## 1NC

### 1NC – OFF

#### 1] Interpretation - Reduce means permanent reduction – it’s distinct from “waive” 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.

#### 2] Violation – the plan waives intellectual property protections temporarily, which is an indefinite suspension.

#### 1AC Communication concludes its temporary

(WAIVER FROM CERTAIN PROVISIONS OF THE TRIPS AGREEMENT FOR THE PREVENTION,

CONTAINMENT AND TREATMENT OF COVID-19 <https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/IP/C/W669.pdf&Open=True>, 10-2)

9. There are several reports about intellectual property rights hindering or potentially hindering timely provisioning of affordable medical products to the patients.3 It is also reported that some WTO Members have carried out urgent legal amendments to their national patent laws to expedite the process of issuing compulsory/government use licenses. 10. Beyond patents, other intellectual property rights may also pose a barrier, with limited options to overcome those barriers. In addition, many countries especially developing countries may face institutional and legal difficulties when using flexibilities available in the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement). A particular concern for countries with insufficient or no manufacturing capacity are the requirements of Article 31bis and consequently the cumbersome and lengthy process for the import and export of pharmaceutical products. 11. Internationally, there is an urgent call for global solidarity, and the unhindered global sharing of technology and know-how in order that rapid responses for the handling of COVID-19 can be put in place on a real time basis. 12. In these exceptional circumstances, we request that the Council for TRIPS recommends, as early as possible, to the General Council a waiver from the implementation, application and enforcement of Sections 1, 4, 5, and 7 of Part II of the TRIPS Agreement in relation to prevention, containment or treatment of COVID-19. 13. The waiver should continue until widespread vaccination is in place globally, and the majority of the world's population has developed immunity hence we propose an initial duration of [x] years from the date of the adoption of the waiver. 14. We request that the Council for TRIPS urgently recommends to the General Council adoption of the annexed decision text.

#### No I meet they admitted it was temporary in cross

#### Plan Text in a Vacuum is a useless guideline since words are contextually defined based on function – the only basis for determining Topicality should be if the implementation of the Plan as per their 1AC solvency evidence follows the directional meaning of the Topic’s intent – anything else allows the 1AR to re-contextualize what the Plan says forcing the 1NC to predict infinite 1AR spin since they’re not tied to their evidence.

#### 3] Vote neg for limits and neg ground – re-instatement under any infinite number of conditions doubles aff ground – every plan becomes either temporary or permanent – you cherry-pick the best criteria and I must prep every aff while they avoid core topic discussions like reduction-based DAs which decks generics like Pharma Innovation and Bio-Tech.

#### 4] Paradigm Issues –

#### a] Topicality is Drop the Debater – it’s a fundamental baseline for debate-ability.

#### b] Use Competing Interps – 1] Topicality is a yes/no question, you can’t be reasonably topical and 2] Reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation.

#### c] No RVI’s - 1] Forces the 1NC to go all-in on Theory which kills substance education, 2] Encourages Baiting since the 1AC will purposely be abusive, and 3] Illogical – you shouldn’t win for not being abusive.

#### Reject 1AR theory- A] 7-6 time skew means it’s endlessly aff biased B] I don’t have a 3nr which allows for endless extrapolation C] 1AR theory is skewed to the aff because they have a 2ar judge psychology warrant.

#### Infinite abuse claims are wrong- A] Spikes solve-you can just preempt paradigms in the 1AC B] Functional limits- 1nc is only 7 minutes long

### 1NC – OFF

#### The World Trade Organization ought to increase intellectual property protections for covid-19 medicines. The United States ought to designate intellectual property protections on covid-19 medicines as adversely affecting the international transfer of technology.

#### Member states can waive IP rights if they hamper the international flow of medical technology.

WTO ’21 (World Trade Organization; 2021; “Obligations and exceptions”; World Trade Organization; Accessed: 8-30-2021; exact date not provided, but copyright was updated in 2021)

Article 8 Principles […] 2. Appropriate measures, provided that they are consistent with the provisions of this Agreement, **may be needed** to prevent the abuse of intellectual property rights by right holders or the resort to practices which unreasonably restrain trade or **adversely affect** the **international transfer of technology**. SECTION 8: CONTROL OF ANTI-COMPETITIVE PRACTICES IN CONTRACTUAL LICENCES Article 40 1. Members agree that some licensing practices or conditions pertaining to intellectual property rights which restrain competition may have **adverse effects on trade** and **may impede** the **transfer and dissemination** of technology. 2. Nothing in this Agreement **shall prevent** Members from specifying in their legislation licensing practices or conditions that may in particular cases constitute an abuse of intellectual property rights having an adverse effect on competition in the relevant market. As provided above, a Member **may adopt**, consistently with the other provisions of this Agreement, **appropriate measures** to **prevent or control** such practices, which may include for example exclusive grantback conditions, conditions preventing challenges to validity and coercive package licensing, in the light of the relevant laws and regulations of that Member. […]

#### Designating IP protections as antithetical to the global health system revitalizes info-sharing.

Youde ’16 (Jeremy; writer for World Politics Review; 4-29-2016; “Technology **Transfer** Is a **Weak Link** in the Global Health System”; World Politics Review; <https://www.worldpoliticsreview.com/articles/18639/technology-transfer-is-a-weak-link-in-the-global-health-system>; Accessed: 8-30-2021)

In mid-April, a spokesperson for the Ugandan government admitted that the country’s only functioning cancer treatment machine had broken earlier that month. The radiotherapy machine, donated by China to Uganda in 1995 and housed at Mulago Hospital in Kampala, is now considered beyond repair. While the government did acquire a second radiotherapy machine in 2013, it has not been operational because of delays in allocating 30 billion shillings—just shy of $9 million—to construct a new building to house it. The funding delay has lifted, but the machine won’t be up and running for at least six months. The government has announced plans to airlift some cancer patients to Nairobi for treatment, but that plan will only accommodate 400 of the estimated 17,000 to 33,000 cancer patients who need treatment annually in Uganda. This breakdown of technology is a human tragedy for the cancer patients from Uganda as well as elsewhere in East Africa that the radiotherapy machine helped treat. Beyond the personal level, though, the episode illustrates a larger shortcoming in global health. Total annual development assistance for health is approximately $36 billion, but that funding is overwhelmingly concentrated on specific infectious diseases. Noncommunicable diseases like cancer receive relatively little international funding—only 1.3 percent in 2015, and the dollar amount has declined since 2013. Funds to strengthen health systems, geared toward building and supporting a resilient health care system, are similarly low, making up only 7.3 percent of development assistance in 2015. Noncommunicable diseases kill more people every year than infectious diseases and accidents do, but this balance is not reflected in global health spending. ... These shortcomings also speak to larger problems in global health around issues of **technology transfers** and long-term **commitments** to keep that technology working. It’s one thing to provide necessary medical technologies in the first place; it’s another to ensure that those technologies are accessible and operational going forward. Despite the **importance** of technology transfers, questions of **long-term support** for them have received relatively little attention from the global health regime. As noncommunicable diseases like cancer cause an even-higher proportion of deaths each year, it will become all the more **imperative** that the international community address this gap in **sharing** and funding **crucial health care** technology. This does not mean that there are no efforts to facilitate technology transfers around the world. The Fogarty International Center, a part of the U.S. National Institutes of Health, has had an [Office of Technology Transfer](http://www.fic.nih.gov/News/GlobalHealthMatters/march-april-2014/Pages/technology-transfer-nih-ott.aspx) since 1989 to make medical innovations developed in the United States more widely available. The World Health Organization (WHO) also has a [Technology Transfer Initiative](http://www.who.int/phi/programme_technology_transfer/en/) to improve access to health care technologies in developing countries. These efforts are laudable, but their interpretation of technology transfer is almost entirely rooted in access to pharmaceuticals and vaccines. To be sure, that is a very important issue—but it only deals with one narrow element of technology transfer. The problems of global health technology transfers illustrated in Uganda underscore a larger issue: the need for a so-called fourth industrial revolution, what has been described as “blurring the real world with the technological world.” This idea gained prominence earlier this year when it served as the theme for the World Economic Forum in Davos. For global health, this means embracing technology to find low-cost ways to promote health, spread education, and reach communities whose access to the health care infrastructure is weak. It expands on the notion of telemedicine and eHealth to make it more encompassing. According to health care entrepreneur Jonathan Jackson, the fourth industrial revolution could change global health by encouraging a shift in focus “from healthcare to health promotion.” Moving from high-cost treatment to low-cost prevention, he has argued, will have significant and far-reaching positive economic implications for developing countries around the world. Its inspiring sense of technological optimism notwithstanding, this sort of approach cannot be the sole focus of technology transfers in global health. Prevention is indeed important, but the fact of the matter remains that people will get sick—and those sick people will need treatment. Mobile applications and electronic access to health care providers can be useful, but they cannot replace a radiotherapy machine. Understanding the root causes of noncommunicable diseases goes far beyond individual choices and intersects with the larger political, economic and social context, so we cannot assume that cybertechnology alone can stop cancer. It is also important to remember that the results of greater technological innovation and integration won’t be free. Sub-Saharan African states, on average, spend $200 per person per year on health care. Even if technology allows costs to decline, they are still likely to be out of reach for many people in most of these countries—in the same way that the purchase and maintenance of medical technologies are prohibitively expensive in these same states today. Technology in and of itself is not useful unless it can be maintained over the long term. This, then, is a weak link in the larger global health system: How do we ensure access to life-prolonging medical technologies beyond pharmaceuticals and vaccines in a sustainable way? Consider two ideas. First, development assistance for health must orient more of its resources toward treating noncommunicable diseases and strengthening health systems. These are the areas in which these technologies are likely to be used, but are not currently supported by the international system. The changing nature of health and disease will only make them even more important in the years to come. Second, longer-term funding commitments would provide a greater opportunity to incorporate medical technologies into health care systems sustainably. Machines will break down, and technologies will fail. That is inevitable. But the global health regime, from the WHO and its regional organizations like the Regional Office for Africa to major donors like the **U**nited **S**tates government and the Bill and Melinda Gates Foundation, needs to figure out how to ensure that these problems do not put **lives in peril**. Technology alone will not improve global health unless it is properly supported and funded.

#### Info- and tech-sharing’s key to stop future pandemics.

Wazir ’21 (Zoya; reporter for U.S. News; 6-11-2021; “Bracing for Future Pandemics”; U.S. News; <https://www.usnews.com/news/best-countries/articles/2021-06-11/countries-need-better-collaboration-to-prevent-future-pandemics>; Accessed: 8-30-2021)

Countries need to **better collaborate** to prevent future pandemics and health crises on the scale of COVID-19, especially as health experts warn of a coming global shortage of doctors and nurses, global leaders say. The discussions and warnings come as U.S. President Joe Biden is in Europe to discuss a number of issues, including COVID-19 vaccine supply and global distribution, at the summit of seven leading industrial nations that begins today in the United Kingdom. The leaders of the G-7 countries – which include Canada, France, Germany, Italy, Japan, the U.K. and the United States – are set to announce sharing at least 1 billion coronavirus shots to nations grappling with COVID-19. The possibility of future health crises coupled with aging and growing populations indicate an increasing need for health workers globally. A 2016 report from the World Health Organization projects that, despite predictions of an estimated 40 million new health sector jobs in the next decade, the world will experience a shortage of up to 18 million physicians, nurses and midwives by 2030. Junaid Bajwa, the chief medical scientist at Microsoft, emphasized the importance of global collaboration in addressing this health care worker shortage during a panel discussion this week about global health security hosted by the GZERO media company and Flagship Pioneering, a life sciences venture capital firm. “We face a huge workforce crisis 10 years from now, at the same time as when we're expecting an aging population, possibly other pandemics,” Bajwa said. “So we have a supply and demand issue here, which actually will just cause increasing pressures unless we do something as a global community to begin to address these from a resilience perspective.” To prevent future health crises, health experts urge governments to **invest** in science research early on and move away from a crisis management approach to disease. During the panel discussion, Stéphane Bancel, the CEO of Moderna, credited capital markets and venture capitalists for providing the funding for Moderna to initially develop mRNA vaccines and criticized countries for **not providing** more support for vaccine development in the early stages of the pandemic. In order to distribute half a billion doses over the course of 2021 and 2022, Bancel said that along with entering into a partnership with COVAX, the international platform supported by the WHO that donates vaccines to countries in need, Moderna is also “investing in basic science to keep increasing the potential” of mRNA vaccines to protect against future viruses. Wealthy countries such as the U.K., which has fully vaccinated 42.8% of its population, and the United States, slightly ahead at 43%, are able to see the close of this pandemic on the horizon and plan for future health crises. But for countries in the developing world such as India, which reported a record high death toll on Thursday, post-pandemic life is far from being a reality – especially without multilateral cooperation. Global collaboration for vaccine distribution remains a **top priority** for countries in the developing world. The United States has committed $4 billion to COVAX and promised to distribute 80 million doses to other countries by the end of June, while China has sent 165 million doses of its own vaccine to countries in Latin America. But experts say some developing countries still feel like they have been forgotten as wealthy nations grow closer to emerging from the pandemic. Agnes Binagwaho, the vice chancellor of the University of Global Health Equity in Rwanda, called **for more “solidarity**” in global vaccine distribution. Speaking at the panel, she noted that while China and India have provided the most vaccines to Africa, the continent still remains the “last served” on the globe. Earlier in June, the BBC reported widespread vaccine shortages across the continent for a second shot and that a small group of countries have not received any vaccines. In the spirit of global collaboration, this year, the G-7 invited India, Australia, South Africa and South Korea as guest countries to the summit for the first time. Matt Hancock, the British secretary of state for health, said he thinks the G-7 gathering will be an opportunity for leaders to discuss both how to bring the world out of this pandemic and better prepare for future health crises. “I think that the timing of the G-7 summit this year is fortuitous because it is at a moment that many of the G-7 countries are coming out of or seeing a more positive domestic picture, and we **have to build** that coalition amongst the like-minded democracies of the world,” Hancock said at the GZERO panel. “A true global effort is necessary, of course. It is **not just about** understanding the origins of **this pandemic**, but to ensure that we have the proper early warning systems and crucially early action for any **future pandemic**.”

