two countries even came close to a military clash in the Eastern Mediterranean in the summer of 2020. France’s frigate Courbet, part of NATO’s maritime security Operation Sea Guardian, was illuminated by Turkish targeting radar when approaching a cargo ship suspected of breaching the arms embargo in Libya, escorted by the Turkish navy. As France did not obtain the desired support among other NATO allies in the incident’s aftermath, it temporarily withdrew from Operation Sea Guardian.7 Paris’ positioning on Libya, where it unofficially sided with General Haftar, is widely considered to be the cause for this absence of support from other NATO members. Beyond NATO, these issues also matter in the EU context where Germany and other EU member states blocked the adoption of sanctions against Turkey.8 Western Europeans are thus not on the same page when it comes to dealing with Turkey, which is hardly surprising given their very different relations with Ankara. Moreover, the fact that the European Union—and Germany as the main actor behind the so-called EU-Turkey refugee deal9 in particular—has made itself dependent on Turkey to control flows of migration to Europe limits its room for maneuver.10 Beyond bilateral conflicts, security dynamics in the Eastern Mediterranean are increasingly a cause for concern.11 These include, inter alia, conflicting territorial claims and conflicts over natural resources or countries’ positioning in the Syrian and Libyan wars—with, in all cases, Turkey as a key actor. Likewise, Turkey’s actions in the September 2020 flare-up of the Nagorno-Karabakh conflict have been analyzed as the country’s “pursuing the goal of undermining the current status quo in the region.”12 Ankara’s military offensives in Syria against Kurdish-led forces, fighting against ISIS as US allies, also revealed deep rifts among NATO countries and further complicated the situation in the Middle East.13 All these incidents point toward the structural estrangement between the West, NATO, and Turkey rather than merely differences over policies that can be solved by compromise. They are therefore likely to have long-term implications for the Alliance’s cohesion and ability to act, including in shaping a closer relationship between NATO and the European Union as one of the key undertakings of Euro-Atlantic security.

#### Cohesion is impossible – plan can’t overcome Franco-Turkish divide

Antonopoulos ’20 — Paul; Doctorate researcher based in Athens. He has a special interest in international relations, with a particular focus on multipolarity and the geographic space between ancient civilizational countries stretching from Greece to India. June 30, 2020; “NATO’s Appeasement to Turkey Is Pushing France Out of the Alliance”; *Global Research*; [https://www.globalresearch.ca/ NATO-appeasement-turkey-pushing-france-out-alliance/5717404?pdf=5717404](https://www.globalresearch.ca/nato-appeasement-turkey-pushing-france-out-alliance/5717404?pdf=5717404); //CYang

French President Emmanuel Macron created a stir last November when he said that NATO is experiencing a “brain death.” This single comment created a flurry of reactions as Member States attempted to justify the existence of NATO. Macron’s comments must be taken seriously when we consider that France in 1959 withdrew its Mediterranean Fleet from NATO command and in 1966 the French military left NATO’s integrated military command and demanded all foreign NATO soldiers to leave France. US Secretary of State Dean Rusk attempted to guilt the highly independent French President Charles de Gaulle for his decision to kick out foreign soldiers by asking if “the bodies of American soldiers in France’s cemeteries” who died in the two world wars also had to leave.

It was the Anglo-American hegemony that de Gaulle resisted, and it can be argued that Macron is attempting to re-establish France’s independence after former French President Nicolas Sarkozy reintegrated France into NATO in 2009. A clear indicator that Macron is following in the steps of de Gaulle is when he furthered the former president’s famous phrase that Europe stretches “from Lisbon to the Urals” in Russia by saying Europe’s territory stretches all the way to Vladivostok near the Chinese and North Korean borders.

However, Macron’s stinging attacks against NATO did not end with that single comment from November 2019. Last week Macron said that the Franco-Turkish naval incident was “one of the most beautiful demonstrations that there is a brain death” of NATO. A Turkish warship harassed a French navy vessel participating in a NATO mission, prompting France’s defence ministry to say that

“this is an extremely aggressive act that is unacceptable by an ally against a NATO ship. We consider this an extremely grave matter. We cannot accept that an ally behaves this way, that it does this against a NATO ship, under NATO command, carrying out a NATO mission.”

NATO is certainly “brain dead” as it primarily exists to pressurize Russia despite the collapse of the Soviet Union nearly three decades ago. To justify its existence, it has gone on campaigns of aggression by destroying Yugoslavia and Libya, and supporting reactionary forces like jihadist groups in Syria. It is now strongly suggested that France wants to embark on an independent path, especially as a lack of comradery is found within the Alliance.

Turkey, leveraging its large military, geostrategic positioning on the crossroads of Europe and Asia, and controlling the Straits into the Black Sea, is attempting to balance its relations with NATO and Russia to pursue its own ambition to dominant the entire region, including the Eastern Mediterranean. Moscow wants to strengthen relations with Turkey knowing it will antagonize NATO, while NATO continues to tolerate Turkey’s unilateral and aggressive actions. NATO’s tolerance to Turkish aggression is so high that it is always silent on Turkey’s daily violations of Greek maritime and airspace, despite Greece being a fellow NATO member.

The Turkish aggression against France in the Mediterranean a few weeks ago was one that could not be ignored. As Greece is not as geostrategically important to NATO in comparison to Turkey, aggression against it is always ignored and tolerated by NATO. However, Turkish aggression against a nuclear power like France was never going to be sidelined and ignored. Ankara made a blunder thinking that the same aggression it does against Greece would be tolerated by France.

As Turkey is propping up and protecting the Muslim Brotherhood Government of National Accords based in the Libyan capital of Tripoli and their jihadist allies, France is backing its rival, the Libyan National Army. This has been another cause of division between France and Turkey, prompting Macron to say yesterday:

“I think this is a historic and criminal responsibility for someone who claims to be a member of NATO.”

He made the comments after holding talks with German Chancellor Angela Merkel, considered Turkey’s closest ally in Europe. He added that Turkey’s conduct in Libya is “unacceptable to us” and that Ankara needs to “urgently clarify” its stance.

Macron is not hiding his contempt for the Turkish government and NATO at all. He is also the only major Western leader that is open to friendly relations with Russia. France is now pushing for a “European Army” outside of NATO. As the Alliance continues to tolerate Turkey’s aggressive actions in the Mediterranean, this could push France further away from NATO, an interesting turn of events considering the past two years there were endless speculations that it was Turkey being pushed away from NATO over its acquisition of the Russian S-400 missile defense system.

NATO’s continued appeasement of Turkish aggression that even threatens Member States could be the very catalyst that will see France once again leave the Alliance. Although a Pew survey from February found that only 37% of Greeks were favorable towards NATO, the second lowest surveyed, the Greek political elite will continue to be subservient to NATO, counter to Greece’s own interests and defense concerns. Therefore, it is extremely unlikely that Greece would leave NATO. The same survey found that only 49% of French people were favorable towards NATO, which surely has dropped even further after Macron’s most recent statements and Turkish actions against the French Navy. Effectively, as NATO continues to appease Turkish aggression against even fellow Member States, the Alliance is only pushing France out as Macron sets himself up to be the Charles de Gaulle of the 21st century.

#### Turkey spoils issues even if they have NATO consensus – they’re using disputes over Sweden and Finland to air other grievances

**Karadsheh and Sariyuce ‘22** - Jomana Karadsheh is an international correspondent based in the network's Istanbul Bureau; Isil Sariyuce is a journalist for CNN and Reuters (CNN, “Why is Turkey causing problems for Finland and Sweden’s plans to join NATO?”, May 19, 2022, <https://www.cnn.com/2022/05/18/europe/turkey-nato-finland-sweden-cmd-intl/index.html> )//RG

Just when it seemed like Finland and Sweden’s accession into NATO was imminent, Turkey has taken its allies by surprise by **throwing a wrench into the works.** President Recep Tayyip Erdogan said on Thursday that Turkey planned to reject the two nations’ bids to join the alliance, after having accused them earlier of being “like guesthouses for terror organizations.” “We told relevant friends that we will say no to Sweden’s and Finland’s entry into NATO **and we will continue our path like that,”** he said during a conference with students in Ankara. Finland and Sweden formally applied to join NATO on Wednesday at Allied headquarters in Brussels, driven by Russia’s invasion of Ukraine. The decision represents a setback for Moscow, with the war in Ukraine triggering the kind of enlargement of the alliance that it invaded Ukraine to prevent. **Accession of new states** however **requires consensus among existing members**, and that’s where Ankara comes in. Turkey, which joined the alliance three years after it was established in 1949 and has the group’s second largest army, has said it won’t support the bids unless its demands are met. Erdogan accused the two countries of harboring members of the separatist militant Kurdistan’s Workers Party, also known as PKK. The PKK, which seeks an independent state in Turkey, has been in an armed struggle with that country for decades and has been designated a terrorist organization by Turkey, the United States and the European Union. He said on Wednesday that Sweden should not expect Turkey to approve its bid without returning “terrorists,” and Swedish and Finnish delegations should not come to Turkey to convince it to back their membership in the alliance. US President Joe Biden met with Swedish Prime Minister Magdalena Andersson and Finnish President Sauli Niinistö at the White House to discuss their NATO applications on Thursday, pledging them the “complete backing” of the United States. When asked on Wednesday how he will convince Turkey to support Finland and Sweden’s bids for membership, Biden told reporters, “I think we’re gonna be OK.” The crisis **has brought to the fore longstanding Turkish grievances against Western nations and NATO allies,** while it has given Ankara an opportunity to use its position in the alliance to extract concessions. Turkey has complained about the lack of support it has received in its fight against Kurdish militants, which Ankara perceives as its top national security threat. It has accused Sweden of harboring its adversaries and providing support to Kurdish militants in northern Syria, whom Ankara considers an extension of the PKK. Ankara also says that the two nations haven’t responded to extradition requests, according to state media. The wanted individuals are accused of having links to the PKK as well as FETO – the group led by US-based cleric Fetullah Gulen whom Turkey believes was behind the 2016 failed coup attempt (an allegation Gulen denies). Finland and Sweden voiced optimism on Tuesday that common ground can be found with Turkey over its objections. Sweden’s finance minister Mikael Damberg told public broadcaster SVT on Monday that his country is not a “friend of terrorism,” and that it takes “very seriously anything that has to do with terrorism.” “We will of course use diplomacy, we will clarify any possible uncertainties,” he said. Swedish Foreign Minister Ann Linde said on Saturday that her country, just like the rest of the EU, considered PKK a terrorist organization. The government has said it is ready to iron out any obstacles in talks with Turkey. Ankara has also demanded that Sweden and Finland drop an arms embargo that was slapped on Turkey in 2019 following its military offensive in northeastern Syria. Turkey launched the operation against the Kurdish-led YPG forces that were allied with the United States and other Western nations in their fight against ISIS. The offensive drew condemnation from the US and the EU, and led several European countries to impose an arms embargo on Ankara. “We would not say yes to those who impose sanctions on Turkey to join NATO,” Erdogan told reporters Monday evening. “Because then NATO would cease to be a security organization and become a place where representatives of terrorist organizations are concentrated.” The Turkish President is no stranger to fiery rhetoric, particularly around the time of elections, when a boost on the home front could help at the polls. Turkey goes to elections next year and experts believe the current state of the economy – record-high inflation and a currency that has lost nearly half its value in the past year – will cost Erdogan at the polls. Analysts say that Turkey’s veto in NATO may be used as leverage not just against future members, but current ones too. “It may not all be about Sweden and Finland,” Asli Aydintasbas, senior policy fellow at the European Council on Foreign Relations wrote in an article. “The president almost certainly **sees this as an opportune moment to air his grievances about existing NATO members**, especially with the Biden administration, which has kept the Turkish leader at arm’s length.” A key issue might be the Turkish President’s disappointment at being unable to establish a working relationship with Biden as he did with his predecessors, according to Aydintasbas. Erdogan complained to reporters last month that he and Biden didn’t have the kind of relationship he had with Presidents Trump and Obama. “Of course, there are some meetings from time to time, but they should’ve been more advanced,” he said. “My wish is that we can achieve this in the following process.” This isn’t the first time Turkey has objected to new members, Aydintasbas pointed out. “It is unlikely that Erdogan had one specific policy goal in mind, but he will no doubt expect to be cajoled, persuaded, and eventually rewarded for his cooperation, as in the past,” Aydintasbas wrote on Monday referring to previous Turkish veto threats within NATO. While Turkey has security concerns that even the NATO Secretary General Jens Stoltenberg has said must be addressed, the optics are far from flattering, **with Turkey choosing to air its grievances and appear as a spoiler at a time when the alliance’s unity may have never been more important.**

### 2nc Hungary Spoils

#### Here’s comparative evidence — NATO’s biggest threat is internal backsliding & Orban.

Bergmann & Cicarelli ’20 — Max Bergmann is Senior Fellow at the Center for American Progress. Siena Cicarelli is Research and Program Associate at the Center for American Progress. August 17, 2020; "Why Hungary’s Democratic Backsliding Should Prompt NATO To Act"; *Center for American Progress*; https://www.americanprogress.org/article/hungarys-democratic-backsliding-prompt- NATO-act/; //CYang

Hungary’s democratic backsliding and increasingly nationalist rhetoric threatens the stability of the alliance. NATO needs to respond.

On June 6, Hungarian Prime Minister Viktor Órban visited a small town on the Hungarian-Slovak border to commemorate the 100th anniversary of the signing of the Treaty of Trianon. The agreement, signed in the wake of World War I, dramatically shrunk Hungary’s territory from its Austro-Hungarian empire borders, resulting in Hungary ceding two-thirds of its territory and leaving sizable populations of ethnic Hungarians outside of the new boundaries. In his speech, which was imbued with nationalist resentment, Órban described every Hungarian child inside and outside of the country’s borders as a “guard post” to protect national identity. Additionally, he boasted about the speed at which Hungary has increased defense spending and built “a new army,” proclaiming, “We haven’t been this strong in a hundred years.”

Órban’s deliberately provocative and threatening speech was not a nationalist dog whistle intended only for the Hungarian public. Rather, it directly suggested that a significant amount of territory belonging to Hungary’s neighbors to the east — Romania, Slovakia, and Ukraine — should be considered Hungarian.

Órban’s rhetoric — and Hungary’s rapidly backsliding democracy — should serve as a wake-up call to the North Atlantic Treaty Organization. Today, the alliance faces a growing and pernicious threat: the rise of illiberal nationalism within its ranks. This internal threat is one that an alliance built on cooperation of individual nation-states and premised on states working together is ill-suited to address. For instance, NATO has been encouraging member states to devote more resources to national defense. However, this begs the question of whether the alliance should encourage an autocratic Hungary to massively increase its defense spending when it could use its military capabilities to threaten its neighbors. With Turkey stoking tension with Greece in the eastern Mediterranean, leading to fears of conflict between two NATO members, the internal threat of nationalism to NATO’s cohesion is clear. It is time for the NATO alliance to get serious about the threat posed by rising nationalism and democratic backsliding among its member states.

A backsliding Hungary

Over the past decade, the Órban regime has relentlessly attacked Hungarian democracy. Today, Freedom House maintains that, given the government’s tight control over the media and independent institutions, Hungary can no longer be considered a democracy. During the COVID-19 pandemic, Órban has taken on emergency powers that allow him to rule by decree, further consolidating his power over the government. This descent into authoritarianism has also gone hand in hand with the regime’s efforts to inflame Hungarian nationalism and provoke confrontation with Hungary’s neighbors.

Órban has followed a tactic employed by Russia, wherein President Vladimir Putin issued passports to Russian populations outside of their borders. In 2011, Órban similarly expanded Hungary’s citizenship laws, issuing passports to ethnic Hungarians in surrounding countries. And while Órban has made it exceedingly difficult for Hungarians who have moved abroad to vote, Hungarian minorities in surrounding countries have become a major base of support for the Órban government. For instance, in the Romanian region of Transylvania, there are 1.2 million ethnic Hungarians, making it one of the largest ethnic minority populations in Europe. This has created what Tamás Kiss, a researcher at the Romanian Institute for Research on National Minorities, described as a system of “ethnic parallelism – to build up and maintain a system in which Hungarians can live their life as it would be not in Romania but in Hungary.” Using local proxies in ethnic Hungarian communities in Slovenia, Serbia, Slovakia, Ukraine, and Romania, Órban has pumped money into Hungarian-centric media and cultural programs. Akos Keller-Alant, a Hungarian journalist, describes this strategy as a way to pursue “the ‘virtual unification’ of all Hungarians,” including by making it “easier for them to gain Hungarian citizenship.”

Meanwhile, tensions with Hungary’s neighbors have grown. The Órban regime has been quick to stoke resentment over various perceived slights — both real and imagined — within Hungarian minority populations. This, in turn, has provoked a backlash among Hungary’s neighbors, exacerbating tensions and increasing anti-Hungarian sentiment. This gives the Órban regime a nationalist dial, so to speak, to aggravate territorial grievances whenever it chooses. With the upheaval and uncertainty caused by COVID-19, the ability to distract the nation from the government’s response to the pandemic would likely become increasingly politically appealing.

Hungary’s revanchist allies

While ethnic conflict is not a new feature of central European politics, several factors — including Hungary’s rapid military modernization and growing relationships with Russia and China — make Órban’s increasing nationalistic posture and rhetoric more troubling.

Órban is not just stirring the nationalist pot. Hungary’s movement away from democracy and embrace of autocratic illiberalism has helped the country foster closer relationships with Russia and China. Russian intelligence has greatly expanded its presence in the country, allegedly using Hungary as a back door to the European Union. Meanwhile, China has built up its economic and political connections to Budapest, with a major Belt and Road Initiative project linking the Hungarian capital to Belgrade. Ultimately, these sorts of actions benefit all involved parties: Hungary builds economic and political ties with Russia and China, while Russia and China get the opportunity to not only build ties with a fellow illiberal regime but also potentially undermine the cohesion of the EU and NATO.

Additionally, both Russia and China provide a revanchist model for Hungary to follow. Russia seized Crimea, invaded eastern Ukraine, and continues to dispute regions of Georgia under the guise of protecting ethnic Russian populations. China, for its part, has built islands in the South China Sea, claiming a loose historical connection. What once may have been viewed as an international taboo — seizing territory — has clearly been broken. However outlandish Hungary’s territorial claims, similar actions undertaken by the Órban regime may gain backing from Moscow or Beijing or both.

#### Hungary will not change course, even with NATO pressure.

Deni ’20 — John; Ph.D., is a research professor of JIIM security studies at the Strategic Studies Institute, U.S. Army War College and the author of “NATO and Article 5.” April 30, 2020; "NATO punishment won’t make Hungary’s dictator change course"; *TheHill*; [edited for ableist language] https://thehill.com/opinion/international/494433- NATO-punishment-wont-make-hungarys-dictator-change-course/; //CYang

More tangibly, recently improved ties between Russian President Vladimir Putin and Orban’s government present other serious problems. At best, they weaken NATO’s united front toward Russia over its actions in Ukraine; at worst, they represent a potentially grave security risk.

The alliance’s reluctance to do much over Hungary stems from several factors. First, the NATO treaty has no provisions for sanctioning, punishing or expelling a member state. Individual member states may decide to withdraw from the alliance, but neither NATO nor any other country can force them to do so.

Second, NATO has a long history of turning a ~~blind~~ [ignorance] eye to democratic backsliding among its members. Greece was led by a military dictatorship from 1967-74, and Turkey experienced military-led coups in 1960 and 1980. And one of its founding members, Portugal, was a dictatorship until 1974. In each of these instances, geopolitical realities — namely, the Cold War struggle against the Soviet Union — trumped concerns over democratic values.

Even if the alliance treaty had provisions for punishing or expelling a member state, it’s very likely another member state would side with Hungary, frustrating consensus. Poland and Turkey come to mind, given their own struggles with democratic backsliding in recent years — and likely concern that they might be shown the exits next.

Some might add to this list Hungary’s important geographic attributes, sitting in the center of Europe, bordering Ukraine, and forming a land bridge from allies in the south to those in the north. Hungary isn’t a geopolitical lynchpin, however. It doesn’t compare in this regard to any of the Baltic States, which sit at the epicenter of strategic competition in Europe, or to Turkey, with its long Black Sea coastline, its borders with Iran, Iraq and Syria, and its control of the Bosporus Strait. And if NATO ever needed to quickly move forces by land between the Eastern Mediterranean and the Baltics, it could transit Ukraine, which never has been friendlier toward the West, or Austria, which also has become closer to NATO.

## Consensus/Say “No”

### 1nc Consensus Fails

#### Consensus requirement wrecks solvency — waters down the aff’s mandate — consensus directly trades off with effectiveness!

Bazin ’18 — Aaron; Managing Director of the Donovan Strategy and Innovation Group, U.S. Special Operations Command. January-February 2018; "An Alliance Divided? Five Factors That Could Fracture NATO"; *Army University Press*; https://www.armyupress.army.mil/Journals/Military-Review/English-Edition-Archives/January-February-2018/An-Alliance-Divided-Five-Factors-That-Could-Fracture-NATO/; //CYang

Organizational structures and processes. This project’s focus groups concluded that NATO’s rigid organizational processes that hold onto the past could result in an Alliance “unable to evolve with member states’ national interests.” Bureaucratic politics within the Alliance structures could cause NATO’s slow adaptation to contemporary needs and values. For instance, the participants listed the top-down defense planning process of determining capability requirements as a case where the Alliance and evolving national interests do not align. Furthermore, civil-military frictions on both NATO and national levels could negatively affect readiness of the forces. Long decision-making processes and underdeveloped institutional procedures in national headquarters could prevent the Alliance from developing a legal framework for a common course of action under the NATO flag; for instance, in addressing new adversaries that use unconventional means such as cyber. Put simply, NATO cannot be faster than the individual countries that make it up. Lastly, size matters; cohesion is more difficult to forge and maintain in an ever-enlarging alliance, especially when increasingly divergent national interests tend to change the modus operandi of the Alliance. More rather than less often, NATO’s international staff will need to find compromise during its decision-making processes between a political and formal equality hoped to enhance Alliance cohesion on the one hand and the desirable Alliance effectiveness on the other hand.

### 2nc Consensus Fails

#### Consensus-based decision-making fails — it’s outdated.

Kupchan ’10 — Charles; Professor of International Affairs at Georgetown University and a Senior Fellow at the Council on Foreign Relations. May 1, 2010; “NATO’s Final Frontier”; Foreign Affairs; [edited for ableist language] <https://www.foreignaffairs.com/articles/russian-federation/2010-05-01/natos-final-frontier>; //CYang

In this respect, NATO needs to address its outmoded reliance on decision-making by consensus, which could become a recipe for ~~paralysis~~ [inaction]. Precisely because its member states have such a wide array of interests, fears, and capabilities, the alliance is more likely to take effective and timely action through coalitions of the willing, not by unanimous consent. For the same reason, provisions may be necessary to isolate or suspend the privileges of recalcitrant members. Accordingly, NATO should move toward a more flexible system of decision-making. Russian membership would help drive home the importance of updating NATO's institutions and decision-making procedures.

#### Allies will bring up unrelated disputes.

Burns & Lute ’19 — Nicholas Burns; Goodman Family Professor of the Practice of Diplomacy and International Relations at Harvard Kennedy School, MA in International Relations from the Johns Hopkins School of Advanced International Studies. Douglas Lute; Senior Fellow at the Project on Europe and the Transatlantic Relationship, Former United States Permanent Representative to the North Atlantic Council, Holds Degrees from the United States Military Academy at West Point and from the Kennedy School of Government at Harvard University. February 2019; “NATO at Seventy: An Alliance in Crisis”; Belfer Center for Science and International Affairs; <https://www.belfercenter.org/publication/nato-seventy-alliance-crisis>; //CYang

A related problem is the tendency of some allies to bring into the Alliance bilateral issues that impede progress on collective issues of the Alliance. As an example, an ally might hold up agreement on the entire NATO military exercise program because of an unrelated bilateral dispute with a NATO partner who wishes to participate in an exercise.48 This practice erodes Alliance cohesion and should not be permitted. After appropriate consultation, we recommend the Secretary General should have the authority to exclude such external issues from consideration in the Alliance, even if it means moving forward without full consensus.

### 2nc AT Countries Abstain

#### No, they won’t.

Binnendijk & Kugler ’03 — Hans Binnedijk; Distinguished Fellow at the Atlantic Council's Scowcroft Center for Strategy and Security. Richard Kugler; Distinguished Research Professor at the Center for Technology and National Security Policy. October 2003; “Dual-Track Transformation for NATO”; Defense Horizons, Number 35; <https://ndupress.ndu.edu/Portals/68/Documents/defensehorizon/DH-035.pdf?ver=2016-11-15-092814-243>; //CYang

NATO has finessing mechanisms that can help circumvent the unanimity rule on occasion, but all of them are thin reeds to rely upon in today’s world. One such mechanism is the “silence procedure,” whereby a member who disagrees with a widespread consensus chooses to abstain from voting, thereby allowing the consensus to carry the day. Another mechanism is to shift decisionmaking from the NAC to the Defense Planning Committee (DPC). This allows NATO to make decisions without France, which belongs to the NAC but not the DPC. A third mechanism is for the Secretary General to claim to speak for a unanimous consensus without taking a formal vote. This mechanism was employed in the Kosovo war and helped enable NATO to conduct military operations even though some members had misgivings. A fourth mechanism is that SACEUR and other commanders can prepare informal defense plans.

The problem with these finessing mechanisms is that they only work sometimes and can easily be overturned by a small number of members intent on having their way. Such members can refuse to stay silent, can insist the NAC be used, can deny the Secretary General the authority to speak for NATO, and can block military commanders from planning informally.

### 2nc AT US Solves

#### US pressure is a neg warrant — it makes consensus LESS likely.

Michel ’14 — Leo; Distinguished Research Fellow in the Center for Strategic Research, Institute for National Strategic Studies at the National Defense University and M.A. Degree from The Johns Hopkins School for Advanced International Studies. “NATO Decision-Making: The ‘Consensus Rule’ Endures Despite Challenges”; NATO’s Post-Cold War Politics; Accessed Online via University of Michigan Libraries; //CYang

The Secretary General aids consensus-building through informal discussions at NATO headquarters with individual allies or groups of allies. He also can influence alliance deliberations through his public statements, private meetings, and correspondence with senior officials, legislators, or opinion leaders of allied governments (see Mayer and Theiler and Hendrickson, this volume).3 However, the Secretary General and other NATO officials cannot overrule an ally’s position. Indeed, any perceived effort by the Secretary General or other NATO officials to run roughshod over any ally’s objections is apt to provoke sympathetic objections from other allied representatives, since the latter are wary of any precedent that could diminish their future prerogatives.

### 2nc AT Fiat Solves

#### Fiat is a neg warrant — the process will make the outcome fail.

**Hill ’20** — Steven; Director of Research at Research England and formerly Head of Research Policy at the Higher Education Funding Council. April 27, 2020; “AI's Impact on Multilateral Military Cooperation: Experience from NATO?”; *AJIL Unbound*, Volume 114; Accessed Online via University of Michigan Libraries; //CYang

While the use of AI in both these contexts could potentially increase the speed and quality of multinational military cooperation, it clearly also can pose difficulties. For example, increasing speed could be perceived as fueling pressure for inappropriately accelerated action. This kind of acceleration of usual processes might be perceived as going against “normal” NATO decision-making in a number of ways: it might be seen as evading the political control exercised by the North Atlantic Council, overriding the consensus decision-making that applied within the Alliance, being susceptible to misinterpretation or being seen as escalatory in nature, or otherwise leading to unpredictable results. In an extreme case, Allies might see these situations as inconsistent with NATO’s collective defense mandate. This might result in a backlash against the use of AI-enabled military applications, precisely at a time when the Alliance needs to maintain an edge with them. In other words, as with many issues involved in multinational military cooperation, the problem may ultimately boil down to one of trust.

## No Solve Cohesion

### 1nc Laundry List

#### NATO is falling apart – political divides, US military dependence, disorganized command structure, and ineffective war planning mean it won’t be fixed

**Lucas ‘22** – Nonresident fellow at the Center for European Policy Analysis, a Liberal Democratic candidate for the British Parliament, a former senior editor at The Economist, and the author, most recently, of Cyberphobia: Identity, Trust, Security and the Internet (Edward, Foreign Policy, “NATO Is Out of Shape and Out of Date”, June 7, 2022, <https://foreignpolicy.com/2022/06/07/nato-ukraine-russia-war-alliance-reform-geopolitics-military/> )//RG

Yet look a little more closely, and the picture is far less rosy. Notwithstanding its apparent unity of purpose since the start of Russia’s war, **NATO looks out of shape and out of date.** In the run-up to their summit, the allies have been **furiously haggling** over the language in their new strategic concept, which will frame the alliance’s mission for the coming years and will be unveiled in Madrid. What will it say about Russia? About China? What sacrifices and risks are the member states really willing to accept? Are they willing to pool sovereignty in order to streamline decision-making? Nothing in recent weeks suggests that these questions will get clear answers. For starters, the 30-strong alliance is unwieldy. In military terms, only a handful of members matter—above all, the United States—but in political terms, even little Luxembourg and Iceland get a voice. Worse, **the political divides are huge.** Turkey under President Recep Tayyip Erdogan is a semi-authoritarian state that flirts with Russia and fumes at what it considers European meddling over human rights. Hungary under Prime Minister Viktor Orban is taking a different but downward path, fusing wealth and power into a new system of control at home and undermining U.S. and European attempts to put pressure on Russia and China. Macron’s relentless posturing and German Chancellor Olaf Scholz’s foot-dragging create **constant obstacles and distractions**. The two leader’s weaknesses, on glorious display since the start of the war, have already enriched the language: Scholzen is a German neologism for “dither,” while makronic in Polish (and its equivalent in Ukrainian) can be roughly translated as “vacuous grandstanding while doing nothing**.”** Macron and Scholz **corrode decision-making** with their foibles and thus **place a big question mark over the alliance’s credibility and cohesion**. Any threat or provocation from Russia is unlikely to be clear or conveniently timed. More likely it will be something deliberately ambiguous, such as a Russian drone that “accidentally” strays onto the territory of a front-line state and hits a target. Some countries would favor a tough response. Others would fear escalation and want dialogue. Still others would take the ambiguity as a convenient excuse to do nothing. Would the 30—soon to be 32—national representatives in the North Atlantic Council, the alliance’s deliberative body, really make a speedy and tough decision on how to react? More likely, some of them would plead for delay, diplomacy, and compromise. Those actually facing the possibility of attack would be far more hawkish, preferring a sharp military confrontation to even the smallest Russian victory. “Not one inch, not one soul,” a senior military figure from one of the Baltic states, speaking anonymously, told me. “We have seen what they did in Ukraine.” The **political weaknesses are matched by military ones**. By far the most important country in the alliance is the United States. The U.S. security guarantee to Europe—with its threat of devastating conventional and, if necessary, nuclear response to any attack—is the cornerstone of the alliance. “All for one and one for all” sounds fine, but nobody in the Kremlin will tremble at the thought of Spanish, Dutch, or Canadian displeasure. Yet the result of this is a colossal dependence on U.S. capabilities, ranging from ammunition and spare parts (of which European countries’ stockpiles are notoriously skinny) to military transports that move forces quickly and efficiently over long distances. Even if Europe’s new defense spending plans materialize, they will not change the fact that only U.S. armed forces can move with the scale and speed necessary to defend territory from a country like Russia. Conversely, the countries that most need defending—Estonia, Latvia, and Lithuania—are the least able to bear the burden themselves. They need advanced weapons, particularly for air and missile defense, that they cannot afford themselves. The thin neck of land along the Polish-Lithuanian border, the so-called Suwalki Gap, is particularly vulnerable to attack from Russia’s militarized Kaliningrad exclave and Belarus, from which Russia attacked Ukraine. Poland and Lithuania both want a big U.S. military presence—either a permanent base or a persistent rotation of forces—to safeguard this strategic chokepoint. Yet NATO command structures and planning do not fully reflect the imbalance of forces between the United States and Europe. They rely on the **fiction** that the European allies are more or less equal partners. Even military lightweights need to have important-sounding jobs and installations, making the North Atlantic Council the military version of a parliament dividing out the pork. **The resulting command structure is like a tangled pile of spaghetti**. In the Baltic region alone, NATO has several multinational headquarters, one divisional headquarters split between Latvia and Denmark, another divisional headquarters in Poland, and a corps headquarters at a different location in Poland. Overall responsibility for the defense of Europe is divided between three Joint Forces Command headquarters in Naples, Italy; Brunssum, the Netherlands; and Norfolk, Virginia. But the top U.S. military commander in Europe, Air Force Gen. Tod Wolters, is based at Supreme Headquarters Allied Powers Europe in Mons, Belgium. A maritime strategy for the Baltic Sea region has yet to be decided—which is just as well, because NATO has yet to create a naval headquarters for the region. Nor has the alliance drawn up real military plans for the reinforcement and defense of its northeastern members, let alone decided who would actually provide the forces and equipment in order to make them credible. Military mobility is meant to be the responsibility of Joint Support and Enabling Command, headquartered in Ulm, Germany, and originally set up as part of the European Union’s own defense policy. A further problem is exercises: NATO does not conduct fully realistic, large-scale rehearsals of how it would respond to a Russian attack. One problem is that these are costly and disruptive. Another is that they expose the huge weaknesses of some NATO members, which can cope with a carefully scripted exercise but lack the ability to improvise. A third reason is the fear, in some countries, that practicing war-fighting would be provocative. Also lacking are detailed plans for fighting a war against Russia, covering such issues as reinforcing of front-line states, countering a Russian attack, regaining any temporarily occupied territory, and—most of all—dealing with a nuclear or other escalation. As a result, nobody is quite sure how anything would work in a crisis. Instead, another assumption reigns: that in a crisis, the United States would take over and do the heavy lifting on all fronts—logistics, intelligence, and combat. To be fair, NATO is working on these problems, and all of them are fixable. But **that does not mean** that **they are anywhere near being fixed. Wishful thinking remains the alliance’s besetting sin.** Worse, NATO is unprepared for the changing nature of modern warfare. Russia’s old-style assault on Ukraine is all too familiar. But the artillery bombardments and missile strikes that are grinding down Ukraine’s defenses are only part of the Kremlin’s arsenal. Its most effective weapons are nonmilitary: subversion, diplomatic divide-and-rule tactics, economic coercion, corruption, and propaganda. The most burning current example of nonmilitary warfare is Russia’s weaponizing of hunger. By blocking Ukraine’s grain exports, Russia has raised the specter of famine over millions of people, including in volatile and fragile countries in North Africa and the Middle East. Mass starvation is not just a humanitarian catastrophe, but its consequences include political unrest and mass migration, a direct threat to Europe. Yet NATO is ill-equipped to deal with this. It cannot mandate more economical use of grain—for example, by feeding less to livestock and stopping grain’s conversion to fuel. It has no food stockpiles to release to a hungry world. It cannot build new railways to ship Ukrainian grain through other routes. Nor can it insure merchant vessels that might—for a price—be willing to run Russia’s Black Sea blockade. NATO has little in-house expertise in countering Russian disinformation and almost zero influence in African and other countries susceptible to Kremlin narratives blaming the West for the food shortages that are already starting now. NATO could acquire these capabilities. Or it could regain them: During the Cold War, the alliance had an economic warfare division and ran a program called the Coordinating Committee for Multilateral Export Controls to prevent the Soviet bloc from acquiring sensitive technologies. But in the strategic timeout that followed the collapse of the Soviet bloc, these agencies and their skill sets shriveled and died. But as with NATO’s military shortcomings, identifying the problems is not the same as solving them. And given the bloc’s unwieldy structure and issues with key members, **it might be wise to lower expectations about NATO** returning to Cold War levels of consistent readiness and effectiveness. A more realistic vision for the alliance would be to treat it as a framework for the most capable and threat-aware members to form coalitions of the willing. These groupings already exist: The British-led Joint Expeditionary Force, for example, is a 10-country framework for military cooperation, chiefly aimed at enabling very rapid deployments to the Nordic-Baltic region in the event of a crisis. France has a similar venture, the European Intervention Initiative. The five Nordic states have their own military club, called the Nordic Defence Cooperation, while Poland has close bilateral ties with Lithuania. A similar network of bilateral and multilateral ties would greatly strengthen the alliance’s floundering presence in the Black Sea and other regions, including North Africa and the Eastern Mediterranean. These groupings would not supplant NATO but improve action and interoperability on top of the alliance’s established structures and mechanisms. The difficult and underlying question here is the role of the United States. Europe is, in theory, big and rich enough to manage its own defense. But its persistent political weakness prevents that. The paradox is that only U.S. involvement makes NATO credible—yet overdependence on the United States also undermines the alliance’s credibility, while stoking resentment in France and elsewhere. The task for Washington is to encourage European allies to shoulder more of the burden and start thinking strategically again, even as it retains the superpower involvement that gives the alliance its decisive military edge. That is entirely doable**. But don’t expect it to happen** in Madrid—or **anytime soon.**

### 2nc Democratic Backsliding

#### No cohesion — the alliance is more fractured than it’s ever been.

van Dijk & Sloan ’20 — Ruud van Dijk is the coordi NATOr of the BA and MA programs in the history of international relations at the University of Amsterdam. Stanley R. Sloan is Visiting Scholar in Political Science at Middlebury College, Vermont and a Non-resident Senior Fellow in the Scowcroft Center at the Atlantic Council of the United States. September 28, 2020; "NATO’s inherent dilemma: strategic imperatives vs. value foundations"; *Journal of Strategic Studies*; Volume 43, Issue 6-7; Accessed Online via University of Michigan Libraries; //CYang

It has been clear since NATO’s founding that what the alliance purports to stand for and what certain member states practice, do not always fully align. It has certainly not been lost on those skeptical of or hostile to the alliance — within or without — that authoritarian regimes have come to power in several member states and that they have begun to erode, if not outright contradict, many of the core principles NATO was designed to defend and promote. At the same time, some of the member states in question remain of crucial importance to the alliance’s security interests. From the beginning in 1949, when treaty values and strategic imperatives have been conflicted, the strategic imperatives have almost always, albeit temporarily on an ‘exceptional’ basis, taken precedence over the values. In the beginning, the dominance of strategic considerations over values was demonstrated when Portugal, under its autocratic regime, was invited to sign the treaty. Its Azores airfields would have been critical to American reinforcement of NATO forces in wartime. However, value-based opposition from European founding members blocked dictator Francisco Franco’s Spain, despite strongly-held views of U.S. Se NATOrs, including leading NATO skeptic Robert Taft, who thought military resources of Spain and Germany would add importantly to NATO’s defenses against the Soviet Union. The point was recorded in Senate Resolution 99 when it passed the Senate in 1951.4 While not new, these tensions today are greater than at few other times in NATO’s history. In our view, they could become an existential threat. This essay focuses particularly on Turkey’s drift away from secular democracy as a contemporary threat. But it is not the only worrying development observed in the politics of NATO states over the past decade. The growth of European radical right populist parties was stimulated in part by the tragic flood of refugees from the south and the fear that not only terrorism, but different racial, linguistic, and ideological challenges would come with the immigrants. Moreover, even the United States and the United Kingdom got caught up in radical right temptations, with Brexit resulting in Britain and Donald Trump’s presidency in the United States. NATO’s military-strategic mission and its role as a stabilising force in international politics ultimately depend on the political cohesion of the alliance and on the credibility of its fundamental principles. An alliance that lacks a common political purpose will also differ on the threats faced by member states, and as a result fail to organise an effective defense. Drifting too far from core principles will render hollow the language in Article 2, where member states pledge to ‘contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded … ’.5 Those of us who believe the alliance can perform a useful role in the world of the twenty-first century and who take the fundamental principles from the preamble and the treaty seriously, need to think hard about the consequences of NATO, through the actions of important member states, not practicing what it preaches.

#### Rising populism will only continue to exacerbate divides among member states

Bazin ’18 — Aaron; Managing Director of the Donovan Strategy and Innovation Group, U.S. Special Operations Command. January-February 2018; "An Alliance Divided? Five Factors That Could Fracture NATO"; *Army University Press*; https://www.armyupress.army.mil/Journals/Military-Review/English-Edition-Archives/January-February-2018/An-Alliance-Divided-Five-Factors-That-Could-Fracture-NATO/; //CYang

Political and economic factors. The group of political and economic factors points to the risks of severe disagreements among the allies, which could lead to the weakening of the transatlantic bond, disintegration tendencies within the European Union, or even withdrawal of a NATO nation from the Alliance. At the level of political elites, the participants identified the crisis of political leadership in NATO nations among the most probable causes of weakening alliance cohesion in the future. Particularly, populist leaders who prefer narrow, short-term political gains at home and who are prepared to “undermine an international institution to gain consensus internally” represent a serious threat to multilateralism, on which the Alliance has depended. Oftentimes, national leaders “use NATO as a scapegoat for their domestic political games,” while “NATO does not [and cannot] fight its own nations.” At the level of domestic population, the support for the Alliance in member states can decline due to NATO’s unclear purpose. This could become an acute problem, especially if national leaders continue to frame security problems exclusively in domestic terms instead of treating them as NATO-wide. Particularly, concerns over sovereignty could override the relative value of the Alliance’s collective good and make governments pull limited funds away from NATO. In a similar vein, demographic shifts changing the socioeconomic and cultural fabric of nations, such as an aging population and migration, will drive differences in fiscal priorities, which could result in decreasing national defense spending. Furthermore, if the free-riding behavior reaches critical proportions within NATO burden sharing, it can create, out of those who bear their fair share, a group of allies disinterested in defending free-riding nations, as they could cease to see “return on their investment.”

