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### Inherency

#### Drone strikes increasing despite signals to the contrary

Mazzetti and Landler 8/2 MARK MAZZETTI and MARK LANDLER, “Despite Administration Promises, Few Signs of Change in Drone Wars,” New York Times, 8/2/2013, http://www.nytimes.com/2013/08/03/us/politics/drone-war-rages-on-even-as-administration-talks-about-ending-it.html?partner=rss&emc=rss&pagewanted=print

WASHINGTON — There were more drone strikes in Pakistan last month than any month since January. Three missile strikes were carried out in Yemen in the last week alone. And after Secretary of State John Kerry told Pakistanis on Thursday that the United States was winding down the drone wars there, officials back in Washington quickly contradicted him. More than two months after President Obama signaled a sharp shift in America’s targeted-killing operations, there is little public evidence of change in a strategy that has come to define the administration’s approach to combating terrorism. Most elements of the drone program remain in place, including a base in the southern desert of Saudi Arabia that the Central Intelligence Agency continues to use to carry out drone strikes in Yemen. In late May, administration officials said that the bulk of drone operations would shift to the Pentagon from the C.I.A. But the C.I.A. continues to run America’s secret air war in Pakistan, where Mr. Kerry’s comments underscored the administration’s haphazard approach to discussing these issues publicly. During a television interview in Pakistan on Thursday, Mr. Kerry said the United States had a “timeline” to end drone strikes in that country’s western mountains, adding, “We hope it’s going to be very, very soon.” But the Obama administration is expected to carry out drone strikes in Pakistan well into the future. Hours after Mr. Kerry’s interview, the State Department issued a statement saying there was no definite timetable to end the targeted killing program in Pakistan, and a department spokeswoman, Marie Harf, said, “In no way would we ever deprive ourselves of a tool to fight a threat if it arises.” Micah Zenko, a fellow with the Council on Foreign Relations, who closely follows American drone operations, said Mr. Kerry seemed to have been out of sync with the rest of the Obama administration in talking about the drone program. “There’s nothing that indicates this administration is going to unilaterally end drone strikes in Pakistan,” Mr. Zenko said, “or Yemen for that matter.” The mixed messages of the past week reveal a deep-seated ambivalence inside the administration about just how much light ought to shine on America’s shadow wars. Even though Mr. Obama pledged a greater transparency and public accountability for drone operations, he and other officials still refuse to discuss specific strikes in public, relying instead on vague statements about “ongoing counterterrorism operations.”

#### Plan: The United States federal government should establish a Targeted Killing Court with jurisdiction to apply a strict scrutiny standard to executive targeted killing orders.

### Advantage 1 is norms

#### International drone prolif is inevitable but credible legal norms are non-existent – US action to enhance transparency and predictability is key to influencing global actors

Byman ’13 Daniel L. Byman, Professor in the Security Studies Program of the School of Foreign Service at Georgetown University, Research Director, Saban Center for Middle East Policy, and Senior Fellow, Foreign Policy, Saban Center for Middle East Policy @ Brookings, former Director of the Center for Peace and Security Studies and the Security Studies Program at the Edmund A. Walsh School of Foreign Service, Georgetown University, “Why Drones Work,” Foreign Affairs, July/August 2013, http://www.brookings.edu/research/articles/2013/06/17-drones-obama-weapon-choice-us-counterterrorism-byman

The fact remains that by using drones so much, Washington risks setting a troublesome precedent with regard to extrajudicial and extraterritorial killings. Zeke Johnson of Amnesty International contends that “when the U.S. government violates international law, that sets a precedent and provides an excuse for the rest of the world to do the same.” And it is alarming to think what leaders such as Syrian President Bashar al-Assad, who has used deadly force against peaceful pro-democracy demonstrators he has deemed terrorists, would do with drones of their own. Similarly, Iran could mockingly cite the U.S. precedent to justify sending drones after rebels in Syria. Even Brennan has conceded that the administration is “establishing precedents that other nations may follow.” Controlling the spread of drone technology will prove impossible; that horse left the barn years ago. Drones are highly capable weapons that are easy to produce, and so there is no chance that Washington can stop other militaries from acquiring and using them. Nearly 90 other countries already have surveillance drones in their arsenals, and China is producing several inexpensive models for export. Armed drones are more difficult to produce and deploy, but they, too, will likely spread rapidly. Beijing even recently announced (although later denied) that it had considered sending a drone to Myanmar (also called Burma) to kill a wanted drug trafficker hiding there. The spread of drones cannot be stopped, but the United States can still influence how they are used. The coming proliferation means that Washington needs to set forth a clear policy now on extrajudicial and extraterritorial killings of terrorists—and stick to it. Fortunately, Obama has begun to discuss what constitutes a legitimate drone strike. But the definition remains murky, and this murkiness will undermine the president’s ability to denounce other countries’ behavior should they start using drones or other means to hunt down enemies. By keeping its policy secret, Washington also makes it easier for critics to claim that the United States is wantonly slaughtering innocents. More transparency would make it harder for countries such as Pakistan to make outlandish claims about what the United States is doing. Drones actually protect many Pakistanis, and Washington should emphasize this fact. By being more open, the administration could also show that it carefully considers the law and the risks to civilians before ordering a strike.

#### Unregulated drone use will spread internationally with disastrous consequences – devastates human rights, international law, causes international war

Zenko ’13 Micah Zenko, Fellow in the Center for Preventive Action at the Council on Foreign Relations, “Reforming U.S. Drone Strike Policies,” Council on Foreign Relations Special Report No. 65, January 2013