#### Extinction – defense is wrong

Piers Millett 17, Consultant for the World Health Organization, PhD in International Relations and Affairs, University of Bradford, Andrew Snyder-Beattie, “Existential Risk and Cost-Effective Biosecurity”, Health Security, Vol 15(4), http://online.liebertpub.com/doi/pdfplus/10.1089/hs.2017.0028

Historically, disease events have been responsible for the greatest death tolls on humanity. The 1918 flu was responsible for more than 50 million deaths,1 while smallpox killed perhaps 10 times that many in the 20th century alone.2 The Black Death was responsible for killing over 25% of the European population,3 while other pandemics, such as the plague of Justinian, are thought to have killed 25 million in the 6th century—constituting over 10% of the world’s population at the time.4 It is an open question whether a future pandemic could result in outright human extinction or the irreversible collapse of civilization.

A skeptic would have many good reasons to think that existential risk from disease is unlikely. Such a disease would need to spread worldwide to remote populations, overcome rare genetic resistances, and evade detection, cures, and countermeasures. Even evolution itself may work in humanity’s favor: Virulence and transmission is often a trade-off, and so evolutionary pressures could push against maximally lethal wild-type pathogens.5,6

While these arguments point to a very small risk of human extinction, they do not rule the possibility out entirely. Although rare, there are recorded instances of species going extinct due to disease—primarily in amphibians, but also in 1 mammalian species of rat on Christmas Island.7,8 There are also historical examples of large human populations being almost entirely wiped out by disease, especially when multiple diseases were simultaneously introduced into a population without immunity. The most striking examples of total population collapse include native American tribes exposed to European diseases, such as the Massachusett (86% loss of population), Quiripi-Unquachog (95% loss of population), and theWestern Abenaki (which suffered a staggering 98% loss of population).

In the modern context, no single disease currently exists that combines the worst-case levels of transmissibility, lethality, resistance to countermeasures, and global reach. But many diseases are proof of principle that each worst-case attribute can be realized independently. For example, some diseases exhibit nearly a 100% case fatality ratio in the absence of treatment, such as rabies or septicemic plague. Other diseases have a track record of spreading to virtually every human community worldwide, such as the 1918 flu,10 and seroprevalence studies indicate that other pathogens, such as chickenpox and HSV-1, can successfully reach over 95% of a population.11,12 Under optimal virulence theory, natural evolution would be an unlikely source for pathogens with the highest possible levels of transmissibility, virulence, and global reach. But advances in biotechnology might allow the creation of diseases that combine such traits. Recent controversy has already emerged over a number of scientific experiments that resulted in viruses with enhanced transmissibility, lethality, and/or the ability to overcome therapeutics.13-17 Other experiments demonstrated that mousepox could be modified to have a 100% case fatality rate and render a vaccine ineffective.18 In addition to transmissibility and lethality, studies have shown that other disease traits, such as incubation time, environmental survival, and available vectors, could be modified as well.19-2

### 1NC – OFF

#### 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, [Melissa Brand](https://www.ipwatchdog.com/author/melissa-brand/) is Assistant General Counsel and Director of Intellectual Property at the Biotechnology Innovation Organization (BIO), a major trade association with over 1,000 members in the biotechnology industry. In her role at BIO, Ms. Brand advocates on domestic and international intellectual property matters, with a particular emphasis on patent law and policy. Prior to joining BIO, Ms. Brand worked as a patent litigator at Latham & Watkins and Wilson Sonsini Goodrich & Rosati. Ms. Brand also served as a law clerk to the Honorable Kimberly A. Moore at the United States Court of Appeals for the Federal Circuit. She graduated magna cum laude from the University of San Diego School of Law where she was a member of the Order of the Coif and served as a Comments Editor for the San Diego Law Review. She graduated cum laude with a degree in Biomedical Engineering from Vanderbilt University. “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/](http://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 international collaborations. 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**.**

#### Climate change destroys the world.

Specktor 19 [Brandon writes about the science of everyday life for Live Science, and previously for Reader's Digest magazine, where he served as an editor for five years] 6-4-2019, "Human Civilization Will Crumble by 2050 If We Don't Stop Climate Change Now, New Paper Claims," livescience, <https://www.livescience.com/65633-climate-change-dooms-humans-by-2050.html> Justin

The current climate crisis, they say, is larger and more complex than any humans have ever dealt with before. General climate models — like the one that the [United Nations' Panel on Climate Change](https://www.ipcc.ch/sr15/) (IPCC) used in 2018 to predict that a global temperature increase of 3.6 degrees Fahrenheit (2 degrees Celsius) could put hundreds of millions of people at risk — fail to account for the **sheer complexity of Earth's many interlinked geological processes**; as such, they fail to adequately predict the scale of the potential consequences. The truth, the authors wrote, is probably far worse than any models can fathom. How the world ends What might an accurate worst-case picture of the planet's climate-addled future actually look like, then? The authors provide one particularly grim scenario that begins with world governments "politely ignoring" the advice of scientists and the will of the public to decarbonize the economy (finding alternative energy sources), resulting in a global temperature increase 5.4 F (3 C) by the year 2050. At this point, the world's ice sheets vanish; brutal droughts kill many of the trees in the [Amazon rainforest](https://www.livescience.com/57266-amazon-river.html) (removing one of the world's largest carbon offsets); and the planet plunges into a feedback loop of ever-hotter, ever-deadlier conditions. "Thirty-five percent of the global land area, and **55 percent of the global population, are subject to more than 20 days a year of** [**lethal heat conditions**](https://www.livescience.com/55129-how-heat-waves-kill-so-quickly.html), beyond the threshold of human survivability," the authors hypothesized. Meanwhile, droughts, floods and wildfires regularly ravage the land. Nearly **one-third of the world's land surface turns to desert**. Entire **ecosystems collapse**, beginning with the **planet's coral reefs**, the **rainforest and the Arctic ice sheets.** The world's tropics are hit hardest by these new climate extremes, destroying the region's agriculture and turning more than 1 billion people into refugees. This mass movement of refugees — coupled with [shrinking coastlines](https://www.livescience.com/51990-sea-level-rise-unknowns.html) and severe drops in food and water availability — begin to **stress the fabric of the world's largest nations**, including the United States. Armed conflicts over resources, perhaps culminating in **nuclear war, are likely**. The result, according to the new paper, is "outright chaos" and perhaps "the end of human global civilization as we know it."

### 1NC – OFF

#### Counterplan Text – the United States ought to

#### Anonymously invest $25 billion into 25 production lines dedicated solely to COVID-19 vaccines to boost global vaccine production managed by the Biomedical Advanced Research and Development Authority.

#### anonymously pre-order and distribute 8 billion doses of COVID vaccines using an equitable distribution framework prioritizing developing countries in the Global South.

#### The WTO should publicly take credit for the investment and all states should publicly announce agreement and approval of it

#### The CP solves the entirety of the case and does it faster.

Stankiewicz 21 Mike Stankiewicz 5-6-2021"Opinion: For just $25 billion, the U.S. could jump-start a project to quickly vaccinate the entire world against COVID" <https://www.marketwatch.com/story/for-just-25-billion-the-u-s-could-jump-start-a-project-to-quickly-vaccinate-the-entire-world-against-covid-11614898552> (a press officer in Public Citizen's communication's department, where he focuses on legislative policy and health-orientated advocacy)//Elmer

Despite wealthy countries such as the U.S. ramping up COVID-19 vaccination efforts, **it** still **may** **take years to vaccinate the world**, especially poorer countries, and the economic and humanitarian impacts could be devastating. But **an injection of** **just $25 billion** **into global vaccine production efforts by the U.S.** government **could save millions of lives** and help prevent economic disaster. The most up-to-date numbers paint incredibly different futures between wealthy and low-income countries. At the current rate of vaccination, analysts predict that developing countries, including almost all of Southeast Asia, may not reach meaningful vaccine coverage until 2023. Comparatively, President Joe Biden has promised that the U.S. will have enough vaccine doses to inoculate every adult within the next three months. Increased fatalities And as wealthy countries such as the U.S. are starting to see lower death, transmission and hospitalization rates, low-income countries are experiencing increased hardship and fatalities. Countries such as Hungry are being forced to tighten restrictions as infection rates increase, and deaths in Africa have spiked by 40% in the past month, according to the World Health Organization (WHO). No country can be left behind in this global pandemic, and the U.S. is in a unique position to make sure every country gets the ample amount of vaccines they need. **Public Citizen research has found that just a $25 billion investment in COVID-19 vaccine production by the U.S. government would produce enough vaccine for developing countries, potentially shaving years from the global pandemic**. Public Citizen estimates that **8 billion doses of** National Institutes of Health-**Moderna MRNA**, +1.98% vaccine can be **produced** **for** just over **$3 per dose**. To bolster production and supply the necessary 8 billion doses, it would take **$1.9 billion to fund** the necessary **25 production lines**. Another **$19 billion** would pay **for materials and labor**, and **$3 billion** would **compensate** **Moderna** **for making technology available to manufacturers** in other countries. An additional $500 million would cover costs to staff and run **a rapid-response federal program that provides technical assistance and facilitates technology transfer to manufacturers and works with the WHO’s technology hub.** In total, vaccinating the world would cost less than 1.4% the total of Biden’s $1.9 trillion COVID relief plan. But such a program also needs to be properly managed to be successful. To help facilitate these efforts, the Biden administration should also **designate** the government’s Biomedical Advanced Research and Development Authority (**BARDA**) **to lead** the world-wide **vaccine manufacturing effort**. BARDA has the **necessary experience to coordinate** **an initiative of this scale** with the WHO, building on its partnership to build pandemic flu manufacturing capacity in developing countries after the bird-flu scare of 2006. Widespread vaccines would help U.S. economy These efforts would dramatically increase access to vaccines in developing countries and speed up global vaccination by years, saving countless lives. But allowing the current vaccine supply crisis to continue is not just inhumane, it is also not in our own economic interest to do so.

### 1NC – OFF

#### Counterplan Text – Member states of the World Trade Organization ought to consult the World Health Organization on whether or not the member nations of the World Trade Organization ought to do the plan. The World Health Organization ought to publicly declare that their decision will represent their future decisions on all intellectual property protections on medicines.

#### The Plan’s unilateral action by the WTO on medical IP undermines WHO legitimacy – forcing a perception of WHO action against Patents is key to re-assert it

Rimmer 4, Matthew. "The race to patent the SARS virus: the TRIPS agreement and access to essential medicines." Melbourne Journal of International Law 5.2 (2004): 335-374.

<https://law.unimelb.edu.au/__data/assets/pdf_file/0007/1681117/Rimmer.pdf> (BA (Hons), LLB (Hons) (Australian National University), PhD (New South Wales); Lecturer at ACIPA, the Faculty of Law, The Australian National University)//SidK + Elmer

