### Plan

#### Plan: The United States Federal Government should restrict the President’s war powers authority for targeted killing as a first resort outside zones of active hostilities

### Norms

#### Drone proliferation is inevitable – the plan creates norms which restrict use and stop Middle East and Indo-Pak conflict

Roberts 13

(Kristen, news editor for the National Journal, master in security studies from Georgetown, “When the Whole World Has Drones”, 3/22, <http://www.nationaljournal.com/magazine/when-the-whole-world-has-drones-20130321>)

The proliferation of drone technology has moved well beyond the control of the United States … operations manual for other nations but a legal and moral one as well.

#### Indo Pak war causes extinction

Greg Chaffin 11, Research Assistant at Foreign Policy in Focus, July 8, 2011, “Reorienting U.S. Security Strategy in South Asia,” online: http://www.fpif.org/articles/reorienting\_us\_security\_strategy\_in\_south\_asia

The greatest threat to regional security … could quickly escalate.

#### Middle East war risks extinction

Russell 2009

(James, Senior Lecturer in the Department of National Security Affairs – Naval Postgraduate School, “Strategic Stability Reconsidered: Prosepects for Nuclear War and Escalation in the Middle East,” ifri.org/downloads/PP26\_Russell\_2009.pdf)

Strategic stability in the region is thus undermined …, with substantial risk for the entire world.

#### Only congressional checks solve conflict

Brooks 13,

(Rosa, Professor of Law, Georgetown University Law Center, Bernard L. Schwartz Senior Fellow, New America Foundation, 4/23, The Constitutional and Counterterrorism Implications of Targeted Killing, http://www.judiciary.senate.gov/pdf/04-23-13BrooksTestimony.pdf)

Mr. Chairman, I would like to turn now to the legal framework applicable to US drone strikes. … in an ill- defined war, why shouldn’t other states make identical arguments—and use them to justify the killing of dissidents, rivals, or unwanted minorities?

#### Congressional inaction has made this a defining policy doctrine---expansive executive authority triggers overreach

Maxwell 12

(Colonel and Judge Advocate, U.S. Army, 1st Quarter 2012, “TARGETED KILLING, THE LAW, AND TERRORISTS: FEELING SAFE?,” Joint Force Quarterly, p. 123-130, Mark David Maxwell)

In the wake of the attacks by al Qaeda on September 11, 2001, … Congress’s silence is deafening.

#### Chinese modeling causes conflict over the Senkakus and South China Sea

AP 2013

(May 3, "China emerges as new force in drone warfare", http://www.cbsnews.com/8301-202\_162-57582699/china-emerges-as-new-force-in-drone-warfare/)

China's move into large-scale drone … Their missions could include guiding home an anti-ship ballistic missile known in military circles as a "carrier killer," the Pentagon said in its 2012 report on China's military.

#### That causes nuclear escalation and U.S. Draw in

Blaxland and Kersten 2013

(Dr. John, Senior Fellow at the Strategic and Defence Studies Center at the Australian National University, and Rikki, Professor of modern Japanese political history in the School of International, Political and Strategic Studies at the College of Asia and the Pacifific at the Australian National University, February 6, "History Repeating", http://asiapacific.anu.edu.au/news-events/all-stories/history-repeating#.UgS921OoWzc)

The recent activation of Chinese weapons … the outcome of wars is rarely as proponents conceived at the outset.

### Allies

#### Plan is already squo policy - but only legal codification solves European cooperation

Dworkin 12

Anthony Dworkin is a Senior Policy Fellow at the European Council on Foreign Relations, European Council on Foreign Relations, June 19, 2012, "Obama’s Drone Attacks: How the EU Should Respond", http://ecfr.eu/content/entry/commentary\_obamas\_drone\_attacks\_how\_the\_eu\_should\_respond

Obama’s Concession to European Views In a speech on the subject last autumn, … to govern the use of targeted killing of non-state fighters.