### 2nc Threat Perception

#### Diverging threat perception makes it impossible to create joint policies or allocate resources

Kunz 2021

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US security guarantees for Europe. Threat perception is an absolute classic in European defense debates: the question of against what or whom Europe needs to be defended. Diverging threat perceptions translate into different and even incompatible views on what policies the Alliance should adopt regarding certain key issues, notably in its relationship with Russia as the single most important issue for Euro-Atlantic security in the 21st century. Moreover, given that threat perception requires translation into defense planning, this is also a debate about allocating capabilities and defining priorities in light of scarce resources. Most important in the context of threat perception is how Europeans should deal with Russia, notably in a wider vision of Euro-Atlantic security.

#### European threat perception differences make compromise impossible

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The principal factor explaining divergences among European nations is threat perception. Enumerations of threats and risks in various national strategy documents certainly look very similar at first glance, just as Europeans regularly manage to agree on listings of threats and challenges in joint documents such as the 2016 European Union Global Strategy or NATO Summit Declarations. However, divergences pertain to the prioritization and urgency of these threats. In light of scarce resources, in particular in smaller European countries, it seems almost self-evident that a genuine 360-degree approach taking into account all threats that would backed up by actual defense planning and allocated resources is hardly feasible. The usual enumerations are therefore primarily a rhetorical compromise and mere juxtapositions of threats that say little about actual prioritization. In reality, European states hold very different views on what priorities should be and what both national and multinational defense planning and procurement should focus on.While this categorization obviously lacks sophistication, European states can roughly be divided into two ideal-typical camps. The first one is composed of those countries that consider Russia the main threat to the continent’s security. This first group primarily consists of the northern and eastern European countries, i.e., the so-called Eastern flank. Germany also belongs to this group, at least on paper (as illustrated, for example, by the 2018 Conception of the Bundeswehr which switched the official focus back to territorial defense17), although concerns about Russia are much less pronounced there than, for example, in the Baltic states or in Poland. The United Kingdom and the Netherlands are part of it, too. The second camp looks primarily to the south and sees the greatest challenges in (Islamist) terrorism, inter alia resulting in high levels of political instability in regions such as West Africa. The most prominent representative of this camp is undoubtedly France, but Italy and Spain also share many of the French views.18 These two main categories of threats—Russia and terrorism—are the most relevant dividing line in Europe’s defense debate. Transnational threats such as climate change or the risk of pandemics are also part of contemporary discourses but are less controversial. The key explanation for this is the fact that primarily the former two require translation into capability requirements in defense planning (such as the NATO Defense Planning Process, NDPP) and thus the allocation of (considerable) means and prioritizations in acquisition decisions. In comparison, the actual military and defense planning implications of, for example, climate change are negligible. Russia and terrorism as main threats, in turn, clearly shape defense planning, military policies, and procurement decisions. They also shape attitudes and expectations vis-à-vis NATO and the EU’s defense activities within the framework of the Common Security and Defense Policy (CSDP). Europeans themselves are increasingly aware of these divergences in threat perception and the problems they cause. It is for this reason that the European Union’s latest strategy process, the Strategic Compass (launched under the German EU presidency during the second half of 2020 and due to be completed under the French presidency during the first half of 2022)19 started with a first phase on threat assessment. The result is an unpublished report based on input from EU member states’ intelligence agencies (and not governments, in order to ‘depoliticize’ the document) that details the threats and challenges the EU will likely face in the five to ten years to come. Yet, because threat perceptions are at the heart of defense policies and are not suitable for compromise, it seems unlikely that the Strategic Compass—or any other strategy process or document—will truly overcome intra-European divides that are structural in nature.

#### Threat perception debate has toxified the alliance

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It would, however, be erroneous to solely limit the analysis of disagreements among NATO members to the actions of Turkey as the current ‘problematic ally.’ Even Western European Allies sometimes hold positions that are incompatible with each other. Key disagreements pertain to threat perception and hence defense priorities as well as to the likelihood of continued US security guarantees. These disagreements run deep—sometimes so deep that they are not always visible at the surface level of every-day policy issues. Yet, they clearly shape positions, as a closer look at the ongoing European defense debate reveals. In past years, many important aspects of this debate revolved around the notion of European strategic autonomy. Long known and used in a French national context,14 the 2016 European Union Global Strategy lifted “strategic autonomy” to the European level. The document “nurtures the ambition of strategic autonomy for the European Union,” but does not provide a concise definition of the notion’s content or implication.15 The ensuing and at times heated debate among Europeans was not particularly enlightening at the conceptual level and is today considered in need of being “detoxified.”16 Yet, the debate has offered many meta-level insights into the various national approaches to European security and defense. Two variables are key in this context: threat perception and assessments of the likely future of US security guarantees for Europe. Threat perception is an absolute classic in European defense debates: the question of against what or whom Europe needs to be defended. Diverging threat perceptions translate into different and even incompatible views on what policies the Alliance should adopt regarding certain key issues, notably in its relationship with Russia as the single most important issue for Euro-Atlantic security in the 21st century. Moreover, given that threat perception requires translation into defense planning, this is also a debate about allocating capabilities and defining priorities in light of scarce resources. Most important in the context of threat perception is how Europeans should deal with Russia, notably in a wider vision of Euro-Atlantic security. The second variable pertains to the United States and its engagement in European security. Here, the key question is that of the mid- and long-term reliability of US security guarantees and the conclusions Europeans need to draw for their own security cooperation, which, in turn, has ramifications for NATO. In both the EU and NATO contexts, as well as at national levels, Europeans have in recent years acknowledged on numerous occasions that their security environment is deteriorating. The conclusions drawn from this observation, as well as how to explain its causes, however, vary widely across the continent.

The east v south flank overwhelms the plans attempts to foster cohesion – members perceive threats as existential and are unwilling to compromise

Nehring ’22 — Christopher; Academic Director German Spy Museum, Berlin, Germany. He has a PhD in Intelligence and Eastern European History from the University of Heidelberg, Germany. February 9, 2022; "NATO and Russia: Conflicting views in southeastern Europe"; *DW*; https://www.dw.com/en/ NATO-and-russia-conflicting-views-in-southeastern-europe/a-60706025; //CYang

NATO is uncharacteristically divided on how to deal with Russia in the escalating crisis over Ukraine. "The US and the UK favor deterrence and a hard line; Germany, France and Italy are emphasizing dialogue, and a third group, including Bulgaria, Hungary and Slovakia, wants to stay out of the conflict and any troop deployment," says Stefan Meister, an expert on Russia and eastern Europe at the German Council on Foreign Relations (DGAP). He told DW that, while Germany is usually the moderate link between these groups, that link is currently missing because of weak leadership. He warns that, in addition, NATO is already weakened by populism, Trump, and Brexit. "Russia's President Vladimir Putin is trying to exploit this to negotiate a new security order in Europe – without the United States," he explains. And in this situation, the NATO countries of southeastern Europe have an unusually important role to play. Croatia: 'If it escalates, retreat'? However, there are some strident, and conflicting, voices making themselves heard in the region. At the end of January, the president of Croatia, Zoran Milanovic, caused confusion both at home and abroad when he declared that, in the event of a conflict in Ukraine, his country would retreat. Speaking in the Croatian capital, Zagreb, Milanovic said: "If it comes to an escalation, we will withdraw, down to the last Croatian soldier." He did not, however, specify exactly what he meant. There are no Croatian soldiers stationed in Ukraine. The government of Croatia — a member of both the EU and NATO — immediately issued a contradictory statement. "The president does not speak for Croatia, but for himself," said the Croatian foreign minister, Gordan Grlic Radman. "We are and remain a loyal member of NATO." What is most peculiar about the Croatian president's threat is that no one — not NATO, not the US, not Ukraine — had requested the Croatian military's involvement. "Milanovic's statements serve domestic political purposes. They have to be seen against the background of his ongoing feud with Prime Minister Andrej Plenkovic," explained Filip Milacic of the Friedrich Ebert Foundation in Vienna, in an interview with DW. "Lately, the president seems to be playing the nationalist card. He has called Milorad Dodik, the Bosnian Serb leader, a 'partner,' and he wants to pander to Croatian nationalists, who dream of redrawing the borders in Bosnia, with Russian support." Bulgaria: History as a 'lobbyist' for Russia In an appearance on Bulgarian television BTV on February 1, 2022, Russian ambassador Eleonora Mitrofanova made it very clear what Russia is demanding of NATO: that it withdraw behind the borders of states that were members of the organization in 1997. This would require NATO to withdraw all its troops from countries like Romania and Bulgaria and close its bases there. Mitrofanova said that these countries could formally remain NATO members — but only formally. Bulgaria's defense minister, Stefan Yanev, is apparently comfortable with the idea. In December 2021 he was publicly reprimanded by the prime minister, Kiril Petkov, after he spoke out on Facebook against the redeployment of NATO troops to Bulgaria. In a parliamentary hearing the following month, Yanev then declared: "We should stop reading the foreign press and speculating. We should be bulgarophiles, and think in terms of Bulgarian national interests." If any NATO troops were to be stationed in Bulgaria, he said, they should be exclusively Bulgarian. There is a domestic political background to the emphasis on "national interests" in Bulgaria, too. In December 2021, the nationalist Rebirth party entered parliament, and since then it has been putting pressure on the government. The ambassador Eleonora Mitrofanova is well aware of Bulgarian nationalists' traditionally pro-Russian sympathies. "Russia has an influence in Bulgaria: our common history," she says. "That is the most important lobbyist, the most important influencer in our relations." Romania: 60% approval The situation in Romania is quite different. Along with Germany and Poland, it is one of the countries to which additional US and NATO troops are already being deployed. According to a survey by the INSCOP Research polling institute, of all the countries in the region, Romania is the one where NATO enjoys the highest level of trust among the population. "Additional NATO troops are not just welcome, they're also a political asset for the government," Sorin Ionita, a political scientist at the Expert Group think tank in Bucharest, told DW. "Not even the nationalists dare to speak out against it." Hungary: 'Putin's pinscher' in Budapest Hungary is also a focus for NATO troop deployments, since, like Romania, it shares a border with Ukraine. Prime Minister Viktor Orban has maintained a "special relationship" with Russia for years. His public admiration for President Putin, and rejection of sanctions against his regime, have earned him the nickname "Putin's pinscher." A few days ago, at the start of February 2022, Orban traveled to Moscow on what he called a "peace mission." However, the main issues under discussion were actually supplies of Russian gas, which Hungary buys at well below market value, and Russian involvement in the expansion of the Paks nuclear power plant. Consequently, Budapest is avoiding any discussion of Hungary getting more involved in NATO activities. Turkey: A 'delicate balancing act' Turkey is a strategically important NATO member that also has a particularly complex relationship with Russia. Putin and President Recep Tayyip Erdogan are cooperating in the Syrian civil war, but in Libya they support different groups. Erdogan first snubbed his NATO partners by buying Russian S-400 air defense missiles – then Ankara supplied Ukraine with military drones. Like Germany, Hungary, and Bulgaria, Turkey is also dependent on Russian gas and oil. "It's a delicate balancing act for Ankara," says Asli Aydintasbas of the European Council on Foreign Relations. "Erdogan has a special connection with Ukraine, and will support both it and NATO. On the other hand, he mustn't anger Putin so much that he turns off the gas, or seeks revenge in Syria." Western Balkans: Putin and the nationalist elites "Putin knows exactly what he wants in eastern Europe – unlike the West," the British eastern Europe expert Timothy Garton Ash comments in the Guardian newspaper. "He wants to restore as much as possible of the empire, great power status and sphere of influence that Russia lost so dramatically 30 years ago, with the disintegration of the Soviet Union." In southeastern Europe, the Kremlin aims to achieve this by means of cheap gas and nationalism. Filip Milacic of the Friedrich Ebert Foundation adds: "Russia is also offering the nationalist elites in the western Balkans something the West is not offering, and should not offer: the promise of redrawing the borders in the region."

#### Divergent threats and priorities undermine cohesion

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As if on cue, border disputes and simmering ethnic conflicts in eastern Europe began to threaten the peace almost immediately after the fall of the Soviet Union. And with the disintegration of Yugoslavia in the early 1990s, they ultimately broke it. In the face of these challenges, NATO sought to leverage the desire for membership to encourage political reforms by requiring that new members meet its standards for good governance. This decision was based on the belief that liberal institutions, practices, and values would prevent a return to the nationalist, nativist, extremist, and intolerant dynamics that had driven destructive conflicts in Europe for centuries. To foster security within Europe, NATO required that new members leave autocratic practices behind. Fulfilling these requirements was often politically contentious, and aspiring members did not always succeed. Countries that had spent decades under authoritarian communist rule had to root out the lingering influence of intelligence agencies, overturn politicized control of the military in favor of apolitical professional defense forces, establish legislative oversight for military procurement, and implement personnel policies that would combat corruption. All of that has taken time: Montenegro set the goal of achieving membership in 2007 but had to wait ten more years to earn admission. And mere aspiration is not enough: Bosnia, for example, has yet to fulfill the criteria that the alliance set in 2010 for the country to be granted the Membership Action Plan, a procedural precursor to joining. These requirements may have slowed the process of NATO's expansion, but liberal institutions and practices are central to creating security and trust among Europe's diverse societies. Anything less would have weakened the alliance instead of strengthening it. Beyond its stabilizing effect on the broader continent, there is another reason NATO's liberal democratic character came to matter: in the absence of a shared external threat, the binding force of liberal democratic values and institutions has become essential to the alliance's effectiveness. NATO's ability to conduct security operations depends on its political cohesion as much as its members' military capabilities. Few question NATO's cohesion when Article 5 of its founding treaty is invoked — that is, when an ally is directly attacked. Common external threats generate unified responses. After 9/11, for example, NATO members quickly joined the U.S. campaign against Taliban — ruled Afghanistan. However, when the alliance faces a security issue that does not invoke Article 5, alliance cohesion is less certain because members have different priorities that guide their cost-benefit calculations. In such cases, liberal commitment to the rule of law has played an important role. The alliance has proved cohesive when acting outside Europe and when the stakes are well grounded in international law, as was the case during its 2011 intervention in Libya, which was backed by a un Security Council resolution. In other instances, when the alliance has faced more diffuse and contested security challenges, a common commitment to liberal democratic values has proved even more essential to maintaining cohesion. Consider the Balkans: in 1995, NATO conducted Operation DelibeForce to protect un safe areas in Bosnia that had come under attack from ethnic Serbian armed groups. And in 1999, it conducted another air operation against the armed forces of what remained of Yugoslavia to prevent military attacks on ethnic Albanians in Kosovo. In both campaigns, Article 5 did not apply because no NATO member had been directly attacked. Nor was the alliance acting under a un Security Council resolution. These interventions tested the alliance's political capacity, but ultimately, members coalesced around their common commitment to human rights, a principle that would be- come enshrined in international law in 2005 as "the responsibility to protect" (or R2P). The alliance's ability to prevent mass atrocities in non-NATO states was thus as much a product of its members' values as it was a product of their military assets By contrast, when democratic values and institutions have cut in the opposite direction, the alliance has been divided. Compare NATO's interventions in the Balkan wars to its disunity over the 2003 U.S. invasion of Iraq. Although the Bush administration contended that Iraq threatened global security by pursuing weapons of mass destruction (an area of international law far better established than R2P), NATO was far from unified on the matter. In fact, France and Germany were among the most vocal critics of the invasion. Although NATO's interventions in the Balkans had been legally problematic, the allies were still united in pursuing them because of their shared commitment to human rights. But when it came to Iraq, without a justification rooted in liberalism, not all of them were willing to support an intervention beyond the purview of Article 5.

#### NATO members have radically different perspectives on the Russia-Ukraine conflict that are unlikely to be resolved easily

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NATO members in Europe have begun deploying ships and fighter planes to Eastern Europe, a move NATO officials say is aimed at “reinforcing Allied deterrence and defense as Russia continues its military buildup in and around Ukraine.” But are NATO allies in agreement on the Russia-Ukraine crisis? Last week, President Biden appeared to signal disagreement between the United States and its European allies on a potential response to Russian aggression against Ukraine. Top U.S. officials have since worked to clean up the president’s remarks and vowed a “united” response. Our research, however, found that scholars and policy analysts in NATO countries have **radically different understandings** of developments in Ukraine after Russia’s 2014 intervention in Crimea and the Donbas. Some of these differences reflect cultural conventions and perceived national interests. Other key factors include how different authors view the concept of “justice” — whether its source is international law, or history and identity. These differences, in turn, create **very different perspectives** over what might be the optimal combination of deterrence and appeasement in Western responses to Russian actions. Not one narrative, but many We studied how Western scholars and policy analysts made sense of the conflict in and around Ukraine by closely examining their publications over a six-year period after the invasion of Crimea. How did they attribute responsibility for the ongoing conflict — and how did they propose to resolve it? After reviewing a total of 1,009 publications from the United States, Britain, Germany, France, Italy, Greece and Poland, we identified six different narratives about the nature of this conflict and possible solutions. Will deterrence counter Russian aggression? The first narrative — dominant in Poland, prevalent among U.S. and British authors, and popular with some analysts in France and Germany — calls out unprovoked Russian aggression and advocates for deterrent measures. This view holds Moscow responsible for the violation of international law and Ukraine’s sovereignty. Appropriate responses, for those with this view, include intensifying Western efforts to counter the aggression, tougher sanctions on Russia, more aid to Ukraine, and greater support for its democracy and European integration. Or would appeasement be a better option? The second narrative — popular in France and Germany and prominent among U.S. realists who view Ukraine as marginal to American interests — tries to reconcile Russia’s aggression with a preference for dialogue with an essential global power. While the first narrative defends the rules-based order, the second shifts the focus to interests. The proposed dialogue can include different compromises with Moscow at Ukraine’s expense such as ditching Kyiv’s NATO membership agenda and reducing Ukraine’s control of parts of its territory to purely nominal. A third narrative — one popular among academics and policy analysts in France and Italy, as well as Greece — presents Russia’s actions as a legitimate response to a perceived threat from Western encroachment into its traditional sphere of influence — and/or to irresponsible policies pursued by Ukraine’s post-Euromaidan government. In this view, the West and Ukraine — not Russia — are primarily responsible for the conflict, and this justifies significant concessions to Moscow that boil down to the recognition of Ukraine’s “limited sovereignty.” The fourth narrative — prevalent in Greece and, to a lesser extent, Italy — blames the Ukrainian government for developments in Crimea and the Donbas, citing irreconcilable identity differences between Kyiv and/or western Ukraine, on the one hand, and the eastern and southern regions, on the other. This view portrays the West as complicit in Ukraine’s wrongdoings, but plays down Russia’s participation. To these analysts, the West can normalize relations with Moscow by pressuring Ukraine to change official policies — for instance, on regional autonomy for the Donbas and an official status for the Russian language. A fifth narrative — also popular primarily in Italy and Greece — holds Russia and the West jointly responsible for the situation in Ukraine and Eastern Europe. To these scholars and analysts, Ukraine’s own preferences are of little importance, as the country is merely the battlefield between Russia and the West. Ending the conflict requires renegotiating the world order, including regional security arrangements. A sixth and final narrative among some analysts in the United States and Europe takes a neutral stance, and proposes no overarching solutions. It focuses instead on narrower policy questions like sanitation or child trafficking that have arisen during the conflict, and how dialogue of all parties is essential to end to the suffering of the affected populations. Different experiences lead to different conclusions Where a country sits historically and geographically says a lot about where its foreign policy establishment and where policy analysts and academics stand on the Russian-Ukrainian conflict. For instance, the strong tendency in Poland to blame Russian aggression and urge deterrence reflects both the country’s historical experience with Russia, and its position as a front-line state. This view is also widely held in Britain, in line with its government’s strong deterrence stance against Putin’s Russia. By contrast, French policy analysts and academics are more likely to see cooperation with Russia as an opportunity to weaken U.S. influence and increase France’s political weight in Europe. While recognizing Russian aggression, they thus prefer the West to continue dialogue with Russia and compromise at Ukraine’s expense. Russia’s long cultural presence in France also helps shape another prominent view among French analysts and academics: that Russian actions are a legitimate response to a perceived Western threat. In Italy, a lack of preoccupation with Ukraine in the academic and think tank community mirrors a lack of interest in Ukraine on the part of political elites. The two predominant narratives include justifying the Russian aggression by pointing out the historical ties between the Russian and Ukrainian peoples, and viewing Ukraine as an object of geopolitical rivalry between the West and Russia. What these findings suggest is that Western scholars and analysts, just like Western policymakers, remain divided on how to respond to Moscow’s aggressive behavior. Should the West try to deter Russia, risking some imminent instability but maintaining the established order in the long run; or try to appease Russia and deal with any repercussions as they arise? With the new escalation of conflict, **these differences within NATO allies have become particularly acute and are unlikely to be resolved easily** — a fact Russia may be counting on.

#### NATO problems are systemic – Russian unpreparedness, free-riding, Turkey

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When world leaders gathered in London last week to celebrate NATO‘s 70th anniversary, they put an international spotlight on a partnership that is profoundly ailing. Seventy years after the signing of the North Atlantic Treaty and the formation of the Atlantic Alliance, the West’s most powerful and enduring military bloc is suffering from **deep systemic dysfunctions.** That all is not well in the Alliance was clear from the wrangling between President Trump and French President Emmanuel Macron, who traded recriminations ahead of the summit and pointed barbs at press-conference time. But the problems run far deeper than simple personal politics, and stem from at least two sources. Today, perhaps NATO’s most pressing challenge is the lack of a clearly-defined mission. The alliance was formed following World War II in order, as its first Secretary-General, Lord Ismay, put it, to “keep the Soviet Union out, the Americans in, and the Germans down.” In the decades that followed, that formula helped transform Germany into a crucial ally and successfully deter Soviet aggression. But it more or less fell by the wayside with the collapse of the USSR, replaced by the broad objective of establishing — and then broadening — a zone of peace and stability across the European Continent, and eventually beyond. Today, NATO is once again focused on Russia, which in recent years has demonstrated that it is eager to subvert the post-World War II democratic order in Europe. Since Russia’s 2014 invasion of Ukraine and subsequent annexation of Crimea, the alliance has significantly stepped up its military deployments around — and assistance to — Eastern Europe and the Baltic States as a means of deterring further military adventurism by Moscow. Yet, politically, the modern-day alliance isn’t necessarily united regarding the importance of that mission, or even what might be needed to accomplish it. Back in 2017, a simulated wargame carried out by the prestigious RAND Corporation think tank found NATO woefully unprepared to effectively counter a Russian land offensive against the Baltics — and warned that its defenses would collapse within 36 to 60 hours of a Russian invasion. Some two-and-a-half years on, little has changed. Earlier this fall, outgoing Joint Chiefs Chairman Gen. Joseph Dunford told Newsweek that “the NATO advantage over a resurgent Russia has eroded,” and that the alliance was losing its edge in strategic competition with an increasingly technologically advanced, militarily capable and politically aggressive Kremlin. NATO leaders, meanwhile, don’t appear uniformly committed to fixing the problem. Just weeks before the London gathering, President Macron made global headlines when he argued forcefully in an interview with The Economist that Europe needed to rethink its approach to Russia — despite the fact that the Kremlin hasn’t done much to warrant the lifting of sanctions that had been leveled by the EU back in 2014 in response to its invasion of Ukraine. At the same time, President Trump’s calls for greater military contributions from member states as a way of shoring up the alliance’s strategic capabilities have been met with much political resistance and, at least so far, too little substantive movement. As of mid-2019, according to official NATO estimates, the median defense expenditures among the alliance’s 28 member states was a paltry 1.63 percent of national GDP, and just eight countries — the U.S., Greece, Estonia, the U.K., Romania, Poland, Latvia and Lithuania — were spending more than the recommended 2 percent of GDP annually on defense. The difficulties don’t end there, however. NATO also suffers from **serious internal friction**. Alliances, they say, ~~limp~~ [move] along at the pace of their most grudging member, and today NATO’s most recalcitrant participant is unquestionably **Turkey**. Over the past decade and a half, the country that once served as the bloc’s southeastern flank and its geopolitical outpost in the Middle East has become a less-than-reliable strategic ally. Under President Recep Tayyip Erdogan and his ruling Justice and Development Party, Turkey has trended in a distinctly anti-Western direction. Although officials in Ankara still pay lip service to their country’s longstanding goal of joining Europe, the actions taken by Erdogan’s government in recent years — from the acquisition of advanced Russian air defenses against NATO’s urging to its permissive attitude toward regional extremists — have given decidedly different indications. Indeed, just a week before the NATO summit in London, Turkey effectively held the alliance hostage when it refused to endorse a plan to bolster defense of the Baltics unless it got more backing from Europe for its recent invasion and occupation of Syria. It subsequently moderated its stance as a result of international pressure. In the process, though, it injected still more doubt into the notion that it remains a committed member of the NATO coalition. All of this matters a great deal for the future of the alliance. NATO’s London summit closed with a communique that painted a decidedly rosy picture of the organization’s health, and spent precious little time discussing the real systemic problems now facing the world’s most important military bloc. That’s a real shame, because until NATO can clearly, unequivocally begin to address its own shortcomings, the state of its union cannot truly be strong.

### 2nc US Commitment

#### Trump’s rhetoric shook the alliance – questions regarding US commitment divide members

Robinson ’6-7 — Eric; M.P.P. in public policy, College of William & Mary; B.A. in economics, government, College of William & Mary, senior research programmer and analyst at RAND Corporation. June 7, 2022; "American politics could derail NATO’s momentum — unless leaders prepare now."; *Breaking Defense*; https://breakingdefense.com/2022/06/american-politics-could-derail- NATOs-momentum-unless-leaders-prepare-now/; //CYang

With an active Russian invasion on its doorstep and Finland and Sweden asking to join, NATO seems more relevant than at any point since the fall of the Berlin Wall. But, former counterterrorism official Eric Robinson warns the following op-ed, alliance leaders need to keep a wary eye on the looming danger that is American politics. It is a moment of triumph for NATO. The alliance’s main threat, the Russian military, suffered decisive defeats in the battles for Kyiv and Kharkiv in Ukraine. Furthermore, as a direct result of Russia’s invasion, both Sweden and Finland have petitioned NATO for membership. Not since the Berlin Wall fell has a component of the United States’ commitment to Europe’s security been so clearly validated. Regrettably, this remarkable state of affairs in Europe obscures the alliance’s true fragility — a vulnerability so pronounced that NATO’s current confidence could soon become a historic footnote. Internal disputes are not new to NATO, of course. Charles de Gaulle withdrew French military forces from NATO’s high command, Greece and Turkey are effectively rivals, and there is a substantial disparity in defense spending among members. These challenges pale in comparison, however, to NATO’s most critical vulnerability: American politics. In 1947, Sen. Arthur Vandenberg established a baseline for American political alignment when he stated that “politics stops at the water’s edge,” that partisan differences should be minimized in matters of national security. Republicans and Democrats alike would certainly vary in their approaches, but challenging the Soviet Union provided a degree of predictability to American foreign policy. This partisan harmony continued beyond the Cold War, extending into bipartisan support for the Persian Gulf War and the invasion of Iraq. Then came Donald Trump, and an open hostility to America’s longstanding international practices. As a candidate, Trump articulated a deep skepticism of America’s international obligations and his arguments resonated with voters who had soured on the foreign policy establishment. His version of “America First” echoed the original America First Committee of the 1930s and 1940s: disdainful of international commitments, comfortable with authoritarian systems, and accepting moral compromises as a cost of doing business in a rough world. During his time in office, Trump did not shift his views on limiting America’s international obligations, but he never truly acted on his intuition, either. NATO remained shaken yet intact, his administration amended NAFTA with Canada and Mexico, and his team helped establish official relationships between Israel and a series of once-hostile countries. However, since Trump’s exit from office, reporting indicates that he expressed interest or actively explored going further, including wanting to withdraw military forces from Europe and end the US military commitment to the Republic of Korea, two pillars of America’s global security commitment. And notably, Trump’s former national security advisor John Bolton has specifically said he believed Trump would seek to leave NATO. The popularity of “America First” politics returns us to NATO’s critical vulnerability. If he decides to run again, Trump seems almost assured to be the GOP’s nominee for president in 2024. Recent primaries and patterns of behavior among Republicans currently in the House and Senate have shown that Trump’s hold on the GOP may not be ironclad, but he remains the leading party figure. Should Trump return to the White House, he would likely do so with a Republican House and Senate far less likely to push back on his foreign policy than during his first term in office — and as a president who will assuredly be inclined to listen to his close supporters encouraging his basest instincts.

#### Even fear of declining US engagement wrecks cooperation

Kunz 2021

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As discussed above, at least part of the suspicions against France’s strategic dialogue with Russia, and more broadly European strategic autonomy, arise from fears that Paris may have ambitions to ‘decouple’ European security from that of the United States. In reality, as noted above, ‘decoupling’ is not on European capitals’ agenda, and thus also not on Paris’. Yet, another aspect over which Europeans disagree is their analyses of long-term prospects for US security guarantees. The debate is consequently about whether Europe needs to start thinking about a ‘Plan B’ or whether Joe Biden’s election as US president means that risks of the United States withdrawing from or reducing its engagement for Europe are off the table. In this context, threat perception again matters tremendously. The greater the fear of Russia, the greater the fear of decoupling. Depending on the kinds of threats European capitals consider most pressing, their focus is either on expeditionary operations (terrorism) or collective territorial defense (Russia). This leads not only to considerable differences in defense planning and posture as discussed above, but also to different degrees of dependence on the United States. Unsurprisingly, therefore, how vociferously European countries place themselves in the Atlanticist camp correlates strongly with the intensity with which they perceive a Russian threat. This is not to say that France, which even in this context represents the other end of the European spectrum, does not need the United States. The two countries in fact cooperate closely at the bilateral level. For Paris, US-French cooperation is most valuable and crucial in the Sahel region in the fight against terrorism, where the United States notably provides crucial reconnaissance and surveillance to France’s counter-terrorism operation Barkhane.36 From a French perspective, this is the most important vector of transatlantic defense cooperation, as again became apparent after the 2020 US elections, when French minister of the Armed Forces Florence Parly expressed her hopes of continued US engagement in that region.37 Yet, as seen from Paris, the nation’s survival is hardly dependent on the United States, as opposed to perceptions in Central and Eastern European countries where the US is ultimately considered the guarantor of the nations’ existence. Those states that perceive a threat from Russia are at the same time the most convinced Atlanticists who, in view of their situation, rely on the closest possible cooperation with the United States—and are correspondingly skeptical about stronger cooperation in the EU. On the one hand, they are afraid of prompting less US engagement. On the other hand, they want to avoid having to invest scarce resources in the CSDP, which is by definition not about territorial defense. One key question for the continent’s security is: how likely is continued US engagement? Given that US engagement will still be decided in Washington rather than in Paris, Berlin, or Warsaw, how likely is it that US administrations want to maintain US security guarantees for Europe? And how likely is it—provided they have the political will—that they will be able to do so in light of political and budgetary constraints? On this issue, views and assessments again vary across Europe. Once more, France may be considered the outlier. It is fair to argue that the French analysis on future US engagement is the most pessimistic for European security, based on two observations. First, it is often stressed in France that ‘Trumpism’ is not gone with Donald Trump and that US domestic politics will likely remain volatile.38 Second, as most recently reiterated in its 2021 Strategic Update, France expects the United States to refocus its security policies toward Asia and away from Europe, notably in light of China’s emergence as a strategic rival.39 The French take is thus both relatively traditional—after all, de Gaulle decided to acquire nuclear weapons because he deemed US security guarantees unreliable—and based on systemic factors. In most other countries, transatlantic security relations tend to be viewed in a much more ‘personalized’ manner, i.e., with much greater emphasis on the occupant of the White House without explicitly accounting for systemic factors. From such a vantage point, the years of the Trump administration are considered an anomaly. With Joe Biden’s election, and for instance his speech at the 2021 virtual edition of the Munich Security Conference in which he declared that “America is back,”40 transatlantic security relations are seen as returning to normal. Joe Biden’s accession to the US presidency has therefore already changed one key aspect of Europe’s defense debate: the question of whether or not Europe—and the EU in particular—should aspire for more strategic autonomy. With the Biden administration, the French argument that Europe needs to step up its joint defense efforts to compensate for diminished US engagement clearly seems weakened in the eyes of many.

### 2nc Burden Sharing

#### NATO will not survive unless European states and Canada pay their fair share – history indicates that they won’t

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And yet, regardless of the precise amount the United States will spend on defense in 2017 (and the years to follow), it is a certainty that it will remain the world’s largest spender for the foreseeable future, while the goal of more equitable burden sharing in the Western alliance will remain elusive. Sixty-five years of history has revealed that most European countries (and Canada) are simply not prepared to spend what is required to field and maintain highly advanced defense forces, and it does not particularly matter what the United States wants. In effect, European governments have never believed that Washington will diminish its commitment to the Western alliance, no matter how little they contribute nor how shameless they are on free riding on the United States.112 As Ted Galen Carpenter noted in a 2014 article, it appears that the only way to fundamentally change this dynamic is if the United States were to make clear by its actions—not its words—that it will no longer tolerate alliance defense free riding. That would likely mean withdrawing most (if not all) American military personnel from Europe and dramatically reducing air and naval assets on the continent.113 It would also mean ending Washington’s domination of collective defense efforts in NATO. Further, the United States would begin campaigning in favor of the establishment of a pan-European defense force.114 In effect, Washington would have to put allied countries on notice that it is no longer prepared to bear the overwhelming burden of Western defense, and there are limits to its willingness to pay for the defense of others (it might be noted that in March 2016 Republican front-runner Donald Trump made precisely this point.)115 Needless to say, the chances of this happening seem slim; for starters, the United States seems pre- pared, even given recent developments, to continue paying a significant cost both for its own and its allies’ security (in this regard, the administration announced in 2016 that it plans to quadruple U.S. military spending in Europe)116 and the constituency favoring defense spending—and the military more generally—is far larger than in Europe or Canada.117 Yet if the alliance is to survive, significant changes must be made. The key question is whether European states and Canada will make the necessary funding decisions that will permit them to field modern and capable forces in the future. Unfortunately, there are plenty of reasons for skepticism, as defense downsizing in Europe and Canada casts doubt over most allies’ ability and willingness to invest in modern capabilities. Indeed, NATO itself seems to have little influence on member states’ security calculations, and a recent proposal to “name and shame” countries that are not meeting the spending target suggests that the alliance has concluded that public embarrassment holds the best chance of encouraging states to spend more, an unmistakable sign of desperation.118 Indeed, rather than increase their defense programs, most European states and Canada are engaged in, as Hallems and Schreer have recently noted, a strategy of “strategic restraint,” which sees a reduced willingness to pay for the major defense investments necessary to protect against possible threats.119 In the author’s opinion, both Canada and Germany have grown so accustomed to low defense spending that they may be incapable of dramatic change at this point (although at least Berlin seems to have recently recognized the seriousness of the problem). As evidence, one just needs to note the array of dated military platforms that both countries operate, apparently oblivious to the risks such equipment poses both to their own crews and to the civilians in the areas they operate in. Perhaps even more importantly, however, is what the continued operation of such equipment effectively tells the United States—i.e., that both states intend to rely on Washington for their security regardless of whether the United States is pre- pared to accept this burden or not. **This would appear to be a fundamental abdication of responsibility** by both countries, but in the absence of popular opposition to the policies that result in such military weakness, **it seems unlikely that either state will be changing its domestic spending priorities anytime soon.** In sum, **the growing divide in defense expenditures and capabilities between the U**nited **S**tates **and** most **other members of NATO has resulted in the very real possibility that the alliance may not survive.** To avoid that outcome, European states and Canada need to accept the fact that a more mature and equitable defense relationship is essential; although in fairness it should be noted that this observation does not apply to the UK, which continues to take its defense seriously (as does France). Any move toward a reasonable program of burden sharing will require a change in mind-set on the part of all NATO members, as dependence on the United States is deeply embedded. The onus, though, must be on European states and Canada to demonstrate that they are serious about accepting a greater degree of responsibility for their defense. If **after 67 years of American protection most NATO states are still not willing to pay a reasonable amount** for their defense, then **the alliance deserves to fail**, in which case members will quickly realize the extent of the security bargain that they have enjoyed all these years.

### 2nc Article V

#### Article 5 is meaningless – responses are uncertain, unplanned, and likely to be weak

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While political momentum may make these membership bids inevitable, the ultimate effects of bringing Finland and Sweden into the alliance depend on making sober decisions before they enter. Specifically, NATO allies must have a plan for defending the two countries. The two Nordic countries’ **defense cannot rest alone on the perceived sanctity of NATO’s Article 5** defense commitment or on a vague plan to address the issue later. WHAT’S THE PLAN? To be effective, alliances need to have hard discussions about war plans. Who will the allies defend and how will they do so? Do the prospective new members agree with existing NATO allies on who constitutes a threat and where? Do the two groups have similar visions for how to address the threat Russia poses if the situation becomes acute? Are their military doctrines compatible? These are pivotal questions for all alliances. When states form an alliance, the final treaty is commonly short on war-planning specifics. But discussions over aspects of war plans often consume a fair amount of time and energy during such negotiations. Indeed, disagreements over these issues can ultimately undermine an alliance’s formation. If a state does not see the potential alliance as adequate for meeting its security aims, it can look elsewhere. This most infamously occurred in August 1939. The Soviet Union, frustrated over an inability to agree with the United Kingdom on how best to counter a potential German attack, left the Anglo-French-Soviet defense treaty negotiations. It then signed a nonaggression pact with Nazi Germany. Hard bargaining over the defense practicalities of a potential alliance treaty was also part of the creation of NATO itself.1 Far from a given when the alliance treaty was negotiated in 1948 and 1949, there were endless arguments about how to define the North Atlantic region in the first place. This definition turned out to be critical at the strategic level of war planning: before one can talk about logistics and tactics, one must decide who should actually be protected. The talks nearly broke down over debates about whether to include Norway (France was opposed), Italy (U.S. and British officials were skeptical), or Algeria (then a French department). Wanting to ensure that a deal was reached, the parties made compromises: Norway and Italy were included, and Algeria was indeed covered (until it gained independence, at which point the North Atlantic Treaty was amended). While details over executing the actual defensive procedures were delegated to a soon-to-be-created body (the “O” of NATO), the perception was that there was time to figure it out. Communism was a threat, but there was no perception of an immediate Soviet invasion. While a failure to settle logistical and operational details might have been understandable when NATO was formed, the truth is that planning for the defense of prospective new members continued to be neglected, including in recent decades. Consider the closest parallel to Finland’s accession, that of the Baltic states. Even in the 1990s, before Estonia, Latvia, and Lithuania became official candidates for NATO membership, the states were seen as largely indefensible, in purely military terms, from an operational and tactical standpoint. No solutions to this challenge were pursued until well after their entry into the alliance. NATO members chose to overlook the lack of a solution when they admitted the Baltic states in 2004, on the grounds that the alliance ought to support fledgling democracies that had demonstrated their value through peacekeeping operations. More importantly, at that time Russia did not pose an imminent threat. This defensive shortcoming was eventually corrected, so to speak, in the wake of Russia’s 2014 invasion of Ukraine by the creation of NATO’s Enhanced Forward Presence. Like the 2014 Wales Summit pledge that NATO members made to increase their military spending, the Enhanced Forward Presence was motivated by Russia’s 2014 annexation of Crimea. The threat of armed aggression, long a concern of the Baltic states, had now been realized. For the Baltic states and other members of NATO’s eastern flank, there was a window of opportunity to adjust. No such window is obvious in the case of Finland. WHERE ARE THE TROOPS? Planning is about more than just paper reports and memoranda to be filed away and dusted off when the time arrives. It is about ensuring that the proper resources are being developed and deployed to execute a plan. One such issue that NATO members must decide as soon as possible is whether to position forces in Finland and Sweden and, if so, how many. Even if alliance members opt not to pre-position forces in the two Nordic countries, they will have to determine where the forces that would be used for their defense will come from. Russia’s military is being weakened by the war in Ukraine and has displayed shortcomings that few analysts predicted. It will take time for Russian forces to recover, but eventually they will probably still be capable of “fait accompli” operations against some section of Finnish or even Swedish territory. This would involve quickly moving forces into an unprotected or lightly protected portion of territory, thereby compelling the other side to take offensive action in order to reverse the territorial acquisition. Concerns over such an operation against Finland are heightened by its 800-plus-mile border with Russia. While Finland has approximately 3,000 personnel in its border guard, these forces are oriented primarily toward enforcing immigration control rather than stopping an invading force. When coupled with Russia’s threats, this force positioning creates a precarious state of existing defenses along that border. As the creation of the Enhanced Forward Presence implies, **NATO’s Article 5 does not automatically deter aggression.** This is because, to use the language popular among international relations scholars, it ultimately does not “tie hands.” It is true that Article 5 obligates alliance members to treat an attack in North America or Europe on one or more members as “an attack against them all,” but the text goes on to say that each member will then assist “by taking forthwith . . . such action as it deems necessary.” Practically, this means that for each NATO member and the alliance as a whole, Article 5 is more appropriately viewed as specifying something akin to saying an attack on one merits a response to be determined by the individual members. Concretely, once the North Atlantic Council determines that an attack meriting an Article 5 response has occurred, the members decide on the appropriate response and then individual members decide how they will contribute to that response. Since NATO decisionmaking is predicated on consensus, meeting the first two thresholds for an Article 5 action is never guaranteed. Of course, failure on the part of the NATO allies to assist a member under attack could carry reputational consequences; if Russia were to witness a nonresponse to a quick incursion into, say, the Baltic states, then Moscow might be emboldened to take further measures. But the likelier problem is that NATO may respond meekly. The space between a nonresponse and full-fledged direct military engagement by all NATO members against the aggressor is wide enough to allow for a host of options that meet the letter of Article 5’s terms without changing the military facts on the ground. This is why, as illustrated by the Enhanced Forward Presence, deterrence requires “sinking costs,” meaning forward deploying troops on NATO territory before an attack occurs. But for this approach to be effective, it cannot be done lightly. The forces must not be merely a tripwire, where a few troops are deployed with the understanding that their deaths would trigger a larger response. Such a policy would be too slow to stop a fait accompli operation and would run again into the problem that Article 5 does not obligate any particular type of action. Instead, forces need to be deployed in large enough numbers to have a material impact on the aggressor’s battle plan. Ideally, the forward-deployed NATO forces would be sufficient to tip the local balance of power in favor of the defender so as to deny territory to the aggressor. At a minimum, they should be enough to slow down the aggressor’s strike, preventing the invading forces from securing territory before the defender’s reinforcements could arrive. This assumes that foreign forces would even be allowed on Finland’s territory. That is not yet clear. HARD CONVERSATIONS Given that Finland’s membership process is proceeding swiftly, that NATO is actively and heavily supporting Ukraine’s fight against Russia, and that NATO bureaucrats are busy crafting a new Strategic Concept, **there is little space right now for hard conversations** on the above points. This is unfortunate, as the lack of conversation could start the new relationship off on precarious footing.

