### OFF

#### Interpretation: Reduce is permanent – it’s distinct from waiver or suspend

**Reynolds 59** (Judge (In the Matter of Doris A. Montesani, Petitioner, v. Arthur Levitt, as Comptroller of the State of New York, et al., Respondents [NO NUMBER IN ORIGINAL] Supreme Court of New York, Appellate Division, Third Department 9 A.D.2d 51; 189 N.Y.S.2d 695; 1959 N.Y. App. Div. LEXIS 7391 August 13, 1959, lexis)

Section 83's counterpart with regard to nondisability pensioners, section 84, prescribes a reduction only if the pensioner should again take a public job. The disability pensioner is penalized if he takes any type of employment. The reason for the difference, of course, is that in one case the only reason pension benefits are available is because the pensioner is considered incapable of gainful employment, while in the other he has fully completed his "tour" and is considered as having earned his reward with almost no strings attached. It would be manifestly unfair to the ordinary retiree to accord the disability retiree the benefits of the System to which they both belong when the latter is otherwise capable of earning a living and had not fulfilled his service obligation. If it were to be held that withholdings under section 83 were payable whenever the pensioner died or stopped his other employment the whole purpose of the provision would be defeated, i.e., the System might just as well have continued payments during the other employment since it must later pay it anyway.  [\*\*\*13] The section says "reduced", does not say that monthly payments shall be temporarily suspended; it says that the pension itself shall be reduced. The plain dictionary meaning of the word is to diminish, lower or degrade. The word "reduce" seems adequately to indicate permanency.

#### Violation: It’s not

#### It’s temporary – read Blue

**Meredith 21**. [(Sam Meredith is a Correspondent at CNBC in London, covering international politics, energy and business news) “Rich countries are refusing to waive the rights on Covid vaccines as global cases hit record levels,” CNBC, April 22, 2021. <https://www.cnbc.com/2021/04/22/covid-rich-countries-are-refusing-to-waive-ip-rights-on-vaccines.html>] TDI

LONDON — The U.S., Canada and U.K. are among some of the high-income countries actively **blocking a patent-waiver proposal** designed to **boost the global production of Covid-19 vaccines.** It comes as coronavirus cases worldwide surge to their highest level so far and the World Health Organization has repeatedly admonished a “**shocking imbalance” in the distribution of vaccines amid the pandemic.** Members of the World Trade Organization will meet virtually in Geneva, Switzerland on Thursday to hold informal talks on whether to temporarily waive intellectual property and patent rights on Covid vaccines and treatments. The landmark proposal, which was jointly submitted by India and South Africa in October, has been backed by more than 100 mostly developing countries. It aims to facilitate the manufacture of treatments locally and boost the global vaccination campaign. Six months on, the proposal continues to be **stonewalled by a small number of governments** — including the U.S., EU, U.K., Switzerland, Japan, Norway, Canada, Australia and Brazil. “In this Covid-19 pandemic, we are once again **faced with issues of scarcity**, which can be addressed through diversification of manufacturing and supply capacity and ensuring the **temporary waiver of relevant intellectual property**,” Dr. Maria Guevara, international medical secretary at Medecins Sans Frontieres, said in a statement on Wednesday. “It is about saving lives at the end, not protecting systems.” The **urgency and importance of waiving certain intellectual property rights amid the pandemic have been underscored** by the WHO, health experts, civil society groups, trade unions, former world leaders, international medical charities, Nobel laureates and human rights organizations. Why does it matter? The waiver, if adopted at the General Council, the WTO’s highest-level decision-making body, could **help countries around the world overcome legal barriers** preventing them from producing their own Covid vaccines and treatments. Advocates of the proposal have conceded the waiver is not a “silver bullet,” but argue that **removing barriers** toward the development, production and approval of vaccines is **vital in the fight to prevent, treat and contain the coronavirus.**

#### More Evidence

**Nature, 5-25**-2021, "A patent waiver on COVID vaccines is right and fair," Nature, https://www.nature.com/articles/d41586-021-01242-1

Every country should have the right to make its own vaccines during a pandemic. That’s the principle underpinning the campaign to temporarily waive intellectual property (IP) protection on coronavirus vaccines. The campaign was initiated by India and South Africa, and is being backed by more than 100 countries, along with international organizations including the World Health Organization and the United Nations AIDS charity, UNAIDS. The goal is to reduce the barriers to countries producing their own vaccines — particularly for the lowest-income nations.

#### 1] Plan Text in a vacuum is awful – words are contextually defined via function. Evaluate topicality on whether the passage of the plan per 1AC evidence follows the topic’s intent – anything else grants 1AR shifts and lets untopical affs stuff the topic text in the 1AC regardless of their evidence

#### 2] Vote negative for limits and ground – temporal plans double the number of affs into permanent and temporary which spikes my prep burden, they sideline clash and shift out of core generics like the innovation DA which are premised on permanency. Kills predictability because the aff can claim permanency or temporariness regardless of their evidence

#### 3] TVA solves – permanently get rid of [-----]

#### Competing interps – you can’t be reasonably topical – it’s a binary question

#### No RVIs – T’s a stock issue, not a reason you should win

#### Reject the team – anything else servers out of plan text which is a voter because it moots the NC

### OFF

#### Counterplan: The member states of the World Trade Organization ought to

* **offer generous payment per immunization in LMICs and subsidies to oversee distribution of COVID vaccines to local pharmaceutical companies and governments**
* **make rewards conditional upon speed and inoculation efficacy**
* **create IPTK banks to bypass trade secrets and encourage public-private collaboration**

#### Subsidized reward mechanisms harness market demand

**Karan et al 4/2**, Abraar Karan is an internal medicine physician at the Brigham and Women’s Hospital/Harvard Medical School and a columnist at The BMJ. He previously worked on the covid-19 response in Massachusetts state. The views expressed here are his own and do not represent those of his employers, Thomas Pogge is a professor and director of the Global Justice Program at Yale University. He co-founded Incentives for Global Health, a team effort toward creating the Health Impact Fund , 4-2-2021, "Solving global vaccine inequity requires new incentives for pharmaceutical companies,", The British Medical Journal <https://blogs.bmj.com/bmj/2021/04/02/solving-global-vaccine-inequity-requires-new-incentives-for-pharmaceutical-companies/> ]AAli

Scientists have been successful in bringing several highly effective covid-19 vaccines to market in record time. But manufacturing scale-up is slow—with a few companies holding the “know-how,” but unenthusiastic about licensing this to others. Current trends predict that 90% of people in 67 low income countries will not be vaccinated this year and that most poorer populations will not gain herd immunity even in 2022. This delay will facilitate the emergence of new disease strains that may endanger even those already vaccinated. More importantly, millions of people in poor countries will needlessly die, particularly those who are at higher risk of mortality, such as those who are older and immunocompromised. To speed up manufacturing, some 119 developing countries have called for a temporary suspension of intellectual property rights related to covid-19 to allow manufacturers worldwide to produce and sell approved vaccines without the patentee’s permission. Patentees and the affluent countries representing them have opposed such a waiver: it would undermine incentives to innovate against future pandemics, they say, and it would not help much because patentees would not share crucial technologies and know-how with manufacturers who had not paid them for a license to produce and sell (as was the case with Moderna, which liberalized its intellectual property, but little else). And there is a further problem: even with generic manufacturers in the driver’s seat, the world’s poorest populations are still very poor, and thus would still be served last, if ever. Ultimately, waiving global policy agreements like TRIPS is a stopgap measure; the system needs more fundamental change. The urgent needs of the world’s poorest people must be subsidized into effective market demand. This might be done through a massive increase in funding for the existing COVAX facility, which is currently projected to provide two billion doses per year, at best only around 20% of global vaccine needs. COVAX could then offer a generous payment per immunization to pharma companies, featuring a declining premium for early delivery and payment adjustment with regard to quality (for example, how much protection an immunization affords, for how long, against which variants). Such a pay for performance scheme would give firms with approved vaccines a financial incentive to ramp up production for fast delivery. To this end, they would, competing with one another, seek to engage and expand available manufacturing capacity while fully supporting contracted manufacturers. Supplies produced would be directed to where they can be most effective in suppressing the pandemic, without consideration for the poverty or affluence of the various populations. Even if such an initiative were to raise cost by a factor of 10—from the $6 billion COVAX currently has to $60 billion— this would still be a tiny fraction of the economic harm this pandemic has caused and might yet cause in the future. The US alone has just allocated $1.9 trillion to avert some of the economic damage it has sustained from covid-19. An extra $54 billion, spread over many countries, is a small price to pay for bringing this pandemic under control at least two years sooner. A key lesson of covid-19 is that the great benefits the pharmaceutical sector has to offer must fully include the world’s poorest people. This is a firm command of justice and, at least with communicable diseases, an imperative of prudence as well. We must place advanced pharmaceuticals within reach of poor communities and must ensure that the diseases concentrated among them are lucrative targets of pharmaceutical research and development. To achieve global pharmaceutical equity in a sustainable way, we should create a complementary reward mechanism, additional to patent monopolies, that is designed to pay for better health outcomes. This mechanism can be but is not limited to the Health Impact Fund (a system one of us, TP, co-founded), which gives innovators the option to have any of their new pharmaceuticals rewarded according to the health gains achieved with it, on condition that it is sold at the variable cost of supplying it. Here “health gains” would be understood to cover not merely the therapeutic improvements that users experience, but also wider societal benefits, such as reduced infections among non-users. Moreover, pharmaceutical companies would be incentivized to effectively oversee and coordinate the delivery of therapeutics to end users, whether that be through national health systems or public-private partnerships. As an immediate example, such a system could effectively benefit latecomers to vaccine rollouts, given that there is an immense market potential remaining in low and middle income countries, which is largely uninteresting to early comers like Moderna and Pfizer whose supply has already been sold to high income countries. With the Health Impact Fund in place, the global pharmaceutical sector would be much better prepared to respond effectively to future pandemics, and would have been for past ones too (we wrote about this in the context of the Ebola and Zika viruses previously). Furthermore, it would be able to profitably unleash its skills upon the enormously harmful diseases associated with poverty, including the 20 WHO listed neglected tropical diseases, which affect over a billion people, as well as tuberculosis, malaria, hepatitis, and pneumonia, which together kill millions of people each year. We can and must tackle these diseases. The investment for doing so would pay for itself many times over.

