

JV Refugees Affirmative

1AC

1AC – Moral Obligation Advantage

The refugee crisis is getting worse in scope and severity – it affects every part of the world.

Miliband '16 (David is President of the International Rescue Committee. “The Best Ways to Deal with the Refugee Crisis,” NY Review of Books, OCTOBER 13, 2016 ISSUE, <http://www.nybooks.com/articles/2016/10/13/best-ways-to-deal-with-refugee-crisis/>)

Elie Wiesel, who died this past July in New York, told me two years ago: “I am a refugee, but the word ‘refugee’ is not popular. But everyone likes the idea of refuge. Fight for refuge. We all need refuge.” With America and the world now facing what can only be described as a global exodus of people fleeing war, supporting refugees is more necessary than ever. According to the UNHCR, in 2015 there were some 65.3 million people throughout the world who had been uprooted from their homes by conflict and persecution. Over 20 million of these people are refugees, i.e., they have fled from a well-founded fear of persecution, crossed a national border, and received refugee status from either the United Nations or a state. Between three and four million of them are now in the process of claiming asylum outside their home country. The rest are “internally displaced persons” who have not crossed national borders. Such large numbers of displaced people have not been seen since World War II: were they a nation, it would be the twenty-first-largest on earth, the size of California and Texas combined, the same as the United Kingdom. On average, 34,000 people were forced to flee their homes every day of 2015. The violence in Syria, which has rendered homeless half the country’s population of 23 million, bears responsibility for a large number of the world’s displaced. So do new wars and local fighting in places such as Yemen, South Sudan, Burundi, Iraq, Ukraine, Nigeria, and the Central African Republic. In defiance of international humanitarian law, many of the belligerent governments and rebel forces target civilians and aid workers. In August several aid agencies reported deaths of civilians and medical staff in bombings of hospitals in Syria by the Syrian government and its Russian backers. Shocking acts of cruelty toward civilians have become commonplace, drastically increasing the numbers of people in flight. The more than a dozen conflicts that have broken out or reignited since 2010 are behind much of the growth in global displacement as a result of conflict; the persistence of old wars explains the rest. Today’s conflicts burn on for an average of thirty-seven years, making return for the uprooted an ever-distant prospect. Some 2.7 million Afghans and 1.1 million Somalis have been exiled for decades. What is perhaps less known is that the burden of sheltering today’s historic numbers of refugees has fallen, with wild disproportion, upon a small number of relatively poor states. According to the UNHCR, 86 percent of all the refugees for whom it is responsible are in low- and middle-income countries close to states in which there is violent conflict. Because of their geographical location, a mere seven countries house more than half of the world’s refugees. The exodus from Syria has transformed Turkey into the country with more refugees than any other: over 2.7 million people have sought protection there. Lebanon shelters more refugees compared to its national population than any other state—one uprooted Syrian for every five Lebanese citizens. This would be the equivalent of the United States taking in the whole of the United Kingdom. Jordan, with nearly 660,000 Syrians known to be on its territory, and according to the Jordanian government a similar number who have yet to identify themselves to the UN, ranks third in the number of Syrian refugees. Pakistan and Iran have, respectively, 1.6 million and 950,000 Afghan refugees. A single country, Kenya, provides refuge for almost half of the more than one million people who have fled Somalia since 1991.

The U.S. Has Accepted Only 11 Syrian Refugees This Year

Npr 18 (April 12, 2018, Updated at 5:38 p.m. on Monday 8/13/18 "The U.S. Has Accepted Only 11 Syrian Refugees This Year" NPR, (<https://www.npr.org/sections/parallels/2018/04/12/602022877/the-u-s-has-welcomed-only-11-syrian-refugees-this-year>)

The Trump administration retaliated Saturday against Syria's suspected chemical weapons attack, launching missiles with France and the U.K. targeting Syrian regime facilities. "This is about humanity, and it cannot be allowed to happen," President Trump said earlier last week, pledging a forceful response to Syrian President Bashar Assad's aggressions. But humanitarian organizations are challenging the president's commitment to humanity when it comes to Syrian civilians — particularly those seeking refuge in the United States. In 2016, near the end of Barack Obama's presidency, the U.S. resettled 15,479 Syrian refugees, according to State Department figures. In 2017, the country let in 3,024. So far this year, that number is just 11. By comparison, over the same 3 1/2-month period in 2016, the U.S. accepted 790. "We are seeing the impact of the Trump administration's words and policy and actions," says Noah Gottschalk, senior policy adviser at Oxfam America. "That slams the door on refugees, and Syrian refugees in particular." Gottschalk says that refugee resettlement has slowed to a trickle, with only 44 Syrians admitted since October 2017. He charges that administration policies aim to dismantle a refugee program mandated by Congress. "What about the humanity of the people who are fleeing those attacks? These are the very people who need our support," Gottschalk insists. Last September, President Trump dramatically reduced the annual cap for refugees from anywhere in the world to 45,000. Arrivals have also slowed because of additional vetting measures, as well as a series of executive orders temporarily barring travel from several Muslim-majority countries and suspending refugees admissions from around the world. Trump administration officials have said that tougher vetting of visitors and refugees was needed because of national security concerns. U.S. federal courts have struck down parts of the bans, but much of the restrictive effects persist, says Becca Heller with the New York-based International Refugee Assistance Project. "I think you can call it a backdoor ban, except that I think it's so blatant and in our faces that I would call it a front door ban. I think they closed the front door to America," Heller says. Yet some officials, including the Trump administration's defense secretary, have spoken out about Syrian refugees. "I've seen refugees from Asia to Europe, Kosovo to Africa. I've never seen refugees as traumatized as coming out of Syria. It's got to end," Defense Secretary Jim Mattis said at a House Armed Services Committee hearing last Thursday. He said the administration is committed to internationally negotiated efforts to end Syria's 7-year-old war, but claimed "we are not going to engage in the civil war itself."

The US is shutting its door on refugees in the status quo – refusing to honor commitments and ensuring continued persecution.

Schoenholtz '18 (Andrew is professor from practice at Georgetown Law, "Trump's closed door to refugees is a massive betrayal of American values, and a serious humanitarian failure," NY Daily News, 5-22-2018,

<http://www.nydailynews.com/opinion/trump-closed-door-refugees-betrayal-american-values-article-1.4004091>)

The Trump administration has made it clear: Refugees are no longer welcome in the United States. Earlier this month, Attorney General Sessions announced the U.S. government will not only continue separating children from their parents as they cross the border, but will prosecute adult asylum seekers as criminals rather than let them prove they fear persecution in their home countries. This is but the latest in a series of policies with which the extremists in charge are taking this country back to the shameful history of the 1930s. In 1939, the U.S. President — a Democrat — denied landing to more than 900 Jewish refugees who sailed from Germany on the St. Louis. These asylum seekers were forced to return to Europe. Despite four European nations providing safe haven to many of those excluded from America's shores, at least 254 of these Jews perished at the hands of their persecutors. Unfortunately, the United States is now once again returning the persecuted back to life-threatening circumstances as a matter of policy. Who are today's refugees coming to the U.S.? Most are Central American women and children fleeing from serious violence, including femicide, rape and gang killings of innocent civilians in countries where the rule of law does not exist. Some find safety in neighboring countries; others seek haven in America. There is evidence that some deported home from the U.S. have been killed. Why not give such people a chance to show they deserve our protection? Can Americans, 327 million strong, really feel threatened by the relatively small number of displaced women and children who make it here? In 1939, 83% of Americans opposed admitting refugees. Economic and ethnic fears motivated this opposition. Influential antisemites like Father Charles Coughlin and Henry Ford propagated hatred towards Jews. We are not there yet. But Trump and Sessions — and their media megaphones — are doing everything they can to take us in that direction. The propagandists who run the White House, the Justice Department and the Department of Homeland Security want to scare Americans into believing that rapists and criminal gangs are surging at our borders. Trump calls MS-13 "animals" and is more than happy if people take that to mean asylum-seekers are, too. If they succeed, they will have created a security crisis where none exists. This false narrative has already taken root among officials with the power to prevent the arrival of refugees. Some Customs and Border Protection inspectors at land ports of entry have told mothers, fathers and children seeking safety that the United States is no longer giving asylum. "Trump says we don't have to let you in," some of the uprooted were informed. Homeland Security agents have already separated families, like a 6-year-old girl from her mother they detained 2,000 miles apart as they sought asylum from the Democratic Republic of the Congo. In late March, U.S. Immigration and Customs Enforcement issued a new directive to keep pregnant women who are seeking safety locked up while they pursue asylum. Sessions then ordered immigration judges to issue asylum and other immigration decisions more quickly. Starting October 1, the performance of every immigration judge will be evaluated based on the number of cases completed. Sessions wants to deter asylum seekers from having their claims of persecution heard by these judges. Finally, this administration has demolished America's legal refugee admissions program. Until Trump, the United States led the world in rescuing refugees abroad. In FY 2016, our State Department rescued 84,994 refugees and brought them to the U.S. with the aid of the great faith-based and secular agencies (like the one a refugee from Germany named Einstein helped found) that this country should be proud of. In the first half of this fiscal year, this administration has let in only 10,548 refugees. The message is clear. Refugees, don't come to America. We will treat you like criminals. We will do everything we can to deter you from coming and deport you if you make it here. Trump and Sessions are breaching our own laws that reflect the international right to seek asylum. They are abandoning our moral commitment to protect those fleeing for their lives. They are pushing America backwards, cruelly, and not to anything that made us great.

Those restrictions are based on racism.

Austin-Hillery 18 (Nicole, May 22, 2018. Executive Director, US Program Trump's Racist Language Serves Abusive Immigration Policies,
www.hrw.org/news/2018/05/22/trumps-racist-language-serves-abusive-immigration-policies)

Presidential words matter – especially in a White House statement. So US President Donald Trump's description of immigrants (he later specified that he meant MS-13 gang-members) as "animals" raises red flags amongst those of us who remember what can happen [when governments demonize an entire group](#) of people. Especially when such language comes right after a new immigration policy that instructs border guards to separate children from their parents to prosecute the parents for crossing the US border – even for families seeking refuge from violence. The term "animals" first hit the headlines last week, when the [president told a group of local government officials](#): "We have people coming into the country, or trying to come in – we're stopping a lot of them – but we're taking people out of the country, you wouldn't believe how bad these people are. These aren't people, these are animals." Turning what might have been an off-the-cuff comment into official and dehumanizing rhetoric, the [White House yesterday released a list](#) of horrible crimes committed by MS-13 gang members and repeatedly described them as "animals," while claiming that critics were taking the president's earlier comment out of context. While many MS-13 gang members have done very bad things, they are not animals, and that kind of rhetoric [serves to rationalize](#) abusive, inhumane behavior and policies. Such overheated, dehumanizing and even racist language has a history of leading to harmful policies. Politicians in the 1990s labeled black and Latino youth as "super-predators" to justify prison expansion, vastly increased sentencing, and overly aggressive law enforcement that has devastated communities of color. Trump has consistently spoken this way to justify his abusive and bigoted immigration policies. Mexican immigrants are "drug dealers, criminals, rapists," despite the fact that immigrants commit far fewer crimes than US-born citizens. [African, Caribbean, and Central American countries are "shitholes"](#) and the US should instead welcome people from predominantly white Norway. The president and his media supporters try to obscure the racist reality of his words and policies by claiming that by "animals" he meant only MS-13 gang members. Claiming the "animals" comment is just about MS-13 is a semantic trick – don't buy it. Trump's policies put immigrants in the crosshairs; he is [increasing deportations of deeply-rooted, hardworking people](#) away from their homes, families, and communities. While claiming to protect us from dangerous gangsters, he makes it [US policy to rip children](#) from [the arms of their parents](#) in order to criminalize migrants and asylum seekers and [break families apart](#) through massive deportations. Americans should see through this ploy and reject the inhumane policies that Trump's rhetoric serves.

This violence is unique – to be stateless is to experience physical, emotional, and existential suffering.

Gotlib '17 (Anna, Assistant Professor of Philosophy at Brooklyn College CUNY, "Refugees, Narratives, or How To Do Bad Things with Words," Kennedy Institute of Ethics Journal, July 20, 2017, <https://kiej.georgetown.edu/refugees-narratives-bad-things-words/>)

I began by noting that refugees are fundamentally homeless. While this might seem like an obvious claim to make, I want to clarify what I specifically mean by homelessness here. For this, I turn to Hannah Arendt. Arendt observed in *The Origins of Totalitarianism* that citizenship (a kind of a social, political, and emotional home) uniquely grants to human beings the "right to have rights"—that it is a prolegomenon to any other discourses about state membership. Homeless, stateless persons, however, are different: they are not merely home-less in the sense of not having a place to call their own, but in the sense of not having the right to demand it (Arendt 1968). In other words, they have lost the possibility of making a claim on others for an opportunity to regain a home. This loss of claim-making is crucial: *Refugees are not only fleeing violence and persecution, but socioeconomic deprivation, racism, sociopolitical ostracism, and many other barriers to a minimally acceptable existence.* Thus, even before they are relegated to the status of non-citizens, they are already one step removed from being fully at home in the land of their origin. Being thus estranged from their home in ways that are independently de-centering and destructive, they are unable to begin again. The rejection by their intended destination is thus not merely social or political—in losing their home without regaining one, they lose their story. And the closing of the door that they hoped would be open also destroys the hope that the story could continue. The self becomes the self-in-exile—physical, emotional, psychological, political, without a reasonable possibility of rebuilding. Thus, homelessness can be understood as a kind of liminality, a state of permanent non-belonging. One is no longer of a rejecting place of origin, and one is not of any other place, either. What remains is an unending process of transition, where uprootedness is a permanent condition. The homelessness of today's Syrian refugee, therefore, is twofold: First, there is the loss of one's home and one's identity as a rightful citizen—a rightful member—of one's community of origin. Second, there is the lack of any reasonable ground on which to rebuild one's new identity. Thus, the newly homeless, stateless refugee has lost access to her familiar moral and political spaces in which her agency was once enacted and granted uptake without replacing it even with an ersatz home. In this way, these refugees are liminal not necessarily in that they are deprived of life, liberty, and the pursuit of happiness, or of equality before the law and freedom of opinion...but that they no longer belong to any community whatsoever. . . . They are deprived, not of the right to freedom, but of the right to action; not of the right to think whatever they please, but of the right to opinion. (Arendt 1968, 295–296) This pariah-like status not only places these newest refugees in physical danger, but also does something else: it renders them homeless in that deep Arendtian sense of being deprived of an appeal—of being existentially disowned not just by a particular nation-state, but by the global community itself. b. Moral Luck Refugee homelessness does not happen in a moral and political vacuum.

We have a moral obligation to refugees – change your decision calculus to prioritize the structural injustice of displacement.

Parekh '17 (Serena, "Our Moral Obligations to Refugees Go Beyond Giving Them Refuge," News Deeply, Jan. 25, 2017, Edited extract from "Refugees and the Ethics of Forced Displacement," <https://www.newsdeeply.com/refugees/community/2017/01/25/our-moral-obligations-to-refugees-go-beyond-giving-them-refuge>)

Though a low bar in most other contexts, when it comes to the treatment of refugees and the displaced, many would consider ensuring this basic level of rights, protection and accountability an unaffordable and unnecessary luxury. The reason that the ethical treatment of the displaced during their displacement is often ignored is because displacement is assumed by most people to be exceptional and temporary. I argue that both of these assumptions should be abandoned. Displacement is so much a fact of everyday political life that far from being exceptional, it ought to be seen as a *regular part of global politics*. Far from being temporary, displacement ought to be assumed to be *long term and enduring*. Living outside of a nation-state is no longer an anomaly that can be brushed aside as exceptional to contemporary political life; it has in many ways become a standard way of living for *millions* of people, and will *increasingly* be so in the future. The treatment of people during their displacement, because it is regular and enduring, not exceptional and temporary, ought to be subject to *rigorous ethical consideration*. Some of the harms of the *refugee regime* must be understood as *structural injustices*, injustices in which Western states can be held remedially *responsible*. Structural injustices are not necessarily the result of deliberate wrongdoing or explicitly unjust policies, but are the unintentional outcome of the actions of different agents each working for their own morally acceptable ends. *This calls for a new understanding of responsibility*. We ought to understand our responsibility for global displacement as "remedial" in the sense that we are responsible for fixing the problem in front of us because of the various ways in which we are connected to the situation, even though we did not cause it. To connect this to the Syrian refugee crisis, in my view the moral obligations of, for example, the United States, to Syrian refugees are not exhausted by resettling 10,000 refugees. We must continue to ask: And what happens to the other 5 million people from Syria who have been displaced by the war? Under what conditions will they be forced to live and for how long? We need to focus on the moral dimension of how the displaced are treated between the time of their exile and when they are finally able to find a permanent durable solution. This period of time is ever growing and more and more people spend their lives here. For the vast majority of people, it is a time characterized by confinement and human rights violations. This should not be the accepted norm. We ought to be promoting policies and practices that treat the forcibly displaced as fully human and with dignity.

1AC – International Law Advantage

Ratifying the Refugee Convention binds the U.S. to international human rights law, but status quo immigration restrictions are in breach.

Ayoub & Rondon '17 (Abed A. and Yolanda C., Legal & Policy Directors at the American-Arab Anti-Discrimination Committee. Both JDs. "Willful Blindness or Deliberate Indifference: The United States' Abdication of Legal Responsibility to Refugees," *Barry Law Review*: Vol. 22: Iss. 1, Article 3. Available at: <http://lawpublications.barry.edu/barrylrev/vol22/iss1/3>)-mikee

II. UNITED STATES'S OBLIGATIONS UNDER INTERNATIONAL LAW AND REFUGEE POLICIES

A. Recognition Under International Law The Refugee Convention is derived from the asylum protected status enumerated under the Article 14 of the 1948 Universal Declaration of Human Rights—to provide immediate safe haven to those in danger.⁷⁵ It may surprise some that the 1951 Refugee Convention (1951 Convention) did not grant refugee status to all those who qualified as refugees by demonstrating 1) a well-founded fear of future persecution based on race, nationality, membership in a particular social group, and religion; 2) a causal nexus; and 3) an unwillingness or inability to return to their home country.⁷⁶ The 1951 Convention was subject to the geographic and temporal limitations of Europe.⁷⁷ It may also surprise some that the U.S. did not ratify the 1951 Convention.⁷⁸ However, we must remember that the 1951 Convention was moved forward in response to the Holocaust and persecution of Jews by the German government and in German-controlled areas.⁷⁹ Also, remember that the U.S. refused to accept Jewish refugees fleeing to the U.S., classifying Jewish refugees as a "risk" for entry and a "threat."⁸⁰ Nevertheless, the U.S. is bound by the 1951 Convention and 1967 Protocol because the Convention is recognized as *jus cogens*,⁸¹ and the U.S. *must abide by customary international law*. *Jus cogens* is defined as a peremptory norm of international law accepted by the international community of states as a whole from which no derogation is ever permitted.⁸² The 1951 Refugee Convention and 1967 Protocol have been ratified by 142 countries.⁸³ Additionally, the United States did ratify the 1967 Protocol⁸⁴ and enacted it as law under the Immigration and Nationality Act § 101(a)(42).⁸⁵ Equally important is the recognition of the principles of *anti-discrimination and non-refoulement as established international norms* rooted in customary international law.⁸⁶ The five protected grounds under the 1951 Convention and the 1967 Protocol are rooted in the principles of immutability and anti-discrimination.⁸⁷ Protection is afforded to individuals discriminatorily targeted and/or subject to risk because of who he or she is—an immutable characteristic fundamental to his or her identity or conscience.⁸⁸ These principles, particularly the principle of anti-discrimination, have been recognized through state domestic courts including, but not limited to, Canada in *Attorney General of Canada v. Ward* and the United Kingdom in *Ex parte Shah v. Secretary of State for the Home Department*.⁸⁹ The principles of anti-discrimination and non-refoulement are not principles in the mere sense of the word. The principles as recognized international norms are rules that impose duties.⁹⁰ Recognition of anti-discrimination and non-refoulement principles as *jus cogens* are further supported by international instruments.⁹¹ Articles 1 and 2 of the International Convention on the Elimination of all Forms of Racial Discrimination affirm the non-discrimination principle, specifically providing: Each State Party undertakes to engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure [sic] that all public authorities and public institutions, national and local, shall act in conformity with this obligation; (b) Each State Party undertakes not to sponsor, defend or support racial discrimination by any persons or organizations.⁹² Article 4 of the International Covenant on Civil and Political Rights affirms the non-discrimination duty even in times of war or threats to national security. The Covenant provides: In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.⁹³ The Convention on the Elimination of all Forms of Discrimination has 88 signatories and 177 state parties.⁹⁴ The Covenant on Civil and Political Rights has 74 signatories and 168 state parties.⁹⁵ The European Charter on Human Rights, American Convention on Human Rights, and African Charter on Human and People's Rights affirmed international recognition of the anti-discrimination principle. However, current refugee legislation, policies, and practices *violate customary international law*, the recognized international norms. Arguably, the actions implemented and/or proposed by the United States government violate the anti-discrimination principle and international law. For the first time in recent history, the United States has set out to discriminate against the admittance of refugees, singling out Arabs (specifically Syrians and Iraqis) and Muslims for no admittance and heightened screening based on their identity alone.⁹⁶ This directly contradicts the purpose of the Refugee Convention and the protective status.

Specifically, current refugee admission levels violate *jus cogens* principles of non-refoulement and non-discrimination in the right to asylum.

Coen 18 (Alise Coen, Assistant Professor of Political Science at UW-Sheboygan, Ph.D. in Political Science and International Relations from the University of Delaware, 4-24-2018, "International order, the rule of law, and US departures from refugee protection," *The International Journal Of Human Rights*, <https://www.tandfonline.com/doi/abs/10.1080/13642987.2018.1454910>)

As previously discussed, the Refugee Convention allows for the removal and denial of refugee status to individuals who have committed serious crimes and pose a danger to public safety when there are 'reasonable grounds' for establishing this danger. The high standards for determining that a refugee or asylum-seeker is a serious criminal and threat to the host country are intended to ensure states deny or expel only 'truly dangerous refugees'.⁶⁶ Deviations from refugee protection principles during the first year of the Trump administration arguably fail to meet these standards, and *perpetuate violations of non-discrimination detrimental to the democratic rule of law*. At the centre of controversial US policy changes were heightened efforts to limit and restrict refugees' right of entry in the January 2017 'Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States'. This order imposed a temporary ban on the entry of all immigrant and non-immigrant nationals from seven Middle Eastern and North African countries and specified an indefinite ban on the entry of all Syrian refugees.⁶⁷ The executive action arguably violated customary and peremptory legal norms in two ways. First, the policy *undermined the prohibition on non-refoulement*. In considering aspects of the principle that rise to the level of jus cogens, Goodwin-Gill notes that in addition to the obligation not to deny asylum-seekers and refugees access to international protection, 'there is a corresponding obligation on states not to frustrate the exercise of the right of asylum in such a way as to leave individuals at risk of persecution or other relevant harm'.⁶⁸ Reports on the detention and expulsion of individuals arriving in US airports in the aftermath of the executive order indicate the United States contravened non-refoulement in failing to uphold the procedural requirement for anyone in US custody or territory – including US airport detention – to be given a fair opportunity to claim credible fear of torture or persecution.⁶⁹ The US ratification of the CAT obligates asylum officers to provide 'credible fear of torture' screenings to determine whether asylum eligibility exists,⁷⁰ reiterating the nexus between non-refoulement and the jus cogens prohibition on torture. Second, in denying and frustrating the right of Syrian refugees in particular to seek asylum, the executive action undermined the responsibility to protect refugees fleeing jus cogens crimes. Given that Syrian refugees are fleeing war crimes, acts of genocide and crimes against humanity,⁷¹ impeding their escape might violate peremptory norms regarding prohibitions on these severe crimes. As part of a legal obligation to prevent genocide, which is clearly recognised as jus cogens,⁷² states arguably have a duty to offer asylum and other forms of protection to individuals fleeing acts of genocide or violent contexts that may expose them to a future risk of genocide if they are unable to find safety. The same holds in the case of individuals seeking escape from war crimes and crimes against humanity since these are also often recognised as jus cogens crimes subject to universal jurisdiction.⁷³ The administration's targeting of Syrian refugees for denial of entry is thus particularly problematic in terms of US compliance with peremptory norms. It is also important to note that the executive order *breached non-discrimination requirements* regarding the application of Article 33 of the Refugee Convention as well as article 26 of the ICCPR by utilising 'sweeping group-based denial of access to protection'.⁷⁴ Following a series of injunctions from US Federal district judges raising concerns about its discriminatory basis – specifically, its disproportionate impact on largely Arab and Muslim immigrants – the policy was modified to incorporate two non-Muslim majority countries: North Korea and Venezuela. Concerns regarding discrimination continued, however, given that the revised version only banned certain Venezuelan government officials and their immediate family members and had little impact on already low levels of immigration from North Korea. Nationals from Muslim-majority countries like Syria, Chad, Yemen, Libya and Iran continued to face large-scale immigrant and nonimmigrant entry suspensions.⁷⁵ The disproportionate impact on Arab and Muslim migrants not only suggests a US violation of international human rights law vis-à-vis non-discrimination,⁷⁶ but also indicates further damage to the tenets of equality and non-discrimination foundational to the democratic rule of law at the domestic level. The containment of refugee flows and measures such as border closures have the potential to *undermine the fundamental right to leave and seek asylum*.⁷⁷ Efforts to block asylum during the first year of the Trump administration resulted in a 37% decrease in total refugee admissions for fiscal year 2017, with the overall admissions figure (53,716) representing the lowest level of US refugee resettlement in 10 years.⁷⁸ The effect of the administration's

attempts to restrict asylum for Syrian refugees in particular is evidenced in their dramatic admission declines. Whereas an average of 1200 Syrian refugees per month were admitted in the final months of the Obama administration, that figure fell below 285 per month during the spring of 2017. In August of 2017, as the number of Syrian refugees registered with the UN reached a record global high of 5.2 million, only 48 were admitted into the United States. Despite court injunctions and domestic legal challenges to its executive actions on immigration, the Trump administration was ultimately successful in curtailing the total annual admission of Syrian refugees by nearly half (6557 down from 12,587).⁷⁹ In the fall of 2017, the US administration announced it would *further reduce total refugee admissions to no more than 45,000 for 2018, representing the lowest annual ceiling* since the establishment of the US refugee resettlement programme in 1980.⁸⁰ In terms of international refugee responsibility-sharing, these figures translate to *a commitment from the global hegemon to accept only 0.2 percent* of the world's 22.5 million refugees. The indifference to a responsibility to protect refugees fleeing mass atrocity crimes such as those in Syria is striking not only given the United States' relatively strong capacity to absorb refugees, but also given its culpability in contributing to the conditions shaping humanitarian displacement in Syria.⁸¹ The implications for the resettlement of Syrian and other refugees originating from the Middle East and from Muslim-majority polities may be especially dire in the wake of new vetting policies requiring additional security screening and scrutinising of applications for refugees from 11 countries deemed to be 'higher risk' by the administration. These were reported to include Egypt, Iran, Iraq, Libya, Mali, North Korea, Somalia, South Sudan, Sudan, Syria and Yemen.⁸² Refugee advocates cautioned that the effect of this additional 'vetting' during 2018 would likely pause the security checks and processing of refugees from these states, further slowing already backlogged security advisory opinions and resulting in a 'de facto ban' on refugees from these countries.⁸³ It is noteworthy that the conflicts driving displacement in several of the listed states are characterised by mass atrocity crimes, including acts of genocide and crimes against humanity such as widespread torture. This reiterates the potential for US policy to violate jus cogens and customary legal norms. Violations of non-refoulement during the first year of the Trump administration extend beyond the controversial executive order to encompass wider accounts of increased detention and deportation of asylum-seekers.⁸⁴ In addition to undermining the international rule of law, changes in the practices of US Customs and Border Protection (CBP) under the Trump administration arguably compromise the domestic rule of law. A 2017 class-action lawsuit on behalf of asylum-seekers from Mexico and Honduras highlights patterns of unlawful practices by CBP officials 'designed to deny individuals their right under the law to apply for asylum'. Allegations include physical abuse, threats and intimidation, and reports of CBP officials falsely telling asylum-seekers that asylum is no longer available in the United States.⁸⁵ Reports of increased 'family separations' as a new policy to dissuade the illegal entry of immigrants and asylum-seekers additionally raise concerns about inhumane treatment and potential violations of children's rights.⁸⁶ This underscores the extent to which international order and domestic order are inherently linked, for 'world order is not merely about relations between sovereign states [but] it is also about order within states', including the fulfilment of social compacts and provision of basic rights and welfare.⁸⁷

This instance spills over – human rights norms on refugees are critical to the foundation of the international legal order writ large. Violations undermine the core of international law – only the plan prevents the collapse of global governance.