#### Article 5 commitment credibility is in shambles across NATO members

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Collective self-defense is enshrined at NATO’s very core: Article 5 of the North Atlantic Treaty directly states that “an armed attack against one or more of them in Europe or North America shall be considered an attack against them all” and that force can be used in response. It’s also a relatively untested commitment — and an increasingly fraught one. Since NATO’s founding in 1949, it has been invoked only once: On Sept. 12, 2001, after the terrorist attacks in the United States the day before. Seventy years after the founding of NATO, **it’s not clear that all allies are on the same side about what collective self-defense would actually mean**. President Trump has emerged as a powerful critic of the alliance, while Turkey’s intervention in northeastern Syria raised concerns about just how far collective security would go. In a recent interview with the Economist, French President Emmanuel Macron wondered whether NATO’s collective security could result in his country fighting a war against Syria. “**What will Article 5 mean tomorrow?”** Macron wondered aloud. It’s not clear whether members of the public are clear on that either. Earlier this year, British polling firm YouGov quizzed people in four major NATO powers — Britain, France, Germany and the United States — about what foreign nations they would be willing to defend, including NATO allies and some non-NATO allies such as Sweden and Ukraine. The results suggested that **being a NATO ally did not ensure public support**. Only minorities of the populations in France and Germany said that they would not defend Romania, a NATO ally since 2004 and a European Union member, or even Turkey, a NATO ally since 1952 (Britons were also divided on support for Turkey). However, in all countries polled, majorities said they would support Finland and Sweden, which are not part of NATO. Majorities in Britain and the United States also said they would come to the aid of Ukraine, a country that was blocked from joining NATO in 2008 — confusingly, a decision pushed by the United States at the time. And although Germany and the United States have a decades-long alliance, only a minority of Germans said they would come to the defense of Americans if the United States were attacked YouGov’s poll was conducted in April, but shared again Monday in anticipation of a NATO meeting in London this week during which Trump and other world leaders will celebrate the anniversary of the alliance’s founding. The results prompted debate among European security experts, with many wondering how to parse the information, whether the question itself was phrased in a confusing or misleading way, or even whether the polling data could be considered accurate at all (comparative international polling is an expensive and difficult business, with lots of opportunities for error and misinterpretation). Some other surveys have found similar levels of national disagreement about how Article 5 would work in practice, although the takeaways are often complicated. In 2017, the Pew Research Center asked people in a variety of NATO member states whether they would respond with military force if a NATO ally got into a serious conflict with Russia. Only 40 percent of Germans favored using military force in this situation, compared with 45 percent of Britons, 53 percent of the French and 62 percent of Americans. Germany may be notable for its mixed feelings about the alliance. A poll conducted this year by the German company Körber-Stiftung found that many in the country were **skeptical about key parts of its NATO relationship**, with only 39 percent saying that Germany should have a closer relationship to the United States rather than Russia. Whether these polling numbers convey a shifting view of NATO collective security among the public may not matter — national security decisions are made not by referendum. Trump, who was a fierce critic of NATO on the campaign trail and still complains regularly about European military spending, eventually committed to Article 5 in June 2017 during a White House news conference with Romanian President Klaus Iohannis. But only a year later, Trump suggested that Montenegro, a small nation that joined NATO last year, could lead to a global war. “They are very aggressive people. They may get aggressive, and congratulations, you’re in World War III. But that’s the way it was set up,” Trump said during an interview with Fox News in July 2018 “Don’t forget, I just got here a little more than a year and a half ago,” Trump added. During a recent interview, NATO Secretary General Jens Stoltenberg said that Article 5 was the “cornerstone of NATO” and that the fact that no European nation had been attacked since NATO started was “perhaps the greatest success” of the organization. But if NATO’s collective security serves best as a tool for deterrence, it relies on the perception that it would actually work in practice. The risk now is that if it ever had to be used in practice, world leaders might find it is a relic of the past that no longer functions.

#### Article 5 credibility decline is inevitable with new members and diverging FoPo strategies

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THE CONFLICT OF DIFFERENT AGENDAS

The overarching aim of this report has been to assess the main issues and key fault lines in the debate about whether and how to strengthen the credibility of Article 5 in case of an armed attack by another state. The **debate has been split** between those who want reassurance under Article 5, those who prefer to focus more on out-of-area operations, and those who are more concerned about NATO's relations with Russia. The primary driver for the Allies' different views has thus depended on their agendas for the future orientation of the Alliance's role and purpose. These different agendas and the debate that they have generated are the symptoms of the **strategic diversification** that began after the end of the cold war and the demise of the Soviet Union and has become accentuated within the Alliance over the last decade. As NATO has taken on additional members, as well as more challenging missions, it has been exposed to greater **differences among its members in terms of threat perceptions**, strategic priorities and foreign policy approaches. As a result of this diversification, the Alliance has to a certain degree **lacked cohesion in its view of the credibility of Article 5**.

### 2nc Afghanistan Thumps

#### Afghanistan & public opinion thump.

Olsen ’21 — Henry; Washington Post columnist and a senior fellow at the Ethics and Public Policy Center. August 27, 2021; “The crisis in Afghanistan is shaking NATO. Its foundation was already weakening in Europe.”; *Washington Post*; https://www.washingtonpost.com/opinions/2021/08/27/crisis-afghanistan-is-shaking- NATO-its-foundation-was-already-weakening-europe/; //CYang

[TITLE]: “The crisis in Afghanistan is shaking NATO. Its foundation was already weakening in Europe” European leaders are correct to wonder what the frightening incompetence on display in Afghanistan means for the NATO alliance. But they should also be nervous that the public opinion in their own countries is making the alliance unsustainable. Our NATO allies are democracies, and thus their leaders must always take public opinion into account. They cannot long ignore or run counter to their voters’ deeply held views. That’s why polls from 2020 and earlier this year of European public opinion should concern both U.S. and European leaders. The polls show that European public opinion is mixed concerning core U.S. interests and ambivalent at best about involving their own nations’ militaries in armed conflict. The good news is that European opinion about NATO and the United States remains mostly positive. A June 2021 Pew Research Center poll found that 61 percent of Europeans had a favorable opinion of NATO, including majorities in every country except Greece. Europeans also held positive opinions of the United States, with more than 55 percent of every country’s populace expressing a favorable view. The problem comes when pollsters dig a bit deeper. The central feature of any military alliance is that all members come to the aid of one another in case of attack. That unified stance — collective defense in strategic parlance — is what makes the alliance credible. If one or more parties won’t defend other members, the whole enterprise falls apart. Indeed, that is what many European leaders fear as the U.S. withdrawal from Afghanistan raises questions about its ability to live up to its commitments. Whether that fear is justified or not, the fact is that majorities in most European nations already oppose the use of their troops to aid a NATO ally. That startling finding comes from a February 2020 Pew Research poll. The survey asked respondents from 16 NATO nations whether that nation should use military force to defend a NATO ally in a serious military conflict with Russia. Majorities of only five nations — the United States, Britain, Canada, the Netherlands and Lithuania — answered yes. Pluralities or majorities in every other nation surveyed opposed coming to the ally’s assistance, with opposition rising to 60 percent among Germans. One might wonder why NATO is viewed favorably given this response, but another question from the 2020 poll provides clarity. The same people were also asked whether they thought the United States would use military force to aid a NATO ally under attack by Russia. Majorities or pluralities in every European nation surveyed said it would, with percentages rising above 70 percent in Italy, Spain and Britain. Many Europeans clearly believe that NATO is a device to ensure U.S. protection for them rather than a collective alliance whereby all support all. This underlying belief might be a reason only 10 of NATO’s 30 members currently meet the alliance’s target of spending 2 percent of gross domestic product on defense each year. This finding alone is troubling, but another poll points to other worrisome signs. The United States increasingly views China as an existential threat. This is why it is shifting military resources to the Pacific theater to combat China’s rise and working to persuade U.S. allies to resist Chinese efforts to make those nations’ economies dependent upon Chinese consumers and companies. This means that NATO allies will increasingly be asked to shoulder some of the burden in a de facto anti-Chinese alliance at the same time as NATO itself deploys against Russia. Europeans do not want to do that. A January 2021 poll from the European Council on Foreign Relations found 60 percent of Europeans want their nation to remain neutral in any conflict between China and the United States. The poll also found that 59 percent of those surveyed believe that China will be more powerful than the United States in a decade; only 19 percent vouched for continued U.S. supremacy. Finally, 67 percent said that Europe could not always rely on the United States and had to look after its own defense. Each of these trends points to electorates that won’t back the United States in the conflict that U.S. leaders of both parties see as most important.

#### Here’s comparative evidence.

Hudson & Ryan ’21 — John Hudson; Michigan State University, B.A. in International Relations. He is a national security reporter at the Washington Post covering the State Department and diplomacy. Missy Ryan; Georgetown University, BA in English; Harvard University, master's in public policy. She writes about diplomacy, national security and the State Department for The Washington Post. August 17, 2021; "Withdrawal from Afghanistan forces allies and adversaries to reconsider America’s global role"; *Washington Post*; https://www.washingtonpost.com/national-security/withdrawal-from-afghanistan-forces-allies-and-adversaries-to-reconsider-americas-global-role/2021/08/17/2808ddbc-ff84-11eb-825d-01701f9ded64\_story.html; //CYang

President Biden’s decision to withdraw from Afghanistan has triggered a globe-spanning rethink of America’s role in the world, as European allies discuss their need to play a bigger part in security matters and Russia and China consider how to promote their interests in a Taliban-led Afghanistan.

Biden’s defiant address to the nation on Monday, when he stood “squarely” behind his decision to pull out U.S. troops, also renewed one of the most hotly contested debates of the post-9/11 era: Would a withdrawal from Afghanistan convey weakness, provoke aggression and shatter America’s ability to lead on the international stage, or would it reflect a sound realignment of the national interest, put the country on better footing to deal with the new challenges of the 21st century, and clarify to allies and adversaries what the United States is and is not willing to expend resources on?

In the European Union, which held an emergency session of foreign ministers on Afghanistan on Tuesday, officials offered rare criticism of Washington for risking a flood of refugees to their borders and the return of a platform for terrorism in Central Asia.

“This kind of troop withdrawal caused chaos,” Latvia’s defense minister, Artis Pabriks, said in a radio interview Tuesday, noting the demise of long-term nation-building projects and how the decision to withdraw was essentially foisted on Europeans. “This era is over. Unfortunately, the West, and Europe in particular, are showing they are weaker globally.”

Germany’s conservative candidate to succeed Chancellor Angela Merkel, Armin Laschet, on Tuesday called the withdrawal of forces “the greatest debacle that NATO has experienced since its foundation.”

In China, where the U.S. withdrawal is seen as creating both risks and opportunity, Foreign Minister Wang Yi told U.S. Secretary of State Antony Blinken in a phone call that the rapid departure of U.S. troops caused a — “severely adverse impact.”

He also drew broader implications from the pullout, saying it showed America’s inability to transpose a foreign model of governance to a country with different cultural and historical attributes.

### 2nc AT “Unity” High

#### Unity rhetoric is wrong.

Schifrin ’22 — Nick; foreign affairs and defense correspondent for PBS NewsHour; received the American Academy of Diplomacy’s Arthur Ross Media Award for Distinguished Reporting and Analysis of Foreign Affairs. "Why NATO countries can't agree on how to respond to Russia-Ukraine conflict"; *PBS NewsHour*; https://www.pbs.org/newshour/show/why- NATO-countries-cant-agree-on-how-to-respond-to-russia-ukraine-conflict; //CYang

Nick Schifrin:

But the unity rhetoric doesn't match the reality over how to punish Russian President Vladimir Putin, as President Biden acknowledged yesterday. Joe Biden, President of the United States: Russia will be held accountable if it invades. And it depends on what it does. It's one thing if it's a minor incursion, and then we end up having a fight about what to do and not do, et cetera. Nick Schifrin: That acknowledgement of a fight among allies was a rare public admission of what's been privately clear. In Germany, the Nord Stream 2 pipeline would double the natural gas the European Union imports from Russia. It was completed last year, but Germany has indefinitely paused the certification process. The White House wants to use that pause as leverage over Russia. Privately, German officials say they would kill the pipeline, but, publicly, they won't admit that. Earlier this week, German Chancellor Olaf Scholz made his most definitive hint, which still only went so far. Olaf Scholz, German Chancellor (through translator): It is clear that there will be high costs, and everything has to be discussed if there is a military intervention against Ukraine. Nick Schifrin: Other European countries are worried about U.S. sanctions because they have their own business ties to Russia. The E.U. is Russia's largest trading partner. In countries along Russia's border, including Finland, Lithuania, and Estonia, Russian goods make up about a third of imports. In contrast, Russia is the United States' 26th largest trading partner. And, in France, President Emmanuel Macron further broke Western unity yesterday when he said the E.U. should hold its own talks with Russia, rather than support the U.S.-Russia and NATO-Russia talks from last week.

# Emerging Tech Coop Fails

## General

### 1nc Say “No” – Private Sector

#### Scientists refuse to help

Erik Lin-Greenberg 20, postdoctoral fellow at the University of Pennsylvania’s Perry World House. Texas National Security Review, Vol 3, Iss 2. Spring. "Allies and Artificial Intelligence: Obstacles to Operations and Decision-Making" <https://tnsr.org/2020/03/allies-and-artificial-intelligence-obstacles-to-operations-and-decision-making/>

<https://repositories.lib.utexas.edu/bitstream/handle/2152/81858/TNSRVol3Issue2Lin-Greenberg.pdf?sequence=2&isAllowed=y> – Lin-Greenberg)LR

Second, civilian engineers and researchers that develop AI technology may refuse to work on military AI contracts. Disruptions to AI development can hinder the fielding of new capabilities and generate mistrust between the government and civilian firms. Google employees, for instance, protested their involvement in Project Maven, a Defense Department program that uses AI to analyze video collected by military drones.62 In a letter to their CEO, the employees argued that “Google should not be in the business of war,” explaining that the company should not “outsource the moral responsibility of [its] technologies to third parties,” and that work on Defense Department-backed AI would “irreparably damage Google’s brand.”63 The resistance ultimately led Google to terminate its involvement in the contract and generated public criticism of the Defense Department’s AI efforts.64

### 2nc Say “No” – Private Sector

#### Plan nationalizes unwilling private sector agents into defense development---causes backlash

Jankowski '21 – Political Adviser and Head of the Political Section at the Permanent Delegation of the Republic of Poland to NATO [Dominik, " NATO and the Emerging and Disruptive Technologies Challenge” in *NATO in the Era of Unpeace: Defending Against Known Unknowns,* pp 99-102//DG

Second, NATO will need partners on its path towards achieving a comprehensive implementation strategy on EDTs. This will require connection with the private sector early and often, clearly communicating NATO’s priorities and requirements while providing accessible opportunities for industry, including non-traditional ones. Much of the innovative work being undertaken in the commercial sector is being carried out by companies that have never worked in the defence realm or have no wish to do so. Therefore, building new partnerships at NATO with the private sector will enable the Alliance to increase awareness, share data, and creatively tap into experiences and knowledge. Moreover, NATO and the EU should initiate a strategic dialogue to address fundamental issues of tech governance and data sharing in order to overcome the transatlantic tech policy divide.

### 1nc Say “No” – Transatlantic Data War

#### US-Europe privacy divergences are intractable absent congressional action – even then diverging norms make transatlantic data war inevitable

* TADPF = Trans-Atlantic Data Privacy Framework

Xirui **Li 22** - pursuing doctoral studies at the S Rajaratnam School of International Studies (RSIS) of Nanyang Technological University (NTU) in Singapore. She is also a non-resident research fellow at the Intellisia Institute in Guangzhou, China. (“BEHIND THE US CONCESSIONS TO THE EU ON TRANSATLANTIC DATA TRANSFERS,” AsiaGlobal Online, 04/13/2022, <https://www.asiaglobalonline.hku.hk/behind-us-concessions-eu-transatlantic-data-transfers> ) PJW

The announcement of preliminary agreement on the long-awaited TADPF cheered business sector on both sides of the Atlantic. Microsoft applauded the framework, saying that it would “rebuild and strengthen the data protection bridge between the EU and the US.” Global Data Alliance, a cross-industry coalition of companies, reckoned that the new framework would increase economic opportunities in both the US and Europe.

Whether the TADPF allows the US and EU to settle finally their long-running dispute over data transfers with TADPF is yet **unclear**. Finding that national security agencies of the US can have access to personal data transferred from Europe, CJEU invalidated both Safe Harbor Privacy Principles and the EU-US Privacy Shield, the two predecessors of the TADPF.

**To address fully the CJEU’s concerns, the Biden administration needs to amend domestic regulations** including Section 702 of the **F**oreign **I**ntelligence **S**urveillance **A**ct (FISA 702), Executive Order 12333 and Presidential Policy Directive 28 (PPD-28). These **legal adjustments will not be easy**, but **without them, any framework on data flow between the EU and the US will not be sustainable**. Austrian digital privacy activist and lawyer Max Schrems, who was behind the lawsuits that challenged the Safe Harbor and Privacy Shield, said that the lack of details of the new framework was troubling, warning that he would not hesitate to go to court again if the final agreed text of TADPF failed to be in line with EU laws.

What is more, the future of EU-US cooperation on data transfers could be even less promising due to their differences in their approaches to data governance and, in particular, in the fundamental norms underpinning these strategies. As I have discussed in an earlier AsiaGlobal Online article, the US adopts a laissez-faire, minimalist approach, while the EU believes in a relatively more interventionist model. **The divide is even more fundamental**: The EU emphasizes fundamental rights of human beings, while the US is more focused on the market. **In the US, data is a form of capital**. Data privacy is required to safeguard the fairness of the marketplace and the consumer’s right to privacy. The Federal Trade Commission (FTC), whose mission is to protect consumers and competition, is therefore the designated federal agency responsible for data privacy protection. Due to this liberal and market-based perspective, the US has yet to issue any comprehensive data privacy laws at the federal level.

By contrast, the EU not only views personal data privacy as a fundamental human right but it also treats data protection as a critical part of creating a collective European identity. Thus, the protection of personal data privacy is written into the EU Charter of Fundamental Rights. This constitutional status means that the enactment of data protection is comprehensive, with no areas left unregulated. More important, in adhering to this human-rights norm, **EU authorities are unlikely to compromise** on their protection efforts **under any circumstances**. The US government’s stance on the protection of data privacy, meanwhile, is more open to debate and negotiation, as it is based on the market-state relationship rather than any commitment to protect fundamental human rights that are constitutionally guaranteed.

This divergence in philosophy is behind the so-called **Transatlantic Data War** that broke after national security consultant Edward Snowden revealed details of US data surveillance operations. The US federal government reserves the right to have access to personal data for reasons of national security. The EU disagrees, arguing that data privacy, as a fundamental human right, cannot be compromised anyway. It was because of worries that human rights of European citizens would not be adequately protected in the US that led the CJEU to nullify Safe Harbor in 2015 and its replacement, Privacy Shield, in 2020.

Although the US and EU have reached preliminary consensus on the replacement of the Privacy Shield, the **norms underpinning their respective approaches towards data privacy have not changed**. During the ongoing negotiations for the new framework, the EU was represented by European commissioner for justice, underscoring the primacy of human rights protection, while the US was represented by its secretary of commerce, reflecting Washington’s underlying market-based approach. Even though the two parties have reached a new consensus on the legal ground for transatlantic data transfers, the resulting framework could be as short lived as its two predecessors.

#### Empirics go neg---NATO punted on establishing permanent structures, opting for a voluntary program due to political roadblocks

Soare '21 [Simona R, Jun 11, "Innovation as Adaptation: NATO and Emerging Technologies," https://www.gmfus.org/news/innovation-adaptation-nato-and-emerging-technologies]  
\*EDT: emerging and disruptive technologies//DG

There is great convergence and commonality among the recommendations of the Advisory Group on Emerging and Disruptive Technologies and the NATO 2030 Reflection Group. Both call for the establishment of transatlantic digital consultations and dedicated structures, including a NATO Advanced Technology Projects Agency and funding instruments such as a NATO Investment Bank. Building on these recommendations, as well as on NATO-private sector dialogues, in February Secretary-General Jens Stoltenberg proposed the establishment of a NATO Defense Innovation Initiative “to promote interoperability and serve as a catalyst for transatlantic cooperation on defense innovation.”18 After consultations and meeting political roadblocks, the allies decided to establish the Defense Innovation Accelerator instead as a more flexible, opt-in, and off-budget instrument.

### 1nc Interoperability

#### Lack of tech innovation willingness and capabilities undermines interoperability weakening cohesion

Soare, 21 (Simona R. Soare was a Senior Associate Analyst at EUISS from 2019 to end May 2021. Her research focused on United States security policy, transatlantic security and EU-NATO relations. Prior to joining EUISS, Simona served as advisor to the Vice-President of the European Parliament (2015-2019) and as an analyst with the Romanian Ministry of Defence, working on transatlantic and European security. She has also been a research associate with the Institut d’Études Européennes (IEE) at Université Saint Louis-Bruxelles. Simona holds a PhD in Political Science from the National School for Political and Administrative Studies in Bucharest where she lectured on international security (2008-2015). She is the recipient of a U.S. Department of State fellowship on U.S. Grand Strategy and has published extensively on American and transatlantic security. 6-11-2021, "Innovation as Adaptation: NATO and Emerging Technologies," GMFUS, <https://www.gmfus.org/news/innovation-adaptation-nato-and-emerging-technologies>, LASA-CSK)

Not all allies have the defense funding, technological capacity, skills, and military infrastructure to facilitate rapid defense innovation, including the adoption and scaling of emerging technologies. And not all that have such resources and knowledge are willing to share them in collaborative innovation processes. Leading allies—the United States, France, the United Kingdom, and the Netherlands—already have national-focused approaches to the adoption of EDTs. By contrast, for most Central and Eastern countries EDTs in defense are mainly a long-term prospect. Previous challenges in integrating cyber capabilities into NATO operations, persistent capability gaps among the allies, and slow standardization procedures are a good indication of the magnitude of the challenge, which is acknowledged at the highest levels of NATO decision-making. As Secretary-General Stoltenberg has stated, a technological gap between the allies would undermine interoperability and weaken alliance cohesion. In the context of the NATO AI and big data strategies and the Defense Innovation Accelerator, allies should reflect on how to improve and facilitate technological transfers among themselves. This could enable smaller allies to specialize in niche EDTs capabilities, as has been the case with cyber, for example, and could prevent the emergence of new technological and capability gaps between the allies. The Biden administration’s focus on shared democratic values and the digital agenda, and its willingness to strengthen NATO and technology partnerships, constitute a window of opportunity for the alliance. It should be fully capitalized on to accelerate transatlantic collaborative defense innovation.

### 2nc Interoperability

#### Everyone’s hiding something

Ackerman 06 ( Robert K. Ackerman, minored in political science. war correspondent covering the Iraq War embedded with the U.S. Army’s 101st Airborne Division, he served as a media advisor or a press secretary for candidates in state and presidential campaigns. “In NATO, Technology Challenges Yield to Political Interoperability Hurdles” https://www.afcea.org/content/?q=node/11597)LR

The greatest challenge facing NATO interoperability is the desire of individual nations to safeguard information and technology from their allies, according to the general manager of the agency tasked with enabling coalition interoperability. Nations with extensive data collection and processing systems are reluctant to share all elements of detailed information with even longtime allies, lest sensitive intelligence and technology aspects are revealed. And, many useful information technologies and systems developed by an individual nation are subject to export controls, which hinders their acceptance and implementation by other NATO nations. Ensuring coalition interoperability amid these conditions is complicated by the military transformation that is empowered by the rapid evolution of information technologies. The NATO Consultation, Command and Control (C3) Agency, or NC3A, is striving to enable coalition interoperability both through technological advances and by overcoming the political-cultural barriers that hinder interoperable military operations. The NC3A faces a tougher task than its national equivalents because it must bring together systems that are designed to address national needs, which often differ widely even among member nations. Not only must these systems interoperate among other national systems, they also must interoperate with NATO systems and networks. So, the cultural challenge is to establish a coalition setting where all the participants in the coalition will trust a common domain of information that can be shared by all participants, he says. Achieving that goal will require providing a secure information-sharing environment that is transparent enough for all the participants to understand that their information is protected fully. Goals include system-of-systems architectures that can allow diverse systems to interoperate effectively. This will require a different set of standards that remain to be developed, Wilhelmsen offers. “We are not there yet in many of the areas for coalition interoperability,” he admits. The programmatic area is where the technology gap rears its head. The United States is far ahead of even its most technologically capable allies, and many new and incoming NATO members are using obsolete 1960s and 1970s technologies. Wilhelmsen notes that the agency continues to assess the capability maturity of technologies that member nations bring to the coalition arena.

#### NATO emerging tech regulation fails and fractures the alliance.

Bazin ’18 — Aaron; Managing Director of the Donovan Strategy and Innovation Group, U.S. Special Operations Command. January-February 2018; "An Alliance Divided? Five Factors That Could Fracture NATO"; *Army University Press*; https://www.armyupress.army.mil/Journals/Military-Review/English-Edition-Archives/January-February-2018/An-Alliance-Divided-Five-Factors-That-Could-Fracture-NATO/; //CYang

Technology advances. The participants agreed that technology advances are important for NATO’s continued cohesion. Technology will constitute a significant intervening factor in how NATO nations maintain their cohesion in the future for three reasons. First, ever-evolving communication technology can facilitate the spread of risks coming from outside of the Alliance and exacerbate their negative effect. The examples that resonated the most during focus group sessions are information warfare and targeted propaganda against NATO nations. Internet communications technology creates infinite room for alternative media that distort reality, contribute to the emergence of populist and radical movements, and increase the danger of miscommunication among nations.

Second, NATO risks losing the innovation game to the commercial defense industrial sector. In the future, private companies will continue to stay ahead of NATO in designing specifications and setting standards for platforms. This can have a major impact on readiness and interoperability among NATO nations if their innovation efforts (e.g., the U.S. Third Offset Strategy) do not materialize.31

Third, some nations may become reluctant to share their latest technology acquisitions, especially if they put private gains above the collective endeavor. This would pose a challenge “for anyone to share information they own without gaining any profit for themselves.” The political unwillingness may feed distrust, which can result in a deepening interoperability gap between allies on the battlefield, and ultimately, a less cohesive Alliance.

#### NATO say no because of inherent distrust in US data privacy law

**Schwartz & Peifer 17** – Paul M. Schwartz is the Jefferson E. Peyser Professor of Law at the UC Berkeley School of Law and the Director of the Berkeley Center for Law & Technology. Karl-Nikolaus Peifer is a Professor of Law at the University of Cologne and the Director of the Institute for Media Law and Communications Law. (“Transatlantic Data Privacy Law,” Georgetown Law Journal vol. 106 issue 1, November 2017, <https://www.law.georgetown.edu/georgetown-law-journal/wp-content/uploads/sites/26/2019/10/Transatlantic-Data-Privacy-Law_Schwartz-and-Peifer.pdf> ) PJW

INTRODUCTION Due to the significance of international flows of personal information, the stakes are high today for the European Union (EU) and the United States when it comes to data privacy law. According to one estimate, the EU-U.S. economic relationship involves $260 billion in annual digital services trade.' Cross-border information flows represent the fastest growing component of trade in both the EU and the United States. As one technology reporter noted, "International data transfers are the lifeblood of the digital economy." 2 Yet, differences in transatlantic regulations potentially imperil critical international data flows. 3 In today's information economy, much of the EU-U.S. data trade involves personal data. Leading U.S. companies depend on access to and use of the personal information of EU citizens to provide data-driven services on the continent. Cloud providers, which offer decentralized mobile access to computing power throughout the world, similarly access and use the personal data of EU citizens. A threat to these data flows derives from EU doubts as to whether the United States has sufficient privacy protection. The resulting EU-U.S. dispute has been termed the "**transatlantic data war**." 4 This term refers to the transatlantic conflict around transfers of personal data. The roots of this "war" are found in the differing legal approaches to information privacy in the two jurisdictions. The differences are institutional, substantive, and, at the same time, elusive. Both sides recognize information privacy as an important value yet struggle to identify the meaning of core differences and the critical baseline for future collaboration. In the United States, there has been skepticism about EU privacy rights and whether they are merely disguised protectionism. 5 In the EU, there has been a longstanding debate about whether U.S. law provides sufficient protections for the personal information of EU citizens when U.S. companies and public authorities collect and process it.6 This policy debate has been accompanied by the EU setting strict limits on transfers of personal data to any non-EU country that lacks significant privacy protections. The restrictions are set by two EU legal mandates. The first is the European Directive on Data Protection, which permits data transfers from the EU to a thirdparty nation only when it has "adequate" privacy protections.7 The second is the General Data Protection Regulation (GDPR), which will replace the Directive on May 25, 2018." Under the GDPR, the adequacy requirement for data transfers continues to be the legal touchstone.9 The EU has never considered U.S. data privacy law to have an adequate level of protection.o It has faulted U.S. information privacy law for its patchwork nature and lack of adequate remedies. In response to the EU's judgment that the privacy protections of U.S. law are insufficient, the EU and the United States developed a set of first-generation solutions for transatlantic exchanges. A turning point for these mechanisms came in June 2013, with the start of Edward Snowden's revelations regarding the practices of the National Security Agency (NSA)." For the EU, the resulting information demonstrated that the NSA had engaged in data surveillance of EU citizens without adequate respect for their data privacy rights. The NSA's storage and analysis of bulk data pertaining to EU citizens was a major point of contention. 12 The resulting political firestorm has either invalidated or imperiled all firstgeneration transatlantic data transfer mechanisms. 13 An initial second-generation solution, the EU-U.S. Privacy Shield, was finalized in June 2016.14 There are already legal challenges to it in the EU. 1 5 Bridging the transatlantic data divide is, therefore, a matter of the greatest significance. On the horizon is a possible international policy solution around "interoperable," or shared legal concepts. President Barack Obama and the Federal Trade Commission (FTC) promoted this approach. For the Obama White House, there was a need for a "multistakeholder process" with the international partners of the United States to "facilitate interoperable privacy regimes." 1 6 These regimes were to be based on the starting point of "mutual recognition," which entailed an "embrace of common values surrounding privacy and personal data protection." 1 7 The extent of EU-U.S. data privacy interoperability, however, remains to be seen. In exploring this issue, this Article analyzes the respective legal identities constructed around data privacy in the EU and the United States. It identifies profound differences in the two systems' image of the individual as bearer of legal interests. The EU has created a privacy culture around "rights talk" that serves to protect "data subjects." 8 In the EU, rights talk forms a critical part of the postwar European project of creating the identity of a European citizen. As Jirgen Habermas argues, this task is a constitutional one that is central to the EU's survival.19 In the United States, by contrast, data privacy law is based on the idea of consumers whose interests merit governmental protection in a marketplace marked by deception and unfairness. In the United States, the focus is on "marketplace discourse" about personal information and the safeguarding of "privacy consumers. "20 This Article uses the models of rights talk and marketplace discourse to analyze how the EU and United States protect their respective data subjects and privacy consumers. A focus of the Article is on the respective doctrines of consent and contract in the two legal systems, which reflect **profoundly different perspectives**. In the EU, there is a collective approach to ordering privacy. Consequently, the EU limits contract through strict requirements of necessity, purpose limitation, and a ban on "tying." 21 As for consent, it is subject to limits in the EU that make it unusable in many areas as a legal basis for personal data processing. Where the focus of the EU is on restricting consent and contract, these doctrines are absent in U.S. data privacy law. In the absence of a requirement of a legal justification for personal data processing, parties in the United States can collect and use personal data without consent or contract.22 Their only duty is to follow any sector laws or other mandates that might exist. There are also likely future forces for convergence and divergence on the horizon. The forces moving the two legal systems for privacy together are a shared technological environment, increased political agreement around the benefits of personal data flow, and common security and law enforcement concerns. The forces moving the systems apart begin with the political and institutional dimensions of the EU's rights talk. There are also great differences concerning privacy remedies and a strong possibility for misunderstandings and disagreements around concepts of contract and consent in the two systems.

## AI

### 1nc Ideological Divide

#### AI enforcement through NATO foundationally fails — there’s too much divergence.

Heikkilä ’21 — Melissa; Senior Reporter for AI at MIT Technology Review, Bachelor of Social Sciences from the University of Helsinki. March 29, 2021; "NATO wants to set AI standards. If only its members agreed on the basics."; *POLITICO*; https://www.politico.eu/article/ NATO-ai-artificial-intelligence-standards-priorities/; //CYang

[TITLE]: “NATO wants to set AI standards. If only its members agreed on the basics.” Big differences over how to treat autonomous weapons could undermine NATO’s drive. On paper, NATO is the ideal organization to go about setting standards for military applications of artificial intelligence. But the widely divergent priorities and budgets of its 30 members could get in the way. The Western military alliance has identified artificial intelligence as a key technology needed to maintain an edge over adversaries, and it wants to lead the way in establishing common ground rules for its use. “We need each other more than ever. No country alone or no continent alone can compete in this era of great power competition,” NATO Deputy Secretary-General Mircea Geoană, the alliance’s second in command, said in an interview with POLITICO. The standard-setting effort comes as China is pressing ahead with AI applications in the military largely free of democratic oversight. David van Weel, NATO’s assistant secretary general for emerging security challenges, said Beijing's lack of concern with the tech's ethical implications has sped along the integration of AI into the military apparatus. "I'm ... not sure that they're having the same debates on principles of responsible use or they're definitely not applying our democratic values to these technologies,” he said. Meanwhile, the EU — which has pledged to roll out the world's first binding rules on AI in coming weeks — is seeking closer collaboration with Washington to oversee emerging technologies, including artificial intelligence. But those efforts have been slow in getting off the ground. For Geoană, that collaboration will happen at NATO, which is working closely with the European Union as it prepares AI regulation focusing on “high risk” applications. The pitch NATO does not regulate, but “once NATO sets a standard, it becomes in terms of defensive security the gold standard in that respective field,” Geoană said. The alliance's own AI strategy, to be released before the summer, will identify ways to operate AI systems responsibly, identify military applications for the technology, and provide a “platform for allies to test their AI to see whether it's up to NATO standards,” van Weel said. The strategy will also set ethical guidelines around how to govern AI systems, for example by ensuring systems can be shut down by a human at all times, and to maintain accountability by ensuring a human is responsible for the actions of AI systems. “If an adversary would use autonomous AI powered systems in a way that is not compatible with our values and morals, it would still have defense implications because we would need to defend and deter against those systems,” van Weel said. “We need to be aware of that and we need to flag legislators when we feel that our restrictions are coming into the realm of [being detrimental to] our defense and deterrence,” he continued. Mission impossible? The problem is that NATO's members are at very different stages when it comes to thinking about AI in the military context. The U.S., the world's biggest military spender, has prioritized the use of AI in the defense realm. But in Europe, most countries — France and the Netherlands excepting — barely mention the technology’s defense and military implications in their national AI strategies. “It’s absolutely no surprise that the U.S. had a military AI strategy before it has a national AI strategy," but the Europeans "did it exactly the other way around," said Ulrike Franke, a senior policy fellow at the European Council on Foreign Relations, said: That echoes familiar transatlantic differences — and previous U.S. President Donald Trump's complaints — over defense spending, but also highlights the different approaches to AI regulation more broadly. The EU's AI strategy takes a cautious line, touting itself as "human-centric," focused on taming corporate excesses and keeping citizens' data safe. The U.S., which tends to be light on regulation and keen on defense, sees things differently. There are also divergences over what technologies the alliance ought to develop, including lethal autonomous weapons systems — often dubbed “killer robots” — programmed to identify and destroy targets without human control. Powerful NATO members including France, the U.K., and the U.S. have developed these technologies and oppose a treaty on these weapons, while others like Belgium and Germany have expressed serious concerns about the technology. These weapons systems have also faced fierce public opposition from civil society and human rights groups, including from United Nations Secretary-General António Guterres, who in 2018 called for a ban.

### 2nc Ideological Divide

#### TONS of legal barriers to AI systems in Europe – and more coming

**Czuchaj, et al 21** - Dariusz Czuchaj, attorney at law, counsel at Dentons’ Warsaw office, is a member of the Intellectual Property and Technology practice team. Marc Elshof is a partner in Dentons' Amsterdam office and Co-Head of Europe Data Privacy & Security. He has specialised experience in complex IT and data protection matters. Marc advises our global clients on their national and cross-border data protection issues and worldwide data protection strategies, as well as on cybersecurity issues. He further assists our clients on their IT matters, including complex IT contracting, software licensing, SaaS agreements, and outsourcing projects. Anna Szczygieł, advocate and associate in the Warsaw office of Dentons, is a member of the Intellectual Property Practice Group. (“Key challenges of artificial intelligence: AI privacy concerns and the GDPR,” Dentons, last updated April 2021, <https://www.businessgoing.digital/key-challenges-of-artificial-intelligence-ai-privacy-concerns-and-the-gdpr/> ) PJW

The issue of data privacy is often among the first risks that come to mind in relation to artificial intelligence, since developing, testing and implementing AI technologies often involve the processing of personal data. According to Dentons’ AI survey, 81 percent of respondents cited personal data protection as a significant concern.

Users of AI technology that operate in the European Union or that serve customers in Europe need to be aware of the EU data protection framework, including notably the General Data Protection Regulation (GDPR). In addition, on April 21, 2021, the European Commission published its “Proposal for a Regulation of the European Parliament and of the Council laying down harmonized rules on Artificial Intelligence (Artificial Intelligence Act) and amending certain Union legislative acts” (the Draft AI Act – available here, in English as well as other EU languages; the Slovenian Presidency of the Council of the European Union published its compromise text on November 29, 2021—available here, in English), which also has important data protection implications.

A risk-based approach to privacy

Both the GDPR and the Draft AI Act take a risk-based approach to privacy.

According to the GDPR, where the processing of personal data is likely to result in a high risk to the rights and freedoms of individuals (which may be the case when AI systems are used), the controller is required to carry out a data protection impact assessment (DPIA) to evaluate the likelihood and severity of that risk. It must then determine possible mitigating measures.

Similarly, the Draft AI Act distinguishes uses of AI that create (i) an unacceptable risk, (ii) a high risk, and (iii) low or minimal risk. Providers of AI systems that are likely to pose high risks to the safety or fundamental rights of individuals must conduct an **upfront risk assessment.**

Artificial intelligence and the right to privacy

Guido Scorza, Commissioner of the Italian Data Protection Authority

“While we cannot block the spread of artificial intelligence, we need to govern and orient it. If we leave the market free to regulate itself—which is largely what has happened up until now—there is a risk that everything that is technologically possible could also be considered legally legitimate. This cannot be the case in our democratic societies.

Fundamental rights, starting with the right to privacy, must represent a natural constraint in the design and implementation of artificial intelligence solutions and must be inoculated by design and by default.

In a large part, the General Data Protection Regulation marks this path and equips supervisory authorities with tools to enforce the rules. Adding to this, I believe we should extend the obligation to respect the same principles of privacy by design and by default to manufacturers of smart devices and smart service providers. This would avoid the risk that data controllers and data processors could have instruments to circumvent European rules on data protection.”

In their joint opinion on the Draft AI Act, the European Data Protection Supervisor (EDPS) and the European Data Protection Board (EDPB) stressed that the classification of an AI system as “high-risk” creates a presumption of “high-risk” under the GDPR as well. This will trigger the need for a Data Protection Impact Assessment (DPIA) in addition to the conformity assessment under the Draft AI Act.