#### IPTK banks are key to DCVMs

**Crager 18** [Dr. Sara Crager, MD is a board certified emergency medicine physician in Los Angeles, California. She is affiliated with Ronald Reagan UCLA Medical Center, 2018 December, "Improving Global Access to New Vaccines: Intellectual Property, Technology Transfer, and Regulatory Pathways," PubMed Central (PMC), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6291766/> ]//AAli

\*developing country vaccine manufacturers

I propose a strategy that would integrate key aspects of both these models, creating a structure capable of facilitating access to new vaccines by establishing an entity that pools all relevant intellectual property, technology, and know-how: an IPTK bank. An IPTK bank would bring together the necessary intellectual property rights, manufacturing process information, know-how, and regulatory expertise into a single platform that could be licensed as a package with associated training modules; it could also offer assistance in navigating vaccine registration with national regulatory authorities. A licensing approach similar to that used by the MPP would be employed to address intellectual property barriers by creating a structure whereby the patented technology could be disseminated to multiple DCVMs, each paying royalties to the patent holder. The manufacturing process information, know-how, and regulatory expertise would be brought together through the organization hosting the IPTK bank, which would closely mirror the organizational model of the WHO technology transfer hub. Barriers to Creation of the Proposed Banks Funding, inevitably, will be a major barrier to the creation of IPTK banks. IPTK banks would require an initial period of funding in order to acquire and then disseminate the vaccine technology. Once a critical mass of DVCMs began producing the vaccine, however, provision of affordable vaccines would be self-sustaining, with reliance on market forces to ensure appropriate price declines. IPTK banks thus would not be as subject to the vagaries of sustained donor funding as organizations like GAVI, but would rather need to raise enough money to support the initial acquisition and dispersal period for each new vaccine technology. Given that projected spending on new vaccines necessary to achieve the GVAP goals is estimated at nearly US $30 billion, it may ultimately be more cost-effective to invest in upstream mechanisms to rapidly achieve sustained price reductions for new vaccines. The greatest barrier to the creation of IPTK banks is the need for close cooperation with innovator companies. Fundamentally, engaging with an IPTK bank would be similar to the technology transfer arrangements that multinational pharmaceutical companies frequently enter into with individual DCVMs to expand their regional vaccine production and distribution. The major departures from a traditional technology transfer agreement would include licensing terms that allow the IPTK bank to grant nonexclusive licenses to multiple DCVMs and the transfer of technology to a hub organization at a publicly funded institution rather than directly to a DCVM. Because an IPTK bank strategy depends on significant involvement from innovator companies, creating appropriate conditions that incentivize their participation is key to the success of this model. Engagement With Innovator Companies Multinational pharmaceutical companies frequently engage in successful technology transfer with DCVMs, and this trend appears to be growing. According to an International Federation of Pharmaceutical Manufacturers and Associations (IFPMA) spokesperson, Technology transfer in medicines and vaccines were growing rapidly in the past decade, benefiting both pharmaceutical companies and the health of recipient countries’ population alike.51 In fact, so much interest has developed around this topic that the IFPMA recently issued a research paper titled “Technology Transfer: a Collaborative Approach to Improve Global Health—the R&D Pharmaceutical Industry Experience.” In addition to providing numerous case studies of technology transfer partnerships, the paper identified 8 conditions that the pharmaceutical industry considers necessary for successful technology transfer relationships: a viable and accessible local market, political stability and good economic governance, clear economic development priorities, adherence to high regulatory standards, availability of skilled workers, adequate capital markets, strong intellectual property rights and effective enforcement, and a high-quality relationship between industry and government, and their ability to work together effectively for long periods of time. An IPTK bank as a technology partner would fulfill most of these criteria. The fact that an IPTK bank would almost certainly be based in a high-income country would also address a number of these issues. In this context, there should be relatively little concern over issues such as political stability and good economic governance, and most industrialized-country governments are generally considered to have relatively good relationships with industry and a long history of working together effectively. These conditions may not be guaranteed to the same degree in all countries that receive technology from an IPTK bank, but that risk would not be directly borne by the company and would be distributed over multiple potential technology partners. In addition, high-income countries generally have well-established systems of strong intellectual property rights with effective enforcement. Again, this may or may not be true to the same extent in all countries that are recipients of IPTK bank technology; however, industry has already shown itself willing to discuss licensing arrangements with the MPP that would involve licensing intellectual property rights to a central organization, which would then provide nonexclusive licenses to multiple other entities in countries that may not have similarly strong enforcement of intellectual property rights. Regarding access to viable local markets, although the IPTK bank itself would not directly have such access, licenses would be granted only to partners with demonstrable access to local markets large enough to achieve economies of scale such that significant price reductions could be generated (as occurs with the MPP). Finally, if the IPTK bank is based at an institution such as the Netherlands Vaccine Institute or the International Vaccine Institute, availability of skilled workers should be more than adequate. Basing the IPTK bank within such organizations would provide a strong base of experience in adherence to high regulatory standards that would be passed on to IPTK bank technology recipients. Overall, IPTK banks would fulfill the criteria that the IFPMA has identified as being critical to the decision of multinational pharmaceutical companies to engage with a technology transfer partner. The major departure from the technology transfer arrangements described in the IFPMA report would be use of a licensing covering all necessary intellectual property modeled on the MPP licenses rather than the traditional sublicense negotiated between pharmaceutical companies and their technology partners. Companies have demonstrated their willingness to enter into negotiations involving such licenses with the MPP, providing a precedent that this may not present an insurmountable barrier to companies engaging in technology transfer agreements with an IPTK bank. Although an IPTK bank would require a high degree of commitment and cooperation from innovator companies, it seems possible that industry might be willing to consider engaging in discussion regarding this approach to expanding vaccine access.

### OFF

#### The 1AC’s logic of development over justice is a reformulation of the Western mission to civilize

The 1AC literally says “its time for the US to step up to the plate and do its job” – why is it the US’s job and why do DVC need the assistance from a country

**Bogaert et al 19** [Koenraad Bogaert is assistant professor in the Department of Conflict and Development Studies and member of the Middle East and North Africa Research Group (MENARG) at Ghent University ‘Justice’ not ‘aid’ for the Global South By Koen Bogaert, Julie Carlier, Brecht De Smet, Marlies Casier, Dorien Vanden Boer and Bernard Mazijn October 5th 2019 https://www.gicnetwork.be/thinking-post-development-justice-not-aid-for-the-global-south/ ]//AALi