The WHO has been instrumental in coordinating the international network of research on the SARS virus. It has emphasised the need for collaboration between the network participants. The WHO presented the containment of the SARS virus as ‘one of the biggest success stories in public health in recent years’.206 However, it **was less active in the debate over patent law** and public health epidemics. The 56th World Health Assembly considered the relationship between intellectual property, innovation and public health. It stressed that in order to tackle new public health problems with international impact, such as the emergence of severe acute respiratory syndrome (SARS), access to new medicines with potential therapeutic effect, and health innovations and discoveries should be universally available without discrimination.207 However, there was much disagreement amongst the member states as to what measures would be appropriate. The WHO has made a number of aspirational statements about patent law and access to essential medicines. Arguably, though, the organisation could be a much more informed and vocal advocate. Initially, the WHO did not view the patent issues related to SARS as being within its field of activities. The agency didnoteven seem aware of the patent proceedings, leaving individual research institutions without guidance. Spokesman Dick Thompson said: ‘What we care about is [that] the international collaboration continues to function. Patents, they don’t really concern us’.208 The director of WHO’s Global Influenza project, Klaus Stöhr, expressed his opinion that the patent filings would not interfere with the international cooperation on the SARS research: ‘I don’t think this will undermine the collaborative spirit of the network of labs’.209 However, he believed that, after the international network of researchers had identified the coronavirus, it was necessary to rely upon companies to commercialise such research. Klaus Stöhr conceded: ‘At a certain point of time you have to give way for competitive pharmaceutical companies’.210 On a policy front, the WHO remained deferential to the WTO over the debate over patent law and access to essential medicines, observing: Owing to the inconclusive nature of the studies conducted to date, and because of the effect that potentially significant price increases could have on access to drugs in poor countries, WHO is currently monitoring and evaluating the effects of TRIPS on the prices of medicines. It is also monitoring the TRIPS impact on other important issues such as transfer of technology, levels of research and development for drugs for neglected diseases, and the evolution of generic drug markets.211 In such a statement, the WHO appears diffident, unwilling to take on more than a spectator role. Such a position is arguably too timid, given the gravity of national emergencies, such as the SARS virus. The organisation could take a much stronger stance on the impact of the **TRIPS** Agreement on public health concerns. The WHO has since enunciated a position statement on the patenting of the SARS virus. A number of high ranking officials from the organisation have commented on the need to ensure that international research into the SARS virus is not impeded by competition over patents. Arguably though, the WHO **should not be limited to a mere spectator role in such policy discussions. It** needstoplay an active advocacy role in the debate over patent law and access to essential medicines. The WHO released a position statement on ‘Patent Applications for the SARS Virus and Genes’ on 29 May 2003.212 The organisation stressed that it had no per se objection to the patenting of the SARS virus: Some people have objected to the SARS patent applications on the ground that the virus and its genes should not be patentable because they are mere discoveries, not inventions. This distinction no longer prevents the granting of patents; the novel claim rests not with the virus itself but with its isolation, and likewise with the identification of the genetic sequence not its mere occurrence. Many patents have been issued on viruses and genetic sequences, though the appropriate policies to follow in such cases — particularly as genomic sequencing becomes more routine and less ‘inventive’ — remain matters of dispute.213 Furthermore, it recognised that public institutions could legitimately use patents as a defensive means to prevent undue commercial exploitation of the research: The “defensive” use of patents can be a legitimate part of researchers’ efforts to make their discoveries (and further discoveries derived therefrom) widely available to other researchers, in the best collaborative traditions of biomedical science.214 The WHO affirmed the need for further cooperation between research organisations in respect of the SARS virus: ‘For continued progress against SARS, it is essential that we nurture the spirit of the unprecedented, global collaboration that rapidly discovered the novel virus and sequenced its genome’.215 The WHO announced its intention to monitor the effects of patents (and patent applications) on the speed with which SARS diagnostic tests, treatments, and vaccines are developed and made available for use, and on the manner in which prices are set for these technologies. It observed: In the longer term, the manner in which SARS patent rights are pursued could have a profound effect on the willingness of researchers and public health officials to collaborate regarding future outbreaks of new infectious diseases. WHO will therefore examine whether the terms of reference for such collaborations need to be modified to ensure that the credit for any intellectual property developed is appropriately attributed, that revenues derived from licensing such property are devoted to suitable uses, and that legitimate rewards for innovative efforts do not impose undue burdens on efforts to make tests, therapies, and preventive measure available to all.216 It maintained that in order to tackle new public health problems with international impact, such as the emergence of severe acute respiratory syndrome (SARS), access to new medicines with potential therapeutic effect, and health innovations and discoveries should be universally available without discrimination.219 The Assembly requested that the Director-General continue to support Member States in the exchange and transfer of technology and research findings, according high priority to access to antiretroviral drugs to combat HIV/AIDS and medicines to control tuberculosis, malaria and other major health problems, in the context of paragraph 7 of the Doha Declaration which promotes and encourages technology transfer.220 The WHO also considered a report on the emergence of the SARS virus and the international response to the infectious disease.221 It was ‘deeply concerned that SARS ... poses a serious threat to global health security, the livelihood of populations, the functioning of health systems, and the stability and growth of economies’.222 The Committee on Infectious Diseases requested that the Director-General ‘mobilize global scientific research to improve understanding of the disease and to develop control tools such as diagnostic tests, drugs and vaccines that are accessible to and affordable by Member States’.223 The Director-General of the WHO, Dr Gro Harlem Brundtland, **told the World Health** Assembly that there was a need to build trust and forge solidarity in the face of public health epidemics: ‘**Ensuring that patent regimes stimulate research and do not hinder international scientific cooperation** is a critical challenge — whether the target is SARS or any other threat to human health’.224 Similarly, Dr Marie-Paule Kieny, Director of the WHO Initiative for Vaccine Research, said: If we are to develop a SARS vaccine more quickly than usual, we have to continue to work together on many fronts at once, on scientific research, intellectual property and patents issues, and accessibility. It is a very complicated process, involving an unprecedented level of international cooperation, which is changing the way we work.225 She emphasised that patents and intellectual property issues and their safeguards can help rather than hinder the rapid development of SARS vaccines and ensure that, once developed, they are available in both industrialised and developing countries.226 C Summary The WHO should play a much more active role in the policy debate over patent law and access to essential medicines. James Love, the director of the Consumer Project on Technology, run by Ralph Nader, is critical of the WHO statement on ‘Intellectual Property Rights, Innovation, and Public Health’.227 He maintains that the Assembly could have addressed ‘practical examples, like SARS’ and cites the report in The Washington Post that notes that a number of commercial companies are investing in SARS research.228 The non-government organisation Médecins Sans Frontières has been critical in the past of the passive role played by the WHO in the debate over access to essential medicines: ‘As the world’s leading health agency, and armed with the clear mandate of recent World Health Assembly resolutions, the WHO can and should **do much more’**.229 The WHO should become a vocal advocate for public health concerns at the WTO and its TRIPS Council — especially in relation to patent law and the SARS virus. It must staunchly defend the rights of member states to incorporate measures in their legislation that protect access to medicines — such as compulsory licensing, parallel imports, and measures to accelerate the introduction of generic pharmaceutical drugs. It needs to develop a clearer vision on global equity pricing for essential medicines. The race to patent the SARS virus seems to be an inefficient means of allocating resources. A number of public research organisations — including the BCCA, the CDC and HKU — were compelled to file patents in respect of the genetic coding of the SARS virus. Such measures were promoted as ‘defensive patenting’ — a means to ensure that public research and communication were not jeopardised by commercial parties seeking exclusive private control. However, there are important drawbacks to such a strategy. The filing of patents by public research organisations may be prohibitively expensive. It will also be difficult to resolve the competing claims between the various parties — especially given that they were involved in an international research network together. Seth Shulman argues that there is a need for international cooperation and communication in dealing with public health emergencies such as the SARS virus: The success of a global research network in identifying the pathogen is an example of the huge payoff that can result when researchers put aside visions of patents and glory for their individual laboratories and let their work behave more like, well, a virus. After all, the hallmark of an opportunistic virus like the one that causes SARS is its ability to spread quickly. Those mounting a response need to disseminate their information and innovation just as rapidly.230 There is a danger that such competition for patent rights may undermine trust and cooperation within the research network. Hopefully, however, such concerns could be resolved through patent pooling or joint ownership of patents. Furthermore, a number of commercial companies have filed patent applications in respect of research and development into the SARS virus. There will be a need for cooperation between the public and private sectors in developing genetic tests, vaccines, and pharmaceutical drugs that deal with the SARS virus. There is also a need to reform the patent system to deal with international collaborative research networks — such as that created to combat the SARS virus. Several proposals have been put forward. There has been a renewed debate over whether patents should be granted in respect of genes and gene sequences. Some commentators have maintained that the SARS virus should fall within the scope of patentable subject matter — to promote research and development in the field. However, a number of critics of genetic technology have argued that the SARS virus should not be patentable because it is a discovery of nature, and a commercialisation of life. There has been a discussion over the lack of harmonisation over the criteria of novelty and inventive step between patent regimes. As Peter Yu comments, ‘[w]hile [the] US system awards patents to those who are the first to invent, the European system awards patents to those who are the first to file an application’.231 There have been calls for the requirement of utility to be raised. There have also been concerns about prior art, secret use and public disclosure. Representative Lamar Smith of Texas has put forward the CREATE Act, which recognises the collaborative nature of research across multiple institutions. Such reforms are intended to ensure that the patent system is better adapted to deal with the global nature of scientific inquiry. The race to patent the SARS virus also raises important questions about international treaties dealing with access to essential medicines. The public health epidemic raises similar issues to other infectious diseases — such as AIDS, malaria, tuberculosis, influenza, and so forth. The WHO made a public statement about its position on the patenting of the SARS virus. It has stated that it will continue to monitor developments in this field. Arguably, there is a need for the WHO to play a larger role in the debate over patent law and access to essential medicines. Not only could it mediate legal disputes over patents in respect of essential medicines, it could be a vocal advocate in policy discussions. The WTO has also played an important role in the debate over patent law and access to essential medicines. A number of public interest measures could be utilised to secure access to patents relating to the SARS virus including compulsory licensing, parallel importation and research exceptions. The appearance of the SARS virus shows that there should be an open-ended interpretation of the scope of diseases covered by the Doha Declaration on the TRIPS Agreement and Public Health. Important lessons should be learned from the emergence of the SARS virus, and the threat posed to global health. As the World Health Report 2003 notes: SARS will not be the last new disease to take advantage of modern global conditions. In the last two decades of the 20th century, new diseases emerged at the rate of one per year, and this trend is certain to continue. Not all of these emerging infections will transmit easily from person to person as does SARS. Some will emerge, cause illness in humans and then disappear, perhaps to recur at some time in the future. Others will emerge, cause human illness and transmit for a few generations, become attenuated, and likewise disappear. And still others will emerge, become endemic, and remain important parts of our human infectious disease ecology.232 Already, in 2004, there have been worries that pharmaceutical drug companies and patent rights are impeding efforts to prevent an outbreak of bird flu — avian influenza.233 There is a need to ensure that the patent system is sufficiently flexible and adaptable to cope with the appearance of new infectious diseases.234

#### WHO says yes

Kimball 21 [(Spencer, news editor with CNBC.com) “WHO chief urges world to follow U.S. lead and support waiving Covid vaccine patent protections,” CNBC, 5/7/2021] JL

World Health Organization Director General-Tedros Adhanom Ghebreyesus on Friday urged other countries, particularly the Group of Seven industrialized nations, to follow the U.S. example and support a World Trade Organization motion to temporarily waive Covid-19 vaccine patent protections. “Wednesday’s announcement by the U.S. that it will support a temporary waiver of intellectual property protections for Covid-19 vaccines is a significant statement of solidarity and support for vaccine equity,” Tedros said at a press briefing. “I know that this is not a politically easy thing to do, so I very much appreciate the leadership of the U.S. and we urge other countries to follow their example.”

#### WHO Cred key to Global Right to Health – medicine access is critical.

* Note the Bottom Paragraph is at the bottom of the PDF – I put a paragraph break to indicate it as such – no words are missing.

Bluestone 3, Ken. "Strengthening WHO's position should be a priority for the new Director-General." The Lancet 361.9351 (2003): 2. (Senior Policy Adviser, Voluntary Service Overseas (VSO))//Elmer

To meet these challenges, WHO must strengthen its resolve to maintain its **independence and lead its member states**, **even at the risk of causing controversy**. A meaningful example is the role that WHO can have in **ensuring access to medicines** for the world’s poorest people. WHO is the only global institution that has the **remit to drive this agenda forward**, yet has failed to do so convincingly. The new Director-General must support and reinvigorate the advocacy efforts of the organisation and provide a proper counterbalance to the interests of the pharmaceutical industry and wealthy member states. As the new Director-General takes office, they will face the dual challenge of **seeing that** the broadest possible public health interpretation of the World Trade Organization’s Doha Agreement on Trade Related Aspects on Intellectual Property Rights (TRIPS) **is not lost, and** of seizing an opportunity to bring about an international framework for sustainable and predictable tiered pricing of medicines. Without the active intervention of a public health advocate at the level of WHO, there is a risk that both of these initiatives **could founder.** Some people in positions of power still do not have high expectations of WHO or its new Director-General. But for the world’s poorest people, the overwhelming majority of whom live in developing countries, this person’s legacy could literally make the difference between life and death. Ken Bluestone Senior Policy Adviser, Voluntary Service Overseas (VSO)

New leader should re-establish WHO’s credibility The credibility of WHO’s advocacy of the right to health for all has been eroded in recent years. A large reason is WHO’s **failure to challenge the pharmaceutical** industry on access to medicines for people with HIV/AIDS and other diseases. WHO’s collaboration with the industry in the “Accelerated Access” programme on antiretroviral medicines sounds good. In fact, the programme has served as a cover for the organisation’s frequent acceptance of industry arguments for restricting treatment access. To re-establish WHO’s credibility, the new Director-General must lead the organisation to stand consistently with those most deprived of health services. Kenneth Roth, Executive Director, Human Rights Watch.

