## 1

#### Interp – topical affs must fiat an action through the World Trade Organization.

#### Member nations of the WTO make policies as a whole –

WTO ND [(World Trade Organization) “What is the WTO?” https://www.wto.org/english/thewto\_e/whatis\_e/whatis\_e.htm] BC

The WTO is run by its member governments. All major decisions are made by the membership as a whole, either by ministers (who usually meet at least once every two years) or by their ambassadors or delegates (who meet regularly in Geneva).

#### Nation and state are synonymous

Merriam Webster ND [“nation” Merriam Webster, <https://www.merriam-webster.com/dictionary/nation>] BC

Definition of nation

 (Entry 1 of 2)

1a(1): [NATIONALITY sense 5a](https://www.merriam-webster.com/dictionary/nationality)three Slav peoples … forged into a Yugoslavia without really fusing into a Yugoslav nation— Hans Kohn

(2): a politically organized [nationality](https://www.merriam-webster.com/dictionary/nationality)

(3)in the Bible : a non-Jewish nationality why do the nations conspire— Psalms 2:1 (Revised Standard Version)

b: a community of people composed of one or more [nationalities](https://www.merriam-webster.com/dictionary/nationalities) and possessing a more or less defined territory and government Canada is a nation with a written constitution— B. K. Sandwell

c: a territorial division containing a body of people of one or more nationalities and usually characterized by relatively large size and independent status a nation of vast size with a small population— Mary K. Hammond

#### Violation – they don’t – EU member states are distinct from WTO member nations

#### Prefer

#### Ground – justifies affs about any country reducing any IP protection on medicine – only our interp ensures link magnitude by ensuring it is an international reduction for IPP for medicine which is key to generics like the innovation DA, WTO bad, consult the WHO, and the IP NC -- privileges the aff by stretching pre-tournament neg prep too thin and precluding nuanced rigorous testing of aff.

#### Topic ed – WTO patent wavers are the core topic controversy – their aff is just domestic policy passed in European Union Member states. Proven by their second advantage – none of their internal links are about medical trade secrets which proves their interpretation is a cheap way of getting a relations impact about any two countries that does trade – justifies the US-Mexico or China-Japan aff. Outweighs aff flex -- prep is determined by the lit and we only have 2 months to debate the topic and it provides better link magnitude to all your generics because this is the statis point the topic is centered around.

#### Precision - even if all EU member states are in the WTO that doesn’t mean all WTO member nations are in the EU – prefer our interp – we have evidence from the WTO that explains what coordinated action looks like.

#### Paradigm issues:

#### Drop the debater – their abusive advocacy skewed the debate from the start

#### Competing interps – reasonability invites arbitrary judge intervention and a race to the bottom of questionable argumentation

#### Fairness is a voter ­– necessary to determine the better debater

#### Education is a voter – why schools fund debate

## 2

#### Intellectual property rights cannot be discriminated on the basis of field, or place of invention

WTO <https://www.wto.org/english/docs_e/legal_e/27-trips_04c_e.htm>, Article 27.1, Section 5 on patents, World trade Organization, WTO, Part II — Standards concerning the availability, scope and use of Intellectual Property Rights

Subject to the provisions of paragraphs 2 and 3, patents shall be available for any inventions, whether products or processes, in all fields of technology, provided that they are new, involve an inventive step and are capable of industrial application. [(5)](https://www.wto.org/english/docs_e/legal_e/27-trips_04c_e.htm#fnt-5) Subject to paragraph 4 of Article 65, paragraph 8 of Article 70 and paragraph 3 of this Article, patents shall be available and patent rights enjoyable without discrimination as to the place of invention, the field of technology and whether products are imported or locally produced.

#### The WTO’s appellate body no longer exists to mediate disputes, without immediate buy in by states, and no mechanism to make disobedient states obey, the system collapses

Horton, 08/3, Lessons from Trump’s assault on the World Trade Organization, https://www.chathamhouse.org/2021/08/lessons-trumps-assault-world-trade-organization, Chatham House – International Affairs Think Tank, Communications Manager; Project Lead, Common Futures Conversations

The WTO is unique amongst international institutions because it has a powerful enforcement mechanism – the dispute settlement system. However, the fundamental vulnerability is that if powerful states like the US and others won’t participate in the system and be bound by its rules, they quickly risk becoming irrelevant. And that’s the situation we’re in right now with the appellate body crisis, where, without a functioning mechanism to ensure that WTO rules are enforced, the entire system of global trade rules risk collapsing. Ironically, the United States has been the leader of the liberal trading order for the past 70 years, but since Trump, it has become its leading saboteur.

#### A major country operating outside WTO consensus wrecks global trade norms

Bacchus 20 [James Bacchus, member of the Herbert A. Stiefel Center for Trade Policy Studies, the Distinguished University Professor of Global Affairs and director of the Center for Global Economic and Environmental Opportunity at the University of Central Florida, 12-16-2020, "An Unnecessary Proposal: A WTO Waiver of Intellectual Property Rights for COVID-19 Vaccines," Cato Institute, [https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines]/Kankee](https://www.cato.org/free-trade-bulletin/unnecessary-proposal-wto-waiver-intellectual-property-rights-covid-19-vaccines%5d/Kankee)

In a sign of their increasing frustration with global efforts to ensure that all people everywhere will have access to COVID-19 vaccines, several developing countries have asked other members of the World Trade Organization (WTO) to join them in a sweeping waiver of the intellectual property (IP) rights relating to those vaccines. Their waiver request raises anew the recurring debate within the WTO over the right balance between the protection of IP rights and access in poorer countries to urgently needed medicines. But the last thing the WTO needs is another debate over perceived trade obstacles to public health. Unless WTO members reach a consensus, the multilateral trading system may be further complicated by a delay like that in resolving the two‐​decades‐​old dispute between developed and developing countries over the compulsory licensing and generic distribution of HIV/AIDS drugs. A new and contentious “North‐​South” political struggle definitely would not be in the interest of the developed countries, the developing countries, the pharmaceutical companies, or the WTO. Certainly it would not be in the interest of the victims and potential victims of COVID-19. Background In early October 2020, India and South Africa asked the members of the WTO to waive protections in WTO rules for patents, copyrights, industrial designs, and undisclosed information (trade secrets) in relation to the “prevention, containment or treatment of COVID-19 … until widespread vaccination is in place globally, and the majority of the world’s population has developed immunity.”1 India and South Africa want to give all WTO members freedom to refuse to grant or enforce patents and other IP rights relating to COVID-19 vaccines, drugs, diagnostics, and other technologies for the duration of the pandemic. In requesting the waiver, India and South Africa have argued that “an effective response to the COVID-19 pandemic requires rapid access to affordable medical products including diagnostic kits, medical masks, other personal protective equipment and ventilators, as well as vaccines and medicines for the prevention and treatment of patients in dire need.” They have said that “as new diagnostics, therapeutics and vaccines for COVID-19 are developed, there are significant concerns, how these will be made available promptly, in sufficient quantities and at affordable prices to meet global demand.”2 Later in October, the members of the WTO failed to muster the required consensus to move forward with the proposed waiver. The European Union, the United States, the United Kingdom, and other developed countries opposed the waiver request.3 One WTO delegate, from the United Kingdom, described it as “an extreme measure to address an unproven problem.”4 A spokesperson for the European Union explained, “There is no evidence that intellectual property rights are a genuine barrier for accessibility of COVID‐​19‐​related medicines and technologies.”5 In the absence of a consensus, WTO members have decided to postpone further discussion of the proposed waiver until early 2021. Balancing IP Rights and Access to Medicines Not New to WTO This waiver controversy comes nearly two decades after the end of the long battle in the multilateral trading system over access to HIV/AIDS drugs. At the height of the HIV/AIDS crisis at the turn of the century, numerous countries, including especially those from sub‐​Saharan Africa, could not afford the high‐​priced HIV/AIDS drugs patented by pharmaceutical companies in developed countries. Having spent billions of dollars on developing the drugs, the patent holders resisted lowering their prices. The credibility of the companies, the countries that supported them, and the WTO itself were all damaged by an extended controversy over whether patent rights should take precedence over providing affordable medicines for people afflicted by a lethal disease. Article 8 of the WTO Agreement on the Trade‐​Related Aspects of Intellectual Property Rights (the TRIPS Agreement) provides that WTO members “may, in formulating or amending their laws and regulations, adopt measures necessary to protect public health … provided that such measures are consistent with the provisions of this Agreement.” In similar vein, Article 7 of the TRIPS Agreement provides that the “protection and enforcement of intellectual property rights” shall be “in a manner conducive to social and economic welfare.”6 It can be maintained that these two WTO IP rules are significantly capacious to include any reasonable health measures that a WTO member may take during a health emergency, such as a pandemic. Yet there was doubt among the members during the HIV/AIDS crisis about the precise reach of these provisions. As Jennifer Hillman of the Council on Foreign Relations observed, ordinarily the “inherent tension between the protection of intellectual property and the need to make and distribute affordable medicines” is “resolved through licensing, which allows a patent holder to permit others to make or trade the protected product—usually at a price and with some supervision from the patent holder to ensure control.”7 But, in public health emergencies, it may be impossible to obtain a license. In such cases, “compulsory licenses” can be issued to local manufacturers, authorizing them to make patented products or use patented processes even though they do not have the permission of the patent holders.8