Truman’s new foreign policy After WWII the Western civilization mission that underpinned colonialism was gradually replaced by the policy of development. In 1949 president Truman announced in his inaugural speech that from now on the US would be helping poor counties in the South to develop economically and support them with technological and political knowhow. This way the US would contribute to a new era of world peace, abundance and freedom. The ‘imperialism’ of the old colonial powers was finished. The US called for a new era and a new way of understanding the world. It was the first inaugural speech of an American president to be broadcasted live on television. According to Jason Hickel, anthropologist at LSE, this speech gave millions of American viewers a new perspective on the world. A perspective in which rich countries were ‘developed’. They had become the forerunners amongst the nations of the world thanks to their own innovative capacity, intelligence, good institutions, better technology and of course better values and norms. All of these strengths could now be shared with poor countries, in the latter’s search to become ‘developed’. In other words, the US became the model for development. From colonization to development The new narrative of development allowed rich countries of the Global North to disconnect the creation of their own wealth from their (colonial) exploitation of the Global South. The poverty of the latter had nothing to do anymore with the richness of the former. Inequality was only a temporary aberration that could be solved with development aid. Soon other Western countries, such as the United Kingdom and France jumped on the bandwagon. It allowed them to abandon the old colonial ways of domination and replace them with modern practices of development aid, charity and altruism. The fact that inequality was created because of that colonial past was completely ignored and erased. The development narrative reduced the causes of underdevelopment, poverty and inequality to issues like bad governance and corruption. More recently, the millennium development goals repackaged this same story in 2000 as did the sustainable development goals in 2015. Despite the ambitious promises and financial engagements inequality keeps increasing. Half of the world population is living in poverty or in risk of poverty. The critical question is not ‘how to reinvent development?’ but rather ‘how to come up with a radically different story and practice?’. Development aid, a drop on a hot plate To tell a different story we need to place development aid in a much wider context of structural power relations and uneven development. Every year 130 billion aid dollars flow to the Global South. However, if we take into consideration all financial transactions to and from the Global South (also investments, trade, tax evasion, interests, etc.), we have to conclude that there is in fact a (negative balance) deficit of 16,3 trillion dollar since the 1980s. In other words, the last forty years more than 16,3 trillion dollar flowed from the Global South to the North. This is mostly due to Illicit Financial Flows such as “trade misinvoicing” en “transfer mispricing”). In fact for every dollar of development aid, 24 dollars flow back to the rich countries and investors. So who is actually developing who? The structural underdevelopment of the South is not only rooted in a history of colonialism, racism and imperialism, but also in contemporary production chains, economic power relations and illegal financial flows. There is no such thing as economies at different speeds. There is only one world economy with a hierarchical production process and differentiated labor conditions. Through global production chains the accumulation of wealth in the Global North is intrinsically connected to pollution, low wages and even violent conflict in the Global South. A new story rooted in justice As Jan Orbie and Sarah Delputte rightly claim: ‘there are many alternatives ready and available’. But what do they look like? How can we move towards an era of post-development? How to radically change current economic and power inequalities between North and South? Within the Global south solutions have been put forward that replace ‘aid’ and ‘development’ with demands of ‘justice’ and ‘solidarity’. By shifting the focus to justice a different story can be told, one that breaks with the presumed Western superiority inherent to the development paradigm. Drawing on historical and contemporary demands for a more just world order we propose the following guidelines for EU policies toward the Global South: First, many counties of the global south are stuck in a suffocating debt trap. This needs to stop. These countries spend a large portion of their income on interests on loans that have been paid back many times over. This hampers public investments in education, health and the economy. Second, the plunder and exploitation of natural resources and labor in the South needs to end. This also entails awareness of new forms of colonization through, for example, the green energy transition that involves a new round of intensive resource extraction from the Global South and a continuing reliance on cheap labor and cheap nature. Third, in order to redistribute global wealth and end growing inequality reparations have to be made. The North has to take responsibility for the wealth it has built over centuries at the expense of the South. These reparations are not about compensating victimhood, rather they constitute the radical claim of a growing number of individuals and movements globally for social justice. Targeting tax havens and striving towards a just taxation worldwide would be a first, although still very modest, step towards a financial model for reparations. Thus, if we abolish DG development, why not replace it with a commissioner for reparations? Lastly, we need to follow the example of decolonization movements and climate activists who demand a more democratic world order. Powerful institutions such as the World Bank, the IMF and the EU prioritize processes of North-centered capital accumulation above human rights, social justice, and ecological concerns. Leaving behind the framework of development aid thus requires a political transition as much as a scientific paradigm shift. Only then we can start thinking about a world economy that is based on social justice and human needs rather than a political-economic model that is based on development through exploitation and unrestrained and uneven growth. Only then we can safeguard the future of coming generations.

#### Free trade is not free but an institutional death sentence meant to drain the Global South of its lifeblood, a second wave of imperialism

**Ajay 01**, Gandhi Ajay quoting indigenous peoples ,September 2001, "Indigenous Resistance to New Colonialism," Cultural Survival, <https://www.culturalsurvival.org/publications/cultural-survival-quarterly/indigenous-resistance-new-colonialism> ]//AAli

In an era of globalization, leaders of "recognized" nations often discuss the development of indigenous resources without inviting aboriginal leaders to the table. Bolivian indigenous activist Ivan Ignacio, one of many indigenous activists at the second People's Summit in Québec City in mid-April, spoke out against the agreement being discussed by 34 heads of state at the Summit of the Americas in another part of Quebec. "We don't know what the [Free Trade Agreement of the Americas] means," he said, "but we know that when the government is doing something behind our backs, it will be bad for us. We know that the FTAA will lead to our deaths. We know that our democracies are corrupt and full of lies; that this industry of democracy produces lies and is manipulated by corporations. Meanwhile, we are left outside the discussion." The FTAA discussion involves its precedent, the North American Free Trade Agreement (NAFTA) between Mexico, Canada, and the United States. NAFTA is in turn part of the international financial architecture comprised of multinational corporations, nation-states, and institutions like the World Trade Organization (WTO). Through free trade, corporations are able to take advantage of weaker labor markets, diminished tariff barriers, simplified regulatory conditions, and easier resource access to manipulate economic conditions for profit. Resisting the harmful social and environmental effects of such policies, social movements and activist organizations are increasingly networking across borders. The protests in Québec attracted more than 30,000 activists with diverse interests and representing different regions. They came to protest against the FTAA and to participate in the People's Summit, at which the Americana Indigenismo and environmental forums had indigenous representation from throughout the hemisphere. Indigenous resistance to economic globalization is essential because neo-liberal policies often impact most heavily on traditional territories and indigenous peoples. Increased market pressures can result in the plunder of lands inhabited by indigenous peoples for thousands of years. Blanca Chancoso, president of the Confederation of Indigenous Nationalities (CONAIE) in Ecuador, reminded the Indigenismo forum that "the resistance of indigenous peoples in the Americas" to plundering elites "is nothing new." Blanca made clear that contemporary global capitalism's harmful effects on indigenous communities have roots in the historical projects of colonialism and imperialism. "In spite of our long struggle," she said, "I can tell you that we have not managed to overcome our exclusion. This struggle continues to be made alone. Today the same policies continue to be perpetrated, all achieving the same consequences for our people." In Québec, indigenous activists' most poignant and effective resistance methods were testimonials of the collective violence that policies like NAFTA perpetrate on their communities. That their stories were similar is not surprising given that states employ similar racist ideologies, "development" policies, and pacification tactics against indigenous peoples throughout the hemisphere. Racist Ideologies Many Western states have justified their domination of indigenous peoples through racist, illogical theories such as terra nullius, by which indigenous lands are considered "unoccupied" and "empty," their inhabitants deemed unable to manage their resources or conceive of property. Under such a policy, colonial and corporate elites, backed by a legal apparatus and scientific methods, are able to purchase and use land that does not belong to them. Chief Arthur Manuel of the Neskolith band in the southern interior of British Columbia emphasized at the Indigenismo forum that his community's current problems with forestry companies stem from these colonial-era doctrines of discovery: "[These doctrines] said we indigenous peoples had no property interests." Native land thus "accrued" to Europeans, he said. Arthur noted that this ethnocentric idea "is the essence of usurping and violating the rights of indigenous peoples" today. He cited the Canadian government's Comprehensive Claims Policy, which has as a "primary aim...to extinguish claims to territory" in exchange for limited benefits. Not only is this a "fundamental violation of...human rights," said Arthur, it is also absurd and impossible: "No one has the right and authority to extinguish our relationship to the land." State (Under)development As colonial policies are increasingly contested and proved unjustifiable, governments continue to implement "development" projects. In what is now a sadly familiar tale, indigenous communities throughout the Americas are uprooted so that hydroelectric dams can permanently submerge their territories. Forcible eviction into far-off "model villages," and "integration'' into the industrial and urban work force destroy their cultures and result in enduring poverty. The illusion that development projects are undertaken in their interest faded long ago for indigenous peoples. Kimy Pernia Domico, a traditional leader of the Embera-Katio community in Colombia, watched the Urra Dam flood his community's farming land, destroy fish spawning routes, and create water-borne diseases. Several members of the Embera-Katio community who resisted the dam were killed by government-linked paramilitaries, while the dam company ignored court injunctions and proceeded with construction. To those at the People's Summit who suggested that negotiation with states can be productive, Kimy replied: "You shouldn't consult with governments, but with people who are promoting biodiversity and protecting the land." Romeo Sanganash, a Cree lawyer and activist who participated in the environmental forum at the People's Summit, agreed. He recounted the long-standing conflict between several thousand Crees in northern Québec and the governments and corporations that have invaded their land and appropriated their resources, most infamously with the construction of the James Bay dam project in the 1970s. At the time, Crees were told that "they had no rights to the land," and were considered by Hydro-Québec and the government to be a "restricting factor" for development. Territory owned and managed by Crees for more than 5,000 years was subjected to mining, forestry, and dam-related flooding; the benefits of industrial activity accrued to southern Canadians. Romeo claimed that Crees are allied with the anti-globalization movement because they share with activists the same goals of achieving sustainable development and human rights protection. He also noted that Cree assertion of self-determination is predicated on their recognition as a self-governing nation fighting their erasure as a people. Indigenous Pacification and Repression After violent police-activist clashes at other globalization meetings, the Canadian government's response to activists present at the Summit of the Americas was highly autocratic. The state's military operation involved thousands of armed police and extensive use of tear gas and rubber bullets, eventually leading to hundreds of arrests. The state thus mimicked the grotesque violence enacted through free trade policies by unleashing its power on citizens exercising their right to democratic expression. The indigenous activists in Québec were already aware that at the numerous sites -- streets, villages, and fields -- where their communities confront globalization, prevailing economic discourse is intimately conjoined with state repression. The imposition of legal and economic frameworks that perpetuate the subjugation of indigenous peoples is intimately bound with state intervention that removes and literally extinguishes them. Gloria Chicaiza from Acción Ecologíca in Ecuador detailed this combination of state policy and coercion at the environmental forum. She noted that in the last several years the Kosan indigenous peoples of Ecuador have had their land divided and polluted by Texaco, which has, with active government participation, built extensive oil wells on their traditional land. Although Kosan communities were compensated when Texaco released oil into vital waterways, they refused to cooperate when the company's oil spills began desecrating certain sacred rocks and land areas, violating the Kosan spirits residing therein. Gloria noted that the way "the Kosan drew a line at the killing of their spirits" and refused to participate in Texaco's "economic development'' provides an example to all activists who assert the inviolability of environmental, cultural, and political rights and resources. Global Indigenous Advocacy Networks To counter state policies of development and pacification, indigenous activists have moved beyond the articulation of dissent and toward the collective assertion of rights and resources by forming powerful advocacy networks both nationally and internationally. Three indigenous activists from Mexico spoke at a People's Summit press conference, providing insight into this process. Juan Chavez, Maria de Jesus Patrico, and Rogelio Mercado are members of the National Indigenous Congress (NIC) in Mexico, a group similar to Blanco Chancoso's CONAIE in Ecuador and Matthew Coon Come's Assembly of First Nations (AFN) in Canada. Maria noted that the first NIC conference was held in 1996, two years after the Zapatistas began their now-famous uprising in Chiapas. The third meeting (at which most of the 56 indigenous groups in Mexico were represented) was held in March 2001 and coincided with the Zapatista caravan to Mexico City to press the government for constitutional enshrinement of rights for indigenous peoples. The NIC, said Maria, "is a space where we meet to exchange ideas, where indigenous peoples are present -- though still excluded from other political forums -- and where we meet indigenous peoples from other countries." Such indigenous mobilization -- through public education, direct action and protest, and political lobbying -- has elevated indigenous concerns to the public and governmental arenas. Rodney Bobiwash, an Ojibwa aboriginal activist and official at the Centre for World Indigenous Studies (CWIS) in Toronto, utilizes such national platforms to mobilize indigenous groups across borders. Speaking after the Indigenismo forum, Rodney noted that he constantly communicates with indigenous groups throughout the Americas, and lobbies on their behalf at meetings of the Organization for American States (OAS) and the World Bank. Together with indigenous communities, he attempts to find "common ground on problems," and pushes for a high priority on indigenous rights and concerns when the OAS and World Bank draft new financial and development policies. Indigenous groups can then use these national and international fora and institutional channels as levers with which to maintain control over their own lives when negotiating with local governments and corporations. Indigenous activests are bearing witness to the effects of globalization: the frustration, pain, and rage accompanying stat-sponsored exclusion, displacement, and violence. Ivan Ignacio noted at the Indigenismo forum that globalization treaties like the FTAA represent for indigenous peoples a "second colonialism." This time, indigenous peoples are becoming a formidable political force, mobilizing on may level -- nationally and internationally -- to create the lasting conditions for control over their collective destiny.