Beyond the United States, drones are proliferating even as they are becoming increasingly sophisticated, lethal, stealthy, resilient, and autonomous. At least a dozen other states and nonstate actors could possess armed drones within the next ten years and leverage the technology in unforeseen and harmful ways. It is the stated position of the Obama administration that its strategy toward drones will be emulated by other states and nonstate actors. In an interview, President Obama revealed, “I think creating a legal structure, processes, with oversight checks on how we use unmanned weapons is going to be a challenge for me and for my successors for some time to come—partly because technology may evolve fairly rapidly for other countries as well.”71 History shows that how states adopt and use new military capabilities is often influenced by how other states have—or have not—used them in the past. Furthermore, norms can deter states from acquiring new technologies.72 Norms—sometimes but not always codified as legal regimes—have dissuaded states from deploying blinding lasers and landmines, as well as chemical, biological, and nuclear weapons. A well-articulated and internationally supported normative framework, bolstered by a strong U.S. example, can shape armed drone proliferation and employment in the coming decades. Such norms would not hinder U.S. freedom of action; rather, they would internationalize already-necessary domestic policy reforms and, of course, they would be acceptable only insofar as the limitations placed reciprocally on U.S. drones furthered U.S. objectives. And even if hostile states do not accept norms regulating drone use, the existence of an international normative framework, and U.S. compliance with that framework, would preserve Washington’s ability to apply diplomatic pressure. Models for developing such a framework would be based in existing international laws that emphasize the principles of necessity, proportionality, and distinction—to which the United States claims to adhere for its drone strikes—and should be informed by comparable efforts in the realms of cyber and space. In short, a world characterized by the proliferation of armed drones—used with little transparency or constraint—would undermine core U.S. interests, such as preventing armed conflict, promoting human rights, and strengthening international legal regimes. It would be a world in which targeted killings occur with impunity against anyone deemed an “enemy” by states or nonstate actors, without accountability for legal justification, civilian casualties, and proportionality. Perhaps more troubling, it would be a world where such lethal force no longer heeds the borders of sovereign states. Because of drones’ inherent advantages over other weapons platforms, states and nonstate actors would be much more likely to use lethal force against the United States and its allies.

#### Uncontrolled prolif causes nuclear miscalculation

Altmann ’10 Jürgen Altmann, Researcher and lecturer at the University of Dortmund, founding member of the International Committee for Robot Arms Control, “Jürgen Altmann über unbemannte Systeme und Rüstungskontrolle,” Institute for Religion and Peace, 3/7/2010, <http://www.irf.ac.at/index.php?option=com_content&task=view&id=314&Itemid=1>

Where do you see the main challenges for the international community regarding the use of armed unmanned systems by the military. What are the specific challenges of autonomous systems as compared to current telerobotic systems? The main challenge is in deciding whether the present trend should continue and expand to many more countries and to many more types of armed uninhabited vehicles (in the air, on and under water, on the ground, also in outer space), or whether efforts should be taken to constrain this arms race and limit the dangers connected to it. Here not only governments, but non-governmental organisations and the general public should become active. Autonomous systems obviously would open many new possibilities for war by accident (possibly escalating up to nuclear war) and for violations of the international laws of warfare. A human decision in each single weapon use should be the minimum requirement.

#### China is developing offensive drone capability now, modeling US drone strike practices – lack of norms risks conflict breakout in the ECS

AP ’13 Associated Press, “China emerges as new force in drone warfare,” CBS News, 5/13/2013, http://www.cbsnews.com/8301-202\_162-57582699/china-emerges-as-new-force-in-drone-warfare/

Chinese aerospace firms have developed dozens of drones, known also as unmanned aerial vehicles, or UAVs. Many have appeared at air shows and military parades, including some that bear an uncanny resemblance to the Predator, Global Hawk and Reaper models used with deadly effect by the U.S. Air Force and CIA. Analysts say that although China still trails the U.S. and Israel, the industry leaders, its technology is maturing rapidly and on the cusp of widespread use for surveillance and combat strikes. "My sense is that China is moving into large-scale deployments of UAVs," said Ian Easton, co-author of a recent report on Chinese drones for the Project 2049 Institute security think tank. China's move into large-scale drone deployment displays its military's growing sophistication and could challenge U.S. military dominance in the Asia-Pacific. It also could elevate the threat to neighbors with territorial disputes with Beijing, including Vietnam, Japan, India and the Philippines. China says its drones are capable of carrying bombs and missiles as well as conducting reconnaissance, potentially turning them into offensive weapons in a border conflict. China's increased use of drones also adds to concerns about the lack of internationally recognized standards for drone attacks. The United States has widely employed drones as a means of eliminating terror suspects in Pakistan and the Arabian Peninsula. "China is following the precedent set by the U.S. The thinking is that, `If the U.S. can do it, so can we. They're a big country with security interests and so are we'," said Siemon Wezeman, a senior fellow at the arms transfers program at the Stockholm International Peace Research Institute in Sweden, or SIPRI. "The justification for an attack would be that Beijing too has a responsibility for the safety of its citizens. There needs to be agreement on what the limits are," he said. Though China claims its military posture is entirely defensive, its navy and civilian maritime services have engaged in repeated standoffs with ships from other nations in the South China and East China seas. India, meanwhile, says Chinese troops have set up camp almost 20 kilometers (12 miles) into Indian-claimed territory. It isn't yet known exactly what China's latest drones are capable of, because, like most Chinese equipment, they remain untested in battle. The military and associated aerospace firms have offered little information, although in an interview last month with the official Xinhua News Agency, Yang Baikui, chief designer at plane maker COSIC, said Chinese drones were closing the gap but still needed to progress in half a dozen major areas, from airframe design to digital linkups. Executives at COSIC and drone makers ASN, Avic, and the 611 Institute declined to be interviewed by The Associated Press, citing their military links. The Defense Ministry's latest report on the status of the military released in mid-April made no mention of drones, and spokesman Yang Yujun made only the barest acknowledgement of their existence in response to a question. "Drones are a new high-tech form of weaponry employed and used by many militaries around the world," Yang said. "China's armed forces are developing weaponry and equipment for the purpose of upholding territorial integrity, national security and world peace. It will pose no threat to any country." Drones are already patrolling China's borders, and a navy drone was deployed to the western province of Sichuan to provide aerial surveillance following last month's deadly earthquake there. They may also soon be appearing over China's maritime claims, including Japanese-controlled East China Sea islands that China considers its own. That could sharpen tensions in an area where Chinese and Japanese patrol boats already confront each other on a regular basis and Japan frequently scrambles fighters to tail Chinese manned aircraft. Retired Maj. Gen. Peng Guoqian told state media in January that drones were already being used to photograph and conduct surveillance over the islands, called Diaoyu by China and Senkaku by Japan.