#### Without all states buy in, we risk WW3 but with nukes

Hopewell and Horton 08-03 [Kristen Hopewell Associate Professor and Canada Research Chair in Global Policy at the University of British Columbia, and Ben Horton, Communications Manager; Project Lead, Common Futures Conversations, 08-03-2021, "Lessons from Trump’s assault on the World Trade Organization," Chatham House – International Affairs Think Tank, https://www.chathamhouse.org/2021/08/lessons-trumps-assault-world-trade-organization]/Kankee

What has this episode revealed about the strength of multilateral institutions such as the WTO, in the face of spoiling tactics from major powers? The WTO is unique amongst international institutions because it has a powerful enforcement mechanism – the dispute settlement system. However, the fundamental vulnerability is that if powerful states like the US and others won’t participate in the system and be bound by its rules, they quickly risk becoming irrelevant. And that’s the situation we’re in right now with the appellate body crisis, where, without a functioning mechanism to ensure that WTO rules are enforced, the entire system of global trade rules risk collapsing. Ironically, the United States has been the leader of the liberal trading order for the past 70 years, but since Trump, it has become its leading saboteur. What are the implications of a permanent collapse of the international trading system? The very real danger from such a breakdown is a return to what we saw in the 1930s. In response to the outbreak of the Great Depression, you had countries imposing trade barriers, blocking imports from other state, and a general escalation of tit-for-tat protectionism. This response wound up not only exacerbating the effects of the depression itself but has also been credited by some as paving the way for the outbreak of the second world war. The reason why institutions like the WTO were created in the first place was to prevent a recurrence of the 1930s protectionist trade spiral. The danger now – if those rules become meaningless and unenforceable – is the institutional foundations of postwar economic prosperity could unravel, throwing us back into economic chaos and potentially political disorder. What does the WTO’s future look like under new director-general Dr Okonjo-Iweala?

## 3

#### CP Text: The member states of the European Union ought to provide financial rewards for whistleblowers related to medicines, modelled after the US bounty system established by the Dodd-Frank Act of 2010.

#### Solves betterthan the aff—empirics – the problem isn’t the problem that whistleblowers don’t win disputes, its that they don’t come forward

**Maslen 2018** (Caitlin, Research Associate at Transparency International. MA in Corruption and Governance from the University of Sussex. “Whistleblower Reward Programs” (Anti-Corruption Helpdesk, Transparency International, <https://knowledgehub.transparency.org/assets/uploads/helpdesk/Whistleblower-Reward-Programmes-2018.pdf> 27 September 2018)DR 21

**Increasing the quantity of disclosures**

Whilst protection schemes may negate the severity of personal risks caused by whistleblowing, some **research contends that** reward programmes are even more effective at counter-balancing the possible dangers. Rewards go further than compensation for damages and instead motivate whistleblowers through awards of funds. Research into the behaviour of managers and employees induced by the U.S. bounty scheme, the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act), has demonstrated that employees will perform a costbenefit analysis when considering whistleblowing (Franke, Moser and Simons 2016). In order for incentives to be effective, the rewards must be high enough to compensate for retaliation charges (Franke, Moser and Simons 2016). The study concluded that if rewards outweigh the anticipated costs of retaliation they would support an increase in disclosures (Franke, Moser, and Simons, 2016). **In the U.S**., increased monetary incentives have led to an 'unprecedented' number of investigations and greater recoveries (Kohn, 2014). Franke, Moser and Simons’ (2016) model does, however, suggest that as rewards increase, so does the risk of false accusations. This is we return to below in the section on false reports.

Public awareness

Whistleblower rewards are often given media coverage and may help to **change wider attitudes** on the act of blowing the whistle. **According to research** by UK-based law-firm RPC, the number of whistleblowers working in financial and professional services **rose primarily** as a result of greater public awareness of the option of whistleblowing (Craggs 2015). Rewards may then have a two-fold effect on the number of disclosures. Firstly, they garner public attention, which then leads to an increase in the number of whistleblowers coming forward.

Secondly, some claim that rewards work towards ending the stigmatisation of whistleblowers. One law firm that works with whistleblowers has praised **the U.S. bounty scheme**, the Dodd-Frank Act, stating that it both incentivises people to speak up and helps to change the traditional stigmas of whistleblowing (Kasperkevic 2015). They argue that as the government takes greater control over whistleblower protection and reward programmes, this leads to public awareness of the importance of reporting wrongdoing and thus encourages more people to come forward (Kasperkevic 2015).

**Cost effectiveness**

Reward programmes may lower public spending, as they are less costly than traditional investigative methods. Police officers and investigators consume real resources, whereas whistleblower rewards are simple wealth transfers (Givati 2016). Research into the theory of whistleblower rewards has shown that - as long as the risk of a false report is low enough - using a whistleblower and a reward programme is more economical than relying upon police officers (Givati 2016). Certain types of allegation are less likely to be prone to false reporting than others; the risk of false reports is likely lower where the reported wrongdoing concerns tax evasion or environmental damage, for instance, as the falsification of evidence would be difficult (Givati 2016).

**Internal compliance**

Reward programmes can help to strengthen internal compliance within organisations. Paying whistleblowers could counteract negative social pressures that favour silence (Bradley 2015). This in turn could contribute to the development of organisational norms that inculcate a more compliant, transparent and accountable workplace culture.

**Cartel deterrence**

One study of South Korea’s reward system found that a cartel's anti-competitive behaviour is weakened through the introduction of whistleblower rewards. If there are financial incentives for whistleblowing then those who have knowledge of cartel activities must be prevented from exposing misconduct through either threats or bribes (Stephan 2014). This makes existing infringements less stable and encourages distrust between cartel members (Stephan 2014). The efficiency of the cartel is reduced, as trust decreases and the costs of bribery increase in order to match the whistleblower reward (Stephan 2014). It should be noted that this benefit would only occur if the legislation allows co-conspirators to be considered whistleblowers, which is often not the case. The cartel may also choose to reduce the number of people in each firm that are directly involved in the cartel in order to diminish the risks caused by reward programmes.