#### The logic of imperialist colonialism anchored by models of individual property ownership justifies an endless unsustainable expansion into terra nullius – it conjoins climate change with ethnocide

**Voskoboynik 18** [Daniel Macmillen Voskoboynik is an educator, campaigner and author. He is the co-founder and co-editor of The World at 1C, a communications initiative designed to humanise the ecological crisis and clarify its causes. , 10-8-2018, " To fix the climate crisis, we must face up to our imperial past ," openDemocracy, <https://www.opendemocracy.net/en/opendemocracyuk/to-fix-climate-crisis-we-must-acknowledge-our-imperial-past/> ]AAli

There are many ways to see colonialism. A breakneck rush for riches and power. A permanent pillage of life. A project to appropriate nature, to render it profitable and subservient to the needs of industry. We can see colonialism as imposition, as the silencing of local knowledges, and erasure of the other. Colonialism as a triple violence: cultural violence through negation; economic violence through exploitation; and political violence through oppression (2). Colonialism was not a monolithic process, but one of diverse expressions, stages and strategies. Commercial colonialism, centred around ports, differed from settlement colonialism. But its common factor is that colonialism took states to seek access to new lands, resources and labourers. Impelled by God, fortunes or fame, with almost limitless ambition, countries and companies scrambled to acquire control of land. New territories were seen as business enterprises. Local inhabitants were either obstacles to be removed or workforces to be subjugated. The colonial-imperial era is fundamental to an understanding of how we have arrived here. As Eyal Weizman notes: ‘the current acceleration of climate change is not only an unintentional consequence of industrialization. The climate has always been a project for colonial powers, which have continually acted to engineer it’ (3). What did colonialism seek? Wealth and power are the abstractions. But concretely it was commodities: metals, crops, minerals, and people. Political might, economic growth and industrialization required hinterlands to provide raw materials, food, energy supplies, labour and consumer demand. States sought expansion, appropriating territories and dominions. Between 1400 and 1917, the Russian empire expanded a thousandfold (4). Gold and silver supplied the first vice, feverishly obsessing the early colonizers. From the 16th to the early 19th century, around 100 million kilograms of silver were hauled from the mines of Latin America to Europe. The Spanish writer Alonso de Morgado observed at the time that enough treasure had arrived on the shores of Seville by the 1580s to pave the entire city’s streets with gold and silver (5). Plant commodities – from sugar to spices, cotton to coffee – would follow, as empires arranged the world to satisfy metropolitan tastes. Nature would serve as the canvas, the prize, and the victim of colonialist dreams (6). The impact on nature Nature narrates the colonial story, through its vast mines, its desecrated rivers, and emaciated territories. Across continents, mangroves, grasslands, rainforests, and wetlands were cleared to make way for quarries, plantations, ranches, roads and railways. As historian Richard Drayton explains, imperialism – the expansion of empire – was ‘a campaign to extend an ecological regime: a way of living in Nature’ (7). Entire landscapes had to be subjected to control and exploitation. Overuse, pollution and deforestation were the norm. Colonies were arranged to maximize and facilitate extraction. Profit was the compass. French colonial planners divided ‘useful Africa’ from ‘useless Africa’ (8). Lands were surveyed, zoned, parcelled, and mapped. All these endeavours relied on a narrative of emptiness, of nothingness. The New World’s territories were vacant fields, lands of nobody, terra nullius – open for conquest and colonizing. The Arctic, the Outback, the Wild West and the Amazon were (and continue to be) enduring metaphors that allowed colonisers to depict territories as barren wastelands. But these lands were not empty. The fiction of negation, and discovery, was used to justify the clearance of native habitats and inhabitants. Nature was a blank slate, to be reconfigured and rendered useful. Where colonizers arrived, maps were redrawn, inhabitants ousted, and new methods of production installed. Collective land management practices were shredded, as models of individual property ownership were imposed. New courts and laws governed the territory, handing lands over to concessionary companies and settlers. Long-term residents were now ‘squatters’ on their own land. Time-tested and locally rooted agricultural traditions were trampled and stamped out (9). In Mexico, peasants were stripped of their milpa lands. In Madagascar, the tavy system was outlawed. Rural areas were dragooned into ambitious imperial strategies, with villages forced to pay tribute or follow new production regimes. Local peasants were subjected to forced cultivation, compelled to grow what they were told. In French Equatorial Africa, the Mandja people were barred from hunting and pushed into work on cotton plantations (10). In 1905, communities living in the German-controlled Tanganyika (now part of Tanzania) revolted against policy forcing them to grow cotton for export. In response, as historian John Reader recalls: ‘three columns advanced through the region, pursuing a scorched earth policy – creating famine. People were forced from their homes, villages were burned to the ground; food crops that could not be taken way or given to loyal groups were destroyed’ (11). Around 300,000 people would perish. From continent to continent, staples were replaced by cash crops. Plantation systems were installed, designed to maximize yields. In India, the British entirely reorganized the agricultural system. India’s land, previously used for low-scale subsistence agriculture, would now be destined for cash crops such as cotton and tea, grown for export to international markets. The Portuguese empire installed cotton regimes across its Brazilian, Angolan and Mozambican colonies. Communal water management techniques were replaced with enormous works of engineering and state regulation (12). Pseudo-ecological arguments were often used to discredit local peoples and justify the clearance of communities. Traditional pastoralist practices were framed as outdated, damaging and ineffective. French July Monarchy propagandists used Arab desertification of Algerian land as a justification for conquest: once in control, France would restore ecological order and change the climate (13). Perhaps the most destructive agrarian practice involved sugar. In the Canary and Cape Verde islands, sugar production was imposed through deforestation, woodlands were cleared to end up as deserts (14). The forested Atlantic island of Madeira, which means wood in Portuguese, was virtually stripped of trees to make way for livestock and sugarcane plantations. Slaves, transported from the Canary Islands and Africa, dug thousands of kilometres of canal to irrigate the sugarcane fields. Once Madeira’s forests were cleared, and the sugar industry could no longer burn wood to fuel its mills, plantations were replaced with vineyards (15). In the Americas, millions of hectares were stripped of forest life and burned to allow for massive cane plantations, accelerating soil erosion. In the West Indies and Guyana, rainforests were demolished to make way for sugarcane cultivation. Haiti, whose name means ‘green island’ in Arawak, was stripped of trees (16). In Mexico, deforestation exploded with the arrival of the Spanish, as forests were cleared to supply sugar refineries with fuelwood. The logic of sugar’s monoculture was applied to a variety of commodities. The peripheries of the Amazon were cleared for coffee plantations. Using forced labour, Southeast Asia, southern Colombia and the Congo were deforested and converted into rubber plantations. Burma and Thailand saw their forests turned to mass ricefields, while Indian ecosystems were felled to make way cotton plantations. In all these contexts, soils were exhausted and made sterile, degraded by deforestation and monoculture. In areas of Brazil and the Caribbean, the tree-bare terrains left by plantation economies became ideal incubators for mosquitos carrying malaria and yellow fever. Searing epidemics killed major segments of the population. As historian Corey Ross recalls: ‘One of the recurring themes in the history of plantations is the perennial cycle of boom and bust. Whether the crop is sugar, tobacco, or cotton, the basic pattern is often the same: an initial frenzy of clearing and planting is followed by either a precipitous collapse of production or a gradual process of creeping decline before eventually ending in soil exhaustion, abandonment, and relocation elsewhere’ (17). Since there was always more land to conquer and acquire, sustainability was irrelevant. The model was simple: exhaust the land, abandon it and clear new land. But the shortcomings of such short-termist thinking would become readily apparent, particular in the circumscribed