As risk assessments and DPIAs stem from different regulations, businesses should not assume that a High-Risk AI System (or HRAIS) that is admissible under the Draft AI Act is therefore also lawful under the GDPR. This will require a **separate legal analysis**, although the tools used for DPIAs may be revised to be suitable for the risk assessment under the Draft AI Act as well. Users of AI systems may use the information from the AI risk assessment done by the provider of the AI system as input for their DPIA.

81% of respondents cited personal data protection as a challenge to implementing AI.

Prohibited uses of AI

Separately to the HRAIS, the Draft AI Act sets out a list of “prohibited AI practices.” Businesses should be aware that certain broadly described practices are prohibited, unless a statutory exception applies. The following uses are examples of prohibited AI practices:

Use of an AI system deploying subliminal components or resulting in exploiting any vulnerabilities of a specific group of persons—due to their age, disability or social-economic situation—to materially distort behavior and cause physical or psychological harm;

Any type of social scoring practices that could lead to discriminatory outcomes and the exclusion of a certain group.

In this context, we note that the compromise text of the Draft AI Act, released on November 29, 2021 by the Slovenian Presidency of the Council of the European Union, broadens the scope of prohibited AI practices, including by prohibiting real-time (and not only remote) biometric identification of individuals in publicly accessible spaces by law enforcement authorities or on their behalf (except in specific circumstances) and social scoring practices performed over a certain period of time, regardless whether by public authorities or private actors. Previously, only the public sector was targeted.

High-Risk AI Systems

The updated text of the Draft AI Act also provides for a comprehensive list of HRAIS. Businesses should be aware of the use of AI systems (non-exhaustive) that are:

Intended to be used for the recruitment or selection of natural persons, notably for advertising vacancies, screening or filtering applications;

Intended for making decisions on promotions and terminations of work-related contractual relationships, for task allocation based on individual behavior or personal traits or characteristics, and for monitoring and evaluating performance and behavior of persons in such relationships;

intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small-scale providers for their own use;

intended to be used for setting insurance premiums, underwriting and assessing claims.

AI system providers located outside the EU

An important obligation for providers located outside the European Union offering AI systems in the EU will be to appoint by written mandate an authorized representative established in the EU. The GDPR has a similar obligation, which is regularly overlooked. It will be interesting to see if providers will be able to find representatives willing to take on the responsibilities conferred upon them under the Draft AI Act. For GDPR representatives, it has been our experience that this is **not always easy**.

Transfer of personal data outside the European Economic Area

The use of AI technologies in many cases involves cross-border transfers of personal data. Where personal data is transferred from the European Economic Area (EEA) to a country outside the EEA, the GDPR sets additional requirements. Businesses will have to implement a transfer mechanism (such as the new Standard Contractual Clauses adopted by the European Commission). They will also need to assess those laws and practices in the third country related to access by public authorities to the transferred personal data. They may be further required to implement supplementary measures on top of the Standard Contractual Clauses.

Outside the EEA, more and more countries are adopting stricter rules on cross-border data transfers, including the obligations to obtain consent, ensure contractual safeguards and to follow data localization requirements.

Transparency

Transparency of personal data processing is one of the GDPR’s key principles, and this principle applies in full to any AI technologies that process such data. **Achieving the required level of transparency can be a challenge with AI**, thanks to its highly technical and complex nature, making it difficult to understand how data is processed through the system. In addition, personal data is processed in AI systems in two ways: Data serves as an input (e.g. to learn), and the AI system produces data as an output. Some AI systems then use that output data to make automated decisions in individual cases (such as in evaluations of creditworthiness). This may trigger additional GDPR requirements around automated decision-making; moreover, it requires users of an AI system to be mindful of the different ways the AI system can process personal data.

Furthermore, individuals may not always expect (let alone understand) the different ways an AI system processes their personal data. For this reason, it is crucial to provide users in advance with concise, transparent, intelligible information, in an easily accessible form, and using clear and plain language. Transparency is not just a GDPR requirement. The Draft AI Act contains separate transparency obligations, such as to ensure that AI systems intended to interact with natural persons are designed and developed in such a way that natural persons are informed that they are interacting with an AI system (unless this is obvious from the circumstances and the context of use).

#### AI cooperation can’t get past the AI cop – massive restrictions, inspections, public opposition

Natalia **Drozdiak 21** - EU Reporter on Foreign Policy and NATO. (“Europe Is Already Policing Privacy. AI Could Be Next,” Bloomberg, 04/13/2021, <https://www.bloomberg.com/news/newsletters/2021-04-13/europe-is-already-policing-privacy-ai-could-be-next> ) PJW

Hey everyone, it's Natalia. Europe is already the world’s tech privacy cop. Now it **might become the AI cop too**.

Companies using **a**rtificial **i**ntelligence in the EU could soon be required to get audited first, under new rules set to be proposed by the European Union as soon as next week.

The regulations were partly sketched out in an EU white paper last year and aim to ensure the responsible application of AI in high-stakes situations like autonomous driving, remote surgery or predictive policing. Officials want to ensure that such systems are trained on privacy-protecting and diverse data sets.

The proposal comes as AI capabilities are woven into everything from online shopping, to music recommendations and even fever detection and other Covid-screening technologies rolled out during the pandemic. The technology is advancing innovation but it’s also increasingly **setting off alarms** around discrimination, misuse, privacy and other issues.

Facial recognition is particularly controversial. China has been accused of human rights abuses in Xinjiang, where it’s targeted the Uighur population using scanning systems. Meanwhile, some civil liberties groups warn of the dangers of discrimination or mistaken identities when law enforcement uses the technology, which sometimes misidentifies women and people with darker skin tones.

Dozens of digital rights groups are urging the EU to ban certain uses of facial recognition tools in Europe, pointing to increased use of the technology by public and private actors despite the bloc’s strict privacy rules. “We are deeply concerned about the dramatic increase in the deployment of biometric technologies all across Europe that pave the way for indiscriminate mass surveillance,” said Friederike Reinhold, a senior policy advisor at AlgorithmWatch. “We see an **urgent need to draw red lines** here.”

The EU could be leaning toward answering those pleas. In a March letter to members of the European parliament obtained by Bloomberg, European Commission President Ursula von der Leyen spelled out plans for mandatory rules for high-risk AI, adding that “in the case of applications that would be simply incompatible with fundamental rights, we may need to go further.”

But any new rules could clash with another major EU goal: boosting its prowess in advanced technologies like AI to better compete with the U.S. and China. The EU is already planning direct equity investments in early stage AI and other technology startups via its 3 billion-euro venture capital fund.

If the EU’s rules get passed, some systems could face delays as they undergo the checks. It’s also unclear whether Europe’s member states have enough AI talent on-hand to routinely carry out sophisticated inspections of the technology involved.

EU officials seem to be making the bet that slowing down AI development will ultimately yield a safer, more sustainable technology. The risk, of course, it that someone else will make it first.

#### Germany ensures restrictive AI measures

Melissa **Heikkilä 21** - Senior Reporter for AI at MIT Technology Review. (“German coalition backs ban on facial recognition in public places,” POLITICO, 09/24/2021, <https://www.politico.eu/article/german-coalition-backs-ban-on-facial-recognition-in-public-places/> ) PJW

Germany's incoming government is **throwing its weight behind a ban** on the use of biometric identification technologies such as facial recognition in public places. According to their coalition deal, the Social Democrats (SPD), Greens and liberal Free Democrats (FDP) want to "exclude" biometric recognition in public spaces as well as automated state scoring systems by AI through European law. "Biometric recognition in public spaces as well as automated state scoring systems by AI are to be excluded under European law," reads the coalition agreement, presented on Wednesday. The EU's **A**rtificial **I**ntelligence Act, proposed in April, creates product safety rules for “high risk” AI that is likely to cause harm to humans. It also bans certain “unacceptable” AI uses, such as social scoring and restricts the use of remote biometric identification in public places from law enforcement, unless it is to fight serious crime, such as terrorism. The AI Act's prohibitions are some of the bill's most contentious articles, and many European countries have yet to decide what they think. Germany's support of a ban could **rally other countries to the same view**. Belgium and Slovakia have already expressed their support. Some EU countries, such as France, are worried that a ban on facial recognition would weaken national security. Members of the European Parliament have also called for a full ban on facial recognition in public places. "The clear 'no' to biometric surveillance in public spaces and additionally the right to anonymity online and offline as well as the right to encryption are a paradigm shift in the German discussion about AI. This will be very welcomed support for the upcoming negotiations on the AI Act," said German MEP Svenja Hahn, who belongs to the FDP and is one of the co-negotiators of the AI Act in the Parliament's internal market committee.

#### Say no – Germany blocks

Erik Lin-Greenberg 20, postdoctoral fellow at the University of Pennsylvania’s Perry World House. Texas National Security Review, Vol 3, Iss 2. Spring. "Allies and Artificial Intelligence: Obstacles to Operations and Decision-Making" <https://tnsr.org/2020/03/allies-and-artificial-intelligence-obstacles-to-operations-and-decision-making/>)LR

Despite the surge in international attention on AI, not all states have developed robust AI capabilities, particularly for military applications. One recent study finds significant variation in the capacity of states to “exploit the innovative potential of AI” for government purposes.51 States like the United Kingdom, Germany, and the United States receive high marks for AI readiness, while other allies like Spain, Turkey, and Montenegro fall lower on the readiness scale.52 This unequal distribution of AI technology can result from differences in the organizational, financial, and human capital available to develop and deploy new technologies and differences in political support for the use of AI.53 Uneven distribution of AI technologies has important implications for the ability of allies and partners to divide military tasks during crises. Variation in the capacity to adopt and integrate AI technology into state militaries can create AI “haves” and “have-nots.” Some states — like Germany — possess a robust technology sector, have the financial resources to fund research and acquisitions, and maintain defense bureaucracies that are sufficiently skilled and flexible to integrate new AI technologies.54 Indeed, many of these states have created government institutions to manage military AI development. The United States, for example, established the Joint Artificial Intelligence Center in 2018 to coordinate the Defense Department’s AI programs.55 Other states lack these resources and are unable to rigorously pursue new AI capabilities. For instance, many of NATO’s economically weaker members have focused their defense spending on modernizing conventional forces and updating Cold War-era hardware, and not on AI development.56 Even if a state has the resources to develop AI capabilities, limited public support for AI-enabled military systems can hamper such efforts. Opposition can stem from the uncertainty surrounding AI’s functionality, or from moral and ethical objections to delegating decisions on the use of force to computers. One recent cross-national survey, for instance, finds significant public disapproval of the use of lethal autonomous weapons among key U.S. allies. To be sure, autonomous weapons and AI are distinct, but AI is incorporated into the software architecture of most autonomous systems, and pundits and the public often conflate the two.57 In South Korea and Germany, 74 and 72 percent of the local populations, respectively, oppose their use (compared to 52 percent opposition among the U.S. public).58 These two countries are close U.S. allies that host dozens of U.S. military installations and over 60,000 American troops.59 In addition to creating obstacles to the conduct of multinational military operations, AI can also strain the ability of alliance leaders to make decisions during a crisis. Alliance decision-making is often characterized as a contentious process in which policymakers from states with different national interests, military capabilities, and risk tolerances coordinate their preferences.86 Policymakers seek to advance their state’s own interests during deliberations, frequently leading to negotiated policy compromises. NATO allies, for instance, routinely have policy disagreements — take, for instance, clashes over the response to Egypt’s nationalization of the Suez Canal in 1956 and over the 2003 U.S. invasion of Iraq.87 Alliances and coalitions are also fraught with commitment problems, where states fear that allies will back out of agreements or drag them into unwanted conflicts.88 Divergent national positions and fears of abandonment can lead decision-making consultations between states to be drawn out, and, if conducted in the midst of a crisis, leave alliances unable to respond decisively to threats.89

### 1nc Norms Fail LAWS

#### Intl norms fail for LAWs

Trager & Luca ’5-11 — Robert; an associate professor of political science at the University of California, Los Angeles. Laura; a graduate student in political science at the University of California, Los Angeles. May 11, 2022; "Killer Robots Are Here — and We Need to Regulate Them"; *Foreign Policy*; https://foreignpolicy.com/2022/05/11/killer-robots-lethal-autonomous-weapons-systems-ukraine-libya-regulation/; //CYang

So far, the international community has attempted — and failed — to regulate LAWS. In December 2021, after eight years of technical discussions, government and civil society representatives met at the U.N. in Geneva to set an agenda for regulating LAWS for the first time in what was billed as a “historic opportunity.” Most attendees favored legally binding rules that apply equally to all states to govern the development and use of these technologies. Yet, by any standard, the meeting failed. Despite years of preparatory discussions within the framework of the U.N. Convention on Certain Conventional Weapons (CCW) — a forum for restricting the use of weapons considered to cause unnecessary or unjustifiable suffering to combatants or to affect civilians indiscriminately — the attendees barely managed to agree on 10 more days of discussion this March and July. This outcome was to be expected given the positions of the major powers and the CCW rules requiring consensus before action is taken. (Disclosure: Both authors have been affiliated with the CCW.) In response, a wide array of actors — from Amnesty International and Human Rights Watch to some of the states in favor of a LAWS ban, including Argentina and the Philippines — are calling for a process to develop legally binding prohibitions on these weapons outside of the CCW. Alternative approaches to prohibition treaties have had some success in the past, such as when countries agreed to give up land mines through the 1997 Ottawa convention; cluster munitions through the 2008 Oslo Accords; and even nuclear weapons through the 2017 Treaty on the Prohibition of Nuclear Weapons, which was the first treaty to completely ban nuclear weapons in line with international humanitarian law and establish pathways for current nuclear weapon states to renounce them. However, while many states signed these treaties, most of the powerful states did not. Unfortunately, even this limited success is likely to be elusive in the case of LAWS. The primary reason is that states are increasingly aware that these non-substitutable technologies may become crucial to their security and are thus unlikely to unilaterally abandon them. If states’ adversaries have them, they will likely believe they need them — and absent the sort of nonproliferation regime that exists for nuclear weapons, their adversaries will, in fact, continue to rapidly develop LAWS without much oversight. Nonproliferation has yet to receive much attention in the case of LAWS, but it has worked to varying degrees in the past with the missile technology control regime, biological weapons, chemical weapons, and, of course, nuclear weapons. The landmark Nonproliferation of Nuclear Weapons Treaty (NPT), which entered into force in 1970, met the requirements of major and lesser powers: It did not require those who possessed nuclear weapons to renounce them immediately, allowed other states access to the benefits of civilian use of nuclear power, and relied on a trusted international organization that was charged with the dual responsibility of promoting and controlling nuclear technology. A similar nonproliferation regime for LAWS could facilitate regulation of their development, transfer, and employment — even by the powers that do not give them up. It would reduce the use of these technologies for authoritarian control and terrorist actions worldwide and, as in the nuclear case, create the possibility of developing norms against LAWS use that apply to all. This would admittedly be complicated. The nuclear nonproliferation regime has thus far been largely successful because it has been a central pillar of major powers’ grand strategies. Indeed, detente in the Cold War involved superpowers agreeing to police proliferation in their spheres of influence. Security guarantees mollified countries that otherwise would have felt too insecure to forgo nuclear weapons. Threats and promises convinced countries, such as Iran when it signed the Joint Comprehensive Plan of Action, to accept stricter limits on its nuclear program than it would have otherwise. Without this focused attention, nonproliferation and arms embargo regimes regularly fail. Indeed, the autonomous weapons used in Libya were exported by Turkey in violation of a U.N. arms embargo. A successful LAWS nonproliferation regime would thus require states to prioritize the issue more than they currently do in their national security strategies, especially as the technologies become more widespread and effective. Another issue that all nonproliferation regimes face is the dual-use nature of technology. In a striking example, in December 2020, the U.S. Air Force employed an algorithm called MuZero to select targets for missile strikes in a training exercise. MuZero was developed and made public by DeepMind, a subsidiary of Google’s parent company, Alphabet, which has pledged not to work on autonomous weapons. Although DeepMind showcased its algorithm by training computers to play games like chess and Go at superhuman levels, the U.S. Air Force’s use of the technology raised concerns about using DeepMind’s work for more lethal purposes. Existing nonproliferation regimes try to address this problem through targeted export restriction agreements for dual-use technologies. The Australia Group provides a model for this: Its 43 countries coordinate export limitations on technologies that facilitate biological or chemical weapons development. Although this hasn’t halted proliferation entirely, it has arguably slowed its pace. The problem of restricting the spread of software, which can be copied, is even more difficult. This is important because many actors could pair autonomy-enabling software with commercially available hardware to produce weapons easily.

## Biotech

### 1nc Biotech Norms Fail

#### Norms fail to regulate biotech military application

Finabel ’21 — European Army Interoperability Organization. February 11, 2021; “The Bio-enhanced Soldier In International Law: Classification And Obligations"; https://finabel.org/the-bio-enhanced-soldier-in-international-law-classification-and-obligations/; //CYang

The first obligation is that the weapon under review would discriminate accurately enough to only target combatants or to be used against legitimate military targets. The second obligation is proportionality, meaning that the use of a weapon must be proportional to the military objective and must keep civilian casualties to a minimum. The final obligation is to avoid unnecessary suffering. This, however, can be rather problematic when it comes to countermeasures against enhanced soldiers as the standards neutralising personnel are different from those governing material. If the reinforced soldier in question falls under the category of “material”, then the level of severity for neutralising the system will be higher. It is therefore essential that a legal categorisation of reinforced soldiers is created from the outset. This could be problematic since states could have divergent understandings of how this category of soldiers should be classified, thus leading to countermeasures that would not comply with the laws of warfare regarding the minimising of suffering.

Human enhancement for military applications would, in certain circumstances, be caught under the obligations of compliance with IHL. This is because it could be seen either as means of warfare, or method of warfare, depending on the interpretation. States would have to review whether or not it is compatible with their obligations under the rules of warfare. Such obligations would demand discrimination between civilians and military targets, not to mention the principles of proportionality and unnecessary suffering. However, such would have to be considered on a case-by-case basis, as different technologies could encompass different legal classifications based on their purposes.

### 2nc Biotech Norms Fail

#### No consensus over biotechnology definition

IUBMB, 04 (IUBMB, 5-10-2004, "Biotechnology: What it is, what it is not, and the challenges in reaching a national or global consensus," The International Union of Biochemistry and Molecular Biology, <https://iubmb.onlinelibrary.wiley.com/doi/pdf/10.1002/bmb.2004.494032040375>, LASA-CSK)

Each country, state, or organization with not inconsiderable due diligence has cobbled together a cluster of meaningful words and phrases in an attempt to identify biotechnology and get a “grasp on the beast,” desiring to get a frame of reference on which to build decision-making regarding resource allocation, comparative analyses, and many of the other features described above, including many aspects of importance to the academic sector such as funding for research, research-training, training, and education.

### 2nc Say “No” GMOS

#### European strict regulations reject biotechnology despite scientists’ objections

Paarlberg, 21 (Robert Paarlberg, 2-1-2021, "Opinion: Europe Is Sinking Biotech—Again," Scientist Magazine®, <https://www.the-scientist.com/reading-frames/europe-is-sinking-biotechagain-68339>, LASA-CSK)

When it comes to modern agricultural biotechnology, Europe’s caution has been slowing progress for more than two decades. It started in the 1990s, when Europe began rejecting crops modified using recombinant DNA, or DNA from other species—crops branded as genetically modified organisms (GMOs). Now it is doing the same for gene-edited crops improved using CRISPR. European scientists have objected to this new blockage, but they are not the only ones paying a price. Using CRISPR, researchers are now working to make crop plants that have higher yields, resist disease or stress, or are tastier, more nutritious, or more convenient than conventionally bred varieties. As farmers seek to adapt to climate change, gene editing could become an even more valuable tool in agriculture—if regulators will allow it. Decades ago, it was transgenic modification that seemed poised to help increase drought tolerance, disease resistance, and crop yields, and to curtail insecticide use. But consumers in Europe were scared away from the resulting GMO foods by activist organizations, while governments stifled the products with strict regulation; most farmers there have never planted them. GMO consumer foods are also not imported into Europe, due to a burdensome tracing rule that requires all operators in the marketplace to maintain, for five years, a record of every single GMO they handled, where it came from, and where it went. Rather than take on this logistical nightmare, food companies in Europe reformulated their products completely away from GMO ingredients, and those exporting to Europe now do the same or plant no GMOs at all. In the US, where GMO regulations are more permissive, farmers have planted GMO cotton, plus GMO corn and soybeans (mostly for animal feed and auto fuel), but they voluntarily avoid GMO wheat, rice, and potato, partly for fear of encountering commercial rejections in Europe. As I discuss in my new book, Resetting the Table, Europe’s policies ignore a consensus among science academies around the world—including in Europe—that GMO crops pose no new risks either to human health or to the environment. Even the European Commission concurs with this view, concluding in a 2010 analysis that “biotechnology, and in particular GMOs, are not per se more risky than e.g. conventional plant breeding technologies.” Now Europe’s rejection of new agricultural biotechnology is being repeated for gene-edited crops. First reported in 2012, CRISPR should have been less controversial than transgenic work because it does not rely on bringing in genes from unrelated species, and it closely resembles the natural process of genetic mutation. The EU’s own advocate general offered a preliminary nonbinding opinion that CRISPR crops should not fall under the strict regulatory requirements of Europe’s GMO Directive, but the European Court of Justice in Luxembourg (the EU equivalent of the US Supreme Court) concluded in 2018 that gene-edited organisms should be regulated like GMOs.

### 2nc Say “No” France

#### France says no – parallel science clouds any biotech decisions

Kuntz 14 (Marcel, is a Director of Research at CNRS but is not the spokesman of the institution for which he works. “The GMO case in France: Politics, lawlessness and postmodernism”, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5033180/)//LR

On April 13, 2005, MPs Jean-Yves Le Déaut and Christian Ménard16 issued a report for the “Information Mission of the National Assembly on GMOs. “Their conclusions aimed to be “nuanced and if possible, reassuring.” The report reveals clearly the political divide over this topic: Socialists, Communists, and of course the Greens, being opposed to GMOs, whereas the Center and the Right parties being rather in favor (at least supportive of research), with dissenting voices on each side. In an attempt to placate opponents, the report recommended not to allow any new field trial in 2005. It also recommended unpractical burdens on field trials, such as proposition n° 24 “to perform, during the Bt crops field trials, a study of insect populations including bees (number, behavior, reproduction)” or new obstacles prior to marketing, such as performing socio-economic impact studies (as already recommended in the 2000 Aubert report, illustrating the spread of “Green” views). The report is also embedded in typical postmodernist views (see discussion below) such as “to involve the public and local community representatives and associations” (propositions 53 and 55). The French government moved from a precautionary doctrine in 1997 (which occasionally lost sight of science for political reasons) to the development of its own parallel “science” from 2008 onwards (again for political reasons). While successive governments maintained some rhetorical support for “research on GMOs” for years, the last GMO field trial in France (poplar trees as part of an INRA experiment) was terminated on July 13, 2013 (because Minister Le Foll declined to give an answer to an application by INRA to prolong the experimentation). Such a drift from a precautionary approach in 1997 to a de facto ban illustrates the impact of the precautionary principle. The official “public debates” organized in France also moved from the objective of providing information to the decision makers (with a direct link between the latter and experts), and to the public, to a negotiation-type of debate between “stakeholders” and the government, with a limited role for experts (as was the case for the 2007 “debate” on environment). Public debates also became relativist in nature (scientific knowledge is considered as an opinion just like any other opinion, a characteristic of the postmodern ideology).20 Obviously, these debates have not appeased confrontations concerning GMOs. On the contrary, they have encouraged opponents to become more radical asking for more concessions, until the total eradication of GMOs. For example, on May 23, 2011, a group of activists invaded the agronomical research institute (INRA) center in Angers for a “citizen inspection” of a confined experiment using GM pears. This clear act of intimidation was on the pretext that no dialog had been implemented. **GMO experimentation sites have gradually become a** lawless area **for activists.** The reason is clear: the strength of the anti-GMO lobbies is directly correlated to the weakness of politicians. With no more GMO fields to destroy in France, they have since started targeting mutagenized varieties employing the same tactics as used against GMOs (they call mutagenized varieties “hidden GMOs”).29 The fact that the term “genetically modified” is semantically vague can be used by opponents to target all new breeding techniques since their final goal is to destroy seed trade which is perceived as “smothering peasants” (see Fig. 1A). Thus, activists have also occasionally invaded Monsanto's facilities (although the company no longer actually sells GM seeds in France) or agricultural organizations’ premises for diverse reasons but usually linked to seed business or seed regulation. In conclusion, GMO cultivation in France is totally blocked (including field trials and GM research) for political reasons, with no foreseeable way to reverse this situation.

### 2nc Say “No” No US Cred

#### Cooperation fails – empirics prove the US goes back on promises or has nor cred

Hanling, 3/22 (Wang Hanling, 3-22-2022, "US military bio-research violates international law," No Publication, <https://global.chinadaily.com.cn/a/202203/22/WS623907d1a310fd2b29e52569.html>, LASA-CSK)

The US military's bioresearch in Ukraine and other countries violates the 1925 Geneva Protocol and the BTWC, which are an important part of the international law to prevent the proliferation of weapons of mass destruction. And as a pillar of international peace and security, the BTWC has the support of an overwhelming majority of the countries in the world. The state parties to the BTWC have ensured that it remains effective and is continuously strengthened. However, the US refuses to allow international monitoring of its weapons research facilities, and has not stopped research into biological and chemical weapons. In 2001, the US unilaterally withdrew from the negotiations on the development of an additional protocol to the BTWC, according to which an independent body, the "Technical Secretariat", was supposed to monitor the microbiological research activities of all countries. The US military used on its own territory a combat biological formulation of anthrax strain, Ames strain, resistant to all antibiotics and not amenable to treatment, according to the Russian Academy of Sciences. Worse, the US has been blocking the establishment of the BTWC's verification mechanism for more than 20 years. It is clear therefore that the US resorts to double standard on bioresearch, as it does on many other issues of global concern. And yet it made outlandish accusations against China that the novel coronavirus had leaked from the Wuhan Institute of Virology without providing any evidence.

### 1nc Fails Private Sector

#### The DOD can’t scale up defense specific biotech products – “valley of death” ensures the private sector won’t cooperate

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Acquiring Biotech and the ‘Valley of Death’ Even if all needs for biotechnology were clear, the Defense Department would still need to improve the way it acquires biotechnology for the battlefield. Which capabilities should continue to be built in the department’s service research labs, and which ought to be acquired from external companies? One option is to simply adopt useful commercial products off the shelf as they are innovated in the private sector, particularly since many innovative biological materials can be dual-purposed for both consumers and the military. For example, in addition to its promise as lightweight body armor, spider silk can be used in ordinary clothing, textiles, construction materials, and novel medicines. Alternatively, the Defense Department could ask the private sector to create defense-specific products from the ground up. A third option is to generate prototype products within the department, then use the private sector to scale and deliver them. Right now, the inability to scale up synthetic biology products from prototypes is a bottleneck hindering the broad adoption of biotechnology and the private sector is already investing in scaling solutions — whether for commercial markets or defense. While the answer is likely a combination of all these approaches, the Defense Department needs to communicate clearly with biotechnology performers, since the private sector is not likely to make choices for manufacturing products for national security on its own. The well-recognized “valley of death” that prevents technological innovations from being translated into medicines, equipment, and warfighter benefits is a problem much broader than biotechnology. Since World War II, there has been a steady decline in the defense industrial base, as fewer companies are able to provide products specific to defense. Supply chains have become burdensome and unwieldy. For example, the successful genetic engineering of silk worms to make “dragon silk” for warfighters is promising. But producing dragon silk at scale will require thousands of silkworms — which in turn require a large acreage of mulberry trees not readily available in the United States. The company creating dragon silk hopes to use farming cooperatives in Vietnam to resolve the problem, but this will perpetuate the same kind of burdensome and costly supply chain that plagues defense acquisitions — working through foreign company contracts and embassies, and generating potential single points of failure through reliance on sole suppliers outside the country. To reduce these types of inefficiencies, defense planners must envision biotechnology products from inception through their full development and manufacture pathways that allow these technologies to be successfully shepherded through nimbler and more secure industrial supply chains. The “valley of death” also prevents technology companies from seeing the Defense Department as an attractive customer. The Pentagon’s traditional models for acquisition tend to be time-consuming and less cost-effective than commercial contracts. Recently, a report commissioned by the president on the state of the U.S. industrial base described the uncertainty of federal spending, the unintended consequences of government acquisition behavior, and the loss of skills in the domestic workforce as “unprecedented” challenges to defense manufacturing. America’s global competitors could be closing the technology gap because of process failures, rather than a lack of technology talent or innovative ideas.

### 2nc Fails Private Sector

#### Production and inequality wreck biotech adoption

Bellasio et al., 21 (Jacopo Bellasio, Linda Slapakova, Luke Huxtable, James Black, Theodora Ogden and Livia Dawaele, RAND Europe, 7-2021, " Innovative technologies shaping the 2040 battlefield," STOA | Panel for the Future of Science and Technology, <https://www.europarl.europa.eu/RegData/etudes/STUD/2021/690038/EPRS_STU(2021)690038_EN.pdf>, LASA-CSK)

Existing literature documents significant concerns that many emerging biotechnologies are susceptible to single points of failure for essential components. 144 For example, while the bioengineering of silkworms to generate 'dragon silk' could produce advanced body armour, silkworms survive on mulberry leaves, and would require over 6,000 acres of mulberry trees for large-scale production. Current examples of such production processes, such as those pursued by the US Department of Defence (DOD), highlight the reliance of the production process on farming cooperatives in Vietnam, which require international contracts, embassy approvals and a complex supply chain, representing a potential singlesource point of failure. 145 Inequality of access represents a further potential barrier for the adoption of biotechnological advances such as gene editing. Within the military, uniformity is used as a mechanism to instil discipline and garner compliance with rules and directions, which is intrinsically tied to the chain of command structure. 146 Making some human enhancement technologies available to some, but not others (e.g. special forces personnel only) may lead to dissent, potentially allowing soldiers to refuse deployment on the basis that they have not been afforded the same protection as others.147

## Cyber

### 1nc Terminology

#### No Solvency – divergent terminology makes interoperability impossible

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The reason for the tendency to create still new terms based on the root cyber is the term cyberspace, and not as it could be assumed cybernetics. The analysis and critical review of subject literature conducted by the authors revealed that words formed with the prefix-cyber are very popular terms of the turn of the 20th and 21st century. Nonetheless, regardless of their popularity, they have not been defined with the use of commonly accepted definitions. Different NATO member states use those concepts with varied meanings. Thus, it is impossible to provide unequivocal referent of cyberspace, which from the pragmatic point of view creates a barrier to NATO’s interoperability at the time of cyberspace operations. The obvious lack of explicitness in defining terms relating to operations in cyberspace allows to draw a conclusion that a piece of new reality formed as a result of civilization development of societies is not sufficiently defined and examined, if it is at all. Lack of clear-cut terminological convention is a serious obstacle for NATO’s interoperability at the time of operations run in cyberspace. Lack of agreement between both the scientists and practitioners in terms of one commonly accepted definition of a piece of reality called cyberspace contributes to disagreement in terms of one undisputable referent of cyberspace. A common language is the basis for proper, effective, supra-sectional cooperation both at the time of peace and war as well as crisis situations. It should be consistent and univocal. Partners should use not only the same terms but also the definitions of the terms should have strict, univocal and identical semantic scopes. Meanwhile, cooperation seems to be hindered since partners in NATO use various referents of cyberspace. This leads to the assumption that there is no agreement in terms of operational sphere. The definitions of cyberspace observed in the USA, Poland and Germany can be used as an example. According to the views held in the US Armed Forces cyberspace is a global domain within the information environment consisting of the interdependent networks of information technology infrastructures and resident data, including the Internet, telecommunications networks, computer systems, and embedded processors and controllers [2]. Such definition is also included in the latest dictionary [3] determining standard US military terminology and the interrelated terminology applied in the activity of the US Armed Forces. The military and the interrelated concepts, alongside with their definitions, are approved by the US Department of Defense and are destined to be used universally by all components of the US Department of Defense. According to the definition included in the Cybersecurity strategy for Germany [4] cyberspace is the virtual space of all information technology systems networked at the data level worldwide. The cyberspace is based on the Internet as a publicly accessible connection network, which can be extended by any other data network. Similarly to the German view, the European Union identifies cyberspace with virtual reality, which is envisaged in its definition where cyberspace as the virtual, global and common domain within the information environment consisting of all interconnected and interdependent networks of global, organisational, and national information infrastructure, based on the Internet and telecommunications networks, to be extended by other networks, computer systems and embedded processors, and containing also stand-alone systems and networks [5]. In the Polish doctrine cyberspace is understood as the space where information created by ICT systems is processed and exchanged together with the existing bonds and relations with users [6]. Where ICT systems are understood as groups of cooperating IT devices and software which assure processing, storing, as well as sending, and receiving of data through ICT networks with the use of an end device proper for a given type of ICT network designed to connect directly or indirectly to the end of the network. The above examples show that cyberspace is understood at the same time as a domain, space, virtual space, a virtual domain. Thus, it is difficult to find a univocal referent. The above presented examples as well as the authors’ analysis and critique of doctrinal documents of NATO member countries revealed that there are no paradigms in the field of cybersecurity. However, there is multitude of cyber terminology. Concepts are given different meanings. Sometimes such differences observed in them point to different referents of the same concepts. Such a state of affairs poses a barrier to the interoperability in cyberspace. Lack of common conceptual apparatus in unfavourable conditions can lead to the infeasibility of effective cooperation. Lack of understanding of what is e.g. cyberspace, cyberattack, or cyber defence can significantly impede or even preclude the achievement of a common goal. Taking into consideration the above one should be aware that for ‘good job’ it is well grounded to achieve a common ground of understanding. While in the technical dimension of cybersecurity it is clear what a router, an ARP board, an IP address, or a worm or virus is, operational concepts, generally speaking, are not clearly cut, and more interestingly there is no agreement in this field among practitioners as well as theoreticians in terms of the views on this dimension of running military operations.

### 1nc Data Concerns

#### Transatlantic cyber consensus fails – fundamental differences in data protection, incident reporting, certification

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Beyond these basic similarities in encouraging cybersecurity, the two sides disagree on key points. Although the U.S. and Europe vow to cooperate on cybersecurity, the two sides’ divergent approach to data protection threatens to undermine these ambitions. Europe, which often struggles to set common continent-wide rules, employs a centralized privacy regulation. In contrast, the U.S. takes a fragmented approach. Europe takes a tough line, treating all personal data with the sweeping **G**eneral **D**ata **P**rotection **R**egulation. The U.S. prefers to judge harm case by case. A fundamental philosophical gulf explains these differences. Europe focuses on protecting personal data, ensuring that individuals retain control. Data privacy and protection are pillars of the European Union charter and the EU is adopting a comprehensive Data Strategy. The U.S. prefers a laissez-faire approach. Data privacy legislation remains limited to the state level (witness California’s privacy law) or industry by industry. The U.S. Federal Data Strategy sets a foundation for collecting and using data in federal agencies, without cross-agency data centralization. Both Europe and the U.S. do at least agree on the urgency of the cybersecurity challenge. Recent hacks of critical infrastructure at SolarWinds, Colonial Pipeline, and NotPetya highlight a common transatlantic vulnerability. Ubiquitous IoT devices and smart infrastructure create a growing danger of cyberattacks. In response, Europe and the U.S have established cybersecurity agencies. The EU has set up the Agency for Network and Information Security (ENISA). The U.S. has the Cybersecurity and Infrastructure Agency (CISA). These agencies urge both governments and businesses to deploy what Europe calls “state of the art” security and the U.S. designates “industry best practices.” Beyond these basic similarities in encouraging cybersecurity, the two sides disagree on key points. Europe’s NIS Directive mandates the private sector to take concrete actions. The U.S.’s NIST Framework limits itself to urging voluntary action. Certification represents another dividing line. The EU wants ENISA to “certify” cybersecurity preparedness. The U.S. has not acted on certification and some U.S. tech companies say certification monitoring could be dangerous, opening up systems to attacks. Perhaps the most crucial divergence concerns incident reporting. When a company discovers a hack, when should they be required to report it to regulators and customers? If it goes public before facts are clear, it risks spreading incomplete or even false information – and sparking an unneeded panic. Report too late, though, and the untreated danger could spread. The two sides’ divergent privacy policies result in a **dangerous split** to deal with this dilemma. Europe imposes a high, centralized standard to report data breaches, with a single set of rules for all companies. If an individuals’ data is divulged, the individual must be informed – full stop. The U.S., as with privacy protections, is less stringent. Under many state laws, companies are not required to notify consumers until, after a “reasonable” investigation, it is determined that customers have suffered actual harm.

#### Cyberspace kills transatlantic agreement – conflicts over competition, data protection, regulation, China

Michael **Chertoff 20** - the Co-founder and Executive Chairman of the Chertoff Group and a former Secretary of the U.S. Department of Homeland Security. (“The Future of the Transatlantic Relationship in Cyberspace,” 10/06/2020, <https://carnegieendowment.org/2020/10/06/future-of-transatlantic-relationship-in-cyberspace-pub-82849> )

Over the last decade, perhaps no feature of the transatlantic relationship has been more fraught than our approaches to cyberspace. Issues such as technological competition, data protection, free speech, and cybersecurity have become sources of controversy. As U.S. technology companies and social media platforms have taken a commanding position on the internet, European regulators have increasingly (and understandably) focused on antitrust enforcement. Europe’s General Data Protection Regulation (GDPR) has subjected American companies to new requirements for ensuring data privacy and allowing users control over how their data is used. European approaches to hate speech and disinformation also differ from traditional laissez-faire U.S. practice. And, finally, while both sides of the Atlantic are concerned with securing the cyber domain, the United States has recently become more concerned about Chinese products on Western communications systems.

### 1nc Norms Fail

#### Cybersecurity norms fail – the state centric foundation of international law has made it obsolete

Katagiri, 21 (Nori Katagiri, M.A., Columbia University, M.A., University of Pennsylvania, Ph.D., University of Pennsylvania, professor of political science, 18-2-2021, " Why international law and norms do little in preventing non-state cyber attacks" Journal of Cybersecurity, <https://doi.org/10.1093/cybsec/tyab009>, LASA-CSK)

This article exposes at least two ironies, one regarding international law and the other about cyberspace norms. The first irony is that international law has promoted state centrism for so many years that, once in the cyber age, the very legal foundation that is supposed to protect states has become the major obstacle to promoting state security. The other irony is about norm politics; major powers in cybersecurity – especially the USA, Russia, and China, each of which have promoted norms – have been among the greatest violators. This article suggests that all kinds of moral charges can be made about embedded hypocrisy and the double standard of words and deeds. Worse, these powerful states are not just violating each other’s norms but creating a strategic environment that permits norm contestation and overlooks further violations, including those committed by nonstate actors. The hypocrisies, however, precisely underscore the true state of cybersecurity where power and interest forge around powerful states, and there is limited space for international law and norms to play a larger role in regulating their behavior. This article indicates the need for the reconsideration of state commitment to the existing international legal and norm system as a preventive mechanism against nonstate OCO. Space limitation precludes further discussions of specific policies on international law and norms beyond the ones that I presented above. This analysis, however, provides a sufficient narrative that reform is necessary for the international system to be effective against nonstate OCO. It is apparent that cyberspace norms – especially principles like those of distinction, due diligence, and proportionality – must be updated to reflect the growing influence of nonstate actors in cyberspace. At the same time, it remains true that states have sought to reform the system and make norms robust over the years without achieving meaningful change. Rather than promoting international law and norms as a means of preventing cyberattacks, states and private actors are likely to depend more on themselves to prevent nonstate attacks. For one, scholars have called for a variety of active defense countermeasures to be adopted. A reasonable action we can expect states to take is the consideration of how international law and norms can aid state conduct of active defense in cyberspace. In this context, what is required is a series of examinations regarding what specific aspects of international law ought to be reformed and which one of the many ideas and principles can be facilitated to generate more effects than before.