## 4

#### CP: The member nations of the European union should enter into a prior and binding consultation with the World Health Organization over whether to reduce trade secret protections for medicines by requiring that plaintiffs prove that the acquisition, use, and disclosure of the trade secret did not pertain to revealing misconduct, wrongdoing, or illegal activity, or to protecting the general public interest. Member nations should support the proposal and adopt the results of consultation.

#### WHO says yes – it supports increasing the availability of generics and limiting TRIPS

Hoen 03 [(Ellen T., researcher at the University Medical Centre at the University of Groningen, The Netherlands who has been listed as one of the 50 most influential people in intellectual property by the journal Managing Intellectual Property, PhD from the University of Groningen) “TRIPS, Pharmaceutical Patents and Access to Essential Medicines: Seattle, Doha and Beyond,” Chicago Journal of International Law, 2003] JL

However, subsequent resolutions of the World Health Assembly have strengthened the WHO’s mandate in the trade arena. In 2001, the World Health Assembly adopted two resolutions in particular that had a bearing on the debate over TRIPS [30]. The resolutions addressed:

– the need to strengthen policies to increase the availability of generic drugs;

– and the need to evaluate the impact of TRIPS on access to drugs, local manufacturing capacity, and the development of new drugs

#### Consultation boosts strong leadership, authority, and cohesion among member states – key to WHO legitimacy

Gostin et al 15 [(Lawrence O., Linda D. & Timothy J. O’Neill Professor of Global Health Law at Georgetown University, Faculty Director of the O’Neill Institute for National & Global Health Law, Director of the World Health Organization Collaborating Center on Public Health Law & Human Rights, JD from Duke University) “The Normative Authority of the World Health Organization,” Georgetown University Law Center, 5/2/2015] JL

Members want the WHO to exert leadership, harmonize disparate activities, and set priorities. Yet they resist intrusions into their sovereignty, and want to exert control. In other words, ‘everyone desires coordination, but no one wants to be coordinated.’ States often ardently defend their geostrategic interests. As the Indonesian virus-sharing episode illustrates, the WHO is pulled between power blocs, with North America and Europe (the primary funders) on one side and emerging economies such as Brazil, China, and India on the other. An inherent tension exists between richer ‘net contributor’ states and poorer ‘net recipient’ states, with the former seeking smaller WHO budgets and the latter larger budgets.

Overall, national politics drive self-interest, with states resisting externally imposed obligations for funding and action. Some political leaders express antipathy to, even distrust of, UN institutions, viewing them as bureaucratic and inefficient. In this political environment, it is unsurprising that members fail to act as shareholders. Ebola placed into stark relief the failure of the international community to increase capacities as required by the IHR. Guinea, Liberia and Sierra Leone had some of the world's weakest health systems, with little capacity to either monitor or respond to the Ebola epidemic.20 This caused enormous suffering in West Africa and placed countries throughout the region e and the world e at risk. Member states should recognize that the health of their citizens depends on strengthening others' capacity. The WHO has a central role in creating systems to facilitate and encourage such cooperation.

The WHO cannot succeed unless members act as shareholders, foregoing a measure of sovereignty for the global common good. It is in all states' interests to have a strong global health leader, safeguarding health security, building health systems, and reducing health inequalities. But that will not happen unless members fund the Organization generously, grant it authority and flexibility, and hold it accountable.

#### WHO is critical to disease prevention – it is the only international institution that can disperse information, standardize global public health, and facilitate public-private cooperation

Murtugudde 20 [(Raghu, professor of atmospheric and oceanic science at the University of Maryland, PhD in mechanical engineering from Columbia University) “Why We Need the World Health Organization Now More Than Ever,” Science, 4/19/2020] JL

WHO continues to play an indispensable role during the current COVID-19 outbreak itself. In November 2018, the US National Academies of Sciences, Engineering and Medicine organised a workshop to explore lessons from past influenza outbreaks and so develop recommendations for pandemic preparedness for 2030. The salient findings serve well to underscore the critical role of WHO for humankind.

The world’s influenza burden has only increased in the last two decades, a period in which there have also been 30 new zoonotic diseases. A warming world with increasing humidity, lost habitats and industrial livestock/poultry farming has many opportunities for pathogens to move from animals and birds to humans. Increasing global connectivity simply catalyses this process, as much as it catalyses economic growth.

WHO coordinates health research, clinical trials, drug safety, vaccine development, surveillance, virus sharing, etc. The importance of WHO’s work on immunisation across the globe, especially with HIV, can hardly be overstated. It has a rich track record of collaborating with private-sector organisations to advance research and development of health solutions and improving their access in the global south.

It discharges its duties while maintaining a dynamic equilibrium between such diverse and powerful forces as national securities, economic interests, human rights and ethics. COVID-19 has highlighted how political calculations can hamper data-sharing and mitigation efforts within and across national borders, and WHO often simply becomes a convenient political scapegoat in such situations.

International Health Regulations, a 2005 agreement between 196 countries to work together for global health security, focuses on detection, assessment and reporting of public health events, and also includes non-pharmaceutical interventions such as travel and trade restrictions. WHO coordinates and helps build capacity to implement IHR.

#### WHO diplomacy solves great power conflict

Murphy 20 [(Chris, U.S. senator from Connecticut serving on the U.S. Senate Foreign Relations Committee) “The Answer is to Empower, Not Attack, the World Health Organization,” War on the Rocks, 4/21/2020] JL

The World Health Organization is critical to stopping disease outbreaks and strengthening public health systems in developing countries, where COVID-19 is starting to appear. Yemen announced its first infection earlier this month, and other countries in Africa, Asia and the Middle East are at severe risk. Millions of refugees rely on the World Health Organization for their health care, and millions of children rely on the WHO and UNICEF to access vaccines.

The World Health Organization is not perfect, but its team of doctors and public health experts have had major successes. Their most impressive claim to fame is the eradication of smallpox – no small feat. More recently, the World Health Organization has led an effort to rid the world of two of the three strains of polio, and they are close to completing the trifecta.

These investments are not just the right thing to do; they benefit the United States. Improving health outcomes abroad provides greater political and economic stability, increasing demand for U.S. exports. And, as we are all learning now, it is in America’s national security interest for countries to effectively detect and respond to potential pandemics before they reach our shores.

As the United States looks to develop a new global system of pandemic prevention, there is absolutely no way to do that job without the World Health Organization. Uniquely, it puts traditional adversaries – like Russia and the United States, India and Pakistan, or Iran and Saudi Arabia – all around the same big table to take on global health challenges. It has relationships with the public health leaders of every nation, decades of experience in tackling viruses and diseases, and the ability to bring countries together to tackle big projects. This ability to bridge divides and work across borders cannot be torn down and recreated – not in today’s environment of major power competition – and so there is simply no way to build an effective international anti-pandemic infrastructure without the World Health Organization at the center.

#### Ought means should

Merriam Webster n.d. – Merriam Webster’s Learner’s Dictionary, “ought”, <http://www.learnersdictionary.com/definition/ought>  
ought /ˈɑːt/ verb  
Learner's definition of OUGHT [modal verb] 1 ◊ Ought is almost always followed by to and the infinitive form of a verb. The phrase ought to has the same meaning as should and is used in the same ways, but it is less common and somewhat more formal. The negative forms ought not and oughtn't are often used without a following to. — used to indicate what is expected They ought to be here by now. You ought to be able to read this book. There ought to be a gas station on the way. 2 — used to say or suggest what should be done You ought to get some rest. That leak ought to be fixed. You ought to do your homework.