Coen 18 (Alise Coen, Assistant Professor of Political Science at UW-Sheboygan, Ph.D. in Political Science and International Relations from the University of Delaware, 4-24-2018, "International order, the rule of law, and US departures from refugee protection," *The International Journal Of Human Rights*, <https://www.tandfonline.com/doi/abs/10.1080/13642987.2018.1454910>)

Diverse perspectives within International Relations (IR) theory have converged around the notion that *the global architecture underpinning the contemporary world order is at a crossroads*.¹ At the heart of this juncture is the crisis of a distinctly liberal international order built on a rules-based system of multilateralism, democratic solidarity and human rights.² There are *robust foundations for connecting norm-violating behaviour to this crisis* and its attendant erosions of the rule of law at both domestic and

international levels. Much work has focused on the rule of law as a state-level attribute, demonstrating the centrality of fair, impartial and effective institutions for democratic political systems.³ Applied to the international domain, the rule of law anticipates that states and other actors will adhere to a wide range of principles prescribed by legal norms to ensure a sense of fairness, procedural transparency and predictability.⁴ Violations of customary and peremptory legal norms – universally binding norms of a *jus cogens* nature from which no derogations are permitted – can cripple the expectations associated with these components of international order and justice. Deviations from human rights principles are particularly problematic since the rule of law depends on equally enforced laws ‘consistent with international human rights norms and standards’.⁵ The responsibility for adhering to these principles arguably rests *first and foremost with powerful states that possess the governance capacity to comply with them*, as weaker states sometimes lack the durable administrative institutions needed to enforce human rights laws within their territories.⁶ *Strong states espousing a liberal democratic identity are particularly integral* to sustaining the normative and legal power of international human rights instruments since they possess both material and ideational conditions supportive of human rights compliance. What, then, are the implications for global human rights governance when a democratic, hegemonic actor violates core human rights principles? This article focuses on US norm violations in the realm of refugee protection to explore this question. Violations of the principle of non-refoulement and *efforts to shirk refugee responsibility-sharing* in the wake of mass atrocity crimes are highlighted as two important realms in which *US behaviours undermine the rule of law and weaken international order*. International order and the rule of law Member states at the United Nations (UN) World Summit in 2005 committed to ‘actively protecting and promoting all human rights, the rule of law and democracy’, recognising the ‘interlinked and mutually reinforcing’ nature of these concepts.⁷ At the international level, the rule of law provides an important sense of stability and predictability in the absence of a centralised world polity. While definitions of the concept vary, the rule of law might be conceptualised as entailing four main principles: governments and other actors are accountable under the law; laws are just and applied evenly, and protect fundamental rights; the processes by which laws are enacted and enforced are accessible and fair; and the delivery of justice is competent and ethical.⁸ Accountability under the law and the equal enforcement of laws protecting basic human rights are particularly central in enabling states and other actors to maintain standards of fair behaviour. When states fail to comply with their legal commitments and uphold fundamental human rights protections, the principles of accountability, fairness and equal enforcement underpinning the rule of law are undermined. Moreover, because the efficacy of international law depends on its successful internalisation and enforcement among states, widespread violations of international standards can precipitate a breakdown in global justice. Encroachments on the international rule of law simultaneously encroach on international order. International order encompasses ‘the body of rules, norms, and institutions that govern relations among the key players in the international environment’.¹⁰ Contemporary international order *depends particularly on adherence to liberal political norms upholding human rights*. Noncompliance with such norms is often understood as endangering human rights and *international stability writ large*.¹¹ For democracies, human rights violations can jeopardise the rule of law and notions of legitimacy at domestic and international levels. States’ adherence to human rights norms represents an important signalling of their commitment to democracy¹² as well as their membership in a club of nations that adhere to ‘laws of universal conscience’.¹³ Expectations that democracies fulfil their moral commitments under international law have intensified as notions of international order have increasingly linked democracy with human rights.¹⁴ *Compliance with human rights norms has become paramount to shared understandings of global governance*, justice and accountability, such that states are increasingly willing to prioritise commitments to international human rights law over short-term material interests, even at significant economic costs.¹⁵ When such norms have acquired peremptory or *jus cogens* status, they are especially foundational to preserving the rule of law on which international order depends. *Jus cogens* status signals acceptance by the international community of states as a

whole, and states cannot derogate from or opt out of jus cogens obligations, even by treaty.¹⁶ Greater attention to the connection between jus cogens norms and international order is needed within IR, as these binding international standards are arguably central to the ethos of the international community. Conklin posits that *violations of these norms call into question the very existence of the international legal order*, for ‘when a state contravenes the peremptory norm, the legitimacy/authority of the international community in which the peremptory norm is nested is annulled’.¹⁷ Widely accepted examples of jus cogens norms include prohibitions against attacks on civilians, genocide and torture.¹⁸ Such prohibitions represent the extent to which core values of the international community surrounding human rights have become ‘so fundamental to the system that the law could not survive without them’.¹⁹ Core human rights principles and refugee protection International human rights law provides a fundamental basis for the protection of asylum seekers, refugees and forcibly displaced persons by shielding these individuals from violations of accepted international norms.²⁰ This section of the article outlines two areas of refugee protection that merit attention: the principle of non-refoulement and the responsibility to protect refugees fleeing mass atrocity crimes. Because these realms might be considered *intrinsically connected to peremptory human rights norms* of a jus cogens nature and to customary international human rights law, state violations of these obligations simultaneously undermine the rule of law, democratic legitimacy and international order.

American leadership through international law solves every global problem—war, human rights, and climate change.

Crocker ¹⁵ (Bathsheba, B.A. from Stanford University, an M.A. from Fletcher School of Law and Diplomacy, and a J.D. from Harvard Law School. Assistant Secretary, Bureau of International Organization Affairs Washington, D.C. March 12, 2015, <http://iipdigital.usembassy.gov/st/english/texttrans/2015/03/20150313314017.html?CP.rss=true#axz3z3UTr4aMhx>)

As I begin, I take the liberty of assuming your stipulation to some guiding realities: First, that pressing transnational challenges are only growing in scope, scale, and variety. In this category, I might offer climate change, food security, pandemic health challenges such as Ebola, the threat of violent extremism, and more. Second, that these varied challenges require often urgent and sometimes simultaneous **multilateral action**. This truth is perhaps most evident often in the case of humanitarian crises. Third, that today’s remarkable connectivity accelerates the pace at which events become available to global audiences, and thus in turn accelerates the pace at which the international community is expected and called upon to respond. And finally, that an international system unable to respond to these truths would quickly become irrelevant on the global stage. Seventy years ago, the need for an international body to provide a convening authority and a constraint for disputing nations was obvious. And though it is true that since that day in San Francisco there have been few constants on the international stage, it is also true that a body that was conceived primarily as a means to prevent war among the great powers of the world has met that fundamental objective. The original 50 signatories of the UN Charter have grown to 193. The modern international system comprises dozens of organizations and agencies, with responsibility for engaging on innumerable shared priorities, and – let’s be honest – more than a handful most of us have never heard of. Civil society networks have emerged as a powerful complement to multilateral tools, and globalization has fostered economic and cultural linkages that would have been unimaginable at the end of World War II. And yet, across that timeline and in all those categories, **American leadership within the international system has been steadfast and instrumental**. Now, in making that statement, I acknowledge that from its earliest moments, the UN has been the source of discomfort in some segments of the U.S. political universe. That said, it is notable that for all of its seven decades, the UN and the evolving international system have enjoyed the strong support of U.S. administrations and the Congress. But why? **Why is the vitality and agility of the United Nations of such importance** to the United States? In its most simple expression, it comes to this – we ask the international system to do a great many things on our behalf, and on the whole it is **genuinely and actively** responsive in that regard. Yes, there are failings in the system, frustrations inherent in its history and exploited by its membership. There are recurring instances of mismanagement and inefficiency. There is a deeply-rooted anti-Israel bias that rears its ugly head across the system. And there is a persistence of division, call it North vs. South, NAM vs. the West, or G77 vs. the likeminded, that seems almost unthinkable given how much has changed on the global stage since 1945. But the challenges we face today require as never before the **multiplier effect** of an effective international system. And the reality is that with the UN, that means we must take the good with the bad – accept the shortcomings, because the benefits to the United States still far outweigh the stories that grab headlines. So today I will briefly discuss the UN’s unique capability and capacity, where today’s international system succeeds, where it falls short, and why we must remain relentless in our efforts to push it toward improved effectiveness, efficiency, and innovation and expand our efforts to encourage UN member states to break through tired voting habits and stale thinking. Any discussion of where the international system works must be predicated on an acceptance that the system is messy. With 193 UN member states, division is not uncommon – but we also have to remember how much gets done by consensus,

even in the unwieldy UN General Assembly. And, frankly, if member states were all of one mind, the need for an international system would be far from obvious. No, clearly our differences illustrate the need, create opportunities for unanticipated partnerships, and can make multilateral accomplishments all the more resonant. They are, in fact, the source of the legitimacy that the UN bestows when it speaks to an issue of global concern. So, where does one look for such accomplishments? I'll offer a few examples in three broad categories. First, **we find accomplishment where the international system effectively channels shared aspirations.** Take, for example, human rights and the UN Human Rights Council. This is a body that has been fairly criticized as providing solace and protection to some of the world's worst human rights abusers while focusing with unrelenting, unhealthy attention on a single nation – Israel. When the United States decided to seek election to the Council in 2009, it was with a determination to redirect the Council's energies, refocus its purpose, and begin strengthening its reputation as the global focal-point for universal human rights. **In the succeeding years, we've achieved a great deal.** In 2011, we led an effort to pass a groundbreaking resolution on the rights of LGBT persons – ^{the first such} resolution in the UN system. We supported the Latin Americans in taking the lead on the follow-on resolution this past September. We have worked with our partners to lift the veil of secrecy on the horrendous human rights abuses in North Korea ^{at the hands of the regime and to get this issue on the agenda of the Security Council – a huge accomplishment.} We have also led a sustained effort to promote the investigation of and accountability for human rights violations in Sri Lanka ^{and in fact consistently promote the utility of focusing on country-specific situations to highlight some of the most distressing human rights situations around the world.} That effort has resulted in Commissions of Inquiry and Special Rapporteurs on the human rights situations in Iran, Syria, Belarus, Burma, and North Korea ^{and independent experts on the situations in Sudan, Somalia, and Mali.} We have also led efforts to pass important thematic actions to bolster freedoms of expression and association, the rights of women and girls, the protection of civil society, and much more. And, I would note, that we have achieved this level of success in spite of the recurring presence on the Council of some of the world's worst offender states. It is also true that we have not succeeded in ending the ingrained bias against Israel, but we continue to advocate forcefully against that bias in the Human Rights Council and across the international system. In fact, as Secretary Kerry pointed out earlier this month, we have intervened on Israel's behalf over the last two years a couple of hundred times in more than 75 different multilateral fora, both to defend it and to support its positive agenda. This recent progress notwithstanding, the Human Rights Council will obviously never be flawless. But consider the outsized influence of this relatively small body of just 47 member states and the small Office of the High Commissioner for Human Rights. We measure that influence not just in the allergic responses often displayed by offender nations, but more meaningfully in the feedback we receive from civil society in those nations, who remind us frequently that Council action has a powerful impact on the ground. Today, **shared aspirations are evident across the UN system** from ^{the heightened} focus on gender ^{issues, to} strengthened humanitarian **coordination** across UN agencies, **to the elevation of climate change** and other (inaudible) issues, and in the energy and ambition fueling negotiations toward a Post-2015 Development Agenda. Obviously, shared aspirations do not immediately or even necessarily equate to agreed action, but they serve to shape many of the conversations defining today's multilateral diplomacy. **We also find accomplishment** in the international system where it acts to promote peace and security. ^{The headline institution here is of course the UN Security Council, which has not always warranted or enjoyed universal admiration. At times, disagreement between permanent members has inhibited action on urgent crises and Syria is an obvious example here. But it should come as no surprise that in situations closest to our core interests,} **the United States and other permanent members won't always - or even often - agree. And** ^{indeed} **the Council was created to give us a mechanism to air our differences and try to foster solutions without resorting to open conflict.** And where the P5's interests align, the Security Council plays an indispensable role. We have continued to work effectively ^{with Russia and the rest of the Council on combatting the flow of foreign terrorist fighters,} on substantive actions to counter terrorism, counter piracy, on robust nonproliferation regimes targeting Iran and North Korea, on authorizing peacekeeping missions, and much more. To be sure, the Council's failures on matters such as Syria are as **inexcusable** as they are unsurprising. And over time, failure to act time and again to address front-burner issues could undermine the body's legitimacy. But as often as that has been predicted it has been disproved, as even when we and others have acted without Council authorization, **we have generally returned to the Council to bestow legitimacy and to coordinate on additional actions.** UN peacekeeping is also a widely-known UN peace and security tool, and lends itself well as an example of multilateral burden-sharing. UN peacekeepers, ^{in fact,} are currently the largest deployed military force around the world, ^{with 16 missions and over 130,000 personnel today. We've had UN peacekeeping missions nearly as long as we've had the UN itself, and like the parent body, they have not always measured up. In particular, we see the challenge when missions are mandated to take actions they don't deliver on, such as the protection of civilians. We learned from the experiences of Rwanda, of the Balkans, and elsewhere that missions needed strengthened mandates to make clear the authority to use force and protect civilians. Today, more than 95 percent of peacekeepers serve in missions with a responsibility to protect civilians. Today, the problems we see relate more to how to plan for such operations, how to get host nations to do their job, how to make sure troop contributing countries are able and willing to enforce robust mandates – and a lack of the political underpinning needed to ensure missions' success.} **We are committed to modernizing peacekeeping missions** and pressing to fill critical gaps and as the nation contributing over 28 percent of the UN peacekeeping budget and with a seat on the Security Council, we obviously have strong views. We are engaging with and support the new Independent Panel chaired by former President Jose Ramos-Horta to review UN peace operations, and in fact held serious discussions with panel members at the State Department on Tuesday. Also earlier this week, both Ambassador Power and Deputy Secretary Blinken spoke forcefully on the continued U.S. commitment to peacekeeping and the gaps we are focused on filling, and President Obama will host a Peacekeeping Summit in New York in September. Finally, **we find accomplishment where the international system provides unique specialized and technical expertise.** Consider, for example, the ongoing negotiations related to Iran's nuclear program. While I want in no way to prejudge the outcome of those negotiations, I do think they offer an important reminder of the need to invest in credible international organizations. In this instance, I'm referring to the International Atomic Energy Agency, which occupies an indispensable place on the global stage as an authoritative technical entity. As the Iran negotiations continue through the P5+1 process, the IAEA has the proven capacity to undertake the monitoring and verification roles that would likely be required of it under any agreement and that have been required to verify compliance under the Joint Plan of Action. Imagine how much more difficult these already highly technical and complex negotiations would be without the existence of this international agency. In a

similar vein, I think it fair to speculate that the international community would have struggled mightily to deal with the Assad regime's chemical weapons stockpiles in the absence of the Organization for the Prohibition of Chemical Weapons.

I take little risk in suggesting that not all of knew about the OPCW before their services and capabilities were required in Syria, and the fact that those capabilities were employed effectively further endorses the sustained investment required to maintain the many and varied elements of our modern international system. Now, these accomplishments are real, they are valuable, and in many cases they contribute directly to our national security. There are also, to be sure, areas in where the international system falls short, and while I have alluded to several already, they bear repeating. First, there is one suite of issues that I believe represents one of the UN system's biggest sustained failures. That is, of course, the treatment of Israel-Palestine issues. There remains a persistent, corrosive bias against Israel in many UN fora, including the UN General Assembly, the Human Rights Council, UNESCO, and beyond. It is made manifest in resolutions and commissions of inquiry, and reinforced by incendiary language and bloc voting. This bias diminishes every international body in which it is allowed to persist, and does nothing to advance the vision of a two-state solution in the Middle East. Recently, more assertive Palestinian action has compounded the challenge. They have sought to elevate their status in the General Assembly and elsewhere across the UN system. They sought and won member state status at UNESCO, which triggered a legislative requirement that the U.S. cease funding that organization. They signed the Rome Statute and are seeking to employ the ICC to adjudicate questions that should be left to negotiations to resolve. This appropriation of the international system is more than a dangerous precedent. It poses a threat to the legitimacy and viability of institutions, and provides ready ammunition to those who would seek to diminish U.S. leadership across the international system. In a similar vein, the UN system is frequently and justifiably criticized for providing open venues for rogue states and bad global actors. I'll brace myself for the laugh track when I tell you that Venezuela is on the Security Council and China, Russia, and Cuba are members of the Human Rights Council. Bloc voting can result in counterintuitive outcomes, and bad actors are sometimes determined to employ multilateral venues to advance goals antithetical to the hosting organization. I think we can all agree that these realities are unfortunate at best and all too often corrosive and damaging. And there are times when the system in which we've invested so much just doesn't perform as well or as quickly as we'd want – for example WHO being so slow off the mark in responding to the Ebola crisis. Finally, in the category of shortcomings we need to make special note of continued management, transparency, and accountability failings. Such failings have a profound impact on the international system – damaged credibility, diminished impact, and justifiable exposure to critics. In this category I would include a long history of poorly managed or mismanaged budgets, a sclerotic personnel system, an opaque response to crises such as sexual exploitation and abuse by UN peacekeepers. The United States is at the forefront of efforts across the UN system to promote the positive evolution in the management cultures of all organizations and agencies. Sometimes we feel a little lonely in that position, but our sustained focus on these issues is beginning to make a difference. There is more budget transparency and accountability in many organizations today. There are more robust investigation tools. There is momentum toward addressing the lack of uniform whistleblower protections. These steps and others are important, but we must be unrelenting in our demand for continuous, thoughtful evolution of the UN's psychology and physiology. In order to see that evolution realized, member states must care, and many do, including of course the United States. We care because we've built this system to manage shared responses to global

challenges. As many before me have said, if the United Nations didn't exist, we would almost certainly have to invent it – and I'm not sure in today's world, that we could. The United Nations at 70 shows some of its age, to be sure. But the questions facing the global community today **demand an invigorated international system**, not an interment. And that system is trying to get a lot done this year – in its 70th year – from major negotiations on post-2015 and climate, to peacekeeping reform, to addressing the threats of (inaudible) by violent extremism, to negotiations around the UN budget, to major discussions on internet governance and cyber security and Security Council reform. And let's not forget the geopolitical shifts that underlie all these questions – from a revanchinist Russia to an increasingly assertive India, China, and Brazil. Indeed, in some ways this seems like a test year for the UN system: can it still deliver on the kinds of big-ticket multilateral agenda items it is trying to get done? Can it prove that it has evolved and is continuing to evolve to take on new challenges? Will we and other member states continue to see value in using this system – will it continue to deliver for us?

1AC – Plan

Plan: The United States federal government should substantially increase its resettlement of refugees in the United States.

1AC – Solvency

Substantially increasing the quota solves – it reverses current stereotypes and renews US leadership on refugees.

Welch '17 (Keith, Researcher at the Haas Institute at UC Berkeley, MA in from Georgetown, "A Pivotal Moment for the US Refugee Resettlement Program the United States," June 2017, http://haasinstitute.berkeley.edu/sites/default/files/haasinstitute_usrefugeeresettlment_june2017_publication.pdf)

DESPITE THE BENEFITS of refugee resettlement, the US has steadily decreased its commitment to offering safe refuge to those fleeing violence and persecution. As this report outlined, the US played a key role in the development of the international refugee protection regime, and the US has historically resettled more refugees than all other countries combined. For example, of the 105,200 refugees who were resettled globally in 2014, the United States resettled 73,000.⁹⁵ However, that commitment is under immense pressure as a result of renewed anti-refugee rhetoric and policies. Instead of curtailing its refugee resettlement program, *the US needs to reaffirm its historical commitment to resettling and welcoming refugees* regardless

of their country of origin, their race, or their religion. *Policymakers should consider changes at the federal level that increase the overall number of refugees*, particularly from Syria, resettled in the US. The US can reaffirm its position as a global leader in refugee resettlement by *increasing the annual refugee resettlement ceiling to above 110,000*, devoting more resources and prioritization to the Refugee Resettlement Program, and increasing access to resettlement to particularly vulnerable refugees. In doing so, the US would make a major contribution to widening the circle of human concern by *rejecting negative stereotypes* of refugees and welcoming them as members of our global community who are welcome and truly belong in our country.

The plan saves the most vulnerable refugees and provides leverage for other countries to take action.

Ignatieff et al '16 (Michael, Juliette Keeley, Betsy Ribble, and Keith Mccammon, 9-12-2016, "The refugee and migration crisis: Proposals for action, U.N. Summit 2016," Brookings, <https://www.brookings.edu/research/the-refugee-and-migration-crisis-proposals-for-action-u-n-summit-2016/>)

In October 2015, the Obama administration raised the annual cap on refugee admissions from 70,000 to 85,000—to include at least 10,000 Syrians—with a proposed ceiling of 100,000 in FY2017. Until mid-summer 2016, the United States' limited screening resources restricted admissions to about 200 Syrians each month. Responding to criticism of the slow pace of refugee resettlement, in 2016 the administration scaled up operations in Jordan, Lebanon, and Iraq, which included a "surge" of U.S. Citizenship and Immigration Services (USCIS) interview staff sent to Jordan and Turkey. In February, the Department of State granted Syrians eligibility for priority processing that allows applicants with family members already in the United States to skip the wait for a U.N. High Commissioner for Refugees (UNHCR) referral. By the end of August, the surge had proven successful, with the administration announcing it had reached its 10,000 target. **This successful surge demonstrates that the administration can scale up operations to meet its goals.** While this modest target indicates a sincere commitment, it is dwarfed by the commitments that front-line states have already made and by America's own historic commitment to refugee resettlement. Taken together—the imminent collapse of the Turkey-EU deal, the growing pressure on front-line states such as Lebanon and Jordan, the rising number of drownings in the Mediterranean, and the steady increase in arrivals to Italy—it is becoming imperative for the United States, Canada, Australia, and countries in Latin America with a record of accepting refugees to respond. If the United States' stated goal is to double the resettlement of refugees among member states, it needs to resettle more refugees itself. Once the United States has demonstrated its own commitment, it will be better positioned to extract commitments from other countries. In addition to the 100,000 refugees from around the world that the United States has committed to accept in 2017, it should commit to select, screen, and accept 65,000 additional Syrian refugees currently in Turkish and Jordanian camps for resettlement in the United States in 2017. The 65,000 in question are those that the UNHCR has identified as among the most

vulnerable—women and children in families broken apart by war, together with individuals traumatized by injury, violence, or torture who cannot receive adequate rehabilitation in refugee camps and need to be given a chance at a new start in safety. This would raise the overall total of refugees that the United States accepts per year to 150,000, at an additional estimated cost of about \$700 million. By announcing a commitment of this magnitude in New York later this month, the United States would be sending a message of solidarity to the Syrian people, to the front-line states, and to U.N. members who have, so far, failed to shoulder refugee burdens. To build a coalition of resettlement countries, the United States should target states who traditionally have not taken many refugees, including several in South America and the Gulf, and Muslim-majority countries in South Asia. Every refugee that can be resettled outside of Europe by this U.S.-led coalition reduces the drownings in the Mediterranean and the pressure on Europe.

US refugee leadership key to allied security, global cooperation, and safeguarding vulnerable refugees.

Long '15 (Katy is a refugee and migration expert. She is currently a visiting fellow at Stanford University and an honorary fellow at the University of Edinburgh, "Why America Could—and Should—Admit More Syrian Refugees," Century Foundation, 12-16-2015,

<https://tcf.org/content/report/why-america-could-and-should-admit-more-syrian-refugees/>)

*Helping Syrian refugees is also in the United States' own strategic self-interest. Accepting more Syrian refugees gives the United States more credibility with its rivals; the Assad regime and its foreign backers tend to dismiss Washington as a paper tiger, so any evidence of U.S. commitment to its Syria policy helps reverse an unfortunate trend. Furthermore, Syrian resettlement is also strategically important in terms of wide U.S. engagement in the broader region, including with the Gulf monarchies and Turkey, Lebanon, and Jordan; as the United States assumes a greater share of refugee resettlement, it will have an easier time persuading U.S. allies to coordinate policies toward Syria and fall in line with U.S. preferences. **Strategic and humanitarian imperatives are mutually reinforcing.** Refugee-hosting countries in the region are overwhelmed. Lebanon—a state close to breaking point—is currently hosting 1.1 million refugees—an astounding one refugee for every four residents. It is projected that Turkey will host 1.7 million Syrian refugees by the end of 2015; Jordan 680,000.⁵⁷ Protection space for Syrians is extremely fragile in all these states, with refugees being afforded limited socioeconomic rights and aid budgets having been drastically reduced due to funding shortages. Stagnating refugee camps are often fertile recruitment grounds for armed groups, and this is a risk in the Syrian context.⁵⁸ By showing solidarity, U.S. resettlement programs can help to check unrest in host states, offer refugees hope, and in turn the United States can demand more of its partners and allies. *However, to make any significant contribution to the prospects for regional stability, resettlement needs to be carried out on a much greater scale. If the United States assumes a more equitable share of resettlement, Washington will also gain political capital it can use with respect to international organizations and the Europeans.* It will also address a very real security threat and humanitarian crisis. In the past six months, Europe's inability to respond in a coordinated and collective fashion to the refugee and migrant crisis unfolding at its borders has underlined the need for an effective American response. The Paris terrorist attacks suggest that ISIS have already exploited the EU's political paralysis: a large-scale, extra-regional, American-led resettlement program could meet humanitarian need, help to reduce this security threat, and—perhaps most importantly of all—demonstrate a real commitment to international*

protection. In recent months, many of Europe's leaders have questioned the continued viability of a global asylum regime: U.S. action could help to protect vital safeguards for those fleeing tyranny.

Morality Advantage

Inherency – Refugee Crisis Now

Refugee demands are increasing, while the US is doing less.

Campoy '17 (Ana, "The US doesn't have an immigration problem—it has a refugee problem," January 18, 2017, <https://qz.com/881275/the-us-has-a-refugee-problem/>)

US president-elect Donald Trump says he is committed to enforcing the nation's immigration laws. If he means it, he's going to have to give the surging number of Central American immigrants entering the country illegally a fair chance to stay. The US, both its institutions and politicians, have long seen the Latin Americans who slip past the Rio Grande without papers as law breakers in search of a job. US regulations are clear on how authorities should respond: by apprehending and deporting international trespassers. But **a rapidly growing number of immigrants caught by border patrol agents today are refugees**—or at least they claim to be. In that case, American codes call for a much different response. As a signatory to a 1967 international treaty, the "Protocol Relating to the Status of Refugees," the US has committed to protecting people facing persecution in their home country. President Barack Obama wasn't very adept at handling the dramatic switch in the nature of illegal immigration into the US, which has largely happened under his watch. His policies have mostly focused on dissuading people from coming to the US, not figuring out whether they deserve protection. **Trump's centerpiece immigration policy, erecting a towering wall between the US and Mexico, doesn't suggest his government will get any closer to meeting US obligations to refugees under both US and international law.** A refugee crisis **In fact, Trump's fixation with blocking illegal immigration from Mexico, which has plummeted in recent years, obfuscates the problem.** Yes, border patrol agents are apprehending thousands of people every month along the US-Mexico line, but many of them—around half, according to Claire McCaskill, a member of the US Senate's homeland security and governmental affairs committee—turn themselves in voluntarily asking for help. Government statistics bear this out. **The number of immigrants claiming fear of persecution or torture in their home countries is on the rise, and so are the findings that those claims are credible.** In order to be considered for asylum by an immigration judge, immigrants first have to go through a "credible fear" screening, in which an asylum officer determines whether the claims they are making have a "significant possibility" of holding up in court. More than 70% of those who claimed credible fear in the 2016 fiscal year hailed from El Salvador, Honduras, and Guatemala, places beset by rampant violence. Under US law, individuals who are found to have credible fear have the right to due process to determine the validity of their claims in the court. Whether they are Syrians escaping civil war, or El Salvadorans fleeing from criminal gangs, what they have to prove is the same: that they face persecution because of their race, religion, nationality, membership in a particular social group, or political opinion. **But US authorities don't always take Central American immigrants' fears seriously,** studies suggest. One, released by

the American Immigration Lawyers Association in 2016, found that **not all border patrol agents are asking** immigrants if they're afraid to return to their country, as they are required to do. **Other agents refuse to believe them**, per the report, which is based on immigrant testimony documented by the group. Another 2016 analysis, by the US Commission on International Religious Freedom, a government advisory body, noted, "outright skepticism, if not hostility, toward asylum claims" by certain officers, among other practices that may be resulting in deportations of refugees with a legitimate right to stay.

I/L – US Failing

Trump is trying to destroy the refugee program.

Montlake '18 (Simon, Writer for Christian Science Monitor, "US has cut inflow of refugees to a trickle," 4-25-2018,

<https://www.csmonitor.com/USA/Society/2018/0425/US-has-cut-inflow-of-refugees-to-a-trickle-dousing-hopes-upstream>)

His fears are well grounded. Since Mr. Trump took office, *refugee arrivals have slumped to historic lows*. He has capped admissions for the year ending Sept. 30 at 45,000, down from an average of 95,000, and even that official ceiling is almost certain to be missed as a result of what rights groups, UN officials, and refugee agencies say is an unofficial go-slow policy. "This administration doesn't want refugees to come to the United States and are using every red-tape measure they have to slow down the flow of arrivals," says Hans Van de Weerd, vice president of US programs at the International Rescue Committee, a New York-based nonprofit. The throttling of refugee resettlement is part of a broader clampdown on immigrants from mostly Muslim countries via executive orders that have been challenged in federal courts. The Supreme Court begins hearings Wednesday into the latest travel ban that took effect in December, but not the legality of restrictions on refugees, in effect ceding to presidential power. Even if the travel ban is ruled illegal – a verdict is expected by June – Trump can continue to put his America-First stamp on a refugee program that had long enjoyed bipartisan support in Congress and from US defense and diplomatic officials working in war-torn regions. That stamp means far fewer Muslim refugees and a larger proportion of Christians, including from Europe, for whom Trump expressed a preference in a meeting on immigration with lawmakers in January in which he derided migrants from nations in Africa and Central America. As a candidate, Trump called for a total shutdown on Muslims coming to the US.

Millions of people are displaced and in need of protection – the US isn't meeting its international responsibility to protect global refugees.