### 2nc Norms Fail

#### US can’t shape cyber norms

Goldman 20, cyber strategist and cyber persistence subject-matter expert at U.S. Cyber Command and the National Security Agency. From 2018 to 2019, she was cyber adviser to the director of policy planning at the U.S. Department of State (Emily, “From Reaction to Action: Adopting a Competitive Posture in Cyber Diplomacy,” Texas National Security Review, 3.4)

America’s approach to building cyber norms should adapt to the following realities. First, the United States is not in a hegemonic position to define the agenda for norms in cyberspace. For a single actor to set the public agenda and drive a convergence of behavior, it would need to have control over the primary incentives and disincentives within the system, which the United States does not possess. Nor is there a clear manner in which the United States could obtain such primary control, due to the highly diffuse nature of cyberspace. Second, what is and what is not currently acceptable varies greatly depending on national perspectives, even among liberal democratic states. Despite the stated desire of the United States to establish norms through international cooperation, such norms have not emerged. The result is intense competition to drive a convergence of expectations on behavior in cyberspace. An alternative yet related approach to building norms is to model good behavior. Convergence of norms will occur over time as other actors see that more beneficial outcomes flow from modelled good behavior than from bad behavior. This approach presents several challenges. First, behavior that might be categorized as unacceptable still produces benefits that outweigh costs. Second, adversaries cite various allegations of American bad behavior in cyberspace — global surveillance and the Stuxnet hack of the Iranian nuclear program are two examples — in labeling the United States a hypocritical standard-bearer for norms. Third, as both state and nonstate actors continue to advance their interests through behaviors that the United States considers unacceptable, modelling can easily be misunderstood as tacit acceptance.41

#### Cyber norms fail.

Tsuchiya ’19 — Motohiro; professor of Graduate School of Media and Governance at Keio University in Japan and Deputy Director at Keio University Global Research Institute. December 5, 2019; "A Difficult Road to International Norms for Cybersecurity"; *GCSC*; https://cyberstability.org/news/a-difficult-road-to-international-norms-for-cybersecurity/; //CYang

In an anarchic international community, norms are not binding. There are no penalties if you do not abide them. However, if there is a norm that everyone can agree on, those who deviate from it must be prepared for criticism. Individual and collective sanctions may also follow. It takes a long time to form international rules. The ocean has existed throughout human history, but in 1996 the United Nations Convention on the Law of the Sea came into effect in Japan. In the meantime, various norms around ocean use existed, but it took thousands of years to become a treaty. The treaty is also interpreted differently from country to country. It’s no wonder that it takes decades to establish a norm around cyberspace. The Japanese government is actively working to form international norms for cyberspace. In addition to the GGE mentioned above, Ambassadors from the Ministry of Foreign Affairs participated in various multilateral meetings. In mid-November, a meeting will be held in Beijing to boost cooperation between Japan, China and South Korea. Bilateral consultations are also held with more than 10 countries and regions such as the United States. The Vienna Conference, held in 1814 after the Napoleonic Wars, was slow as “The conference went on, but there was no progress”. Conferences on cybersecurity are also being held around the world. However, cyber-attackers will not join the conference. It is being tested whether state-led diplomacy will function in a new area where non-state actors will thrive.

### 1nc ILAW Fails

#### International law fails – cybersecurity is distinct from conventional warfare

Fischerkeller, 6/20 (Michael P. Fischerkeller, 6-20-2022, "Current International Law Is Not an Adequate Regime for Cyberspace," Lawfare, <https://www.lawfareblog.com/current-international-law-not-adequate-regime-cyberspace>, LASA-CSK)

States increasingly agree that international law, specifically the U.N. Charter and rules of customary international law (CIL) derived from the charter’s principles, applies to cyberspace. Yet both are a poor fit for cyber activities. The charter reflects a bias toward what has been termed the conventional strategic environment, and CIL has evolved in the shadow of both the conventional and nuclear environments. In these environments, states threaten international stability by seeking strategic gains through either coercion or brute force. The cyber strategic environment differs in that threats to stability derive from exploitation—that is, states unilaterally using code to take advantage of others’ cyber vulnerabilities for the purpose of realizing strategic gains. It should be unsurprising, then, that states have struggled to offer comprehensive and in-depth opinio juris on how international law applies to the cyber context. States will struggle to find cyber relevance in international law until new instruments of international law—or adaptations of current law—account for the core features of the cyber strategic environment, the state behaviors they obligate, and how strategic advantage can be achieved lawfully and unlawfully through those behaviors. The rule of nonintervention is a good candidate for adaptation. Strategic Environments Cyber persistence theory, which informs U.S. Cyber Command’s doctrine of persistent engagement, is premised on the argument that cyberspace is not merely a domain but a strategic environment—and, importantly, one distinct from the nuclear and conventional strategic environments. Whereas U.S. warfighting domains—air, land, maritime, space and cyberspace—describe military operational “space,” strategic environments comprise core features that condition states’ security behaviors. Simply stated, the core features of the nuclear environment are segmentation, that is, a feature that manifests as territorial boundaries, and incontestable costs (that is, there is no valid defense against nuclear weapons), which lead to a dominant behavior of coercion in the form of a deterrence strategy (that is, mutually assured destruction). The conventional strategic environment also comprises segmentation but is coupled with contestable costs (conventional capabilities, unlike nuclear weapons, may be defended against). This leads to dominant, episodic behaviors of brute force or coercion, where the latter takes the form of a deterrence strategy threatening to impose costs or a compellence strategy imposing costs through conventional war. Post-World War II international law, specifically the U.N. Charter and subsequent CIL interpretations of the charter, was conditioned by the weight of these core features. With the objective of saving “succeeding generations from the scourge of war,” these rules of state behavior are centered on sovereignty, nonintervention, coercion, threat or use of force, and armed attack. The cyberspace strategic environment is distinct from the nuclear and conventional environments, which poses a challenge to the relevance of these rules. Cyber persistence theory argues that, simply stated, the core features of the cyber strategic environment comprise interconnectedness (not segmentation), a condition of constant contact (not the prospect of episodic action), an abundance of organic vulnerabilities, and macro-resilience (an ability to recover from exploitation of those vulnerabilities). Consequently, states face a security imperative to persist in seizing and maintaining the initiative to set the conditions of security in their favor in and through cyberspace. States can do so through various strategies, policies and activities that reduce the potential for exploitation of their own vulnerabilities and exploit the vulnerabilities of adversaries.

# Enforcement

## CIL

### 1nc Fails

#### CIL lacks a strong framework and accountability

Joyner, 18 (Daniel H. Joyner, 10-31-2018, "Why I Stopped Believing in Customary International Law," Cambridge Core, <https://doi.org/10.1017/S2044251318000188>, LASA-CSK)

So again, I think there is a big problem here. The problem is that the agencies that are looked to as identifiers of CIL—international courts, the ILC, and academics—have been demonstrated to typically go about that exercise in methodologically bankrupt ways. And we don’t just do it because we are lazy or incompetent, we do it so that we can use the resulting assertions of CIL obligations in instrumentalist ways, typically to expand international law to apply in areas where states have not given their explicit consent to be bound through agreed treaty text. The asserted rules of CIL which the short-cut methodologies of identification create, are therefore of low credibility in the eyes of states, who are understandably reluctant to have judges and academics creating new legal obligations for them. This problem is so difficult to address because it is so institutionally entrenched. Courts and the ILC and many academics have every reason to continue to support the orthodox approach to CIL identification, which is so susceptible to this methodological mischief, because it serves their instrumentalist purposes. The ILC’s ongoing study on this topic, which will almost certainly provide yet another reaffirmation of the orthodox approach, will only further institutionalize the problem. Again, my problem is not with CIL itself as a source of law. In a theoretical sense, I have no problem with the idea that states can collectively make law that governs their interactions with each other, through an evolving process that is not necessarily written down in one law-making moment. Particularly under the modern approach that places emphasis and priority upon opinio juris, states can manifest their recognition of an obligation, and their consent to be bound thereby, through their subjective statements of legal understanding. The problem is that we simply do not currently have a structural framework within the international legal system that can support this method of law creation in a manner that satisfies concerns about objectivity and empirical verifiability of that positivistic manifestation of affirmation and consent. And without this institutional structure, the black magic that stands in for identification of CIL in practice undermines the credibility of every assertion of CIL. It also, by extension, undermines the credibility of the international legal system itself.

## Norms

### 1nc US Cred

#### No internal link to international norms.

Hirsh ’5-11 — Michael; senior correspondent at Foreign Policy. May 11, 2022; "Why Biden’s Anti-Putin Democracy Crusade Is Failing"; *Foreign Policy*; https://foreignpolicy.com/2022/05/11/us-russia-war-ukraine-democracy-autocracy/; //CYang

In the beginning, Russian President Vladimir Putin’s invasion of Ukraine appeared to be an ideal rationale for U.S. President Joe Biden’s global democracy campaign. What better endorsement could there be than the spectacle of a brave, doughty democracy fighting off a brutal autocrat? As Biden put it in a major speech in Poland in March, Ukraine was now “on the front lines” in “the perennial struggle for democracy and freedom.” But despite Ukraine’s success on the ground against Putin’s military, the White House’s efforts in the months since to frame the conflict as a titanic worldwide battle between democracy and autocracy don’t appear to be working very well. Outside of Western European allies and longtime U.S. partners such as Japan, much of the rest of the world simply isn’t signing on. Problem one: Most of these countries either aren’t democracies or are so deeply flawed as democracies that they’re less than inspired by the rhetoric. Problem two: In the eyes of much of the world, the country that’s doing the preaching — the United States — is a badly broken democracy that ought to heal itself first. These problems were evident at the White House this week, when Biden welcomed leaders from the Association of Southeast Asian Nations (ASEAN), most of whom are autocrats or represent one-party states that show no signs of going democratic. Among them: Cambodia’s longtime strongman Hun Sen; Thai Prime Minister Pravuth Chan-ocha, a former general who seized power in a 2014 coup; and the authoritarian leaders of Vietnam, Laos, and Brunei. To Biden’s relief, the head of Myanmar’s junta, Min Aung Hlaing, another ASEAN member, was not among them. On Wednesday, Kurt Campbell, Biden’s lead White House advisor on East Asia, acknowledged that the talks would be “maybe a little bit uncomfortable at times” but did not directly address the issue of flagging democracy in the region. “I do think we will have a full exchange and we acknowledge that there are differences of view,” he said at a forum at the United States Institute of Peace. Most of these countries have indicated they are nonaligned in the struggle between Russia and the West; Indonesia, another leading ASEAN member and a democracy, has even invited Putin to the G-20 summit it is hosting in November. The ASEAN countries are joined by nations across the Middle East, South Asia, Latin America, and Africa — countries that include a number of democracies but also a quasi-rogue gallery of autocrats and dubious democrats who represent the majority of the world’s population. And they are not persuaded that Russia, a major source of oil and gas supplies, needs to be cut off from the global system. “Their attitude is, ‘Who are you to be telling us what to do or telling us what our rights are? People in your country who win the popular vote don’t even get elected president. So don’t preach to us!’” said Michael Coppedge, an expert in democratization at the University of Notre Dame who is one of the managers of an exhaustive international study by the Varieties of Democracy (V-Dem) Institute, released last month. According to a report by Freedom House, “Reversing the Decline of Democracy in the United States,” “[A]mid a 16-year decline in global freedom, democracy in the United States has suffered serious erosion.” The report found that the United States had dropped to level of flawed democracies like Panama, Romania, and South Korea and concluded, “The weakening of American democracy did not start with [former U.S.] President [Donald] Trump’s direct pressure on democratic institutions and rights, and his departure from the White House has not ended the crisis.” Critics say that while the Biden administration’s framing of the conflict is working well within NATO and the West — joined by firm U.S. allies such as Japan and South Korea — the U.S. president needs to rethink his approach if he wants to corral more allies in his efforts to isolate and weaken Russia. The real issue being tested, they say, is not democracy per se but rather an issue that most countries can identify with more readily: the sanctity of their borders under post-World War II norms upheld by United Nations-sanctioned international law. “This is about territorial integrity and non-use of force to change borders, along with international norms. Those are the core issues,” said Bruce Jentleson, a political scientist at Duke University and a former senior foreign-policy advisor to former U.S. Vice President Al Gore and the State Department’s Policy Planning Staff. “In that respect, it’s akin to Kuwait 1990,” when then-U.S. President George H.W. Bush won a broad international consensus against then-Iraqi leader Saddam Hussein. In an email, Jentleson added that while he has “great admiration” for Ukrainian President Volodymyr Zelensky’s wartime leadership, Ukraine itself has long been known to be a “questionable democracy” and one of the world’s most corrupt countries. Chas Freeman Jr., a former senior U.S. diplomat who helped to frame George H.W. Bush’s “new world order” concept during the 1990-1991 Persian Gulf crisis, agreed with this assessment. And Biden has indeed condemned Russia’s invasion as ​“a flagrant violation of international law.” But Freeman said the United States would have to work hard to restore its credibility on that front in the wake of its own more recent violations of international norms, including the use of torture and the invasion of Iraq. “We need to return to the basic principles of international law that we foolishly set aside, but that’s going to be a problem,” Freeman told Foreign Policy. “The United States sponsored, created, and enforced what is now called the liberal international order after World War II. So you have the U.N. Charter, which lays out the basic principles of international law. You can’t go to war without a justification from the U.N. Security Council, which we had [in 1990-91]. But that was the last time we observed those norms. After that, every principle of international law that we pioneered, we violated.” Returning to those basic principles, with appropriate mea culpas, may be the only course forward if the United States is to win over much of the world, Freeman said. What won’t work, he added, is evangelizing about the glories of democracy — an old American habit, and one that he believes the Biden team is resorting to for largely domestic political benefit. “I’ve thought from the beginning that frankly this is a load of crap,” Freeman said. “It’s a very American conceit. And it’s particularly ironic that it should come to the fore during a period when our own democracy is manifestly in deep trouble and we’re not even sure we’re going to have a peaceful transition in 2024.” Biden’s credibility problem extends to other major nations that have not gone along with Biden’s campaign — and which continue to temporize over the Russian invasion. For India, the issue has little to do with democracy and everything to do with border security, said Rani Mullen, a scholar at the College of William & Mary. Its increasingly autocratic leader, Prime Minister Narendra Modi, is a populist fanning sectarian hatred between Hindus and Muslims while on the international stage, he pursues relations with both Moscow and Washington. Since the beginning of the year, India has dramatically stepped up its purchases of discounted Russian oil — which Modi desperately needs to shore up India’s weakening economy. Modi’s stance is entirely about realpolitik, said Mullen, an expert in South and Central Asia. And that means maintaining workable relations with Russia so as not to encourage a deeper partnership between Moscow and China, the Indians’ most feared potential aggressor along with Pakistan, which has a cozy relationship with Beijing. For New Delhi, the most paramount issue is border integrity under the 1954 Panchsheel Agreement (which the Chinese call the “Five Principles of Peaceful Coexistence”) between India and China. “Ultimately, India’s stance is driven by thinking that alienating Russia will undermine its security,” Mullen said. “Democracy? What does it care? That’s the reality of it. It’s all about China. So framing Russian actions in a way that would guarantee mutual respect for each other’s territorial integrity — that would strike a different chord.” More broadly, the stark fact Biden must confront is that democracy has been in retreat since the Cold War. “The level of democracy enjoyed by the average global citizen in 2021 is down to 1989 levels. The last 30 years of democratic advances are now eradicated,” a report by the V-Dem Institute said. “Dictatorships are on the rise and harbor 70% of the world population—5.4 billion people.” The study found that liberal democracies can now be found in only 34 nations, down from its peak of 42 in 2012, which are home to only 13 percent of the world’s population. A key fence-sitter in this global struggle over international norms is authoritarian China, which has sought to find a middle ground between Russia and the West. Chinese President Xi Jinping is sticking by his partnership with Putin, yet Beijing has mostly observed economic sanctions against Russia. Chinese officials say their country is loath to choose sides, but Washington has made that difficult by portraying the conflict as one that is primarily about Western-style democracy rather than global norms. As Robert Manning, a former U.S. intelligence official and senior fellow at the Atlantic Council, wrote in Foreign Policy this week: “The logic of ‘democracies only’ could lead to a bifurcated or maybe trifurcated world.” China covets Taiwan much as Russia does Ukraine, but even Washington still officially embraces its long-time “one China” policy, acknowledging that Taiwan is part of a single China. Beijing is angry that this diplomatic mainstay is also fraying, with Biden’s State Department removing such language from its official guidance website, which no longer states that Washington “does not support Taiwan independence.” Nor has the Biden administration offered up any new initiatives to wean Beijing away from Moscow. Other major nations, even those that are democratic, also are making calculations based on factors that have little to do with the threat to democracy. Brazilian President Jair Bolsonaro recently said he would continue to support Russia’s participation at international forums, such as the G-20, the International Monetary Fund, and the World Bank. Some experts say the inconsistencies in Biden’s approach to democracy have hurt him as well. The president’s virtual democracy summit at the end of last year was widely criticized for the seemingly arbitrary way some countries were invited while others were snubbed. The Philippines’ anti-U.S. president, Rodrigo Duterte, was welcomed for example despite his violent campaign of extrajudicial executions, whereas Washington-aligned Singapore, which was rated “partly free” in Freedom House’s annual study of rights and liberties worldwide, was excluded. Singapore’s Freedom House ranking was also higher than some other invitees, such as Angola, Iraq, the Democratic Republic of Congo, Pakistan, Nigeria, and Lebanon. In the Philippines, Duterte will soon be replaced by Ferdinand Marcos Jr., the son and namesake of the country’s long-time dictator, who has said he wants to draw closer to Beijing. “Countries that are not democratic are being treated as democratic. It’s completely a fool’s errand,” said Raffaello Pantucci, a visiting senior fellow at the S. Rajaratnam School of International Studies in Singapore. “It alienates people on the ground.”

### 2nc Norms Fail – Ukraine

#### Ukraine was the nail in the coffin — it’s unsalvageable.

Domínguez-Redondo ’22 — Elvira; LLB, BA Business and Management, LLM, PhD is Associate Professor of International Law at Middlesex University, London. She is the Module Coordi NATOr of the 'United Nations mechanisms for the promotion and protection of human rights' at University Alcalá de Henares, Madrid. March 10, 2022; “Russian misuse of international law is final nail in coffin of post WW2 order”; *IntLawGrrls*; [edited for ableist language] https://ilg2.org/2022/03/10/russian-misuse-of-international-law-is-final-nail-in-coffin-of-post-ww2-order/; //CYang

[TITLE]: “Russian misuse of international law is final nail in coffin of post WW2 order” The distortion of arguments based on international law and the position of those making them have, in my opinion, completed the destruction of a system no longer suitable to prevent global armed conflict. This is not – or not only – an intrinsic flaw in the system’s design, but the inevitable by-product of intentional actions carried out by those who ought to have been most interested in preserving it. Role of Rhetoric in the Russian aggression International law has been referenced by Russia in justifying its invasion of Ukraine. Russia has advanced every possible exception to the prohibition of the use of force in different disguises including invitation, self-defence, and humanitarian intervention (Sayapin’s summary here). The weakness of the legal claims are reflected in the general rejection they have deservedly received.[1] Still, the Russian attempt to provide legal grounds to its actions is remarkable, going as far as recognising two new ‘states’ for the purpose of presenting the invasion as a consent-based ‘peace operation’.[2] Russia also declared that sanctions used against its economy as countermeasures are akin go an act of war, reviving legal arguments that equate use of armed force to coercive means of enforcing international law. [3] The swift engagement and prompt response of the European Court of Human Rights, the International Court of Justice and the International Criminal Court is remarkable and a revealing testimony of the centrality of international law in the means used to address the conflict. [4] Beyond repair – (another) wake up call to replace the system The United Nations was established in 1945 with the primary objective of protecting future generations from the scourge of war. This mission relied on two pillars: stopping the use of armed force, and creating a Security Council with unique responsibility for maintaining global peace and security. Russia (then the Soviet Union), China, the United Kingdom, France and the United States have since occupied a privileged position with permanent seats and veto powers. In practice this means that outside the confines of self-defence, the use of armed force is only legal if the States most likely to provoke a third world war are in agreement. In other words, the system is based on granting extraordinary powers to a few countries that would, in exchange, act as guardians of international peace and security. What is often referred to as ‘~~paralysis~~’ [inaction] has been the cornerstone of a system designed to prevent a third world war. As I have explained elsewhere (here and here), the legitimacy of the Security Council has been irreversibly undermined by previous illegal uses of force in Kosovo, Syria and Iraq by other permanent members of the Security Council (mainly the USA and the UK, but also France). States’ attempts to address the Russia/Ukraine conflict through dispute settlement mechanisms, with an emphasis on legal arguments manifested in an exceptionally prolific use of international courts, consolidates the strength of legal rules involved in this scenario. However, unanimous condemnations of Russia contained in emerging decisions derived from applying standard frameworks are unlikely to stop the war. This conflict will likely end at a negotiation table, potentially with a peace agreement, hopefully in the short-term, to prevent further suffering, loss of life and weapons induced accelerated planetary destruction. The strength of the rule prohibiting the use of force is likely to rise and States that have progressively broadened the scope of exceptions to legitimise their lethal enterprises may reconsider their positions. This is not the case for the system established to monitor and guarantee compliance with the rules through the United Nations Security Council. The destruction of the pillars on which the collective security system was built in 1945 has been completed by those who benefited most from it and who were in charge of preserving its worth as an effective mechanism to prevent a global armed conflict and total annihilation. End of the Security Council Whatever the outcome, it is hardly conceivable that the weakened legitimacy of the Security Council can survive this final blow in neither its current nor reformed form. Those in power will seek to in articulate and enforce rules maintaining the status quo of their privileged position. Because it requires legitimacy to be acceptable to the majority away from power, law also embeds some form of public morality and fairness. We are at a crossroad: while the prominence of the international legal order in times of crisis has been evident, it is not possible to save the system designed to prevent and/or stop a global war only by rewriting it (as suggested by Johns and Kotova). Paraphrasing Castellino, the logic leading to the obliteration of this system has highlighted how outdated its premises are. This underscores the imperative urgent need for a radically new approach to international relations, perhaps beyond the political organisation of the state and the conception of a ‘nation’ underpinning it.

## ILAW/Treaties

### 1nc No Enforcement

#### Lack of enforcement mechanisms means no compliance

**Hannum ’22** — Hurst; Professor of International Law, Fletcher School of Law & Diplomacy, Tufts University. February 25, 2022; “International Law Says Putin’s War Against Ukraine is Illegal. Does That Matter?”; *United States News*; <https://www.usnews.com/news/best-countries/articles/2022-02-25/international-law-says-putins-war-against-ukraine-is-illegal-does-that-matter>; //CYang

Under no scenario is Russia’s armed invasion of Ukraine legal under contemporary international law and norms. Self-defense is the only justification for use of force against another country, according to international law. This condition is found in the [U.N. Charter](https://legal.un.org/repertory/art51.shtml) and is binding for all 193 U.N. member countries. The charter’s only clear exception to prohibiting the use of force is self-defense, “if an armed attack occurs” against a country. Rescuing citizens who are trapped or in danger in another country is recognized as a form of self-defense. But these interventions are strictly limited to evacuating citizens, not overthrowing governments. Nothing that Ukraine has done to date could be construed as an “armed attack” on Russia and justify any Russian claim to self-defense. Even if Putin’s false claim that Ukraine is targeting Russian-speakers in eastern Ukraine were true, it would not justify the countrywide attacks he has unleashed. Intervening for [humanitarian reasons](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1940550), such as trying to prevent large-scale loss of life or suffering, has been asserted by a few countries and activists as another rationale for use of force. But this justification has not yet been widely accepted, unless the U.N. Security Council authorizes the intervention. It did so when it authorized a U.S.-led military force in [Somalia in 1992](http://unscr.com/en/resolutions/794) to help prevent famine. How is international law enforced? “Almost all nations observe almost all principles of international law … almost all of the time,” a highly respected U.S. law professor, Louis Henkin, [wrote in 1979.](https://web.law.columbia.edu/louis-henkin/quotable-louis-henkin) There is no standing international police force to enforce international law. Compliance is primarily in the hands of countries themselves. The International Court of Justice, created by the U.N. and located in the Hague, Netherlands, decides disputes between countries, including alleged violations of the U.N. Charter. But only 73 countries out 195 have accepted the court’s jurisdiction. The U.N. Security Council also has the authority to authorize the use of force under the U.N. Charter in order to maintain international peace and security. This option is unrealistic in the situation of Ukraine because Russia has a permanent seat on the council — along with the other four permanent members: the U.S., U.K., France and China — and thus holds veto power over any decision. Finally, either the U.N. Security Council or individual countries may impose economic or diplomatic sanctions if necessary, [as the U.S. and European countries](https://www.cnn.com/2022/02/24/politics/joe-biden-ukraine-russia-sanctions/index.html) have done. But such actions can have only an indirect impact on deterring or ending a war. There is probably no law, international or domestic, that enjoys universal compliance. The challenge to enforce international law remains — a challenge laid bare most recently and blatantly by Russia’s invasion of Ukraine.

### 1nc No US Cred

#### Treaties fail – strong states don’t face penalties, resort to power dynamics instead of legal obligations, and ICJ jurisdiction is almost nonexistent

Simone, 1/7 (Brooke Simone, J.D. Candidate, University of Michigan Law School, 1-7-2022, "Strong States’ Noncompliance, Absence, and Self-Interest: How Effective Are Treaties Really? — The Michigan Journal of International Law," Michigan Journal of International Law, <http://www.mjilonline.org/strong-states-noncompliance-absence-and-self-interest-how-effective-are-treaties-really/>, LASA-CSK)

First, while the Vienna Convention on the Law of Treaties (VCLT) Article 60 allows for termination or suspension of a treaty in the event of material breach,[3] the likelihood of that termination occurring is minimal, especially for certain types of treaties. For human rights, nuclear non-proliferation, or environmental treaties, termination would undermine the global stability and norms that the parties entered into the treaty to protect.[4] States’ commitment to the International Covenant on Civil and Political Rights, a key human rights treaty, has not wavered despite numerous breaches, even as recent as June 2020 after a United Nations’ report outlined the Philippines’ grave human rights violations.[5] Second, strong states are less likely to face retaliation or penalties as a result of treaty violation. For these states, breach does not typically threaten reputational damage severe enough to encourage compliance, nor do they fear reciprocal sanctions, political pressure, or other retorsions and countermeasures as much because of their position as economic and political powerhouses.[6] Strong states often act out of self-preservation and self-aggrandizement, reacting to power dynamics instead of legal obligations or fear of penalty[7]: according to realist Charles Krauthammer, treaties are meaningless “when dealing with countries for which law of any kind is a mere instrument, infinitely adaptable to the requirements of power.”[8] Other enforcement mechanisms, such as internal domestic pressure and shaming by NGOs, are not unique to treaties and are just as influential for breaches of customary international law (CIL) or unilateral statements.[9] Third, the idea that treaty breach can trigger legal actions in court against the violator is actually limited in practice, as there is not always guarantee of jurisdiction. States face binding legal repercussions before the International Court of Justice (ICJ) under three situations of contentious jurisdiction, which are often avoided by states.[10] The ICJ has jurisdiction over leading international actors like the U.S., Russia, and China only if they signed a prior treaty agreeing to refer disputes to the court;[11] the U.S. has further limited this legal accountability. It announced in October 2018 that it would withdraw from the Optional Protocol and Dispute Resolution to the Vienna Convention on Diplomatic Relations, which granted ICJ jurisdiction.[12] Ambassador Bolton justified this by referring to President Reagan’s withdrawal from the Optional Compulsory Jurisdiction of the ICJ under Article 36(2) of the ICJ statute and President Bush’s withdrawal from the Optional Protocol to the Vienna Convention on Consular Relations, two additional ways the U.S. has lessened its ability to be held liable.[13] Even when the ICJ or other third-party mechanisms are available options, states can be reluctant to take their disputes there.[14] For these reasons, lack of definite review before a court minimizes the threat of being held accountable for breach, thereby negating much of a treaty’s meaningfulness in promoting credible commitment and compliance. While multilateral treaties strive to create uniform, widespread agreement and enforceability, perhaps it is instead CIL – which emerges over time as binding upon all states without having to opt-in to legal review – that accomplishes that goal, enabling potential accountability for any state’s violation of the law. In addition to the lack of repercussions for treaty noncompliance, a look at the U.S.’s absence and withdrawal from various multilateral agreements suggests that treaties may not be as significant or effective as frequently argued. The U.S. has not signed or ratified several key international treaties;[15] it is not party to the VCLT or the United Nations Convention on the Law of the Sea, but generally accepts their guidelines as binding under CIL.[16] This begs the question: Is codification via treaty necessary for adherence and enforcement, or can CIL be enough? Additionally, the Trump administration has recently withdrawn from numerous treaties.[17] In May 2020, the U.S. announced its intentions to withdraw from the 1992 Open Skies Treaty (OST),[18] which was formed after the Cold War to promote trust between the U.S. and Russia and allows parties to conduct unarmed surveillance flights in each other’s air space.[19] The very premise of this treaty has eroded. The U.S. accused Russia of treaty breach and is now pulling out, despite other countries expressing both continued commitment to the agreement[20] and worry regarding U.S. withdrawal.[21] So another question arises: How effective is a treaty like the OST in its objective to create a binding foundation for trust if irrational leaders can undermine just that, seemingly without concern for the other parties or for global stability? Treaties’ efficacy is also called into question by the U.S.’s wielding of economic power to ~~cripple~~ still-intact treaties. In 2018, the U.S. withdrew from the Joint Comprehensive Plan of Action (JCPOA) – better known as the Iran nuclear deal – which allowed for the easing of economic sanctions in exchange for Iran restricting its nuclear program.[22] Believers in treaties’ infallible strength would likely have envisioned that the other P5+1 members could continue adhering to the JCPOA’s conditions, at least to a degree. However, the U.S. imposed secondary sanctions on any government that traded with Iran, using its “domination of financial markets” to “bull[y] other countries into capitulating.”[23] Another question yet: Can treaties be touted as binding and successful mechanisms if one powerful, renegade state can threaten the entire agreement through economic force?

### 2nc Fail No US Cred

#### Can’t solve US treaty cred – that wrecks ILAW efficacy broadly

Wahal, 21 (Anya Wahal, 9-21-2021, "On International Treaties, the United States Refuses to Play Ball," Council on Foreign Relations, <https://www.cfr.org/blog/international-treaties-united-states-refuses-play-ball>, LASA-CSK)

The United States enters into more than two-hundred treaties each year on a range of international issues, including peace, defense, human rights, and the environment. Despite this seemingly impressive figure, the United States constantly fails to sign or ratify treaties the rest of the world supports. It has failed to ratify treaties that tackle biodiversity and greenhouse gas emissions, protect the rights of children and women, and govern international waters. For a country frequently looked to as a global leader, the United States has consistently failed to step up in international partnerships. In fact, the United States has one of the worst records of any country in ratifying human rights and environmental treaties. Why hasn’t the United States stepped up to the plate? According to scholars and policymakers, one major reason is the fear of treaties infringing on national sovereignty. The United States shuns treaties that appear to subordinate its governing authority to that of an international body like the United Nations. The United States consistently prioritizes its perceived national interests over international cooperation, opting not to ratify to protect the rights of U.S. businesses or safeguard the government’s freedom to act on national security. Politics also poses a significant barrier to ratification. While presidents can sign treaties, ratification requires the approval of two-thirds of the Senate. Oftentimes, the power of special interest groups and the desire of politicians to maintain party power, on top of existing concerns of sovereignty, almost assures U.S. opposition to treaty ratification. The failure of the United States to lead on international treaty accession can have dangerous consequences. It can undermine the credibility of those treaties, weaken international partnerships, and raise concerns about the United States’ own commitments to matters such as human rights and environmental protection. By refusing to ratify treaties the rest of the world supports, the United States can lose other countries’ trust and gives up the influence of shaping the future direction of global rules. Furthermore, abstaining serves as a barrier to resolving critical global and regional issues, implicitly giving permission to other countries to free ride and follow the rule of law established by treaties only when it is in their best interest. Given these implications, I outline ten treaties the United States has not ratified and highlight arguments opponents cite for the lack of ratification. Many international law scholars purport that treaties are the most effective and binding source of international law.[1] However, the efficacy of multilateral treaties may be exaggerated, as demonstrated by minimal penalties for noncompliance, particularly for strong states, and the United States’ absence from and self-interested interpretation of various treaties. The promotion of credible commitment is held as an essential benefit of treaties; proponents argue that treaties raise the cost of noncompliance more effectively than informal methods and are unique in showing the seriousness of a party to a commitment.[2] These contentions lose some force after investigating three enforcement mechanisms for treaty breaches, and the lack of negative impacts thereof.

#### The US is an unreliable international partner — we’ll insert this list.

Merelli ’18 — Amelia; senior reporter at Quartz, where they cover the intersection of public health, the healthcare business, and inequality. May 14, 2018; "It’s not just Trump. The US has always broken its treaties, pacts and promises"; *Quartz*; https://qz.com/1273510/all-the-international-agreements-the-us-has-broken-before-the-iran-deal/; //CYang

Well, the US is an unreliable international partner — and it has long been one, even before the current administration pulled out from the Trans-Pacific Partnership (TPP) and the Paris agreement on climate change, and threatened to end NAFTA. History is dotted with treaties that the US has signed but not ratified, signed and then unsigned, and even refused to sign after pushing everyone else to sign.

Capriciousness about international treaties is an old US tradition. It starts with the country’s very creation: hundreds of treaties signed with Native American tribes that were either broken, or not ratified. Today, the US is one of the countries to have ratified the fewest number of international human rights treaties — of the 18 agreements passed by the UN, America has only ratified five.

Treaties between the US and American Indian Nations (1722-1869)

According to the US national archives, 374 treaties (pdf, p.4) signed between the US and Native American Tribes from 1772 to 1867 were ratified. Of these, many were not respected: Only one article of the Pickering Treaty, or Treaty of Canadaigua of 1794, for instance, has been observed. Many others (18 in California alone, signed during the Gold Rush) were not even ratified. These include Treaty K, or the California Treaty, which promised reservations to American Indians within the state.

Treaty of Versailles, 1919

President Woodrow Wilson was a promoter and negotiator of the treaty that ended World War I. The agreement was signed between the Allied Powers and Germany; commenting on the US’s role in brokering the deal, Wilson famously said, “At last the world knows America as the savior of the world!”

However, the president encountered strong and growing opposition to the treaty in Congress, and the US never ratified the Treaty of Versailles. In fact, the US didn’t formally end its war against Germany and the former Austro-Hungarian empire until 1921.

International Labor Convention, 1949

The oldest treaty currently pending ratification in the Senate is an international recognition of the freedom of association and protection of the right to organize. The agreement was signed by 154 countries, including the US, and entered in full effect in 1950. However, the US never ratified it (pdf).

Geneva Agreement, 1954

The Conference of Geneva in 1954 was called to put a final end to the Korean War and First Indochina War. The treaty was signed by Vietnam, France, China, the USSR, and the UK. Although the US participated in the conference and negotiations, it eventually refused to sign. However, it did agree to respect the ceasefire.

International Covenant on Economic, Social, and Cultural Rights (ICESCR), 1966

Building onto the Universal Declaration of Human Rights, the ICESCR expands the notion of basic rights beyond civil and political provisions. The agreement has been ratified by 166 countries. The US has signed, but has not ratified, the covenant.

The Convention on the Elimination of All Forms of Discriminations Against Women (CEDAW), 1979

By signing CEDAW in 1980, the US become one of 156 signatories of a landmark agreement to end gender discrimination. Shortly after signing, then-president Jimmy Carter submitted the agreement for ratification to the Senate. It’s still waiting.

The Law of the Sea, 1982

The UN Convention on the Law of the Sea (UNCLOS) was held in Jamaica between 1973 and 1982. It established a set of rules and responsibilities governing the way countries and international bodies act in international waters. For instance, UNCLOS details the requirements of search and rescue at sea. In 1994, the US signed the agreement. However, it did not ratify it.

Convention on the Rights of the Child (CRC), 1989

The CRC is a landmark human rights document for several reasons. It’s the first defining agreement on the rights of children, and it incorporate a wide range of rights (education, health, justice) for minors. It achieved broad support very quickly, with near-unanimous ratification across the globe.

The US signed the agreement in 1995. It is the only country that has not ratified it.

Comprehensive Nuclear-Test-Ban Treaty, 1996

Although the treaty banning nuclear testing was adopted by the UN Assembly General in 1996, and has been ratified by 166 countries, the agreement is not yet into effect due to eight key countries who have not yet ratified it. The US, which signed in 1996, is one of them—the others are China, Egypt, India, Iran, Israel, North Korea, and Pakistan.

Mine-Ban Treaty, or Ottawa Treaty, 1997

The mine ban’s goal is to eliminate anti-person mines, prohibiting their production, stockpiling, or use. The US is one of 33 states (including Russia, India, and China) that have signed but not ratified the treaty.

Rome Statute of the International Criminal Court, 1998

The Rome treaty establishing an international criminal court was negotiated by 148 countries. Of them, 120 approved of the final draft in 1998 (pdf), seven opposed it, and 21 abstained from voting.

Bill Clinton signed the agreement in 2000 but delayed submitting it to the Senate for ratification, on the grounds that the US needed to observe how the tribunal worked. Two years later, after the treaty had come into full effect and been ratified by 60 countries, George W Bush informed the United Nations that the US no longer intended to submit the agreement to the Senate for ratification at all.

Kyoto Protocol, 1997

Though the US signed the agreement limiting carbon emissions, it never intended to ratify it. The US is one of just four UN member states that have not enforced the agreement, with Andorra, Canada, and South Sudan.

Paris Climate Accord, 2015

The Paris deal to mitigate climate change by reducing emissions was signed by 195 member states in 2015, and became effective the following year. President Trump withdrew from the agreement on June 1, 2017. However, the US is still bound to follow the Paris deal’s requirements until 2020.

Several more international treaties are pending ratification from the US Senate, for a total of 45 between 1949 and 2017. The US is also notably absent from signing prominent international treaties including the Mine Ban Treaty, the Convention Against Torture, and on the Rights of Persons with Disabilities.

## Sanctions

### 1nc Enforcement

#### Sanctions fail — no compliance, too slow, carveouts — prefer a holistic historical analysis.

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Yet sanctions generate meaningful change only about forty per cent of the time. Years of sanctions failed in North Korea, Venezuela, and Iraq. Cuba has faced layers of U.S. trade and arms embargoes since 1960. The Communist regime is still in power. The Syrian President, Bashar al-Assad, faced multiple sanctions for his brutal repression after the Arab Spring uprising, in 2011, turned into a civil war. Hundreds of thousands have died, yet Assad is still firmly entrenched in Damascus. Sanctions are often sagas. Success in South Africa took three decades. The Iran model, which the U.S. has invoked for Russia, has had gyrating effects. Sanctions also produce heartbreak. The agony is the differential in timing. A gun, shell, or bomb can kill in seconds. Sanctions take a comparative eon in the scheme of war or a humanitarian crisis. “They rarely work,” Benn Steil, of the Council on Foreign Relations, told me. “But, when they do work, they tend to take a very long time.”

The main flaws are usually the exemptions, known as carve-outs, that provide financial lifelines. Humanitarian goods — food, medical equipment, education materials — are generally exempt. But enforcement of sanctions on everything else is up to individual nations, which can amend or bend the rules for their own economic needs. In 1966, the U.N. for the first time issued sanctions that sought regime change after Rhodesia, now Zimbabwe, declared independence from Britain to preserve white-minority rule. The Security Council imposed an economic embargo on Rhodesia, but only on ninety per cent of the country’s exports. For years, the U.S. Congress approved an additional carve-out that allowed the import of Rhodesian chromium, a key component in American jet engines, cars, and stainless steel. (Rhodesia was then one of three major world suppliers; the Soviet Union was another.) It took more than a decade — of civil war and sanctions — for the Rhodesian regime to cede power to a democratically elected government. Along the way, some twenty thousand died.

Russia benefits from a similar carve-out — for now. Western sanctions allow it to keep selling energy, the largest source of Moscow’s revenues. Last year, Russia earned a hundred and nineteen billion dollars from oil-and-gas sales — when the price averaged only sixty-nine dollars a barrel. This month, prices soared to a hundred and fifteen dollars a barrel. Even if the West, under mounting pressure, does opt to sanction Russian energy resources, it could backfire — creating an oil crisis in the West and driving up prices globally, while Russia simply switches to other buyers. (Many countries, notably China, have not cut off trade with Russia.)

South Africa, during the era of racial apartheid, was widely considered a rare sanctions success story, Steil told me. In 1962, a resolution by the U.N. General Assembly called on member states to sever all diplomatic, military, and economic ties. Yet carve-outs in subsequent international sanctions again diluted their effect. International sanctions excluded “strategic materials,” as well as coal, diamonds, and some forms of gold, which South Africa produced in abundance. As a result, sanctions had minimal impact on the daily life of ruling whites. Over time, South Africa became more self-sufficient. Facing an embargo on energy imports, it developed a world-class system to make oil from coal. Once dependent on arms imports, it ramped up production and became a net exporter. And, for all the pressure and cut-offs, South Africa was still able to develop its first nuclear device in 1982, and by 1989 it had six bombs. The white government finally released Nelson Mandela in 1990. Amid tectonic global political shifts, apartheid ended — three decades after the first sanctions.

Iraq was one of the worst sanctions failures, demonstrating that dictators willing to starve their people and isolate their countries can simply ignore them. In 1990, President Saddam Hussein’s unprovoked invasion of Kuwait spawned the same kind of international fury visible today over Putin’s aggression against Ukraine. Within four days of Iraq’s attack, the U.N. imposed sanctions that banned world trade with Baghdad. Saddam refused to withdraw. Six months later, a U.S.-led military assault expelled Iraqi forces, but the Iraqi leader refused to comply with the terms of the ceasefire. Sanctions dragged on. The toll was horrific. By 1997, a third of Iraqi children were malnourished, according to unicef. In 1999, the Red Cross reported that the economy of Iraq — which once had one of the highest standards of living in the oil-rich Middle East — was “in tatters.” The suffering had little impact on Saddam; he balked at coöperating with U.N. inspectors charged with monitoring his weapons of mass destruction. In 2003, the U.S. launched a second invasion — and Saddam was eventually caught and executed. Dictators often ignore sanctions, no matter the cost to themselves or their states. Putin, so far, seems not to care, either.