#### Resolving EU drone backlash is key issue to solve complete alliance collapse

Devin Streeter, Liberty University Strategic Intelligence Society, Director of Activities, Public Relations, and Recruitment, 4/19/2013, http://www.academia.edu/3523639/U.S.\_Drone\_Policy\_Tactical\_Success\_and\_Strategic\_Failure

In essence, the United States has sparked …. If the relations with Europe are to be fixed, a change in drone protocol is needed.

#### Counterterror law disputes spill over to collapse NATO

Tom Parker, Former Policy Director for Terrorism, Counterterrorism and Human Rights at Amnesty International, 9/17/12, U.S. Tactics Threaten NATO, nationalinterest.org/commentary/us-tactics-threaten-nato-7461

A growing chasm in operational …which will restrict cooperation in the future.

#### NATO solves all modern conflicts

Brzezinski 9

(Zbigniew, former U.S. National Security Adviser, Sept/Oct 2009, “An Agenda for NATO,” Foreign Affairs, 88.5, Ebsco)

NATO's potential is not primarily military. … and focused aroused Muslim resentments on the United States and the West more generally.

#### Counterterrorism violations spill over to end EU relations

Thorsten Wetzling 11, non-resident fellow at the Center for Transatlantic Relations at the Paul H. Nitze School of Advanced International Studies (SAIS), PhD in Political Science, “What role for what rule of law in EU-US counterterrorism cooperation?”, <http://transatlantic.sais-jhu.edu/publications/articles/Chapter1_EUISS_ChaillotPaper127_WETZLING.pdf>

Having said this, it is instructive to recall David Cole’s observation … counterterrorism activitiesappears secondary.

#### EU relations are at a key turning point---cementing strategic partnership prevents extinction

Dr. Yannis A. Stivachtis 10, Director, International Studies Program, Virginia Polytechnic Institute & State University, “THE IMPERATIVE FOR TRANSATLANTIC COOPERATION,” online: http://www.rieas.gr/research-areas/global-issues/transatlantic-studies/78.html

There is no doubt that …A vibrant transatlantic partnership remains a real possibility, but only if both sides make the necessary political commitment.

### Solvency

#### The aff solves --- a zone approach is the goldilocks that resolves their downsides like circumvention and safe-havens

Daskal 13

(Jennifer, Fellow and Adjunct Professor, Georgetown Center on National Security and the Law, University of Penn L. Rev., THE GEOGRAPHY OF THE BATTLEFIELD: A FRAMEWORK FOR DETENTION AND TARGETING OUTSIDE THE "HOT" CONFLICT ZONE, April, 161 U. Pa. L. Rev. 1165, Lexis)

II. A New Approach: Zones of Active Hostilities and Beyond¶… that take place outside zones of active hostilities.

#### Distinguishing zones of active hostilities are key—sets an international norm and solves U.S. legitimacy

Daskal 2013(Jennifer, Fellow and Adjunct Professor at the Georgetown Center on National Security and Law, April, "The Geography of the Battlefield: A Framework for the Detention and Targeting Outside the "Hot" Conflict Zone", University of Pennsylvania Law Review, Vol. 161, No. 5, http://papers.ssrn.com/sol3/papers.cfm?abstract\_id=2049532)

Legal scholars, policymakers, …, not only to this¶ conflict, but to future conflicts. The likely reputational, security, and¶ foreign policy gains make acceptance of this framework a worthy endeavor.

#### Congressional review is key—unilateral action creates mistrust preventing cooperation and won’t set a precedent for modeling—only review solves skepticism

Goldsmith 2013

(Jack Goldsmith is the Henry L. Shattuck Professor at Harvard Law School, “Jack Goldsmith is the Henry L. Shattuck Professor at Harvard Law School”, Lawfare Blog, March 7, 2013, http://www.lawfareblog.com/2013/03/why-the-administration-needs-to-get-congress-on-board-for-its-stealth-war/)

I disagree with Steve’s claim that …, and at that point the administration will wish it had gone to Congress sooner.