territories in the Caribbean. Beyond agriculture, intensive alluvial gold mining in the Caribbean, and silver mining in the Andes and Mexico’s Sierra Madre mountains, devastated the local terrain. Trees were ripped out of the ground to fuel smelting furnaces, triggering erosion, flooding and major loss of soil fertility. Around the Bolivian mining city of Potosí, over 30 dams were built around Potosí to power its mills. But the hydraulic infrastructure installed to amplify production (as well as the local deforestation) caused constant flooding. In 1626, the major San Ildefonso dam broke; over 4,000 people were killed. Thousands of cubic tonnes of water contaminated by mercury effluent flooded into local rivers (18). Loggers also wrought devastating impacts. India’s Malabar coast was cleared of teak forests by British merchants. Burma’s Tenasserim forest was raided next, stripped of teak over just two decades (19). Within only a handful of years, Fiji, Hawaii and the Marquesas Islands were cleared of sandalwood. In Canada, settlers set light to forests to provide a core ingredient of potash. In Australia, settlers predicted it would take centuries to clear the ‘Big Scrub’ terrain across New South Wales; it disappeared in just 20 years (20). From territory to territory, life was swept away. Entire animal species were decimated through overhunting. The demand from European elites for fine furs drove hunters and trappers into Siberia and the Americas, carving open new frontiers. John Astor, founder of the American Fur Company, became the first multimillionaire in US history (21). Fishing fleets scoured the seas, slaughtering shoals. In less than 30 years, sea cows were harpooned into oblivion across the Bering Strait (22). Quaggas, thylacines, great auks, passenger pigeons, warrahs and hundreds of other species disappeared within decades. Industrial whaling, driven by demand for blubber, culled whales to the edge of extinction, removing all bowhead whales from the Beaufort Sea (23). The impact on peoples Just as environments and animal species needed to make way for productive ‘civilization’, so too did local inhabitants. The eradication and exploitation of nature was conjoined with the eradication and exploitation of peoples. Ecocide came hand in hand with ethnocide. The Guanches, Lucayas, Charrúa and Beothuk are just some of the many peoples massacred on the altar of lucre. The methods were common: seize, dispossess, exclude, expel, extract, and extinguish. Martinican author Aimé Césaire would later note that between ‘colonizer and colonized there is room only for forced labor, intimidation, pressure, the police, taxation, theft, rape, compulsory crops, contempt, mistrust, arrogance, self-complacency, swinishness, brainless elites, degraded masses’ (24). The life of empire depended on the theft of life. In the colonial realm, nature and those deemed inferior enough to be part of it, had to be removed or put to work. Governed by whips and watches, labourers were forced to work the earth: to slash, mine, break, cut, harvest, extract, carry and cart. Across its centuries, coerced labour found different incarnations, from formal slavery to convict-leasing, from indentured labour to peonage. Under systems of bondage, human beings were treated as chattel, expendable facets of the exploitation of expendable lands.

#### The alternative is to endorse a paradigm of independence and South-South cooperation – sever the economic dependency in favor of mutual solidarity to level the playing ground – only then is engagement possible

**Onyekwena eta al 19** [Chukwuka Onyekwena [Executive Director - Centre for the Study of the Economies of Africa] and Mma Amara Ekeruche [Research Associate - Centre for the Study of the Economies of Africa] , 9-16-2019, "The Global South and development assistance," Brookings, <https://www.brookings.edu/blog/africa-in-focus/2019/09/16/the-global-south-and-development-assistance/> ]//AAli

While cooperation between countries in the global South has existed since the 1955 Bandung Asian-African conference, South-South cooperation (SSC) has recently experienced rapid growth and rising global prominence. In 2013, the value of SSC across the world was estimated to exceed $20 billion, up from about $16.1 billion in 2011. In 2016 alone, over 500 projects were ongoing under the SSC framework in over 120 countries. The growth of SSC is in the context of the economic expansion of countries in the global South such as China, alongside their rising influence in the international political system. As such, a new class of development cooperation actors have emerged as major providers of finance, technology, and knowledge. As aid critics point to the use of development assistance to promote the economic interests of developed countries and exert influence on the foreign policy of the recipient countries, assistance from developed countries has become increasingly viewed with skepticism. With solidarity, shared values, and common interest as its distinct elements, SSC is being presented as a suitable complement to the traditional model of development assistance. While SSC is not new, its form is. Until recently, SSC was mainly focused on knowledge sharing and capacity building, but now there is an increasing focus on providing finance for development projects, particularly in the infrastructure and the productive sectors such as agriculture and industry. The establishment of the New Development Bank and the Asian Infrastructure Investment Bank to finance development projects in the BRICS countries (Brazil, Russia, India, China, and South Africa) and the Asia-Pacific region, are key examples. Aside from these multilateral banks, a number of Southern-owned development cooperation funds have been created including the Mexico-Chile Joint Cooperation Fund; FAO-China Fund; India, Brazil and South Africa (IBSA) Fund; and India-U.N. Development Partnership Fund. This new financing from and for the South serves as an alternative to the prevailing system of development cooperation by fostering a participatory approach to development, encouraging collective self-reliance, and creating more integrated development cooperation. Another key development is the ongoing institutionalization of SSC: Chile, Turkey, Thailand, Palestine, and China are some of the emerging countries that have established dedicated agencies for international development cooperation. The mainstreaming of SSC in the agenda of governments, civil society, and research organizations puts SSC forward as a means to mobilize science, technology, finance, and other means of implementation required to implement the sustainable development goals. SSC is no longer seen as an independent framework but as part of the larger global development architecture. In order to better understand the role these agencies are playing in development, in Nigeria, the Centre for the Study of the Economies of Africa in partnership with the Asociación de Investigación y Estudios Sociales (ASIES) in Guatemala, recently developed a conceptual framework to document aspects of SSC initiatives in order to allow for easy comparison. Notably, African countries themselves are playing key roles in the development of the region. South Africa and Nigeria, with the largest economies and most substantial resources in Africa, are providing assistance to poorer countries in the continent. Already, South Africa leads in the SADC region in providing technical and humanitarian assistance needs, as well as facilitating peacekeeping operations which positions it as a major player in the region. Similarly, Nigeria provides a range of development assistance programs, including concessional finance to less-developed countries, technical assistance, and peacekeeping missions. In these and other ways, developing countries are playing a more proactive role in meeting the development needs of their compatriots. However, the motivation of the emerging development partners is open to question. With non-African donor countries placing value on resource transfers, these development partnerships are hardly free from promoting the interest of the donor. Even for Nigeria and South Africa, their political ambition to achieve hegemonic powers and the subtle contest between both countries for soft power at the continent-level seems to be linked to their willingness to provide development assistance. If countries are more driven by their self-interests, SSC could create a center-periphery relationship where the emerging countries are at the center and the rest of the South are at the periphery. Moreover, while proponents of SSC argue that it is a development partnership between peer countries, thus quite distinct from traditional North-South cooperation, critics question this assertion as developing countries are at different stages of economic development. A different strand of argument is that SSC is an ideological construct based on the consensus that there is considerable scope for improvement in the traditional development assistance framework. Despite these emerging issues, SSC reflects a more accountable form of development assistance where developing countries take up responsibility and utilize their resources for the pursuit of domestic needs.