#### ECS conflict escalates quickly – destabilizes the region, draws in the US

Auslin 13 (Michael, director of Japan Studies at the American Enterprise Institute and former international studies professor at Yale. “The Sino-Japanese Standoff” National Review 1-28-13 <http://www.nationalreview.com/blogs/print/338852>) will

It was barely a dozen years ago that the U.S. and China faced a crisis when a hotshot Chinese pilot collided with a U.S. electronic-surveillance plane over the South China Sea, crashing both aircraft. Japan and China are now on a metaphorical collision course, too, and any accident when tensions are so high could be the spark in a tinderbox. It’s not difficult to see Beijing issuing orders for Chinese fighters to fire their own warning shots if Japanese jets start doing so. Even though leaders from both countries promise to meet and keep things cool, a faceoff at 20,000 feet is much harder to control than one done more slowly and clearly on the ocean’s surface. This Sino–Japanese standoff also is a problem for the United States, which has a defense treaty with Tokyo and is pledged to come to the aid of Japanese forces under attack. There are also mechanisms for U.S.–Japanese consultations during a crisis, and if Tokyo requests such military talks, Washington would be forced into a difficult spot, since Beijing would undoubtedly perceive the holding of such talks as a serious provocation. The Obama administration has so far taken pains to stay neutral in the dispute; despite its rhetoric of “pivoting” to the Pacific, it has urged both sides to resolve the issue peacefully. Washington also has avoided any stance on the sovereignty of the Senkakus, supporting instead the status quo of Japanese administration of the islands. That may no longer suffice for Japan, however, since its government saw China’s taking to the air over the Senkakus as a significant escalation and proof that Beijing is in no mind to back down from its claims. One does not have to be an alarmist to see real dangers in play here. As Barbara Tuchman showed in her classic The Guns of August, events have a way of taking on a life of their own (and one doesn’t need a Schlieffen Plan to feel trapped into acting). The enmity between Japan and China is deep and pervasive; there is little good will to try and avert conflict. Indeed, the people of both countries have abysmally low perceptions of the other. Since they are the two most advanced militaries in Asia, any tension-driven military jockeying between them is inherently destabilizing to the entire region. Perhaps of even greater concern, neither government has shied away from its hardline tactics over the Senkakus, despite the fact that trade between the two has dropped nearly 4 percent since the crisis began in September. Most worrying, if the two sides don’t agree to return to the status quo ante, there are only one or two more rungs on the ladder of military escalation before someone has to back down or decide to initiate hostilities when challenged. Whoever does back down will lose an enormous amount of credibility in Asia, and the possibility of major domestic demonstrations in response. The prospect of an armed clash between Asia’s two largest countries is one that should bring both sides to their senses, but instead the two seem to be maneuvering themselves into a corner from which it will be difficult to escape. One trigger-happy or nervous pilot, and Asia could face its gravest crisis perhaps since World War II.

#### Nuclear war with China is an existential risk

Wittner ’11 Lawrence S. Wittner, Emeritus Professor of History at SUNY-Albany, “Is a Nuclear War with China Possible?” George Mason University’s History News Network, 11/28/2011, http://hnn.us/articles/nuclear-war-china-possible

But what would that “victory” entail? A nuclear attack by China would immediately slaughter at least 10 million Americans in a great storm of blast and fire, while leaving many more dying horribly of sickness and radiation poisoning. The Chinese death toll in a nuclear war would be far higher. Both nations would be reduced to smoldering, radioactive wastelands. Also, radioactive debris sent aloft by the nuclear explosions would blot out the sun and bring on a “nuclear winter” around the globe—destroying agriculture, creating worldwide famine, and generating chaos and destruction. Moreover, in another decade the extent of this catastrophe would be far worse. The Chinese government is currently expanding its nuclear arsenal, and by the year 2020 it is expected to more than double its number of nuclear weapons that can hit the United States. The U.S. government, in turn, has plans to spend hundreds of billions of dollars “modernizing” its nuclear weapons and nuclear production facilities over the next decade.

### Advantage 2 is process

#### Consistent process key to diminish civilian casualties – status quo approach guarantees excessive, misguided, and insufficiently planned strikes

Guiora and Blank 12 (Amos and Laurie, prof of law at the SJ Quinney College of Law university of Utah, director of Emory Law's International Humanitarian Law Clinic, dw: 8-10-2012, da: 9-11-2013, lido)

Ultimately, the lawfulness of targeted killing depends, in large part, on the efficacy of the internal administrative measures adopted to identify targets and minimize civilian casualties. Only when those procedures are effective and discriminating will targeted killing be both legal and moral. Why? Because targeted killing is not about encountering a division of the enemy's forces on the battlefield and stopping it from advancing across the front towards your borders or essential infrastructure. That is the stuff of traditional conflict, of trench warfare and tank warfare and state versus state conflict. Instead, targeted killing rests on the specific identification of individuals who pose an imminent threat to the state's national security and are therefore legitimate targets within the framework of lawful self-defense. The state thus needs a method and a process for figuring out who poses a threat, why they pose a threat, and how that threat can be deterred or eliminated. The current US approach, however, is far too suggestive of "guilt by association" – targeting individuals whose involvement in terrorism is broadly defined, potentially without reliance on criteria, standards and limits. In a recent speech, President Obama's counterterrorism adviser, John Brennan, stated: "We are finding increasing recognition in the international community that a more flexible understanding of "imminence" may be appropriate when dealing with terrorist groups, in part because threats posed by non-state actors do not present themselves in the ways that evidenced imminence in more traditional conflicts." [Our italics.] Brennan's words – whoever his audience and whatever the purpose – drastically undermine American morality and commitment to the rule of law. A "flexible understanding of imminence" ultimately produces an approach that can only be defined as "kill all the bad guys". If everyone who constitutes "a bad guy" is automatically a legitimate target, then careful analysis of threats, imminence, proportionality, credibility, reliability and other factors simply goes out the window. Expansiveness and flexibility eliminate any sense of what is proportional, in the broadest sense of the term. If all threats are always imminent, then all responses are always proportionate. Self-defense becomes a mantra that justifies all action, regardless of method or procedure. Flexibility regarding imminence and threat-perception means that the identification of legitimate targets – the true essence of moral operational counterterrorism – becomes looser and less precise. In turn, expanded notions of legitimate target and the right of self-defense introduce greater flexibility with regard to collateral damage – both in terms of who constitutes collateral damage and how much collateral damage is justified in the course of targeting a particular threat. The result: flexibility plus the absence of criteria, process and procedure means that the notion of proportionality that should guide decision-making and operations ends up entirely out of proportion. In the high-stakes world of operational counterterrorism, there is no room for imprecision and casual definitions. The risks, to innocent civilians on both sides and to our fundamental values, are just too high.