#### Should means must and is immediate

Summers 94 (Justice – Oklahoma Supreme Court, “Kelsey v. Dollarsaver Food Warehouse of Durant”, 1994 OK 123, 11-8, http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13)

¶4 The legal question to be resolved by the court is whether the word "should"[13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn13) in the May 18 order connotes futurity or may be deemed a ruling in praesenti.[14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn14) The answer to this query is not to be divined from rules of grammar;[15](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn15) it must be governed by the age-old practice culture of legal professionals and its immemorial language usage. To determine if the omission (from the critical May 18 entry) of the turgid phrase, "and the same hereby is", (1) makes it an in futuro ruling - i.e., an expression of what the judge will or would do at a later stage - or (2) constitutes an in in praesenti resolution of a disputed law issue, the trial judge's intent must be garnered from the four corners of the entire record.[16](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker3fn16) [CONTINUES – TO FOOTNOTE] [13](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn13) "*Should*" not only is used as a "present indicative" synonymous with *ought* but also is the past tense of "shall" with various shades of meaning not always easy to analyze. See 57 C.J. Shall § 9, Judgments § 121 (1932). O. JESPERSEN, GROWTH AND STRUCTURE OF THE ENGLISH LANGUAGE (1984); St. Louis & S.F.R. Co. v. Brown, 45 Okl. 143, 144 P. 1075, 1080-81 (1914). For a more detailed explanation, see the Partridge quotation infra note 15. Certain contexts mandate a construction of the term "should" as more than merely indicating preference or desirability. Brown, supra at 1080-81 (jury instructions stating that jurors "should" reduce the amount of damages in proportion to the amount of contributory negligence of the plaintiff was held to imply an *obligation* *and to be more than advisory*); Carrigan v. California Horse Racing Board, 60 Wash. App. 79, [802 P.2d 813](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=802&box2=P.2D&box3=813) (1990) (one of the Rules of Appellate Procedure requiring that a party "should devote a section of the brief to the request for the fee or expenses" was interpreted to mean that a party is under an *obligation* to include the requested segment); State v. Rack, 318 S.W.2d 211, 215 (Mo. 1958) ("should" would mean the same as "shall" or "must" when used in an instruction to the jury which tells the triers they "should disregard false testimony"). [14](http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=20287#marker2fn14) In praesenti means literally "at the present time." BLACK'S LAW DICTIONARY 792 (6th Ed. 1990). In legal parlance the phrase denotes that which in law is presently or immediately effective, as opposed to something that will or would become effective in the future *[in futurol*]. See Van Wyck v. Knevals, [106 U.S. 360](http://www.oscn.net/applications/oscn/deliverdocument.asp?box1=106&box2=U.S.&box3=360), 365, 1 S.Ct. 336, 337, 27 L.Ed. 201 (1882).

## CASE

#### EU whistleblowers are ignored 90% of the time

**Albon 20** (Victoria, writer for Dentons-- the world's largest law firm, delivering quality and value to clients around the globe. Dentons is a leader on the Acritas Global Elite Brand Index, a BTI Client Service 30 Award winner and recognized by prominent business and legal publications for its innovations in client service, including founding Nextlaw Labs and the Nextlaw Global Referral Network. Dentons' polycentric approach and world-class talent challenge the status quo to advance client interests in the communities in which we live and work. “Report reveals 20% of COVID-19 whistleblowers dismissed” <https://www.lexology.com/library/detail.aspx?g=f3a952a0-c7a6-4bb7-b769-b505c9f53f77> November 12, 2020)DR 21

On 2 November the whistleblowing charity, Protect, published a report on the treatment of COVID-19 whistleblowers. The report is based on 638 COVID-19-related cases about which the charity’s advice line was contacted. It revealed that, of those 638 cases, 20% of employees who raised concerns about either COVID-19 safety measures in their workplace or fraud in relation to the furlough scheme were dismissed.

The report also stated that 41% of the employees who raised such concerns were simply ignored by their employers. Where concerns were raised by key workers in the health and care sectors, just 10% of those whistleblowing concerns were investigated.

#### Only internal is about increased funding— EU just dumped 5.3 billion Euros into disease preparedness

**European Commission ND** (The people who run Europe. “EU4Health 2021-2027 – a vision for a healthier European Union” <https://ec.europa.eu/health/funding/eu4health_en> no date but it’s about a 2021-2027 program)DR 21

\*\*\*NOTE: €5.3 billion = $6.26 billion\*\*\*

EU4Health 2021-2027 – a vision for a healthier European Union

EU4Health is the EU’s ambitious response to COVID-19. The pandemic has a major impact on patients, medical and healthcare staff, and health systems in Europe. **The new EU4Health programme will go beyond crisis response to address healthcare systems’ resilience.**

EU4Health, established by [Regulation (EU) 2021/522](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2021.107.01.0001.01.ENG), will provide funding to eligible entities, health organisations and NGOs from EU countries, or non-EU countries associated to the programme.

Areas of action

With EU4Health, **the EU will invest** €5.3 billion in current prices in actions with an EU added value, complementing EU countries’ policies and pursuing one or several of EU4Health´s objectives:

**The 10 specific objectives** under the 4 general goals are:

To improve and foster health in the Union

disease prevention & health promotion

international health initiatives & cooperation

**To tackle cross-border health threats**

prevention, preparedness & response to cross-border health threats

complementing national stockpiling of essential crisis-relevant products

establishing a reserve of medical, healthcare & support staff

To improve medicinal products, medical devices and crisis-relevant products

making medicinal products, medical devices and crisis-relevant products available and affordable

**To strengthen health systems, their resilience and resource efficiency**

strengthening health data, digital tools & services, digital transformation of healthcare

**improving access to healthcare**

developing and implementing EU health legislation and evidence-based decision making

integrated work among national health systems

EU4Health will pave the way to a [European Health Union](https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-life/european-health-union_en) by investing in urgent health priorities:

the [response to the COVID-19 crisis](https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response/public-health_en) and reinforcing the EU’s resilience for [cross-border health threats](https://ec.europa.eu/health/security/overview_en)

[Europe’s Beating Cancer Plan](https://ec.europa.eu/health/non_communicable_diseases/cancer_en), and

the [Pharmaceutical Strategy](https://ec.europa.eu/health/human-use/strategy_en) for Europe

Other areas, such as health systems’ [digitalisation](https://ec.europa.eu/health/ehealth/home_en), reducing **the number** of [antimicrobial-resistant infections](https://ec.europa.eu/health/antimicrobial-resistance/eu-action-on-antimicrobial-resistance_en)**and** improving [vaccination](https://ec.europa.eu/health/vaccination/overview_en) rates **will also be boosted.**

#### Burnout and counter-measures solve disease.

Dr. Amesh A. Adaljia 16. Clinical Assistant Professor of Medicine, University of Pittsburgh; Affiliated Scholar, John Hopkins Center for Health Security; former Senior Associate, UPMC Center for Health Security; member of the American College of Emergency Physicians EMS & Terrorism and Disaster Preparedness Committee; and, Associate Editor of the Health Security journal. “Why Hasn’t Disease Wiped out the Human Race?” *The Atlantic*. June 17. <https://www.theatlantic.com/health/archive/2016/06/infectious-diseases-extinction/487514/>.