Camp and Bowman '16 (Charles H. Camp teaches international negotiations at George Washington University Law School. Theresa Bowman is a practicing attorney. "The Responsibility to Participate: The Problem of Global Engagement in Responding to the Syrian Refugee Crisis, February 4, 2016 , CRITICAL ANALYSIS, SPECIAL FEATURES, <http://www.worldfinancialreview.com/?p=4989>)

That same month, in a report of the United Nations Commission of Inquiry on Syria, U.N. investigators concluded that the responsibility to protect Syrian refugees "is not being adequately shared or shouldered." Indeed, as of January 2016 over 4.6 million people have fled Syria according to United Nations registries, although the true number is likely much higher.¹ Countries in the region, especially Lebanon, Jordan, and Turkey, have hosted the great majority of Syrian refugees. Turkey has hosted over 2 million refugees, Lebanon has taken in nearly 1.1 million, and Jordan has taken over 600,000 refugees.² The European Union came under fire in 2014 for offering asylum to so few refugees by comparison, an estimated 124,000, but has since been overwhelmed by a mass migration requiring a greater response.³ The September 2015 agreement constituted the first major attempt by the EU to coordinate resettlements of the vast migrating populations among EU member states. Meanwhile, Gulf States such as Saudi Arabia, Kuwait, Bahrain, Qatar, Oman and the United Arab Emirates have given millions of dollars to the United Nations in humanitarian aid, but have opened their borders to only extremely low numbers of refugees.⁴ International treaties such as the 1951 Refugee Convention encourage, and indeed commit, signatory sovereigns to participate responsibly in the humanitarian aid of refugees fleeing human rights atrocities. Notably, the 1951 Convention gives refugees that have fled the right to not be repatriated except in extreme circumstances. Article 33 of the 1951 Convention prohibits signatory sovereigns from expelling refugees it has accepted or returning them "to the frontiers of territories where [their] life or freedom would be threatened on account of [their] race, religion, [or] nationality."⁵ Article 33 creates an exception to this rule for persons a signatory has "reasonable grounds for regarding as a danger to the security of the country."⁶ The 1951 Convention does not, however, resolve the issue of how the international community can be encouraged to more evenly respond to a refugee crisis. Interestingly, many of the host countries – especially Lebanon and Jordan – which have so disproportionately accommodated Syrian refugees, are not signatories of the 1951 Convention.⁷ It is perhaps with this problem of global engagement in mind that the United Nations has, over the past decade, increasingly promoted the idea of a global "Responsibility to Protect" victims of mass atrocities on the part of all United Nations member states, not just those whose borders are easily overwhelmed by proximity to a humanitarian disaster. In theory, the adoption of a "Responsibility to Protect" approach to human rights would obligate sovereigns from all over the world, and not just regionally, to accommodate refugees in greater numbers. At the 2005 United Nations World Summit,⁸ the international community unanimously agreed that "[e]ach individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity" and that "[t]he international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means...to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity."⁹ In 2009, U.N. Secretary-General Ban Ki-moon issued a report articulating the international community's "Responsibility to Protect" as a responsibility to act in a timely and decisive way to prevent and halt human rights atrocities where a sovereign has failed to protect its own population.¹⁰ The Responsibility to Protect doctrine is controversial for its perceived potential to justify unilateral state military action in violation of Article 2(4) of the U.N. Charter, which broadly prohibits the use of force. But in the context of the refugee crisis, sovereigns have a larger toolbox for fulfilling a responsibility to protect without impinging upon the sovereignty of other states. These tools include financial aid, refugee education and

outreach programs, and perhaps most importantly, asylum. As explained by the United Nations High Commissioner on Refugees, “[t]here may be no easier way for the international community to meet its responsibility to protect than by providing asylum and other international protection on adequate terms.”¹¹ However, there is a growing tension between international efforts to commit sovereigns and world leaders to thinking differently about human rights as a global responsibility, and the willingness of sovereigns to carry out those norms when the political cost of unpopular domestic proposals is high. **Despite the unanimous agreement of United Nations member states to commit as an international community to global humanitarian relief, many countries are reflecting the discomfort their electorates have with offering asylum.** This fear and discomfort has recently led to a number of widely condemned policies: Slovakia has refused to accept refugees from “Muslim countries”¹² and Denmark has proposed to seize refugee assets.¹³ **In sharp contrast to the hundreds of thousands of refugees seeking answers and homes in Europe, the Middle East, and North Africa, the United States has admitted only 2,174 Syrian refugees since September 11, 2001.** This tension is likewise playing out in dramatic fashion in the United States. The United States has decided to work with the United Nations to accept 10,000 refugees over the next five year,¹⁴ but many governors of its states have expressly refused to accept Syrian families.¹⁵ **To date, thirty-one state governors have refused to resettle Syrian refugees accepted by the United States as a matter of public safety.** Indiana, Texas, Alabama and other states have sued the federal government to enforce what they say is a legal requirement that the federal government consult with states “concerning the sponsorship process and the intended distribution of refugees” prior to the refugee’s placement.¹⁶ The governor of Texas, for example, has sued the federal government for its purported failure to provide Texas with information about the families assigned to Texas for resettlement so Texas can independently determine the acceptability of the federal government’s screening procedures to identify terrorists among the refugees.¹⁷ The US states’ opposition to accepting Syrian refugees appears to have more to do with fear of terrorists masquerading as Syrian refugees than it does the law, or any measurable security threat posed by Syrian refugees. Not a single individual has been arrested or deported on terrorism-related grounds.¹⁹ President Obama’s recent plan to resettle 10,000 Syrian refugees is likewise dwarfed by the numbers in Europe, North Africa, and the Middle East, where untold numbers seek asylum from within those countries’ borders. While the mass movement of so many undocumented refugees into Europe, North Africa, and the Middle East has understandably complicated efforts to track terrorist organisations and heightened security concerns, the United States has the comparative luxury of ensuring that incoming refugees can be screened and vetted before entering the country. The screening process is extensive: sometimes taking up to two years, and involving interviews and background checks by the United Nations High Commissioner for Refugees as well as multiple U.S. intelligence agencies.²⁰ The unpredictable and devastating risks of terrorism cannot, and should not, be downplayed as a general matter. However, the risk posed by the Syrian refugee program in the United States appears disproportionate to the domestic political push back the program has received from US states. United States federal law is likewise clear that a refusal of state governments to accept refugees is illegal, and likely unconstitutional as the United States federal government has exclusive authority to “control immigration – to admit or exclude aliens,”²¹ and act “in the field of international relations.”²² US states are thus pre-empted from interfering with or opposing the federal government’s resettlement decisions. The issue of refugee resettlement is “committed to the discretion of the executive branch of the federal government.”²³ Consistent with this discretion, the federal government exercised its exclusive authority over immigration and international law by enacting the Refugee Act of 1980.²⁴ The Refugee Act, in turn, creates “comprehensive and uniform provisions for effective resettlement”²⁵ and authorised the President to determine the number of refugees the United States will accept annually as “justified by humanitarian concerns or [as] otherwise in the national interest.”²⁶ **The Syrian refugee crisis constitutes one of the largest movements of displaced populations since World War II.** Critics of the 1951 Refugee Convention argue that because, as of 1951, “[n]o one imagined that cross-border escape from persecution would become a global phenomenon,” the 1951 Convention has “become outmoded and obsolete.”²⁷ Professor Andrew Schoenholtz, director of Human Rights Institute, responds that the Convention continues to ably address the needs of refugees given its flexibility in applying to evolving definitions of state persecutors and crises, and its clear guiding mandate – to protect individuals when their countries have failed to do so.²⁸ If the Responsibility to Protect doctrine is to find increased relevance as a vehicle for the promotion of global humanitarian cooperation, a similar flexibility must be realised. If the doctrine is to mean anything, the “international community” obliged to protect should be understood to include more than simply the U.N. member states themselves. U.N. engagement of state actors and policymakers in the development of the responsibility to protect doctrine will have to increasingly include internal state and local authorities within sovereign state territories, intergovernmental organisations, and other stakeholders with the power to assist in development of humanitarian aid and combat the inherent fear such aid can inspire. **This is becoming increasingly important in light of US state’s failure to recognise that they too are a part of the international community with corresponding responsibilities to protect, or at least, to not interfere with the United States’ exercise of its actions to protect Syrian refugees.** In the words of Senator Dianne Feinstein: “[t]he Syrian people are the ones

suffering the most from both ISIL and the Assad regime, and the international community has a responsibility to protect those fleeing the depravity.”²⁹

I/L – US Obligation

The current US approach to refugees is hypocritical and callous – the US is partly responsible for the humanitarian disaster in Syrian and has an obligation to increase its refugee intake.

Karas '18 (Tania is the Migration Fellow at Young Professionals in Foreign Policy. Tania's work has appeared in Reuters, PRI, Refugees Deeply, IRIN, Foreign Affairs and other outlets. She is a 2011 graduate of Northwestern University's Medill School of Journalism and Master's candidate in international human rights law at the University of Oxford, "If Trump Really Cares About Syria, He Should Let in More Syrian Refugees," Diplomatic Courier, 5-22-2018, <https://www.diplomaticcourier.com/2018/05/07/if-trump-really-cares-about-syria-he-should-let-in-more-syrian-refugees/>)

Just days after President Donald Trump said he wanted to pull American troops out of Syria, the United States, with the help of France and the United Kingdom, launched airstrikes on three sites in the western side of the country. The operation lasted one night and was meant to both punish Syrian President Bashar al-Assad for a suspected chemical weapons attack on civilians and prevent such attacks from happening again in the future. Trump wasted little time in declaring “mission accomplished,” but the reality is that it will have little effect on the outcome of the complex Syrian conflict, now in its seventh year with no end in sight. The airstrikes—and Trump's own justifications for them—exposed the hypocrisy of current U.S. policy toward refugees, specifically those from Syria. Trump blamed “Animal Assad” for the attack, and Russia and Iran for backing the Syrian president in creating a “humanitarian disaster.” And in deciding how the United States would respond militarily, Trump said at a Cabinet meeting, “We're talking about humanity. And it can't be allowed to happen.” It was a rare acknowledgment by Trump of a humanitarian crisis in Syria at the hands of its president, as well as the vulnerable people dying. But if Trump really cared for their safety—or, as he put it, their humanity—there's another, incredibly easy way to help: he can admit more Syrian refugees into the United States. That's hardly happening right now. Since the start of the year, the United States has resettled just 11 refugees from Syria, according to State Department data. Last year, 3,024 were allowed into the United States. And in 2016, the final year of Barack Obama's presidency, the United States resettled 15,479 Syrian refugees. All of these figures are a drop in the bucket when compared to the 5.6 million Syrians who have fled their country since the start of the war. Most are still in the Middle East with hardly any chance of being resettled to a third country. But still, the United States was just ramping up its Syrian refugee admissions when Trump's travel ban—implemented in the first week of his presidency in January 2017—shut the door on them. The travel ban has been through three iterations, each with varying restrictions for refugees and travelers from select countries, most of them majority Muslim. The third ban, for which the U.S. Supreme Court heard oral arguments on April 25, does not deal with refugees per se; still, it bars nearly all people from six countries, including Syria. (Chad was removed from the list last month.) Separately, in October, Trump implemented new vetting rules, effectively halting the entry of refugees from 11 countries deemed as “high risk.” Just what that extra vetting entails is unclear, but refugee resettlement groups have blamed it for the very low arrival figures. Under Trump, the United States has also lowered its annual, overall refugee admissions ceiling from Obama's high of 85,000 in 2016 to just 45,000. Because of the new restrictions, the actual number of admissions will likely come in closer to 21,000, the International Rescue Committee says. It's as if the Trump administration doesn't believe there's a

refugee crisis — or doesn't believe the United States has any obligation to take in any refugees. Still, there's at least some acknowledgment by administration officials of their suffering. Defense Secretary James Mattis recently told the House Armed Services Committee, "I've seen refugees from Asia to Europe, Kosovo to Africa. I've never seen refugees as traumatized as coming out of Syria. It's got to end."

Myanmar Module

New refugee needs emerge all the time – 150,000 Rohingya refugees are at risk of dying without resettlement.

Steinberg '18 (Namoi, Senior Director for Policy and Advocacy, "Keeping Up the Fight to Protect the Rohingya Fleeing Myanmar," APR 16, 2018,

<https://www.hias.org/blog/keeping-fight-protect-rohingya-fleeing-myanmar>)

People are still fleeing. The violence continues, and those who have stayed behind are now also experiencing forced food shortages. Villages that were razed have been taken over by the Burmese military. The military also built a border fence between Burma and Bangladesh and littered the border region with land mines, making an already perilous journey to Bangladesh even more dangerous. To put it simply, there is no safe place yet in Burma for Rohingya. In August 2017, the Burmese military and armed militias began an ethnic cleansing campaign targeting the Rohingya community. Almost 750,000 men, women and children were forced to flee to Bangladesh as their villages burned behind them and their friends and families were raped and murdered before their very eyes. While the surge in violence in August marked a dismaying low point, this most recent Rohingya displacement follows decades of persecution in Burma. The Rohingya were stripped of their citizenship in 1982, and the most basic human activities that so many of us take for granted have long been severely restricted or denied altogether. The right to work or access health care. Travel where and when one wants. The ability to marry the person one chooses. Combined with the more than 300,000 refugees who were already in Bangladesh, there are now more than one million Rohingya living in squalor in overcrowded camps in Bangladesh. They are all now safe from murderous rampages, but they have not found a lasting sense of security or durable solutions that would allow them to either voluntarily return to Burma in safety and dignity; integrate into Bangladeshi society; or, for a very small number, start their lives anew in resettlement countries around the world. As possible repatriation plans and humanitarian aid budgets are debated, Rohingya refugees are facing another life threatening challenge: monsoon season. The UN refugee agency estimates that at least 150,000 Rohingya refugees are at risk due to the high possibility of flooding and landslides in the very near future. HIAS is a founding member of the Jewish Rohingya Justice Network, a coalition of Jewish nonprofits advocating for the rights of the Rohingya. Last week's Rohingya Justice Shabbat, organized by the Network, was a unique and important opportunity for congregations around the country to learn more about this refugee crisis and what can be done in response. In addition, HIAS continues to advocate that resettlement must be a viable option for those for whom returning to Burma or staying in Bangladesh will never be possibilities. The United States has historically led in resettling Rohingya refugees, and now is not the time to stop.

Mexico Module

Independently, the US is shifting refugees in Mexico – causing additional abuse and assault.

Acer '17 (Eleanor, "U.S. Should Stop Pretending Mexico Is a Safe Country for Refugees," Aug. 25, 2017,

<https://www.newsdeeply.com/refugees/community/2017/08/25/u-s-should-stop-pretending-mexico-is-a-safe-country-for-refugees>)

MEXICO IS FAR from a "safe" country for refugees. That's the central conclusion of Human Rights First's recent report, which shows that *refugees face acute risks of kidnapping, disappearance, sexual assault and trafficking in Mexico*. We also found that Mexican migration officers often fail to refer them to asylum processing, and have returned them to countries where they face persecution. **This is especially alarming because the Trump administration and its Congressional allies are trying to shift United States' refugee protection responsibilities on to Mexico by designating it a "safe third country."** President Donald Trump's January executive order on border security contained a provision that, if implemented, would allow the U.S. to return some people crossing the border to "contiguous territories" such as Mexico while they wait for U.S. immigration court removal hearings. Then, a few weeks ago, the House of Representatives' judiciary committee approved a bill for consideration in the House that would allow the U.S. Secretary of Homeland Security to declare Mexico a safe third country. The bill's sponsor Mike Johnson (R-La.) asked: "Why should countries who in essence promote trespass to the U.S. not be required to bear the settlement costs of those they allow in to their country to pass to the U.S.?" His bill would, he said, "allow the return of apprehended Central Americans to Mexico where they could apply for asylum" and "reduce the numbers of aliens seeking to come to the U.S." *Such proposals to shift refugee protection responsibilities to Mexico will undermine U.S. global leadership and increase the suffering of refugees.* Attorneys, aid workers and human rights monitors in Mexico told Human Rights First that Mexican migration officers often deport asylum seekers despite their fears of returning to their countries of origin and discourage those held in migration detention from applying for asylum. One woman described how migration officers sent her back to Honduras, where the government had persecuted her for pressing authorities to investigate her brother's disappearance. She fled again a week later and made her way to the U.S., where she received asylum with Human Rights First's assistance. Some Mexican officers invoke the threat of months in detention to try to discourage refugees from pursuing asylum claims. In other cases, the refugees are not even told they can apply for asylum, as many told Amnesty International researchers. From January to October 2016, only 5 percent of the 130,000 Central Americans apprehended in Mexico applied for asylum. Even children fleeing violence and persecution in Central America face significant barriers to protection in Mexico and are often detained in violation of their human rights, according to a June report by the Fray Matias de Cordova Human Rights Center in Tapachula, Mexico, and the U.S.-based Kids In Need of Defense. Only 138 of the 35,000 minors from the Northern Triangle (El Salvador, Honduras and Guatemala) who were detained in the first four months of 2016 sought asylum; only 77, or 0.2 percent, received protection. Those refugees who do manage to apply for asylum in Mexico face a flawed system. Despite progress since its launch in 2011 – including increased recognition rates – substantial barriers to protection remain. These include an absurd 30-day filing deadline and a lack of asylum adjudicatory staff and offices. Adjudicators frequently deny refugees asylum on the erroneous assertion that they can safely relocate within small countries, such as El Salvador or Honduras, without risk of harm, when in fact their persecutors do have national reach. In other cases, adjudicators fail to make individual case-by-case determinations, relying on copy-and-paste information and explanations from prior decisions relating to other applicants, leading to grave inaccuracies in written asylum decisions. The number of asylum claims filed in Mexico rose 678 percent between 2013 and 2016. In 2016, 8,788 people applied for asylum. In the first three months of 2017, 3,543 applied, putting Mexico on track for more than 22,500 asylum applications in 2017. Yet Mexico's adjudication agency has offices in only two locations outside Mexico City. It has no offices in northern states and lacks the staffing necessary to adjudicate claims in a timely manner, forcing many to wait long periods. Meanwhile, **refugees in Mexico have little protection against violence. "Impunity for crimes against migrants in Mexico is at alarming levels,"** the Washington Office on Latin America said recently. In April, foreign minister Luis Videgaray announced that Mexico would not accept non-Mexicans turned away or removed from the U.S. Yet the U.S. continues to press Mexico to "manage" the border without any public affirmation of the importance of international law prohibiting the return of refugees to places of persecution. The Trump administration and its Congressional allies **should abandon counterproductive and harmful plans to return refugees to – or force them to remain in – Mexico.**

These proposals subvert international law, leave refugees in danger and set a poor example for other nations.

AT: Utilitarianism

Politics devoid of moral obligations collapses into might makes right failing to preserve the "common good" and legitimizing wide scale atrocity.

Parsons '9 (John-, Accessed 9/14/2009 (the basis for the date), Deconstructing Mr. Farah: The Fallacy of a Utilitarian Ethic)

Utilitarian reasoning will attempt to solve the problem by determining the relative worth of the persons involved, understood in terms of their social utility. In the end, throwing the least desirable person overboard becomes an actual moral imperative, since by this action the greatest good for the greatest number of people will be served... In fact, it would be considered immoral if one of the socially "useful" persons altruistically decided to give up their life for the sake of the undesirable, since this would impugn the supposed calculus for good that the system is predicated upon. Though prima facie this line of thinking may seem to be plausible, in light of recent policies that wink at the torture of "terrorists" in order to serve the "greater good" (i.e., the safekeeping of present-day American culture), I think it is fair to question whether this pragmatic/utilitarian way of thinking is to be accepted in an unreflective manner. This exhortation should especially be heeded by those who profess to serve the Living God, the Father, Creator, and Savior of all mankind. **An advocate of a utilitarian ethic claims that an act is right if it is useful; but "useful" for what?** Or useful to what end? If someone argues that by "useful" he means "bringing about a desirable or good end," he[they] is[are] merely begging the question, since he[they] has[have] yet to define what he considers to be a "good end." Here we have multiple options, based on the agenda of the one who is arbitrating the meaning of the good.... **The Nazis had one view of a "good end,"** and by means of their odious "Final Solution" rationalized their vision of das Vaterland as the summon bonum to which the individual must be sacrificed. **The American ideal of a society that is enabled to pursue personal fulfillment and a hedonistic lifestyle is another vision of a good end.** And so on. In a worldview devoid of appeal to transcendental value, all the utilitarian has recourse to is some sort of probability calculus to determine the distribution of perceived good among a given population. **This approach is almost absurd in its audacity and foolishness,** since it ascribes idealized powers to reason to perform such calculations in a dispassionate way - while it disingenuously pretends to be able to transcend such limitations. In the last analysis, **the utilitarian principle is nothing less than a sophistical means to justify the "might makes right" fallacy:** If more people prefer some outcome and think that it is useful to their goals, then it is ipso facto right - even if that happens to violate the rights of others who are relegated to minority status (or deemed to be "undesirable"). **In practice, utilitarianism becomes a consensus-based "bully ethic"** that enjoins a Socrates to quickly quaff the hemlock for the sake of the body politic. The individual, and the individual's passion for the truth, is invariably considered undesirable for the sake of the collective. The LORD Jesus was crucified by a group of craven paleo-utilitarians.... **Without the admission of moral absolutes such as "do not torture others," "do not rape women," "do not commit genocide," etc. etc., we do not have an overarching framework for intelligible discussion about the sanctity and worth of individual human life, and we are therefore confronted with raw appeals to force and to the dishonest appeal to promote the "greater good" at the expense of the sanctity of the individual (i.e., consensus thinking).** In practice, this amounts to the "Nazification" of ethical reasoning that is used to justify euthanasia, abortion on demand, and other means of social engineering.

Structural Violence First

Structural violence outweighs on probability and magnitude – risk assessment is not neutral but is epistemologically biased towards privileged white male elites who discount the severity of everyday violence in destroying marginalized populations.

Verchick 96 [Robert, Assistant Professor, University of Missouri -- Kansas City School of Law. J.D., Harvard Law School, 1989, "IN A GREENER VOICE: FEMINIST THEORY AND ENVIRONMENTAL JUSTICE" 19 Harv. Women's L.J. 23]

Because risk assessment is based on statistical measures of risk, policymakers view it as an accurate and objective tool in establishing environmental standards. n275 The scientific process used to assess risk purports to focus single-mindedly on only one feature of a potential injury: the objective probability of its occurrence. n276 Risk assessors, who consider most value judgments irrelevant in determining statistical risk, seek to banish them at every stage. n277 As a result, the language of risk assessment -- and of related environmental safety standards -- often carry an air of irrefutable precision and certainty. The EPA, for example, defines the standard acceptable level of risk under Superfund as "10<-6>" -- that is, the probability that one person in a million would develop cancer due to exposure to site contamination. n278 [*76] Feminism challenges this model of scientific risk assessment on at least three levels. First, feminism questions the assumption that scientific inquiry is value-neutral, that is, free of societal bias or prejudice. n279 Indeed, as many have pointed out, one's perspective unavoidably influences the practice of science. n280 Western science may be infused with its own ideology, perpetuating, in the view of the ecofeminists, cycles of discrimination, domination, and exploitation. n281 Second, even if scientific inquiry by itself were value-neutral, environmental regulation based on such inquiry would still contain subjective elements. Environmental regulation, like any other product of democracy, inevitably reflects elements of subjectivity, compromise, and self-interest. The technocratic language of regulation serves only to "mask, not eliminate, political and social considerations." n282 We have already seen how the subjective decision to prefer white men as subjects for epidemiological study can skew risk assessments against the interests of women and people of color. The focus of many assessments on the risk of cancer deaths, but not, say, the risks of birth defects or miscarriages, is yet another example of how a policymaker's subjective decision of what to look for can influence what is ultimately seen. n283 Once risk data are collected and placed in a statistical form, the ultimate translation of that information into rules and standards of conduct once again reflects value judgments. A safety threshold of one in a million or a preference for "best conventional technology" does not spring from the periodic table, but rather evolves from the application [*77] of human experience and judgment to scientific information.

Whose experience? Whose judgment? Which information? These are the questions that feminism prompts, and they will be discussed shortly. Finally, feminists would argue that questions involving the risk of death and disease should not even aspire to value neutrality. Such decisions -- which affect not only today's generations, but those of the future -- should be made with all related political and moral considerations plainly on the table. n284 In addition, policymakers should look to all perspectives, especially those of society's most vulnerable members, to develop as complete a picture of the moral issues as possible. Debates about scientific risk assessment and public values often appear as a tug of war between the "technicians," who would apply only value-neutral criteria to set regulatory standards, and the "public," who demand that psychological perceptions and contextual factors also be considered. n285 Environmental justice advocates, strongly concerned with the practical experiences of threatened communities, argue convincingly for the latter position. n286 A feminist critique of the issue, however, suggests that the debate is much richer and more complicated than a bipolar view allows. For feminists, the notion of value neutrality simply does not exist. The debate between technicians and the public, according to feminists, is not merely a contest between science and feelings, but a broader discussion about the sets of methods, values, and attitudes to which each group subscribes. Furthermore, feminists might argue, the parties to this discussion divide into more than two categories. Because one's world view is premised on many things, including personal experience, one might expect that subgroups within either category might differ in significant ways from other subgroups. Therefore, feminists would anticipate a broad spectrum of views concerning scientific risk assessment and public values. Intuitively, this makes sense. Certainly scientists disagree among themselves about the hazards of nuclear waste, ozone depletion, and global warming. n287 Many critics have argued that scientists, despite their allegiance [*78] to rational method, are nonetheless influenced by personal and political views. n288 Similarly, members of the public are a widely divergent group. One would not be surprised to see politicians, land developers, and blue-collar workers disagreeing about environmental standards for essentially

non-scientific reasons. **Politicians** and bureaucrats are two sets of the non-scientific community that affect environmental standards in fundamental ways. Their **adherence to vocal**, though not always broadly representative, **constituencies may lead them to disfavor less advantaged socioeconomic groups when addressing environmental concerns.** n289 In order to understand a diversity of risk perception and to see how attitudes and social status affect the risk assessment process, we must return to the feminist inquiry that explores the relationship between attitudes and identity. 1. The Diversity of Risk Perception **A recent national survey**, conducted by James Flynn, Paul Slovic, and C.K. Mertz, **measured the risk perceptions of a group of 1512 people that included numbers of men, women, whites, and non-whites proportional to their ratios in society.** n290 Respondents answered questions about **the health risks of twenty-five environmental, technological, and "life-style" hazards**, including such hazards as ozone depletion, chemical waste, and cigarette smoking. n291 The researchers asked them to rate each hazard as posing "almost no health risk," a "slight health risk," a "moderate health risk," or a "high health risk." The researchers then analyzed [*79] the responses to determine whether the randomly selected groups of white men, white women, non-white men, and non-white women differed in any way. The researchers found that **perceptions of risk generally differed on the lines of gender and race.** Women, for instance, perceived greater risk from most hazards than did men. n292 Furthermore, non-whites as a group perceived greater risk from most hazards than did whites. n293 Yet **the most striking results appeared when the researchers considered differences in gender and race together.** They found that "white males tended to differ from everyone else in their attitudes and perceptions -- on average, they **perceived risks as much smaller and much more acceptable than did other people.**" n294 Indeed, **without exception**, the pool of white men perceived each of the twenty-five hazards as less risky than did non-white men, white women, or non-white women. n295 Wary that other factors associated with gender or race could be influencing their findings, **the researchers later conducted several multiple regression analyses to correct for differences** in income, education, political orientation, the presence of children in the home, and age, among others. Yet **even after all corrections, "gender, race, and 'white male' [status] remained highly significant predictors" of perceptions of risk.** n296 2. Explaining the Diversity From a feminist perspective, these findings are important because they suggest that **risk assessors, politicians, and bureaucrats -- the large majority of whom are white men** n297 -- **may be acting on attitudes about security and risk that women and people of color do not widely share.** If this is so, white men, as the "measurers of all things," have crafted a system of environmental protection that is biased toward their subjective understandings of the world. n298 [*80] Flynn, Slovic, and Mertz speculate that white men's perceptions of risk may differ from those of others because in many ways **women and people of color are "more vulnerable, because they benefit less from many of [society's] technologies and institutions, and because they have less power and control."** n299 Although Flynn, Slovic, and Mertz are careful to acknowledge that they have not yet tested this hypothesis empirically, their explanation appears consistent with the life experiences of less empowered groups and comports with previous understandings about the roles of control and risk perception. n300 Women and people of color, for instance, are more vulnerable to environmental threat in several ways. Such groups are sometimes more biologically vulnerable than are white men. n301 People of color are more likely to live near hazardous waste sites, to breathe dirty air in urban communities, and to be otherwise exposed to environmental harm. n302 Women, because of their traditional role as primary caretakers, are more likely to be aware of the vulnerabilities of their children. n303 It makes sense that such vulnerabilities would give rise to increased fear about risk. It is also very likely that women and people of color believe they benefit less from the technical institutions that create toxic byproducts. n304 Further, people may be more likely to discount risk if they feel somehow compensated for the activity. n305 For this reason, Americans worry relatively little about driving automobiles, an activity with enormous advantages in our large country but one that claims tens of thousands of lives per year. The researchers' final hypothesis -- that differences in perception can be explained by the lack of "power and control" exercised by women and people of color -- suggests the importance that such factors as voluntariness and control over risk play in shaping perceptions. [*81] Risk perception research frequently emphasizes the significance of voluntariness in evaluating risk. Thus, a person may view water-skiing as less risky than breathing polluted air because the former is accepted voluntarily. n306 Voluntary risks are viewed as more acceptable in part because they are products of autonomous choice. n307 A risk accepted voluntarily is also one from which a person is more likely to derive an individual benefit and one over which a person is more likely to retain some kind of control. n308 Some studies have found that people prefer voluntary risks to involuntary risks by a factor of 1000 to 1. n309 Although environmental risks are generally viewed as involuntary risks to a certain degree, choice plays a role in assuming risks. White men are still more likely to exercise some degree of choice in assuming environmental risks than other groups. Communities of color face greater difficulty in avoiding the placement of hazardous facilities in their neighborhoods and are more likely to live in areas with polluted air and lead contamination. n310 Families of color wishing to buy

their way out of such polluted neighborhoods often find their mobility limited by housing discrimination, redlining by banks, and residential segregation. n311 The workplace similarly presents workers exposed to toxic hazards (a disproportionate number of whom are minorities) n312 with impossible choices between health and work, or between sterilization and demotion. n313 Just as marginalized groups have less choice in determining the degree of risk they will assume, they may feel less control over the risks they face. "Whether or not the risk is assumed voluntarily, people have greater [*82] fear of activities with risks that appear to be outside their individual control." n314 For this reason, people often fear flying in an airplane more than driving a car, even though flying is statistically safer. n315

If white men are more complacent about public risks, it is perhaps because they are more likely to have their hands on the steering wheel when such risks are imposed. White men still control the major political and business institutions in this country. n316 They also dominate the sciences n317 and make up the vast majority of management staff at environmental agencies. n318 Women and people of color see this disparity and often lament their back-seat role in shaping environmental policy. n319 Thus, many people of color in the environmental justice movement believe that environmental laws work to their disadvantage by design. n320 [*83] The toxic rivers of Mississippi's "Cancer Alley," n321 the extensive poisoning of rural Indian land, n322 and the mismanaged cleanup of the weapons manufacturing site in Hanford, Washington n323 only promote the feeling that environmental policy in the United States sacrifices the weak for the benefit of the strong. In addition, the catastrophic potential that groups other than white men associate with a risk may explain the perception gap between those groups and white males. Studies of risk perception show that, in general, individuals harbor particularly great fears of catastrophe. n324 For this reason, earthquakes, terrorist bombings, and other disasters in which high concentrations of people are killed or injured prove particularly disturbing to the lay public. Local environmental threats involving toxic dumps, aging smelters, or poisoned wells also produce high concentrations of localized harm that can appear catastrophic to those involved. n325 Some commentators contend that the catastrophic potential of a risk should influence risk assessment in only minimal ways. n326

Considering public fear of catastrophes, they argue, will irrationally lead policymakers to battle more dramatic but statistically less threatening hazards, while accepting more harmful but more mundane hazards. n327 [*84] At least two reasons explain why the catastrophic potential of environmental hazards must be given weight in risk assessment. First, concentrated and localized environmental hazards do not simply harm individuals, they erode family ties and community relationships. An onslaught of miscarriages or birth defects in a neighborhood, for instance, will create community-wide stress that will debilitate the neighborhood in emotional, sociological, and economic ways. n328 To ignore this communal harm is to underestimate severely the true risk involved. n329 Second, because concentrated and localized environmental hazards tend to be unevenly distributed on the basis of race and income level, any resulting mass injury to a threatened population takes on profound moral character. For this reason, Native Americans often characterize the military's poisoning of Indian land as genocide. n330 [*85] 3.