#### Scenario 1 is Pakistan

#### Drone policy causes severe civilian backlash – hurts Pakistan-US security coop, destabilizes the Pakistan government, bolsters regional terrorist efforts

Pryer ’13 Lieutenant Colonel Douglas A. Pryer is a military intelligence officer, author of The Fight for the High Ground: the U.S. Army and Interrogation During Operation Iraqi Freedom, May 2003-2004, and is the winner of numerous military writing awards, “The Rise of the Machines: Why Increasingly "Perfect" Weapons Help Perpetuate our Wars and Endanger Our Nation,” Military Review 93.2, Mar/April 2013, pp. 2-13, proquest \*\*\*FATA = Pakistan’s Federally Administrated Tribal Areas

For the September 2012 report, "Living Under Drones," teams from Stanford Law School and the New York University School of Law interviewed more than 130 FATA residents regarding their experiences with U.S. drones.9 The result is a disturbing portrait of the lives of these civilians. The report describes a population in the grip of Posttraumatic Stress Disorder (PTSD) on a massive scale. Residents frequently experience such PTSD symptoms as emotional breakdowns, hyper-startled reactions to loud noises, loss of appetite, and insomnia.10 Traditional communal patterns of behavior have been broken or altered.11 Residents are afraid to gather in groups, such as at funerals and meetings of tribal leaders.12 It should thus come as no surprise to anyone that hatred for America is spiraling out of control among these people. The New America Foundation reports that, while "only one in ten of FATA residents thinks suicide attacks are often or sometimes justified against the Pakistani military and police, almost six in ten believe those attacks are justified against the U.S. military."13 Consequently, as the United Nations reports, "many of the suicide attackers in Afghanistan hail from the Pakistani tribal regions."14 Moral reprobation against U.S. drone strikes among other Pakistanis is just as strong. According to a 2012 Pew Research Center poll, only 17 percent of Pakistanis support America's drone strikes in the FATA. This low regard is probably the main reason that 74 percent of Pakistanis consider the United States to be their enemy.15 A solid majority of Pakistanis also believe U.S. drone strikes in the FATA to be acts of war against Pakistan. Increasingly entrenched anti-Americanism among Pakistanis works against America's short-term interests, such as the need of our military forces in Afghanistan for reliable resupply and overflight routes via Pakistan. However, it is also working against America's long-term interests by helping to destabilize this nuclear power. Anti-U.S. demonstrations, frequently violent and often spurred by drone attacks, have become routine in the major cities of Pakistan. The terrorist groups claiming the majority of suicide bomb attacks in Pakistan justify their actions and gain new recruits by condemning the Pakistani government as a "puppet" of the hated U.S. government.16 Pakistan's foreign minister was almost certainly not exaggerating when she said last summer that U.S. drone attacks in the FATA are the "top cause" of anti-Americanism in her country.17 Dr. David Kilcullen, the noted counterinsurgency expert, stated what should be obvious: "The current path that we are on is leading to loss of Pakistani government control over its own population."18

#### Stable US-Pakistan security relations are key to prevent nuclear war between India and Pakistan

PTI 9/16 “Lack of mechanism to prevent use of India-Pak nukes worries US” PTI, 9/16/2013, <http://www.dnaindia.com/india/1889790/report-lack-of-mechanism-to-prevent-use-of-india-pak-nukes-worries-us> jss

The absence of any mechanism to prevent the use of atomic weapons by India and Pakistan worries the United States, even as their nuclear arsenals make war unthinkable, a top Pentagon official has said. "Pakistan and India, obviously, have a history of very tense relationships. Both countries possess nuclear weapons, which I know the Indian government recognises is the kind of weaponry that makes war really unthinkable, yet another reason for making it more unthinkable," said Deputy Secretary of Defense Ashton B Carter. "I think the leaders on both sides recognise that," Carter told PTI in an interview. "Therefore, our principal concern is that there not be any mechanism that could lead inadvertently to the use of nuclear weapons or resort to nuclear weapons. That's my principal worry, as was during the Cold War (the) principal worry with respect to the US and the Soviet Union," he said. Carter said he did not think the leaders of India and Pakistan "were crazy enough or foolish enough" to use nuclear weapons against one another's people, but "there was always the possibility that this thing could get out of control". Ahead of a visit to the region, including Afghanistan, India and Pakistan, Carter said the Obama administration is trying very hard to keep the momentum going with Pakistan which it regained about five or six months ago. "We all need, I think, a good security relationship with Pakistan. They have internal challenges, and I think they're increasingly seeing that the internal insurgency in Pakistan is a threat to the Pakistani state," he said. "And that, in turn, is a threat to Afghanistan, because those insurgents (come over the) border in Afghanistan, and that's a threat to India, because those groups have shown the willingness and the capability to make attacks in India." The US is continuing to "work very hard, including with the new Prime Minister, Nawaz Sharif", on the defence relationship with Pakistan and to emphasise that "Pakistan's relations with its two neighbours are very critical, not just to Pakistan, but to the US, and obviously to India and to Afghanistan", he said. Pakistan's ties with the US hit an all-time low after CIA contractor Raymond Davis gunned down two men in Lahore in early 2011 and Al Qaeda chief Osama bin Laden was killed in a unilateral American raid in Abbottabad a few months later. The CIA-operated drone campaign in Pakistan's tribal belt continues to be an irritant in bilateral ties ahead of the drawdown of foreign forces in war-torn Afghanistan. Responding to questions, Carter made it clear the US is not leaving Afghanistan at the end of 2014.

#### Now is key – Indo-Pak tensions are peaking

Gowen 9/12 Annie Gowen, “Pakistan, India spar in Kashmir in worst border violence in years,” Washington Post, 9/12/2013, <http://articles.washingtonpost.com/2013-09-12/world/41982669_1_indian-controlled-kashmir-india-and-pakistan-muslim-majority-pakistan> jss

SRINAGAR, India — After a decade of relative quiet, Indian and Pakistani troops are shelling each other with vigor again along their disputed border, raising tension between the nuclear-armed nations and forcing hundreds of villagers to flee. Many fear there is worse to come. As the American military withdraws from Afghanistan, some Pakistan-based militants who had been fighting there have pledged to turn their attention to the Kashmir border region — and their old foe, India. Already, there are signs that militant activity is on the rise in this area, with graffiti appearing saying “Welcome Taliban.” In recent days, the disputed border that separates much of the Indian-controlled state of Jammu and Kashmir from Pakistan has turned into a virtual war zone. A month of cease-fire violations by both sides has resulted in the deaths of at least 11 soldiers and two Pakistani civilians and the wounding of several residents.