## Case

### Adv 1

#### Climate Patents and Innovation high now and solving Warming but patent waivers set a dangerous precedent for appropriations - the mere threat is sufficient is enough to kill investment.

Brand 5-26, Melissa. “Trips Ip Waiver Could Establish Dangerous Precedent for Climate Change and Other Biotech Sectors.” IPWatchdog.com | Patents & Patent Law, 26 May 2021, www.ipwatchdog.com/2021/05/26/trips-ip-waiver-establish-dangerous-precedent-climate-change-biotech-sectors/id=133964/. //sid

The biotech industry is making remarkable advancestowards climate change solutions, and it is precisely for this reason that it can expect to be in the crosshairs of potential IP waiver discussions. President Biden is correct to refer to climate change as an existential crisis. Yet it does not take too much effort to connect the dots between President Biden’s focus on climate change and his Administration’s recent commitment to waive global IP rights for Covid vaccines (TRIPS IP Waiver). “This is a global health crisis, and the extraordinary circumstances of the COVID-19 pandemic call for extraordinary measures.” If an IP waiver is purportedly necessary to solve the COVID-19 global health crisis (and of course [we dispute this notion](https://www.ipwatchdog.com/2021/04/19/waiving-ip-rights-during-times-of-covid-a-false-good-idea/id=132399/)), can we really feel confident that this or some future Administration will not apply the same logic to the climate crisis? And, without the confidence in the underlying IP for such solutions, what does this mean for U.S. innovation and economic growth? United States Trade Representative (USTR) [Katherine Tai](https://www.ipwatchdog.com/2021/05/05/tai-says-united-states-will-back-india-southafrica-proposal-waive-ip-rights-trips/id=133224/) was subject to questioning along this very line during a recent Senate Finance Committee hearing. And while Ambassador Tai did not affirmatively state that an IP waiver would be in the future for climate change technology, she surely did not assuage the concerns of interested parties. The United States has historically supported robust IP protection. This support is one reason the United States is the center of biotechnology innovation and leading the fight against COVID-19. However, a brief review of the domestic legislation arguably most relevant to this discussion shows just how far the international campaign against IP rights has eroded our normative position. The Clean Air Act, for example, contains a provision allowing for the mandatory licensing of patents covering certain devices for reducing air pollution. Importantly, however, the patent owner is accorded due process and the statute lays out a detailed process regulating the manner in which any such license can be issued, including findings of necessity and that no reasonable alternative method to accomplish the legislated goal exists. Also of critical importance is that the statute requires compensation to the patent holder. Similarly, the Atomic Energy Act contemplates mandatory licensing of patents covering inventions of primary importance in producing or utilizing atomic energy. This statute, too, requires due process, findings of importance to the statutory goals and compensation to the rights holder. A TRIPS IP waiver would operate outside of these types of frameworks. There would be no due process, no particularized findings, no compensationand no recourse. Indeed, the fact that the World Trade Organization (WTO) already has a process under the TRIPS agreement to address public health crises, including the compulsory licensing provisions, with necessary guardrails and compensation, makes quite clear that the waiver would operate as a free for all. Forced Tech Transfer Could Be on The Table When being questioned about the scope of a potential TRIPS IP waiver, Ambassador Tai invoked the proverb “Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime.” While this answer suggests primarily that, in times of famine, the Administration would rather give away other people’s fishing rods than share its own plentiful supply of fish (here: actual COVID-19 vaccine stocks), it is apparent that in Ambassador Tai’s view waiving patent rights alone would not help lower- and middle-income countries produce their own vaccines. Rather, they would need to be taught how to make the vaccines and given the biotech industry’s manufacturing know-how, sensitive cell lines, and proprietary cell culture media in order to do so. In other words, Ambassador Tai acknowledged that the scope of the current TRIPS IP waiver discussions includes the concept of forced tech transfer. In the context of climate change, the idea would be that companies who develop successful methods for producing new seed technologies and sustainable biomass**,** reducing greenhouse gases in manufacturing and transportation, capturing and sequestering carbon in soil and products, and more, would be required to turn over their proprietaryknow-how to global competitors. While it is unclear how this concept would work in practice and under the constitutions of certain countries, the suggestion alone could be devastating to voluntary internationalcollaborations. Even if one could assume that the United States could not implement forced tech transfer on its own soil, what about the governments of our international development partners? It is not hard to understand that a U.S.-based company developing climate change technologies would be unenthusiastic about partnering with a company abroad knowing that the foreign country’s government is on track – with the assent of the U.S. government – to change its laws and seize proprietary materials and know-how that had been voluntarily transferred to the local company. Necessary Investment Could Diminish Developing climate change solutions is not an easy endeavor and bad policy positions threaten the likelihood that they will materialize. These products have long lead times from research and development to market introduction, owing not only to a high rate of failure but also rigorous regulatory oversight. Significant investment is required to sustain and drive these challenging and long-enduring endeavors. For example, synthetic biology companies critical to this area of innovation [raised over $1 billion in investment in the second quarter of 2019 alone](https://www.bio.org/sites/default/files/2021-04/Climate%20Report_FINAL.pdf). If investors cannot be confident that IP will be in place to protect important climate change technologies after their long road from bench to market, it is unlikely they will continue to investat the current and required levels**.**

#### No disease extinction – impact starts at 4%

Owen Cotton-Barratt 17, et al, PhD in Pure Mathematics, Oxford, Lecturer in Mathematics at Oxford, Research Associate at the Future of Humanity Institute, 2/3/2017, Existential Risk: Diplomacy and Governance, https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf

For most of human history, natural pandemics have posed the greatest risk of mass global fatalities.37 However, there are some reasons to believe that natural pandemics are very unlikely to cause human extinction. Analysis of the International Union for Conservation of Nature (IUCN) red list database has shown that of the 833 recorded plant and animal species extinctions known to have occurred since 1500, less than 4% (31 species) were ascribed to infectious disease.38 None of the mammals and amphibians on this list were globally dispersed, and other factors aside from infectious disease also contributed to their extinction. It therefore seems that our own species, which is very numerous, globally dispersed, and capable of a rational response to problems, is very unlikely to be killed off by a natural pandemic.