Understanding Through Diversity Flynn, Slovic, and Mertz challenge the traditional, static view of statistical risk with a richer, more vibrant image involving relationships of power, status, and trust. n331 "In short, 'riskiness' means more to people than 'expected number of fatalities.'" n332 These findings affirm the feminist claim that public policy must consider both logic and local experience in addressing a problem. n333 Current attempts to "re-educate" fearful communities with only risk assessments and scientific seminars are, therefore, destined to fail. n334 By the same token, even dual approaches that combine science and experience will fall short if the appeal to experience does not track local priorities and values. Cynthia Hamilton illustrates these points in her inspiring account of how a South Central Los Angeles community group, consisting mainly of working-class women, battled a proposed solid waste incinerator. n335 At one point, the state sent out consultants and environmental experts to put the community's fears into perspective. The consultants first appealed to the community's practical, experience-based side, by explaining how the new incinerator would bring needed employment to the area and by offering \$ 2 million in community development. n336 But the community group found the promise of "real development" unrealistic and the cash gift insulting. n337 When experts then turned to quantifying the risks "scientifically" their attempts backfired again. Hamilton reports that "expert assurance that health risks associated with dioxin exposure were less than those associated with 'eating peanut butter' unleashed a flurry of dissent. All of the women, young and old, working-class and professional, had made peanut butter sandwiches for years." n338 The sandwich analogy, even assuming its statistical validity, could not convince the women because it did not consider other valid risk factors (voluntariness, dread, and so on) and because it did not

appear plausible in the group members' experience. In the end, Hamilton explains that the superficial explanations and sarcastic responses of the male "experts" left the women even more united and convinced that "working-class women's [*86] concerns cannot be dismissed." n339 Thus even the "science" of risk assessment, if it is to serve effectively, must include the voices of those typically excluded from its practice.

International Law Advantage

I/L – US Key to I-Law

U.S. behavior is key to i-law – we set the precedent for other states

Coen 18 [Alise Coen, Assistant Professor of Political Science at UW-Sheboygan, Ph.D. in Political Science and International Relations from the University of Delaware, 4-24-2018, "International order, the rule of law, and US departures from refugee protection," *The International Journal Of Human Rights*, <https://www.tandfonline.com/doi/abs/10.1080/13642987.2018.1454910>]

As a global superpower, the United States is in a *unique position to bolster equitable and effective global governance and affirm core human rights norms undergirding the international rule of law*. Ikenberry casts the foundations of a liberal international order built around rules-based relations as dependent on US hegemony and links the contemporary crisis in this world order to a *crisis of US leadership* and authority.⁴³ For decades, the convergence of its material capabilities and identity as a liberal democracy prompted the United States to pursue democracy and human rights promotion abroad as a means of establishing and imposing its legitimacy and expertise.⁴⁴ When the United States violates peremptory and customary human rights norms, it compromises its legitimacy and also *carves out important precedents for less powerful states* to follow suit with the understanding that a hegemonic actor has implicitly endorsed such deviations in its own behaviours, *undermining the foundations of the international rule of law*. As Sikkink observes, 'the real test of international law and [human rights] norms is their ability to influence the actions of even the most powerful states'.⁴⁵ A consideration of US behaviour is therefore paramount for grappling with human rights norms compliance and its implications for international order.

I/L – Violations Spill Over

Noncompliance with international law erodes the credibility of our treaty commitments – binding commitment is key to uphold our leadership and responsibility within the international liberal order – even if there have been past violations, sending a strong signal of reversal solves.

Amber Ward, Spring 2006, San Diego International Law Journal, "Circumventing the Supremacy Clause? Understanding the Constitutional Implications of the United States' Treatment of Treaty Obligations," 7(491), LexisNexis, mm

The notion that the U.S. Constitution is the "supreme law of the land" is a fundamental tenet of U.S. law, society and history. The Supremacy Clause of the Constitution, found in Article VI, specifically declares that the "Constitution, and the Laws of the United States which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land." n166 Unlike interpretations of many provisions of the Constitution that are frequently debated because of their vagueness, the text of the Supremacy Clause is rather clear in its meaning: because treaties hold equal weight to the Constitution under the Supremacy Clause, treaties also are the "supreme law of the land." n167 Therefore, the obligation of the federal courts of the United States to uphold international treaties, including the New York Convention, as the supreme law of the land is mandatory, and is a necessary component of our democratic society. Despite this obligation, U.S. treatment of treaties in recent years demonstrates a pattern in which U.S. domestic law overshadows the importance of treaties and international relations. n168 Should the United States follow a path by which it does not uphold the tenets of the New York Convention, the consequences could be detrimental not only to the promulgation of the international arbitration process, but also to the sacred notion that the Constitution is the supreme law of the land. Utilizing the doctrine of the later-in-time rule, as applied in the *Head Money Cases*, to analyze the recent treatment by the U.S. federal courts of the New York Convention, reflects a danger that the federal courts will avoid upholding international treaty requirements despite the Supremacy Clause. n169 The *Head Money Cases* and the later-in-time rule [*517] provide a controversial rationale n170 for federal courts to rely on as a basis for justifying the use of domestic law in place of treaty law. The *Head Money Cases* would dictate that the federal courts have an adequate basis to invoke Article VII of the New York Convention and to employ domestic law where doing so would lead to a more favorable outcome. n171 While use of Article VII may support the policy of enforcing arbitral awards, such action also has the potential to erode Article V's important aims of consistency and predictability. An even greater danger arises if the United States acts in a manner that takes advantage of Article VII of the New York Convention. Under the force of the later-in-time rule, the U.S. Congress could conceivably enact new legislation that is contrary to treaty obligations, and then use Article VII to employ that new domestic law in place of the international law. n172 In fact, Senator Jesse Helms, former Chairman of the Senate Foreign Relations Committee, even stated that the United States' treaty obligations could be superseded by a simple act of Congress. n173 This attitude reflects a growing defiance on the part of the United States that could both offend treaty partners and affect the implementation and drafting of treaties with State parties in the future. The backlash the United States has experienced due to previous breaches of international agreements has not yet been severe; the United [*518] States has not suffered significant punishment or consequences. n174 *But this should not serve as validation that the United States is acting appropriately and prudently.* There is a question that still remains unanswered - where do the *Head Money Cases* and the later-in-time doctrine leave the United States with respect to the Supremacy Clause and foreign relations? The answer should be a United States that is attentive to its international treaty obligations and that upholds its "interests" with honor. In an advisory opinion by the International Court of Justice, a U.S. judge stated "a State cannot avoid its responsibility by the enactment of domestic legislation which conflicts with its international obligations." n175 In order for the United States to maintain an elevated position in world affairs and with other world powers, the United States must act with honor by fulfilling the obligations that it represents that it will take on - thereby allowing other countries to keep their faith in the United States. n176 The "interest" of the United States involves a need to be attentive to the reactions that would arise from treaty partners as a result of its noncompliance. n177 While the general response by other treaty participants to U.S. breaches of international obligations has not yet been substantially negative, the full picture may not yet be clear. As the United States continues to commit minor breaches of international agreements, the credibility of the United States *is slowly eroding*, destroying an image of interest and honor that the United States should be striving to uphold. n178 The U.S. Constitution states that treaties are the supreme law of the land and take precedence over conflicting domestic law. However, the *Head Money Cases* and recent

breaches of international obligations have given deference to domestic law, thereby eroding both the Constitution of the United States and our relationships with the rest of the world. The impact of avoiding responsibilities under international agreements goes beyond threatening the strength and power of the Supremacy Clause of the Constitution and treaty obligations with signatory countries. The protectionist practices of the United States will have a detrimental effect on the international arbitration system and on business relationships between the United States and other countries. ⁿ¹⁷⁹ Pacta sunt servanda is the notion that "every treaty in force is binding upon the parties to it and must be performed by them in good faith." ⁿ¹⁸⁰ Where good faith is not exercised, both the force of a treaty and the credibility of the breaching party are compromised. **Treaties act beneficially as a mechanism for enhancing cooperation.** ⁿ¹⁸¹ Much like the notion behind the game theory of the Prisoner's Dilemma, ⁿ¹⁸² a treaty sets out rules for behavior for the parties to the agreement. When one party acts opportunistically and then denies violating the terms of the game, that party's *probability of successful outcomes in future interactions will diminish.* ⁿ¹⁸³ The opposing party will distrust the future behavior of the opportunistic party and may even refuse to engage [ⁿ⁵²⁰] in future negotiations. ⁿ¹⁸⁴ Similarly, the United States' failure to abide by provisions of international agreements creates an unwillingness of countries to interact with the United States because of the increased risk of doing business. ⁿ¹⁸⁵ This result will spill over to commercial interactions if businesses in other countries conclude that the risk of contracting with U.S. businesses is too high. *In the long run, the United States will suffer from a loss of exporting/importing opportunities, diminished influence in shaping international laws and treaties, and inability to foster positive foreign relations.* Related to the increased risk of doing business with the United States is the increased cost of doing business that will result for the United States. Parties to a contract or treaty will comply with its terms to the extent that doing so is cost-justified. ⁿ¹⁸⁶ If the United States is non-compliant in its treaty obligations then, as mentioned above, the risk of doing business and engaging in international agreements with the United States escalates. As a result, the United States loses credibility, and convincing other nations to engage in trade or policy agreements will become more costly. Consequently, continuous violations may threaten the ability of the United States to influence foreign policy. ⁿ¹⁸⁷ In summary, the extent to which the United States upholds or does not uphold treaty obligations, especially with respect to the New York Convention, could have an important effect on both the predictability and fairness of the international arbitration system and the expansion of the arbitration system to mediate international commerce and trade relationships.

I/L – Status Quo Violates

Trump's XO violates international law and ruins our commitment to the Refugee Convention.

Cavallaro '17 (James, Stanford Law Professor, "Trump's travel ban violates international treaties: Don't lose sight of that little-discussed problem with the executive order," March 16, 2017, <https://law.stanford.edu/2017/03/16/trumps-travel-ban-violates-international-treaties-dont-lose-sight-of-that-little-discussed-problem-with-the-executive-order/>)

In 1951, still shaken by the massive human displacement caused by Nazism, fascism and World War II, the international community came together to ensure basic rights and dignity for refugees. They made these guarantees binding on states by drafting the Refugee Convention. The United States played a central role in the development and drafting of that treaty. At the time, President Harry Truman remarked: "The grave dislocation of populations in Europe resulting from the war has produced human suffering that the people of the United States cannot and will not ignore. This government should take every possible measure to facilitate ... immigration to the United States." **With an executive order set to go into effect Thursday, the United States *turned its back on this and other historic promises*.** That is, of course, President Trump's new, "improved" travel ban closing America's doors to millions, including thousands of refugees from six war-torn, and predominantly Muslim countries. The executive order seeks to bar citizens from Iran, Syria, Yemen, Somalia, Sudan and Libya from entering the United States for the next 90 days and will suspend the acceptance of refugees for 120 days. ***This ban will violate our treaty obligations***, undermine our standing in the world, disrupt travel for thousands, callously separate families and cause immense suffering to refugees seeking our protection. In the coming days, we can expect a host of law and policy-based challenges to this executive order. Already, seven states have joined a lawsuit asserting that the ban is unconstitutional. As these claims make their way through the courts, **it's important that we not lose sight of the fact that Trump's executive order also *violates international human rights obligations*** prohibiting discrimination on race, nationality, or religion, as well as the international recognition of the freedom to travel, and ***eviscerates the United States' commitments under the Refugee Convention***. The ban is discriminatory, in contravention of international legal prohibitions on discrimination based on race, nationality, or religion. There is ample evidence in the President's own statements to show that it is driven by a desire to target Muslims. Moreover, there is little to no indication that travelers from these six countries pose particular threats to security and there have been no fatal terror attacks in the United States by immigrants of these six countries. United Nations human rights experts denounced the earlier January 27 executive order noting that. "[S]uch an order is clearly discriminatory based on one's nationality and leads to increased stigmatization of Muslim communities." The March 6 order's exclusion of Iraq from the list of banned nationalities does not address these core flaws. **If applied, the United States will be in breach of its obligations as a signatory of the Refugee Convention. Specifically, the executive order violates the principles of non-discrimination** (restricting refugees based on race, religion, or country of origin), **exemption from exceptional measures** (applying exceptional measures on a refugee solely on account of nationality) **and likely non-refoulement**. Non-refoulement requires that states protect refugees from being returned to a country where they fear persecution. Of the estimated 21.3 million refugees, six million come from Somalia and Syria, two countries listed in the March 6 Order. These refugees, forced out of their home countries are fleeing from torture, murder, systemic persecution, war and other conflict, airstrikes, rape and arson. **The new order is an affront to the United States' international commitments. In these uncertain times, we must recommit to our core principles and reject efforts to frighten us into rash, unprincipled behavior.**

SQ actions violate the Refugee Protocol.

Hathaway '17 (James, "Executive (Dis)order and Refugees—The Trump Policy's Blindness to International Law," Just Security, 2-1-2017, <https://www.justsecurity.org/37113/executive-disorder-refugees-the-trump-policys-blindness-international-law/>)

II. Breach of duties under refugee law **Second, the executive order takes no account of our obligations under international refugee law. Specifically, the executive order appears wilfully blind to our commitment under the Refugee Protocol to ensure that we do not expel or return a refugee "in any manner whatsoever" to a place of risk;** indeed, several Syrian refugees were in fact sent away from the US last Sunday. While there is interim relief in the form of the order issued by District Court Judge Ann Donnelly, the White House was quick to respond that "[a]ll stopped visas will remain stopped. All halted admissions will remain halted. All restricted travel will remain prohibited... The

order remains in place.” Not only is it patently illegal under the non-refoulement clause (Art. 33 of the Refugee Convention) for the United States to send back a person who claims to be a refugee until and unless there is a final determination that he or she does not so qualify, Art. 3 of the same treaty expressly forbids discrimination in the application of the Convention on the grounds of “race, religion or country of origin.” Neither of these foundational duties can be subject to a reservation. Honoring these obligations does not, as has been suggested, expose the United States to risk to its safety or security. Not only are terrorists and other serious criminals excluded from refugee status, but refoulement of even someone at risk of persecution is explicitly allowed where clear national security risk or danger to the community is shown. But refugee law requires real attention to due process, and most certainly prohibits any sweeping group-based denial of access to protection, such as this Executive Order. The bottom line is that the executive order was apparently conceived with no regard whatever for the binding legal obligation to shelter refugees arriving in the US.

I-Law Good – Inevitable

US compliance is key to the effectiveness of international law

Avasarkar 12, Dr. Daniel Ringuet (PhD) is currently a Sessional Lecturer at Griffith University Australia. The Relevance of **International Law** in **Promoting Global Peace** and Security , <http://www.preservearticles.com/2012071033180/the-relevance-of-international-law-in-promoting-global-peace-and-security.html>

International Law involves the codification of rules by actors in the international system in a way that sets precedents and normative expectations. That is, it is a rule-based regime which aims at building order within the global community. It is asserted that the post-ontological era of mature and complex international law (IL) provides a sound rationale for normative behaviour and therefore is of *paramount relevance to achieving global peace and security*. The example of the United States' intervention in Iraq will be used to demonstrate the salience of this point. It must first be acknowledged that IL is not always viewed so positively. This is largely due to the perception/reality gap which obscures the fact that military activity is the exception rather than

the rule in international affairs. In reality, *most of the time the majority of interactions occur peacefully and efficiently. IL is a key facilitator* of such.[¶] Generally speaking a number of factors demonstrate the move towards IL. These include the data collected in UN Treaty archives, the powerful influence of global economic regimes such as the World Trade Organisation, the sociology of the transnational legal process itself, and the growing importance of international institutions and non-government organisations.[¶]

Indeed, the USA is itself party to more than 10,000 treaties. Additionally, the scope of IL is increasingly broad, covering things as diverse as arms control, the use of force, drug trafficking, immigration, human rights, environmental problems, trade and finance, and intellectual property. The USA has been chosen to demonstrate the extreme relevance of IL to the international security environment precisely because it often defies or contravenes IL. This is based on the notion that if a principle of law withstands breaches - even by the USA - then its validity and potential longevity is reinforced. The USA has been highly contemptuous of IL at times, for example in its refusal to sign the Kyoto Protocol, its abandonment of the Anti-Ballistic Missile Treaty, its refusal to join the International Criminal Court (ICC), and its increasingly unilateral and hegemonic behaviours. This emerging character appears to be founded on the presumption that a strong state such as the USA only needs IL as a 'club' to keep weaker states in line.

However, as former Soviet Union leader Gorbachev would testify, even superpowers come and go. Consequently, it is argued that **the USA's situation demonstrates that respect for the burgeoning IL regime would likely allow the USA to achieve objectives that even its supreme power is incapable of realising. This indicates the paramount relevance of IL to global security.**[¶]At the most fundamental level, the decision to go to war in Iraq, demonstrates

IL's importance. This is in part due to the principle of 'stigmatisation'. **If you are an actor that is routinely perceived to be breaching IL, norms and standards in pursuit of national self-interest, then it is likely that stigmatisation will be of significant impact. This is because it makes justification and rationalisation necessary by raising issues of legitimacy and identity.** Accordingly, states often go to great lengths

to avoid stigmatisation. The USA demonstrates this clearly; George Bush Jr has regularly attempted to justify intervention in Iraq on the basis of Weapons of Mass Destructions (WMDs), the threat of the capacity to produce WMDs, human rights issues and the involvement of global terrorist networks. This indicates that the **stigmatisation related to breaches of IL affects even the most powerful of states. Clearly, this principle serves to place IL at the very centre of global security relations.**

The relevance of IL is also made apparent by the USA's difficulty in engendering support. For example, in 2003 the USA requested that other countries commit more troops to Iraq. However, even those states most likely to do so - France, Germany and India - refused their support unless a UN Security Council Resolution was obtained. That is, they required legal validations. The USA's difficulty in inviting support for its actions, or indeed winning the peace, depicts the importance of international legitimacy in achieving objectives. In theory, only the most powerful of states who do not believe they will ever be weak choose to routinely abuse the principles of IL. In a setting where its strength is superior to any other states' across almost any measure of power, the USA should not be surprised that lesser states cling to the protection and predictability offered by IL. The importance of IL in global affairs is also demonstrated by the USA's ability (or inability) to engage and cooperate with other international actors. For example, large USA oil companies argued that they could not afford to continue investing heavily in Iraq, toward the goal of restarting the country's oil productions. They reasoned that this was due to the lack of legitimate political authority in Iraq and their fear that contracts signed would not carry the force of law.

Similarly, the **USA's refusal to abide by IL has greatly hampered relations and cooperation with the UN and its respective bodies. With UN support, the USA would have likely had more success with reconstruction and its 'peace-making' activities would have assumed a greater sense of legitimacy.**

Clearly, accordance with IL aids diplomacy. It is asserted that if - it had the force of IL behind it - the USA would have had far greater success in achieving the goals which even its supreme power is *incapable of bringing within grasp*.

I-Law Good – Solves War

Longitudinal empirical analysis confirms our impact

Simmons 10 (*Harvard International Affairs Professor Beth, "Treaty Compliance and Violation," Annu. Rev. Polit. Sci., vol. 13*)

The concept of audience costs has also been useful for understanding how formal agreements can influence the duration of peace. After years of war and mistrust, agreements to make peace are difficult to make credible. Treaties here again *play an important role* by raising ex post international audience costs as well as by signaling intentions ex ante. They can also reduce uncertainty about actions and intentions, thus helping to reduce belligerents' incentives to rekindle their conflict. Fortna (2003) suggests there is some *empirical basis* for viewing peace agreements in this way. She finds that stronger peace agreements—by which she means ones that raise the costs of reneging by creating clear demilitarized zones, joint monitoring commissions, and third-party guarantees—lead to more a durable peace. Similarly, Mattes (2008) examines the role of "conciliatory" agreements in the resolution of territorial disputes and finds that those that reduce uncertainty and raise costs ex post are likely to reduce the risk that disputing parties[¶] will resort to militarized conflicts. But these cases raise the problem of the endogeneity of treaties. It is highly likely that governments design strong and/or conciliatory agreements when they are especially motivated to settle the dispute. If so, is it the agreement or the underlying motivation to settle that drives the findings?[¶] Agreements that constrain military operations in the heat of battle present the most significant challenges for international treaties. When independent state survival may be at stake,

we have the most stringent test possible for the power of treaty agreements to constrain state behavior. The laws of war fighting are a good example. They embody norms to protect civilians and cultural property, to require decent treatment of prisoners, to medically treat wounded enemies, and so forth. Not only are there strong temptations to defect if banned practices might mean a military advantage; there is also the problem that atrocities can be committed by individual soldiers despite the policy of their government.¶ The protection of civilians may be the most difficult problem of all. Valentino et al. (2006) test the proposition that international treaties on the laws of war during the twentieth century (1900–2003) have had a significant impact on the rates at which the militaries of warring states intentionally kill civilians. For each of 148 international conflicts of the past century, Valentino et al. coded whether the parties had ratified the 1899 Hague Convention, the 1907 Hague Convention, the 1949 Geneva Convention, and the Geneva Convention Protocols of 1977. They found that the intentional killing of civilians was correlated with the strategy chosen to prosecute the war but was not influenced at all by ratification of the relevant treaty for the time period under question. They conclude that “international law provides little protection for civilian populations in times of war. Whatever pressures toward restraint these treaties may exert on their signatories appear to be overwhelmed by the strategic incentives that combatants face to prevail and limit the costs of war to their own citizens” (Valentino et al. 2006, p. 373). However, much more could be done to understand the indirect influence of these treaties on war fighting, including their possible influence on the choice of a strategy itself. If ratifiers are much less willing to lay siege to an enemy, causing the starvation of its population, there is some risk that the effect of the legal norm is being masked by the choice of strategy.

An even more ambitious effort to understand the dynamics of the laws of war is Morrow’s (2007) study of

eight different subissue areas, including aerial bombardment, armistice/ceasefire, chemical and biological weapons, treatment of civilians, protection of cultural property, conduct on the high seas, treatment of prisoners of war, and treatment of the wounded. Using different data and methods, Morrow does to some extent corroborate the findings of Valentino et al. in that he finds the treatment of civilian populations to be especially problematic in wartime. This is not the end of the story, however. Morrow draws on signaling theory to argue, “Treaties are a public signal that a state accepts a standard by ratifying it, and so will live up to the standard of that treaty if it goes to war. . . . Ratification by both sides is necessary for them to understand that they intend to honor that standard to the best of their ability” (Morrow 2007, p. 561). Morrow is not explicit about why such a signal would be credible to an adversary, although he does suggest that in a democratic setting, audience costs help to hold governments to their international commitments. The model he proposes allows for an indirect role for treaty ratification: Treaties clarify what is and what is not acceptable behavior, which allows adversaries in war more precisely to respond to violations in kind. This reciprocity, in turn, is associated with higher levels of compliance with the laws of war. Morrow’s key finding is that a state is more likely to violate the laws of war reciprocally when it is clear the adversary has done so, when both have ratified the relevant treaty, or when both of these conditions hold (a triple interaction term). Merely to have ratified a treaty does not produce better compliance, but by facilitating reciprocity, he argues, **the treaty has made**

important if indirect **contributions to** the somewhat **more humane conduct of war**. Arguments for treaty compliance based on legal principles are by nature rare in the security area. As we have seen, theories of compliance or violation of international agreements in the security area tend to be based on arguments about reciprocity, the ability to send credible signals, or the ex post costs associated with renegeing. It is therefore quite refreshing to consider the results of a study by Kelley (2007) on states’ (un)willingness to renege on their formal legal commitments to the International Criminal Court (ICC). Kelley asks, why do states live up to their legal obligations to cooperate with the ICC, especially in the face of pressures any realist might assume would cause them to violate? Between 2002 and 2006, the United States applied tangible forms of pressure—from diplomatic up to and including the threat of withdrawing military aid—to countries that refused to sign a mutual nonsurrender agreement with the United States. These agreements created bilateral obligations not to surrender one another’s nationals to the ICC. The problem, however, is that such agreements conflict with the legal obligation of any ratifier of the ICC statutes to cooperate with that institution. It is a difficult dilemma: Should a state party fulfill its ICC obligations and risk U.S. sanctions, or should it stand up to the United States and stand by the ICC?¶ Kelley argues that despite the threats of the United States, some states resisted for very principled reasons. Some states had a strong affinity for the purposes of the ICC. She presents evidence from a cross-sectional probit that democracies, the “like-minded countries” (the hard-core ICC supporters during the negotiations), and states with sterling human rights records tended to ratify the ICC statutes. But even more revealing, states with a strong commitment to the rule of law refused to go back on their ICC commitments. The interaction of a strong commitment to the rule of law and a previous ratification was a strong predictor (again, in a cross-sectional probit model) that a state would refuse to ratify a mutual nonsurrender agreement with the United States. Four case studies—Botswana, Costa Rica, Estonia, and Australia—provide the context for these findings. Although Botswana reneged, the other three rebuffed the United States, stuck with the ICC, and cited the importance of consistency with their prior legal obligations as the primary reason. Kelley (2007, p. 15) concludes that “international agreements can be effective across a **broad spectrum of issue areas**, not just in cases with clearly identified material payoffs of iterated cooperation.”

Robust empirical data confirms, international law solves conflict

Huth 12, Prof of Government and Politics @ U Maryland, International Law and the Consolidation of Peace Following Territorial Changes,

http://www.princeton.edu/politics/about/file-repository/public/Huth_Prorok_io.pdf

Why are some changes to the territorial status quo consolidated and sustained over time while others are subject to new challenges and ongoing dispute? In this paper, we develop a theoretical argument to explain variation in the sustainability of territorial changes. We argue that under certain conditions, international law can serve as a *focal point*, providing information to disputants and third parties regarding the appropriate distribution of disputed territory. When this legal focal point supports maintenance of the new territorial status quo, it *solves the enforcement problem* associated with international cooperation by generating both reputational and material costs for challenging the new status quo. We test this theoretical argument on a *new dataset of territorial changes within the context of ongoing territorial disputes between 1945 and 2000*.

Empirical tests support our theoretical argument: losing states are more likely to accept the loss of territory when a clear legal focal point supports the opponent, while potential challengers are more likely to assert a new claim to lost territory when a legal focal point supports the challenger’s position.

I-Law Good – AT: Norms Fail

Treaties work – norm development, decrease incentives for defection, provide mechanisms for capacity-building and technical assistance

Findlay 6 – PhD, Director, Canadian Centre for Treaty Compliance, Associate Professor, Norman Paterson School of International Affairs (NPSIA) (Trevor, “Presentation to Canadian Institute of International Affairs (CIIA),” Scholar)

So the general question arises: when *treaties work*, why do they work? The short answer is because they embody a norm, an aspiration, a settlement that is valued by all of the parties. The treaty has been well constructed to reflect these elements, the states that become party are happy with the outcome and there are no incentives to defect from the agreement. The best example of this phenomenon that I can think of is the Ottawa Landmine Convention. It embodies the special mix of aspirations of all those who inspired it, notably the International Campaign to Ban Landmines and states parties such as Canada, Belgium and Norway. It is geared to deal not just with disarmament, but with humanitarian and quasi-development issues such as demining. Its focus on *capacity-building* and *technical assistance* has given it a constituency among developing countries that other disarmament agreements favoured by the first world lack. This has not insulated it entirely from violations—Uganda almost certainly has done so—but it has surrounded the treaty with a hugely supportive *cocoon of states and civil society in genuine partnership*.[¶] Another reason why treaties work is that their goals are simply expressed, or at least readily identifiable, and their achievements are measurable. An effective monitoring and verification system can be of enormous help here, providing confidence to all states parties that there are no free-riders and that non-compliance will not threaten them.[¶] One of the most successful environmental treaties of our time is the Montreal Protocol which seeks to close the hole in the ozone layer caused by the release of chlorofluorocarbons (CFCs) into the atmosphere. The ban on CFCs was relatively simple to envisage, it could be technically monitored with relative ease, developed and[¶] 2[¶] developing countries were subject to the same requirements and there would be clear evidence that the treaty was working if the ozone hole started to close. It is.