In other words, no, I wasn’t worried—and not because I have a rosy outlook on infectious diseases. I’m well-aware of the damage these diseases are causing around the world: HIV, malaria, tuberculosis; the influenza pandemic that took the world by surprise in 2009; the anti-vaccine movement bumping cases of measles to an all-time post-vaccine-era high; antibiotic-resistant bacteria threatening to collapse the entire structure of modern medicine—all these, like Ebola, are continuously placing an enormous number of lives at risk. But when people ask me if I’m worried about infectious diseases, they’re often not asking about the threat to human lives; they’re asking about the threat to human life. With each outbreak of a headline-grabbing emerging infectious disease comes a fear of extinction itself. The fear envisions a large proportion of humans succumbing to infection, leaving no survivors or so few that the species can’t be sustained. I’m not afraid of this apocalyptic scenario, but I do understand the impulse. Worry about the end is a quintessentially human trait. Thankfully, so is our resilience. For most of mankind’s history, infectious diseases were the existential threat to humanity—and for good reason. They were quite successful at killing people: The 6th century’s Plague of Justinian knocked out an estimated 17 percent of the world’s population; the 14th century Black Death decimated a third of Europe; the 1918 influenza pandemic killed 5 percent of the world; malaria is estimated to have killed half of all humans who have ever lived. Any yet, of course, humanity continued to flourish. Our species’ recent explosion in lifespan is almost exclusively the result of the control of infectious diseases through sanitation, vaccination, and antimicrobial therapies. Only in the modern era, in which many infectious diseases have been tamed in the industrial world, do people have the luxury of death from cancer, heart disease, or stroke in the 8th decade of life. Childhoods are free from watching siblings and friends die from outbreaks of typhoid, scarlet fever, smallpox, measles, and the like. So what would it take for a disease to wipe out humanity now? In Michael Crichton’s The Andromeda Strain, the canonical book in the disease-outbreak genre, an alien microbe threatens the human race with extinction, and humanity’s best minds are marshaled to combat the enemy organism. Fortunately, outside of fiction, there’s no reason to expect alien pathogens to wage war on the human race any time soon, and my analysis suggests that any real-life domestic microbe reaching an extinction level of threat probably is just as unlikely. When humans began to focus their minds on the problems posed by infectious disease, human life ceased being nasty, brutish, and short. Any apocalyptic pathogen would need to possess a very special combination of two attributes. First, it would have to be so unfamiliar that no existing therapy or vaccine could be applied to it. Second, it would need to have a high and surreptitious transmissibility before symptoms occur. The first is essential because any microbe from a known class of pathogens would, by definition, have family members that could serve as models for containment and countermeasures. The second would allow the hypothetical disease to spread without being detected by even the most astute clinicians. The three infectious diseases most likely to be considered extinction-level threats in the world today—influenza, HIV, and Ebola—don’t meet these two requirements. Influenza, for instance, despite its well-established ability to kill on a large scale, its contagiousness, and its unrivaled ability to shift and drift away from our vaccines, is still what I would call a “known unknown.” While there are many mysteries about how new flu strains emerge, from at least the time of Hippocrates, humans have been attuned to its risk. And in the modern era, a full-fledged industry of influenza preparedness exists, with effective vaccine strategies and antiviral therapies. HIV, which has killed 39 million people over several decades, is similarly limited due to several factors. Most importantly, HIV’s dependency on blood and body fluid for transmission (similar to Ebola) requires intimate human-to-human contact, which limits contagion. Highly potent antiviral therapy allows most people to live normally with the disease, and a substantial group of the population has genetic mutations that render them impervious to infection in the first place. Lastly, simple prevention strategies such as needle exchange for injection drug users and barrier contraceptives—when available—can curtail transmission risk. Ebola, for many of the same reasons as HIV as well as several others, also falls short of the mark. This is especially due to the fact that it spreads almost exclusively through people with easily recognizable symptoms, plus the taming of its once unfathomable 90 percent mortality rate by simple supportive care. Beyond those three, every other known disease falls short of what seems required to wipe out humans—which is, of course, why we’re still here. And it’s not that diseases are ineffective. On the contrary, diseases’ failure to knock us out is a testament to just how resilient humans are. Part of our evolutionary heritage is our immune system, one of the most complex on the planet, even without the benefit of vaccines or the helping hand of antimicrobial drugs. This system, when viewed at a species level, can adapt to almost any enemy imaginable. Coupled to genetic variations amongst humans—which open up the possibility for a range of advantages, from imperviousness to infection to a tendency for mild symptoms—this adaptability ensures that almost any infectious disease onslaught will leave a large proportion of the population alive to rebuild, in contrast to the fictional Hollywood versions.

#### Diseases won’t cause extinction – burnout and geographical isolation check.

Consiglio 17 [Dave, Community College Professor of Chemistry and Physics, 12/7/17, “Could a Disease Wipe Out Humans Entirely?”, <https://www.forbes.com/sites/quora/2017/12/07/could-a-disease-wipe-out-humans-entirely/#387c2f308203> Accessed 2/8/28] BBro

What scenarios seem like they should kill everyone but actually won't? Disease. Everyone seems worried about a killer disease, be it HIV or Ebola or Flu or some unknown pathogen. But humans are going to be really hard to wipe out via disease. Why? Well, we have several things going for us: We have a massive population. **We are geographically widespread**. We are capable of eating nearly anything. We are reasonably diverse as a species. **There are geographically** and genetically **isolated** pockets of our **population. Diseases require** a **vector** to spread. Let’s say the perfect disease arose tomorrow: It kills two weeks after you get it, shows no symptoms until the last minute, is really easy to transmit, and we have very little immunity to it. It still doesn’t kill everyone. Native Greenlanders and the people in Antarctica and people on Navy submarines and the few random people who are immune, and park rangers all either never come into contact with an infected person or else are spared by a genetic fluke. We even have the International Space Station as a potential place to hide and wait for the epidemic to die down. In fairness, nearly everyone is dead in short order, but **once** the **disease has run its course, the pathogen** that causes it **is also** likely to be **dead.** The vast majority of pathogens don’t survive for long outside of their hosts. As such, once nearly everyone is dead and the survivors wait a bit, they’re **unlikely to encounter live pathogen**. As an added bonus, the few surviving people include many of the most naturally immune members of the (now mostly dead) population. Now, don’t get me wrong, this scenario would be catastrophic for humanity. 99.9% of us could die in this way. And it’s possible that the remaining humans would be so isolated as to be unable to find one another for the purposes of reproduction. But I doubt it. Humans are nothing if not fecund, and we have those submarines, boats, airplanes, etc. We will eventually come out from hiding, find that special someone, and breed our way out of trouble. It’s why we’re still around as a species - nothing stops us from making more humans.

#### Err against disease impacts – tech and bias ensure they’re overestimated.

Pinker 18 Steven Arthur Pinker is a Canadian-American cognitive psychologist, Professor at Harvard University. [Enlightenment Now: The Case for Reason, Science, Humanism, and Progress, Viking, Penguin Group]//BPS

And crucially, advances in biology work the other way as well: they also make it easier for the good guys [public protectors] (and there are many more of them) to identify pathogens, invent antibiotics that overcome antibiotic resistance, and rapidly develop vaccines.63 An example is the Ebola vaccine, developed in the waning days of the 2014–15 emergency, after public health efforts had capped the toll at twelve thousand deaths rather than the millions that the media had foreseen. Ebola thus joined a list of other falsely predicted pandemics such as Lassa fever, hantavirus, SARS, mad cow disease, bird flu, and swine flu.64 Some of them never had the potential to go pandemic in the first place because they are contracted from animals or food rather than in an exponential tree of person-to-person infections. Others were nipped by medical and public health interventions. Of course no one knows for sure whether an evil genius will someday overcome the world’s defenses and loose a plague upon the world for fun, vengeance, or a sacred cause. But journalistic habits and the Availability and Negativity biases inflate the odds, which is why I have taken Sir Martin up on his bet. By the time you read this you may know who has won.65