Sanctions and embargoes on North Korea, first imposed after the Korean War in the nineteen-fifties, have been a total failure. Over three generations, the Kim dynasty has only become more belligerent, better armed, and more obstinate. In 2000, Secretary of State Madeleine Albright went to Pyongyang to offer a deal — some sanctions relief and humanitarian aid in exchange for limits on its ambitious ballistic-missile program. North Korea was emerging from a historic four-year famine that reportedly killed millions, but the talks failed. Four subsequent U.S. Presidents imposed ever-tougher sanctions on North Korea. The world’s most isolated regime is now estimated to have dozens of nuclear weapons and long-range missiles to fire them across Asia and the Pacific.

The Biden Administration said that the new sanctions on Russia were based on the “Iran model.” But four decades of embargoes and sanctions on Tehran have repeatedly failed to change the regime’s calculus. The U.S. first imposed sanctions after fifty-two American diplomats were taken hostage in Tehran, in 1979; it took fourteen months to free them. More sanctions were imposed in the mid-nineteen-eighties for state sponsorship of terrorism. Sanctions were intensified in the nineteen-nineties and again in 2005, amid suspicions about Iran’s ambition to make a nuclear bomb. In 2013, Tehran, under a new President, finally agreed to negotiate. “I racked up about a million frequent-flier miles to get this much concerted action on Iran,” Stuart Levey, the Treasury official who orchestrated sanctions on Iran, told me.

Sanctions, however, are also subject to the whims of domestic politics. Three years into the 2015 Iran nuclear deal, Donald Trump abandoned it and imposed more than a thousand new sanctions on Tehran. His goal was to get Iran to negotiate a broader deal. He failed abysmally. In retaliation, Iran breached limits on its nuclear program.

Sanctions rarely change a regime’s ideology or behavior. Russia will, no doubt, face severe economic pain for its invasion of Ukraine. Putin “grossly underestimated” the political will of the West to enact such a complex set of sanctions, including on Putin, Steil told me. In a joint statement on Friday, the G-7 warned that it will continue to impose “severe” sanctions. The group of the world’s most powerful economies demanded that Russia end its invasion. But history shows that the economic weapon is a limited one. And sanctions alone are unlikely to get the ruthless thug in Moscow to stop.

## Soft Law

### 1nc Fails Vague

#### Soft law lacks precision causing indeterminate norms and noncompliance

Beard, 07 (Jack M Beard, 1-11-2007, "Soft Law’s Failure on the Horizon: The International Code of Conduct for Outer Space Activities," University of Nebraska - Lincoln, <https://digitalcommons.unl.edu/spacelaw/87/>, LASA-CSK)

One important soft law design choice in constructing many international instruments is the decision to employ vague, imprecise, ambiguous or otherwise indeterminate language. Indeterminate language may be a satisfactory design feature for some areas of international cooperation, but it is a dangerous choice for arms control regimes. The requirements typically associated with arms control regimes are well known, and one is that they “must define cheating quite explicitly.”104 There are fundamental reasons for this requirement. A state contemplating foregoing the development and deployment of new weapon systems in favor of pursuing international cooperation will be reluctant to do so if adversary states are not part of a collaborative regime with a degree of formalization. Such a collaborative regime “must specify what constitutes cooperation and what constitutes cheating, and each actor must be assured of its ability to spot immediately others’ cheating.”105 The dilemma of common interests in this scenario, against the backdrop of perceived security threats, is often modeled in game theory as a prisoners’ dilemma in which each state actor’s dominant strategy is to cheat (even if all actors would actually prefer arms control or disarmament over a spiraling arms race).106 It is in this context that game theorists and other writers argue that the obligations in an arms control regime must be sufficiently precise to ensure that actors can recognize defection.107 Elaborate monitoring, policing and compliance verification structures in such a regime have little value without clear obligations and the ability to recognize cheating. Precision in individual commitments, as well as coherence between those commitments and broader legal principles, framed by “accepted modes of legal discourse and argument,” also assist by discouraging states from engaging in “auto-interpretation” and other opportunistic behavior regarding their obligations.108 The lack of precision in individual commitments, which gives rise to indeterminate normative standards, thus makes it harder for states to know what conformity is expected and also makes it easier for states to justify noncompliance.109 Conversely, the lack of precision may also result in uncertainty and tension as some states attempt to assert highly restrictive interpretations of ambiguous terms. To avoid these problems, especially in the area of arms control, a nation is likely to “seek to describe the performance expected of the other nation as clearly and precisely as possible in the agreement.”110 Thus, in pursuing major arms control agreements with the Soviet Union, the United States “opted for increasingly detailed agreements, on the ground that they reduce interpretative leeway.”

# Mechanics

### AT Plan Says “SC”

#### The term “SC” is meaningless – plan vagueness means fiat can’t solve

Fenell 11, Captain, US Marine Corps, MA in International Studies @ U San-Fran (Nathan, “Security Cooperation Poorly Defined,” https://repository.usfca.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1020&context=thes)//BB

A lack of foreign policy that properly defines a strategy of security cooperation has led to its inappropriate use. If SC is going to achieve any measure of substantial success the practitioners of foreign policy at all levels must clearly and precisely articulate the policy that would lead to the proper use of SC as a strategy. Author Colin Gray illustrates the point that strategy and policy are not synonyms in one of his monographs. Strategy and policy are not synonymous. However, a sustainable strategy can serve only a sustainable policy. If the latter oscillates, the former becomes impractical. This monograph targets primarily the national, or grand, strategic level of analysis, but it cannot ignore the challenge of ascertaining and sustaining a coherent national security policy. Carelessly or for stylistic variety, many politicians, analysts, and commentators employ the terms policy and strategy interchangeably. This malpractice does not scar these pages. The distinction matters crucially and needs to be maintained rigorously. Policy sets goals, indeed may well change goals, while strategy is always instrumental. In the absence of a reasonably stable policy, strategy becomes literally meaningless; it must lack political direction.132

#### Precision key to effectiveness

Fenell 11, Captain, US Marine Corps, MA in International Studies @ U San-Fran (Nathan, “Security Cooperation Poorly Defined,” https://repository.usfca.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1020&context=thes)//BB

Background and Need for the Study

The precise use of words by Department of Defense officials is critical to formulating and executing military strategy.11 When developing a plan of action, loosely defined military terms can affect planners’ abilities to properly understand the actual capabilities resident in a proposed course of action.12 In Afghanistan, the misapplication of the military term security cooperation fostered a climate that caused the Department of Defense and State to underestimate the significant role of SC in fostering the diplomatic relationships that contribute to international peace and stability.

#### Specificity is necessary in the context of SC

Fenell 11, Captain, US Marine Corps, MA in International Studies @ U San-Fran (Nathan, “Security Cooperation Poorly Defined,” <https://repository.usfca.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1020&context=thes)//BB>

Words have meaning and the unique ideas that are transmitted through the use of military vocabulary demand that the author and the orator communicate with specificity and clarity. In the case of security cooperation, my research indicates that military professionals, government officials, and academics appear to be equally guilty of failing to limit their use of the term to its correct context. Most egregiously, the term is being improperly used as an important element that describes the United States exit strategy from Afghanistan.21 An example of the recent comments made by the Secretary of State as she described the current state of affairs in Washington, D.C. and Afghanistan, that the State Department convened an interagency team, including DOD, USAID, and the NSC and held discussions that resulted in an agreement that included strong commitments on economic/social development, democratic institution-building, human rights, anticorruption, and other important long-term reforms. Mrs. Secretary follows up on this statement by saying; “Ambassador Crocker and General Allen are still working through some of the security cooperation issues with President Karzai”.22 To place these comments into context, the Honorable Mrs. Clinton was incorrectly describing the peace process in Afghanistan and the withdraw of U.S. forces as security cooperation.

# \*\*Affirmative\*\*

# Security Cooperation

### 2ac at coop fails – privacy

#### US will always compromise – economic incentives, big tech pressure, & Biden foreign policy

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While the US and European Union announced agreement in principle on a new Trans-Atlantic Data Privacy Framework, the fundamental differences between the approaches of the two sides to data governance remain, writes Li Xirui of the S Rajaratnam School of International Studies at Nanyang Technological University in Singapore.

During US President Joe Biden’s March visit to Europe, the European Commission and the United States announced that they had agreed in principle on a new Trans-Atlantic Data Privacy Framework (TADPF). It is a breakthrough between the two parties on data transfers after the Privacy Shield was invalidated by the Court of Justice of the European Union (CJEU) in 2020 due to concerns about the shortcomings in US laws that impede the protection of personal data and are in conflict with Europe’s General Data Protection Regulation (GDPR).

Such an agreement could not have been reached without what the Biden administration called “unprecedented commitments” made by the US. The legal text of the framework has yet to be published, but the US has promised to address the CJEU’s concerns on data privacy and security. Some of the measures are specified in the statement released by the White House. For instance, it will put new safeguards to ensure that surveillance activities are necessary and proportionate in pursuit of defined national security objectives. It will establish a multi-layer independent redress mechanism with binding authority that can apply remedial measures, and it will enhance rigorous and layered oversight of signals intelligence activities.

After a yearlong battle over data traffic between the two parties, why did the United States make such compromises? No doubt economic interests mattered, but the ongoing Ukraine-Russia war made the deal more imperative. Although the announcement of the TADPF provides temporary relief for businesses which faced uncertainty over their ability to move data between the US and Europe, the future of the EU-US cooperation on digital data traffic is not promising due to the divergence between the two sides in their data governance approaches and underlying norms.

Given the ever more digitalized world economy, the significance of data flows is profound. Trade and investment between the US and Europe, valued at US$7.1 trillion, are underpinned by digital data flows between the two. In 2020, Europe was the US’s main commercial partner in the digital economy. The US registered a surplus of US$105 billion in the trade of digitally-enabled services with Europe; it exported US$247 billion and imported US$142 billion.

About 46 percent of US digitally enabled services were exported to Europe, while about 45 percent of those services was imported from across Atlantic Ocean. The trade in digitally enabled services between the US and Europe was much more than US digital trade with the rest of the world. Meanwhile, the US only accounted for about 14 percent of total exports and 25 percent of total imports of the digitally enabled services of the 27 EU members. This data indicate that the **US depends more on the EU** in terms of the development of the digital economy rather the other way around.

The US government is recognizing the need to cooperate with big technology firms, even as these companies are **putting more and more pressure on Washington** on digital trade policy. The Biden administration has been partnering with tech giants on cybersecurity. Meanwhile, due to the close links between them, including donations to the president’s election campaign, appointments of tech-sector executives to senior government positions, and the extensive lobbying activities by the companies, the **White House simply cannot ignore the demands of the tech giants** such as Meta Platforms, Alphabet and Microsoft. While they are headquartered in the US, Europe is a large market for them. The lack of an agreement on data transfers between the EU and the US created uncertainties and risks including the possibility of suspension of their operations in Europe.

Meta Platforms, the parent company of Facebook and Instagram, had openly stated that it may be forced to retreat from Europe if authorities on both sides of the Atlantic cannot reach a new framework on data flow to replace Privacy Shield. Europe is the group’s second largest market after the US and Canada. Going by 2020 data, withdrawal from the European market would mean the loss of 24 percent of the company’s total revenue and 25 percent of its turnover. Meta Platform and other **US tech giants simply cannot afford to lose lucrative European market**. The major tech firms are not able to address the EU’s concerns over data privacy by themselves without the US federal government making improvements to data law and regulations. This means that the tech companies will have to step up their engagement with Washington.

Without doubt, economic interests are the main motivation for the Biden administration to reach a deal on transatlantic data transfers. But they are not sufficient enough a reason to explain why a compromise has now been reached after over a year of negotiations. There is certainly a geopolitical imperative that prompted Washington to agree to compromise: Russia’s war on Ukraine.

When Biden came into office in January 2021, he vowed to European allies that “America is back”, that “the transatlantic alliance is back”. Under his leadership, the US has significantly increased its engagement with Europe and reaffirmed its commitment to the North Atlantic Treaty Organization (NATO). Speeding up transatlantic cooperation on technology is a very important part of Washington’s re-engagement efforts.

On his first visit to Europe last year, Biden agreed to set up the US-EU Trade and Technology Council (TTC). It followed that on this recent trip, he would reach a preliminary deal on data transfers. The US is looking to forge a transatlantic tech alliance. This would be a logical step in shoring up the security alliance that was so damaged under the previous administration of Donald Trump, who had openly expressed doubts about the utility of NATO and was critical of fellow members for puling their fair share of the costs of the defense of Europe. Reversing Trump’s approach was a priority on Biden’s foreign-policy agenda, made all the more critical since Russia invaded Ukraine on February 24, with President Vladimir Putin contending that his actions were compelled by NATO’s expansion to his country’s borders.

Maintaining unity between the US and EU has become an extremely important and urgent goal for the US since the outbreak of the war in Ukraine. The White House acknowledged that Biden’s visit to Europe in March was to consolidate the cohesion of the West in countering Moscow. While in Europe, in addition to the data transfers concessions, the US also made key offers of support to Europe on energy security.

The EU and US agree that financial and economic sanctions are important to stop Russia’s war in Ukraine. But due to its heavy reliance on Russian gas and oil, the EU has hesitated to impose sanctions on Russia’s energy exports. In the joint statement aimed at addressing European energy supply concerns, the US promised to boost shipment of liquified natural gas (LNG) to Europe immediately and over the longer term. This demonstrated Washington’s willingness to contribute to EU energy security at this critical time. By issuing the joint statement on TADPF, the US also expressed its understanding of and willingness to assuage European worries on data transfers and security. These two statements clearly underscored the Biden administration’s determination to strengthen mutual trust between the US and EU, bolster the transatlantic alliance, and solidify their joint efforts against Russia over Ukraine.

# NATO

### 2ac AT No Cred – Afghanistan

#### Afghanistan won’t harm US credibility.

Walt ’21 — Stephen; a columnist at Foreign Policy and the Robert and Renée Belfer professor of international relations at Harvard University. August 21, 2021; "Afghanistan Hasn’t Damaged U.S. Credibility"; *Foreign Policy*; https://foreignpolicy.com/2021/08/21/afghanistan-hasnt-damaged-u-s-credibility/; //CYang & sg <33

Stephens is probably beyond redemption at this point, and the Global Times is a propaganda rag whose views should be discounted, but everyone else needs to take a deep breath and relax. In fact, there are ample reasons to believe that the tragic outcome in Afghanistan will not affect U.S. credibility very much and maybe not at all.

The first reason is simple logic. Deciding not to continue a futile war for less-than-vital interests tells you absolutely nothing about whether a great power would fight if more serious interests were at stake. **No one** would conclude that withdrawing from Afghanistan after 20 years, 2,500 Americans dead, and more than $1 trillion spent implies that the United States would not fight fiercely to defend Alaska, Hawaii, or Florida. Nor should any serious person conclude the United States would not fight to prevent China from establishing hegemony in Asia or to thwart a (highly unlikely) Russian assault on NATO. The reason is simple: In each of these instances, we are talking about **vital interests** that could affect U.S. security in profoundly significant ways.

Moreover, by eliminating **a long-term drain** on U.S. resources (even a minimal U.S. presence in Afghanistan was costing more than $40 billion a year), getting out of Afghanistan will allow the United States to **focus time, money, and attention on bigger priorities**. America’s ability to defend other interests and the attention it can devote to them will increase, making its remaining commitments **more credible rather than less**. As George F. Kennan said in the context of Vietnam, “There is more respect to be won in the opinion of the world by a resolute and courageous liquidation of unsound positions than by the most stubborn pursuit of extravagant or unpromising objectives.”

History offers a second source of reassurance. The United States suffered an **equally humiliating defeat in Vietnam**, after losing more than 50,000 troops. Yet the U.S. withdrawal and subsequent fall of Saigon **did not cause** NATO to collapse, did not lead U.S. allies in Asia to realign with the Soviet Union or China, and did not inspire America’s various Middle East client states to run for the exits. Kennan was right: Ending that war allowed the U.S. military to undertake a much-needed rebuilding of its conventional forces—especially in Europe, which had been neglected during the Vietnam era—and 14 years later, it was the Soviet Union that ended up in the dustbin of history. Yes, dominos did fall but mostly in Eastern Europe.

One could say much **the same thing about lesser setbacks**, such as the fall of the Shah of Iran in 1979, the U.S. disengagement from Lebanon in 1984, the U.S. withdrawal from Somalia in 1994, or the failed U.S. occupation of Iraq. These events did have serious negative consequences, but none of them led other states to conclude that the United States was no longer a formidable power whose support was an asset to be sought and valued.

And the United States is hardly the only example. Great Britain was long derided by European statesmen as “perfidious Albion” because it made and broke alliances as its interests required, but that didn’t prevent other states from allying with London when they needed its help and it was in Britain’s interest to provide it. Governments of all kinds know that commitments are most credible when they **reflect powerful common interests** and that blind loyalty rarely determines what major powers will do.

Third, one should take foreign complaints about U.S. credibility with **many grains of salt**. Elites in countries who have become dependent on U.S. protection have a long history of questioning America’s reliability in an all-too-transparent attempt to get Washington to do more on their behalf. Every time Uncle Sam fails to achieve some foreign-policy objective or decides not to pour more resources into a losing proposition, you can bet that some ally somewhere will pop up and declare that they just aren’t sure they can trust the United States anymore. In most cases, Washington responds by sending them more weapons or by having top officials fly in to hold their hands and offer up additional pledges of support. If we really are as smart as we think we are, we ought to be on to this game by now.

To be fair, both the long war in Afghanistan and its tragic denouement could have a negative impact on America’s reputation, but the reliability of its commitments isn’t the real issue. Bear in mind that the United States didn’t cut and run in 2006 or 2009 or 2011 or even 2017, even when many of its partners there were heading for the exits. As I have argued before, a key element of America’s global influence is a **reputation for competence and good judgment**, including a hardheaded ability to read a situation, make tough choices, select realistic objectives, and then carry out a well-designed strategy. What just happened in Afghanistan casts doubt on whether the U.S. foreign-policy establishment is still capable of these tasks, but doubts on that score have been growing for more than two decades. The proper lesson is not that the United States ought to fight more stupid wars for the sake of so-called credibility but that it needs to start holding those responsible for these repeated errors accountable and try to figure out why they keep making the same mistakes.

### 2ac AT Burden-Sharing Disputes

#### Burden-sharing disputes will not destroy NATO – their strengths outweigh weaknesses

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NATO’s ability to incorporate a large number of member countries and to broaden the agenda according to the current security context are some of the Alliance’s most significant advantages and strengths. On the other side of the coin there is, however, the risk of over-expansion of membership and tasks. The growing and diversifying membership along with the ever-growing task list are closely linked to the burden-sharing debate as the Alliance needs to allocate scarce resources to accommodate the needs of more allies and to manage tasks that range from territo- rial defence to human emergencies, such as the Covid-19 pandemic. The ultimate issue is thus not that the allies’ contributions are imbalanced but that the amount of demands for NATO is growing. It is possible, even likely, that the burden-sharing debate will intensify in the future. It is, however, important not to look at the burden-sharing debate **from too narrow a perspective**, which might lead us into the conclusion that the debate endangers the existence of the whole Alliance. As we have pointed out, burden-sharing should not be considered as a separate discussion but as an economic, political and social phenomenon that is formed of a complex set of interlinked factors. Considering this and the reasons behind organisational termination and survival, **it is premature to claim that burden-sharing disputes** alone **could lead to NATO’s crumbling.** The debate is closely linked to other problems, such as trust issues among allies and diverse threat perceptions, which can severely damage NATO’s ability to survive future crisis. On the other hand, **NATO’s strengths** discussed above **balance these weaknesses and speak against the possibility of termination of NATO even when facing severe crisis.**

#### Disputes over burden-sharing won’t endanger the alliance, they only strengthen its resilience to internal disagreement

**Koivula ‘21** – Assistant professor at the Department of Warfare, the Finnish National Defence University (Tommi, Defense & Security Analysis, 37:2, 145-163, “Carry that weight: assessing continuity and change in NATO’s burden-sharing disputes”, May 12, 2021, <https://www.tandfonline.com/doi/pdf/10.1080/14751798.2021.1920092?needAccess=true> )//RG

The “arrow” of this course of developments suggests that the scope and diversity of NATO burden-sharing disputes is growing and likely to grow further in the near future. In effect, the burden-sharing discourse is in the process of spilling over from its traditional domains. In terms of forecasting, this course of development suggests that this expansion will take at least three forms in the next few years: First, domestic politics within members seem to count more and more in the development of burden-sharing disputes. This dimension is not new, as the age-old guns vs butter predicament has always loomed large among NATO members, and as the US Congress has often been the venue for such arguments. Still, in most NATO countries, questions of security policy have traditionally been left outside of day-to-day domestic political quibbles. However, the advent of the rise of populism, non-liberal political forces in several NATO countries, and the overall increasingly transactional approach to international relations, are likely to shape the domestic willingness in several member countries to engage in multi- lateral security co-operation. Second, whilst the “classical” debate on military expenditure is likely to remain, or even dominate NATO agenda, the transatlantic discourse on burden-sharing is increasingly likely to cover non-military domains such as comprehensive security, resilience, security co-operation, and diplomacy. Instead of closed-door interstate bargaining, the political space of NATO seems to be more and more dominated by a bidding race both on NATO and domestic fora of what is one’s contribution to common good. Third, burden-sharing disputes are likely to extend beyond the level of NATO itself as partner countries are also likely to be dragged into these disputes and into the discourse of burden-sharing. Be it defence co-operation, joint exercises, or participation in peace operations, partners are likely to face an environment emphasising demands of good partner- ship, reputational resources, constructive approach, and other forms of contribution from the involved countries. These developments notwithstanding, **the intensity of burden-sharing disputes is not likely to endanger the existence of the Alliance.** During its 70 years’ existence, **NATO has proved its ability to withstand internal strains**. Even though many contributions, such as Richter and Driver have regarded unequal burden-sharing as a threat for NATO60; and this article started by noting the inherent dangers caused by burden-sharing disputes, the overall picture seems to be more multi-dimensional. After all, in many respects the Alliance indeed faces change and progress though argument. Debate may be one of NATO’s defining characteristics. It may also be necessary in order to define and redefine its strategic purpose. In this regard, **disputes related to burden-sharing can also be seen as a manifestation of the Alliance’s ability to withstand and accommodate internal disagreement,** sometimes for protracted periods of time.

### 2ac Catch-All

#### [the plan] solves every neg warrant — critics are wrong.

change what is highlighted in **green** for what the aff does

Skaluba & Rodihan ’22 — Christopher Skaluba is the director of the Transatlantic Security Initiative in the Atlantic Council’s Scowcroft Center for Strategy and Security. He previously served as principal director for European and NATO policy in the Office of the Secretary of Defense. Conor Rodihan is the associate director in the Scowcroft Center for Strategy and Security’s Transatlantic Security Initiative. January 18, 2022; "No consensus? No problem. Why NATO is still effective."; *Atlantic Council*; https://www.atlanticcouncil.org/blogs/new-atlanticist/no-consensus-no-problem-why-nato-is-still-effective/; //CYang

[TITLE]: “No consensus? No problem. Why NATO is still effective”

Critics of the alliance (and even some supporters) have interpreted NATO’s unwillingness to militarily support Ukraine — especially during the most significant challenge to the European security order since the Cold War — as an indicator of its declining relevance, timidity, or its divisions. But that overstates the importance of political consensus to NATO’s value and understates its role as an effective and flexible defensive alliance. This is a role with potentially critical benefits for Ukraine.

First, it sets too high a bar for an alliance of thirty members with aligned, but distinct, priorities. Unanimity on every issue is impossible, let alone one as complex as military support to Ukraine. Debate and disagreement, as it should be for any democratic institution, are built-in features of NATO — not bugs. In reality, it’s astounding how often NATO does reach consensus about issues big and small, creating an unrealistic expectation that it always will. The opposite of consensus is not failure. Suggesting otherwise turns any debate that doesn’t end harmoniously into an indictment of NATO, playing straight into Russian propaganda.

Second, a belief that NATO’s value is tied primarily to achieving consensus on every issue misses the more mundane (and important) ways it supports its allies and partners. Its affinity for process — particularly its ability to build a common situational understanding among its members — is an invaluable tool. Habits of consultation and information sharing, buttressed by deep cooperation on operations, intelligence sharing, defense planning, and interoperability, create the foundation upon which any consensus is to be built. Even in the absence of that agreement, the ability to collectively define threats and jointly train to confront them is immensely valuable in its own right.

Third, these habits of cooperation give NATO members the flexibility to act outside of the Alliance’s frameworks. While NATO does much by consensus — such as its missions in the Baltic states — the skills it helps members develop is central to enabling them to form separate coalitions for action. This happened recently with ample success in taking on the Islamic State. Such flexibility should be a point in NATO’s favor, not evidence of its ineptitude.

In the case of military support for Ukraine, policymakers will find more attractive alternatives for dealing with Moscow’s aggression outside of the auspices of the Alliance. Up to and including its recent dialogue with Russia, it has taken a host of consensus actions to support Ukraine — from condemning Kremlin aggression and standing up for Kyiv politically to reaffirming its open-door policy with an expectation that Ukraine will eventually become a member. It might even share intelligence and develop training and advisory programs for the Ukrainian military.

And while it won’t find a consensus to fight, it could provide the foundation for certain allies to support Ukrainian forces in ways consistent with their national priorities outside of NATO. In that case, NATO’s enabling value to its members in complicating Putin’s cost-benefit assessment should be applauded.

Last week’s NATO-Russia Council meeting showcased an Alliance working in lockstep and finding political consensus in responding to preposterous Russian demands. NATO should always strive for this degree of consensus. But if and when this crisis intensifies, and Putin advances further into Ukraine, expectations for NATO assistance will be raised, decisions about how to respond will become more difficult, and consensus will be more elusive.

Despite the rhetoric we might hear in response, this is not evidence of NATO’s ineffectiveness — but rather a reflection of how democratic institutions function. And even absent consensus, NATO can still contribute invaluably to Ukraine’s sovereignty.

### 2ac AT Credibility Low

#### Credibility is irrelevant for global peace.

last line — credibility irrelevant for allied decision-making — if relevant — **green**

Walt ’22 — Stephen; a columnist at Foreign Policy and the Robert and Renée Belfer professor of international relations at Harvard University. January 29, 2022; “America Has an Unhealthy Obsession With Credibility”; *Foreign Policy*; <https://foreignpolicy.com/2022/01/29/us-credibility-ukraine-russia-grand-strategy/>; //CYang

This rather self-centered view of world affairs conveniently ignores those episodes where it was the United States that acted to disrupt “international peace and stability,” but never mind that for now. If the credibility of U.S. promises is the key to world peace, one wonders why the world didn’t come unglued after the United States lost in Vietnam, after North Korea got away with seizing the USS Pueblo and holding its crew prisoner for almost a year, after the Shah of Iran fell and the U.S. Embassy in Tehran was captured, after the Reagan administration’s hasty withdrawal from Lebanon in 1984, after the Black Hawk Down debacle in Somalia, or after former U.S. President Bill Clinton opted not to intervene in the Rwandan genocide. Maybe U.S. credibility is neither as fragile nor as essential as hard-liners think.

More importantly, this view assumes that security guarantees — in particular, guarantees issued by the United States — are the main ingredient in global peace, leaving little or no role for negotiation, compromise, reassurance, or other diplomatic efforts to give potential rivals less reason to challenge the status quo. It is also worth noting that the positive effects of a successful defense of credibility never seem to last very long: No matter what the United States did the last time it was challenged, it has to respond as soon as a new problem emerges or else its newly won reputation for resolve may shatter like glass.

As you might expect, scholars have explored these issues for years without reaching a clear consensus. Credibility skeptics — such as academics Jonathan Mercer, Ted Hopf, and Daryl Press — argue that concerns about credibility are generally exaggerated, especially when would-be challengers are trying to determine if another state will fight to defend a commitment. They point out that government officials rarely base their estimates of what another state will do on the basis of how that state acted in some unrelated context in the past. Rather, they base them on whether it has interests at stake that are worth defending and the capacity to act effectively. Other scholars have challenged this conclusion, however, arguing that individual leaders acquire reputations for resolve (or weakness) that persist over time and that past behavior can influence how potential challengers gauge a defender’s level of interest in a given commitment. States with good reputations may find it easier to form alliances too. There is also the strong possibility that reputation and credibility are issue-specific: Whether a state lives up to the terms of a trade deal may tell you next to nothing about its reliability as an ally or on an issue like arms control.

### 2ac AT Information Sharing Fails

#### NATO empirically solves info sharing/trust with FMN mechanisms to streamline

\*\*\*Federated Mission Network (FMN)

Hanna et al 17 (Michael Hanna – BA cum laude in International/Global Studies @University of Central Florida, MA in Security Policy Studies @ The George Washington University, Assistant Squad Leader; InstructorAssistant Squad Leader; Instructor United States Marine Corps, Researcher, Center for Technology and National Security PolicyResearcher, Center for Technology and National Security Policy National Defense University, DoS -, David Granzow-military, Bjorn Bolte, and Andrew Alvarado. “David Granzow” <http://connections-qj.org/system/files/16.4.01_nato_intel_sharing.pdf?download=1>)LR

Current global conflict trends are pulling NATO away from its traditional collective defense mission into stability and reconstruction (S&R) operations with greater frequency. S&R environments require NATO to collaborate with and support host nation governments, international organizations, and a range of non-governmental organizations to address security, political, and social challenges. However, NATO encounters difficulty with collecting and sharing intelligence and information in these environments. This inability to communicate compounds the already complex issues faced by all entities involved. This article identifies three policy options to help NATO improve its support to S&R operations by enhancing information-sharing mechanisms within NATO and with non-NATO stakeholders. These options are: 1) the completion of the Federated Mission Network that seeks to aggregate classified and unclassified information in a regulated virtual space; 2) the indoctrination of a Joint Information Fusion Cell to act as a physical clearinghouse for information; and 3) the development of Regional Coordination Centers and Stabilization and Reconstruction Teams to implement individual S&R projects. A packaged, distributable network that can be used simultaneously by NATO and its partners to share classified intelligence, and by IOs, NGOs, and NATO actors to share unclassified information in a common, minimally regulated space. NATO established the Afghan Mission Network (AMN) in 2010. It provided a federated, classified network that allowed all NATO member states contributing forces to the International Security Assistance Force (ISAF) mission to exchange data and intelligence. Certain non-NATO states were then read on to the AMN using bilateral security agreements. However, ISAF partners continued to struggle with sharing information with non-NATO actors providing much-needed services in Afghanistan. Efforts to use unclassified interfaces, including the All Partners Access Network (APAN), Civil-Military Fusion Center (CFC), Protected Information Exchange (PIX), and RONNA-HarmonieWeb, did not resolve recurring issues of structural obstacles or lack of buy-in.19 NATO has since endeavored to develop a hybrid network, known as the Federated Mission Network (FMN), to hold both classified and unclassified material on a single network.20 As the FMN is still under development, this paper will outline what functions and considerations should be taken into account for the final product: • A labeling scheme allowing registered users to submit information across the classification spectrum, and an access management scheme to limit information by clearance level • A layered archive and search function to store classified intelligence at the NATO Top Secret, NATO Secret, NATO unclassified, and open source levels, respectively • A user-generated, Wiki-type database for unclassified information, with an open edit function regulated by a NATO administration team21 • Chat functions across the classification spectrum to provide for direct communication between users • A fillable-forms portal allowing NATO and non-NATO entities to submit requests for information (RFIs) in both directions, and • A financial trust fund management function for tracking donations, pairing needs with resources using an open proposal scheme. The resulting network would take the form of a distributable, off-the-shelf product that NATO could deploy to areas of instability and be used by NATO and non-NATO entities simultaneously. Firstly, the FMN brings multiple actors onto a common network and provides different levels of access to vetted users. Through the RFI function, the FMN provides an open line of communication, albeit indirectly, for requesting specific information from NATO and vice-versa. Admittedly, not all requests will be approved, especially when the sources and methods used to obtain the information requested are particularly sensitive. Further, the Wiki function establishes a one-stop clearinghouse for open-source and unclassified information, opening new channels for information exchange. Secondly, the donations management function, modeled after the Afghanistan Reconstruction Trust Fund, will improve the efficiency of resource allocation and will limit cases of fraud.22 This mechanism holds all registered monetary donations in a common account managed by the overarching political lead in a S&R context, be it the host nation government, a UN support mission, or another entity. Because all entities supporting the overall S&R operation will have access to the information contained in this element, the opportunity for graft, embezzlement, and misallocation is greatly reduced. The Request for Proposal (RFP) function allows local and foreign actors to post needs, ranging from reconstruction projects to training seminars, and for NGOs to compete for resource awards designed to fulfill specific, widely identified needs. Finally, by developing a packaged, distributable network, NATO will be able to deploy the FMN alongside the initial contingent of NATO personnel sent to a S&R environment. From the first day of an operation, **the FMN can be installed, activated, and have all dysfunctional elements worked out as the full scope of the mission is being developed.** The FMN can be set up in multiple locations at once, using dedicated communications systems to manage operations separately. **In this way, NATO can support multiple S&R, disaster relief, humanitarian aid, and other operations simultaneously.**

### 2ac AT No Cohesion

#### Poland, Hungary, and Turkey won’t ruin cohesion – Russia-Ukraine crisis has healed relations between them and NATO

**Gottemoeller ‘22** - nonresident senior fellow in Carnegie’s Nuclear Policy Program. She also serves as the Frank E. and Arthur W. Payne Distinguished Lecturer at Stanford University’s Freeman Spogli Institute for International Studies and is a research fellow at the Hoover Institution (Rose, Carnegie Endowment for International Peace, “The Spectacular Rise of the “Bad Boys” of NATO During the Ukraine Crisis”, March 22, 2022, <https://carnegieendowment.org/2022/03/22/spectacular-rise-of-bad-boys-of-nato-during-ukraine-crisis-pub-86701> )//RG

I’ve been watching with amazement how Turkey, as one of the bad boys of NATO, **has been playing these positive roles** in this current invasion—not only providing the drones but also **trying to facilitate** some diplomacy. The Russian and Ukrainian foreign ministers met [recently] in Turkey. It’s much different from when I was NATO deputy secretary general and Turkey had just bought the S-400 [missile defense system from Russia]. The United States and NATO were cutting Turkey out of the F-35 program as a result, and they seemed to be much in some senses closer to Moscow at that point than to NATO headquarters—at least that’s what a lot of people thought. **Now it all seems to be healing**. The United States apparently has offered Turkey upgraded F-16s in return for the better behavior. **It’s no longer the bad boy it was,** and we’ll see where it goes from here. I’ll end by noting that all the bad boys of NATO—**Poland, Hungary, and Turkey—have been performing spectacularly** in this horrible crisis. Hungary itself had terrible differences with Ukraine over the Hungarian minority in Ukraine, which again was the top issue for Hungary and Ukraine while I was at NATO. **But all is forgiven now it seems.**

#### NATO can account for different state capacities – North Macedonia proves

* Also critical of anti NATO sc authors

Risso 21 (Linda, Senior Researcher at the Centre for Army Leadership, Royal Military Academy Sandhurst. Before joining the Ministry of Defence, Linda worked as a historian at the Supreme Headquarters Allied Powers Europe in Mons, Belgium. “A Forgotten Success”Linda Risso (2021) A Forgotten Success, The RUSI Journal, 166:6-7, 96-105, DOI: 10.1080/03071847.2022.2072764)LR

In August 2001, Operation Essential Harvest contributed significantly to the de-escalation of ethnic tensions in North Macedonia and prevented another conflict in the Western Balkans. Scholars have neglected to mention the operation in their analysis of NATO history.3 Security experts often forget about it even when the focus of their work is the evaluation of NATO’s crisis management capabilities.4 As argued elsewhere, this is mostly due to the traditional crisis-driven approach to NATO history where the attention of scholars keeps focusing on the same ‘turning points’ or ‘moments of crisis’ rather than on the long-term development of the Alliance.5 The first signs of increased ethnic tensions emerged in January 2001 in the town of Tearce, in the northwest of the country.9 In March 2001, fighting broke out along the North Macedonia–Kosovo border near the village of Tanuševci and it grew into a full-blown insurgency carried out by a previously unknown Albanian guerrilla group, the National Liberation Army (NLA) led by Ali Ahmeti. The NLA soon controlled the area around Tetovo, North Macedonia’s second city. Ahmeti had fought in the Kosovo Liberation Army against Slobodan Milošević and was applying the same military strategies and tactics to the fight against North Macedonia’s security forces.10 Two attempts to solve the crisis failed in rapid succession: one by the OSCE’s envoy, US Ambassador Bob Frowick; and one by North Macedonia’s President Boris Trajkovski. Frowick brokered a negotiation agreement that officially included the NLA as one of the interlocutors and which was therefore received as a betrayal and rejected by the political parties in Skopje.13 On 14 June, NATO Secretary General Lord Robertson and EU High Representative for Foreign Affairs Javier Solana travelled to Skopje to support efforts for a political solution to the conflict. A couple of weeks later, Solana appointed François Léotard as the EU envoy to Skopje.15 Léotard worked with US Ambassador James W Pardew, who had been sent to North Macedonia by President George W Bush.16 NATO also sent a team led by Pieter Feith, a Dutch diplomat who was the head of the NATO Balkan Task Force. Feith was Lord Robertson’s personal representative and liaised with Mark Laity, who had also been sent by Robertson to work as Trajkovski’s special adviser.17 Lord Robertson used ‘personal representatives’ to avoid the formal involvement of the North Atlantic Council (NAC). At the time, opinion within the NAC was divided and several member countries were wary of further involvement in the Balkans as public opinion was critical of NATO’s involvement in Kosovo. The appointment of envoys as the Secretary General’s personal representatives did not require a vote, which was both faster and diplomatically convenient.18 Feeble as it might have been, the ceasefire opened a space for diplomatic talks. The Ohrid Framework Agreement (OFA) was signed on 13 August 2001 at the presidential holiday retreat near Lake Ohrid.31 According to the Agreement, the cessation of hostilities would be followed by the voluntary disarmament and disbandment of the NLA. It established a pathway for government devolution and the reform of minority political and cultural rights, which would require specific constitutional amendments (Annex A) and legislative modifications (Annex B). The Agreement included changes to how the country’s official languages were to be recognised: any language spoken by more than 20% of the population would become a co-official language along with the Macedonian language at the municipal level. At that point – and to this day – only the Albanian language, with approximately 25% of speakers, qualified as a co-official language. These provisions laid the basis for the inclusion of the Albanian minority in North Macedonia’s political and civil life and mapped a pathway to reform.32 Operation Essential Harvest was officially launched on 22 August 2001. Around 3,800 NATO troops were deployed.45 In their interviews, both White-Spunner, Chip Chapman (CO, 2 PARA) and Andrew Budd (military planner at SHAPE) stressed the role of special forces for liaison and intelligence purposes. 22 SAS, along with selected individuals from other allied countries, were sent to join TFH. Their task was to liaise with the Albanian rebels of Ali Ahmeti and to gather intelligence while at the same time building trust. The special forces reassured the NLA that it was NATO that was collecting the weapons and that it would proceed to destroy them as North Macedonia’s security forces were not involved in the operation.46 Operation Essential Harvest accomplished its mission within schedule and it officially concluded on 26 September 2001. NATO troops collected around 3,785 weapons over 30 days. This included 3,210 assault rifles, 483 machineguns, 161 support weapons such as mortars and anti-tank weapons, 17 air-defence systems, two tanks and two armoured personnel carriers. In addition, 397,625 items of mines, explosives and ammunition were collected.48 In one of the last press conferences, General Lange stressed that despite the lack of certainty about whether the NLA held more, ‘the turning in of 3,300 weapons is not just a gesture, it is a very real and substantial effort to remove the combat effectiveness of the so-call [sic.] NLA fighters’.49

#### NATO cohesion at an all-time high

* EU and NATO

Morcos and Monogham 3-29 (Pierre Morcos, visiting fellow in the Europe, Russia, and Eurasia Program at the Center for Strategic and International Studies, where he focuses on European security issues. A career diplomat with the French Foreign Service, he most recently served as deputy head of the Strategic Affairs and Cybersecurity Division, focusing on NATO and European defense issues. Trained as a civil servant in the National School for Administration (Ecole Nationale d'Administration), he holds a B.A. and an M.P.A. from the Paris Institute of Political Studies (Sciences Po). Sean Monogham, visiting fellow in the Europe, Russia, and Eurasia Program at the Center for Strategic and International Studies, where he focuses on European security and defense. His career as a civil servant in the UK Ministry of Defence has focused on international defense policy, including NATO, the European Union, and the United States. In recent years, his work as a policy analyst has seen him contribute to the United Kingdom's Integrated Review and lead multinational research projects. “NATO and the European Union Show Unity and Resolve in Brussels”, https://www.csis.org/analysis/nato-and-european-union-show-unity-and-resolve-brussels)LR

The leaders of NATO and the European Union met in Brussels last week, along with G7 leaders, for an extraordinary trio of summits one month after Vladimir Putin began his invasion of Ukraine. While Russia continued its devastating assault across Ukraine, leaders from Europe, North America, and Japan reinforced their united front against Moscow’s war of aggression, repeating demands for Russia to end the conflict and withdraw its forces from Ukraine while increasing the economic and international pressure against the Kremlin. They also stood firm with the people of Ukraine, committing to further economic, humanitarian, and military support. On economic sanctions, leaders focused on fully implementing existing sanctions against Russia and Belarus, with the United Kingdom adding new targeted sanctions. The European Union, NATO, and G7 all announced new measures to “close loopholes and target actual and possible circumvention.” NATO called specifically on China “to abstain from supporting Russia’s war effort in any way, and to refrain from any action that helps Russia circumvent sanctions.” The EU-China summit at the end of this week provides another opportunity to make this point. In providing military support to Ukraine, NATO and the European Union continue to walk the tightrope between helping Ukraine defend itself and avoiding escalation into a direct conflict with Russia. NATO allies committed to provide Ukraine with more defensive weapons, plus new “cybersecurity assistance” and “equipment to help Ukraine protect against biological, chemical, radiological, and nuclear threats.” The European Union agreed to double its support to the Ukrainian Armed Forces through the European Peace Facility to €1 billion. In the short term, NATO has established four new multinational battlegroups in Bulgaria, Hungary, Romania, and Slovakia—adding to its four existing missions in Poland and the three Baltic states, which have also been bolstered. There are now 40,000 forces from all allies under the direct command of NATO, concentrated in Eastern Europe. These are supported by air and naval forces positioned from the High North to the Mediterranean Sea, including an unprecedented five carrier strike groups. In the longer term, NATO leaders looked to reset their collective defense and deterrence, stating, “We will now accelerate NATO’s transformation for a more dangerous strategic reality, including through the adoption of the next Strategic Concept in Madrid.” In the days before its summit, the European Union also adopted its first defense and security concept, named the “Strategic Compass,” designed to “make the EU a stronger and more capable security provider.”