I-Law Good – AT: No Enforcement

Even absent legal enforcement, violations risk institutional capital – makes compliance likely

Simmons 10 – Professor of International Affairs @ Harvard (Beth, “Treaty Compliance and Violation,” *Annu. Rev. Polit. Sci.*, vol. 13)

Most treaties do not of course have strong external enforcement mechanisms. In that case, why are treaties especially useful tools for credible commitment making? Some scholars insist that there is something about a legal commitment that inherently *raises ex post costs*. For example, Guzman (2002, p. 65) writes that treaties “represent the complete pledge of a nation’s reputational capital” (see also Schachter 1991). This special quality of treaties may be due to the fact that they are embedded in a broader system of socially constructed inter-state rule making, normatively linked by the principle of *pacta sunt servanda*—the idea that agreements of a legally obligatory nature must be observed. Violating a legal agreement, in this view, provides information on both the government’s attitude toward the contents of the treaty (the specific rule) and the government’s respect for law itself (the broader set of principles in which the rule is embedded). Note, however,[¶] that for these reputational mechanisms to work, there must be widespread social agreement that law creates more serious obligations than other kinds of agreements, a point stressed by constructivist scholars. Arguably, **treaties also allow a**

more complete *reputational commitment* because of their capacity for clarity. Precision reduces the plausible deniability of violation by narrowing the range of reasonable interpretation. In Morrow's (2007) rationalist interpretation of the laws of war, the relative precision of treaty arrangements supports reciprocity between warring states by clarifying prescribed and proscribed behaviors and limiting the permitted range of response to violation. For these reasons, violating a treaty is often asserted to have more serious reputational consequences than renegeing on a political commitment, *ceteris paribus*.

Solvency

S – Generic

Increasing our refugee commitment saves thousands of individuals while strengthening our economy, security, and global image.

Schwartz '17 (Eric, former Assistant Secretary of State for Population, Refugees, and Migration, is President of Refugees International. "America Must Maintain Its Commitment to Refugee Resettlement," September 27, 2017,

<http://nationalinterest.org/feature/america-must-maintain-its-commitment-refugee-resettlement-22483>)

In an unfortunate case of evidence-free policy-making, some White House officials seem determined to dramatically diminish, if not dismantle, an American tradition of refugee resettlement that has long reflected U.S. humanitarian values and national security interests. Without consultation with the Congress as prescribed by the U.S. Refugee Act, President Donald Trump's March Executive order suspending the refugee resettlement program effectively slashed the 2017 U.S. refugee admissions ceiling from 110,000 to about 50,000. Based on information from a number of administration sources, it seems unlikely that the president will approve admission of more than 45,000 refugees in 2018, and he may in fact decide on a lower level. This would contrast starkly with the nearly 100,000 that the United States has annually resettled on average over the past three decades. These developments would not be surprising, given the president's statements suggesting that the U.S. refugee resettlement program is a threat to national security. Echoing his campaign commitments promising a ban on Muslim immigration, the president's Executive Order also targeted visa applicants from six predominantly

Muslim countries, and stoked fear and hostility toward Muslim refugees in particular. **The notion that the U.S. Refugee Admissions program poses a threat to U.S. national security is nonsense.** Nobody who enters the United States is subjected to a more rigorous screening than a refugee applicant, and refugee processing involves the active engagement of U.S. law enforcement, security and intelligence agencies. For this reason, **it's hardly surprising that while there have been nearly one million refugees resettled in the United States since 9/11, there have been no fatal terrorist attacks in the United States perpetrated by a resettled refugee over this period.** Unfortunately, the silly debate about the threats posed by refugees has come at the expense of discussion of the values and interests served by refugee resettlement. The 1980 Refugee Act, passed by overwhelming and bipartisan majorities in the House and Senate in 1980, created the U.S. Refugee Admissions Program. Under the program, the United States resettles a modest number of particularly vulnerable refugees from the countries to which the refugees have first fled, known as countries of first asylum. The Refugee Admissions Program is an expression of a U.S. commitment to meet its humanitarian obligations and exercise leadership in the worldwide effort to assist displaced victims of persecution and conflict, who now number more than 65 million around the world. To be sure, the Refugee Admissions Program can only be the solution for a small percentage of the world's refugees. **But for the most vulnerable, the U.S. program can be life-saving. Moreover, refugee resettlement provides the United States access to extraordinary individuals. From Albert Einstein to Madeleine Albright to Sergey Brin to so many others, refugees have benefited the United States enormously. Moreover, as reflected in a recent study from the National Bureau of Economic Research and the bulk of scholarship in this area, the economic benefits provided by refugees—who also help to revitalize local communities—outweigh the financial costs to the United States in supporting their resettlement. Finally, a generous U.S. Refugee Admissions program has significant and substantial foreign policy benefits.** The United States is encouraging governments around the world to sustain generous policies toward refugees. In Jordan, Turkey and Lebanon, for example, that has included urging that borders be kept open and that governments provide opportunities for education and employment. Because such approaches promote well-being and stability among displaced populations, they serve U.S. national security interests. **But the United States can only promote such approaches most effectively when friends and allies see that we are practicing at home what we preach abroad.**

Increasing the quota is possible and desirable.

Costa '15 (Daniel, director of Immigration Law and Policy Research at the Economic Policy Institute, 9-21-2015, "Here's what the U.S. can do about Europe's migrant crisis, but isn't," Fortune, <http://fortune.com/2015/09/21/europe-migrants-syria/>)

The United States can and should do more. The Syrian conflict is partly the result of U.S. efforts to destabilize the Assad government. America cared so much, supposedly, about Syrian lives under the Assad dictatorship; the country must also care about them now, when their lives are in far more danger. **The United States also bears responsibility for the crisis because its military interventions have left failed states in Afghanistan and Iraq—two other major source countries for migrants and asylum-seekers—as well as in Libya, where U.S. air strikes helped create a global hotspot for human trafficking and smuggling. To date, the United States has given about \$4 billion for relief efforts, but has only taken in 1,500 Syrian refugees, and granted temporary protected status to about 2,600 already in the country.** On Sunday, U.S. Secretary of State John Kerry announced that the Obama administration will increase the annual limit of refugees that America accepts from around the world over the next two years: **In 2016, the current quota of 70,000 will be increased to 85,000, and in 2017, it will increase further to 100,000. This is significant and praiseworthy, but the number of Syrian refugees to be resettled will still remain far lower than Europe's total, despite the United States having a population of roughly the same size.** The Obama administration has hinted at a willingness to accept more Syrian refugees, but in order for that to happen, Congress will have to step in and appropriate more funds for resettlement. Unfortunately, the current Republican-controlled Congress is unlikely to do so.

Increasing our commitment solves – the quota is symbolic of our refugee leadership.

Acer et. al. '16 (Eleanor Acer, Anwen Hughes, Kara McBride, Adham Elkady and Whitney Viets. Human Rights First is a nonprofit, nonpartisan international organization "The Syrian Refugee Crisis

and the Need for U.S. Leadership Foreword by Ambassador Ryan C. Crocker," February 2016, <https://www.humanrightsfirst.org/sites/default/files/HRFSyrianRefCrisis.pdf>)

While efforts to resolve the Syria conflict continued in early 2016, peace and the potential for safety, security, and rights-respecting conditions in Syria continue to be as elusive as ever. Given the overriding humanitarian, human rights, foreign policy, and national security interests at stake, *the United States should lead*, working closely with European allies and other countries, *a comprehensive response to the Syrian refugee crisis and the broader global displacement crisis*. Both the president and Congress will have multiple opportunities to demonstrate strong U.S. leadership over the coming months. These opportunities include: a March 30 Syrian resettlement pledging conference in Geneva, the World Humanitarian Summit in May, the setting of fiscal year 2017 goals for U.S. resettlement, appropriations and budgeting for fiscal year 2017, and the U.S. and U.N. conferences on the global refugee crisis, and large movements of refugees and migrants respectively, both slated for September 2016 in New York. This leadership will require high-level engagement from the president, the secretary of state, and secretary of Homeland Security, and the support of Congress. In order to effectively lead, to press other states to do more, and to advance U.S. national security and foreign policy interests, the United States must significantly increase its own humanitarian assistance, development investment, and resettlement commitments. **U.S. political leaders should work together in a bipartisan manner, restoring this country's long bipartisan tradition of protecting those who flee persecution. The United States has demonstrated strong leadership in the past—launching a comprehensive global effort with other countries to help Vietnamese refugees—and is more than capable of leading by example again.** To effectively lead this global initiative, the United States should launch efforts to ensure that: 1. The United States and other donor states work together to fully meet humanitarian appeals, and significantly increase development investment in front-line refugee-hosting communities. • The United States, which recently pledged \$925 million USD at the February 4, 2016 donor conference in London, should significantly increase its humanitarian assistance and development aid investments. Congress should support the necessary increases, including through any necessary increases in appropriations. The United States and other donors should emphasize that they expect front-line states to continue to allow refugees to cross their borders to access protection, to continue to host refugees, and to improve refugees' access to employment and other basic rights and services. • In addition, the United States should intensify efforts to encourage other donor countries to increase development investment. U.S. and other development investment should focus on (i) strengthening the key infrastructures of front-line communities that are hosting large numbers of Syrian refugees, including education, health care, and sanitation, and (ii) initiatives that will enable increasing numbers of Syrian and other refugees to work while also benefiting host communities. • While not the subject of this report, the United States should continue to work with other states to press for humanitarian access to Syrian civilians trapped inside Syria in besieged areas and work to increase access to services as well as aid. 2. Protection in the Region—and at borders—is significantly strengthened so that refugees do not face the constant threat of rejection at borders, detention, deportation, lack of work permission and barriers to education. • The president and secretary of state should redouble advocacy and champion the protection of the rights of refugees, including their rights to work, to access education and to cross borders in order to escape persecution and access effective international protection. Compliance with the refugee protection tenets developed in the wake of World War II, including international legal obligations to protect refugees fleeing persecution, is more important than ever, particularly at a time when thousands of families fleeing Russian bombs, Syrian government attacks, and ISIL terror have been blocked from escaping the violence raging within their country. • Building on the recent announcement that Turkey will allow Syrian refugees to apply for work applications, the United States should work with other donor states to advocate for, and support initiatives that expand, the ability of refugees to work and access education in front-line refugee hosting countries. • The United States should also ensure that NATO actions do not violate the human rights of refugees and migrants, including right of refugees to flee persecution and seek asylum. UNHCR has cautioned that NATO's mission—which Secretary Kerry stated is to "close off a key access route" used by refugees and migrants in order to "stem this tide"- should not "undermine the institution of asylum for people in need of international protection." • If any "safe zone," "no fly zone," or similar proposals move ahead, the United States should strongly advocate that states surrounding Syria do not prevent refugees from crossing their borders in violation of customary international law prohibitions on refoulement. Safe zones" in war-torn regions are notoriously unsafe for civilians. Globally, states provide at least 460,000 resettlement and other admission places for Syrian refugees and the United States increases its commitment. • *The United States should increase its pledge for fiscal year 2017 to resettle 100,000 Syrian refugees, in addition to resettling refugees from other countries.* Not only would such a commitment level be more responsive to the global need, but it would also advance U.S. national security, foreign policy, and humanitarian and human rights interests. • The United States and other countries should increase support to UNHCR— through additional PRM funding—so the agency has greater capacity to identify and refer cases for resettlement or other admission consideration.

US commitment to raise the amount of refugees admitted solves for the most vulnerable populations and spurs global action.

Miliband '16 (David is President of the International Rescue Committee. "The Best Ways to Deal with the Refugee Crisis," NY Review of Books, OCTOBER 13, 2016 ISSUE, <http://www.nybooks.com/articles/2016/10/13/best-ways-to-deal-with-refugee-crisis/>)

On September 19, the UN Summit for Refugees and Migrants, called by Secretary-General Ban Ki-moon, will offer UN members the opportunity not only to increase their commitments to collective goals, but to articulate an agenda for improving aid. Alarming, however, the draft conclusions of the conference have been watered down by some of the participating nations. Phrases like "We commit to working towards solutions from the outset of a refugee situation" are commonplace in the document but do nothing to concretely improve the situation of refugees. It is therefore even more important that the refugee summit for heads of government called by President Obama for September 20, the day after the UN meeting, have tangible effects. It would be a positive start to secure commitments for an additional two million refugee children to receive education. *We should also call on the US to raise the number of US refugee admissions to 140,000 for next year.* Ask most refugees what they want most and they will likely say: "To go home." The long-standing humanitarian aid system was designed for a world where wars between states displaced refugees for short periods of time into refugee camps before they did go home. Today none of these assumptions hold. Many refugees are victims of civil wars, not wars between states. They are displaced for long periods. They do not stay in refugee camps. They are unlikely to go home. Fewer than one percent of the world's refugees were able to return to their countries of origin last year. The peacemaking and peacekeeping efforts that have been recently successful in Sierra Leone and Timor-Leste and between Serbia and Kosovo are complex, expensive, risky, and time-consuming—and exceptional. Protracted conflict is the new norm. In these cases, there is every reason radically to change our approach to direct support for the victims. More of the most vulnerable refugees need to be relocated into richer countries. But most displaced people need far better help in the nearby poorer countries to which they flee. As in the 1940s, the longer the delay, the worse the reckoning.

US action is a prerequisite to global action for refugees.

Long '15 (Katy is a refugee and migration expert. She is currently a visiting fellow at Stanford University and an honorary fellow at the University of Edinburgh, "Why America Could—and Should—Admit More Syrian Refugees," Century Foundation, 12-16-2015, tcf.org/content/report/why-america-could-and-should-admit-more-syrian-refugees/)

Refugee resettlement is unequivocally safe. It would be wrong, both morally and politically, to curtail Syrian refugee resettlement, and why it is in fact both ethically imperative and politically expedient to instead expand U.S. commitment to refugee resettlement. Resettlement could help both to meet humanitarian needs in the region and advance the U.S. strategic interests, above all by providing another means of leverage through which to broker regional and EU engagement with Syrian crisis. The United States is already the single-largest donor of humanitarian relief to the Syrian people—having given some \$4.5 billion in aid since the beginning of the conflict—but it is increasingly clear that offering more resettlement places is essential to help alleviate the political strain of hosting millions of refugees in the region, and to meet some of the refugees' urgent needs. The United States can—and should—continue to protect itself against terrorist threats, but it can do so while still admitting a greater number of Syrian refugees for resettlement, and processing applications more quickly than it does now. In resettling more Syrian refugees quickly and equitably, Washington will win a moral victory, which in turn will help it persuade allies to do more to help resolve the Syrian war and the attendant humanitarian catastrophe. Instead of seeking to dismantle refugee resettlement, those interested in ensuring the program is both safe and effective should focus their efforts on securing the resources needed both to reduce delays in processing and to establish strong foundations for community integration upon arrival.

S – Security

Accepting more refugees solves stability in allied countries.

HAIS '18 (Hebrew Immigrant Aid Society, "US Policies," Accessed 6-2-18, www.hias.org/us-policies)

The Refugee Act of 1980 formalized the refugee resettlement system in the United States, creating the Bureau of Population, Refugees, and Migration and the Office of Refugee Resettlement. It authorizes the President, after consultations with Congress, to determine the annual cap on refugee admissions for the following fiscal year. The average ceiling set by presidents since the program's inception in 1980 has been 95,000 refugees. In 2018, Administration capped the number of refugees that can be resettled to the United States at the lowest admissions ceiling in the history of the U.S. refugee program, and it comes at a time when the UN Refugee Agency, the United Nations High Commissioner for Refugees (UNHCR), reports that there are more than 22.5 million refugees in need of protection worldwide, of which 1.2 million are in need of resettlement. Increasing the PD would allow the United States to assist more of the most vulnerable, those who remain at-risk even after having fled the immediate threat in their home countries, including: women-headed households, unaccompanied refugee children, LGBTI refugees, religious minorities, and individuals with significant medical needs. By accepting fewer refugees, the United States is failing to support front-line refugee hosting states, which contributes to the destabilization of valuable allies. Countries that are shouldering most of the refugee flow - like Jordan, Turkey, and Lebanon - are already struggling to accommodate them. Accepting more refugees supports the stability of U.S. allies and eases the strain on smaller countries that have welcomed refugees in unprecedented numbers and spent millions caring for them. Respected national security experts like Henry Kissinger, David Patraeus, Michael Hayden, Brent Snowcroft, Steven Hadley, George Shultz, Michael Chertoff, General James Jones, George Casey, Richard Myers, James Stavridis, John Vessey and others wrote Congress that "resettlement initiatives help advance U.S. national security interests by supporting the stability of our allies and partners that are struggling to host large numbers of refugees."

Add-On – Latin American Stability

a. An unmanaged refugee crisis in Venezuela will destabilize all of Latin America – also accelerate drug trafficking and disease

O'Neil '18 (Shannon K., Research Fellow for the Council on Foreign Relations, "A Venezuelan Refugee Crisis," Contingency Planning Memorandum No. 33, , 2-15-2018, <https://www.cfr.org/report/venezuelan-refugee-crisis>)

Massive human outflows from Venezuela could *destabilize* the politics, economics, and security of *neighboring nations and thus significantly harm U.S. national security interests*. These challenges come at a particularly delicate time for Colombia, as the longtime U.S. ally works to implement a historic peace process with former FARC guerrillas. An influx of refugees into formerly FARC-controlled border communities could undermine stabilization efforts by imposing an added economic and humanitarian burden on local authorities. Also threatened are the small Caribbean islands, where even a few thousand migrants could overwhelm local services and increase social tensions. Many of these countries lack legal frameworks and departments to process asylum seekers and migrants, further complicating matters. *A refugee crisis could hinder U.S. efforts to defeat transnational drug and criminal organizations*. Venezuela has become a major transit country for Colombian cocaine headed to the United States and Europe, with reported involvement of high-ranking officials in drug trafficking and organized crime. (President Donald J. Trump has publicly criticized Colombia's failure to crack down on coca production, which surged to a decade high in 2017; about 90 percent of cocaine in the United States comes from Colombia.) A refugee wave could aggravate these challenges, as criminal organizations could abuse a large and vulnerable population for recruitment or as prey for human trafficking. In the event of an epidemic, mass migration would be accompanied by a health crisis across the Americas, including in the United States.

b. Impact is global war

Rochlin '94 [James Francis, Professor of Political Science at Okanagan U. College, *Discovering the Americas: The Evolution of Canadian Foreign Policy Towards Latin America*, 130-131]

While there were economic motivations for Canadian policy in Central America, security considerations were perhaps more important. Canada possessed an interest in promoting stability in the face of a potential decline of U.S. hegemony in the Americas. **Perceptions of declining U.S. influence in the region** – which had some credibility in 1979-1984 due to the wildly inequitable divisions of wealth in some U.S. client states in Latin America, in addition to political repression, under-development, mounting external debt, anti-American sentiment produced by decades of subjugation to U.S. strategic and economic interests, and so on – **were linked to the prospect of explosive events occurring in the hemisphere**. Hence, the Central American imbroglio was viewed as a fuse which could ignite a cataclysmic process throughout the region. **Analysts at the time worried that in a worstcase scenario, *instability created by a regional war*, beginning in Central America and *spreading elsewhere in Latin America*, might preoccupy Washington to the extent that the United States would be unable to perform adequately its important hegemonic role in the international arena** – a concern expressed by the director of research for Canada's Standing Committee Report on Central America. **It was feared that such a predicament could generate increased global instability and perhaps even a *hegemonic war***. This is one of the motivations which led Canada to become involved in efforts at regional conflict resolution, such as Contadora, as will be discussed in the next chapter.

Negative

Solvency

No Solvency – Vetting

Circumvention kills solvency – extreme vetting and bureaucratic slowdown

Torbati 17 [Yeganeh Torbati, 12-9-2017, "Trump lifts refugee ban, but admissions still plummet, data shows," Reuters U.S., <https://www.reuters.com/article/us-trump-effect-refugees/trump-lifts-refugee-ban-but-admissions-still-plummet-data-shows-idUSKBN1E21CR>]

In late October, President Donald Trump lifted a temporary ban on most refugee admissions, a move that should have cleared the way for more people fleeing persecution and violence to come to the United States. Instead, the number of refugees admitted to the country has plummeted. In the five weeks after the ban was lifted, 40 percent fewer people were allowed in than in the last five weeks it was in place, according to a Reuters analysis of State Department data. That plunge has gone almost unnoticed. As he lifted the ban, Trump instituted new rules for tougher vetting of applicants and also effectively halted, at least for now, the entry of refugees from 11 countries deemed as high risk. The latter move has contributed significantly to the precipitous drop in the number of refugees being admitted. The data shows that the Trump administration's new restrictions have proven to be a far greater barrier to refugees than even his temporary ban, which was limited in scope by the Supreme Court. The State Department data shows that the kind of refugees being allowed in has also

changed. A far smaller portion are Muslim. When the ban was in place they made up a quarter of all refugees. Now that it has been lifted they represent just under 10 percent. Admissions over five weeks is a limited sample from which to draw broad conclusions, and resettlement numbers often pick up later in the fiscal year, which began in October. But the sharp drop has alarmed refugee advocates. "They're pretty much shutting the refugee program down without having to say that's what they're doing," said Eric Schwartz, president of Refugees International. "They've gotten better at using bureaucratic methods and national security arguments to achieve nefarious and unjustifiable objectives." Trump administration officials say the temporary ban on refugees, and the new security procedures that followed, served to protect Americans from potential terrorist attacks. Supporters of the administration's move also argue that the refugee program needed reform and that making it more stringent will ultimately strengthen it. "The program needed to be tightened up," said Joshua Meservey, a senior policy analyst at the Heritage Foundation, a conservative think tank, who formerly worked in refugee resettlement in Africa. "I'm all for strengthening the vetting, cracking down on the fraud, being really intentional on who we select for this, because I think it protects the program ultimately when we do that." A State Department official attributed the drop in refugee admissions to increased vetting, reviews aimed at identifying potential threats, and a smaller annual refugee quota this year of 45,000, the lowest level in decades. "Refugee admissions rarely happen at a steady pace and in many years start out low and increase throughout the year. It would be premature to assess (the 2018 fiscal year's) pace at this point," the official said, speaking on condition of anonymity. Trump has made controlling immigration a centerpiece of his presidency, citing both a desire to protect American jobs and national security. During the 2016 presidential campaign he said Syrian refugees could be aligned with Islamist militants and promised "extreme vetting" of applicants.

Vetting causes delay and means we don't reach the ceiling – kills solvency

Solis & Limón 18 [Dianne Solis & Elvia Limón, 2-7-2018, "Donald Trump's refugee policies are dramatically slowing arrivals in the U.S.," Dallas News,

<https://www.dallasnews.com/news/immigration/2018/02/07/trumps-refugee-policies-dramatically-slown-arrivals-us/>]

The U.S. is on pace to take in about 20,000 refugees this year — *less than half* the number President Donald Trump has authorized — at a time when the U.N. says the world's refugee crisis is the worst it has been since World War II. Trump said he'd allow 45,000 refugees into the country in the current fiscal year, about half the 85,000 settled in the final fiscal year of Barack Obama's administration. But with only 6,700 refugees arriving in the first four months of the fiscal year through Jan. 31, it appears the year will close with *the total number far below the cap*. The International Rescue Committee, one of the nation's nine resettlement agencies with State Department contracts, is among human rights groups and experts critical of the Trump administration's call for temporary refugee suspension and "extreme vetting" of people from certain countries. "These are the most vulnerable of the most vulnerable," said Daley Ryan, deputy director of the Dallas IRC office. "The IRC is in strong favor of vetting." But *the increased scrutiny and delays for suffering refugees makes for a drawn-out process* that is "just cruel," he said. A spokeswoman for the State Department, which handles some refugee resettlement, defended the increased scrutiny. "Additional vetting procedures are enabling departments and agencies to more thoroughly review applicants to identify threats to public safety and national security," Cheryl Harris said. "Processing time may be slower as we implement additional security vetting procedures." Harris said *each refugee's case is different*, and processing is affected by security checks and the "operational capacity" of the Department of Homeland Security and its agency, Citizenship and Immigration Services. As for the plunge in refugee arrivals, Harris said, "It is too early to determine what final FY 2018 refugee admissions will be." Trump targeted the United States' refugee policies while running for president in 2016, saying the U.S. didn't know if "these people have love or hate in their hearts." Within a week of taking office in January 2017, Trump issued a multipart executive order that suspended refugee resettlement for 120 days, halted the resettlement of Syrians indefinitely, and slashed admissions to 50,000 from Obama's 110,000 ceiling for the previous fiscal year.

No Solvency – Slowdown

Administrative slowdown prevent solvency.

Montlake '18 (Simon, Writer for Christian Science Monitor, "US has cut inflow of refugees to a trickle," 4-25-2018, <https://www.csmonitor.com/USA/Society/2018/0425/US-has-cut-inflow-of-refugees-to-a-trickle-dousing-hopes-upstream>)

Since October, refugee arrivals by region have fallen well short of the administration's quota. Only one region was already close to its cap by the end of March: Europe, capped at 2,000, led by refugees from Ukraine, Russia, and Moldova, mostly white Christian countries. *Choking the overall pipeline of refugees means fewer federal dollars for the nonprofit agencies that are tasked with resettling them*, which could make it harder to ramp up in the future under a more supportive administration. Local refugee agencies have cut staff and closed offices; nearly half of all resettlement agencies in Florida have shut down due to the drop in caseloads. Before the 2016 election, 351 agencies worked on resettlements. A year later, around 100 had closed, says Jeffrey Thielman, chief executive of the International Institute of New England, which places refugees in Boston, Lowell, and Manchester, N.H. and is working with the Jalhousms. Under Trump, the nativist wing of the Republican Party that wants both to slash legal immigration and expel undocumented residents has become ascendant. But the vexed politics in Congress on immigration reform has so far thwarted major changes. Refugees make an easier target since the president has discretion to set quotas and priorities for who comes to the US. Shutting down the entire refugee program would require Congress to act, and there's no sign of that happening, say refugee agencies. Instead, the administration is trying to gum up the process, a death by a thousand papercuts that is both constitutional and highly effective. "They're dragging their feet. They're deliberately slowing things down," says Mr. Thielman.

No Solvency – Courts

Can't solve – backlog and judge biases

Campoy '17 (Ana, "The US doesn't have an immigration problem—it has a refugee problem," January 18, 2017, <https://qz.com/881275/the-us-has-a-refugee-problem/>)

There is also evidence that suggests immigrants are not getting equal treatment once their cases reach the courts. For example, immigration judge Agnelis Reese, in Oakdale, Louisiana, didn't grant a single asylum request out of the 169 decisions she made during fiscal years 2011-2016, according to data compiled by Syracuse University's Transactional Records Access Clearinghouse. Meanwhile, judge Frederic Leeds, in New York, approved 98% of the 700 cases or so he handled. Indeed, a statistical analysis by the US's Government Accountability Office confirms that, even when controlling for a variety of factors, asylum grant rates vary widely—by at least 47 percentage points—from judge to judge. It doesn't help that the US has failed to devote enough resources to deal with the spike in asylum requests made with US Citizen and Immigration Services, generating a bulging bottleneck. The immigration court system overall—which handles certain asylum cases, but also deportation hearings, for example—is similarly backlogged. Yet, the bulk of US government measures meant to address the rise in Central American immigrants are designed to deter them from coming in the first place, instead of building a better system to weed out fraudsters from legitimate refugees. Despite evidence that some immigrants are gaming the system, the fact remains that the US is legally required to give a fair hearing people who say they are afraid to return home.

No Solvency – Quotas Fail

Quota increases fail – alternate causes and circumvention prove the total won't be reached.

Welch '17 (Keith, Researcher at the Haas Institute at UC Berkeley, MA in from Georgetown, "A Pivotal Moment for the US Refugee Resettlement Program the United States," June 2017,

http://haasinstitute.berkeley.edu/sites/default/files/haasinstitute_usrefugeeresettlment_june2017_publish.pdf)

The number of refugees that the US government resettles is frequently below the ceiling. This discrepancy was particularly wide following the terrorist attacks of 9/11 in 2001. In 2002 the ceiling was 70,000 but only 27,131 refugees entered the country;³⁴ in 2012, the ceiling was 76,000, but only 56,424 refugees were admitted. The reasons for these discrepancies are complex and contextual to the time period. It could be due to a lack of cooperation in the refugees' country of first asylum, ongoing political complications, or the fact that the US began accepting refugees from a wider range of countries, whereas it has previously admitted them from a smaller set of countries.³⁵ According to Kathleen Newland, an immigration and refugee policy expert, two factors led to the discrepancy after 9/11.³⁶ First, the Bush Administration suspended the refugee resettlement program for two months. Second, the administration put new security protocols in place, reducing the number of refugees who made it through the security screening process.

No Solvency – State Backlash

State governments will backlash – increasing net restrictions on refugees.