One underlying explanation for this is that highly lethal pathogens can kill their hosts before they have a chance to spread, so there is a selective pressure for pathogens not to be highly lethal. Therefore, pathogens are likely to co-evolve with their hosts rather than kill all possible hosts.39

#### Pandemic response only gets strengthened post COVID – terminal defense to all their ev which doesn’t assume post-pandemic conditions

### Adv 2

#### 1] Nobody listens to the WTO – our ev postdates the Hamman ev by 9 years

Eleanor **Wragg** is a senior reporter at GTR, where she covers the trade, export, commodity and supply chain finance markets, as well as the political risk and trade credit insurance, treasury and fintech sectors. She has been a financial journalist for over a decade, with work published in media outle ... (GTR), **3-3**-2021, "Slim chances for the WTO appellate body despite US return to multilateralism," <https://www.gtreview.com/news/americas/slim-chances-for-the-wto-appellate-body-despite-the-us-return-to-multilateralism/> ]//AAli

On February 5, two weeks after his inauguration, President Joe Biden marked the US’ return to multilateralism by lifting opposition to the appointment of Nigeria’s Ngozi Okonjo-Iweala as the new director general of the WTO. Breaking this impasse, in place since October when the Office of the US Trade Representative (USTR) – then led by Robert Lighthizer – threw its support behind Korean Trade Minister Yoo Myung-hee instead, was a major step. “Without the recent swift action by the Biden-Harris administration to join the consensus of the membership on my candidacy, we would not be here today,” said Okonjo-Iweala recently. “I am grateful to the US for the prompt action and strong expression of support.” With a director general in place, all eyes turned to the monthly WTO dispute settlement body meeting on February 22, with hopes high that the Biden administration would take the lead in reversing the Trump administration-imposed logjam there. “The WTO no longer guarantees access to a binding, two-tier, independent and impartial resolution of trade disputes. This is in clear breach of the WTO agreements,” said the EU in a statement at the meeting. The WTO’s appellate body has been without the quorum necessary to hear appeals since the Trump administration, insisting that that it had outstepped its mandate, blocked the appointment of new nominees in December 2019 – effectively cutting off its ability to resolve international trade disputes. “As we have said so many times, WTO members have a shared responsibility to resolve this issue as soon as possible, and to fill the outstanding vacancies as required by Article 17.2 of the dispute settlement understanding,” the EU statement said. “The EU renews its call on all WTO members to engage in a constructive discussion so that the vacancies can be filled as soon as possible.” Much to the chagrin of onlookers, the US’ response was negative. In response to a slate of proposed appellate body appointments, the US said in a statement that it was “not in a position” to support the decision, adding: “The United States continues to have systemic concerns with the appellate body. As members know, the United States has raised and explained its systemic concerns for more than 16 years and across multiple US administrations.” Speaking to GTR, Andrew Shoyer, partner at law firm Sidley Austin, says: “The interregnum without a functioning appellate body is clearly perceived as a tremendous hole in the WTO, however I don’t believe – as maybe the European Commission was hoping – that this administration as a sort of peace offering will join consensus on the seven members of the appellate body, get the appellate body up and running, and then negotiate solutions on these other concerns about dispute settlement.” The lawyer, who spent seven years at the USTR, serving most recently as legal adviser in the US Mission to the WTO in Geneva, was the principal negotiator for the US of the rules implementing the WTO dispute settlement understanding and has briefed and argued numerous WTO cases before dispute settlement panels and the WTO appellate body. “I think this administration wants to engage in a serious negotiation to address reforms and dispute settlement, and we won’t see consensus on the appellate body until we get those reforms done,” he adds. Although a full return to a pre-Trump trade policy now seems unlikely, the Biden administration is seen as being willing to return the US to its historic leadership role in WTO matters. “There is very much a reason for hope that this administration will want to re-engage seriously and that we will see real progress,” says Shoyer. “The real progress for the US economy would be made in rebuilding and moving multilateral commitments forward. The dispute settlement mechanism is an important piece of that, but I don’t see it as a burning issue for the US right now in light of the administration’s priority on climate policy. Getting the director general in place is enough probably to serve those needs right now.” Katherine Tai, Biden’s pick for the USTR, will likely be at least somewhat less combative than her predecessor, who was particularly perturbed by what he characterised as a series of unfair appellate body rulings against the US. “No one’s really missed [the appellate body] at all,” Lighthizer said at the Milken Institute’s 2020 Asia Summit in December last year. “It’s like there’s this mythology out there that it is needed.” However, in her confirmation hearing, held last week, Tai showed little sign of moving away from the Trump-era stance on the dispute settlement mechanism. “Over the years, the appellate body has overstepped its authority and erred in interpreting WTO agreements in a number of cases, to the detriment of the United States and other WTO members,” she said, in response to a question on the reforms she believes are necessary to ensure the appellate body operates as intended. “In addition, the appellate body has failed to follow existing rules created to ensure that disputes are resolved in a timely manner. Reforms are needed to ensure that the underlying causes of such problems do not resurface and that the appellate body does not diminish the rights and obligations of WTO members.” Nonetheless, Tai does appear to intend to take a more conciliatory approach. “Katherine is very measured,” says Shoyer. “She has seen the limitations of enforcement in the WTO when she led USTR’s China enforcement office.” At her confirmation hearing, she said that she will work in a “practical and constructive” manner to re-engage with “like-minded partners” as well as collaborating closely with Okonjo-Iweala. Upon her appointment – which still requires Senate confirmation – Tai will have a tough job ahead of her in tackling the myriad challenges miring the relationship between the world’s largest trading nation and the world’s only multilateral trade body. While the US’ much-feted return to multilateralism under the Biden administration gathers pace, the WTO’s dysfunctional dispute settlement mechanism might take longer to recover.

#### 2] They have it backwards – trade doesn’t generate peace but rather peace generates trade

Omar M. G. Keshk 10, senior lecturer in the Political Science Department at, and PhD in Political Science from, Ohio State University; Rafael Reuveny, prof of international political economy and ecological economics at and PhD from Indiana University; and Brian M. Pollins, emeritus Associate Prof of Political Science at Ohio State; “Trade and Conflict: Proximity, Country Size, and Measures,” Conflict Management and Peace Science 2010 27: 3, SAGE journals

In all, any signal that “trade brings peace” remains weak and inconsistent, regardless of the way proximity is modeled in the conflict equation. The signal that conflict reduces trade, in contrast, is strong and consistent. Thus, international politics are clearly affecting dyadic trade, while it is far less obvious whether trade systematically affects dyadic politics, and if it does, whether that effect is conflict dampening or conflict amplifying. This is what we have termed in KPR (2004) “The Primacy of Politics.” ¶ 7. Conclusion¶ This study revisited the simultaneous equations model we presented in KPR (2004) and subjected it to four important challenges. Two of these challenges concerned The specification of the conflict equation in our model regarding the role of inter- capital distance and the sizes of both sides in a dyad; one questioned the bilateral trade data assumptions used in the treatment of zero and missing values, and one challenge suggested a focus on fatal MIDs as an alternative indicator to the widely used all-MID measure ¶ The theoretical and empirical analyses used to explore proposed alternatives to our original work were instructive and the empirical results were informative, but there are certainly other legitimate issues that the trade and conflict research community may continue to ponder. For example, researchers may continue to work on questions of missing bilateral trade data, attempt to move beyond the near- exclusive use of the MIDs data as we contemplate the meaning of “military conflict,” and use, and extend the scope of, the Harvey Starr GIS-based border data as one way to treat contiguity with more sophistication than the typical binary variable.¶ The single greatest lesson of this study is that future work studying the effect of international trade on international military conflict needs to employ a simultaneous specification of the relationship between the two forces. The results we obtained under all the 36 SEM alternatives we estimated yielded an important, measurable effect of conflict on trade. Henceforth, we would say with high confidence that any study of the effect of trade on conflict that ignores this reverse fact is practically guaranteed to produce estimates that contain simultaneity bias. Such studies will claim that “trade brings peace,” when we now know that in a much broader range of circumstances, it is “peace that brings trade.”¶ Our message to those who would use conflict as one factor in a single-equation model of trade is only slightly less cautionary. They too face dangers in ignoring the other side of the coin. In one half of the 36 permutations we explored, the likelihood of dyadic military conflict was influenced by trade flows. In most tests where this effect surfaced, it was positive, that is, trade made conflict more likely. But the direction of this effect is of no consequence for the larger lesson: trade modelers ignore the simultaneity between international commerce and political enmity at their peril. They too run no small risk of finding themselves deceived by simultaneity bias.¶ Our empirical findings show clearly that international politics pushes commerce in a much broader range of circumstances than the reverse. In fact, we could find no combination of model choices, indicators, or data assumptions that failed to yield the result that dyadic conflict reduces dyadic trade. Liberal claims regarding the effect of dyadic trade on dyadic conflict simply were not robust in our findings. They survived in only 8 of the 36 tests we ran, and failed to hold up when certain data assumptions were altered, and were seriously vulnerable to indicator choices regarding inter-capital distance, conflict, and national size

### WTO Collapse is good

#### 3] WTO laws encourage countries to hamstring each other’s renewable subsidies – cements warming

Timothy **Meyer 18**, Professor of Law, Vanderbilt University Law School., Free Trade, Fair Trade, and Selective Enforcement, 118 Colum. L. Rev. 2, 491 (2018), <https://columbialawreview.org/content/free-trade-fair-trade-and-selective-enforcement/> ]//AAli

* counterveiling duties let countries offset subsidies
* dumping – producers sell imported goods for cheap which crowds out local companies – antidumping stops that