#### NATO working well together now

Boot 5-17 (Max, University of California at Berkeley, BA in history; Yale University, MA in history. Max Boot is a historian, best-selling author and foreign-policy analyst. “Thanks, Vladimir Putin, for greatly strengthening NATO”, https://www.washingtonpost.com/opinions/2022/05/17/thanks-vladimir-putin-nato-stronger-than-ever-sweden-finland-russia-ukraine/)

It turns out NATO is neither brain dead nor broken. The unprovoked Russian invasion of Ukraine has given the alliance a new lease on life, making it more politically united and militarily formidable than at any time since the end of the Cold War. NATO stands as one against Russian barbarism in Ukraine. Even Germany is boosting its anemic defense spending and finally sending heavy weaponry to Ukraine. Other states are doing far more, with the United States, Poland, Canada and Britain leading the way in providing arms and ammunition. NATO is doubling the number of battalion-size “battlegroups” deployed to the front-line states of Eastern Europe, from four to eight, while the United States has increased its troop deployment in Europe from 80,000 to 100,000 personnel. With Sweden and Finland as members, NATO will hit the strategic jackpot. Admitting them to NATO isn’t an act of charity. They are formidable military powers in their own right that can substantially contribute to deterring further Russian aggression. NATO should continue to bolster front-line states with permanent, rather than rotational, troop deployments. The Baltic republics are particularly vulnerable because they are adjacent to Russia and have their own populations of Russian speakers, whose presence gives Putin a built-in excuse for aggression.

### 2ac AT Opposition

#### Yes norms & positive perception — it’s rising — prefer new studies — insert these charts.

Westfall & Tsui ‘6-22 — Sammy Westfall; Yale University, BA in history and political science. She is an assistant editor on The Washington Post's Foreign desk. Karina Tsui; New York University, BA; Columbia Journalism School, MS in Investigative Journalism. She is a reporting intern on The Washington Post’s Foreign desk. June 22, 2022; “Pew poll: Global views on NATO and U.S. rise; for Russia, a decline”; *Washington Post*; <https://www.washingtonpost.com/world/2022/06/22/pew-poll-russia-nato-us/>; //CYang

In a time of crisis, the international image of the United States, NATO and Russia has shifted — with views on Russia plunging and views of the United States and NATO remaining positive, even increasing, a Pew study of 18 nations found.

In Poland, the shifts have been dramatic. Views on the United States, European Union and NATO have reached all-time highs — each hovering around 90 percent — since the question was first asked in 2007. And views on Russia dropped from one-third of Poles sharing a favorable view in 2019 to a measly 2 percent in 2022.

Chart, bar chart

Description automatically generated

Overall, Russia saw a steep decline in its favorability since 2020. All 18 countries surveyed recorded all-time low shares in positive opinions of the nation — even as Russia was already seen in a relatively unfavorable light.

A median of 85 percent across nations saw Russia unfavorably this year. In the United States, positive views of Russia dropped from 15 percent in 2020 to 7 percent this year.

Confidence in Russian President Vladimir Putin took a shot too — reaching a two-decade low in the majority of places surveyed. Only a median of 9 percent across nations had confidence in Putin to “do the right thing regarding world affairs.”

Sixty percent felt the same about President Biden, even as his ratings dropped across most countries over the year.

Among 11 NATO-member states and Sweden, a median of two-thirds held positive views of the military alliance. Swedish attitudes of NATO have grown incrementally positive over the past six years. In 2016, only 58 percent of Swedes surveyed had favorable views of NATO; the number gradually increased to about 70 percent in 2021. Even over the weeks of surveying in 2022, the numbers grew further — from 77 percent around early March to 84 percent in mid-April.

Views of the United States remained largely positive at about 60 percent, the poll found. But while a median of 79 percent found the United States to be “a reliable partner,” a similar percentage described U.S. partisan conflicts as strong or very strong. In most countries surveyed, views of the United States’ reliability as a partner strengthened over the year — including by 25 percent in South Korea.

In Poland, ratings of the United States are at an all-time high; only 3 percent of those surveyed had an unfavorable view of the nation. That compares to more than 30 percent with unfavorable U.S. views in Germany, Canada and the United Kingdom, for example.

The Pew Research Center highlighted Poland, which the center said had seen a “dramatic shift in attitudes” since the Russian invasion of Ukraine. Ninety-four percent of Poles surveyed have “no confidence at all” in Putin and see Russia as a major threat — with the latter up from 65 percent in 2018.

At the same time, Poland, which was formerly part of the Soviet Union’s Eastern Bloc and is now a member of both NATO and the E.U., logged record-high views on the United States, E.U and NATO.

Associate Director of Global Attitudes Research Jacob Poushter told The Washington Post that “Polish attitudes toward foreign affairs are affected by domestic political considerations.”

In general, he said, people who have unfavorable views of the ruling Law and Justice party (PiS) tend to see the E.U. more favorably, and say the 27-member bloc promotes prosperity and respects Polish values. And the same is true of the converse.

The 2022 Global Attitudes Survey data collection involved nearly 20,000 adults across 18 countries — including Canada, Sweden, Singapore, Israel, Poland and France — between mid-February and mid-May, with data collection in most countries beginning soon after Russia’s invasion of Ukraine. The United States was also surveyed on views of Russia and NATO.

### 2ac AT Say “No” General

#### They say yes — political psychology guarantees.

Calmels ’20 — Christelle; PhD Student at Sciences Po’s Centre for International Studies. and Associate PhD Student at the Institute of Strategic Research of the Military School. July 22, 2020; “NATO’s 360-Degree Approach to Security: Alliance Cohesion and Adaptation After the Crimean Crisis”; *European Security*, Volume 29, Issue 4; Accessed Online via University of Michigan Libraries; //CYang

To answer this question, this article relies on the socio-psychologically rooted alliance cohesion literature (Liska 1962, Holsti et al. 1973, Stein 1976, Thompson and Rapkin 1981, Kupchan 1988, McCalla 1996, Weitsman 2003, 2004, Malici 2005, Kim 2008, Park and Moon 2014). According to Patricia Weitsman, cohesion is “the ability of states to agree on goals and strategies toward attaining those goals” (2003, p. 85). Following this definition, cohesion manifests itself through cooperative behaviour such as consultations, mutual concessions, and responsiveness towards each other’s needs generating collective gains.1 If that behaviour is typical and even expected within an alliance, the proponents of cohesion theory point out that conflicting strategic interests and threat perceptions may be detrimental to group cohesion (Liska 1962, pp. 97–129, Holsti et al. 1973, p. 17, Thompson and Rapkin 1981, p. 615, Malici 2005, p. 93). This article responds to their argument by hypothesising that consensus-based bargaining within the Atlantic Alliance allows for the bridging of divergent threat perceptions among allies and fosters a shared understanding of their respective issues. According to this hypothesis, the birth of the 360- degree concept and its implementation shall then embody this spirit of compromise. We further hypothesise that it is rendered possible by the very nature of NATO. Scholars no longer dispute the fact that NATO is a pluralist security community (Pouliot and Lachmann 2004). It means that it is composed of independent governments sharing “core values derived from common institutions, and mutual responsiveness – a matter of mutual identity and loyalty, a sense of ‘we-ness,’” and determined to resolve their disputes peacefully (Adler and Barnett 1998, p. 7). NATO allies are then incentivised to talk and cooperate not only because of the consensus rule but also because they form an institutionalised “community of values” concerned by regional order (Risse-Kappen 1997, Park and Moon 2014).

#### US pressure ensures “say yes.”

Shapiro ’19— Daniel; former Ambassador of the United States of America to the State of Israel, previously was the senior director for the Middle East and North Africa on the United States National Security Council. Winter 2019; “Saving NATO”; Democracy Journal, Number 51; <https://democracyjournal.org/magazine/51/saving-nato/>; //CYang

American officials tend to play down the notion, but one can scarcely dispute that NATO is a U.S.-dominated construct. While unanimity within the alliance is required for major decisions, the United States has maintained a preeminence in alliance policies, as other members, even if at times fitfully, sublimated their national policies to American views. Tens of thousands of U.S. forces at bases across Europe have facilitated the projection of American power on the other side of the world in ways that would be unimaginable otherwise.

### 2ac AT Threat Perception

#### Russian threat perception unifies NATO and restores cohesion – assumes Turkey, Hungary, and France

**Cafiero ‘22** - CEO of Gulf State Analytics, a Washington, DC-based geopolitical risk consultancy. He is also an Adjunct Fellow at the American Security Project (Giorgio, Politics Today, “The Russian Threat Gives NATO New Purpose”, <https://politicstoday.org/the-russian-threat-gives-nato-new-purpose/> )//RG

It was not long ago when NATO’s divisions were running deep. Until recently, many in the West were questioning the security alliance’s purpose. As a presidential candidate in 2016, Donald Trump said that if Baltic states weren’t “paying their bills” the U.S. shouldn’t necessarily protect them from Russia notwithstanding treaty obligations. In 2019, French President Emanuele Macron asserted that NATO was “becoming brain-dead”. The following year, tensions between Greece and Turkey led some experts to conclude that NATO was “paralyzed”. At that time, 70 percent of Turkey’s population saw the U.S., NATO’s dominant military force, as a threat to their country. Many voices in the West accused Germany of being a “shaky alliance partner” and “NATO’s biggest freeloader.” But Russia’s invasion of Ukraine on 24 February was a geopolitical tsunami that fundamentally **changed the strategic stakes for NATO members**. Amid drastic changes in Europe’s security architecture, the Western alliance has regained a sense of purpose. **Today NATO is more unified and cohesive than it ever has been** since the Soviet Union’s implosion in 1991. “Threat is the glue that binds together a security alliance,” explained John Feffer, the director of Foreign Policy In Focus, in an interview with Politics Today. “**When the threat increases**–and there is a consensus on the nature of the threat–**the alliance necessarily becomes more cohesive**. Russia’s invasion of Ukraine has served to smooth over a number of disagreements within the alliance.” The Ankara-based Foreign Policy Institute’s Dr Tarik Oguzlu wrote that “as we witness NATO’s European members awaking from their geopolitical hibernation, NATO is almost returning to its founding mission.” The war in Ukraine quickly led to a “revolution in German military affairs” with Berlin now committed to a hike in defense spending. The Germans put Nord Stream 2 pipeline on hold. Berlin is also arming the Ukrainian resistance with lethal weapons despite previously opposing NATO’s militarization of Ukraine. For decades, a handful of Western countries accused Italy of being too Russia-friendly. But for the past two months, Italy has taken a strong stance against Vladimir Putin’s invasion of Ukraine. Now closely aligned with the Transatlantic alliance against Moscow, Rome has supported sanctioning Russia. As Italy’s Prime Minister Mario Draghi put it, Italy responded to the President of Ukraine’s appeal for weapons because “it’s not possible to respond only with encouragement” when a democratic country comes under attack. Talk in western capitals about kicking Turkey out of NATO has basically come to a sudden end. There has been somewhat of a rebound in Ankara-Washington relations as Turkey arms Kiev with Baykar TB2 drones. Based on shared concerns about Moscow’s conduct in Ukraine, Greece and Turkey have found common cause since 24 February. NATO’s Baltic members have long been far more alarmist about the Russian threat than those in Western Europe. But such **East-West divisions within NATO are going away**. “Western politicians are now saying to us, you were right,” Arvydas Anušauskas, Lithuania’s Minister of National Defence, told Al Jazeera. Since 24 February, NATO members “have rallied together and acted quickly with new defence and deterrence measures such as activating the NATO defence plans, activating elements of the NATO Response Force, and approving the deployment of four new multinational battlegroups in Eastern Europe,” Mihai Chihaia, a policy analyst at the Brussels-based European Policy Centre, told Politics Today. “Reinforcing the Eastern flank has been a top priority and the **Allies have shown a very high degree of solidarity**. In addition, the strong commitment to Article 5 (mutual defense) has been constantly reiterated.” Expanding the Alliance NATO is not only becoming more unified because of a growing common threat perception of Russia. The security alliance might be on the verge of expanding its membership. Sweden and Finland appear close to abandoning their decades-old foreign policy tradition of neutrality and entering NATO. Finland doing so would add 810 miles to the border between Russia and NATO members. “If Sweden and Finland join, NATO’s presence and coordination in the Baltic Sea area, as well as more broadly in the Nordic and Arctic, will be strengthened, together with NATO’s defense and deterrence posture,” said Chihaia. “Their armed forces would be an asset to the alliance as both Sweden and Finland have been close partners for years, they have invested in modernizing their armed forces, and there is a high degree of interoperability and adherence to NATO standards.” This deeply alarms Moscow, which has been warning Stockholm and Helsinki about political and military consequences. “Russia has threatened to place nuclear weapons in its Kaliningrad enclave if Finland or Sweden join,” explained Feffer. “[Russia] has threatened to increase its military presence in the Baltic region to deal with NATO’s extended border with Russia if Finland joins. But I’m not sure that the security architecture will change that much. Sweden and Finland are not members of NATO, but they have coordinated with the security alliance for some time. Russia, meanwhile, has reportedly already placed nuclear weapons in Kaliningrad (according to the Lithuanian government). But it does mean that the space for neutrality in Europe is shrinking,” Feffer added. The Orban and Le Pen Factors There are some limits to NATO’s unity, which brings us to Hungary. With Prime Minister Viktor Orban at the helm, Hungary is the Western alliance’s most Russia-friendly member. In the past, he has hailed Russia as a model for his “illiberal” country. Although Budapest did not veto EU sanctions on Moscow following Russia’s invasion of Ukraine earlier this year, Orban has vowed to block EU sanctions on oil and gas from Russia. The Hungarian leader has also opposed demands to halt the expansion of the Rosatom-financed Paks Nuclear Plant. As the leadership in Budapest sees it, Hungarian citizens should not be burdened by costlier bills because of energy sanctions against Russia. “Hungary is the problem child of Europe because of the ties [that Russia maintains with] the Orban government. As long as [Orban] is there, Budapest will be a problem,” Dr Theodore Karasik, the former Senior Political Scientist in the International Policy and Security Group at RAND Corporation, told Politics Today. Nonetheless, Budapest is not defending Russia’s violations of Ukrainian sovereignty. “It’s important to note that Orban is not siding with Russia here,” as Feffer pointed out. “He has condemned the invasion.” Orban believes that he has the diplomatic abilities to navigate good relations with Moscow. Yet escalating tensions between Hungary’s fellow NATO members and Russia is testing Orban’s doctrine of “strategic calmness” vis-à-vis the Kremlin. Depending on how the Russian-Ukrainian war pans out, Hungary could find itself increasingly isolated within Europe. There is also the question of what happens to NATO if Marine Le Pen wins the second-round runoff in France’s presidential elections. Her victory would constitute a major blow to the Western alliance, especially mindful of the fact that Le Pen has signaled her support for France leaving NATO’s integrated military command as well as a strategic rapprochement between the West and Moscow. Although this year Le Pen has condemned Russia’s violations of Ukraine’s territorial dignity, Feffer described her as “one of Putin’s greatest cheerleaders in Western Europe” who “would likely push to water down sanctions and reduce EU military support for Ukraine” if she defeats Macron. “Le Pen is Russia’s ace in the hole and [she] needs to be watched and understood very carefully” considering how her “connections to Moscow can stymie NATO policy actions by acting as a major distraction,” explained Dr Karasik. According to Chihaia, “if Le Pen wins, EU defense initiatives will be negatively impacted and there will be significant difficulties to move forward.” He emphasized that her victory could have major ramifications for Paris-Berlin relations. “The Franco-German joint defense projects might be stopped. The Franco-German ‘engine’ for developing European defense, essential in moving forward with strengthening European defense capabilities and structures, risks to be halted.” Boxing in the Bear **Regardless of how Hungary and possibly France** will serve to undermine NATO unity, **there is no denying that drastic shifts have taken place within the security alliance s**ince 24 February. **NATO finds itself with a renewed purpose**. This bodes negatively for Russia. Having viewed NATO’s eastward expansion as a growing threat, Moscow must contend with how conditions in Ukraine are **tightening the Transatlantic alliance** in truly remarkable ways which were difficult to imagine only a few months ago. Putin’s government is in no position to easily or quickly reverse this move toward much deeper coordination and solidarity among NATO’s members. In Dr Karasik’s words, “the mistakes by the Russians and the emergence of the Z campaign **are helping to unite NATO** in a way that’s going to box in Russia for decades.”

### 2ac AT Turkey

#### NATO’s foundation allows consultations in order to resolve disputes with Turkey, not engage in them

**Got ‘20** – Author based in Europe and works on security and defense issues (Antoine, War on the Rocks, “TURKEY’S CRISIS WITH THE WEST: HOW A NEW LOW IN RELATIONS RISKS PARALYZING NATO”, November 19, 2020, <https://warontherocks.com/2020/11/turkeys-crisis-with-the-west-how-a-new-low-in-relations-risks-paralyzing-nato/> )//RG

Ultimately, however, fears of a Turkish realignment with Russia are likely overblown. Moscow and Ankara’s relations have historically been fraught, and the recent rapprochement stems more from opportunism and coinciding interests than a major reorientation in Turkish foreign policy at the expense of its traditional alliances. In fact, Turkey’s forceful posturing is making it steadily more at odds with Russia in conflict environments where both operate, including Nagorno-Karabakh, Syria, and Libya. Its growing involvement in the Caucasus, for instance, has brought it dangerously close to armed confrontation with NATO’s primary contestant, Russia, which supports Armenia under the Collective Security Treaty Organization framework. This was highlighted by Russian President Vladimir Putin’s underscoring of Russia’s “obligations to Armenia.” Though the violence ended there, Turkey’s proxy saber-rattling contributes to increase risks of accident or miscalculation leading to armed confrontation with Russia — something all parties are eager to avoid. With antagonistic security interests at stake, Turkey and Russia are ultimately more likely to balance against rather than align with each other, though several NATO allies continue to regard Ankara’s ties to Moscow with a deep-seated sense of suspicion. A Constructive Role for NATO As Turkey and the European Union ramp up their rhetorical joust, it is perhaps no surprise that **NATO is better placed to act as a forum for the de-escalation of the crisis**. It is indeed Turkey’s membership to NATO, and the daily staff-to-staff contacts which it generates, that makes the alliance able to work as a platform where their diplomats can negotiate, exchange information, and address issues of common strategic interest with European counterparts, thus helping to undermine the “us-versus-them” mentality which at times prevails across E.U. institutions. As the latter hardens its rhetoric, **NATO can generate the much-needed safety valve where diplomatic efforts have a chance of succeeding.** To this end, the alliance should capitalize on the consultative function of its institutions to allow for parties to sit together, express their views and concerns on national and collective security considerations, and improve mechanisms to reach a consensus on the means to address any perceived challenges. Consultations have indeed always been at the core of the alliance, and remain important vectors for addressing intermember disagreements. The recent announcement by NATO Secretary General Jens Stoltenberg that a military de-confliction mechanism would be established between Greece and Turkey is but one example of the productive results that such diplomatic efforts can yield, and an encouraging sign that the two sides are not willing to see their relations deteriorate further. Yet a limited arrangement between Greece and Turkey is also unlikely to address the deep-seated causes of the political turmoil between Ankara and European allies, and NATO should find new and improved ways to act as a forum to discuss, and to act, where necessary, on issues affecting the security interests of its member states. This is key if the organization wants to remain flexible and relevant in the increasingly contested and fast-paced security environment of today.

#### The aff’s strategic dialogue solves disputes with Turkey – shared values ensure the alliance will be repaired

**Beyoghlow ‘20** – adjunct professor of international security at the George Washington University’s Elliot School of International Affairs, where he teaches courses on Turkish politics and foreign policy (Kamal, Strategic Studies Institute and U.S. Army War College Press, “TURKEY AND THE UNITED STATES ON THE BRINK: IMPLICATIONS FOR NATO AND THE US-TURKISH STRATEGIC AND MILITARY PARTNERSHIP”, January 2020, <https://www-jstor-org.proxy.lib.umich.edu/stable/pdf/resrep24340.pdf?refreqid=excelsior%3Af4722a403c137d09b5f6dc26ca56c20f&ab_segments=0%2FSYC-6442%2Ftest&origin=&acceptTC=1> )//RG

While the current standoff between Turkey and the United States appears to be moving from bad to worse, **it has yet to reach** a breaking point or a **point of no return.** Although tensions and policy differences continue to plague US-Turkish relations, efforts by well-meaning policymakers within the US government and Turkey’s civilian and military establishment **point to** perhaps **better days to come**, given the resilience and endurance of the **ties that bind the two nations together**. The US perspective on Turkey could be traced to many factors, starting with the refusal of the Turkish Parliament to allow US forces to transit Turkish territory to attack Iraq in 2003 and the slow Turkish support for the US-led coalition against ISIS. Turkey is also being put on notice by the United States for feuding against other NATO allies—namely, Germany, the Netherlands, Cyprus, France, and Greece. In the last case, tensions have been brewing in recent months over new border disputes in the Aegean and the refusal of Greece to extradite a group of Turkish officers allegedly involved in the failed coup. Although resolving the Cyprus issue remains high on the US agenda, tensions between Turkey and Cyprus over oil and gas exploration rights and access off the coast of Cyprus are forcing the United States and the European Union to side with Cyprus and even entertain sending US naval ships to protect Cypriot gas and oil tracks at sea. Despite these and other policy differences over Syria and other domestic problems facing Turkey, **both sides seem reluctant to cause irreparable damage to their alliance**. The United States, which has traditional ties with Turkey, does not want a military confrontation with the country over Syria. The most hopeful sign of addressing some of the protracted problems currently facing US-Turkish relations stems from the fact that Turkey is still seen by the United States as important to America’s national security interests, especially given Turkey’s geostrategic location and cultural familiarity with its volatile neighbors. Turkey is currently self-absorbed with its ambitions and Muslim neo-Ottoman nationalist revivalism, but its unique ballot-box democracy, albeit imperfect by Western standards, **will work toward increasing harmonization toward the U**nited **S**tates **and its NATO allies in the long run. This can only happen through a sustained strategic dialogue.** The idea is to keep Turkey and the United States engaged while trying to find solutions to the issues that separate them, because once the current tactical posturing is stripped away, the strategic alliance becomes more visible. There is indeed current evidence for better US-NATO-Turkish cross-cultural communication techniques to manage and resolve outstanding policy and strategic differences. In short, **Turkey is not yet lost**, but there are challenges facing America and its NATO partners in how to bridge the growing gap between them and Turkey. This challenge touches on a fundamental question: What kind of strategic relation- ship do the United States, NATO, and Turkey want or desire? Clearly, they are at a policy and strategic cross- road. The answer lies in the need for the United States to craft a new strategy toward Turkey and vice versa that takes into account the new realities of Turkish, NATO, and American domestic political dynamics, their changing nature and character, as well as Tur- key’s quest for regional influence and ambitions and its goal of becoming a great regional power. **Turkey, NATO, and the U**nited **S**tates **share Western values, and** **these values**, although not equal for all partners, **are keys to better multicultural harmony if applied properly** across the board.

#### Turkey is pursuing a parallel policy with NATO and will remain an active member of the alliance, despite differences

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Despite the considerable degree of divergence, Ankara acts in parallel but not necessarily against the EU and the United States. In the grand scheme of things, Turkey is tightly connected to the European economy, a fact highlighted by the ongoing recession, which puts at risk EU investors too. Turkish trade with EU members Romania, Greece and Bulgaria is by far more significant than with the Western Balkans, though Serbia is picking up too. On the security side, Turkey pursues a policy independently of NATO and has deepened ties to Russia. **Yet, it remains part of the Alliance and contributes to its initiatives, including those aimed to deter Moscow.** When it comes to the Balkans, Turkey has no alternative to offer to local countries to woo them away from Euro- Atlantic institutions. Its resources are limited, too, in comparison with the collective West. What is also important is that Balkan elites do not necessarily see a trade-off between ties to Western organizations and to Turkey. That is clearly visible in the policy of non-aligned Serbia, which has also been courting Russia, China and the Gulf while negotiating its membership in the EU. But it is also the case of Bulgaria which has emerged as a leading advocate of engagement with Turkey within the Union. The only country in Southeast Europe which has deep-seated concerns and fears about Turkish expansionism is Greece, which has long-standing territorial disputes with its neighbour only made worse by the looming conflict over offshore gas deposits in the proximity of Cyprus. But Greek policymakers have demonstrated the capacity to be flexible and deescalate tensions (Christofis in this issue). Turkey is embedded in the politics, economies and societies of the Balkans. It is an autonomous player, and the cult of Erdoğan has become central to its presence in the region, often with divisive effects. However, **there is no evidence that its actions or policies are geared at replacing the West** as the lynchpin of regional order. Rather, **Turkey is pursuing a parallel policy, which** at times **overlaps with that of the** EU, **US and NATO.**

#### US-Turkey relations can be repaired through multilateralism – neither want the instability of a hostile relationship

**Şahin and Sözen ‘22** - Devrim Şahin is a PhD candidate at the Department of Political Science and International Relations as well as the research assistant in Cyprus Policy Center at Eastern Mediterranean University; Ahmet Sözen is professor of International Relations. He is the Chair of the Department of Political Science and International Relations as well as the Founding Director of the think tank Cyprus Policy Center at Eastern Mediterranean University (Uluslararası İlişkiler / International Relations, Vol. 19, No. 74, “The Complexity Effect in U.S.-Turkey Relations”, March 8, 2022, <https://www-jstor-org.proxy.lib.umich.edu/stable/pdf/27130874.pdf?refreqid=excelsior%3Abfa7c68f990faec529d87de41732c011&ab_segments=0%2FSYC-6442%2Ftest&origin=> )//RG

In the recent decade, the U.S. has pursued a strategy to support armed Kurdish groups to repel radical Islamic terror groups, particularly ISIS. Nevertheless, Turkey has become increasingly concerned about the strengthening of the Kurdish administration and its nationalist ambitions. These concerns are pushing Turkey into the arms of U.S. rivals in the region. Both Iran and Russia are expanding their authority in the region by establishing political and military support for radical regimes such as Assad’s in Syria and political and militant movements like Hezbollah. These strategic policies are increasingly connecting Iran’s and Russia’s allies in an ever-strengthening regional security complex. Given these regional circumstances, Turkey finds itself flip-flopping between these rival regional security complexes. The primary cause for current problems in U.S.-Turkey relations is not simply the recent actions of the two countries. The complex view of the IR system facilitates the understanding that the U.S.-Turkey relationship is shaped by the feedback loops generated under both regional and global circumstances. The complexity of the international system can trigger a dramatically different evolution of relations between U.S. and Turkey as a feedback (reaction) caused by the U.S. For example, the U.S. does not hesitate to use methods like arming the YPG, even if these methods hurt former allies such as Turkey. As a result, U.S.-Turkish relations continue to be vulnerable to the U.S. approach toward minority, rebel groups which have problematic bonds with Turkey. The international roles that the U.S. and Turkey pursued for themselves in the post-9/11 era have had consequences for perceptions of historical friendship or hostilities – what the Regional Security Complex Theory ties to cooperative or non-cooperative behavior of states. There were hostility perceptions among Turkish military and Foreign Service chiefs in the wake of the collapse of the Soviet Union when the U.S. sought to maintain its global supremacy role. Given its resources, the U.S. cannot help but be superior to smaller, poorer states that do not have Washington’s military capacity. The issue is the way in which the U.S. dominates – that is, its treatment of its allies, not considering their strategic security concerns, etc. Turkey was deeply concerned with events in northern Iraq following the 1991 Iraq war. These events amounted to challenge Turkey’s priority of preventing the emergence of an independent Kurdish administration in northern Iraq. The hostility perceptions in Turkey turned to be reciprocal between the U.S. and Turkey thanks to the feedback loops generated by the 9/11 attacks. The unilateral U.S. reaction to the 9/11 attacks during the Bush administration undermined the U.S.-led liberal international order and played no small role in the inauguration of Trump as a president who questions this order and views local U.S. allies as burdens on the U.S. If we acknowledge that the complexity of the international relations system is at play here, the causal logic of the complexity approach leads us to expect that Turkey’s internal characteristics can pressure systemic transformation – something other than the predictions generated by the regional security complex approach.83 A U.S. that operates with a systemic moral conscience could assist Turkey in managing its affairs. Facing complexity **invokes improving diplomacy and collaboration, adopting multilateral solutions** and soft power **and constructing** some **advanced strategic partnerships**. If the U.S. chooses to nurture its relationships with allies such as Turkey, the erosion of the U.S. position of influence could be mitigated and the U.S. still could be the primary actor in maintaining stability in the Middle East. The underlying message of this paper is that **the U.S. and Turkey are rebuilding their alliance due to various factors.** Both **countries could form a revised alliance as an important constituent of the regional peace system.** Neither of them desires the continuation of the Syrian chaotic status-quo and its accompanying insecurity nor do they desire Iran to dominate with a greater role in Syria or in the Middle East. Clearly, the security of the region is in a state of greater flux today than it has been in the past, yet **tackling the present challenges** in the Middle East **depends on the effective involvement of regional U.S. partners.**

#### Turkey is shifting its foreign policy towards diplomacy – US reciprocation will facilitate it

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The end result of Turkey’s tarnished ties with its traditional allies in the West and its neighborhood(s) have demonstrated the limits of the illusion of Ankara’s strategic autonomy. Indeed, despite its aspiration, **Turkey remains firmly anchored in the Western community of nations.** In addition to being a NATO member, over 40 percent of the country’s exports are destined for EU member states and another 6 percent or so each to the UK and the United States. In addition, Turkey gets most of its foreign direct investment (FDI) and technology from Western countries. EU member states account for almost 70 percent of all incoming FDI, with another nearly 10 per- cent accounted by the United States. Against this backdrop, the 2020 economic downturn, compounded by a sharp drop in FDI, a negative foreign investment balance sheet (excluding real estate), and a lowering of credit risk scores—and, more recently, a spike in inflation and a downturn in the value of the national currency—are to be associated with these frail political relations. The next phase of Turkey’s foreign relations paradigm will therefore be marked **by how well the country’s growing capabilities**—but also its ambitions—**can be reframed to allow for a more cooperative foreign policy** pattern. This objective will in turn require three fundamental changes. The first is the decoupling of foreign policy from domestic political considerations. A new balance will have to be found between the need for a democratic government that is accountable to its electorate and the need for a more mature and predictable foreign policy. This new understanding should be instrumental in containing the proclivities of the ruling elites to instrumentalize foreign policy for domestic goals. This objective will be greatly facilitated by a second, namely the reinstitutionalization of foreign policy. As discussed above, the transition back to a presidential system has led to the erosion of the role of traditional institutions (e.g., ministries) in the policymaking process—to the benefit of the presidential administration. This is also true of foreign policy, where the role of the Foreign Ministry has been diminished. This domain requires re- balancing, which would reempower the traditional institution of policymaking. Such a rebalancing would improve the predictability of Turkey’s foreign policy, as the heavier weight of the relevant institutions could more effectively counter the tendencies fueled by exclusively domestic political considerations. Third, the country’s foreign policy retransformation will be more effective if Turkey’s partners respond positively to such an agenda of change. The United States and the EU—Turkey’s strategic allies in the domains of security, defense, and economy—can help Ankara in its bid to develop a new understanding of how Turkey, as a rising power, can prioritize positive sum scenarios. For instance, **Washington will need to** alter its approach and **start to engage constructively with the Turkish leadership to tackle** the corrosive set of **bilateral problems,** including the ongoing U.S. relationship with the PKK-linked Syrian PYD and the dysfunctionalities in defense industry cooperation. At the same time, the EU will need—at the very least—to cease its obstructionism regarding the launch of an ambitious trade agenda and endorse the start of the negotiations for a modernized Customs Union between Turkey and the EU. The outcome of new negotiations to reach a fair and lasting model of cooperation on the refugee issue will be of equal importance. At bottom, what is at stake in the next decade is the identity of Turkish foreign policy. **A departure from** what marked the past decade—**unilateralism** inspired by a strong yearning for strategic autonomy—**is already under way**. **This change in approach is evident in** the more **recent efforts at diplomatic rapprochement with allies and regional partners**. Ultimately, the success of this transformation will be conditional on a clear demonstration of intent by the country’s leadership that **Turkey**, as a rising power, **needs to establish a more constructive and cooperative relationship with its main allies.**

### 2ac AT Ukraine Thumper

#### Ukraine could not be a worse warrant for the neg — NATO hit the strategic jackpot.

Boot ‘5-17 — Max; University of California at Berkeley, BA in history; Yale University, MA in history. He is a historian, best-selling author and foreign-policy analyst who has been called one of the “world’s leading authorities on armed conflict”. May 17, 2022; “Thanks, Vladimir Putin, for greatly strengthening NATO”; *Washington Post*; <https://www.washingtonpost.com/opinions/2022/05/17/thanks-vladimir-putin-nato-stronger-than-ever-sweden-finland-russia-ukraine/>; //CYang

It turns out NATO is neither brain dead nor broken. The unprovoked Russian invasion of Ukraine has given the alliance a new lease on life, making it more politically united and militarily formidable than at any time since the end of the Cold War.

NATO stands as one against Russian barbarism in Ukraine. Even Germany is boosting its anemic defense spending and finally sending heavy weaponry to Ukraine. Other states are doing far more, with the United States, Poland, Canada and Britain leading the way in providing arms and ammunition. NATO is doubling the number of battalion-size “battlegroups” deployed to the front-line states of Eastern Europe, from four to eight, while the United States has increased its troop deployment in Europe from 80,000 to 100,000 personnel.

Now even Sweden and Finland, which have long maintained their neutrality, are declaring their desire to join the alliance. They are almost certain to be admitted, despite Turkish reservations and predictable hand-wringing from pseudo-“realists” about provoking the Russian bear.

With Sweden and Finland as members, NATO will hit the strategic jackpot. Admitting them to NATO isn’t an act of charity. They are formidable military powers in their own right that can substantially contribute to deterring further Russian aggression.

#### Lack of consensus does not mean NATO is failing – even without agreement, they can still accomplish goals

**Skaluba and Rodihan ‘22** - Christopher Skaluba is Director of Scowcroft Center for Strategy and Security and Transatlantic Security Initiative; Conor Rodihan is Associate Director of Scowcroft Center for Strategy and Security and Transatlantic Security Initiative (Atlantic Council, “No consensus? No problem. Why NATO is still effective.”, January 18, 2022, <https://www.atlanticcouncil.org/blogs/new-atlanticist/no-consensus-no-problem-why-nato-is-still-effective/> )//RG

Yet as the crisis evolves, decisions about how to support Ukraine will become more difficult, and there’s a limit to how unified NATO can be. While the West might agree on introducing tough new economic sanctions and reinforcing the Alliance’s eastern flank, boosting Kyiv’s military capacity—by supporting an insurgency, for instance, or sending anti-tank weapons—will be impossible to achieve by consensus and is much more likely to come from individual members than under NATO auspices. This shouldn’t be surprising. Consider Russia’s annexation of Crimea in 2014 and its ongoing support for separatists in Ukraine’s Donbas region: NATO actions in support of Kyiv have been more political than operational, leaving it to individual allies to provide munitions, equipment, and training to Ukrainian forces. And despite a recurrent pledge that Ukraine would one day be welcome to join the Alliance, as well as the sympathy expressed by allies for Ukraine’s plight, there’s been precious little progress on this front. NATO is primarily concerned about defending its members from Russian aggression—which it is also wary of provoking by supporting the Ukrainian military. Yet despite its lack of meaningful military support for Ukraine, the crisis has been the animating issue on the Alliance’s agenda since 2014. Russia’s attacks on Ukraine and its support for separatists have driven major NATO initiatives on readiness, defense planning, force posture, intelligence, and technology development, with an eye toward beefing up the Alliance’s northern and eastern flanks and deterring Russia in both the conventional and sub-threshold realms. As an institution established to safeguard Europe, it has successfully geared itself to deter the type of destabilizing Russian belligerence currently on display. Critics of the alliance (and even some supporters) have interpreted NATO’s unwillingness to militarily support Ukraine—especially during the most significant challenge to the European security order since the Cold War—as an indicator of its declining relevance, timidity, or its divisions. But that **overstates the importance of political consensus** to NATO’s value and **understates its role as an effective** and flexible **defensive alliance**. This is a role with potentially critical benefits for Ukraine. First, it sets too high a bar for an alliance of thirty members with aligned, but distinct, priorities. Unanimity on every issue is impossible, let alone one as complex as military support to Ukraine. Debate and **disagreement**, as it should be for any democratic institution, **are built-in features of NATO—not bugs**. In reality, it’s astounding how often NATO does reach consensus about issues big and small, creating an unrealistic expectation that it always will. The opposite of consensus is not failure. Suggesting otherwise turns any debate that doesn’t end harmoniously into an indictment of NATO, playing straight into Russian propaganda. Second, a belief that NATO’s value is tied primarily to achieving consensus on every issue misses the more mundane (and important) ways it supports its allies and partners. Its affinity for process—particularly its ability to build a common situational understanding among its members—is an invaluable tool. Habits of consultation and information sharing, buttressed by deep cooperation on operations, intelligence sharing, defense planning, and interoperability, create the foundation upon which any consensus is to be built. **Even in the absence of that agreement, the ability to collectively define threats and** jointly train to **confront them is immensely valuable** in its own right. Third, these **habits of cooperation give NATO members** the **flexibility to act outside of the Alliance**’s frameworks. While NATO does much by consensus—such as its missions in the Baltic states—the skills it helps members develop is central to enabling them to form separate coalitions for action. This happened recently with ample success in taking on the Islamic State. Such flexibility should be a point in NATO’s favor, not evidence of its ineptitude. In the case of military support for Ukraine, policymakers will find more attractive alternatives for dealing with Moscow’s aggression outside of the auspices of the Alliance. Up to and including its recent dialogue with Russia, it has taken a host of consensus actions to support Ukraine—from condemning Kremlin aggression and standing up for Kyiv politically to reaffirming its open-door policy with an expectation that Ukraine will eventually become a member. It might even share intelligence and develop training and advisory programs for the Ukrainian military. And while it won’t find a consensus to fight, it could provide the foundation for certain allies to support Ukrainian forces in ways consistent with their national priorities outside of NATO. In that case, NATO’s enabling value to its members in complicating Putin’s cost-benefit assessment should be applauded. Last week’s NATO-Russia Council meeting showcased an Alliance working in lockstep and finding political consensus in responding to preposterous Russian demands. NATO should always strive for this degree of consensus. But if and when this crisis intensifies, and Putin advances further into Ukraine, expectations for NATO assistance will be raised, decisions about how to respond will become more difficult, and consensus will be more elusive. Despite the rhetoric we might hear in response, **this is not evidence of NATO’s ineffectiveness**—but rather a reflection of how democratic institutions function. And **even absent consensus, NATO can still contribute invaluably to Ukraine’s sovereignty.**

### 1ar AT Ukraine Thumper

#### Ukrainian non-involvement is NOT evidence of NATO failure – disagreement and flexibility are features NOT bugs

**Skaluba & Rodihan 22** - Christopher Skaluba served as the principal director for European and NATO policy in the office of the secretary of defense from 2012 to 2015. Conor Rodihan is the associate director of the Transatlantic Security Initiative in the Atlantic Council’s Scowcroft Center for Strategy and Security. He is the co-author of “Geometries of Deterrence: Assessing Defense Arrangements in Europe’s Northeast” and has previously supported the Atlantic Council’s two flagship task force reports on defense and deterrence in Europe, “Permanent Deterrence: Enhancements to the US military presence in North Central Europe” and “Moving Out: A Comprehensive Assessment of European Military Mobility.” Prior to joining the Atlantic Council, he interned at the US Mission to NATO. He is a graduate of the University of Denver, where he received bachelor’s degrees in International Studies and Russian. (“No consensus? No problem. Why NATO is still effective.” Atlantic Council, 01/18/2022, <https://www.atlanticcouncil.org/blogs/new-atlanticist/no-consensus-no-problem-why-nato-is-still-effective/> ) PJW

As the crisis over Ukraine intensifies, key stakeholders are looking to Brussels for signs of Western resolve. At the NATO-Russia Council meeting on January 12, the Alliance delivered: In a vivid expression of solidarity, it categorically (and unanimously) rejected Russian demands to forgo future expansion or withdraw forces from member countries.