Welch '17 (Keith, Researcher at the Haas Institute at UC Berkeley, MA in from Georgetown, "A Pivotal Moment for the US Refugee Resettlement Program the United States," June 2017, http://haasinstitute.berkeley.edu/sites/default/files/haasinstitute_usrefugeeresettlment_june2017_publish.pdf)

Attempts by US Governors to Limit Resettlement The executive orders from the Trump Administration are occurring in the wake of an increase in anti-refugee rhetoric and policies among US lawmakers. In November 2015, for instance, 30 governors called for a stop to resettlement of Syrian refugees until the federal government addresses security concerns (see Appendix A for a list of each Governor's statement).⁶⁵ Twenty-four of those governors stated they would seek to actively prevent the resettlement of Syrian refugees through executive action or other means.^{66,67} Despite the governors' statements, it appears that only a very limited number of Syrian refugees were diverted from one state to another. One such instance occurred in Indiana when, after Governor Mike Pence issued a statement seeking to ban the resettlement of Syrian refugees, the state Division of Family Resources sent a letter to a national voluntary agency responsible for resettlement in Indiana asking that all Syrian arrivals be "suspended or redirected to another state that is willing to accept Syrian placements until assurances that proper security measures are in place have been provided by the federal government."⁶⁸ In response, the agency worked with a resettlement agency in Connecticut to redirect one Syrian family to New Haven. It is important to note, however, that this case was isolated and multiple Syrian families have been resettled in Indiana since, which illustrates that it is very difficult for states to implement a ban on any specific group of refugees.⁶⁹ A number of legal scholars have asserted that governors do not have the authority to restrict travel into their territories.⁷⁰ Additionally, state and federal officials have actively fought some of the governors' attempts. The state of Texas, for example sought to deny the entry of Syrian refugees.⁷¹ A federal judge struck down the executive order within one day of it being issued because he found the state's evidence that Syrian refugees could have infiltrated the refugee resettlement program to be largely speculative. The same judge again ruled against the state after it amended its application for preliminary injunction. The state claims that it is unlawful that the federal government did not consult with the state regarding each Syrian refugee that PRM resettled in Texas. The judge, however, argues that neither the Refugee Act nor the Administrative Procedure Act creates a cause of action for the state to compel the federal government to consult with the state regarding the resettlement of individual Syrian refugees in Texas.⁷² Government officials in other states have also pushed back against these types of directives. For instance, the Tennessee Office of the Attorney General issued an opinion outlining why a decision to deny entry to refugees would violate the US constitution.⁷³ Specifically, the Attorney General stated that the federal government had already approved the refugees in question for resettlement in the US. Thus, such a decision would conflict with the federal government's authority to regulate the admission of aliens to the country and would therefore violate the Supremacy Clause of the US constitution. Georgia's Attorney General issued a statement with similar reasoning and conclusions in response to its governor's executive order seeking to deny the resettlement of Syrian refugees in the state.⁷⁴ Likely due to the evidence that an outright ban on the admission of Syrian refugees would violate the Constitution, the governor of Indiana issued an executive order that limits the type of services to Syrian refugees for which the state government would reimburse resettlement agencies.⁷⁵ Although the state initially sought to completely deny entry to Syrian refugees, the state then decided to allow Syrian refugees to enter its territory and continued to pay for federal entitlements such as cash assistance, education assistance and Medicaid. However, the state is withholding funds from resettlement agencies for social services such as interpretation, childcare and citizenship and naturalization assistance.⁷⁶ In February of 2016 a federal district court judge held a hearing on this case and ruled against the state of Indiana, basing her ruling on the assessment that there is a strong likelihood that Indiana's policy violates the Equal Protection Clause. The judge made three key arguments in reaching this conclusion.⁷⁷ First,

despite the state's stated goal of preventing further resettlement of Syrian refugees in the state by withholding funds, voluntary agencies have continued to resettle Syrian refugees in Indiana. Thus, the state's policy has been ineffective. Second, even if the state was actually able to deter voluntary agencies from resettling Syrian refugees, it would cause the agencies to stop the resettlement of all Syrians, including young children who pose very little security risk to the state. Third, the state's policy punishes Syrian refugees who are already in Indiana by depriving them of social services, which is unlikely to further the State's interest in improving public safety. Importantly, the judge states that the Court would reach the same conclusion even if it used a rational basis review of the State's policy. This ruling will likely have important implications for state legislatures that attempt to pass legislation that would have similar aims to Indiana's policy. It is unlikely that any policy that specifically targets refugees from one country or a group of countries will survive a constitutional challenge. *Prior to the current backlash against resettling Syrian refugees, states had already taken action to reduce refugee resettlement.* In 2010 Georgia Governor Nathan Deal withheld any state funding earmarked for reimbursing resettlement agencies for English instruction, job training, and academic programs.⁷⁸ Although this directive was very similar to the Indiana Governor's, it differed in the sense that it was targeted at all refugees resettled in the state. Likely as a result of this policy, the number of refugee arrivals in the state decreased from 3,272 to 2,635 per year between 2009 and 2011.⁷⁹ However, after pressure from resettlement agencies the governor released the federal funds in December of 2011. This previous state effort demonstrates that the statements by 30 governors in late 2015 were not entirely unprecedented and that governors have previously attempted to identify mechanisms for curtailing resettlement into their states. Attempts by State and Federal Legislators to Limit Resettlement Federal and state legislators have also attempted to curtail refugee resettlement. One example of state action occurred in 2011 in Tennessee when the state legislature passed the Refugee Absorptive Capacity Act. This legislation allowed local governments to submit a request for a one year moratorium on refugee resettlement to the Tennessee Office of Refugee Affairs documenting that the community lacks the capacity to host refugees. The state would then forward the request to the federal government and PRM would either approve or deny it.⁸⁰ State legislators have introduced bills and resolutions that would 1) prohibit their respective state governments from assisting in the resettlement of refugees from Syria and/ or the Middle East, 2) require refugees to register with a government agency, 3) authorize the state to temporarily halt refugee resettlement, or 4) urge the United States Congress to take action limiting the resettlement of Syrian refugees or the resettlement of all refugees (see Appendix B for a table illustrating these policies). Additionally, members of Congress have introduced a variety of bills at the federal level that seek to curtail resettlement through measures such as increasing the standards governing security checks of refugees, reducing resettlement from Syria and other countries in the Middle East, or reducing overall levels of resettlement. These lawsuits and legislative attempts by state and federal lawmakers demonstrate that the current administration's restrictive approach to refugee resettlement is a continuation of a trend. Nearly all aspects of the two executive orders have been proposed before: stopping resettlement from Middle Eastern countries, implementing more rigorous security screening, reducing overall resettlement, and increasing states' authority to accept or deny refugees. Moreover, these attempts at restricting the program come amidst a declining US commitment to resettlement since the 1980s. These two factors combined threaten to undermine the US commitment to protecting refugees, thereby worsening current and future refugee crises.

Status Quo Solves

The status quo solves – court wins and agency action are improving refugee resettlement now.

Welch '17 (Keith, Researcher at the Haas Institute at UC Berkeley, MA in from Georgetown, "A Pivotal Moment for the US Refugee Resettlement Program the United States," June 2017, http://haasinstitute.berkeley.edu/sites/default/files/haasinstitute_usrefugeeresettlement_june2017_publish.pdf)

In response to these legal challenges, President Trump signed a new version of the initial executive order on March 6, 2017. This new order revokes the original order and makes various minor adjustments, including the removal of Iraq from the list of designated travel ban countries and allowing legal permanent residents from the designated countries to enter the US.⁶² Despite the changes, federal judges in Hawaii and Maryland blocked the executive order before it could be implemented.⁶³ On March 29, 2017, Hawaii Judge Derrick Watson extended the block on the executive order.⁶⁴ This preliminary injunction blocks the travel ban on individuals from the six countries listed in the order, does not allow the administration to put the

resettlement program on hold for 120 days, and maintains the refugee admissions ceiling at 110,000 persons. On May 25, 2017, the US Court of Appeals for the Fourth Circuit rejected the federal government's appeal of the lower court's ruling, saying that the revised executive order, "speaks with vague words of national security, but in context drips with religious intolerance, animus and discrimination." Attorney General Jeff Sessions vowed to appeal this decision to the Supreme Court. On the same day as the Fourth Circuit's ruling, the State Department issued a separate decision to lift a weekly quota on the number of refugees allowed to enter the country. This weekly quota was largely a result of budget constraints imposed by Congress last Fall. Importantly, this decision does not affect the refugee admissions ceiling, which remains at 110,000. However, it will likely have a significant affect on the number of refugees who actually enter the US—refugee groups have predicted that it will result in a doubling of the number of refugees allowed to enter the country in the current fiscal year. This promising development, along with the court rulings blocking the Trump Administration's executive orders, suggest that various US institutions and entities will continue to advocate for and assert that the country maintain its commitment to refugee resettlement, even in the face of threats to undermine it.

Morality Advantage

1NC – Utilitarianism Good

Utilitarianism is good – only rational calculation can preserve the most lives.

Cummiskey 90 [David Cummiskey (Professor of Philosophy @ Bates College, Ph.D., M.A., University of Michigan), "Kantian Consequentialism", *Ethics* 100.3, p 601-2, p 606]

We must not obscure the issue by characterizing this type of case as the sacrifice of individuals for some abstract "social entity." It is not a question of some persons having to bear the cost for some elusive "overall social good." Instead, the question is whether some persons must bear the inescapable cost for the sake of other persons. Nozick, for example, argues that "to use a person in this way does not sufficiently respect and take account of the fact that he is a separate person, that his is the only life he has."³⁰ Why, however, is this not equally true of all those that we do not save through our failure to act? By emphasizing solely the one who must bear the cost if we act, one fails to sufficiently respect and take account of the many other separate persons, each with only one life, who will bear the cost of our inaction. In such a situation, what would a conscientious Kantian agent, an agent motivated by the unconditional value of rational beings, choose? We have a duty to promote the conditions necessary for the existence of rational beings, but both choosing to act and choosing not to act will cost the life of a rational being. Since the basis of Kant's principle is "rational nature exists as an end-in-itself" (GMM, p. 429), the reasonable solution to such a dilemma involves promoting, insofar as one can, the conditions necessary for rational beings. If I sacrifice some for the sake of other rational beings, I do not use them arbitrarily and I do not deny the unconditional value of rational beings. Persons may have "dignity, an unconditional and incomparable value" that transcends any market value (GMM, p. 436), but, as rational beings, persons also have a fundamental equality which dictates that some must sometimes give way for the sake of others. The formula of the end-in-itself thus does not support the view that we may never force another to bear some cost in order to benefit others. If one focuses on the equal value of all rational beings, then equal consideration dictates that one sacrifice some to save many. [continues] According to Kant, the objective end of moral action is the existence of rational beings. Respect for rational beings requires that, in deciding what to do, one give appropriate practical consideration to the unconditional value of rational beings and to the conditional value of happiness. Since agent-centered constraints require a non-value-based rationale, the most natural interpretation of the demand that one give equal respect to all rational beings lead to a consequentialist normative theory. We have seen that there is no sound Kantian reason for abandoning this natural consequentialist interpretation. In particular, a consequentialist interpretation does not require sacrifices which a Kantian ought to consider unreasonable, and it does not

involve doing evil so that good may come of it. It simply requires an uncompromising commitment to the equal value and equal claims of all rational beings and a recognition that, in the moral consideration of conduct, one's own subjective concerns do not have overriding importance

2NC – Utilitarianism Good

Only utilitarianism can successfully inform policymaking – historically their moral objections have led to mass death.

Gvosdev 5 [Nikolas Gvosdev (Professor of National Security Affairs @ US Naval War College, Senior Fellow of Strategic Studies at The Nixon Center, PhD from Oxford University), "The Value(s) of Realism", *SAIS Review of International Affairs* Volume 25, Number 1, Winter-Spring 2005, <http://muse.jhu.edu/journals/sais/summary/v025/25.1gvosdev.html>]

As the name implies, realists focus on promoting policies that are achievable and sustainable. In turn, the morality of a foreign policy action is judged by its results, not by the intentions of its framers. A foreign policymaker must weigh the consequences of any course of action and assess the resources at hand to carry out the proposed task. As Lippmann warned, Without the controlling principle that the nation must maintain its objectives and its power in equilibrium, its purposes within its means and its means equal to its purposes, its commitments related to its resources and its resources adequate to its commitments, it is impossible to think at all about foreign affairs.⁸ Commenting on this maxim, Owen Harries, founding editor of *The National Interest*, noted, "This is a truth of which Americans—more apt to focus on ends rather than means when it comes to dealing with the rest of the world—need always to be reminded."⁹ In fact, Morgenthau noted that "there can be no political morality without prudence."¹⁰ This virtue of prudence—which Morgenthau identified as the cornerstone of realism—should not be confused with expediency. Rather, it takes as its starting point that it is more moral to fulfill one's commitments than to make "empty" promises, and to seek solutions that minimize harm and produce sustainable results. Morgenthau concluded: [End Page 18] Political realism does not require, nor does it condone, indifference to political ideals and moral principles, but it requires indeed a sharp distinction between the desirable and the possible, between what is desirable everywhere and at all times and what is possible under the concrete circumstances of time and place.¹¹ This is why, prior to the outbreak of fighting in the former Yugoslavia, U.S. and European realists urged that Bosnia be decentralized and partitioned into ethnically based cantons as a way to head off a destructive civil war. Realists felt this would be the best course of action, especially after the country's first free and fair elections had brought nationalist candidates to power at the expense of those calling for inter-ethnic cooperation. They had concluded—correctly, as it turned out—that the United States and Western Europe would be unwilling to invest the blood and treasure that would be required to craft a unitary Bosnian state and give it the wherewithal to function. Indeed, at a diplomatic conference in Lisbon in March 1992, the various factions in Bosnia had, reluctantly, endorsed the broad outlines of such a settlement. For the purveyors of moralpolitik, this was unacceptable. After all, for this plan to work, populations on the "wrong side" of the line would have to be transferred and resettled. Such a plan struck directly at the heart of the concept of multi-ethnicity—that different ethnic and religious groups could find a common political identity and work in common institutions. When the United States signaled it would not accept such a settlement, the fragile consensus collapsed. The United States, of course, cannot be held responsible for the war; this lies squarely on the shoulders of Bosnia's political leaders. Yet Washington fell victim to what Jonathan Clarke called "faux Wilsonianism," the belief that "high-flown words matter more than rational calculation" in formulating effective policy, which led U.S. policymakers to dispense with the equation of "balancing commitments and resources."¹² Indeed, as he notes, the Clinton administration had criticized peace plans calling for decentralized partition in Bosnia "with lofty rhetoric without proposing a practical alternative." The subsequent war led to the deaths of

tens of thousands and left more than a million people homeless. After three years of war, the Dayton Accords—hailed as a triumph of American diplomacy—created a complicated arrangement by which the federal union of two ethnic units, the Muslim-Croat Federation, was itself federated to a Bosnian Serb republic. Today, Bosnia requires thousands of foreign troops to patrol its internal borders and billions of dollars in foreign aid to keep its government and economy functioning. Was the aim of U.S. policymakers, academics and journalists—creating a multi-ethnic democracy in Bosnia—not worth pursuing? No, not at all, and this is not what the argument suggests. But aspirations were not matched with capabilities. As a result of holding out for the "most moral" outcome and encouraging the Muslim-led government in Sarajevo to pursue maximalist aims rather than finding a workable compromise that could have avoided bloodshed and produced more stable conditions, the peoples of Bosnia suffered greatly. In the end, the final settlement was very close [End Page 19] to the one that realists had initially proposed—and the one that had also been roundly condemned on moral grounds.

1NC – Extinction First

Moral equality means even a small risk of preventing extinction outweighs structural violence – preserve future generations

Bostrom, 2012 (Mar 6, Nick, director of the Future of Humanity Institute at Oxford, recipient of the 2009 Gannon Award, “We’re Underestimating the Risk of Human Extinction,” interview with Ross Andersen, freelance writer in D.C., <http://www.theatlantic.com/technology/archive/2012/03/were-underestimating-the-risk-of-human-extinction/253821/>)

Some have argued that we ought to be directing our resources toward humanity’s existing problems, rather than future existential risks, because many of the latter are highly improbable. You have responded by suggesting that existential risk mitigation may in fact be a dominant moral priority over the alleviation of present suffering. Can you explain why? Bostrom: Well suppose you have a moral view that counts future people as being worth as much as present people. You might say that fundamentally it doesn't matter whether someone exists at the current time or at some future time, just as many people think that from a fundamental moral point of view, it doesn't matter where somebody is spatially---somebody isn't automatically worth less because you move them to the moon or to Africa or something. A human life is a human life. If you have that moral point of view that future generations matter in proportion to their population numbers, then you get this very stark implication that existential risk mitigation has a much higher utility than pretty much anything else that you could do. There are so many people that could come into existence in the future if humanity survives this critical period of time---we might live for billions of years, our descendants might colonize billions of solar systems, and there could be billions and billions times more people than exist currently. Therefore, even a very small reduction in the probability of realizing this enormous good will tend to outweigh even immense benefits like eliminating poverty or curing malaria, which would be tremendous under ordinary standards.

2NC – Extinction First

Extinction outweighs – causes suffering and crushes infinite possibility.

Wage et al 13. (Matt Wage, Princeton. Peter Singer, renowned moral philosopher. Nick Beckstead. Preventing human extinction. August 19, 2013. effective-altruism.com/ea/50/preventing_human_extinction/)

Given that there is some risk of humanity going extinct over the next couple of centuries, the next question is whether we can do anything about it. We will first explain what we can do about it, and then ask the deeper ethical question: how bad would human extinction be? The first point to make here is that **if the risks of human extinction turn out to be “small,” this shouldn’t lull us into complacency. No sane person would say, “Well, the risk of a nuclear meltdown at this reactor is only 1 in 1000, so we’re not going to worry about it.” When there is some risk of a truly catastrophic outcome and we can reduce or eliminate that risk at an acceptable cost, we should do so.** In general, we can measure how

bad a particular risk is by multiplying the probability of the bad outcome by how bad the outcome would be. **Since human extinction would, as we shall shortly argue, be extremely bad, reducing the risk of human extinction by even a very small amount would be very good.** Humanity has already done some things that reduce the risk of premature extinction. We’ve made it through the cold war and scaled back our reserves of nuclear weapons. We’ve tracked most of the large asteroids near Earth. We’ve built underground bunkers for “continuity of government” purposes, which might help humanity survive certain catastrophes. We’ve instituted disease surveillance programs that track the spread of diseases, so that the world could respond more quickly in the event of a large-scale pandemic. We’ve identified climate change as a potential risk and developed some plans for responding, even if the actual response so far has been lamentably inadequate. We’ve also built institutions that reduce the risk of extinction in subtler ways, such as decreasing the risk of war or improving the government’s ability to respond to a catastrophe. One reason to think that it is possible to further reduce the risk of human extinction is that all these things we’ve done could probably be improved. We could track more asteroids, build better bunkers, improve our disease surveillance programs, reduce our greenhouse gas emissions, encourage non-proliferation of nuclear weapons, and strengthen world institutions in ways that would probably further decrease the risk of human extinction. There is still a substantial challenge in identifying specific worthy projects to support, but it is likely that such projects exist. So far, surprisingly little work has been put into systematically understanding the risks of human extinction and how best to reduce them. There have been a few books and papers on the topic of low-probability, high-stakes catastrophes, but there has been very little investigation into the most effective methods of reducing these risks. We know of no in-depth, systematic analysis of the different strategies for reducing these risks. A reasonable first step toward reducing the risk of human extinction is to investigate these issues more thoroughly, or support others in doing so. If what we’ve said is correct, then there is some risk of human extinction and we probably have the ability to reduce this risk. There are a lot of important related questions, which are hard to answer: How high a priority should we place on reducing the risk of human extinction? How much should we be prepared to spend on doing so? Where does this fit among the many other things that we can and should be doing, like helping the global poor? (On that, see www.thelifeyoucansave.com) Does the goal of reducing the risk of extinction conflict with ordinary humanitarian goals, or is the best way of reducing the risk of extinction simply to improve the lives of people alive today and empower them to solve

the problem themselves? We won’t try to address those questions here. Instead, we’ll focus on this question: **How bad would human extinction be?** One very bad thing about human extinction would be that *billions of people would likely die painful deaths*. But in our view, **this is, by far, not the worst thing about human extinction.** The worst thing about human extinction is that there would be no future generations. We believe that future generations matter just as much as our generation does. Since there

could be so many generations in our future, the value of all those generations together greatly exceeds the value of the current generation. Considering a historical example helps to illustrate this point. About 70,000 years ago, there was a supervolcanic eruption known as the Toba eruption. Many scientists believe that this eruption caused a “volcanic winter” which brought our ancestors close to extinction. Suppose that this is true. Now imagine that the Toba eruption had eradicated humans from the earth. How bad would that have been? Some 3000 generations and 100 billion lives later, it is plausible to say that the death and suffering caused by the Toba eruption would have been trivial in comparison with the loss of all the human lives that have been lived from then to now, and everything humanity has achieved since that time.

Similarly, **if humanity goes extinct now, the worst aspect of this would be the opportunity cost. Civilization began only a few thousand years ago.** Yet **Earth could remain habitable for another billion years. And if it is possible to colonize space, our species may survive much longer than that.** Some people would reject this way of assessing the value of future generations.

They may **claim that bringing new people into existence cannot be a benefit, regardless of what kind of life these people have.** On this view, the value of avoiding human extinction is restricted to people alive today and people who are already going to exist, and who may want to have children or grandchildren. Why would someone believe this? One reason might be that if people never exist, then it can’t be bad for them that they don’t exist. Since they don’t exist, there’s no “them” for it to be bad for, so causing people to exist cannot benefit them. We disagree. We think that causing people to exist can benefit them. To see why, first notice that causing people to exist can be bad for those people. For example, suppose some woman knows that if she conceives a child during the next few months, the child will suffer from multiple painful diseases and die very young. It would obviously be bad for her child if she decided to conceive during the next few months. In general, it seems that if a child’s life would be brief and miserable, existence is bad for that child. If you agree that bringing someone into existence can be bad for that person and if you also accept the argument that bringing someone into existence can’t be good for that person, then this leads to a strange conclusion: being born could harm you but it couldn’t help you. If that is right, then it appears

that it would be wrong to have children, because there is always a risk that they will be harmed, and no compensating benefit to outweigh the risk of harm. **Pessimists like** the nineteenth-century German philosopher Arthur **Schopenhauer, or** the contemporary South African philosopher David **Benatar accept this conclusion.** But if parents have a reasonable

expectation that their children will have happy and fulfilling lives, and having children would not be harmful to others, then it is not bad to have children. **More generally, if our descendants have a reasonable chance of having happy and fulfilling lives, it is good for us to ensure that our**

descendants exist, rather than not Therefore we think that bringing future generations into existence can be a good thing. **The extinction of our species** – and quite possibly, depending on the cause of the extinction, of all life - **would be the end of the extraordinary story of evolution that has already led to (moderately) intelligent life, and which has given us the potential to make much greater progress still.** We have made great progress, both moral and intellectual, over the last couple of centuries, and there is every reason to hope that, if we survive, this progress will continue and accelerate. If we fail to prevent our extinction, we will have blown the opportunity to create something truly wonderful: an astronomically large number of generations of human beings living rich and fulfilling lives, and reaching heights of knowledge and civilization that are beyond the limits of our imagination.

That outweighs---it's the upmost moral evil and disavowal of the risk makes it more likely.

Burns 2017 (Elizabeth Finneron-Burns is a Teaching Fellow at the University of Warwick and an Affiliated Researcher at the Institute for Futures Studies in Stockholm, What's wrong with human extinction?, <http://www.tandfonline.com/doi/pdf/10.1080/00455091.2016.1278150?needAccess=true>, Canadian Journal of Philosophy, 2017)

Many, though certainly not all, people might believe that it would be wrong to bring about the end of the human species, and the reasons given for this belief are various. I begin by considering four reasons that could be given against the moral permissibility of human extinction. I will argue that only those reasons that impact the people who exist at the time that the extinction or the knowledge of the upcoming extinction occurs, can explain its wrongness. I use this conclusion to then consider in which cases human extinction would be morally permissible or impermissible, arguing that there is only a small class of cases in which it would not be wrong to cause the extinction of the human race or allow it to happen. 2.1. It would prevent the existence of very many happy people One reason of human extinction might be considered to be wrong lies in the value of human life itself. The thought here might be that it is a good thing for people to exist and enjoy happy lives and extinction would deprive more people of enjoying this good. The 'good' in this case could be understood in at least two ways. According to the first, one might believe that you benefit a person by bringing them into existence, or at least, that it is good for that person that they come to exist. The second view might hold that if humans were to go extinct the utility foregone by the billions (or more) of people who could have lived but will now never get that opportunity, renders allowing human extinction to take place an incidence of wrongdoing. An example of this view can be found in two quotes from an Effective Altruism blog post by Peter Singer, Nick Beckstead and Matt Wage: One very bad thing about human extinction would be that *billions of people would likely die painful deaths*. But in our view, this is by far not the worst thing about human extinction. The worst thing about human extinction is that there would be no future generations. Since there could be so many generations in our future, *the value of all those generations together greatly exceeds the value of the current generation*. (Beckstead, Singer, and Wage 2013) The authors are making two claims. The first is that there is value in human life and also something valuable about creating future people which gives us a reason to do so; furthermore, it would be a very bad thing if we did not do so. The second is that, not only would it be a bad thing for there to be no future people, but it would actually be the worst thing about extinction. Since happy human lives have value, and the number of potential people who could ever exist is far greater than the number of people who exist at any one time, even if the extinction were brought about through the painful deaths of currently existing people, the former's loss would be greater than the latter's. Both claims are assuming that there is an intrinsic value in the existence of potential human life. The second claim makes the further assumption that the foregone value of the potential lives that could be lived is greater than the disvalue that would be accrued by people existing at the time of the extinction through suffering from painful and/or premature deaths. The best-known author of the post, Peter Singer is a prominent utilitarian, so it is not surprising that he would lament the potential lack of future human lives per se. However, it is not just utilitarians who share this view, even if implicitly. Indeed, other philosophers also seem to imply that they share the intuition that there is just something wrong with causing or failing to prevent the extinction of the human species such that we prevent more 'people' from having the 'opportunity to exist'. Stephen Gardiner (2009) and Martin O'Neill (personal correspondence), both sympathetic to contract theory, for example, also find it intuitive that we should want more generations to have the opportunity to exist, assuming that they have worth-living lives, and I find it plausible to think that many other people (philosophers and non-philosophers alike) probably share this intuition. When we talk about future lives being 'prevented', we are saying that a possible person or a set of possible people who could potentially have existed will now never actually come to exist. To say that it is wrong to prevent people from existing could either mean that a possible person could reasonably reject a principle that permitted us not to create them, or that the foregone value of their lives provides a reason for rejecting any principle that permits extinction. To make the first claim we would have to argue that a possible person could reasonably reject any principle that prevented their existence on the grounds that it prevented them in particular from existing. However, this is implausible for two reasons. First, we can only wrong someone who did, does or will actually exist because wrongdoing involves failing to take a person's interests into account. When considering the permissibility of a principle allowing us not to create Person X, we cannot take X's interest in being created into account because X will not exist if we follow the principle. By considering the standpoint of a person in our deliberations we consider the burdens they will have to bear as a result of the principle. In this case, there is no one who will bear any burdens since if the principle is followed (that is, if we do not create X), X will not exist to bear any burdens. So, only people who do/will actually exist can bear the brunt of a principle, and therefore occupy a standpoint that is owed justification. Second, existence is not an interest at all and a possible person is not disadvantaged by not being caused to exist. Rather than being an interest, it is a necessary requirement in order to have interests. Rivka Weinberg describes it as 'neutral' because causing a person to exist is to create a subject who can have interests; existence is not an interest itself.³ In order to be disadvantaged, there must be some detrimental effect on your interests. However, without existence, a person does not have any interests so they cannot be disadvantaged by being kept out of existence. But, as Weinberg points out, 'never having interests itself could not be contrary to people's interests since without interest bearers, there can be no 'they' for it to be bad for' (Weinberg 2008, 13). So, a principle that results in some possible people never becoming actual does not impose any costs on those 'people' because nobody is disadvantaged by not coming into existence.⁴ It therefore seems that it cannot be wrong to fail to bring particular people into existence. This would mean that no one acts wrongly when they fail to create another person. Writ large, it would also not be wrong if everybody decided to exercise their prerogative not to create new people and potentially, by consequence, allow human extinction. One might respond here by saying that although it may be permissible for one person to fail to create a new person, it is not permissible if everyone chooses to do so because human lives have value and allowing human extinction would be to forgo a huge amount of value in the world. This takes us to the second way of understanding the potential wrongness of preventing people from existing — the foregone value of a life provides a reason for rejecting any principle that prevents it. One possible reply to this claim turns on the fact that many philosophers acknowledge that the only, or at least the best, way to think about the value of

(individual or groups of) possible people's lives is in impersonal terms (Parfit 1984; Reiman 2007; McMahan 2009). Jeff McMahan, for example, writes 'at the time of one's choice there is no one who exists or will exist independently of that choice for whose sake one could be acting in causing him or her to exist ... it seems therefore that any reason to cause or not to cause an individual to exist ... is best considered an impersonal rather than individual-affecting reason' (McMahan 2009, 52). Another reply along similar lines would be to appeal to the value that is lost or at least foregone when we fail to bring into existence a next (or several next) generations of people with worth-living lives. Since each worth-living life has positive value, it is better to create more such lives and worse to create fewer. Human extinction by definition is the creation of no future lives and would 'deprive' billions of 'people' of the opportunity to live worth-living lives. This might reduce the amount of value in the world at the time of the extinction (by killing already existing people), but it would also prevent a much vaster amount of value in the future (by failing to create more people). Both replies depend on the impersonal value of human life. However, recall that in contractualism impersonal values are not on their own grounds for reasonably rejecting principles. Scanlon himself says that although we have a strong reason not to destroy existing human lives, this reason 'does not flow from the thought that it is a good thing for there to be more human life rather than less' (104). In contractualism, something cannot be wrong unless there is an impact on a person. Thus, neither the impersonal value of creating a particular person nor the impersonal value of human life writ large could on its own provide a reason for rejecting a principle permitting human extinction. It seems therefore that the fact that extinction would deprive future people of the opportunity to live worth-living lives (either by failing to create either particular future people or future people in general) cannot provide us with a reason to consider human extinction to be wrong. Although the lost value of these 'lives' itself cannot be the reason explaining the wrongness of extinction, it is possible the knowledge of this loss might create a personal reason for some existing people. I will consider this possibility later on in section (d). But first I move to the second reason human extinction might be wrong per se. 2.2. ***It would mean the loss of the***

only known form of intelligent life and all civilization and intellectual progress would be lost A second reason we might think it would be wrong to cause human extinction is the loss that would occur of the only (known) form of rational life and the knowledge and civilization that that form of life has created. One thought here could be that just as some might consider it wrong to destroy an individual human heritage monument like the Sphinx, it would also be wrong if the advances made by humans over the past few millennia were lost or prevented from progressing. A related argument is made by those who feel that there is something special about **humans' capacity for rationality** which is valuable in itself. Since humans are the only intelligent life that we know of, it would be a loss, in itself, to the world for that to end. I admit that I struggle to fully appreciate this thought. It seems to me that Henry Sidgwick was correct in thinking that these things are only important insofar as they are important to humans (Sidgwick 1874, I.IX.4).⁵ If there is no form of intelligent life in the future, who would there be to lament its loss since intelligent life is the only form of life capable of appreciating intelligence? Similarly, if there is no one with the rational capacity to appreciate historic monuments and civil progress, who would there be to be negatively affected or even notice the loss?⁶ However, even if there is nothing special about human rationality, just as some people try to prevent the extinction of nonhuman animal species, we might think that **we ought also to prevent human extinction for the sake of biodiversity**. The thought in this, as well as the earlier examples, must be that it would somehow be bad for the world if there were no more humans even though there would be no one for whom it is bad. This may be so but the only way to understand this reason is impersonally. Since we are concerned with wrongness rather than badness, we must ask whether something that impacts no one's well-being, status or claims can be wrong. As we saw earlier, in the contractualist framework reasons must be personal rather than impersonal in order to provide grounds for reasonable rejection (Scanlon 1998, 218–223). Since the loss of civilization, intelligent life or biodiversity are per se impersonal reasons, there is no standpoint from which these reasons could be used to reasonably reject a principle that permitted extinction. Therefore, causing human extinction on the grounds of the loss of civilization, rational life or biodiversity would not be wrong.