#### Right to Health solves Nationalist Populism.

Friedman 17 Eric Friedman March 2017 “New WHO Leader Will Need Human Rights to Counter Nationalistic Populism” <https://www.hhrjournal.org/2017/03/new-who-leader-will-need-human-rights-to-counter-populism/> (JD, Project Leader of the Platform for a Framework Convention on Global Health at the O’Neill Institute for National and Global Health Law at the Georgetown University Law Center in Washington, DC)//Elmer

The need for WHO leadership on human rights—and for global leadership on health and human rights beyond WHO—has always been present, yet has become ever more pressing. A reactionary, nationalist populism has been gaining momentum, particularly in the United States and parts of Europe, and some of its most disturbing features, such as xenophobia and disregard for international law and institutions, are surfacing elsewhere. Persisting health challenges—such as immense national and global health inequities, with universal health coverage and the Sustainable Development Goals offering some hope of lessening them—and growing threats such as outbreaks of infectious disease, worsening antimicrobial resistance, and climate change demand the type of leadership that the right to health entails. In this immensely challenging environment, WHO needs to become a 21st century institution that has the gravitas and credibility to carve a path through these obstacles towards global health justice. The next WHO Director-General, to be elected in May, must lead the organization there. The right to health can light the way ahead, with reforms to, and driven by, WHO. These reforms must develop an internal governance that is far more welcoming of civil society, with WHO member states significantly increasing contributions so work on the social determinants of health can expand, and with enhanced transparency and accountability. Furthermore, reforms are needed so that WHO leads on global health equity and human rights, including through national health equity strategies and, above all, the Framework Convention on Global Health (FCGH). The FCGH could help bring the right to health to the next level by capturing core aspects of the right to health, such as: 1) participation and accountability, setting clear standards for people’s participation in health policy-making at all levels, and establishing multi-layered health accountability frameworks with standards to which all nations would be held; 2) equity, including by catalyzing national health equity strategies—which must be developed through broad participation, itself a potentially empowering process—and advancing data disaggregation and more equitable financing; 3) financial resources, with global norms on national and international health financing responsibilities; and 4) respecting and promoting the right to health in all policies, from setting standards on health impact assessments—including participatory processes in developing them, human rights standards, an equity focus, and follow-up processes—to firmly ensuring the primacy of the right to health in other legal regimes that may undermine. From an earlier WHO treaty, the Framework Convention on Tobacco Control, we know the power of international law to significantly advance health, with the transformative power of legally binding global health norms. As a treaty, the FCGH would increase political accountability and accountability through the courts, while helping protect health other treaty-based international regimes, such as trade. It would also be a bold assertion of global solidarity for global justice, as so urgently needed, “demonstrating that the community of nations are indeed stronger together.” One candidate for the WHO Director-General election, David Nabarro, has recognized the value and civil society support that FCGH has already received, and the need to further explore the treaty (mentioned at 1:46:38 mark). A good first step would be establishing a WHO working group on the FCGH, with broad participation, particularly from states, civil society, and representatives of communities most affected by health inequities, along with relevant international agencies. We see signs of resistance of the dangerous nationalist populism, from protests that persist and judicial checks on one of the administration’s vilest acts (an immigration and refugee travel ban, with its effects falling heaviest on Muslims) in the United States to the rejection of the far-right candidate in the elections in the Netherland. Such resistance can prevent some of the worst impacts on the right to health, from discrimination against migrants to cuts to programs vital for health. Meanwhile, let’s construct an edifice for the future of health and human rights, even as we stand against its destruction. WHO, right to health, and FCGH leadership ought to be a core part of that endeavor.

#### Populism is an existential threat.

de Waal 16 Alex de Waal 12-5-2016 “Garrison America and the Threat of Global War” <http://bostonreview.net/war-security-politics-global-justice/alex-de-waal-garrison-america-and-threat-global-war> (Executive Director of the World Peace Foundation at the Fletcher School at Tufts University)//Elmer

Polanyi recounts how economic and financial crisis led to global calamity. Something similar could happen today. In fact we are already in a steady unpicking of the liberal peace that glowed at the turn of the millennium. Since approximately 2008, the historic decline in the number and lethality of wars appears to have been reversed. Today’s wars are not like World War I, with formal declarations of war, clear war zones, rules of engagement, and definite endings. But they are wars nonetheless. What does a world in global, generalized war look like? We have an unwinnable “war on terror” that is metastasizing with every escalation, and which has blurred the boundaries between war and everything else. We have deep states—built on a new oligarchy of generals, spies, and private-sector suppliers—that are strangling liberalism. We have emboldened middle powers (such as Saudi Arabia) and revanchist powers (such as Russia) rearming and taking unilateral military action across borders (Ukraine and Syria). We have massive profiteering from conflicts by the arms industry, as well as through the corruption and organized crime that follow in their wake (Afghanistan). We have impoverishment and starvation through economic warfare, the worst case being Yemen. We have “peacekeeping” forces fighting wars (Somalia). We have regional rivals threatening one another, some with nuclear weapons (India and Pakistan) and others with possibilities of acquiring them (Saudi Arabia and Iran). Above all, today’s generalized war is a conflict of destabilization, with big powers intervening in the domestic politics of others, buying influence in their security establishments, bribing their way to big commercial contracts and thereby corroding respect for government, and manipulating public opinion through the media. Washington, D.C., and Moscow each does this in its own way. Put the pieces together and a global political market of rival plutocracies comes into view. Add virulent reactionary populism to the mix and it resembles a war on democracy. What more might we see? Economic liberalism is a creed of optimism and abundance; reactionary protectionism feeds on pessimistic scarcity. If we see punitive trade wars and national leaders taking preemptive action to secure strategic resources within the walls of their garrison states, then old-fashioned territorial disputes along with accelerated state-commercial grabbing of land and minerals are in prospect. We could see mobilization against immigrants and minorities as a way of enflaming and rewarding a constituency that can police borders, enforce the new political rightness, and even become electoral vigilantes. Liberal multilateralism is a system of seeking common wins through peaceful negotiation; case-by-case power dealing is a zero-sum calculus. We may see regional arms races, nuclear proliferation, and opportunistic power coalitions to exploit the weak. In such a global political marketplace, we would see middle-ranking and junior states rewarded for the toughness of their bargaining, and foreign policy and security strategy delegated to the CEOs of oil companies, defense contractors, bankers, and real estate magnates. The United Nations system appeals to leaders to live up to the highest standards. The fact that they so often conceal their transgressions is the tribute that vice pays to virtue. A cabal of plutocratic populists would revel in the opposite: applauding one another’s readiness to tear up cosmopolitan liberalism and pursue a latter-day mercantilist naked self-interest. Garrison America could opportunistically collude with similarly constituted political-military business regimes in Russia, China, Turkey, and elsewhere for a new realpolitik global concert, redolent of the early nineteenth-century era of the Congress of Vienna, bringing a façade of stability for as long as they collude—and war when they fall out. And there is a danger that, in response to a terrorist outrage or an international political crisis, President Trump will do something stupid, just as Europe’s leaders so unthinkingly strolled into World War I. The multilateral security system is in poor health and may not be able to cope. Underpinning this is a simple truth: the plutocratic populist order is a future that does not work. If illustration were needed of the logic of hiding under the blanket rather than facing difficult realities, look no further than Trump’s readiness to deny climate change. We have been here before, more or less, and from history we can gather important lessons about what we must do now. The importance of defending civility with democratic deliberation, respecting human rights and values, and maintaining a commitment to public goods and the global commons—including the future of the planet—remain evergreen. We need to find our way to a new 1945—and the global political settlement for a tamed and humane capitalism—without having to suffer the catastrophic traumas of trying everything else first.

## Case

### 1NC – AT: Covid

#### Waiver isn’t enough alt causes to vaccine production outweigh

**Bolle and Obstfeld 21** [Monica de Bolle and Maurice Obstfeld, VIEW SHARING OPTIONS Monica de Bolle, senior fellow at the Peterson Institute for International Economics since January 2017, is adjunct lecturer and former director for Latin American studies and emerging markets at the School of Advanced International Studies at Johns Hopkins University. De Bolle was nonresident senior fellow at the Institute between March 2015 and January 2017. Maurice Obstfeld has been nonresident senior fellow at the Peterson Institute for International Economics since February 2019. He is the Class of 1958 Professor of Economics and former chair of the department of economics (1998–2001) at the University of California, Berkeley. He previously taught at Harvard University (1989–90), the University of Pennsylvania (1986–89), and Columbia University (1979–86). Obstfeld served at the International Monetary Fund (IMF) as economic counsellor and director of the research department (2015–18) and as a member of the US President's Council of Economic Advisors (2014–15). Obstfeld was an honorary adviser to the Bank of Japan's Institute of Monetary and Economic Studies (2002–14) and has consulted and taught at the IMF, the World Bank, and numerous central banks around the world. 5-12-2021, accessed on 9-12-2021, PIIE, "Waiving patent and intellectual property protections is not a panacea for global vaccine distribution", <https://www.piie.com/blogs/realtime-economic-issues-watch/waiving-patent-and-intellectual-property-protections-not>] Adam

Navigating the procedural obstacles to get WTO agreement on a streamlined mechanism for suspending IP protections is not as easy as it would seem. It is already possible to waive protections in the 1994 WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). But the WTO's track record suggests that roadblocks may lie ahead in expanding the scope of its waiver procedure.

Since August 2003, the WTO has explicitly allowed emergency departures from the TRIPS agreement, enabling countries with manufacturing capacity to suspend IP protections to produce life-saving drugs and vaccines, not just for domestic use but also for export to countries that lack manufacturing capacity of their own. However, the process of negotiating the August 2003 decision—which created a temporary procedure for export waivers—took 14 months, and it was not until January 2017 that two-thirds of WTO members had[ratified](https://www.ip-watch.org/2017/01/23/official-trips-health-amendment-effect-first-ever-wto-agreement/) it as a formal amendment to the TRIPS agreement.

Because of this painful negotiation process, the bureaucratic procedures for exercising IP flexibility are so cumbersome that there are very few instances of its use. The best known (though not very successful) example occurred with Canadian exports of an AIDS treatment to [Rwanda](https://www.asil.org/insights/volume/11/issue/28/canadian-made-drugs-rwanda-first-application-wto-waiver-patents-and#_edn1) in 2007. Complicating matters further has been the opposition of some major countries to revisiting the issue, as well as the likely need for WTO members to revise their domestic legal frameworks to accommodate patent waivers. These factors make it clear that renewed negotiations within the WTO are unlikely to yield results with the speed that the current health emergency demands or result in a meaningfully better framework. Recognizing the likely difficulty of negotiations, WTO Director-General Ngozi Okonjo-Iweala has suggested a December 3, 2021 [deadline](https://www.washingtonpost.com/us-policy/2021/05/06/biden-patent-waiver-developing-world-long-road/) for completion—but like past initial deadlines in this space, this one could well prove overoptimistic.

The second, and arguably more intractable, challenge is technical: Even if they overcome IP obstacles and get permission to produce vaccines, less prosperous countries lack the know-how, facilities, and trained personnel to produce them. Despite the abysmal decades-long record of vaccine distribution in those countries, existing TRIPS flexibilities have done nothing to improve the situation. A smoother IP waiver process might help, but only as a component of a [broader effort.](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6291766/)

True, patent protection is the main obstacle to creation of generic small-molecule drugs, which chemists can synthesize. But other major obstacles exist for vaccines, which are biologics. For the latter category of drugs, an identical product requires an identical production technology, with most steps categorized as hard-to-replicate trade secrets rather than patentable innovations. Thus, Moderna [announced](https://investors.modernatx.com/news-releases/news-release-details/statement-moderna-intellectual-property-matters-during-covid-19) in October 2020 that it would not enforce its COVID-19-related patents during the pandemic. But this step, however laudable, is of limited immediate help to would-be producers of a "generic" version of the Moderna vaccine. Without precisely replicating all steps of Moderna's production process, including the many quality controls, a generic version would have untested immunogenicity (the ability to induce the body to generate an immune response) and thus would require extensive clinical trials before release. Production glitches—such as those that afflicted the Janssen/Johnson & Johnson vaccine in the United States—could prompt widespread vaccine skepticism, damaging pandemic control efforts.

The replication hurdle is especially high for the new and more sophisticated messenger ribonucleic acid (mRNA) vaccines, which have proven most effective against SARS-CoV-2 (the virus that causes COVID-19) and which are likely to provide the most adaptable platforms for the vaccines of the future. The genetic vaccines produced by Pfizer-BioNTech and Moderna require considerable technical knowledge and [sophisticated techniques](https://www.nytimes.com/interactive/2021/health/pfizer-coronavirus-vaccine.html) to generate a version of the viral spike protein that elicits a strong immune response.[1](https://www.piie.com/blogs/realtime-economic-issues-watch/waiving-patent-and-intellectual-property-protections-not" \l "_ftn1" \o ") Therefore, from a biological standpoint, patent and IP waivers alone cannot resolve the existing lack of capacity in most countries to produce genetic vaccines at scale locally.

A final challenge is that vaccine supply chains are intricate and global in scope. Different stages of vaccine manufacturing are spread across different parts of the globe, with various countries supplying key inputs and equipment. Patent and IP waivers cannot resolve export restrictions that these countries may decide to impose—and in fact have imposed—throughout the pandemic. Nor can poor countries with production waivers easily integrate into global supply chains. At the moment, current production capacity and quality standards continue to constrain global supply.

#### COVID dies out – low virulence + lockdown efforts – mutations flip the other way.

JSP 20 6-22-2020 "COVID-19 is weakening, could die out without vaccine, specialist claims" <https://www.jpost.com/health-science/covid-19-is-weakening-could-die-out-without-vaccine-specialist-claims-632324> (Jerusalem Staff Post)//Elmer

The **coronavirus** has **weakened over time**, and it **could die out without the need for a vaccine**, a leading Italian infectious disease specialist told The Telegraph. The coronavirus outbreak has spread all over the world, infecting millions of people and resulting in hundreds of thousands of deaths. As a result, it has sparked a major effort by researchers worldwide to develop an effective vaccine. But according to Prof. Matteo Bassetti, head of the infectious diseases clinic at Italy's Policlinico San Martino Hospital, this may not be necessary. Bassetti explained to The Telegraph that the **virus has changed** in recent months. "The clinical impression I have is that the virus is changing **in severity**," he said. "In March and early April, the patterns were completely different. People were coming to the emergency department with a very difficult-to-manage illness, and they needed oxygen and ventilation; some developed pneumonia. "Now, in the past four weeks, the picture has completely changed in terms of patterns. There could be a **lower viral load** in the respiratory tract, probably due to a **genetic mutation** in the virus which has not yet been demonstrated scientifically. Also, we are now more aware of the disease and able to manage it," he said. "It was like an aggressive tiger in March and April, but now it's like a wild cat. Even elderly patients, aged 80 or 90, are now sitting up in bed, and they are breathing without help. The same patients would have died in two or three days before," Bassetti said. "I think the virus has mutated because **our immune system reacts to the virus**, and we have a **lower viral load** now **due to** the **lockdown, mask-wearing** [and] **social distancing**. We still have to demonstrate why it's different now," he said. "Yes, probably it could go away completely without a vaccine. We have fewer and fewer people infected and it could end up with the virus dying out." This is not the first time a health expert has theorized that the virus is weakening. In May, Prof. Karol Sikora, an oncologist and the chief medical officer at Rutherford Health in the UK told The Telegraph that **the pandemic could end up "petering out by itself**."