#### Growth causes war - diversionary theory is backwards.

**Boehmer 07** Charles R. Boehmer, Ph.D from Pennsylvania State University in International Relations, Associate professor at University of Texas at El Paso, Politics and Policy, 2007, "The Effects of Economic Crisis Domestic Discord, and State Efficacy on the Decision to Initiate Interstate Conflict", http://works.bepress.com/charles\_boehmer/8

Another body of literature disagrees with the diversionary conﬂict thesis and contends that **higher rates of economic growth should lead to more frequent** (**or more severe**) **interstate conﬂict** (Blainey 1988; MacFie 1938; Meernik 1994; Meernik and Waterman 1996).4 Economic growth is said to have two effects that increase the probability of conﬂict. First, economic **growth could allow for increases in military spending that could boost war-making capacity** (war-chest theme) or, second, that **growth provides a greater social willingness to allow leaders to participate in interstate conﬂict. Fewer domestic constraints should give leaders a freer hand to initiate or join conﬂicts**. Admittedly, theories in this category are no more developed (arguably less so) than diversionary conﬂict theory. However, this intuition is my focus regarding economic growth in this article. Constituencies and Domestic Pressure All **leaders** depend on a constituency of some sort (Bueno de Mesquita et al. 1999) and **always face potential opposition to their policies** (Hagan 1994; Heldt 1999; Miller 1995, 1999; Richards et al. 1993). In democratic systems, **opposition parties may seek to exploit foreign policies that they will argue are not in the best interest of the nation, resulting in higher constraints** on such executives relative to their authoritarian counterparts. **However, during times of economic prosperity, society is less likely to be inﬂuenced by the rhetoric of parties and factions that stand in opposition to the leader. Assuming that popularity ratings are higher than** would be the case **during economic recession** or depression, **leaders should be more apt to initiate or join foreign military actions**. Economic growth should reduce societal resistance to conﬂict. This may seem like a counterintuitive proposition that people who are relatively better off and happy during periods of prosperity would allow leaders to opt for foreign conﬂicts. However, people may become more nationalistic during times of prosperity and more optimistic that success could be achieved in foreign conﬂicts. Accordingly, Blainey (1988) claims that anything that increases optimism and state strength should be thought of as causes of war. It is plausible that **this effect heightens the risk of interstate conﬂict by reducing constraints placed on executives**. For example, would the Clinton Administration have been able to commit U.S. troops to conﬂicts in Bosnia and Kosovo—areas where U.S. interests were debatable—without stauncher Republican resistance in Congress, if the economy had not experienced prolonged prosperity and economic growth? The relationship between domestic and interstate conﬂict is likely more complex than theories of diversionary conﬂict specify. Involvement in interstate conﬂict could be hampered by the presence of domestic conﬂict, meaning a state may need to ﬁght both internal and external opponents. Some conﬂicts that appear to be diversionary may also be from insurgencies or civil war that spill over into other states. These may be particularly difﬁcult to recognize in large-N studies or even qualitative case studies without “smoking gun” evidence from leaders’ statements. Domestic conﬂict could even make a state vulnerable to outside aggression. There are many reasons why people rebel. Throughout history, however, economic hardship seems to be a key factor. **While diversionary conﬂict theorists suggest domestic conﬂict must be externalized when other options run out, the theory** presented **here follows the opposite intuition. When governments face severe domestic discontent, they should be less likely to become involved in militarized interstate conﬂicts**. Whatever relationship exists between internal and external conﬂict would need to be explained by alternative theories. Phenomena may have multiple causes (Bremer and Cusack 1995; King, Keohane, and Verba 1994). Public Opinion and Foreign Policy **A people suffering from economic hardship may become pessimistic and such sentiments may hamper a state’s leadership regime. If a state becomes involved in a dispute that escalates**, especially if it turns fatal, **it could undermine the government**. It would seem that prior perceptions of a government’s leadership could produce doubt to a populace unless the nature of a foreign threat is clear. **In times of economic prosperity, the leadership enjoys increased popular support. As society becomes more pessimistic and cynical, the leader’s political opposition is better able to detach the support away from the leader’s policies**. Consequently, if an opportunity for military conﬂict occurs during a period of economic stagnation, factions or parties in the domestic arena may be more able to resist the initiation of military conﬂicts, or at least increase audience costs of policy failure (Fearon 1994). **It is even questionable that a rally effect occurs so automatically, especially in a general sample of states**.

#### Economic decline increases cooperation.

Christina L. **Davis &** Krzysztof J. **Pelc 17**, Christina L. Davis is a Professor of Politics and International Affairs at Princeton; Krzysztof J. Pelc is an Associate Professor of Political Science at McGill University, “Cooperation in Hard Times: Self-restraint of Trade Protection,” Journal of Conflict Resolution, 61(2): 398-429

Conclusion Political economy theory would lead us to expect rising trade protection during hard times. Yet empirical evidence on this count has been mixed. Some studies find a correlation between poor macroeconomic conditions and protection, but the worst recession since the Great Depression has generated surprisingly moderate levels of protection. We explain this apparent contradiction. Our statistical findings show that under conditions of pervasive economic crisis at the international level, states exercise more restraint than they would when facing crisis alone. These results throw light on behavior not only during the crisis, but throughout the WTO period, from 1995 to the present. One concern may be that the restraint we observe during widespread crises is actually the result of a decrease in aggregate demand and that domestic pressure for import relief is lessened by the decline of world trade. By controlling for product-level imports, we show that the restraint on remedy use is not a byproduct of declining imports. We also take into account the ability of some countries to manipulate their currency and demonstrate that the relationship between crisis and trade protection holds independent of exchange rate policies. Government decisions to impose costs on their trade partners by taking advantage of their legal right to use flexibility measures are driven not only by the domestic situation but also by circumstances abroad. This can give rise to an individual incentive for strategic self-restraint toward trade partners in similar economic trouble. Under conditions of widespread crisis, government leaders fear the repercussions that their own use of trade protection may have on the behavior of trade partners at a time when they cannot afford the economic cost of a trade war. Institutions provide monitoring and a venue for leader interaction that facilitates coordination among states. Here the key function is to reinforce expectations that any move to protect industries will trigger similar moves in other countries. Such coordination often draws on shared historical analogies, such as the Smoot–Hawley lesson, which form a focal point to shape beliefs about appropriate state behavior. Much of the literature has focused on the more visible action of legal enforcement through dispute settlement, but this only captures part of the story. Our research suggests that tools of informal governance such as leader pledges, guidance from the Director General, trade policy reviews, and plenary meetings play a real role within the trade regime. In the absence of sufficiently stringent rules over flexibility measures, compliance alone is insufficient during a global economic crisis. These circumstances trigger informal mechanisms that complement legal rules to support cooperation. During widespread crisis, legal enforcement would be inadequate, and informal governance helps to bolster the system. Informal coordination is by nature difficult to observe, and we are unable to directly measure this process. Instead, we examine the variation in responses across crises of varying severity, within the context of the same formal setting of the WTO. Yet by focusing on discretionary tools of protection—trade remedies and tariff hikes within the bound rate—we can offer conclusions about how systemic crises shape country restraint independent of formal institutional constraints. Insofar as institutions are generating such restraint, we offer that it is by facilitating informal coordination, since all these instruments of trade protection fall within the letter of the law. Future research should explore trade policy at the micro level to identify which pathway is the most important for coordination. Research at a more macro-historical scope could compare how countries respond to crises under fundamentally different institutional contexts. In sum, the determinants of protection include economic downturns not only at home but also abroad. Rather than reinforcing pressure for protection, pervasive crisis in the global economy is shown to generate countervailing pressure for restraint in response to domestic crisis. In some cases, hard times bring more, not less, international cooperation.

#### Growth overshoots our carrying capacity and causes biodiversity crises ---degrowth is the only way to avoid extinction.