2.3. ***Existing people would endure physical pain and/or painful and/or premature deaths*** Thinking about the ways in which human extinction might come about brings to the fore two more reasons it might be wrong. It could, for example, occur if all humans (or at least the critical number needed to be unable to replenish the population, leading to eventual extinction) underwent a sterilization procedure. Or perhaps it could come about due to anthropogenic climate change or a massive asteroid hitting the Earth and wiping out the species in the same way it did the dinosaurs millions of years ago. **Each of these scenarios would involve significant physical and/or non-physical harms** to existing people and their interests. Physically, people might suffer premature and possibly also painful deaths, for example. It is not hard to imagine examples in which the process of **extinction could cause premature death. A nuclear winter that killed everyone or even just every woman under the age of 50 is a clear example of such a case**. Obviously, some types of premature death themselves cannot be reasons to reject a principle. Every person dies eventually, sometimes earlier than the standard expected lifespan due to accidents or causes like spontaneously occurring incurable cancers. A cause such as disease is not a moral agent and therefore it cannot be wrong if it unavoidably kills a person prematurely. Scanlon says that the fact that a principle would reduce a person's well-being gives that person a reason to reject the principle: 'components of well-being figure prominently as grounds for reasonable rejection' (Scanlon 1998, 214). However, it is not settled yet whether premature death is a setback to well-being. Some philosophers hold that death is a harm to the person who dies, whilst others argue that it is not.⁷ I will argue, however, that regardless of who is correct in that debate, **being caused to die prematurely can be reason to reject a principle when it fails to show respect to the person as a rational agent**. Scanlon says that recognizing others as rational beings with interests involves seeing reason to preserve life and prevent death:

appreciating the value of human life is primarily a matter of seeing human lives as something to be respected, where this involves seeing reasons not to destroy them, reasons to protect them, and reasons to want them to go well' (Scanlon 1998, 104). The 'respect for life' in this case is a respect for the person living, not respect for human life in the abstract. This means that we can sometimes fail to protect human life without acting wrongfully if we still respect the person living. Scanlon gives the example of a person who faces a life of unending and extreme pain such that she wishes to end it by committing suicide. Scanlon does not think that the suicidal person shows a lack of respect for her own life by seeking to end it because the person whose life it is has no reason to want it to go on. This is important to note because it emphasizes the fact that the respect for human life is **person-affecting**. It is not wrong to murder because of the impersonal disvalue of death in general, but because **taking someone's life without their permission shows disrespect to that person**. This supports its inclusion as a reason in the contractualist formula, regardless of what side ends up winning the 'is death a harm?' debate because even if death turns out not to harm the person who died, ending their life without their consent shows disrespect to that person. A person who could reject a principle permitting another to cause his or her premature death presumably does not wish to die at that time, or in that manner. Thus, ***if they are killed without their consent, their interests have not been taken into account***, and they have a reason to reject the principle that allowed their premature death.⁸ This is as true in the case of death due to extinction as it is for death due to murder. However, physical pain may also be caused to existing people without killing them, but still resulting in human extinction. Imagine, for example, surgically removing everyone's reproductive organs in order to prevent the creation of any future people. Another example could be **a nuclear bomb that did not kill anyone, but did painfully render them infertile through illness or injury**. These would be cases in which physical pain (through surgery or bombs) was inflicted on existing people and the extinction came about as a result of the painful incident rather than through death. Furthermore, one could imagine a situation in which a bomb (for example) killed enough people to cause extinction, but some people remained alive, but in terrible pain from injuries. It seems uncontroversial that the infliction of physical pain could be a reason to reject a principle. Although Scanlon says that an impact on well-being is not the only reason to reject principles, it plays a significant role, and indeed, most principles are likely to be rejected due to a negative impact on a person's well-being, physical or otherwise. It may be queried here whether it is actually the involuntariness of the pain that is grounds for reasonable rejection rather than the physical pain itself because not all pain that a person suffers is involuntary. One can imagine acts that can cause physical pain that are not rejectable — base jumping or life-saving or improving surgery, for example.

appreciating the value of human life is primarily a matter of seeing human lives as something to be respected, where this involves seeing reasons not to destroy them, reasons to protect them, and reasons to want them to go well' (Scanlon 1998, 104). The 'respect for life' in this case is a respect for the person living, not respect for human life in the abstract. This means that we can sometimes fail to protect human life without acting wrongfully if we still respect the person living. Scanlon gives the example of a person who faces a life of unending and extreme pain such that she wishes to end it by committing suicide. Scanlon does not think that the suicidal person shows a lack of respect for her own life by seeking to end it because the person whose life it is has no reason to want it to go on. This is important to note because it emphasizes the fact that the respect for human life is **person-affecting**. It is not wrong to murder because of the impersonal disvalue of death in general, but because **taking someone's life without their permission shows disrespect to that person**. This supports its inclusion as a reason in the contractualist formula, regardless of what side ends up winning the 'is death a harm?' debate because even if death turns out not to harm the person who died, ending their life without their consent shows disrespect to that person. A person who could reject a principle permitting another to cause his or her premature death presumably does not wish to die at that time, or in that manner. Thus, ***if they are killed without their consent, their interests have not been taken into account***, and they have a reason to reject the principle that allowed their premature death.⁸ This is as true in the case of death due to extinction as it is for death due to murder. However, physical pain may also be caused to existing people without killing them, but still resulting in human extinction. Imagine, for example, surgically removing everyone's reproductive organs in order to prevent the creation of any future people. Another example could be **a nuclear bomb that did not kill anyone, but did painfully render them infertile through illness or injury**. These would be cases in which physical pain (through surgery or bombs) was inflicted on existing people and the extinction came about as a result of the painful incident rather than through death. Furthermore, one could imagine a situation in which a bomb (for example) killed enough people to cause extinction, but some people remained alive, but in terrible pain from injuries. It seems uncontroversial that the infliction of physical pain could be a reason to reject a principle. Although Scanlon says that an impact on well-being is not the only reason to reject principles, it plays a significant role, and indeed, most principles are likely to be rejected due to a negative impact on a person's well-being, physical or otherwise. It may be queried here whether it is actually the involuntariness of the pain that is grounds for reasonable rejection rather than the physical pain itself because not all pain that a person suffers is involuntary. One can imagine acts that can cause physical pain that are not rejectable — base jumping or life-saving or improving surgery, for example.

1NC – War O/W Structural Violence

Everyday violence doesn't cause war because of differences in intentionality, but war does cause massive suffering and hits the marginalized hardest.

Bradby & Hundt 10 – Hannah Bradby, Co-Director of the Institute of Health at the University of Warwick, Lecturer in Sociology at Warwick Medical School, and Gillian Lewando Hundt, Professor of Social Sciences in Health at the University of Warwick, 2010, "Introduction," in *Global perspectives on war, gender and health: the sociology and anthropology of suffering*, p. 5-6

Far from being a uniquely horrific activity Scheper-Hughes (2002) views genocide as an extension of the dehumanising processes identifiable in many daily interactions. Drawing on analysis of the holocaust as the outcome of the general features of modernity, Scheper-Hughes posits a 'genocidal continuum' that connects daily, routine suffering and concomitant insults to a person's humanity with genocide (Scheper-Hughes 2002: 371). The institutional 'destruction of personhood', as seen in the withdrawal of humane empathy from the poor or the elderly, creates the conditions which eventually make genocide possible. The argument that conditions of modernity including western rational legal metaphysics facilitate genocide has been criticised as too unifying and as conferring 'super-eminence' on the holocaust (Rose 1996: 11). The holocaust has become a crucial emblem through which we have sought to understand subsequent violence, wars and genocides. But the centrality of the holocaust in developing European thinking around conflict and suffering has made the resultant theoretical perspectives difficult to apply in non-European settings and in instances where conflict is less focussed around a clash of ideology. While the scale of the death toll of the holocaust should continue to shock, as should the organised nature of the attempted destruction of Jews, Roma, Gays and the disabled, there is very little to be gained in comparing scales or forms of suffering. It should be possible to use the study of the holocaust to inform understanding of other genocides in the context of other wars, to interrogate the link between war and suffering and to think through gendered perspectives without essentialising gender or making it the only explanatory variable. This collection does not primarily seek to add to the discussion of the role of the holocaust in theories of human suffering. Our chapters are, however, an unfortunate witness to the fact that despite contemporary hopes and the scale of combatant and non-combatants deaths, the two World Wars were not the wars to end all wars. Rather wars, and their associated suffering, have been ongoing ever since, both in Europe and beyond. War and Medicine While structural approaches can problematise a division between intentional and unintentional suffering, intentionality is nonetheless crucial to the contradictory relationship that war and medicine have with suffering. War is an organised conflict between two military groups and armed conflict is bound to be accompanied by suffering. Although 'rules of engagement' and the rhetoric of 'targeted interventions' deploying 'surgical strikes' suggest that 'unnecessary' blood shed can be avoided, war entails suffering, even if this is restricted to combatants. A limited, or targeted war is an oxymoron since war tends to be found in company with the other horsemen of the apocalypse, that is, pestilence, famine and death. Moreover, while the effect of war on soldiers is closely monitored by both sides, the disproportionate way in which the apocalyptic horsemen affect non-combatants and particularly those who are already disempowered such as women, the old and the young, has been less subject to scrutiny.

International Law Advantage

1NC – Refugee Convention Fails

The Refugee Convention fails as a basis for i-law – can't solve modern crisis

Berg 11 [Chris Berg, research fellow with the Institute of Public Affairs, 10-19-2011, "Why cling on to an outdated refugee convention?," ABC News, <http://www.abc.net.au/news/2011-10-19/berg-why-are-we-clinging-to-an-outdated-refugee-convention/3577538>]

The United Nations 1951 Convention Relating to the Status of Refugees is not fit for purpose. The 60-year-old convention was designed for an era we no longer live in; an era where the causes and trajectories of global migration were quite different to today. Yet the convention still dominates our understanding of migration, with its archaic and artificial distinction between legitimate and illegitimate irregular migrants. The problems go deeper than historical quirks of drafting. The convention deeply distorts our understanding of 21st-century immigration. It makes humanitarian approaches to refugees harder, not easier. Australia should withdraw from it. The refugee convention was developed in response to the World War II refugee crisis. Between 20 to 30 million people were displaced in Europe alone – "one of the greatest population movements of history" as one US State Department report described it at the end of the war. But that was in 1945. Six years later, the idea of coordinated global action on those refugees was already anachronistic. Half a billion (mostly American) dollars had been spent resettling the majority of those who had been displaced, save a problematic 'hard core' of 400,000. The United States did not want sole responsibility for all refugees in the future, so the convention placed the burden on countries which the refugees themselves approached. And by this time, refugee questions had already been subsumed into Cold War politics. The new wave of European migrants was mostly comprised of those fleeing communism. The Soviet Bloc did not help draft the refugee convention. It did not want to help "traitors who are refusing to return home to serve their country". As a consequence, the convention defined a "refugee" as someone who had a "well-founded fear of being persecuted". This is the formula our Immigration Department and Refugee Review Tribunal apply to contemporary asylum cases in 2011. But it's clearly a formula specifically designed for the Cold War. Communist states actively persecuted returning citizens. The consequences of sending such refugees back across the Iron Curtain was unambiguous. While convention was designed to handle those who could not return home for political reasons, our contemporary requirements are vastly different. The bulk of today's refugees are displaced not because of politics, but because of economic hardship or conflict. They do not flee totalitarianism but poverty and insecurity. By any layperson's definition, virtually all those who reside in 21st-century refugee camps would be considered "refugees" but it has been estimated the bulk would not fit the convention's "well-founded fear of being persecuted" standard. The decisions of Australia's Refugee Review Tribunal record the often farcical attempts by migration lawyers and judges to shoehorn the complex reasons someone may migrate into this frame. The convention did not even work as intended during the Cold War. Gil Loescher's *The UNHCR And World Politics* documents how the USA sidelined the United Nations High Commission on Refugees and built a parallel system to attract refugees from the Soviet bloc. Of the 233,436 refugees admitted into the United States between 1956 and 1968, only 925 were from non-communist countries. They were accepted into the West not because of the dictates of international law but as part of the great geopolitical game. Contrast America's embrace of Cuban refugees with its relatively cold shoulder to those from Haiti. The end of the Cold War undermined the political foundations of the refugee framework. We have now almost no genuinely totalitarian dictatorships persecuting their citizens, but we also have more refugees than at any time in the last half century. The distinction the Refugee Convention makes between political refugees and the rest

no longer makes any sense. In fact, it's worse than that. Today even people fleeing totalitarianism typically believe they are doing so for economic reasons, not political ones. North Korea is the most politically repressive state in the modern world. Yet according to a survey of refugees in the recent book *Witness To Transformation: Refugee Insights Into North Korea*, fully 95 per cent of North Koreans said they left the Hermit Kingdom because of poverty. Only 2 per cent cited political persecution. Absolutely, if a Korean refugee turned up in Australia, they'd change their views after five minutes with a refugee lawyer. But their initial beliefs are indicative. **The convention's archaic distinction badly distorts the popular understanding of refugee issues.** The denigration of "economic refugees" - so widespread in the Australian press - is particularly absurd. Few realise the concept of legitimate refugee they rely on was formulated primarily to embarrass Joseph Stalin. **Our views on what is a moral approach to refugees also diverge sharply from those implied by the convention.** As Michael Pearce pointed out in *The Age* in September, Australians feel obligation to those in the far away refugee camp "queue" more than those who arrive in our country. The Malaysia Solution pivoted on this feeling. But that is an almost exact reversal of the convention's approach, which is silent on the queue, and concerns only those who land on our doorstep. One argument for the convention is that it acts to restrain the political response to asylum seekers - keeping things at least reasonably humane. Yet it's not clear it does. Other signatory countries are no more rigorous than Australia at complying with the convention. Non-signatory countries host the majority of refugees. Here, as around the world, domestic policy is set by domestic politics, not international law. Yet **the biggest problem is not merely how it defines "refugee", but how the refugee convention distorts our understanding of the entire immigration issue. Rather than viewing refugees as a subset of general global migration, the convention requires us to see them as a separate thing entirely. It's a false dichotomy. Migration is not either forced or unforced. There are many degrees of voluntariness in modern migration. But it's a dichotomy on which our political parties rely.** The Greens support asylum seekers but wish to limit skilled migrants. The Coalition and now Labor want to stop the boats yet invite more foreign workers. Immigration is shaping up to be the big issue of the 21st-century, in the way that trade was the big issue of the 20th. There's nothing wrong with trying to migrate to find work and a better life. We should, indeed, encourage that. However, **we will not be able to come to terms with the age of migration if our policymakers cling to the obsolete refugee convention.**

1NC – Human Rights Norms Fail

Human rights diplomacy fails – strategic interests come first

Forsythe 11 (David P. Forsythe, Professor of Political Science at University of Nebraska-Lincoln, held postdoctoral fellowships at Princeton and Yale, former president of the Human Rights Committee of the International Political Science Association, “Diplomacy: Human Rights,” presented at APSA-Seattle, August 1, SSRN)

When noting how non-human rights matters can affect human rights diplomacy by states, one has to face the reality that **sometimes** state human rights diplomacy is driven *primarily by strategic interests* rather than concern for human dignity. It is normally the case that in the UN Human Rights Council, **state members are more likely to publicly criticize their political adversaries than their political friends**. It was certainly the case during the Cold War (in the now-defunct UN Human Rights Commission) that state members of NATO were not hesitant to levy charges of violations of human rights against the communist states making up the Warsaw Pact. For their part, communist members of the Warsaw Pact often criticized NATO members for violations of socioeconomic rights, while maintaining silence about the evident violations of civil-political rights by their allies. As the United States moved to restore normal relations between itself and the Peoples Republic of China, so as to make life more difficult for the Soviet Union, the Carter Administration was much more critical of human rights violations by Moscow than by Beijing. This pattern continues, unfortunately, after the Cold War. In the UN Human Rights Council **the United States is more prone to criticize human rights violations in Cuba or Iran rather than in Saudi Arabia or Egypt**. The Arab states are more likely to criticize Israel for human rights violations than for those same or worse violations in certain members of the Arab League. The unpleasant fact is that *human rights diplomacy can be used as a political weapon to try to delegitimize target governments*, rather than to advance the cause of human dignity in a balanced and even handed process. Many if not *most states* have used human rights diplomacy for political gain at one time or another. After all, *from a diplomat’s traditional perspective, how wise is it to publicly criticize one’s friends and allies?* If the diplomat’s primary goal is smooth relations with friendly states, engaging in candid public discussion of an ally’s human rights defects requires new thinking. This new thinking may seek a balance between protection of personal rights on an even-handed basis, and protection of traditional national interests. One also has to admit that some apparent human rights diplomacy by states is a matter of public posturing and duplicity. A classic example concerns Henry Kissinger and the Western Hemisphere. President Richard Nixon and Kissinger, his principal foreign policy adviser, **came under domestic criticism** at one point for lack of attention to human rights in foreign policy. The charge was that these realist policy makers were only interested in balance of power diplomacy mainly focused on the Soviet Union. Hence they were criticized for lacking a moral dimension to their foreign policy. In this criticism, U.S. foreign policy was said to ignore human rights violations in those Hemispheric states aligned with the United States in the effort to resist communism. In this context Kissinger gave a speech in the Organization of American states reaffirming U.S. interest in democracy and human rights in the Hemisphere. But Kissinger then engaged in quiet diplomacy to reassure brutal, authoritarian allies in the region that the speech was for domestic consumption.³ Here we see state diplomacy on human rights as part of domestic politics, and the effort of a government official to *placate domestic critics without making a substantive change in foreign policy*.

2NC – Human Rights Norms Fail

Human rights norms don't do anything – security interests override

Forsythe 11 (David P. Forsythe, Professor of Political Science at University of Nebraska-Lincoln, held postdoctoral fellowships at Princeton and Yale, former president of the Human Rights Committee of the International Political Science Association, "Diplomacy: Human Rights," presented at APSA-Seattle, August 1, SSRN)

If one believes in the value of the traditional nation- state system of international relations, with strong notions of absolute state sovereignty and a preference for weak intergovernmental organizations to facilitate exchanges at the margins, then human rights diplomacy will remain *largely an afterthought* to more important undertakings. In such a system which existed until 1945, and elements of which certainly remain thereafter, the most important diplomatic initiatives are undertaken to secure the *short term self interests* of states. Above all these interests center on protecting the physical security of the state from militant attack and advancing economic interests, as pursued by strictly national decisions. Much state diplomacy, even on human rights, is also expended in behalf of petty state advantages, such as placing citizens in offices in intergovernmental organizations. Concerns about the general welfare and the common good on an international basis are often far down the list of state objectives.¹² In this view, states may pursue human rights diplomacy when it fits with "*vital*" *national interests* such as traditional security and economics. Thus the United States during the Nixon-Kissinger era came around to supporting the collective human right to self-determination for the people of Zimbabwe, but this was made possible in the leaders' thinking because they were afraid the Soviet Union might expand its influence in southern Africa by exploiting white minority rule as it existed in Southern Rhodesia at the time of the Ian Smith government. Support for majority rule in a new Zimbabwe fit with the U.S. objective of containing Soviet power. At best, states may press for genuine human rights advances in foreign places when they do not have to sacrifice important expedient concerns. Thus western states can easily criticize human rights violations in Myanmar and even apply sanctions because they do not have important security and economic interests in that small and isolated state. States may very well include human rights in their diplomacy in the easy cases. In this view of world affairs, endorsement of abstract human rights may well occur, but great effort will be made to protect domestic jurisdiction and freedom of national policy making. Hence human rights treaties will be ratified, but *reservations will be added* preventing their use in national courts or in other ways carving out great loop holes regarding enforcement. Arab states, for example, accept treaties pertaining to women's equality but then negate that formal commitment through various reservations. The United States does essentially the same on civil and political rights and torture, ratifying the treaties but attaching crippling reservations or using carefully worded implementing legislation so that the object and purpose of the treaty is *negated* within national jurisdiction (the latter, however, is not always crystal clear). The central objective of such maneuvers is to associate the state with human rights norms for purposes of *public relations*, but then ensure freedom of national policy making at variance with the human rights norms officially accepted. In contemporary international relations scholars have often noted that the plethora of human rights standards is accompanied by generally *weak enforcement measures*. This is true especially with regard to UN processes, by comparison to European and Inter-American arrangements. It is well to recall that Bernard Kouchner, foreign minister in the Sarkozy government in France, despite—or maybe because of—previously being active in human rights and humanitarian circles, said that states could not do (consistent) human rights diplomacy because of national security (and economic) concerns, given the nation state system of international relations. He regretted advocating a cabinet level minister for humanitarian affairs. In this view structural realists are correct: given the nation state system of danger and competition, states are required to use their diplomacy to elevate national security and economic advantage for the national group over the protection of the human rights of foreigners, except perhaps in easy cases otherwise.

1NC – Human Rights Alt Causes

Tons of alt causes to U.S. human rights credibility – not viewed as a leader in the status quo.

Carasik 14 (Lauren Carasik, clinical professor of law and the director of the international human rights clinic at the Western New England University School of Law, Al Jazeera, “Human rights for thee but not for me”, 3/12/14,

<http://america.aljazeera.com/opinions/2014/3/the-us-lacks-moralauthorityonhumanrights.html>)

Last month U.S. Secretary of State John Kerry unveiled the State Department’s comprehensive annual assessment of human rights around the globe. It painted a grim picture of pervasive violations. Notably absent from the report, however, was any discussion of Washington’s own record on human rights. The report elicited sharp rebukes from some of the **COUNTRIES** singled out for criticism. Many of them questioned the United States’ legitimacy as self-appointed global champion of human rights. China issued its own report, 154 pages long, excoriating the U.S. record on human rights and presenting a list of Washington’s violations. Egypt’s Foreign Ministry called the report “unbalanced and nonobjective” and censured the U.S. for appointing itself the world’s watchdog. Ecuador, Russia and Iran also criticized the report. By signaling that the world cares about human rights violations, the report provides a useful tool for advocates. While the omission of any internal critique is unsurprising, that stance ultimately undermines the State Department’s goals of promoting human rights abroad. Abuses unfolding around the world demand and deserve condemnation. But it is difficult for the U.S. to don the unimpeachable mantle, behave hypocritically and still maintain credibility. North-south schism It is tempting to dismiss the scolding as retaliatory howls by authoritarian states, but their critiques have long been echoed by others. Pointing to simmering divisions over human rights standards, China argued that developing countries face a different set of challenges from their more developed counterparts. This ideological debate has permeated rights discourse and often underscores a north-south schism. The divide has its roots in the history of human rights. In 1945, still reeling from the atrocities of World War II, world powers gathered in Paris to forge a multilateral agreement that would form “the foundation of freedom, justice and peace in the world.” Those principles were enshrined in the nonbinding Universal Declaration of Human Rights (UDHR). The U.N. then adopted two covenants that would have the force of law: one focused on civil and political rights and the other on economic, social and cultural rights. Together with the UDHR, they form the International Bill of Human Rights. The covenants were meant to be universal, interdependent and indivisible and equally treated, but they do not exist in a political vacuum. Although the U.S. was instrumental in creating this international framework, it has resisted conforming to many of the norms for which there is an emerging international consensus. The U.S. holds sacred its commitment to civil and political rights, such as those protected by its robust and revered Bill of Rights and proclaims itself a beacon of freedom and justice in the world. Critics argue that the rhetoric exceeds the reality on the ground. Economic and social rights are far more contested, in part because they require affirmative duties that affect resource allocation: States must take progressive action toward providing housing, food, education, health care and a host of other rights. The U.S. purports to be evenhanded. But geopolitical interests influence the tenor and content of its assessments, leading some critics to accuse the U.S. of sacrificing human rights at the altar of political expediency. For example, the U.S. has been accused of blunting its appraisal of allies such as Saudi Arabia, Bahrain, Mexico, Uzbekistan, Honduras and Israel. Economic interests also factor in. Critics decry the sale of arms to countries that by Washington’s own assessment are complicit in human rights abuses. While politically and economically self-interested maneuvering is inevitable, not all countries issue an ostensibly definitive and unvarnished report on the state of global human rights. In December during Human Rights Week, U.S. President Barack Obama issued a proclamation reaffirming the United States’ “unwavering support for the principles enshrined in the Universal Declaration of Human Rights.” Yet global headlines are dominated by high-profile U.S. human rights transgressions — indefinite detention at Guantánamo Bay, torture, extraordinary rendition, extrajudicial assassination by drones that claims the lives of innocents in addition to its targets, the aggressive pursuit of whistle-blowers and data collection that violates privacy both at home and abroad. Advocates criticize a litany of other human rights abuses, such as mass incarceration (the U.S. has 5 percent of the world’s population but 25 percent of its inmates, with disproportionate representation among minority groups),

the death penalty (including post-execution revelations that raise serious doubt about already questionable convictions), racial profiling, the disenfranchisement of felons, sentences of life without parole for juvenile offenders, gun violence, solitary confinement, the shackling of pregnant inmates and many others. The New York-based Human Rights Watch says these violations disproportionately affect minority communities. “Victims are often the most vulnerable members of society: racial and ethnic minorities, immigrants, children, the elderly, the poor and prisoners,” it said in its annual report on the U.S. last year. Evading treaties

Aside from specific human rights violations, the U.S. has been singularly unwilling to ratify key international human rights instruments, which reinforces its status as an outlier in the field. These include its refusal to ratify the Convention to Eliminate All Forms of Discrimination Against Women (only seven other countries are not parties to it), the International Covenant on Economic, Social and Cultural Rights, the Convention on Rights of the Child (ratified by all states except the U.S., Somalia and South Sudan) and the Convention on the Rights of Persons with Disabilities. The U.S. has also failed to ratify the American Convention on Human Rights, a regional framework on human rights in the Americas. It has ratified only two of the International Labor Organization’s eight fundamental conventions. Washington’s refusal to ratify the Rome Statute of the International Criminal Court (ICC) has provoked particular consternation. The international community has a profound interest in deterring the most violent abuses by ending impunity for war crimes, crimes against humanity and genocide. The ICC was created to promote accountability for these crimes, which are, for a complex and interrelated constellation of reasons, notoriously difficult to prosecute in domestic courts. But the U.S. will not submit to its jurisdiction, citing a number of concerns, including that the court would be subject to political manipulation and lack accountability to the U.N. and that submitting to it would violate state sovereignty. Some critics claim that it is the U.S. that fears being held to account in the international arena for the global expansion of its military and its possible commission of war crimes. To be fair, the ICC has its critics as well, who contest both its legitimacy and its efficacy. Subjects of complaint include its perceived preoccupation with African criminals, its slow pace of prosecutions and questions about how and when the international community should protect citizens of a sovereign state against atrocities. But the U.S. refusal to sign the Rome Statute, which established the ICC, undermines the principle that each and every country must be accountable to certain universal standards if they are to be rendered meaningful. American exceptionalism U.S. intransigence is often cloaked behind lofty conception of American exceptionalism — the idea that the U.S. embodies the standards of liberty and democracy to which other countries should aspire. Claiming to stand at the apex of democracy and human rights, the U.S. exempts itself from surrendering its sovereignty to any global rights framework. Resistance to the adoption of international norms is not monolithic within the country, however. In a sign of retreat from these principles at a local level, some states and municipalities are embracing international human rights standards. The “Bringing Human Rights Home” report by the Human Rights Institute at Columbia School of Law evinces the willingness of some local governments to incorporate universal human rights standards, including economic and social rights that the U.S. has so far declined to validate. In 2012 former U.S. President Jimmy Carter urged the U.S. to reclaim its moral high ground, lamenting that “America’s violation of international human rights abets our enemies and alienates our friends.” Upholding universal, inalienable and enforceable human rights standards in a pluralistic and increasingly entangled world is no easy task. But the domestic and international human rights movements are driven by the urgent goal of protecting the dignity of all human beings — including those at the margins who are powerless, poor, invisible and persecuted. The U.S. would have more credibility in promoting those principles if it reflected on its own transgressions. Naming and shaming by international actors is an essential tool for advancing human rights. But it assumes both the moral authority to sit in judgment and the humility to be self-critical.