#### AT McPherson - Second Wave won’t cause end of “industrial activity” which is their Internal Link.

Villegas 8-1 Paulina Villegas 8-1-2021 "Fauci says shutdowns probably won't return, despite more 'suffering' ahead from delta variant" <https://archive.is/Z9TBg#selection-279.0-668.0> (Reporter covering breaking news and national stories for the Washington Post)//Elmer

At the beginning of the summer, many Americans sighed with relief, thinking the worst of the coronavirus pandemic was over. But as the **delta variant** of the virus **surges** nationwide, fears about returning to the dark days of shutdowns have also spread. But **shutdowns** probably **will not return**, **despite more “pain and suffering**” on the horizon, Anthony S. **Fauci**, the **White House’s chief medical adviser**, **said** Sunday during an interview on ABC’s “This Week.” “**I don’t think we’re going to see lockdowns.** I think we have enough of the percentage of people in the country — not enough to crush the outbreak — but I believe enough to not allow us to get into the situation we were in last winter,” said Fauci, who is also the director of the National Institute of Allergy and Infectious Diseases.

#### No risk of an IL – its completely in the context of trump – we read blue

#### 1AC Kitfield 20

(James, the only three-time winner of the prestigious Gerald R. Ford Award for Distinguished Reporting on National Defense, <https://breakingdefense.com/2020/05/will-covid-19-kill-the-liberal-world-order/>, 5-22)

For a brief moment it seemed that the worst global pandemic in a century might lead to increased comity between the United States, China and Russia after years of geopolitical eye-gouging. As the virus spread there were early signs of a pause in the escalating cycle of military brinksmanship, cyberattacks, disinformation campaigns and trade wars that has badly shaken the rules-based international order in this era of great power competition. Beijing seemed to initially embrace a spirit of cooperation when it donated protective gear and testing equipment to hard hit countries in Europe. President Trump for months was uncharacteristically effusive in his praise of Chinese President Xi Jinping’s efforts to combat the virus. Russian President Vladimir Putin got into the soft power act in early April when he dispatched an An-124 military transport to New York filled with donated masks and ventilators. (Of course, you can also argue it was a highly effective information operation designed to undermine U.S. standing in the world.) That moment was short lived. “Unfortunately, this crisis is likely to unfold in three consecutive waves, with a public health crisis followed by an economic crisis, quite possibly followed by a security crisis,” said David Kilcullen, author of the recent book “The Dragons and Snakes: How the Rest Learned to Fight the West,” and a former special adviser to Gen. David Petraeus in Iraq, and the U.S. Secretary of State. The United States is already experiencing high levels of domestic unrest at a time of paralyzing partisan rancor, he noted, and the discord will certainly increase as the presidential election nears in November. Adding to that combustible mixture is likely to be a second wave of the virus expected to hit in the fall, and foreign actors like Russian and China determined to use disinformation to stoke domestic divisions during the election. “Given the likelihood of internal instability and anti-government anger here and around the world, there will be a huge incentive for leaders who personalize politics like Trump, [Russian President Vladimir] Putin and [Chinese President] Xi Jinping to look for external scapegoats for their domestic troubles, which has already started to happen,” said Kilcullen. “This crisis also comes at a point when the international system that we’ve known since the end of World War II was already rotting and weaker than it appears. It may only take one big shock to bring that whole structure down, and, if we’re not very careful, the pandemic could be that shock. So this is the most dangerous geopolitical dynamic I have seen in my entire career.” Chinese President Xi Jinping inspects PLA troops As it became clear the Chinese Communist Party covered up the initial outbreak of the novel coronavirus in Wuhan, wasting precious time and allowing it to blossom into a global pandemic, Beijing launched a campaign of intimidation and economic threats to mute international criticism. Borrowing a page from Russian disinformation operations, Beijing posited the conspiracy theory that the virus originated with the U.S. military. Both China and Russia pushed alarmist narratives about the pandemic on social media to sow division and panic inside the United States. Much of the protective equipment Beijing “donated” to the West carried a price tag and turned out to be defective. In his own campaign of blame shifting and heated rhetoric, President Donald Trump accused China of being responsible for an attack on the United States that “is worse that Pearl Harbor,” and “worse than the World Trade Center” that fell in the 9/11 terrorist attacks. Chinese incompetence in dealing with the virus, Trump tweeted this week, is responsible for “mass Worldwide killing!” Trump darkly hinted in mid-April that he had information that a virology lab in Wuhan played an important role in the virus’ creation, even though the U.S. Intelligence Community consensus was that the virology lab in Wuhan had nothing to do the virus’ creation or origins. Secretary of State Mike Pompeo insisted there is “enormous evidence” the coronavirus originated in that lab. “We greatly underestimated the degree to which Beijing is ideologically and politically hostile to free nations,” Pompeo told reporters this week, after sending a rare, high-level message of congratulations to recently reelected Taiwanese President Tsai Ing-Wen, who has rejected the “one country, two systems” construct that has kept the peace between China and Taiwan for nearly half a century. As the Trump administration weighs retribution against China, it has continued to ratchet up the rhetoric and provocations, angering and worrying allies by cutting critical funding to the World Health Organization (WHO) in the midst of the pandemic, and boycotting a virtual meeting of G-20 nations that attempted to coordinate an international response to the crisis, leaving a leadership gap that China was happy to help fill. Open Skies surveillance plane On the Russian front, the Trump administration has reportedly decided to withdraw from the three-decade old Open Skies Treaty that allows 34 countries to fly over each other’s territory with sensors to confirm they are not preparing military action. The trump White House says the Russians are violating the accord by forbidding flights over military exercises and using its own flights over the United States to identify critical infrastructure that can be hit by cyberattacks.Meanwhile, populist leaders and autocratic regimes around the world are using the threat of the pandemic to assume extraordinary powers and crack down on their political opposition in what the United Nations Special Rapporteur for Counterterrorism and Human Rights called an “an epidemic of authoritarianism,” according to the The New York Times. Shaky World Order Even before the pandemic the post-WW II international order that the United States constructed and led for more than half a century was on shaky ground. The global institutions, alliances and rules governing international relations has been challenged by assertive autocratic regimes like China and Russia, and eroded from within by inward-looking nationalist-populists movements spreading throughout the Western democracies. The liberal international order has also been largely abandoned by its leader as Donald Trump’s administration retreats further into “America First” isolationism. The Trump doctrine in international affairs actively seeks to undermine the institutions of global order, whether it’s the World Health and Trade Organizations, the UN, the European Union or NATO. The administration has rejected or abolished all manner of multilateral agreements and treaties designed to peacefully constrain international rivalries, including the Trans-Pacific Partnership Agreement, the Paris Climate Agreement, the Iran nuclear deal, the Intermediate-Range Nuclear Forces treaty, and quite possibly next year the New Strategic Arms Reduction Treaty (New START). A Dark History History is rife with cautionary examples of natural disasters or economic crises conflating with geopolitical tensions, with cataclysmic results. The catastrophic 1918 Spanish flu pandemic, which killed more than 20 million victims worldwide, was accelerated and spread by troop movements during World War I. With many Americans disillusioned by the war and loss, the United States turned insular and isolationist during the 1920s, rejecting the League of Nations, dramatically curtailing immigration and erecting steep tariff barriers to trade. Much of the rest of the world followed suit. The U.S. stock market crash of 1929 was compounded the next year by one of the worst droughts in history. When the Japanese invaded China two years later, and Adolf Hitler became German chancellor soon after, there was no League of Nations nor stabilizing trading systems to contain the war fever that swept the globe and became World War II. “When you think back to 1918 and the Spanish flu, it’s worth remembering that more people died in the second wave than the first, and the Great Depression and the 1930s taught us that bad economic conditions can be transformative,” said Joseph Nye, a professor emeritus and former Dean of the Harvard’s Kennedy School of Government, speaking recently on a videoconference organized by The National Interest. “The point is, in the current pandemic we’re likely only in Act 1 of a multi-act play.” Combustible Leadership The very real potential for the pandemic crisis to propel the major powers towards outright military conflict was noted recently by the Chinese Ministry of State Security, Beijing’s top intelligence agency. In a report for Xi Jinping and the senior Chinese leadership it reportedly concluded that global anti-China sentiment being stoked by the Trump administration has reached its highest peak since the 1989 Tiananmen Square crackdown, and as a result China needs to be prepared for a worst-case scenario of armed confrontation with the United States. Despite the warnings, Xi Jinping has doubled down in recent months on provocative military maneuvers in its neighboring seas, sending its Liaoning carrier battle group and military flights off the coast of Taiwan; conducting anti-submarine exercises in contested areas of the South China Sea; ramming and sinking a Vietnamese fishing boat near the disputed Paracel Islands; dispatching a fishing boat “militia” to harass Philippine counterparts near the contested Spratly Islands; and harassing a Malaysian drillship. The littoral combat ship USS Montgomery conducts operations near drillship, the West Capella, in Malaysian waters. Some analysts see those moves as an attempt by Xi Jinping to show strength and bolster his image at home among a Chinese populace wearied by the pandemic shutdowns and economic disruptions. Those provocations are exactly the kind of saber-rattling that can escalate dangerously in a time of crisis. George Beebe is a former director of the CIA’s Russia analysis section, and author of the book “The Russia Trap: How Our Shadow War with Russia Could Spiral into Catastrophe.” “My concern is that the major power leaders Putin, Xi and Trump all tend to personalize international relations and politics. They are all going through severe economic and political distress. Each of them is convinced that their rivals are trying to exploit the pandemic crisis, and not one of them is dealing from a position of strength and confidence,” he told me. Putin has long felt betrayed and threatened by the United States, Beebe noted, and Xi Jinping is convinced that America is trying to thwart China’s rise. One of the few constants in Trump’s worldview is the conviction that China has taken advantage of the United States with trade going back decades. “So there’s a lot of fear and emotion and very little trust in the relationships between these leaders during a time of great strain, and their communications and diplomatic mechanisms to manage a crisis if one occurs have atrophied,” said Beebe. “Given that personalities and personal relationships among national leaders are far more important in international affairs than a lot of people appreciate, I do worry that we’re entering a very dangerous period when cooler heads may not prevail among the great power leaders.”

#### No China war – fears are overblown

Shifrinson 2/8/**19** [Joshua Shifrinson is an assistant professor of international relations at Boston University. The ‘new Cold War’ with China is way overblown. Here’s why. February 8, 2019. https://www.washingtonpost.com/news/monkey-cage/wp/2019/02/08/there-isnt-a-new-cold-war-with-china-for-these-4-reasons/?noredirect=on&utm\_term=.f8ca8195c4e4]

Is a new Cold War looming — or already present — between the United States and China? Many analysts argue that a combination of geopolitics, ideology and competing visions of “global order” are driving the two countries toward emulating the Soviet-U.S. rivalry that dominated world politics from 1947 through 1990.

But such concerns are overblown. Here are four big reasons why.

1. The historical backdrops of the two relationships are very different

When the Cold War began, the U.S.-Soviet relationship was fragile and tenuous. Bilateral diplomatic relations were barely a decade old, U.S. intervention in the Russian Revolution was a recent memory, and the Soviet Union had called for the overthrow of capitalist governments into the 1940s. Despite their Grand Alliance against Nazi Germany, the two countries shared few meaningful diplomatic, economic or institutional links.

In 2019, the situation between the United States and China is very different. Since the 1970s, diplomatic interactions, institutional ties and economic flows have all exploded. Although each side has criticized the other for domestic interference (such as U.S. demands for journalist access to Tibet and China’s espionage against U.S. corporations), these issues did not prevent cooperation on a host of other issues. Yes, there were tensions over the past decade, but these occurred against a generally cooperative backdrop.

2. Geography and powers’ nuclear postures suggest East Asia is more stable than Cold War-era Europe

The Cold War was shaped by an intense arms race, nuclear posturing and crises, especially in continental Europe. Given Europe’s political geography, the United States feared a “bolt from the blue” attack would allow the Soviet Union to conquer the continent. Accordingly, the United States prepared to defend Europe with conventional forces, and to deter Soviet aggrandizement using nuclear weapons.

Unsurprisingly, the Soviet Union also feared that the United States might attack and wanted to deter U.S. adventurism. Concerns that the other superpower might use force and that crises could quickly escalate colored Cold War politics.

Today, the United States and China spend proportionally far less on their militaries than the United States and the Soviet Union did. Though an arms race may be emerging, U.S. and Chinese nuclear postures are not nearly as large or threatening: Arsenals remain far below the size and scope witnessed in the Cold War, and are kept at a lower state of alert.

As for geography, East Asia is not primed for tensions akin to those in Cold War Europe. China can threaten to coerce its neighbors, but the water barriers separating China from most of Asia’s strategically important states make outright conquest significantly harder. Of course, as scholars such as Caitlin Talmadge and Avery Goldstein note, crises may still erupt, and each side may face pressures to escalate. Unlike the Cold War, however, U.S.-Chinese confrontations occur at sea with relatively limited forces and without clear territorial boundaries. This suggests there are countervailing factors that may give the two sides room to negotiate — and limit the speed with which a crisis unfolds.