#### Indo-Pak war rapidly escalates, causes nuclear winter

Hundley 12 (Tom Hundley, senior editor at the Pulitzer Center on Crisis Reporting, MA in International Relations from Penn, and professor of Communication at the American University in Dubai. “Race to the end: Pakistan’s terrible, horrible, no-good very bad idea to develop battlefield nukes.” Foreign Policy 9/5/12 <http://www.foreignpolicy.com/articles/2012/09/05/race_to_the_end?page=full>) will

The arms race could make a loose nuke more likely. After all, Pakistan's assurances that its nuclear arsenal is safe and secure rest heavily on the argument that its warheads and their delivery systems have been uncoupled and stored separately in heavily guarded facilities. It would be very difficult for a group of mutinous officers to assemble the necessary protocols for a launch and well nigh impossible for a band of terrorists to do so. But that calculus changes with the deployment of mobile battlefield weapons. The weapons themselves, no longer stored in heavily guarded bunkers, would be far more exposed. Nevertheless, military analysts from both countries still say that a nuclear exchange triggered by miscalculation, miscommunication, or panic is far more likely than terrorists stealing a weapon -- and, significantly, that the odds of such an exchange increase with the deployment of battlefield nukes. As these ready-to-use weapons are maneuvered closer to enemy lines, the chain of command and control would be stretched and more authority necessarily delegated to field officers. And, if they have weapons designed to repel a conventional attack, there is obviously a reasonable chance they will use them for that purpose. "It lowers the threshold," said Hoodbhoy. "The idea that tactical nukes could be used against Indian tanks on Pakistan's territory creates the kind of atmosphere that greatly shortens the distance to apocalypse." Both sides speak of the possibility of a limited nuclear war. But even those who speak in these terms seem to understand that this is fantasy -- that once started, a nuclear exchange would be almost impossible to limit or contain. "The only move that you have control over is your first move; you have no control over the nth move in a nuclear exchange," said Carnegie's Tellis. The first launch would create hysteria; communication lines would break down, and events would rapidly cascade out of control. Some of the world's most densely populated cities could find themselves under nuclear attack, and an estimated 20 million people could die almost immediately. What's more, the resulting firestorms would put 5 million to 7 million metric tons of smoke into the upper atmosphere, according to a new model developed by climate scientists at Rutgers University and the University of Colorado. Within weeks, skies around the world would be permanently overcast, and the condition vividly described by Carl Sagan as "nuclear winter" would be upon us. The darkness would likely last about a decade. The Earth's temperature would drop, agriculture around the globe would collapse, and a billion or more humans who already live on the margins of subsistence could starve.

#### Overuse of drones kill Pakistani government credibility

Williams and Plaw 9 (Brian and Avery, profs at dartmouth, Pakistan Journal of Criminology 7¶ Volume 1, No. 1, April 2009, pp. 7-25, Predator Drone Strikes on Al Qaeda and Taliban Targets ¶ in Pakistan¶ The Pros and Cons for a Policy of Targeted Killings dw: 2009 da: 9-5-2013, lido)

The Predator drone strikes are also counter-productive because, in addition to ¶ strengthening Al Qaeda and the Taliban, they also weaken the Pakistani ¶ government. President Zardari himself has declared that the missile strikes are ¶ counter-productive and for good reason. (Roggio, 2008) They illustrate the ¶ weakness and inability of the Pakistani government to defend its sovereign territory ¶ (as well as the contempt in which US officials hold it). They therefore diminish the ¶ authority and credibility of the government in the eyes of its own people, and hence ¶ its effective power. The strikes also limit the Pakistani government's room to ¶ maneuver, as the more aggressive the action it takes to assert control over the Tribal ¶ Areas and to suppress the Taliban and Al Qaeda elements along the border, the more it looks like a US stooge (notably one of Mr. Sharif's key charges in his current ¶ paralyzing confrontation with the government). Yet, it is really only the Pakistani ¶ government that can hope to provide a long-term solution to this problem by ¶ extending the rule of law to the Tribal Areas. Ironically then, the more the US ¶ intervenes in the region, the more it weakens the government and correspondingly ¶ undermines the prospect for a long term suppression of Taliban and Al Qaeda ¶ elements in the region. ¶ Predator strikes thus have been and continue to be counter-productive because ¶ they weaken the government and strengthen our shared enemies. But the effects of ¶ continued strikes could still be much worse. For example, they could lead to a ¶ paralyzing challenge to the Pakistani government by domestic opposition elements ¶ (as we are perhaps beginning to see today). Worse still, the political dynamic created ¶ by the strikes creates an incentive for an aspiring opposition to assume an antiAmerican posture, and to seek a negotiated compromise with the Taliban in the ¶ Tribal Areas (as we are also perhaps beginning to see today). ¶ Even worse still, a weakened government could easily invite yet another ¶ political intervention by the military another outcome that is unlikely to be ¶ conducive to a stronger imposition of law and order in the Tribal Areas (as General ¶ Musharraf's tenure illustrated all too well). Worst of all, a governmental crisis could ¶ render this nuclear-armed country effectively ungovernable. Pakistan is already ¶ viewed by many as a failed state. But there are degrees of failure, and the worst case ¶ scenario involves the devolution of this deeply divided but intensely Islamic society ¶ into something that looks more like Somalia today, with enormous negative ¶ repercussions for the whole region.