Yet as the crisis evolves, decisions about how to support Ukraine will become more difficult, and there’s a limit to how unified NATO can be. While the West might agree on introducing tough new economic sanctions and reinforcing the Alliance’s eastern flank, boosting Kyiv’s military capacity—by supporting an insurgency, for instance, or sending anti-tank weapons—will be impossible to achieve by consensus and is much more likely to come from individual members than under NATO auspices.

This shouldn’t be surprising. Consider Russia’s annexation of Crimea in 2014 and its ongoing support for separatists in Ukraine’s Donbas region: NATO actions in support of Kyiv have been more political than operational, leaving it to individual allies to provide munitions, equipment, and training to Ukrainian forces. And despite a recurrent pledge that Ukraine would one day be welcome to join the Alliance, as well as the sympathy expressed by allies for Ukraine’s plight, there’s been precious little progress on this front.

NATO is primarily concerned about defending its members from Russian aggression—which it is also wary of provoking by supporting the Ukrainian military.

Yet despite its lack of meaningful military support for Ukraine, the crisis has been the animating issue on the Alliance’s agenda since 2014. Russia’s attacks on Ukraine and its support for separatists have driven major NATO initiatives on readiness, defense planning, force posture, intelligence, and technology development, with an eye toward beefing up the Alliance’s northern and eastern flanks and deterring Russia in both the conventional and sub-threshold realms. As an institution established to safeguard Europe, it has successfully geared itself to deter the type of destabilizing Russian belligerence currently on display.

Critics of the alliance (and even some supporters) have interpreted NATO’s unwillingness to militarily support Ukraine—especially during the most significant challenge to the European security order since the Cold War—as an indicator of its declining relevance, timidity, or its divisions. But that **overstates the importance of political consensus to NATO’s value** and **understates its role as an effective and flexible defensive alliance**. This is a role with potentially critical benefits for Ukraine.

First, it sets too high a bar for an alliance of thirty members with aligned, but distinct, priorities. Unanimity on every issue is impossible, let alone one as complex as military support to Ukraine. Debate and disagreement, as it should be for any democratic institution, are **built-in features of NATO—not bugs.** In reality, it’s astounding how often NATO does reach consensus about issues big and small, creating an unrealistic expectation that it always will. The **opposite of consensus is not failure**. Suggesting otherwise turns any debate that doesn’t end harmoniously into an indictment of NATO, playing straight into Russian propaganda.

Second, a belief that NATO’s value is tied primarily to achieving consensus on every issue misses the more mundane (and important) ways it supports its allies and partners. Its affinity for process—particularly its ability to build a common situational understanding among its members—is an invaluable tool. Habits of consultation and information sharing, buttressed by deep cooperation on operations, intelligence sharing, defense planning, and interoperability, create the foundation upon which any consensus is to be built. **Even in the absence of** that **agreement, the ability to collectively define threats** and jointly train to confront them **is immensely valuable in its own right**.

Third, these habits of cooperation give NATO members the flexibility to act outside of the Alliance’s frameworks. While NATO does much by consensus—such as its missions in the Baltic states—the skills it helps members develop is central to enabling them to form separate coalitions for action. This happened recently with ample success in taking on the Islamic State. Such **flexibility should be a point in NATO’s favor, not evidence of its ineptitude**.

In the case of military support for Ukraine, policymakers will find more attractive alternatives for dealing with Moscow’s aggression outside of the auspices of the Alliance. Up to and including its recent dialogue with Russia, it has taken a host of consensus actions to support Ukraine—from condemning Kremlin aggression and standing up for Kyiv politically to reaffirming its open-door policy with an expectation that Ukraine will eventually become a member. It might even share intelligence and develop training and advisory programs for the Ukrainian military.

And while it won’t find a consensus to fight, it could provide the foundation for certain allies to support Ukrainian forces in ways consistent with their national priorities outside of NATO. In that case, NATO’s enabling value to its members in complicating Putin’s cost-benefit assessment should be applauded.

Last week’s NATO-Russia Council meeting showcased an Alliance working in lockstep and finding political consensus in responding to preposterous Russian demands. NATO should always strive for this degree of consensus. But if and when this crisis intensifies, and Putin advances further into Ukraine, expectations for NATO assistance will be raised, decisions about how to respond will become more difficult, and consensus will be more elusive.

Despite the rhetoric we might hear in response, this is not evidence of NATO’s ineffectiveness—but rather a reflection of how democratic institutions function. And even absent consensus, NATO can still contribute invaluably to Ukraine’s sovereignty.

# Emerging tech

## AI

### 2ac AT Coop Fails – AI – Data

#### GDPR does NOT preclude AI – standards are vague enough to allow AI without real limits

**EPRS 20** - European Parliamentary Research Service. (“The impact of the General Data Protection Regulation (GDPR) on artificial intelligence,” Panel for the Future of Science and Technology, June 2020, <https://www.europarl.europa.eu/RegData/etudes/STUD/2020/641530/EPRS_STU(2020)641530_EN.pdf> ) PJW

**AI is compatible with the GDPR** AI is not explicitly mentioned in the GPDR, but many provisions in the GDPR are relevant to AI, and some are indeed challenged by the new ways of processing personal data that are enabled by AI. There is indeed a tension between the traditional data protection principles – purpose limitation, data minimisation, the special treatment of 'sensitive data', the limitation on automated decisions– and the full deployment of the power of AI and big data. The latter entails the collection of vast quantities of data concerning individuals and their social relations and processing such data for purposes that were not fully determined at the time of collection. However, there are ways to interpret, apply, and develop the data protection principles that are consistent with the beneficial uses of AI and big data. The requirement of purpose limitation can be understood in a way that is compatible with AI and big data, through a flexible application of the idea of compatibility, which allows for the reuse of personal data when this is not incompatible with the purposes for which the data were originally collected. Moreover, reuse for statistical purposes is assumed to be compatible, and thus would in general be admissible (unless it involves unacceptable risks for the data subject). The principle of data minimisation can also be understood in such a way as to allow for beneficial applications of AI. Minimisation may require, in some contexts, reducing the 'personality' of the available data,rather than the amount of such data, i.e., it may require reducing, through measures such as pseudonymisation, the ease with which the data can be connected to individuals. The possibility of re-identification should not entail that all re-identifiable data are considered personal data to be minimised. Ratherthe re-identification of data subjectsshould be considered as creation of new personal data, which should be subject to all applicable rules. Re-identification should indeed be strictly prohibited unless all conditions for the lawful collection of personal data are met, and it should be compatible with the purposes for which the data were originally collected and subsequently anonymised. The information requirements established by the GDPR can be met with regard to AI-based processing, even though the complexity of AI application has to be taken into account. The information made available to data subjectsshould enable themto understand the purpose of each AI-based processing and its limits, even without going into unnecessary technical details. The GDPR allows for inferences based on personal data, provided that appropriate safeguards are adopted. Profiling is in principle prohibited, but there are ample exceptions (contract, law or consent). Uncertainties exist concerning the extent to which an individual explanation should be provided to the data subject. It is also uncertain to what extent reasonableness criteria may apply to automated decisions. gconcerning privacy by design and by default, **do not hinder the development of AI** systems, if correctly designed and implemented, even though they may entail some additional costs. It needs to be clarified which AI applications present high risks and therefore require a preventive data protection assessment, and possibly the preventive involvement of data protection authorities. Finally, the possibility of using personal data for statistical purposes opens opportunities for the processing of personal data in ways that do not involve the inference of new personal data. Statistical processing requires security measures that are proportionate to the risks for the data subject, and which should include at least pseudonymisation. The GDPR prescriptions are often vague and open-ended The GDPR allows for the development of AI and big data applications that successfully balance data protection and other social and economic interests, but it provides limited guidance on how to achieve this goal. It indeed abounds in vague clauses and open standards, the application of which often requires balancing competing interests. In the case of AI/big data applications, the uncertainties are aggravated by the novelty of the technologies, their complexity and the broad scope of their individual and social effects. It is true that the principles of risk-prevention and accountability potentially direct the processing of personal data toward a 'positive sum' game, in which the advantages of the processing, when constrained by appropriate risk-mitigation measures, outweigh its possible disadvantages. Moreover these principles enable experimentation and learning, avoiding the over- and underinclusiveness issues involved in the applications of strict rules. However, by requiring controllers to rely on such principles, the GDPR offloads the task of establishing how to manage risk and find optimal solutions onto controllers, a task that may be challenging as well as costly. The stiff penalties for non-compliance, when combined with the uncertainty on the requirementsfor compliance, may constitute a novel risk, which, rather than incentivising the adoption of adequate compliance measure, may prevent small companies from engaging in new ventures. Thus, the successful application of GDPR to AI-application depends heavily on what guidance data protection bodies and other competent authorities will provide to controllers and data subjects. Appropriate guidance would diminish the cost of legal uncertainty and would direct companies – in particular small ones that mostly need such advice – to efficient and data protection-compliant solutions. Some policy indications The study concludes with the following indications on AI and the processing of personal data. • The GDPR generally provides meaningful indications for data protection in the context of AI applications. • The GDPR can be interpreted and applied in such a way that it does not substantially hinder the application of AI to personal data, and that it does not place EU companies at a disadvantage by comparison with non-European competitors. • Thus, the GDPR does not require major changes in order to address AI applications

#### Disputes indefinitely delay new European AI regs

Luca **Bertuzzi 22** - journalist and editor at EURACTIV, specialized in EU affairs and digital policies. Luca covers AI, cybersecurity, data, privacy and platform regulation. He oversees an international team based in Brussels, Paris and Berlin. (“Inside the EU's rocky path to regulate artificial intelligence,” International Association of Privacy Professionals, 02/09/2022, <https://iapp.org/news/a/inside-the-eus-rocky-path-to-regulate-artificial-intelligence/> ) PJW

In April last year, the European Commission published its ambitious proposal to regulate Artificial Intelligence. The regulation was meant to be the first of its kind, but the progress has been slow so far due to the file's technical, political and juridical complexity.

Meanwhile, the EU lost its first-mover advantage as other jurisdictions like China and Brazil have managed to pass their legislation first. As the proposal is entering a crucial year, it is high time to take stock of the state of play, the ongoing policy discussions, notably around data, and potential implications for businesses.

State of play

For the European Parliament, delays have been mainly due to more than six months of political disputes between lawmakers over who was to take the lead in the file. The result was a co-lead between the centrists and the center-left, sidelining the conservative European People's Party.

Members of European Parliament are now trying to make up for lost time. The first draft of the report is planned for April, with discussions on amendments throughout the summer. The intention is to reach a compromise by September and hold the final vote in November.

The timeline seems particularly ambitious since co-leads involve double the number of people, **inevitably slowing down the process**. The question will be to what extent the co-rapporteurs will remain aligned on the critical political issues as the center-right will try to lure the liberals into more business-friendly rules.

Meanwhile, the EU Council made some progress on the file, however, limited by its highly technical nature. It is telling that even national governments, which have significantly more resources than MEPs, struggle to understand the new rules' full implications.

Slovenia, which led the diplomatic talks for the second half of 2021, aimed to develop a compromise for 15 articles, but only covered the first seven. With the beginning of the French presidency in January, the file is expected to move faster as Paris aims to provide a full compromise by April.

Hot topics

As the policy discussions made some progress in the EU Council, several **sticking points emerged.** The very **definition of AI systems is problematic**, as European governments distinguish them from traditional software programs or statistical methods.

The diplomats also added a new category for "general purpose" AI, such as synthetic data packages or language models. However, there is still no clear understanding of whether the responsibility should be attributed upstream, to the producer, or downstream, to the provider.

The use of real-time biometric recognition systems has primarily monopolized the public debate, as the commission's proposal falls short of a total ban for some crucial exceptions, notably terrorist attacks and kidnapping. In October, lawmakers adopted a resolution pushing for a complete ban, echoing the argument made by civil society that these exceptions provide a dangerous slippery slope.

By contrast, facial recognition technologies are increasingly common in Europe. A majority of member states wants to keep or even expand the exceptions to border control, with Germany so far relatively isolated in calling for a total ban.

"The European Commission did propose a set of criteria for updating the list of high-risk applications. However, it did not provide a justification for the existing list, which might mean that any update might be extremely difficult to justify," Lilian Edwards, a professor at Newcastle University, said.

Put differently, since the reasoning behind the lists of prohibited or high-risk AI uses are largely value-based, they are **likely to remain heatedly debated points point through the whole legislative process.**

For instance, the Future of Life Institute has been arguing for a broader definition of manipulation, which might profoundly impact the advertising sector and the way online platforms currently operate.

A **dividing line** that is likely to **emerge systematically** in the debate is the tension between the innovation needs of the industry, as some member states already stressed, and ensuring consumer protection in the broadest sense, including the use of personal data.

Data protection & AI

This underlying tension is best illustrated in the ongoing discussion for the report of the parliamentary committee on Artificial Intelligence in a Digital Age, which are progressing in parallel to the AI Act.

In his initial draft, conservative MEP Axel Voss attacked the General Data Protection Regulation, presenting AI as part of a technological race where Europe risks becoming China's "economic colony" if it did not relax its privacy rules.

The report faced backlash from left-to-center policymakers, who saw it as an attempt to water down the EU's hard-fought data protection law. For progressive MEPs, data-hungry algorithms fed with vast amounts of personal data might not be desirable, and they draw a parallel with their activism in trying to curb personalized advertising.

"Which algorithms do we train with vast amounts of personal data? Likely those that automatically classify, profile or identify people based on their personal details — often with huge consequences and risks of discrimination or even manipulation. Do we really want to be using those, let alone 'leading' their development?" MEP Kim van Sparrentak said.

### 2ac AT Soft Law Fails - AI

#### Soft law is the best form of ethical AI regulation

Villasenor, 20 (John Villasenor, 7-31-2020, "Soft law as a complement to AI regulation," Brookings, <https://www.brookings.edu/research/soft-law-as-a-complement-to-ai-regulation/>, LASA-CSK)

While the dialogue on how to responsibly foster a healthy AI ecosystem should certainly include regulation, that shouldn’t be the only tool in the toolbox. There should also be room for dialogue regarding the role of “soft law.” As Arizona State University law professor Gary Marchant has explained, soft law refers to frameworks that “set forth substantive expectations but are not directly enforceable by government, and include approaches such as professional guidelines, private standards, codes of conduct, and best practices.” Soft law isn’t new. The authors of a 2018 article in the Colorado Technology Law Journal point out that uses of soft law go back decades. Examples they cite include the U.S. Green Building Council’s 1993 Leadership in Energy and Environmental Design (LEED) certification standards, the Food and Drug Administration’s longstanding practice of issuing non-binding guidance, and, in recent years, explanatory blog posts and tweets from agencies such as the Federal Trade Commission and Federal Communications Commission. There are other examples as well. Bluetooth, the standard used for short-range wireless communication between pairs of devices like laptops and wireless speakers, was developed through a collaboration among technology companies. Wi-Fi, the set of wireless local area networking (LAN) standards that allows us to connect computers and many other devices to hotspots in homes and offices, was developed by the Institute of Electrical and Electronics Engineers (IEEE). The certification through the Wi-Fi Alliance, a related soft law framework, ensures that products labeled with the Wi-Fi Alliance logo have “met industry-agreed standards for interoperability, security, and a range of application specific protocols.” While soft law has been applied in many fields, there are multiple reasons why it is particularly well suited for AI. First, as Marchant writes, “the pace of development of AI far exceeds the capability of any traditional regulatory system to keep up.” Congressional legislation and agency administrative rulemaking operate on time scales of years. By contrast, enormous private and public sector investments have spurred rapid AI development. According to the National Venture Capital Association, “1,356 AI-related companies in the U.S. raised $18.457 billion” in 2019. A February 2020 report from the White House Office of Science and Technology Policy (OSTP) reported that, for the government’s 2020 fiscal year, “unclassified, non-defense Federal investments in AI R&D, total[ed] $973.5 million.” Research funded by the Department of Defense includes DARPA’s $2 billion “AI Next” campaign, which was announced in late 2018. With those levels of investment, the AI technology landscape is changing by the month. This rate of development is ill suited for time scales involved in administrative law, which often takes more than a year to go from a proposed rule to a final rule. A second reason soft law is suitable for AI is the sheer complexity of the landscape. It would make no sense—financially, logistically, or in terms of staffing—to task one or more government agencies with the rulemaking and oversight extensive enough to cover all of the many applications and industries where AI will be used. For a small subset of applications, such as autonomous vehicles where the potential harms caused by failures are particularly acute, government regulation will play an important role. But most uses of AI aren’t nearly so high stakes. For those applications, soft law developed with input from companies, civil society groups, academic experts, and governments will be a key method to promote innovation consistent with ethical frameworks and principles.

## Biotech

### 2ac AT France Says No

#### France opening up to Biotech now – solves say no

* I think this will work bc AFB is the lead company that France allows to develop biotech but idk
* Also EU was willing to give them funds so yeah

MenaFM 21 (Advent France Biotechnology (AFB), an AMF-regulated investment company dedicated to life sciences. “Advent France Biotechnology launches its second fund with a first close at €86M ($102M)” https://menafn.com/1102903214/Advent-France-Biotechnology-launches-its-second-fund-with-a-first-close-at-86M-102M )

Paris, France, September 30, 2021 - Advent France Biotechnology (AFB), an AMF-regulated investment company dedicated to life sciences, today announces the first closing of its second fund for a total of €86M ($102M). The European Investment Fund (EIF) and the Fonds national d'amorçage 2 (the French Seed Fund 2) managed on behalf of the French State by Bpifrance, participated in the fund, along with corporate ventures including Boehringer Ingelheim Venture Fund, Pierre Fabre and a major Asian pharmaceutical company, family offices and AFB's management. This new fund, dedicated to early-stage investments in European life sciences companies with a focus on France, will build on the successful investment strategy of AFB's first fund, launched in 2017 - which resulted in the creation and/or funding of 15 startups. Among these, the creation of Gamut Therapeutics, merged in less than a year with leading gene therapy company SparingVision, the initial funding of Agomab, which has recently raised its Series B $74M (€61.5M) funding with major US crossover investors, and the creation of several startups developing best- or first-in-class therapeutics in oncology and immunology. As of today 14 of the 15 portfolio companies in AFB's first fund are financed in syndication. AFB will continue to work closely with leading European research institutions and their technology transfer offices, as well as with European venture capital partners, to select and back entrepreneurs and early-stage companies with the potential to deliver first- or best-in-class therapeutics. AFB will predominantly invest in Europe, with a focus on France, Spain and Belgium. The fund plans to select and finance two startups before the end of this year. "We firmly believe that early-stage financing is critical for the life sciences industry, where the needs are huge and still not met, especially in France," said Alain Huriez, MD, chairman and managing partner, AFB. "This second fund shows the relevance of our positioning as entrepreneur-investors in life sciences, confirmed by the renewed support of our limited partners. Our scientific ecosystem is rich with high-profile scientists and endless potential for breakthrough innovations, endorsed by the numerous emerging life sciences startups in Europe and the latest international deals in the industry." "The European Investment Fund is delighted to renew its support in a promising seed investor in the French life sciences market, which remains undercapitalized despite its significant potential," said Alain Godard, EIF chief executive. "Thanks to the European guarantee fund, this new Advent France Biotechnology fund was able to reach its target size in a particularly challenging fundraising environment." Nicolas Dufourcq, CEO of Bpifrance, added: "Our investment, via the French Seed Fund 2 (FNA 2), in Advent France Biotechnology's second fund illustrates perfectly the strategy we have been implementing together for the past ten years: to support ambitious teams in order to encourage the emergence of startups from French research. With this new fund, and all the other actions deployed by the Future Investment Program (PIA) and Bpifrance, we want to provide entrepreneurs with the necessary resources to develop the innovative therapies of the future." In Europe there is a critical need to develop further early-stage funding in similar proportion to that invested in the US. AFB has built a strong team of experts to help fill this gap. This strategy enables the early identification of promising therapeutic innovations and kickstarts startups hand-in-hand with scientific founders and academic institutions.

#### France easing up on GMOs

Schofield 6-1 (Ian Schofield, BA in Modern Language – French and Italian - @ Uni of Bath, Reporter/Deputy Editor @ Scrip World Pharmaceutical News/Informa, “France Eases Procedures For GMO-Containing Medicines”, <https://pink.pharmaintelligence.informa.com/PS146261/France-Eases-Procedures-For-GMO-Containing-Medicines#:~:text=The%20French%20medicines%20agency%2C%20ANSM,available%20under%20early%20access%20protocols.)LR>

The French medicines agency, ANSM, has implemented a new, simplified procedure for medicines containing genetically modified organisms, including gene therapies and certain vaccines, that are to be tested in clinical trials or made available under early access protocols. As of 1 June, all applications for the "contained use" of GMO-containing products in clinical trials must be made to ANSM, as must requests for "deliberate release" of such products in the context of early and compassionate access to advanced therapy medicinal products (ATMPs) prepared on an ad hoc basis for gene therapy. Under EU rules, the individual member states are responsible for authorizing clinical trials of investigational medicinal products containing or consisting of GMOs, which must comply with the EU legislation on the deliberate release of GMOs into the environment or their contained use. In France, the transfer of GMO responsibilities to ANSM comes in the wake of new rules in January this year. These rules were outlined in a decree of 30 December 2021 that updated the processes for evaluating biotechnologies and simplified the procedures relating to the uses of GMOS presenting a "zero or negligible risk." From today, trial sponsors can now use a new centralized "simplified procedures" platform for submitting applications to ANSM for GMO trials, which can be accessed via the ANSM website. The submission must be accompanied by a technical dossier and a list of the trial sites. For deliberate release purposes, companies must file an application for authorization, again using the simplified procedure platform and including a technical dossier. The content of the dossier, which was set out in a decree of 25 January 2022, should include an assessment of the potential risks posed to public health and the environment, according to ANSM. Simplified And Full Dossiers As of 1 June, a simplified dossier is required for clinical trials of genetically modified human cells, adeno-associated viral vectors, and authorized medicines. A full dossier is required for any other type of viral vector. There are common application forms for each of these types of trials. For genetically modified human cells, for example, the form should be used for human cells genetically modified by means of retro/lentiviral vectors, including genome edited cells. In such cases, the applicant must show that there is no risk of formation of replication competent virus, and that residual infectious retro/lentiviral vector particles have been reduced to negligible concentrations in the finished product, or there is negligible risk associated with the presence of residual infectious viral vector particles in the finished product. The form should also be used for human cells genetically modified by means of adeno-associated viral vectors, including genome edited cells, where the applicant demonstrates that there is no risk of formation of replication competent virus; and for human cells genetically modified without viral vectors, including genome edited cells. For already authorized GMO-containing medicines to be used in a trial, the information submitted should include the date of EU marketing authorization, the latest update of the summary of product characteristics, and any new risks identified and risk-minimization measures implemented. The applicant should also explain why it considers that the conduct of the proposed trial "does not entail risks other than those already assessed in the context of the marketing authorization procedure." New Advisory Body Responsibility for trials of GMO-containing medicines previously lay with the research ministry. While ANSM has now taken over this role, the research ministry has set up a new expert advisory committee on the contained use of GMOs. ANSM can ask this committee for an opinion on matters relating to contained use, while for deliberate release it can consult ANSES, the French agency for food and environmental and occupational health and safety.

### 2ac AT NATO Fails – Biotech

#### Collaboration solves

Carlson et al., 21 (Rob Carlson Chad Sbragia, and Kate Sixt, 9-14-2021, "Beyond Biological Defense: Maintaining the U.S. Biotechnology Advantage," War on the Rocks, <https://warontherocks.com/2021/09/beyond-biological-defense-maintaining-the-u-s-biotechnology-advantage/>, LASA-CSK)

The Pentagon needs to expand its approach to biotechnology beyond biodefense. If China maintains biological warfare aspirations, by all means address those. But defense planners should also address China’s broader approach to biotechnology and its integrated approach to civil-military fusion.

Securing biotechnology secures the nation. Maintaining the U.S. lead in biotechnology is critical to the nation’s economic and military resilience in war, peace, and the gray zone short of conflict. This requires better biotechnology collaboration — within the U.S. government, with allies and partners, and even, where possible, with competitors.

### 2ac AT Squo Solves Biotech Regs

#### Squo fails – current biotech treaties aren’t holistic

Langer and Sharma, 20 (Ronit Langer, Shruti Sharma, 11-20-2020, "The Blessing and Curse of Biotechnology: A Primer on Biosafety and Biosecurity," Carnegie Endowment for International Peace, <https://carnegieendowment.org/2020/11/20/blessing-and-curse-of-biotechnology-primer-on-biosafety-and-biosecurity-pub-83252>, LASA-CSK)

There are numerous international treaties and regimes in place to help mitigate the risks at play with biotechnology. Three of the most significant ones are the Convention on Biological Diversity, the Biological Weapons Convention (BWC), and the Australian Group. Each of these agreements or regimes tackles a different aspect of the risk profile—biosafety, bioweapons, and banned substances—but each of them comes with limitations, such as limited scope, sparse funding, and inadequate verification and monitoring mechanisms. None of the agreements create a binding framework to holistically address biosafety and biosecurity risks, making for an overall lack of accountability and rendering the development of international standards piecemeal and incomplete. In this regulatory environment, it is difficult to keep up with rapidly emerging advances in biotechnology or address pressing issues such as releasing biotechnology products, like gene drives, into nature.

## Cyber

### 2ac AT Coop Fails – Cyber - Data

#### Increased European cybersecurity cooperation overcomes diverging data protection frameworks – status quo challenges are a test of relations NOT their breakdown

Annegret **Bendiek 14** - Deputy Head of EU/Europe Research Division at the German Institute for International and Security Affairs. (“Tests of Partnership Transatlantic Cooperation in Cyber Security, Internet Governance, and Data Protection,” German Institute for International and Security Affairs, March 2014, <https://www.econstor.eu/bitstream/10419/253145/1/2014RP05.pdf> ) PJW

Edward Snowden’s revelations of the scope of surveillance conducted by U.S. intelligence agencies have been the subject of much debate in Europe, especially in Germany. It came as a surprise to many that Europe’s closest political ally has been intercepting private communications on a large scale, even going so far as to wiretap high-ranking officials of the European Union and its member states. Moreover, the U.S. government has been and continues to use the most important Internet platforms in daily use by Europeans — Google, Yahoo, Amazon, and others —to acquire information about European citizens, through methods that are fundamentally opposed to European legal sensibilities and to the fundamental right of informational self-determination. These practices have damaged the transatlantic partnership between Europe and the United States and may well have resulted in a **breach of trust** that **will prove irreparable**. Some observers argue that **the two partners’ differences over the right balance between cyber security and data protection are ultimately irreconcilable** because they are the product of differing geostrategic positions. Because U.S. engagement is more global in scope, the threats to U.S. security are thought to be more serious than those faced by Europe. For this reason, “Venus Europe” and “Mars America” are unlikely to find common ground on cyber security policy and data protection in the near future. Indeed, the kinds of cooperation in global multistakeholder Internet governance that have been taken for granted in the past may well become increasingly controversial in the future. **Although relations are currently being tested, the transatlantic cyber partnership continues to stand on a solid normative and institutional foundation**. Both sides agree on the fundamentals of Internet regulation. Both are of the conviction that universal accessibility to the Internet is extraordinarily useful not only for democratic decision-making and free markets but also for the future of the liberal democratic order. And both sides are united also in the search for effective means to limit malicious software, to fight crime, and to secure critical infrastructure. The controversy surrounding the NSA’s espionage activities exposed differences in what the United States and EU member countries consider to be the legitimate means and methods of reaching their common goals. It also revealed that they have different approaches to handling normative dissonance. Nevertheless, it certainly **should not be misunderstood as an existential threat to the transatlantic partnership**. Instead, **transatlantic differences can and should be speedily resolved through political dialogue.** Three major problem areas must be dealt with in this process. Global: The present mode of Internet regulation lopsidedly favors the United States and does not sufficiently integrate the emerging powers of Brazil, India, South Africa, China, and Russia. The concept of “multistakeholder governance” may rhetorically evoke egalitarian fairness, but in practice camouflages the fact that U.S. interests and U.S. corporations are de facto the most important agenda setters in Internet governance. Financially weaker actors wield precious little influence in central institutions such as the Internet Corporation for Assigned Names and Numbers (ICANN) or the Internet Governance Forum (IGF). The United States and Europe have defended in unison the existing governance model for a long time. The recent disclosures about U.S. surveillance practices, however, are causing more Europeans to question the status quo, and a realignment with states like Brazil is taking place. Transatlantic: The EU and the United States diverge sharply in their views on the most important goals for transatlantic cooperation between national governments in the field of cyber security policy, especially regarding the appropriate balance of security and freedom. U.S. cyberspace policy is driven increasingly by the military logic of deterrence, which entails maintaining and strengthening an offensive capacity. Europeans, however, treat the security aspects of cyberspace policy as a police matter, and their main goal is strengthening systemic resilience and resistance to attack and fraud. Accordingly, U.S. and European intelligence agencies differ in their areas of responsibility and authority, and they have acquired quite different attitudes regarding informational selfdetermination and other civil liberties. To prevent these differences from degenerating into massive conflict, **both sides must engage each other** more openly. Success depends on the United States and Europe recognizing that on both sides, domestic politics limit the range of feasible compromise. As long as the United States seeks to maintain its position as a dominant global power, U.S. cyberspace policy will continue to be driven by national security issues and thus also by the military logic of deterrence. For the EU, however, questions of data protection will continue to be of central significance as long as its approach to cyberspace is police-driven and focused on improving its defensive capacities. Only if these limits are respected will mutual cooperation in cyber security policy and Internet governance find some middle ground that pays off for both sides. Transnational: The transatlantic cyber partnership is being challenged by a number of transnational conflicts involving different perceptions of the proper state-citizen relationship. Unfortunately, these require urgent attention at a time when mutual trust between states and citizens has been eroded. Disclosures have sensitized citizens to the dangers inherent in the digital revolution. It is possible that public trust in the safety of Internet communications has been deeply shaken and that some groups will begin to demand the renationalization of information and communication technology infrastructure. In the run-up to negotiations over the Transatlantic Trade and Investment Partnership (TTIP), for example, demands for the creation of supranational legal instruments and independent mediating bodies are already being voiced. In the coming years, both the EU and the United States will have to get used to emerging countries like Brazil, India, South Africa, and Indonesia demanding the more frequent use of multilateral agreements in Internet governance within the multistakeholder process.

### 2ac AT NATO fails – Cyber – Deterrence

#### Cyber law reform is key to enabling deterrence and maintaining stability

Anderson, 17 (Troy Anderson, 2017, " Fitting a Virtual Peg into a Round Hole: Why Existing International Law Fails to Govern Cyber Reprisals," University of Arizona, http://hdl.handle.net/10150/658820, LASA-CSK)

The existing laws that govern legal retaliations and deterrence come from an era of entirely different warfare. A century ago, state borders were physical, state interests were tangible, and state-on-state attacks involved formal militaries—or, at a minimum, physical weapons. Today, states exist with one foot in the physical world and one in the virtual. This is a trend that is likely to continue. Because of the volatile nature of cyber warfare, and because the existing body of law is woefully inadequate in governing these issues, it will be necessary for these nations to take steps to modernize the doctrine of reprisals in order to reflect the new technological challenges facing the world today. Individual states may have substantial reservations about limiting their options by agreeing to the creation of a new international cyber warfare regime. The clarity that would come with a new, binding, international convention, however, would bolster states’ cyber defenses by enabling the deterrence of cyber-attacks. As such, updating international law is critical to maintaining stability in the virtual world—and peace in the real world.

# Enforcement

### 2ac AT China

#### International rules constrain China

Mahbubani, 1/1 (Kishore Mahbubani, Former President of the United Nations Security Council, Asia Research Institute, National University of Singapore, Singapore, Singapore, 1/1/2022, accessed on 6-20-2022, Springer, "What China Threat? How the United States and China Can Avoid War", <https://doi.org/10.1007/978-981-16-6811-1_28>, LASA-CSK)

If America finally changes its strategic thinking about China, it will also discover that it is possible to develop a strategy that will both constrain China and advance US interests. Bill Clinton provided the wisdom for this strategy in a speech at Yale University in 2003, when he said, in short, that the only way to manage the next superpower is to create multilateral rules and partnerships that would tie it down. For example, though China lays claim to reefs and shoals in the South China Sea, the UN Law of the Sea Convention has prevented it from declaring the entire South China Sea an internal Chinese lake. China has also been obliged to implement WTO judgments that have gone against it. International rules do have a bite. Fortunately, under Xi Jinping, China is still in favor of strengthening the global multilateral architecture the United States created, including the International Monetary Fund, the World Bank, the United Nations, and the WTO. China has contributed more UN peacekeepers than the four other Permanent Members of the UN Security Council combined. Hence, there is a window of opportunity for cooperation between America and China in multilateral forums. To seize the opportunity, American policymakers have to accept the undeniable reality that the return of China (and India) is unstoppable. Why not? From the year 1 to 1820, China and India had the world’s two largest economies. The past two hundred years of Western domination of global commerce have been an aberration. As PricewaterhouseCoopers has predicted, China and India will resume their number one and two positions by 2050 or earlier. The leaders of both China and India understand that we now live in a small, interdependent global village, threatened by many new challenges, including global warming. Both China and India could have walked away from the Paris Agreement after Trump did so. Both chose not to. Despite their very different political systems, both have decided that they can be responsible global citizens. Perhaps this may be the best route to find out if China will emerge as a threat to the United States and the world. If it agrees to be constrained by multiple global rules and partnerships, China could very well remain a different polity—that is, not a liberal democracy—and still not be a threatening one. This is the alternative scenario that the “China threat” industry in the United States should consider and work toward.

### 2ac AT Individual Interests Outweigh

#### Countries ignore individual interests for alliance commitments

Kuo, 21 (Raymond C. Kuo, Ph.D. from Princeton University, M.Sc. from the London School of Economics, B.A. from Wesleyan University, Political Scientist with the RAND Corporation., 8-3-2021, accessed on 6-20-2022, Google Books, "Following the Leader", <https://www.google.com/books/edition/Following_the_Leader/i1w0EAAAQBAJ?hl=en&gbpv=0&kptab=overview>, LASA-CSK)

Nations have powerful reasons to get their military alliances right. When security pacts go well, they underpin regional and global order; when they fail, they spread wars across continents as states are dragged into conflict. We would, therefore, expect states to carefully tailor their military partnerships to specific conditions. This expectation, Raymond C. Kuo argues, is wrong. Following the Leader argues that most countries ignore their individual security interests in military pacts, instead converging on a single, dominant alliance strategy. The book introduces a new social theory of strategic diffusion and emulation, using case studies and advanced statistical analysis of alliances from 1815 to 2003. In the wake of each major war that shatters the international system, a new hegemon creates a core military partnership to target its greatest enemy. Secondary and peripheral countries rush to emulate this alliance, illustrating their credibility and prestige by mimicking the dominant form. Be it the NATO model that seems so commonsense today, or the realpolitik that reigned in Europe of the late nineteenth century, a lone alliance strategy has defined broad swaths of diplomatic history. It is not states' own security interests driving this phenomenon, Kuo shows, but their jockeying for status in a world periodically remade by great powers.

### 2ac AT Reforms Fail

#### DoD reforms solves state capacity gaps

Vergun 21 (David, Associate Editor and Writer, Department of Defense and Contributor. “Acquisition Reform Is Making Rapid Progress, Defense Official Says”, https://www.defense.gov/News/News-Stories/Article/Article/2607639/acquisition-reform-is-making-rapid-progress-defense-official-says/)LR

From the start of a program to initial operating capability, where systems were tested, took nearly eight years, she noted. As a result, the department looked to transform the acquisition process and a lot was accomplished in the last year. "Our goal was to deliver a defense acquisition system that is flexible, that allows for tailoring, and empowers critical thinking and common sense decision making, with the outcome being an acceleration of delivery and timelines," she said. During 2020, a record 13 acquisition policies were published, she said. "This has been, at least in my experience, among the most transformational changes to acquisition policy in years, and we really anticipate this change in policy having really sustaining, enduring and positive effects to the department for years to come." Cummings said the redesign in policy can be broken down into six discrete pathways that are meant to be used individually or together, specifically tailored to the capabilities that the program team has been asked to deliver to the warfighter. They are: Urgent capability acquisition The middle tier of acquisition Major capability acquisition, which is the traditional milestone-based approach Software acquisition Defense business systems Acquisition of services. Cummings said she didn't want this to be a series of policy documents that people would pick up and read from cover to cover. "What I was really looking for is that it would be interactive, and you would use the policy to help inform decision making exactly when you need it." Rapid delivery of software upgrades used for weapons and communications systems and making them cyber secure is another priority of the department, she said. Cummings also touched on the need to address any future shortages of medical supplies, microelectronics and critical minerals, by working closely with interagency partners like the Department of Commerce, the Department of Treasury and the Department of Health and Human Services. In the future, DOD will be using artificial intelligence and machine learning to better manage its sprawling supply chain and reduce vulnerabilities, she added.

#### Reforms now solve previous SC problems

* Could also be a no link against PTX

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As Robert Gates observed in 2010, “the US military was designed to defeat other armies, navies, and air forces, not to advise, train and equip them.”[1] Although meaning to achieve major operational effects using a complex whole-of-government process, Component Commands are operating with a generally undertrained and inexperienced security cooperation workforce and an ever-evolving national decision process. These issues complicate U.S. cooperation with even the most capable and willing state partners. Since the Foreign Assistance Act passed in 1961, the US Department of State has traditionally led US security assistance to train, equip, and assist foreign partners, in cooperation with agencies, to include the Department of Defense (DoD). In practice, however, the US military is the largest implementer of international security assistance and cooperation, usually charged with improving Partner Nation capability in the security sector so as to “create space” for diplomacy and development efforts. Echoing the sentiments of Mr. Gates, the DoD was not designed to collaborate easily with US development and diplomacy efforts in countries facing complex security environments. Historically, military leadership has been hesitant to draw focus away from traditional military operations to invest in advancing its foreign capacity-building expertise and processes. This hesitancy has resulted in a disproportionally large pool of well-meaning, forward-leaning novices bent on doing, compared to few experienced security cooperation professionals guiding the process. The imbalance between military generalists and security cooperation specialists means that foreign area officers, as the usual DoD representatives working with foreign nations, often encounter a familiar pattern. A common example, particularly for smaller coastal states, is the US donation of a small boat for maritime and littoral patrols, a critical tool used for border security and counter-illicit trafficking operations. Because the capability is usually requested by a partner nation, US military planners often assume the partner already possesses the “relatively basic” infrastructure, funding, and personnel to receive and operate said boat. The reality, however, is more nuanced. US program implementers typically (re)discover some combination of the following issues: there are no easily transferred processes, no training facility for maintenance personnel, no regular or predictable budgets, no routine way to acquire parts, and no human resources apparatus to attract, train, and retain top talent. US military planners typically assume the partner nation has these capacities, or can quickly generate them. Lauren Witlin, author of “Mirror-Imaging and Its Dangers,” would assert this tendency of reverting to US norms is due to a lack of data and training, making planners “look within his or her own experiences to fill in any information gaps.”[2] The gulf between the world’s largest military and a typical partner state’s more modest security sector makes US planners especially susceptible to proscribing untenable capability building programs. The assumption that other nations can easily adapt a “US-lite” model stands in stark contrast to the actual difficulty the US has in building a capability that is also sustainable by a said nation. Mirror Imaging Bias, limited training and lack of experienced security cooperation professionals have taxed decades of military cooperation provided to partners, resulting in, at best, a mixed record of lasting success.[3],[4] These issues have been recognized by Congress and reforms mobilized. In 2016, the Congressional Research Service issued a report detailing US Security Cooperation challenges, one of many such papers from various think tanks and journals lamenting poor results from the security cooperation enterprise.[5] In response, Congress launched significant, but slow-moving reforms codified in the 2017 and 2018 National Defense Authorization Acts. [6] In 2016, Congress mandated the DoD to “develop and issue… a strategic framework… to guide prioritization of resources and activities.” In 2017, Congress reduced **multiple authorities into a streamlined band of activities described in Chapter 16 of the U.S. Code.[7] It established new requirements for human rights vetting, institutional capacity building, and assessment, monitoring and evaluation (AM&E**). DoD consolidated several security cooperation related agencies and organizations into the Defense Security Cooperation Agency (DSCA).[8] In 2019, the Defense Security Cooperation University (DSCU) opened, establishing a certification and career development path for security cooperation professionals. In 2020, Congress funded small DSCA teams to conduct Assessment, Monitoring and Evaluation (AM&E), both at the Pentagon and at the Combatant Commands.