3. The Cold War had just two major powers

The Cold War took place in a bipolar system, with the United States and Soviet Union uniquely powerful, compared with other nations. This dynamic often pushed the United States and the U.S.S.R. toward confrontation and contributed to more or less fixed alliances; moreover, it encouraged efforts to suppress prospective great powers, such as Germany.

In 2019, it’s not at all clear we are back to bipolarity. Analysts remain divided over whether the U.S. unipolar era is waning (or is already over) — and, if so, whether we are heading for a new period of bipolarity, modern-day multipolarity or something else. Regardless, most analysts accept that other countries will play a central role in East Asian security affairs.

Russia, for example, still benefits from legacy military investments, India is developing economically and militarily, and Japan is beginning to build highly capable military forces to complement its still-significant economic might. Even if these nations aren’t as powerful as the United States or China, their presence makes for more fluid diplomatic arrangements and more diffuse security concerns than during the U.S.-Soviet competition. The resulting security dynamics are therefore likely to look very different.

4. Ideology plays less of a role in U.S.-Chinese relations

Many people see the Cold War as an ideological contest between U.S.-backed liberalism and Soviet-backed communism. But that’s not the whole story.

The early 20th century saw liberalism, communism and fascism vie for ideological preeminence. With fascism defeated alongside Nazi Germany, the postwar stage was set for a struggle between communism and liberalism to reinforce the U.S.-Soviet contest. That each ideology claimed universal scope ensured that the ideologies served as rallying cries for Third World conflicts, which were subsequently associated with the U.S.-Soviet struggle.

The respective “ideologies” of the United States and China do not favor this type of contest today. Indeed, analysts calling for a hard-line stance against China have faced difficulties even identifying a coherent Chinese ideological alternative. And while some researchers claim that a nascent ideological contest pitting an “autocratic” China against the “liberal” United States is emerging, this narrative ignores the political contests that shape Chinese politics (and have parallels in U.S. politics). Autocracies and democracies often cooperate. And on one important ideological issue — how they organize their economic lives — China and the United States have both embraced economic growth via trade, the private sector and semi-free markets.

#### No Il to LIO – cross proves they haven’t read an internal link in any of their evidence that mentions LIO

### 1NC – AT: WTO Cred

#### No Impact to US-China Relations, Strong Co-Op is impossible BUT Total Collapse is impossible

Blackwill 09 – former US ambassador to India and US National Security Council Deputy for Iraq, former dean of the Kennedy School of Government at Harvard (Robert D., RAND, “The Geopolitical Consequences of the World Economic Recession – A Caution”, http://www.rand.org/pubs/occasional\_papers/2009/RAND\_OP275.pdf)//Elmer

Alternatively, will the current world economic crisis change relations between China and the United States in a much more positive and intimate direction, producing what some are calling a transcendent G-2? This seems improbable for seven reasons. First, the United States and China have profoundly **different visions of Asian security**. For Washington, maintaining U.S. alliances in Asia is the hub of its concept of Asian security, whereas, for Beijing, America’s alliance system is a destabilizing factor in Asian security and over time should wither away. These opposing concepts will be an enduring source of tension between the two sides. Second, these two countries systematically prepare for war against one another, which is reflected in their military doctrines, their weapons procurement and force modernization, and their deployments and military exercises. As long as this is the case, it will provide a formidable psychological and material barrier to much closer bilateral relations. Third, the United States is critical of China’s external resource acquisition policy, which Washington believes could threaten both American economic and security interests in the developing world. Fourth, despite their deep economic dependence on each other, U.S.-China economic relations are inherently fragile. China sells too much to the United States and buys too little, and the United States saves too little and borrows too much from China. This will **inevitably lead to a backlash** in the United States and a Chinese preoccupation with the value of its American investments. Fifth, Chinese **environmental policy** will be an increasing problem, both for U.S. policymakers who are committed to bringing China fully into global efforts to reduce climate degradation and for Chinese leaders who are just as determined to emphasize domestic economic growth over international climate regimes. Sixth, China and the United States have wholly different domestic political arrangements that make a sustained entente difficult to manage. Americans continue to care about human rights in China, and Beijing resents what it regards as U.S. interference in its domestic affairs. This will be a drag on the bilateral relationship for the foreseeable future. And seventh, any extended application by Washington of “Chimerica,” as Moritz Schularick of Berlin’s Free University has called it,23 would so alarm America’s Asian allies, beginning with Japan, that the United States would soon retreat from the concept.24 Nevertheless, these factors are unlikely to lead to **a substantial downturn** in U.S.-China bilateral ties. In addition to their economic interdependence, both nations have important reasons to keep **their interaction** more or less **stable**. As Washington wants to concentrate on its many problems elsewhere in the world, especially in the Greater Middle East, Beijing prefers to keep its focus on its domestic economic development and political stability. Neither wants the bilateral relationship to get out of hand. In sum, a positive strategic breakthrough in the U.S.-China relationship or a serious deterioration in bilateral interaction both seem doubtful in the period ahead. And the current economic downturn will not essentially affect the abiding primary and constraining factors on the two sides. Therefore, the U.S.-China relationship in five years will probably look pretty much as it does today – part cooperation, part competition, part suspicion – unaffected by today’s economic time of troubles, except in the increasing unlikely event of a cross-strait crisis and confrontation.

#### Reject Laundry List Cards – allows them to group a bunch of scenarios w/o an extinction impact or warrant and claim they solve – forces us to LBL AND evaluate their arguments as just words w/o a warrant for how each scenario causes Extinction

#### No I/L to Shaffer – 1] Its not casual – ev is about coordination at things like “G7 and NATO summits” – WTO not key, 2] The Cooperation part is a second recommendation NOT that WTO dispute settlement ensures that they cooperate because its based on individual leaders, and 3] WTO is seen as in the pocket of China so no I/L spill-over

#### No Brink Scenario – no explanations of conflicts/tensions that are escalating now.

#### Low WTO causes regional trade – yes trade-off

Isfeld 14 Gordon Isfeld 3-17-2014 business.financialpost.com/2014/03/17/with-rise-of-shot-gun-trade-agreements-is-the-wto-even-relevant-anymore/ “With the rise of 'shot-gun' trade agreements, is the WTO even relevant anymore” //Elmer

OTTAWA — It’s getting awfully crowded out there in the free-trading world. The seemingly endless hunt for new global partners is redefining the traditional and hard-fought rules of engagement between nations. So much so, observers say, the old world order — remember the WTO, and GATT before it — has increasingly become a sideshow to the proliferation of bilateral, **trilateral** **and**, often, **multi-lateral** agreements. Even the term “free trade” no longer accurately describes the “new world” of negotiations — one that encompasses far more than what and how products are permitted to slide under domestic tariff radars. For Canada, we can now add South Korea and the European Union — deals long in the making but only weeks in the signing — after a string of minor agreements since the landmark free trade act 25 years ago with the United States, and later to include Mexico. Now, as the growing mass of country-to-country, region-to-region agreements has made apparent, it’s open season on anything that moves between borders — not only products, investments and intellectual property, but also new rules on competition, and the inclusion of labour laws and environmental guidelines. These are just some of the areas of possible disputes that the World Trade Organization “does not deal with,” said Debra Steger, a professor of law at University of Ottawa, specializing in international trade and development. “These are new models. These are not traditional trade agreements, per se.” Ms. Steger, who worked for the federal government on the Uruguay Round of negotiations that led to formation of the WTO, said the framework of recent deals goes “way beyond subjects that NAFTA dealt with.” “Trade, even in the WTO, isn’t only about tariffs. It’s not just about customs and border measures,” she said. “But it’s not about behind-the-border regulatory matters, like environmental regulation and labour standards, competition policy and human rights, corruption, and on and on it goes.” Free trade, between where ever, has become the go-to issue for politicians, business leaders, public-policy makers and private interest groups. Note, this month’s sudden but long-rumoured announcement by the Harper government of a free-trade deal with South Korea, nearly 10 years after talks began and stumbled, and resumed again. Arguably, the deal was finally done as a result of the resolution to Canada’s drawn-out dispute with Seoul over our beef exports — the so-called “mad cow” disease leading to a ban in that county and others. Of course, the United States, the European Union and Australia, among others, already had agreements in hand with South Korea. A few months earlier, Ottawa inked its EU deal — the Comprehensive Economic and Trade Agreement — which was again the outcome of a seemingly endless circle of negotiations that still left Canada trailing similar pacts by the U.S. and others. Even so, these pacts “affect the WTO and WTO negotiations for a number of reasons. That’s a major problem,” said Ms. Steger. “The major developed countries have gone off and started these efforts to negotiate these big FTAs [free trade agreements] as a response to the declining situation in the Doha Round. The WTO — reborn in 1995 out of the General Agreement and Tariffs and Trade, the original body created in 1948 — has been struggling to maintain its relevance as the global arbiter of trade agreements and dispute resolution. The cachet of the 159-member body, however, has been diminished in recent years as countries moved to seal their own free-trade deals with major partners in the absence, some would argue, of any significant movement by the WTO on its own 2001 trade liberalization initiative, launched in Doha, Qatar. Late last year, members managed to agree to only limited movement on trade under the Doha Round of talks. Even now, details remain to be worked out. “One of the reasons why we’re seeing this sort of shot-gun approach [to trade agreements outside of the WTO] is because a number of countries are concerned that the big global deals are probably next to impossible at this stage, given how the Doha Round went and what we ended up with there, which was next to nothing,” said Douglas Porter, chief economist at BMO Capital Markets in Toronto. “They did manage to reach a tiny deal when all was said and done, but it was very modest in terms of its scope.” The move toward bilateral or multi-lateral agreements “is a symptom of the problems that we were running into at the WTO,” Mr. Porter said. “Important players are probably quietly questioning the future for the WTO…. Is it that death knell for the WTO? I don’t think so. [But] it just means we might not be able to accomplish grand, global deals in the future.” However, “there’s really no other way to approach trade disputes with, say, a country like China, then through that body at this point.” “Even 10 years ago, I think it was more straightforward to come to global trade rules. You had two major players, Europe and the U.S., and a few next tier players, including Japan,” Mr. Porter said. “Now, though, you have all kinds of important big players that have a huge chunk of global trade, and have very different goals and aims, and it might be the nature of the global economy now — the reality that we have many different groups in many different regions. “It might be impossible to square that circle.” Over the course of 25 years, Canada has piled on more than a dozen free trade agreements. The first — taking effect on Jan. 1, 1989 — was with the United States. A heated political issue in the 1988 federal election, which Brian Mulroney’s Conservatives won, the FTA was expanded in 1994 to include Mexico and rebranded as NAFTA. Other free trade deals, though much smaller, were signed in subsequent years, some yet to take effect: Israel, Jordan and Chile, followed later by Costa Rica, Peru, Panama, Honduras and Colombia, leading up to the pacts with EU and South Korea. Negotiations are ongoing for at least another dozen agreements. For countries such as Colombia, which has had an agreement in effect with Canada since 2011, the goal is “to insert our economy into the world economy,” said Alvaro Concha, trade commissioner of Proexport Colombia, based in Toronto. “At the beginning of this decade, we had only our preferential access to over 500 million consumers,” Mr. Concha said. “With all the potential FTAs we’ve been signing with potential markets and with potential partners, we believe that not just the potential buyers of our products, but also the potential investors in our country, we have opened our preferential access to over 1.5 billion consumers.” Likely to push the WTO further into the shadows of global trade will be the Trans Pacific Partnership. “In many ways, the Trans Pacific Partnership will be, if it is successful, an updating of the NAFTA, because the U.S. and Mexico are involved, as well as some [trading] partners we already have within Latin America, like Peru,” said Ms. Steger, at the University of Ottawa. “But [there are] also some key countries in Asia that we don’t have agreements with yet. And some other developed countries in that regional, New Zealand and Australia, that we don’t have agreements with,” she adds. “So that [TPP] agreement is very, very important. It’s also the first major plur-lateral agreement that the world has seen.”

#### Regionalism promotes trade and stops war – avoids their impact because our regionalism is different than protectionist blocs.