#### Pakistani sovereignty collapse causes extinction

Perkovich 12 (George, Carnegie Endowment, [http://carnegieendowment.org/2012/11/13/non-unitary-model-and-deterrence-stability-in-south-asia/eihm#](http://carnegieendowment.org/2012/11/13/non-unitary-model-and-deterrence-stability-in-south-asia/eihm), dw: 11-13-2012, da: 9-21-2013, lido)

Within the large frame of deterrence stability, a vital subsidiary concept is that a state cannot be a responsible possessor of nuclear weapons if it does not have sovereign control over organized perpetrators of international violence operating from its territory. The absence of such sovereign control impedes efforts by state authorities to ensure national preservation and minimize risks of escalatory conflict that risk annihilation. To put it colloquially, US officials could say to Pakistanis, “We do not challenge your possession of nuclear weapons. Our objective is to promote in any way we can the responsible management of nuclear forces. First and foremost, this means sovereign control over all organizations that can project violence from your territory which is also an obligation under international law. Second, and relatedly, it means you should not tolerate acts that could start wars with other nuclear-armed states, because that would be suicidal and therefore irrational. Given the global implications of nuclear war and the breaking of the nuclear taboo, all states have a shared interest in Pakistan’s coherence, sovereignty, and responsible nuclear stewardship.”¶ With shared interests defined this way, it follows that the US would naturally offer Pakistan, as requested, assistance to help responsible state agencies to control actors that could challenge the state’s monopoly on the legitimate use of force, both internally and outside Pakistan’s borders. To the extent that the police in Pakistan can and should play a more effective role in this mission, the US could re-emphasize willingness to provide training and equipment to them, if this would be welcomed.

#### Scenario 2 is Yemen

#### Drone strikes in Yemen cause powerful blowback – frays security coop, bolsters AQAP recruitment, and motivates increasing AQAP aggression

Hudson et al ’13 Leila Hudson, associate director of the School of Middle Eastern & North African Studies at the University of Arizona and director of the Southwest Initiative for the Study of Middle East Conflicts, Colin S. Owens, graduate of the School of Middle Eastern & North African Studies and the School of Government and Public Policy and research associate at SISMEC, and David J. Callen, PhD candidate at the School of Middle Eastern & North African Studies and research associate at SISMEC, “Drone Warfare in Yemen: Fostering Emirates Through Counterterrorism?” Middle East Policy Council, 2013, http://mepc.org/journal/middle-east-policy-archives/drone-warfare-yemen-fostering-emirates-through-counterterrorism

Just as likely, as the case of FATA has clearly shown, increased strikes in Yemen will produce distinct forms of blowback. This will manifest itself in terms of increased recruitment for al-Qaeda or affiliated groups and a reduction of the Yemeni leadership's ability to govern, increasing competition from alternative groups. In the case of drone use in FATA, we identified five distinct forms of blowback, all of which are directly applicable to the use of drones in Yemen. The first, purposeful retaliation is typified by the events of the 2009 Khost bombing of CIA Camp Chapman and, more recently, an al-Qaeda attack earlier in 2012 on a liquid-natural-gas pipeline running through Yemen's Shabwa province.2 The motivation behind both of these attacks has been cited as the unremitting presence of, and specific attacks from, U.S.-operated drones. The second form of blowback deals with the increased ability of AQAP to recruit new members, especially those who have had friends or family killed in the attacks. Third, an overreliance on drones creates strategic confusion. While the United States is not waging a counterinsurgency (COIN) campaign next to Yemen — as it is in Afghanistan, Pakistan's western neighbor — the control of the drone program has oscillated between the CIA and JSOC, reducing U.S. accountability and blurring the lines between military and intelligence operations. Taken together, these three factors foster two additional forms of blowback: the continued destabilization of Yemen and an increasingly precarious alliance between the American and Yemeni governments. All told, these distinct forms of blowback combine to heighten Yemen's ungovernability.

#### AQAP is armed and dangerous – orchestrating global terrorist attacks and destabilizes the Bab al-Mandeb

The Week 8/7 “Yemen terror threat – why the West is so worried by AQAP,” The Week, 8/7/2013, http://www.theweek.co.uk/world-news/54494/yemen-terror-threat-al-qaeda-aqap-west-worried

AQAP continues to thrive: Despite operating from remote Yemeni backwaters, the group produces a magazine called Inspire, which The Guardian describes as "a magnet for jihadists from Pakistan to Mali". The group's leader, Nasser al-Wahayshi, is now believed to be deputy leader of the entire al-Qaeda network while chief bombmaker Ibrahim al-Asiri has shown himself to be a sophisticated operator. In 2009 he "built an explosive device so hard to detect it was either packed flat next to the wearer's groin or perhaps even concealed inside his body," says the BBC. He was also behind the underpants bomb, worn by Omar Farouk Abdulmutallab. Yemen remains strategically important: "Yemen's control over one of the most important naval straits in the world, the Strait of Bab-el-Mandeb, which is located between Yemen and the Horn of Africa, underscores this geostrategic importance," says Geopolitical Monitor. "Commercial liners and oil tankers pass through the strait on their way to and from the Suez Canal. International stakeholders are concerned that al-Qaeda will take advantage of the current transitional conditions in Yemen to threaten shipping and international trade." ·

#### AQAP attack on the Bab al-Mandeb highly likely, collapses global trade and economic growth

Nincic ’12 Donna J. Nincic, PhD in Political Science from New York University and currently is Professor and Director of the ABS School of Maritime Policy and Management at the California Maritime Academy, a campus of the California State University, in Vallejo, “Maritime Terrorism: How Real is the Threat?” Fair Observer, 7/16/2012, http://www.fairobserver.com/article/maritime-terrorism-how-real-threat