Both international and national trade rules apply to government financial support for products. Internationally, this Article focuses on WTO rules, which have been applied to government support for energy in several ways. The most direct way is through the WTO’s Agreement on Subsidies and Countervailing Measures (SCM Agreement), which allows nations to challenge discriminatory or injurious subsidies. The difficulty of succeeding on an SCM claim pushes governments to challenge other governments’ support for industry through generally applicable GATT rules. For example, discriminatory government-support measures may be more easily challenged under Article III of the GATT, which creates a nondiscrimination rule known as the national treatment (NT) obligation. GATT Article III provides that a nation may not treat foreign goods less favorably than it treats its own “like” products. Local content requirements—rules that condition a benefit, such as a subsidy, on use of locally produced materials or equipment—violate the NT rule. Six disputes have challenged government support for renewable energy directly before the WTO on SCM or NT grounds. In the most important such case, the WTO Appellate Body upheld a finding that Ontario (and therefore Canada) violated the NT obligation in its Feed-in Tariff Program. Under that program, electricity producers qualified for preferential rates from the government if they produced a certain amount of their electricity from renewable sources, provided that the equipment used to generate the renewable energy was manufactured in Ontario. The WTO’s Dispute Settlement Body (DSB) found that such a local content requirement violates the NT obligation by disadvantaging foreign products that compete with the locally produced goods. In 2016, the WTO Appellate Body upheld a similar finding about a local content requirement in India’s national solar support program in a case brought by the United States. The United States also challenged an allegedly discriminatory wind subsidy in China, although China agreed to remove the subsidy without further proceedings.National trade laws also allow governments to respond to “unfair” trading practices of other countries, most notably government support. These laws are known as “trade remedies.” Although trade remedies are imposed under national laws and do not require the WTO’s permission, the WTO has rules on their use. Hence, countries can challenge an­other nation’s imposition of trade remedies before the WTO. The two most relevant kinds of trade remedies are (1) countervail­ing duties and (2) antidumping duties. Countervailing duties offset the effects of subsidies by another government.117 ...Countervailing duties thus attack the same problem as the SCM Agreement (and, in fact, the SCM Agreement contains rules on countervailing duties).118 A government seeking to respond to a subsidy can thus either bring a WTO case directly under the SCM Agreement, or impose countervailing duties. Imposing countervailing duties requires findings similar to those necessary to make out an SCM claim, including the existence of a subsidy within the mean­ing of WTO rules.119 ...Significantly, however, those find­ings are made by the national government imposing the duties, rather than by a neutral international tribunal.120 ... Antidumping duties are more flexible than countervailing duties and can also respond to government subsidization. Dumping—the trig­ger, unsurprisingly, for the imposition of antidumping duties—involves a producer’s selling its good in the importing country at less than what the importing government considers “normal” value.121 ...Anti­dumping duties therefore target private conduct: the pricing decisions of firms.122 ...Governments have a great deal of flexibility, however, in how they calcu­late normal value.123 ...This flexibility allows governments to use antidump­ing duties to respond to prices that are artificially low due to another government’s financial support. Indeed, the original GATT pro­visions on antidumping and countervailing duties recognized that either could be imposed in response to the same underlying set of facts.124 ... Yet a third kind of trade remedy, rarely used, is that of safeguards. In January 2018, President Trump imposed thirty percent tariffs on solar cells imported into the United States pursuant to a safeguards investiga­tion. Unlike antidumping and countervailing duties, safeguards do not require a finding that another country (or its producers) has behaved unfairly.125 Instead, safeguards focus entirely on the degree of injury to the domestic producer.126 In February 2018, China and the EU chal­lenged the United States’ imposition of safeguards before the WTO. As this Article goes to print, this case remains in its infancy.127 Returning to the disputes described in Table 1, eighteen of the remaining nineteen disputes involve the national application of trade remedies. These disputes target solar, wind, and biofuel products. This wide range of products, spanning the renewable energy sector, demonstrates countries’ willingness to use trade law to challenge gov­ernment support for different sources of renewable energy with roots in different areas of the economy. Solar and wind energy, for instance, tend to be manufacturing industries, while the biofuel industry is grounded in agriculture. Only three of these disputes have made it to the WTO. In one of these cases, China prevailed in a challenge to the United States’ imposition of countervailing duties on a number of products, including solar panels and wind turbines. In the other two disputes, Argentina and Indonesia each challenged the EU’s imposition of antidumping duties on biodiesel fuels, which are fuels made from plant and animal fats that emit fewer greenhouse gases than fossil fuels.131 ...These disputes are at the heart of a broader trade war over biofuels that includes not only these three countries, but also Australia, China, Peru, and the United States.132 In contrast to this robust history of challenges to renewable energy, not a single case has ever been brought before the GATT or WTO directly challenging government support for fossil fuels on either SCM or NT grounds.133 ...In terms of trade remedies, the EU imposed antidumping duties on a range of Russian products, such as steel and ammonium ni­trate, partly on the grounds that Russia subsidizes energy consumption.134 ...Notably, though, these antidumping duties were not imposed directly in response to energy subsidies. Rather, they were imposed on energy-intensive downstream products that presumably benefit from such subsi­dies.135 ...Russia currently has a challenge to the use of antidumping duties in this way pending at the WTO.136 Nor does this absence of disputes against fossil fuels stem from any systematic differences between fossil fuel subsidies and renewable energy subsidies. To be sure, some have alleged that fossil fuel subsidies are systematically different from renewable energy subsidies. This claim rests in part on the existence of local content requirements in renewable energy subsidies and in part on the claim that fossil fuel subsidies are structured in ways that are less amenable to challenge under the SCM Agreement.138 In fact, however, local content requirements are rampant in the fossil fuel sector as well. A 2013 World Bank study identified local content policies supporting the fossil fuel sector in forty-eight nations.139 ...Moreover, if renewable energy subsidies were systematically more suscep­tible to challenge under the SCM Agreement, we would expect to see nations regularly relying on the SCM Agreement to bring their renewa­ble energy challenges. Yet as Table 1 attests, the SCM Agreement is used only rarely to challenge renewable energy subsidies. This strongly suggests that the structures of the subsidies are not driving the rate of challenge. Disputes over government support for the energy sector thus show a clear trend. Governments are willing to use WTO rules to challenge other governments’ financial support for renewable energy, but not for fossil fuels, despite the fact that support for fossil fuels is many times that for renewable energy.140 As Parts III and IV explain, this selective enforce­ment magnifies the discrepancy in subsidization between fossil fuels and renewable energy. In doing so, selective enforcement reinforces the market dominance of increasingly scarce and environmentally harmful fossil fuels.

#### 4] Warming causes extinction – positive feedback loops means adaptation is impossible

Ng ’19 [Yew-Kwang; May 2019; Professor of Economics at Nanyang Technology University, Fellow of the Academy of Social Sciences in Australia and Member of the Advisory Board at the Global Priorities Institute at Oxford University, Ph.D. in Economics from Sydney University; Global Policy, “Keynote: Global Extinction and Animal Welfare: Two Priorities for Effective Altruism,” vol. 10, no. 2, p. 258-266; RP]

Catastrophic climate change

Though by no means certain, CCC causing global extinction is possible due to interrelated factors of non‐linearity, cascading effects, positive feedbacks, multiplicative factors, critical thresholds and tipping points (e.g. Barnosky and Hadly, [2016](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0005); Belaia et al., [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0008); Buldyrev et al., [2010](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0016); Grainger, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0027); Hansen and Sato, [2012](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0029); IPCC [2014](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0031); Kareiva and Carranza, [2018](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0033); Osmond and Klausmeier, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0056); Rothman, [2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0066); Schuur et al., [2015](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0069); Sims and Finnoff, [2016](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0072); Van Aalst, [2006](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0079)).[7](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-note-1009_67)

A possibly imminent tipping point could be in the form of ‘an abrupt ice sheet collapse [that] could cause a rapid sea level rise’ (Baum et al., [2011](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0006), p. 399). There are many avenues for positive feedback in global warming, including:

* the replacement of an ice sea by a liquid ocean surface from melting reduces the reflection and increases the absorption of sunlight, leading to faster warming;
* the drying of forests from warming increases forest fires and the release of more carbon; and
* higher ocean temperatures may lead to the release of methane trapped under the ocean floor, producing runaway global warming.

Though there are also avenues for negative feedback, the scientific consensus is for an overall net positive feedback (Roe and Baker, [2007](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0065)). Thus, the Global Challenges Foundation ([2017](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0026), p. 25) concludes, ‘The world is currently completely unprepared to envisage, and even less deal with, the consequences of CCC’.

The threat of sea‐level rising from global warming is well known, but there are also other likely and more imminent threats to the survivability of mankind and other living things. For example, Sherwood and Huber ([2010](https://onlinelibrary-wiley-com.proxy.lib.umich.edu/doi/full/10.1111/1758-5899.12647#gpol12647-bib-0071)) emphasize the adaptability limit to climate change due to heat stress from high environmental wet‐bulb temperature. They show that ‘even modest global warming could … expose large fractions of the [world] population to unprecedented heat stress’ p. 9552 and that with substantial global warming, ‘the area of land rendered uninhabitable by heat stress would dwarf that affected by rising sea level’ p. 9555, making extinction much more likely and the