Brkić 13, Snježana, and Adnan Efendic. "Regional Trading Arrangements–Stumbling Blocks or Building Blocks in the Process of Global Trade Liberalization?." 5th International Conference «Economic Integration, competition and cooperation», Croatia, Opatija. 2013. papers.ssrn.com/sol3/papers.cfm?abstract\_id=2239275 (Economics Prof at U of Sarajevo) //Elmer

Besides those advocating the optimistic or pessimistic view on regionalism effect on global trade liberalization, some economists, such as Frankel and Wei, hold a neutral position, in a way. Frankel and Wei believe that forms and achievements of international economic integrations can vary and that, for this reason, regionalism can be – depending on circumstances – linked to greater or smaller global trade liberalization. In the years-long period of regional integration development, four periods have been identified during which the integration processes were becoming particularly intensive and which have therefore been named "waves of regionalism". The first wave was taking place during the capitalism development in the second half of the 19th century, in the course of British sovereign domination over the world market. Economic integrations of the time primarily had the form of bilateral customs unions; however, owing to the comparative openness of international trading system based on the golden standard automatism, this period is called the "era of progressive bilateralism". The next two waves of **regionalism** occurred in the years following the world wars. Since the disintegration processes caused by the wars usually spawned economic nationalisms and autarchic tendencies, it is not surprising that post-war regionalisms were marked by discriminatory international economic integrations, primarily at the level of so-called negative integration, with expressedly “beggar-thy-neighbor” policies that resulted in considerable trade deviations. This particularly refers to the regionalism momentum after the First World War, which was additionally burdened by the consequences of Big Economic Crisis. The current wave of regionalism started in late 1980s and spread around the world to a far greater extent than any previous one did: it has covered almost all the continents and almost all the countries, even those which have mis to join all earlier regional initiatives, such as the USA, Canada, Japan and China. Integration processes, however, do not show any signs of flagging. Up till now, over 200 RTAs have been registered with GATT/WTO, more than 150 of them being still in force, and most of these valid arrangement have been made in the past ten years. Specific in many ways, this wave was dubbed "new regionalism". The most specific **characteristics** of new regionalism **include: geographic spread** **of RTAs** **in** terms of **encompassing entire continents;** **greater speed**; integration forms success; deepening of integration processes; **and**, the most important for this theoretical discussion, generally **non-negative impact on outsiders, world economy as a whole, and** the **multilateral liberalization** process. Some theorists (Gilpin) actually distinguish **between** the "**benign**" **and** "**malign**" **regionalism**. On the one hand, **regionalism can advance** the **international economic stability**, multilateral liberalization **and world peace**. On the other, it can have mercantilist features leading to economic well-being degradation and increasing international tensions and conflicts. Analyses of trends within the contemporary integration processes show that they mainly have features of "benign" regionalism. Reasons for this are numerous. **Forces driving** the **contemporary** **regionalism** development **differ from** those that used to drive **earlier** regionalism periods in the 20th century. The **present regionalism emerged in** the period characterized by the **increasing economic inter-dependence** between different world economy subjects, countries attempts to resolve trade disputes and multilateral framework of trade relations. As opposed to the 1930s episode, contemporary regional initiatives represent **attempts to make** the members' **participation in the world economy easier**, rather than make them more distant from it. As opposed to 1950s and 1960s episode, new **initiatives** are **less frequently motivated** **exclusively by political interests**, and are **less frequently** being used **for mercantilist purposes**. After the Second World War, more powerful countries kept using the economic integration as a means to strengthen their political influence on their weaker partners and outsiders. The examples include CMEA and European Community arrangements with its members' former colonies. As opposed to this practice, the new regionalism, mostly driven by common economic interests, yielded less trade diversion than previous one, and has also **contributed to** the **prevention of military conflicts of greater proportions**. Various analyses have shown that many regional integrations in earlier periods resulted in trade deviations, particularly those formed between less developed countries and between socialist countries. In recent years, however, the newly formed or revised regional **integrations** primarily seem to **lead to trade creation**. Contrary to the “beggar thy- neighbor” model of former international economic integrations, the integrations now offer certain advantages to outsiders as well, by stimulating growth and spurring the role of market forces. The analyses of contemporary trends in world economy also speak in favor of the "optimistic" proposition. The structural analysis shows that the world trade is growing and that this growth results both from the increase in intra-regional and from the increase in extra-regional trade value (Anderson i Snape 1994.)28. Actually, the intraregional trade has been growing faster, both by total value and by its share in world GDP. The extra-regional trade share in GDP was increasing in some regions – in North America, Asia-Pacific and Asian developing countries. However, the question arises as to whether the extra-regional trade would be greater without regional integrations or not? The answer would primarily depend both on the estimate of degree of some countries' trade policy restrictedness in such circumstances, and on factors such as geographic distance, transport communications, political relations among states. One should also take into account certain contemporary integration features – the primarily economic, rather than strategic motivation, and continuous expansion, which mostly includes countries that are significant economic partners. With respect to NAFTA, many believe that the negative effects on outsiders will be negligible, since the USA and Canada have actually been highly integrated economies for a long time already, while the Mexican economy is relatively small. The same view was pointed out by the EU, with respect to its expansion. It particularly refers to the inclusion of the remaining EFTA countries, because this will actually only complete, in institutional terms, the EU strong economic ties with these countries. Most EFTA countries have been part of the European economic area (EEA), i.e. the original EC-EFTA agreement, for a few years already, and conduct some 70% of their total international exchange with the Union countries. EU countries are also the most significant foreign-trade partners of Central and East Europe countries, and the recent joining the Union of several of them is not expected to cause a significant trade diversion. Besides, according to some earlier studies, during the previous wave of regionalism, in the 1967-70 period, the creation of trade in EEC was far greater than trade diversion: trade creation ranged from 13 to 23% of total imports, while trade diversion ranged from 1 to 6%. In Latin America, the new regionalism resulted in the faster growth of intra-regional trade, while the extra-regional exports and imports also continued to grow. Since early 1990s, the value of intra-regional imports registered the average annual growth of 18%. In the same time, the extra-regional exports were also growing, although at a lower rate of 9% average a year; its share in the total Latin America exports at the end of decade amounted to 18% as compared to 12% in 1990. In the 1990-1996 period, the intraregional imports grew by some 18% a year. The extra-regional imports were also growing very fast, reaching the 14% rate. These data reflect a great unbalance in the trade with extra-regional markets, since the imports from countries outside the region grew much faster the exports.30 Since the described trends point to the continued growth of extra-regional imports and exports, they also show that regional integration in Latin America has had the open regionalism character. Besides, the pending establishment of FTAA – Free Trade Area of Americas will gather, in the same group, the so-called "natural" trade partners – countries that have had an extremely extensive mutual exchange for years already, and the outsiders are therefore unlikely to be affected by strengthening of regionalism in this part of the world. Contemporary research shows that intra-regional trade is growing, however, same as interdependence between North America and East Asia and between the EU and East Asia. It can also be seen that the biggest and the **most powerful** countries, i.e. **blocs**, **are extremely dependent** **on the rest of the world in terms of trade.** For the EU, besides the intra-European trade, which is ranked first, foreign trade has the vital importance since it accounts for 10% of European GDP. In early 1990s, EU exchanged 40% of its foreign trade with non-members, 16% out of which with North America and East Asia together. EU therefore must keep in mind the rest of the world as well. The growing EU interest in outsiders is confirmed by establishing "The Euro-Med Partnership", which proclaimed a new form of cooperation between the EU and the countries at its South periphery32. Besides, the past few years witnessed a series of inter-regional agreements between the EU on the one hand, and certain groups from other regions on the other (MERCOSUR, CARICOM, ASEAN and GCC). In case of North America the ratio between intra-regional and inter-regional trade is 40:60, and in East Asia, it is 45:55. Any attempt to move towards significantly closed blocs ("fortresses") would require overcoming the significant inter-dependence between major trading blocs. Besides the analysis of contemporary trends in extra- and intra-regional trade, other research was conducted that was supposed to point to the reasons why the **new regionalism has** mainly a **non-negative impact on** outsiders and **global liberalization**. The distinctive features of new regionalism were also affected to characteristics of international economic and political environment it sprouted in. In the 1980s, economic nationalisms were not so expressed as in the interventionism years following the Second World War; however, the neo-liberalism represented by GATT activities did not find the "fertile ground” in all parts of the world. Regionalism growth in the circumstances of multilateral system existence is, among other things, the consequence of distrust in multilateralism. „The revival of the forces of regionalism stemmed from frustration with the slow pace of multilateral trade liberalization... If the world trade regime could not be moved ahead, then perhaps it was time for deeper liberalization within more limited groups of like-minded nations... Such efforts would at least liberalize some trade... and might even prod the other nations to go along with multilateral liberalization.“33 Kennedy's round and Tokyo round of trade negotiations under GATT auspices brought a certain progress in the global trade liberalization. However, the 1980s witnessed significant changes in the world economy that the GATT trade system was not up to. Besides. GATT had not yet managed to cover the entire trade in goods, since there were still exceptions in the trade in agricultural and textile products that particularly affected the USA and developing countries. GATT system of conflict resolutions, and its organizational and administrative mechanism in general also required revision. In this vacuum that was created in promoting trade and investment multilateralism from the point when GATT inadequacy became obvious until the start of the Uruguay round and the establishment of World Trade Organization, the wave of regionalism started spreading across the world again. Prodded by the Single European Act and the success of European integration, many countries turned to an alternative solution – establishment of new or expansion and deepening of the existing economic integrations. Even the USA, the multilateralism bastion until then, made a radical turn in their foreign-trade policy and started working on designing a North American integration.

#### That outweighs—multilateral trade causes wars with a larger impact

Thoma 7 Mark Thoma July 2007 “Trade Liberalization and War” <http://economistsview.typepad.com/economistsview/2007/07/trade-liberaliz.html> (Economics Professor at the University of Oregon)//Elmer

Globalisation is by construction an increase in both bilateral and multilateral trade flows. What then was the net effect of increased trade since 1970? We find that it **generated an increase in the probability of a bilateral conflict by** around **20%** for those **countries separated by less than 1000kms,** the group of countries for **which the risk of disputes that can escalate militarily is the highest.** The effects are much smaller for countries which are more distant. Contrary to what these results (aggravated by our nationality) may suggest, we are not anti-globalisation activists even though we are aware that some implications of our work could be (mis)used in such a way. The result that bilateral trade is pacifying brings several more optimistic implications on globalisation. First, if we think of a world war as a war between two large groups or coalitions of countries, then globalisation makes such a war less likely because it increases the opportunity cost of such a conflict. Obviously, this conclusion cannot be tested but is a logical implication of our results. From this point of view, our work suggests that globalisation may be at the origin of a change in the nature of conflicts, less global and more local. Second, our results do confirm that increased trade flows **created by regional trade agreements** (such as the EU) are indeed **pacifying** as intended. Given that most military conflicts are local, because they find their origins in border or ethnic disputes, **this is not a small achievement**. These beneficial political aspects of regional trade agreements are not usually considered by economists who often focus on the economic distortions brought by their discriminatory nature. Given the huge human and economic costs of wars, this political effect of regional trade agreements should not be discounted. This opens interesting questions on how far these regional trade agreements should extend – a topical issue in the case of the EU. The entry of Turkey in the EU would indeed pacify its relations with EU countries (especially Greece and Cyprus), but also increase the probability of a conflict between Turkey and its non-EU neighbours. However, our simulations suggest that in this case, the first effect dominates the second by a large margin. More generally, our results should be interpreted as a word of caution on some political aspects of globalisation. As it proceeds and weakens the economic ties of proximate countries, those with the highest risk of disputes that can escalate into military conflicts, local conflicts may become more prevalent. Even if they may not appear optimal on purely economic grounds, regional and bilateral trade agreements, by strengthening local economic ties, may therefore **be a necessary political counterbalance to economic globalisation**.

#### Interdependence can just as easily cause more war even between nuclear states

Spaniel and Malone 3/5/19 [William Spaniel, Department of Political Science, University of Pittsburgh. Iris Malone, Department of Political Science, Stanford. The Uncertainty Tradeoff: Re-Examining Opportunity Costs and War. March 5, 2019. <https://wjspaniel.files.wordpress.com/2019/03/uncertainty-tradeoff-final.pdf>]

This paper’s main contribution is to identify the precise conditions under which the probability of war increases despite rising opportunity costs. We show that, unlike other mechanisms, rising opportunity costs may counter-intuitively make war more likely because it also increases the difference between reservation points for unresolved versus resolved opponents. As a result, these informational asymmetries can lead states to screen their opponents and risk war. This new finding reshapes our understanding about the relationship between opportunity costs and war. It introduces a more nu-anced mechanism about when and how this relationship operates, sometimes contrary to expectations.

Our work advances economic interdependence theories of war in several ways. First, it provides new insight on the causes of war at odds with traditional cases where opportunity costs increased, yet conflict still erupted. Second, it demonstrates how and when competing effects of economic instruments predominate, driving changes in the probability of conflict. In contrast to previous work, we identify specific conditions under which increasing opportunity costs shifts the probability of conflict, consistent with the empirical evidence. Finally, it demonstrates the important, but subtle, effects of changing instruments, like trade flows, in the presence of uncertainty. The model advances a growing line of research that various sources of uncertainty have disparate effects on crisis bargaining.

This paper has more general implications for trade-conflict research. It complements growing calls to disaggregate the effects of instruments like trade (Martin et al. 2008). Empirical analyses must carefully trace what precisely parties do not know about each other to draw the correct inference. It also suggests states should be careful in interpreting how other states value or benefit from mutual trade flows. A free trade agreement championed by one state may be perceived as relatively less beneficial in another state. This uncertainty may undermine the credibility to abide by the agreement in the long-run.

We also highlight the need for future research to consider screening incentives in trade deals themselves. Although the proposer benefits from greater trade—both from the direct economic benefit and indirect ability to steal more surplus from the receiver— trade can harm unresolved receivers and incentivize screening. This could generate some constraints in the deals a state is willing to sign, in fear that the rearranged incentives under uncertainty could hurt its ability to effectively bluff later. A more unified approach to trade and crisis negotiations would yield additional interesting insights.

Moving forward, the results speak to other lines of research in international relations theory predicated on changing costs of conflict. We couched our results in the interdependence literature due its clear application. However, the comparative static speaks to cases where the receiver’s costs increase more generally.23 Framed this way, the results have clear implications for other literatures. For example, standard nuclear deterrence theory argues that possessing nuclear weapons increases the costs of war for potential challengers due to the risk of a retaliatory nuclear response (Morgenthau 1961, 280; Gilpin 1983, 213-219). The logic of alliance formation similarly relics on the assumption that entering these pacts induces peace by raising an opponent’s costs of conflict (Morrow 1994). Together, these mechanisms assume raising the costs of war should decrease conflict. Our results demonstrate this effect is likely more conditional than previously realized. We find increased costs of conflict can exacerbate issues with uncertainty over resolve even if both states possess destructive weaponry. This promises to shed new insights into how raising costs affects deterrence and coercive bargaining in other contexts.