However, with the exception of al-Qaeda Jamaah Islamiyah in Indonesia, and the Abu Sayaaf Group (ASG) in the Philippines, many terrorist and/or insurgency groups of most concern to maritime security trade do not appear on this list — either because they had not been designated as Foreign Terrorist Organizations by the United States, or because they had not yet demonstrated maritime capabilities. Since 2009, groups known to be acquiring maritime capabilities have been added. These include: al-Shabaab, al-Qaeda in the Arabian Peninsula (AQAP), and the Abdallah Azzam Brigades, an affiliate of al-Qaeda responsible for the 2010 attack on the M Star. To date, the Abu Sayaaf Group is responsible for the most destructive maritime terrorist act in modern history; the bombing attack on SuperFerry 14 in Manila Bay in February 2004, which killed 116 people. This said, of all the groups with known maritime capabilities, al-Qaeda has had the most far-reaching and developed maritime strategy. Initially developed by Abd al Rahman al-Nashiri, this four-part strategy consisted of: 1) suicide attacks on vessels, 2) hijacking ships and using them as “weapons” against port or transportation infrastructure, 3) attacking large vessels such as supertankers from the air by using explosive-laden small aircraft, and 4) attacking vessels with underwater demolition teams or with suicide bombers. Al-Qaeda has demonstrated its maritime terrorist capabilities, particularly also in a 2004 attack on a smaller boat launched from the USS Firebolt in the Persian Gulf. These attacks were consistent with a documented al-Qaeda strategy to attack Western maritime targets, particularly those with economic importance such as the M/V Limburg. Since the capture of al-Nashiri in 2002, there has been little maritime threat directly from al-Qaeda. Rather, maritime terrorist concerns seem to have now shifted to al-Qaeda-related affiliates, many of which operate in Africa. In February 2010, Yemen-based al Qaeda in the Arabian Peninsula (AQAP) stated it would coordinate with “Islamic fighters” from Somalia to secure both sides of the Bab al-Mandab strait, through which 30% of the world’s trade passes annually. While there are doubts about AQAP’s current ability to close the strait, both the Yemeni and Somali governments have urged the international community to take steps to eliminate AQAP and al-Shabaab “to avert the risk to the global economy posed by a seizure of Bab al-Mandab.” The real threat Despite these threats, given the relative recent quiet on the maritime front, how concerned should we be about maritime terrorism? The answer, unfortunately, is that we should continue to be very concerned. A former UK First Sea Lord and Chief of Naval Staff deemed maritime terrorism “a clear and present danger” that may “potentially cripple global trade and have grave knock-on effects on developed economies.” USN Captain Jim Pelkofski (Ret.) has noted that “indications point to an acceleration of the pace of maritime terrorism, heralding a coming campaign.” The real concern however is not so much that a maritime terrorist attack might or might not be imminent; rather the threat is the potential for harm were even one minor maritime terrorist event to occur in a major port or maritime facility. Hijacking and using a ship as a weapon or to sink and close a major shallow chokepoint such as the Strait of Malacca or the Suez Canal could have significant economic implications for the global economy. Similarly, an improvised explosive device (IED), chemical or biological weapon, or other weapon of mass destruction discovered in a container could have dramatic economic repercussions. A 2003 OECD report described a port security war game simulating the discovery of several radiological devices in shipping containers throughout ports in the United States. Despite the fact that these devices were not detonated in the scenario, the estimated economic costs totaled $58bn for the United States alone, with US ports affected for over three months. Depending on the measure, between 80% and 90% of global trade moves by sea, with the majority of non-bulk cargo carried in shipping containers. Over 15,000,000 containers are currently in circulation, making over 200,000,000 port visits annually. The world’s top ten container ports handled 178,000 thousand TEU (twenty foot equivalents) in 2010, nearly as much as the next 40 ports together (179,070 thousand TEU). With trade concentrated in so few ports in today’s global economy, even a single maritime terrorist incident has the potential for significant economic disruptions with considerable financial and human implications. Given these potential impacts, the threat of maritime terrorism must continue to be taken very seriously.

#### Economic collapse causes global wars

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Less intuitive is how periods of economic decline may increase the likelihood of external conflict. Political science literature has contributed a moderate degree of attention to the impact of economic decline and the security and defence behaviour of interdependent stales. Research in this vein has been considered at systemic, dyadic and national levels. Several notable contributions follow. First, on the systemic level. Pollins (20081 advances Modclski and Thompson's (1996) work on leadership cycle theory, finding that rhythms in the global economy are associated with the rise and fall of a pre-eminent power and the often bloody transition from one pre-eminent leader to the next. As such, exogenous shocks such as economic crises could usher in a redistribution of relative power (see also Gilpin. 19SJ) that leads to uncertainty about power balances, increasing the risk of miscalculation (Fcaron. 1995). Alternatively, even a relatively certain redistribution of power could lead to a permissive environment for conflict as a rising power may seek to challenge a declining power (Werner. 1999). Separately. Pollins (1996) also shows that global economic cycles combined with parallel leadership cycles impact the likelihood of conflict among major, medium and small powers, although he suggests that the causes and connections between global economic conditions and security conditions remain unknown. Second, on a dyadic level. Copeland's (1996. 2000) theory of trade expectations suggests that 'future expectation of trade' is a significant variable in understanding economic conditions and security behaviour of states. He argues that interdependent states are likely to gain pacific benefits from trade so long as they have an optimistic view of future trade relations. However, if the expectations of future trade decline, particularly for difficult to replace items such as energy resources, the likelihood for conflict increases, as states will be inclined to use force to gain access to those resources. Crises could potentially be the trigger for decreased trade expectations either on its own or because it triggers protectionist moves by interdependent states.4 Third, others have considered the link between economic decline and external armed conflict at a national level. Momberg and Hess (2002) find a strong correlation between internal conflict and external conflict, particularly during periods of economic downturn. They write. The linkage, between internal and external conflict and prosperity are strong and mutually reinforcing. Economic conflict lends to spawn internal conflict, which in turn returns the favour. Moreover, the presence of a recession tends to amplify the extent to which international and external conflicts self-reinforce each other (Hlomhen? & Hess. 2(102. p. X9> Economic decline has also been linked with an increase in the likelihood of terrorism (Blombcrg. Hess. & Wee ra pan a, 2004). which has the capacity to spill across borders and lead to external tensions. Furthermore, crises generally reduce the popularity of a sitting government. "Diversionary theory" suggests that, when facing unpopularity arising from economic decline, sitting governments have increased incentives to fabricate external military conflicts to create a 'rally around the flag' effect. Wang (1996), DcRoucn (1995), and Blombcrg. Hess, and Thacker (2006) find supporting evidence showing that economic decline and use of force arc at least indirecti) correlated. Gelpi (1997). Miller (1999). and Kisangani and Pickering (2009) suggest that Ihe tendency towards diversionary tactics arc greater for democratic states than autocratic states, due to the fact that democratic leaders are generally more susceptible to being removed from office due to lack of domestic support. DeRouen (2000) has provided evidence showing that periods of weak economic performance in the United States, and thus weak Presidential popularity, are statistically linked lo an increase in the use of force. In summary, rcccni economic scholarship positively correlates economic integration with an increase in the frequency of economic crises, whereas political science scholarship links economic decline with external conflict al systemic, dyadic and national levels.' This implied connection between integration, crises and armed conflict has not featured prominently in the economic-security debate and deserves more attention.