Ghebremichael 16 Asghedom Ghebremichael 16, Research Economist, The Environment and Natural Resources, Department of Natural Resources, Government of Canada, “Frontiers of the Biosphere Inhibit Perpetual Economic Growth: Exploring Pathways to Genuine Sustainable Development,” Journal of Environmental and Social Sciences, Volume 3, Issue 2, 2016, http://www.opensciencepublications.com/wp-content/uploads/ESS-2454-5953-3-125.pdf

Nature has its own set of rules, solidly grounded in laws of physics and chemistry, and emergent principles of geology and biology, which are not artificial constructs. The natural rules are real, and they govern human well-being. Earthquakes, tsunamis, volcanic eruptions, hurricanes, tornadoes, floods, droughts, famines, civil conflicts, wildfires, poverty, and disease epidemics demonstrate dramatically that our planet Earth is at risk. Moreover, the outbreak of novel diseases, such as Ebola and AIDS, in socially, economically, and ecologically impoverished regions is a clear signal of the global predicaments of inequality and poverty. These natural and anthropogenic disasters are clear indicators of ecological overshoot, meaning anthropogenic disturbances beyond the carrying capacity of ecosystems that lead to ecological crash, causing an eventual die-off, hence environmental disasters [3]. The frequency, scale, and adverse effects of these challenges must be of great concern to humanity. “Human alteration of the Earth was substantial and growing, transforming between one-third and one-half of the global land surface; CO2 concentration in the atmosphere increased by nearly 30% since the beginning of the Industrial Revolution; more atmospheric nitrogen was fixed by humanity than by all natural terrestrial sources combined; humanity consumed more than half of all accessible surface-freshwater; and about one-quarter of the bird species on Earth were driven to extinction” [4]. The UN’s Millennium Ecosystem Assessment [5], a global landmark study, which involved more than 1,360 scientists, technical experts, and policy makers from around the globe, summarized its findings as follows (paraphrased): (i) although living standards of “the few” have improved over the past two centuries, human activity is putting such strain on nature, undermining the Earth’s capacity to support current and future generations; (ii) we are living beyond our means: the current gains in enhanced quality of life have come at a considerable cost to health and integrity of ecosystems on which human well-being depends; (iii) if we act now, we can avoid irreversible damage to ecosystems and to our well-being; and (iv) we can no longer treat Nature’s bounty as free and limitless. The information summarized in Table 1(Ecological Foundations section below) makes it all clear that human well-being depends on the life sustaining multiple services of ecosystems. Furthermore, a team of renowned scientists from N. America, Europe, Australia and the Scandinavian countries identified the following nine ecological thresholds, which define “the safe operating space for humanity”: (i) climate change, (ii) rate of terrestrial and marine biodiversity loss, (iii) human interference with the natural cycles of nitrogen and phosphorus, (iv) stratospheric ozone depletion, (v) ocean acidification, (vi) global freshwater consumption rate, (vii) land-use-change, (viii) chemical pollution, and (ix) atmospheric aerosol loading. The team concluded that humanity was approaching to the boundaries for freshwater consumption, land-use-change, ocean acidification, and interference with the global phosphorus cycle, while the boundaries for climate change, biodiversity loss, and interference with the nitrogen cycle have already been transgressed [6]. An urgent call for an anthropogenic balancing act not to transgress ecological thresholds is in order. Halting short-sighted excessive anthropocentric activities that lead to overexploitation of natural resources is imperative. The naturally imposed limiting frontiers, the ecological thresholds, must be respected and protected. Rooted in the doctrine of laissez-faire, neoliberalism promotes perpetual economic growth (PEG), which means unfettered expansion of an economy’s productive capacity realized through enabling institutional arrangements. But, PEG is inherently not compatible with ecological integrity, environmental quality, and genuine sustainable development (GSD). Drawing on the findings , conclusions, and recommendations of Rockström’s team [6], I define GSD as a dynamic process by which human well-being is improved in an inclusive, a just, and an environmentally safe operating space, achieved through inventions, innovations, diffusion, and adoption of appropriate technologies as well as learning-by-doing. GSD is in a stark contrast with the highly publicized and politicized concept of sustainable development (SD) of the UN’s Brundtland Commission, which is also known as World Commission on Environment and Development (WCED) (1987) [7]. The highly generalized and vague definition of SD is: “Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two key concepts: (1) the concept of “needs”, in particular the essential needs of the world’s poor, to which overwhelming priority should be given; and (2) the idea of limitations imposed by the state of technology and social organization on the environment’s ability to meet present and future needs”. Our Common Future, p.143. Given all its good intentions, the WECD failed to explain the consequences of PEG strongly. Unfortunately, SD’s exact definition continues to be globally politicized and linked always to strategic policy goals and objectives one would like to talk about. SD does not give any specific guidelines pertinent to alleviation of the human predicaments associated with inequality, poverty, perversely globalized markets, destruction of the health and integrity of ecosystems, and climate change. Research questions, goal, and organization of the paper What are the theoretical and practical foundations of the PEG doctrine? Are PEG and GSD compatible? Addressing these questions has become a persistent challenge to both social and natural scientists. The overarching goal of this article is to demonstrate the incompatibility of PEG with GSD. Rooted in neoclassical microeconomic theory, neoliberalism advocates for PEG, which is unfettered expansion of an economy’s productive capacity in the finite, materially closed (except the constant inflow of solar energy), and non-growing biosphere [8]. For this doctrine to be realized, neoliberal economists prescribe globalized perfectly competitive markets, where multinational corporations play the dominant economic games against all policies and strategic practices of GSD. Let me be clear at the outset. As a trained economist, who went through the grueling processes of acquiring a PhD, I understand the importance of all the fundamentals of microeconomic and macroeconomic theories. My argument is against the misuse and, in some case, abuse of these scientific theories to promote personal ideological perceptions. I am motivated to add my “voice” to those voices of many preeminent scholars, whose extensively published works inspired me to learn more on the adverse effects of neoliberalism on ecological integrity and human well-being [6, 8-12]. The paper is organized into six sections: this introduction, ecological foundations for GSD, the fallacies of the PEG doctrine, anthropogenic effects on ecological integrity, selected pathways to GSD, and concluding remarks and policy recommendations, in that order. Ecological Foundations of Genuine Sustainable Development In this section, I summarize the ecological foundations of GSD, using taxonomy of the following key scientific terms: ecological principles of holism, biodiversity loss, sustainability, resilience, ecological integrity, biogeochemical processes, carrying capacity, and overshoot. Principles of holism Ecological principles of holism mean that everything is interconnected with everything. This can be summarized by the dictum: “A whole is more than the sum of its parts or members”. The totality of the whole of any living system-biological, social, or economic-is not fully embodied in its individual parts or members. Wholes have properties that are not present in any of their separate parts; they emerge only when the parts are combined together, forming mutually reinforcing synergistic nexus, in a coherent whole; and the specific properties of individual parts disappear when they are part of the whole. Thus, relationships among the parts of wholes matter; when relationships change, the whole is changed. For example, water, air, and soil are polluted with chemical and biological waste, because we humans fail to appreciate the importance of their holistic relationship with Nature and thereby with our well-being. Respiratory problems, cancer, food poisoning, and general poor health as well as the cost of healthcare are some of the consequences of ignoring the imperatives of holism. Government policies that influence agriculture, forestry, mining, manufacturing, labor relations, capital investments, employment, economic growth, all have direct and indirect impacts on the natural environment-locally, nationally, and globally. We have no way of knowing how large or small our individual or collective adverse effects may be, but understanding the ecological principles of holism is necessary condition to preserve ecological integrity and foster human well-being. Consequences of biodiversity loss Biodiversity (i.e., biological diversity) is the number, variety and variability of genes, populations, species, communities, ecosystems, and ecological processes. Biodiversity underpins the multiple services of ecosystems that sustain human well-being; is the foundation of resilience of life on Earth; and an integral part of the fabric of all the world‘s cultures. It is a common knowledge of the science of ecology that no feature of Earth is more complex, dynamic, and varied than the layer of organisms that occupy its surfaces and its seas; and no feature is experiencing more dramatic changes at the hands of humans than this extraordinary, singularly unique and beautiful feature of the Earth, biodiversity. Critical ecological processes (i.e., ecosystem functions) that depend on prevailing scale of biodiversity at the ecosystem level influence plant productivity, soil fertility, water quality, atmospheric chemistry, and many other local and global environmental conditions that ultimately affect human welfare. Substantial changes have already occurred, especially local and global losses of biodiversity. The primary cause has been widespread human transformation of once highly diverse natural ecosystems into relatively species-poor managed ecosystems. Recent studies suggest that such reductions in biodiversity can alter both the magnitude and the stability of ecosystem processes, especially when biodiversity is reduced to the low levels typical of many managed natural systems. We humans ought to remind ourselves that barren deserts are capable of supporting very little life (if any), because they lack biological diversity. Ecosystems that completely lack diversity have no high quality, low entropy, energy left to support life. Diversity enables living systems to adapt and evolve to accommodate their ever-changing natural environment. Even if we do not understand fully the specific nature of a threat, it should be clear that loss of biodiversity represents a growing threat to the future of human life on Earth. There is no way of knowing how many more species can be lost before the ecological balance is tipped toward extinction of all species.