#### China thumps Compliance – China doesn’t care about the WTO

Webster 14, Timothy. "Paper compliance: How China implements WTO decisions." Mich. J. Int'l L. 35 (2014): 525. (Director of East Asian Legal Studies & Assistant Professor of Law, Case Western Reserve University)//Elmer

Since the number of WTO cases involving China is small, certitude about China's future conduct in the DSB would be inapt. But certain patterns are clear. First, in the majority of cases, China has revised its legal and regulatory systems to comply with the DSB rulings. It has done so typically within the reasonable period of time in which it agreed to do so and has accumulated a strong record in terms of the quality of its implementation. Moreover, as of July 2013, no Chi-nese case has gone into compliance proceedings, wherein an arbitration panel determines the costs of one country's non-compliance to other WTO members. This is a significant difference from other major trading partners, such as the United States, E.U., and Japan, all of which have been respondents in compliance proceedings. n256 Some of these cases have dragged on for more than a decade, indicating a resistance to WTO rulings far and above anything that China has exhibited. Second, **China has found ways to resist WTO rulings** and norms. Inconsistent regulations remain in effect. In the three cases discussed above - DS 362 (intellectual property enforcement), DS 363 (trading rights for publications) DS 373 (financial information services) - inconsistent regulations either continue in effect or were revised so as not to ef-fectuate [\*573] the purpose of the ruling. This lacuna could be a function of institutional capacity. China's capa-cious bureaucratic institutions produce reams of regulations; it is unclear whether many of them keep close tabs on the various regulations they produce, and quite definite that some of them have not repealed regulations found to be in-consistent. Or there may be a more sinister explanation: **China wants to keep the inconsistent regulations** in place, and understands that its regulatory maze may be **too labyrinthine for** other **WTO** members **to navigate**. Whether by design or neglect, a number of inconsistent regulations continue to plague China's compliance record. Moreover, local and provincial-level regulations often amplify the effects of inconsistent national regulations. In cases such as DS 363 and DS 373, lower-level government agencies have promulgated policies that reference regulations that were either revoked or found inconsistent. This means that WTO-inconsistent regulations will cast a regulatory afterglow at various levels of the Chinese legal system. The most striking case of non-compliance, so far, has been the trading rights case (DS 363). The revisions suggest-ed by the DSB challenged China's censorship regime and long-held monopoly on cultural information. Not only did China not comply within a reasonable period of time, but it also left in place several regulations that the DSB deemed inconsistent with WTO disciplines. This suggests that, in particularly sensitive areas, China will not fulfill its implemen-tation obligations. **As China continues to gain experience with WTO litigation**, **instances of non-implementation are likely to increase**. China has, in essence, learned that it can "get away" without fully complying with DSB rulings and recommendations. Indeed, as noted above, two recent rulings show just how far China is willing to push the implemen-tation envelope. Third, reforming laws in China means less than it would in Western liberal democracies with robust legal institu-tions. One-party rule, coupled with a unitary governance structure, allow the party-state to control the passage of laws and regulations, dictate revisions to the domestic legal environment, and coordinate changes with a maximum of speed and minimum of institutional friction. **China** has tinkered with the literal letter of its law, but it **continues** to produce **a whole range of programs that violate WTO** principles. **It is** perhaps **unrealistic to think the DSB can induce compliance** more broadly, that is, outside of the regulation challenged. But it is doubtful that China's domestication of DSB rulings has meaningfully influenced the development of its political economy. Many basic norms - market capitalism, dereg-ulation, strong protection of intellectual property, limits on subsidies - remain alien to China. Fourth, many WTO violations take place in the interstices of law, areas where government officials exercise discre-tion: whether or not to register a foreign company, to issue it a business license, or to prosecute someone for IP theft. Likewise, **China distributes trade regulations to** governmental **agencies as "internal guidance"** (neibu cankao) that should be published under China's WTO transparency obligations, but in fact [\*574] never are. n257 The dispute set-tlement system provides a very rough tool by which to reshape a member's domestic legal system and to monitor its implementation of WTO commitments. A range of violations takes place, either below the radar or without meaningful recourse for investors or manufacturers outside of China. Finally, China deploys the tactical features of the dispute settlement system to buffer the ruling's impact. China settles "easy" cases early and prolongs decisions that seriously disrupt its political system, harm core economic interests, or require significant internal reform to implement. Like any other national actor, China seeks to maximize its interests and minimize disruptions that international law and institutions may inflict upon its domestic legal and regulatory sys-tems.

#### No DSB usage even if it’s credible.

Alavi 7 Amin Alavi 2007 “African Countries and the WTO’s Dispute Settlement Mechanism” <http://www.worldtradelaw.net/articles/alaviafrica.pdf> (PhD Researcher @ Danish Institute for International Studies)//Elmer

The passing of time has modified most observers’ earlier enthusiasm about the DSM.3 It has become clear that **the DSM has shortcomings**. These include some **conflicting deadlines** (better known as sequencing), a **weak enforcement mechanism**, **questionable quality of some of its rulings**, and the **possibility of prolonging disputes** (see, for example, Mavroidis et al., 1998). Increasingly too, the absence from the scene of a majority of developing countries, including the SSA ones, has also been acknowledged.4 One question that is now raised is whether or not the DSM has in fact been a success, and especially whether it represents a gain for developing countries. But this latter discussion is only now emerging and only a few observers have taken part in it. Furthermore, it does not yet constitute a distinct field of debate. The prime focus of academic commentary on the DSM remains on how it has been used, rather than why it has not been used. A majority of researchers working on the DSM do so from within the legal tradition and have studied it as a litigation process by analysing case law and the rulings. They implicitly regard the system as a success in allowing countries to settle their disagreements. However, the DSM is also a political process, and cases have important economic impacts. Recently, lawyers have been joined by economists and political scientists in analysing the DSM. Unlike the lawyers, these last two groups are interested in determining the conditions under which countries participate in the DSM, and the costs and benefits of this participation. A first set of observations from this source concerns possible relations between countries’ levels of engagement in the DSM, their shares and patterns of trade, and the retaliation opportunities that these provide (Bown and Hoekman, 2005; Horn et al., 1999; Nordstrom, 2005). The authors cited consider countries’ shares of world trade, numbers of traded products and numbers of trading partners as determinants of their participation. Their hypothesis is that ‘the probability of encountering disputable trade measures is proportional to the diversity of a country’s exports over products and partners, which means that larger and more diversified exporters would be expected to bring more complaints than smaller and less diversified exporters’ (Horn et al., 1999: ii). They find that the hypothesis ‘goes quite far toward predicting the actual pattern of complaints across countries’ (ibid.),5 especially when the cost of litigation is controlled for. However, they also find that the **G4 countries**6 are **overrepresented** **in the DSM**, relative to their positions with regard to these attributes.7 A second, related set of observations regards the negative consequences a case may have as a reason why small developing countries especially have not been active in the DSM. Examples of this are provided by Bown (2005), who develops a model to analyse a subset of disputes, namely, those dealing with issues of market access. He finds that lost market access and economic losses determine countries’ decisions to initiate cases. However, ‘several other **political** economy **factors affect the decision not to litigate** ... Other things being equal, adversely affected exporters are less likely to participate when they are involved in a preferential trade agreement with the respondent, when they **lack the capacity to retaliate** against the respondent by withdrawing trade concessions, **when they are poor or small**, and when they are particularly reliant on the respondent for bilateral assistance’ (ibid.: 291). Bown’s arguments partly recapitulate those of Hoekman and Mavroidis (2000) whose list of countries’ reasons for not initiating cases includes practising policies similar to those that a case tries to change, and fear of the political as well as economic impact of a case on bilateral relations with another state. A final set of observations from this literature focuses on biases and inequalities within and between institutions managing trade, including the WTO in general and the DSM in particular (Busch and Reinhardt, 2003; Shaffer, 2003). Here, the main problem identified is that the **DSM** (and the WTO) has **become too technically complex and demanding for** most **developing countries** to use effectively in the absence of adequate assistance. Underlying this is the observation that there is too much law and too little politics in the system. Proponents of this position link these observations to others concerning developing countries’ typically weak trade-policy infrastructures, their shortage of trained personnel, and their lack of knowledge about the system. This view is systematically elaborated by Hoekman and Mavroidis (2000), who present the overall dispute process in two stages – ‘upstream’, which is that part of the process before a case is officially brought before the DSM, and ‘downstream’, which is after a case has been officially initiated. During the first stage, a country’s trade-policy infrastructure plays the central role. It is here that information is gathered, analysed and transferred to the government, which then decides whether to pursue a case or not. Not only the existence but also the functioning of trade-policy infrastructures is critical for countries’ engagement in the system, according to Shaffer (2003). His study of the infrastructures of the US and the EU finds that an institutionalised linkage between private companies and officials is a key characteristic of the major users of the system. While under existing WTO rules only member states may initiate a case, this generally occurs on the basis of persuasion from private companies. This is facilitated where local private companies are strong and where the established infrastructure gives private companies a voice and the chance to lead their case informally through the initial stage.

#### Zero historic compliance

Lida 4, Keisuke. "Is WTO Dispute Settlement Effective?." global governance 10.2 (2004): 207-225. (Prof. Pol. Sci. @ Aoyama Gakuin U)//Elmer

What is the overall track record of dispute resolution? This question, while simple, is not so easy to answer. It depends on the analyst's judgment as to what counts as a "satisfactory" outcome. I have tried to rely on the parties' assessment as much as possible. There aretwo main categories of satisfactory outcome: (1) the parties have implemented the WTO rulings, and (2) the parties have settled the dispute between themselves, with or without WTO adjudication. While the first type is relatively easy to track, the second category is not. Therefore, I have relied on the parties' notification to the WTO as to whether or not they have reached a mutually agreed solution. A third "possibly satisfactory" category is one in which the WTO found no wrongdoing on the part of the defendants, and hence no action was required. This could be considered a "successful" dispute outcome, at least from a legal point of view. All of these cases are classified as "resolved" in Figure 1. There are two classes of pending cases. One is the class of cases that are still going through the adjudication procedures or have gone through adjudication and are in the implementation stage. The WTO allows a "reasonable period of time" for implementation, which ranges from several months to a maximum of fifteen months. Anumber of cases are at this stage. This class is named "ongoing" in Figure 1. The second class of pending cases (denoted as "pending" in Figure 1) comprises those cases on which consultations have been heldwithout reaching concrete agreement. It is possible that some of these cases have actually been settled, but the parties have not notified the WTO of that fact, thereby making the interpretation of this class of cases difficult. Finally, there are a few cases for which the final result is not known. Figure 1 shows the classification of disputes according to these criteria. (10) The complaints are divided according to the year in which they were initially filed. This shows that during the first two to three years of dispute settlement, the WTO had a good track record, but **from 1998** on, **the number of possibly unsatisfactory outcomes increased**. This may be partly due to the fact that not enough time has elapsed since the inception of disputes. This can be seen in the numberof "ongoing" cases since 1998. However, a majority of unresolved cases are so-called pending consultations cases, as seen in Figure 1. For this class of cases, especially those on which consultations were held in 1998 or 1999, it is hard to argue that the parties have not had enough time. I suspect that for a large proportion of cases in thiscategory, the complainants have all but abandoned the complaint, forone reason or another, but have not made this fact public. Based on this analysis, we could tentatively conclude that in the first few years of **dispute settlement**, the WTO performed well, whereas since 1998, it **has not been working as smoothly**. A comparison with the track record of GATT may be useful. Robert Hudec has assembled the most comprehensive data on GATT disputes, and of 207 cases that were filed at GATT from 1948 to 1989 (data for the cases from 1990 through 1994 are missing), there were 88 rulings, of which 20 were no-violation findings and 68 were violation findings. Since no action was required for the 20 no-violation cases, they wouldbe included in our "success" category. Of the 68 violation rulings, 45 led to fully satisfactory outcomes and 15 led to partly satisfactory outcomes. Of 64 cases that were settled or conceded without GATT rulings, 37 led to fully satisfactory outcomes and 25 reached partly satisfactory outcomes. Therefore, by the most conservative measure, the **overall success rate** of the GATT dispute system was 102 of 207 cases, **or 49 percent**.

Hudec reports a different figure, using only the cases with known results (139 cases). According to his calculation (excluding those with nonviolation findings), the success rate is 60 percent. (11) That said, a decade-by-decade breakdown shows some fluctuations, with success rates lower in the 1950s and 1960s. [FIGURE 1 OMITTED] Therefore, the performance of the first few years of the WTO dispute settlement is comparable to, or above, the success rate of the GATT system, but the rate has been below that of GATT since 1998. It hasto be admitted that the number and nature of disputes filed are different and that no totally comparable analysis can be made. Nevertheless, it should be emphasized that the **conventional wisdom that the WTO is** extremely "**effective**" **in resolving disputes** (in particular, relative to GATT**) should be questioned**. (12) One possible explanation for the decline in the effectiveness of the WTO dispute system since 1998 is the complication of U.S.-EuropeanUnion relations. The WTO ruled on two of the most difficult cases in1997--bananas and beef hormones--and on finding the European Union'scompliance insufficient in the banana dispute and nonexistent in thebeef dispute, the United States resorted to sanctions in 1999 in both cases. This soured U.S.-European Union relations considerably. The subsequent case brought by the European Union against the United States over foreign sales corporations, (13) for example, is widely reputed to have been a retaliatory suit. In addition, according to negotiators in Geneva, political bargaining is often suspended during the panel and AB proceedings, with haggling restarting only after all the legal procedures are exhausted. This is not an efficient use of time, since it causes substantial delays.