#### AQAP will use bioweapons

CSARN 11 (City Security and Resilience Networks group, a not-for-profit membership group of business and public sector security and emergency planning leaders, 9/2/11, “AQAP / Black Banners analysis,” http://worldreports.csarn.org/2011/09/aqap-black-banners-analysis-.html)

On 12 August the New York Times reported leaked US intelligence assessments (which were likely provided by Saudi Arabia) suggesting that al-Qaeda in the Arabian Peninsula (AQAP) is experimenting with the use of the biological toxin ricin. We believe this to be credible as AQAP called for chemists and microbiologists to volunteer in its English language publication, Inspire, last year. Furthermore, at least one of its senior bomb-makers trained with al-Qaeda in Afghanistan before 9/11 – when the movement is known to have experimented with chemical and biological weapons. AQAP also has a reputation as the movement’s most innovative element.

#### Bioterror attack is highly probable and causes extinction – tech diffusion makes acquisition and deployment easy

Myhrvold ’13 Nathan Myhrvold, formerly Chief Technology Officer at Microsoft, co-founder of Intellectual Ventures, MA in mathematical economics and PhD in theoretical and mathematical physics @ Princeton, “Strategic terrorism: a call to action,” Lawfare, July 2013, <http://www.lawfareblog.com/wp-content/uploads/2013/07/Strategic-Terrorism-Myhrvold-7-3-2013.pdf> jss

Biotechnology is advancing so rapidly that it is hard to keep track of all the new potential threats. Nor is it clear that anyone is even trying. In addition to lethality and drug resistance, many other parameters can be played with, given that the infectious power of an epidemic depends on many properties, including the length of the latency period during which a person is contagious but asymptomatic. Delaying the onset of serious symptoms allows each new case to spread to more people and thus makes the virus harder to stop. This dynamic is perhaps best illustrated by HIV , which is very difficult to transmit compared with smallpox and many other viruses. Intimate contact is needed, and even then, the infection rate is low. The balancing factor is that HIV can take years to progress to AIDS , which can then take many more years to kill the victim. What makes HIV so dangerous is that infected people have lots of opportunities to infect others. This property has allowed HIV to claim more than 30 million lives so far, and approximately 34 million people are now living with this virus and facing a highly uncertain future.15 A virus genetically engineered to infect its host quickly, to generate symptoms slowly—say, only after weeks or months—and to spread easily through the air or by casual contact would be vastly more devastating than HIV . It could silently penetrate the population to unleash its deadly effects suddenly. This type of epidemic would be almost impossible to combat because most of the infections would occur before the epidemic became obvious. A technologically sophisticated terrorist group could develop such a virus and kill a large part of humanity with it. Indeed, terrorists may not have to develop it themselves: some scientist may do so first and publish the details. Given the rate at which biologists are making discoveries about viruses and the immune system, at some point in the near future, someone may create artificial pathogens that could drive the human race to extinction. Indeed, a detailed species-elimination plan of this nature was openly proposed in a scientific journal. The ostensible purpose of that particular research was to suggest a way to extirpate the malaria mosquito, but similar techniques could be directed toward humans.16 When I’ve talked to molecular biologists about this method, they are quick to point out that it is slow and easily detectable and could be fought with biotech remedies. If you challenge them to come up with improvements to the suggested attack plan, however, they have plenty of ideas. Modern biotechnology will soon be capable, if it is not already, of bringing about the demise of the human race— or at least of killing a sufficient number of people to end high-tech civilization and set humanity back 1,000 years or more. That terrorist groups could achieve this level of technological sophistication may seem far-fetched, but keep in mind that it takes only a handful of individuals to accomplish these tasks. Never has lethal power of this potency been accessible to so few, so easily. Even more dramatically than nuclear proliferation, modern biological science has frighteningly undermined the correlation between the lethality of a weapon and its cost, a fundamentally stabilizing mechanism throughout history. Access to extremely lethal agents—lethal enough to exterminate Homo sapiens—will be available to anybody with a solid background in biology, terrorists included.

### Solvency

#### Drone courts establish judicial restrictions on targeted killing – strict scrutiny of admissibility ensures strikes are well-targeted and avoid error or misinterpretation

Guiora 13 (Amos, prof @ Univ of Utah school of law, University of Utah College of Law Research Paper No. 1, Targeted Killing: When Proportionality Gets All Out of Proportion, dw: 2013, da: 9-10-2013, lido)

The solution to this search for an actionable guideline is the strict scrutiny standard. What is strict scrutiny, and how is it to be implemented in the context of operational counterterrorism? Why is there a need, if at all, for an additional standard articulating self-defense? The strict scrutiny standard would enable operational engagement of a non-state actor predicated on intelligence information that would meet admissibility standards akin to a court of law. The strict scrutiny test seeks to strike a balance enabling the state to act sooner but subject to significant restrictions. The ability to act sooner is limited, however, by the requirement that intelligence information must be reliable, viable, valid, and corroborated. The strict scrutiny standard proposes that for states to act as early as possible in order to prevent a possible terrorist attack the information must meet admissibility standards similar to the rules of evidence. The intelligence must be reliable, material, and probative. The proposal is predicated on the understanding that while states need to engage in operational counterterrorism, mistakes regarding the correct interpretation and analysis of intelligence information can lead to tragic mistakes. Adopting admissibility standards akin to the criminal law minimizes operational error. Rather than relying on the executive branch making decisions in a “closed world” devoid of oversight and review, the intelligence information justifying the proposed action must be submitted to a court that would ascertain the information’s admissibility. The discussion before the court would necessarily be conducted ex parte; however, the process of preparing and submitting available intelligence information to a court would significantly contribute to minimizing operational error that otherwise would occur. The logistics of this proposal are far less daunting than might seem—the court before which the executive would submit the evidence is the FISA Court. Presently, FISA Court judges weigh the reliability of intellijgence information in determining whether to grant government ex parte requests for wire-tapping warrants. Under this proposal, judicial approval is necessary prior to undertaking a counterterrorism operation predicated solely on intelligence information. The standard the court would adopt in determining the information’s reliability is the same applied in the traditional criminal law paradigm. The intelligence must be reliable, material, and probative. While the model is different—a defense attorney cannot question state witnesses—the court will assume a dual role. In this dual role capacity the court will cross-examine the representative of the intelligence community and subsequently rule as to the information’s admissibility. While some may suggest that the FISA court is largely an exercise in “rubber-stamping,” the importance of the proposal is in requiring the government to present the available information to an independent judiciary as a precursor to engaging in operational counterterrorism.