#### No disease impact.

Halstead 19 John Halstead, doctorate in political philosophy. [Cause Area Report: Existential Risk, Founders Pledge, https://founderspledge.com/research/Cause%20Area%20Report%20-%20Existential%20Risk.pdf]//BPS

However, there are some reasons to think that naturally occurring pathogens are unlikely to cause human extinction. Firstly, Homo sapiens have been around for 200,000 years and the Homo genus for around six million years without being exterminated by an infectious disease, which is evidence that the base rate of extinction-risk natural pathogens is low.82 Indeed, past disease outbreaks have not come close to rendering humans extinct. Although bodies were piled high in the streets across Europe during the Black Death,83 human extinction was never a serious possibility, and some economists even argue that it was a boon for the European economy.84 Secondly, infectious disease has only contributed to the extinction of a small minority of animal species.85 The only confirmed case of a mammalian species extinction being caused by an infectious disease is a type of rat native only to Christmas Island. Having said that, the context may be importantly different for modern day humans, so it is unclear whether the risk is increasing or decreasing. On the one hand, due to globalisation, the world is more interconnected making it easier for pathogens to spread. On the other hand, interconnectedness could also increase immunity by increasing exposure to lower virulence strains between subpopulations.87 Moreover, advancements in medicine and sanitation limit the potential damage an outbreak might do.

**Diseases won’t cause extinction – burnout or variation.**

**York 14** Ian, head of the Influenza Molecular Virology and Vaccines team in the Immunology and Pathogenesis Branch, Influenza Division at the CDC, former assistant professor in immunology/virology/molecular biology (MSU), former RA Professor in antiviral and antitumor immunity (UMass Medical School), Research Fellow (Harvard), Ph.D., Virology (McMaster), M.Sc., Immunology (Guelph), “Why Don't Diseases Completely Wipe Out Species?” 6/4, [http://www.quora.com/Why-dont-diseases-completely-wipe-out-species](http://www.quora.com/Why-dont-diseases-completely-wipe-out-species#THUR)

But mostly diseases **don't drive species extinct**. There are several reasons for that. For one, the most dangerous diseases are those that spread from one individual to another. If the disease is highly lethal, then the population drops, and it becomes **less likely that individuals will contact each other** during the infectious phase. **Highly contagious diseases tend to burn themselves out** that way. Probably the main reason is variation. Within the host and the pathogen population there will be a wide range of variants. Some hosts may be naturally resistant. Some pathogens will be less virulent. And either alone or in combination, **you end up with infected individuals who survive**. We see this in HIV, for example. There is a small fraction of humans who are naturally resistant or altogether immune to HIV, either because of their CCR5 allele or their MHC Class I type. And there are a handful of people who were infected with defective versions of HIV **that didn't progress** to disease. We can see indications of this sort of thing happening in the past, because our genomes contain **many instances** of pathogen resistance genes that have spread through the whole population. Those all started off as rare mutations that conferred a strong selection advantage to the carriers, meaning that the specific infectious diseases were serious threats to the species.

#### Growth is unsustainable --- green growth is a mirage, and continued growth causes environmental calamity, inequality, and inevitable collapse --- only recession and degrowth solves it.

Demaria 18 Federico Demaria, ecological economist at Environmental Science and Technology Institute, Universitat Autònoma de Barcelona. He is the co-editor of Degrowth: A Vocabulary for a New Era, and of the forthcoming Pluriverse: A Post-Development Dictionary. “Why economic growth is not compatible with environmental sustainability,” The Ecologist. February 22, 2018. https://theecologist.org/2018/feb/22/why-economic-growth-not-compatible-environmental-sustainability

'Growth for the sake of growth' remains the credo of all governments and international institutions, including the European Commission. Economic growth is presented as the panacea that can solve any of the world's problems: poverty, inequality, sustainability, you name it. Left-wing and right-wing policies only differ on how to achieve it. However, there is an uncomfortable scientific truth that has to be faced: economic growth is environmentally unsustainable. Moreover, beyond a certain threshold already surpassed by EU countries, socially it isn't necessary. The central question then becomes: how can we manage an economy without growth?  Enough is enough Kenneth Boulding, the economist,  famously said that: “Anyone who believes that exponential growth can go on forever in a finite world is either a madman or an economist”.   Ecological economists argue that the economy is physical, while mainstream economists seem to believe it is metaphysical. Social metabolism is the study of material and energy flows within the economy. On the input side of the economy, key material resources are limited, and many are peaking including oil and phosphorus. On the output side, humanity is trespassing planetary boundaries. Climate change is the evidence of the limited assimilative capacity of ecosystems. It is the planet saying: 'Enough is enough!'.  Mainstream economists - finally convinced by the existence of biophysical limits - have started to argue that economic growth can be decoupled from the consumption of energy and materials. Trade off Historical data series demonstrates that this - up to now - has not happened. At most, there is relative decoupling - a decrease in resource use per unit of GDP. But, there is no absolute decoupling which is what matters for sustainability: an absolute decrease of environmental resources consumption. The only periods of absolute dematerialisation coincide with economic recession. Trade should also be taken into account, to avoid externalisation of pollution intensive activities outside the EU.  The current economy cannot be circular. The main reason being that energy cannot be recycled, and materials only up to a point. The global economy recycles less than 10 percent of materials; about 50 percent of processed materials are used to provide energy and are thus not available for recycling. It is simple: economic growth is not compatible with environmental sustainability. The list of nice oxymorons is long - from sustainable development to its reincarnations like green economy or green growth - but wishful thinking does not solve real problems. Increase in GDP leads to increase in material and energy use, and therefore to environmental unsustainability.  No magic bullet Technology and market based solutions are not magic bullets. Faith in technology has become religious: scientific evidence shows that, based on past trends in technological improvement, these are coming way too slowly to avoid irreversible climate change. For instance, efficiency improvements lead to rebound effects, in the context of economic growth (the more efficient you are, the more you consume; e.g. cars and consumption of gasoline). Renewable energy produces less net energy, because it has a lower EROI (Energy Return on