2NC – Human Rights Alt Causes

US has no human rights credibility – UN commission proves

Pikington 14 [Ed, chief reporter for the Guardian US, “US criticised by UN for human rights failings on NSA, guns and drones” March 13, 2014 <http://www.theguardian.com/world/2014/mar/13/us-un-human-rights-abuses-nsa-drones>]

The US came under sharp criticism at the UN human rights committee in Geneva on Thursday for a long list of human rights abuses that included everything from detention without charge at Guantánamo, drone strikes and NSA surveillance, to the death penalty, rampant gun violence and endemic racial inequality. **At the start of a two-day grilling of the US delegation, the committee's 18 experts made clear their deep concerns** about the US record across a raft of human rights issues. Many related to faultlines as old as America itself, such as guns and race. Other issues were relative newcomers. The experts **raised questions about the National Security Agency's surveillance** of digital communications in the wake of Edward Snowden's revelations. It also intervened in this week's dispute between the CIA and US senators by calling for declassification and release of the 6,300-page report into the Bush administration's use of torture techniques and rendition that lay behind the current CIA-Senate dispute. The committee is charged with upholding the International Covenant on Civil and Political Rights (ICCPR), a UN treaty that the US ratified in 1992. The current exercise, repeated every five years, is a purely voluntarily review, and the US will face no penalties should it choose to ignore the committee's recommendations, which will appear in a final report in a few weeks' time. But the US is clearly sensitive to suggestions that it fails to live up to the human rights obligations enshrined in the convention – as signalled by the large size of its delegation to Geneva this week. And as an act of public shaming, Thursday's encounter was frequently uncomfortable for the US. The US came under sustained criticism for its **global counter-terrorism tactics, including the use of unmanned drones to kill al-Qaida suspects, and its transfer of detainees to third countries that might practice torture, such as Algeria.** Committee members also highlighted the **Obama administration's failure to prosecute any of the officials responsible for permitting waterboarding** and other “enhanced interrogation” techniques under the previous administration. Walter Kälin, a Swiss international human rights lawyer who sits on the committee, attacked the US government's refusal to recognise the convention's mandate over its actions beyond its own borders. The US has asserted since 1995 that the ICCPR does not apply to US actions beyond its borders - and has used that “extra-territoriality” claim to justify its actions in Guantánamo and in conflict zones. “This world is an unsafe place,” Kälin said. “Will it not become even more dangerous if any state would be willing to claim that international law does not prevent them from committing human rights violations abroad?” Kälin went on to express astonishment at some of America's more extreme domestic habits. He pointed to the release this week in Louisiana of Glenn Ford, the 144th person on death row in the US to be exonerated since 1973, saying: **“One hundred and forty-four cases of people wrongfully convicted to death is a staggering number.”** Pointing out the **disproportional representation of African Americans on death rows**, he added: “Discrimination is bad, but it is absolutely unacceptable when it leads to death.” On guns, Kälin pointed to another “staggering figure” – that there are **470,000 crimes committed with firearms each year**, including about 11,000 homicides. “We appreciate the position taken by President Obama on these issues. Nevertheless, much more needs to be done to curb gun violence.” Among the other issues that came under the committee's withering gaze were: · **the proliferation of stand-your-ground gun laws** · enduring racial disparities in the justice system, including large numbers of **black prisoners serving longer sentences than whites**; · **mistreatment of mentally-ill and juvenile prisoners**; · **segregation in schools**; · **high levels of homelessness and criminalization of homeless people**; · **racial profiling by police, including the mass surveillance of Muslim communities by the New York police department.**

1NC – I-Law Fails

I-law fails – can't convince states to cooperate

Eric A. Posner⁹, Kirkland and Ellis Professor of Law at the University of Chicago Law School. The Perils of Global Legalism, 34-6

³⁴ ¶ Most global legalists acknowledge that international law is created and enforced by states. They believe that states are willing to expand international law along legalistic lines because states' long-term interests lie in solving global collective action problems. In the absence of a world government or other forms of integration, international law seems like the only way for states to solve these problems. The great difficulty for the global legalist is explaining why, if states create and maintain international law, *they will also not break it when they prefer to free ride. In the absence of an enforcement mechanism, what ensures that states* that create law and legal institutions that are supposed to solve global collective action problems *will not ignore them?*

¶ For the rational choice theorist, the answer is plain: *states cannot solve global collective action problems by creating institutions that themselves depend on global collective action.* This is not to say that international law is not possible at all. Certainly, states can cooperate by threatening to retaliate against cheaters, and where international problems are matters of coordination rather than conflict, international law can go far, indeed.⁷ But if states (or the individuals who control states) cannot create a global government or quasi-government institutions, then it seems unlikely that they can solve, in spontaneous fashion, the types of problems that, at the national level, require the action of governments. ¶ Global legalists are not enthusiasts for rational choice theory and have

¶ ³⁵ ¶ grappled with this problem in other ways.⁸ I will criticize their attempts in chapter 3. Here I want to focus on one approach, which is to insist that just as individuals can be loyal to government, so too can individuals (and their governments) be loyal to international law and be willing to defer to its requirements even when self-interest does not strictly demand that they do so. International law has force because (or to the extent that) it is legitimate.⁹ ¶ What makes governance or law legitimate? This is a complicated question best left to philosophers, but a simple and adequate point for present purposes is that no system of law will be perceived as legitimate unless those governed by that law *believe that the law* does good — *serves their interests* or respects and enforces their values.

Perhaps more is required than this — such as political participation, for example — but we can treat the first condition as necessary if not sufficient. If individuals believe that a system of law does not advance their interests and respect their values, that instead it advances the interests of others or is dysfunctional and helps no one at all, they will not believe that the law is legitimate and will not *voluntarily submit to its authority.* ¶ Unfortunately, *international law does not satisfy this condition, mainly because of its institutional weaknesses*; but of course, *its institutional weaknesses stem from the state system — states are not willing to tolerate powerful international agencies.* In classic international law, states enjoy sovereign equality, which means that international law cannot be created unless all agree, and that international law binds all states equally. What this means is that if nearly everyone in the world agrees that some global legal instrument would be beneficial (a climate treaty, the UN charter), it *can be blocked by a tiny country* like Iceland (population 300,000) *or a dictatorship* like North Korea. What is the attraction of a system that puts a tiny country like Iceland on equal footing with

China? When then attorney general Robert Jackson tried to justify American aid for Britain at the onset of World War II on the grounds that the Nazi Germany was the aggressor, international lawyers complained that the United States could not claim neutrality while providing aid to a belligerent — there was no such thing as an aggressor in international law.¹⁰ Nazi Germany had not agreed to such a rule of international law; therefore, such a rule could not exist. Only through the destruction of Nazi Germany could international law be changed; East and West Germany could reenter international society only on other people's terms. How could such a system be perceived to be legitimate?

¶ There is, of course, a reason why international law works in this fashion. Because no world government can compel states to comply with international law, states will comply with international law only when doing so is in their interest. In this way, international law always depends on state consent. So international law must take states as they are, which means that little states, big states, good states, and bad states, all exist on a plane of equality.

2NC – I-Law Fails – Enforcement

International law solves nothing – no enforcement

Acharya 13 – Associate Professor of Law, Gonzaga University School of Law (Upendra D., May, “GLOBALIZATION, DEREGULATION, POWER, AND AGENCY: GLOBALIZATION AND HEGEMONY SHIFT: ARE STATES MERELY AGENTS OF CORPORATE CAPITALISM?” 36 B.C. Int'l & Comp. L. Rev. 937, Lexis)

I. PROCESS OF HEGEMONY: INTERNATIONAL LAW, POWER, AND DETERRITORIALIZATION ¶ ¶ Discussions of hegemonic international law posit that international law is relatively *weak*, that it is nothing more than epiphenomenal, [*940] merely a production of normative standards that mirror the interests of powerful states. n14 The hegemonic international law theory also posits that hegemons (powerful nations among the many sovereign states) define the course of states' behavior by creating and influencing international law to give effect to the hegemons' interests and condone actions that support those interests. n15 This Part critically observes hegemons' techniques and methods of consolidating power, n16 leading to the next Part's discussion addressing an emerging corporate-centric hegemonic international law, a new form of international law contrasted to Vagts's state-centric hegemonic international law. n17 ¶ ¶ Because international law is based on the mutual consent of sovereign states, each participating state must have common values and interests for international law to be effective. n18 Political, cultural, religious, [*941] and economic traditions were naturally varied among states before the implementation of international law. n19 Because of this variation, the powerful Western states superimposed self-styled Western values such as democracy, a definitive structure of rule of law, industrial development, perception of peace, and eventually capitalism on less-influential or less-powerful states. n20 Western hegemons present these values as though they are prerequisites for stability. n21 In reality, however, formal consent to these values allows (in the creation of international law) the hegemon to disrupt existing value structures--an *inherently destabilizing action*--and take advantage of the less-powerful states' resources. n22 This process of obtaining consent is so sophisticated that it frequently requires engaging lawyers and legal scholars to guide less-powerful states. n23 These scholars typically represent Western education and ideologies within the scope of the broader interests of hegemons, imposing Western legal traditions on non-Western states. n24 ¶ ¶ Despite maintaining consent to superimposed Western norms, international law lacks a formal enforcement and compliance authority. n25 Nevertheless, fragmented informal or non-legal authority has been institutionalized through means controlled by hegemons that can make others comply with the norms. n26 In this *scattered and pseudo-legal compliance mechanism*, hegemons may comply with international law when faced with worldwide pressure and opposition from competing [*942] hegemons. n27 For non-hegemons, a hint of pressure, economic or otherwise, is sometimes sufficient to force compliance with the regime. n28 ¶ ¶ According to Antonio Gramsci: [H]egemony presupposes that account be taken of the interests and the tendencies of the groups over which hegemony is to be exercised, and that a certain compromise equilibrium should be formed--in other words, that the leading group [hegemons] should make sacrifices of an economic-corporate kind. But . . . such sacrifices and such a compromise cannot touch the essential . . . [they] must necessarily be based on the decisive function exercised by the leading group in the decisive nucleus of economic activity. n29 ¶ ¶ B.S. Chimni also noted the current influence of what he terms the "transnational capitalist class," that produces a culture in which "the third world counterparts essentially act as 'transmission belts and filtering devices for the imposition of the transnational agenda.'" n30 ¶ ¶ [*943] International law, in its creation and application, has been a victim of the hegemonic power consolidation process. n31 Rather than recognizing and respecting the common goals and values of a pluralistic world, international law deems hegemons' values those of "true" civilization, held in esteem and aspired to by all others at the expense of unique and insightful non-Western thought. n32 Now in the era of globalization, evolving hegemonic international law theory warrants questioning whether states are really the hegemons in today's world. In order to address this question, it is important to analyze the processes of hegemony in the development of international law and to identify when the course of the hegemonic process departed from state-centric to corporate-centric hegemony.

Doesn't constrain anyone – tons of violations

Hiken, 12 (Associate Director Institute for Public Accuracy, 7-17-'12 (Luke, "The Impotence of International Law" http://www.fpif.org/blog/the_impotence_of_international_law)

Whenever a lawyer or historian describes how a particular action "violates international law" many people stop listening or reading further. It is a bit alienating to hear the words "this action constitutes a violation of international law" time and time again – and especially at the end of a debate when a speaker has no other arguments available. The statement is inevitably followed by: "...and it is a war crime and it denies people their human rights." A plethora of international law violations are perpetrated by every major power in the world each day, and thus, the empty invocation of international law does nothing but reinforce our own sense of impotence and helplessness in the face of international lawlessness. *The United States, alone, and on a daily basis violates every principle of international law ever envisioned:* unprovoked wars of aggression; unmanned drone attacks; tortures and renditions; assassinations of our alleged "enemies"; sales of nuclear weapons; destabilization of unfriendly governments; creating the largest prison population in the world – *the list is virtually endless.* Obviously one would wish that there existed a body of international law that could put an end to these abuses, but such laws exist in theory, not in practice. Each time a legal scholar points out the particular treaties being ignored by the superpowers (and everyone else) the only appropriate response is "so what!" or "they always say that." If *there is no enforcement mechanism* to prevent the violations, and no military force with the power to intervene on behalf of those victimized by the violations, what possible good does it do to invoke principles of "truth and justice" that border on fantasy? The assumption is that by invoking human rights principles, legal scholars hope to reinforce the importance of and need for such a body of law. Yet, in reality, the invocation means nothing at the present time, and goes nowhere. In the real world, it would be nice to focus on suggestions that are enforceable, and have some potential to prevent the atrocities taking place around the globe. Scholars who invoke international law principles would do well to add to their analysis, some form of action or conduct at the present time that might prevent such violations from happening. Alternatively, praying for rain sounds as effective and rational as citing international legal principles to a lawless president, and his ruthless military.

Add-Ons

AT: Latin America Impact

No Latin American escalation

Cárdenas 11 [Mauricio, senior fellow and director of the Latin America Initiative at the Brookings Institution, 3-17, "Think Again Latin America," Foreign Policy, http://www.foreignpolicy.com/articles/2011/03/17/think_again_latin_america?page=full]

"Latin America is violent and dangerous." Yes, but not unstable. Latin American countries have among the world's highest rates of crime, murder, and kidnapping. Pockets of abnormal levels of violence have emerged in countries such as Colombia -- and more recently, in Mexico, Central America, and some large cities such as Caracas. With 140,000 homicides in 2010, it is understandable how Latin America got this reputation. Each of the countries in Central America's "Northern Triangle" (Guatemala, Honduras, and El Salvador) had more murders in 2010 than the entire European Union combined. Violence in Latin America is strongly related to poverty and inequality. When combined with the insatiable international appetite for the illegal drugs produced in the region, it's a noxious brew. As strongly argued by a number of prominent regional leaders -- including Brazil's former president, Fernando H. Cardoso, and Colombia's former president, Cesar Gaviria -- a strategy based on demand reduction, rather than supply, is the only way to reduce crime in Latin America. Although some fear the Mexican drug violence could spill over into the southern United States, Latin America poses little to no threat to international peace or stability. The major global security concerns today are the proliferation of nuclear weapons and terrorism. No country in the region is in possession of nuclear weapons -- nor has expressed an interest in having them. Latin American countries, on the whole, do not have much history of engaging in cross-border wars. Despite the recent tensions on the Venezuela-Colombia border, it should be pointed out that Venezuela has never taken part in an international armed conflict. Ethnic and religious conflicts are very uncommon in Latin America. Although the region has not been immune to radical jihadist attacks -- the 1994 attack on a Jewish Community Center in Buenos Aires, for instance -- they have been rare. Terrorist attacks on the civilian population have been limited to a large extent to the FARC organization in Colombia, a tactic which contributed in large part to the organization's loss of popular support.

Latin American conflicts are decreasing and won't escalate- data proves

UNDP '13 [United Nations Development Programme, "UNDERSTANDING SOCIAL CONFLICT IN LATIN AMERICA," <http://www.undp.org/content/dam/undp/library/crisis%20prevention/Understanding%20Social%20Conflict%20in%20Latin%20America%202013%20ENG.pdf>]

One of the central findings of this study addresses social inequalities and institutional legitimacy. The data reveal larger numbers of conflicts in countries with broad social inequality and ¶ regimes that have low institutional legitimacy (Figures 4 and 6). The relationship between institutional legitimacy, social gaps, and the radicalization of conflicts is more complex. Conflicts ¶ in societies with higher levels of institutional support are less likely to evolve into violent confrontations. The relationship between social inequality and radicalization is not linear. Instead ¶ it is generally U-shaped, as the countries with medium levels of inequality have fewer cases of ¶ violence and confrontation than countries with high or low levels of inequality (Figure 6). This ¶ is due to the different levels of interaction between State, society, and conflict (particularly ¶ the capacity to manage these elements), as well as the political culture and historical experience of each country. The data also reveal that there are no countries that experienced both ¶ high numbers of social conflicts and high levels of radicalization. This is a positive finding for ¶ the region in terms of democracy and development. ¶ The relationship between collective action and radicalization is linked principally to the region's chronic gaps between institutional capacity and social demands, as well as its political ¶ culture of radicalized collective action. Societies with low levels of conflict, strong institutions, ¶ and relatively high levels of radicalism are prevalent in the region. ¶ The data correlating conflict radicalization and number of conflicts (Figure 5) reveal four

combinations of the two variables: • Many conflicts and high levels of radicalization: no cases • Many conflicts and low levels of radicalization: Brazil, Ecuador, Guatemala, Argentina, Peru, Bolivia, Panama, and Guatemala • Few conflicts and high levels of radicalization: Chile, Venezuela and Uruguay • Few conflicts and low levels of radicalization: Colombia, Dominican Republic, Costa Rica, El Salvador, Paraguay, and Mexico Figure 6. Number of social conflicts per country and percentage of social conflicts involving violent clashes In general, there is no direct relationship between the number of conflicts and the level of radicalization where greater numbers of conflicts correlate with higher levels of violence (Figure 6). This is consistent with the study's theoretical framework which considers conflict to be a key element in processes of social change, particularly in democratic contexts. It also underscores the risks of destabilization and violence that are implicit in processes of conflict escalation. The data also show that there is a fragmentation of conflicts that employ violent strategies. This suggests that there is a multiplication of non-institutionalized conflicts. There is also evidence of a proliferation of more dangerous conflicts that threaten governability. Conflicts over land represent the largest percentage of this class of conflict. Structural issues, socioeconomic conditions, and institutional failures also continue to be strong sources of instability. However, in general the data on conflict radicalization suggest that Latin America seems to be entering a period of greater stability, and that social conflict does not seriously affect governability. Although these struggles represent a small fraction of the total number of conflicts in the region, in many cases they reach relatively high levels of violence. Institutional conflicts related to the nonfulfillment of agreements comprised the next most significant group of violent conflicts. The hypothesis is that these conflicts tend to escalate due to a lack of institutional frameworks capable of offering solutions and platforms for negotiation.

Economics, regional institutions, and democracy checks

Coll 12 (Alberto R., Professor of International Law – DePaul College of Law, Former Chairman of the Strategic Research Department – U.S. Naval War College, Former Dean – Center for Naval Warfare Studies, Former Principal Deputy Assistant Secretary of Defense, “The Real Latin American Revolution”, Chicago Council on Global Affairs, 5-17, http://2012summits.org/commentaries/detail/coll_2, Deech)

With the G8 gathering in Camp David and the NATO summit in Chicago, it is easy to lose sight of one of the key revolutions in global affairs over the past fifteen years: the rise of Latin America. Until not long ago, Latin America was synonymous with instability, revolution, and economic stagnation. For much of the Cold War, two highly destructive forces dominated Latin American politics. One was the tendency of its powerful militaries to block any progressive reform by installing repressive regimes, many of which went on to commit appalling human rights atrocities in the name of fighting communism. The other was the penchant of Latin America's elites for protectionism, populism, and revolution as panaceas for the region's ills. The results were political conflict, massive poverty, and limited clout in global affairs. In the 1970s and 1980s, countries such as Mexico, Brazil, and Argentina were left behind by the likes of China, India, Taiwan, South Korea, and Singapore, which had been backwaters only a few decades earlier. **Today, Latin America is an economically dynamic region with a growing VOICE** in international affairs. Symbolically enough, the June meeting of the G20 group of world economic powers will take place in Mexico, and three Latin American countries—Brazil, Mexico and Argentina—now count among its highly sought-after ranks. Elsewhere, the latest new member of the Organization for Economic Co-operation and Development (OECD)—the mostly European and North American group of democracies committed to a free market economy—is Chile, invited to join in 2010 on the basis of its impressive economic performance and political stability. Several developments help to explain Latin America's resurgence. The first is political. With notable exceptions such as Venezuela and parts of Central America, political institutions have matured and democratic practices have strengthened. In most countries, the military has retreated from politics, ceding space to a vigorous civil society. There were over thirty military coups in the region between 1975 and 1985. In the past decade there was only one (in Honduras).

Foreign Aid CP

1NC – Foreign Aid CP

Text: The United States federal government should substantially increase its capacity-building support, humanitarian assistance, and financial contributions to countries that are supporting refugees.

That solves our obligation to refugees – ensures they have an adequate support system and gets other countries to increase their commitments.

Ignatieff et al '16 (By Michael, Juliette Keeley, Betsy Ribble and Keith McCammon [all members of the Harvard Kennedy School], "The refugee and migration crisis: Proposals for action, U.N. Summit 2016," Sept 12, 2016,

<https://www.brookings.edu/research/the-refugee-and-migration-crisis-proposals-for-action-u-n-summit-2016/>)

RECOMMENDATION TWO: LEVERAGE SUPPORT FOR FRONT-LINE STATES President Obama's Leaders' Summit will enable the United States to translate the pledges made by states at recent donor conferences into reality. The United States has fulfilled its pledge to deliver \$5.6 billion to Middle Eastern refugee relief since 2011, making it the largest single donor. This record gives it commanding authority to persuade other states to honor their pledges. The Summit should close the gap between pledges and actual disbursements. At the Supporting Syria and the Region donor conference in London in February, contributing states pledged more than \$10 billion in aid. They focused their attention on the needs of front-line states and the refugees they host, earmarking aid for access to education and economic opportunity. At their annual joint meeting with the International Monetary Fund (IMF) in March, the World Bank approved a financing model of \$100 million intended to create 100,000 jobs for Jordanians and Syrian refugees living in Jordan. The World Humanitarian Summit held in Istanbul in May brought together over 9,000 representatives from governments, civil society, academia, and the private sector. The Istanbul meeting resulted in a reported 1,500 commitments in total, which the U.N. has vowed to track on a "Commitments to Action platform." **Despite these promises and pledges, the Syrian Crisis Fund, which is supposed to finance the internationally agreed humanitarian response plan and the regional refugee and resilience plan (3RP), is only 41 percent funded.** Only \$3.1 billion has been delivered of the required \$7.7 billion. At the Summit, the United States should work to leverage past promises into concrete funds earmarked for the Syrian Crisis Fund. In Jordan, UNHCR calculates a funding gap of \$613 million as of 2016, out of the \$1.12 billion deemed necessary to support refugees in Jordan in the short-term. **As of late 2015, 86 percent of Syrian families in Jordan are now food insecure or vulnerable to food insecurity,** compared to 48 percent in 2014. In Lebanon, the absence of camps has driven most refugees into makeshift conditions or abandoned buildings. Seventy percent of Syrians in Lebanon now live below the Lebanese extreme poverty line of \$3.84 a day. ***The United States should increase its already substantial contributions*** but, most of all, **it should** use the Summit in September to **leverage contributions from other wealthy countries,** including Japan, the Gulf states, and Saudi Arabia. Two permanent members of the Security Council, China and Russia, need to contribute at a level commensurate with their international influence. The United States could gain the support of these nations by linking their cooperation on refugee resettlement with other issues of interest. For example, both Russia and China are concerned about terrorism originating in Syria, and they might fund refugee programs in front-line states in exchange for increased intelligence sharing on threats of violent extremism. As the Obama administration rightly argues in its outcome goals for the Summit, **the aid needs to be disbursed in such a way as to make it easier for the host states to relax restrictions on access to education and the labor market for refugees. *The overall goal of humanitarian assistance should be to increase the self-reliance of refugees and their families,*** especially in cases where their stay in front-line countries is likely to be protracted.

2NC – CP Solvency

Humanitarian aid solves – US action spurs others and stabilizes surrounding regions who are housing most refugees.

Brandt '16 (Jessica, "The refugee crisis needs concrete solutions—here are three," Brookings, 9/20/16, <https://www.brookings.edu/blog/order-from-chaos/2016/09/20/the-refugee-crisis-needs-concrete-solutions-here-are-three/>)

Prioritize financial support for front-line states. The administration aims to generate a 30 percent increase in financing for humanitarian assistance, from \$10 billion in 2015 to \$13 billion this year. That's a worthy objective, since aid is stretched to the point where basic needs frequently go unmet—especially in the case of those fleeing violence in Syria. **The Syrian Crisis Fund, intended to finance the internationally agreed humanitarian response plan for Syria and the U.N. High Commissioner for Refugees' (UNHCR) regional refugee and resilience plan, is less than half funded.** The vast majority of refugees reside in front-line states, and most of them will not have the opportunity to resettle elsewhere. Advancing the well-being of the displaced where they are is not just a humanitarian imperative. It's also a political one. Lebanon and Jordan are themselves fragile. As of late last year, 85 percent of Syrian families in Jordan were either food insecure or vulnerable to food insecurity, up significantly from the year before. In Lebanon, 70 percent of Syrians live below the extreme poverty line of \$3.84 a day. Containing instability in the region requires addressing poverty among massive refugee populations. So does containing instability more broadly: Europe, which took in more than a million migrants last year, has struggled to keep its borders open and its right-wing politics in check. **Increasing financing for humanitarian assistance is not just compassionate and strategic, it is also the most politically feasible of the goals President Obama has laid out.** As the largest single donor to Middle Eastern refugee relief, *the United States has at least some leverage with which to encourage contributions from other wealthy countries.* As Michael Ignatieff suggests in a recent Brookings paper, the administration should endeavor to persuade permanent Security Council members Russia and China to contribute at a level commensurate with their international influence. That could perhaps be accomplished by offering increased intelligence sharing on threats related to violent extremism originating in Syria, a concern to both countries.

Diverting money to refugee camps abroad solves.

FAIR '16 (Federation for American Immigration Reform, "Immigration Basics: Refugees," January 2016, <https://www.fairus.org/issue/legal-immigration/immigration-basics-refugees>)

Possible alternative options to resettling refugees in the U.S. include: Cap refugee admissions to the U.S. at 50,000 per year as recommended by the Jordan Commission, roughly half of projected 2017 admissions. **Divert monies saved from reduced admissions – \$644 million yearly – to enhance care at existing temporary refugee camps.** Create a fund overseen by the federal government that can collect tax deductible donations from private citizens and corporations. These funds would be earmarked exclusively for providing improved care for refugees in camps across the globe. Urge greater United Nations involvement in setting up and overseeing "safe haven" camps in countries near refugee flows.

Supporting other countries improves relations and creates more responsive support systems for refugees.

Ignatieff et al '16 (By Michael, Juliette Keeley, Betsy Ribble and Keith McCammon [all members of the Harvard Kennedy School], "The refugee and migration crisis: Proposals for action, U.N. Summit 2016," Sept 12, 2016,

<https://www.brookings.edu/research/the-refugee-and-migration-crisis-proposals-for-action-u-n-summit-2016/>)

Turkey The Turkey-EU refugee deal, concluded in March 2016, has been thrown into question by instability and repression in Turkey following the failed military coup in July. It is now unlikely that the EU will honor its commitment to visa-free access to the EU for Turkish citizens. If this commitment breaks down, it may jeopardize both EU humanitarian assistance to Turkish refugee relief efforts as well as Turkish actions to control refugee flows into Europe. At the same time, the attempted military coup and its aftermath have shaken the NATO alliance and complicated U.S.-Turkish relations. **This is the moment, difficult as it is, when a U.S. commitment to assist Turkey in its refugee integration and resettlement efforts might help to stabilize the broader U.S.-Turkey relationship and set it on a new course.** If possible, the United States should seek to persuade the government of Recep Tayyip Erdogan to maintain the EU-Turkey deal that has stabilized refugee inflows into Europe. **The United States can use financial commitments to refugees on Turkish soil in order to encourage Turkey to open up its labor markets further to allow refugees to work and to expand its programs for refugee children to go to school.**

Jordan The Government of Jordan, in partnership with the U.N., donors, and nongovernmental organizations (NGOs), has recently produced a three-year refugee response plan ("Jordan Response Plan to the Syria Crisis 2016-2018"). The JRP 2016-2018 lays out a comprehensive plan to move from a crisis response framework to a resilience-based approach. While the international community has supported this plan, total financial commitments to date total only 8.9 percent of the \$2.67 billion required to implement it. **Increased financial and political support for the JRP is crucial to its success.** In particular, Jordan has indicated that it will be able to develop 200,000 job placements suited for Syrian refugees, and that this total could be increased if donor countries increase their financial support for five development zones across the country in which Jordan plans to invest. The United States has already lowered tariffs on Jordanian goods and it should encourage its allies to do the same in order to improve the capacity of the Jordanian economy to provide employment for refugees and their own citizens. Lebanon hosts the highest number of Syrian refugees per capita. In contrast to Jordan, Lebanon's political dysfunction and lack of institutional capacity make it ill-prepared to provide suitable support for refugees. Furthermore, negative public and political attitudes toward refugees make a focus on long-term planning and resilience challenging. Any long-term planning and development the government might do on behalf of refugee populations—rather than needy Lebanese—is seen as politically toxic. No amount of external pressure will change this political reality. Lebanon's policy of discouraging refugee documentation compromises aid and service delivery to these populations. In May 2015, at Lebanon's request, UNHCR stopped registering new refugees. High fees (approximately €180 per adult) for the renewal of legal refugee residence status encourage refugees already in-country to become undocumented. As a result, many refugees are undocumented and lack access to humanitarian assistance. In 2015, 89 percent of Syrian refugees in Lebanon reported lack of food, or money to buy it, in the previous 30 days. **Successful support for Syrian refugees in Lebanon will need to work around, not through, government channels.** This support can be implemented in two major ways: **Direct grant-making to trusted local NGOs.** Direct grant-making to legitimate NGOs on the ground avoids political complications and channels the money directly to organizations equipped to implement programming. While legitimate local NGOs are not plentiful, organizations like Basmeh & Zeitooneh are well-respected and have the capacity to implement increased refugee support programming. **Partnerships with the private sector.** The Middle East Investment Initiative, a non-profit organization focused on sustainable economic growth, has developed a Middle East Recovery Plan focused on partnerships and favorable loan structures with local private sector companies. This approach is promising in that it connects available funding directly to companies who can employ those in need. Donor companies could set up grant programs that specify a certain quota of refugee employees. Lebanon's political situation makes aid delivery and refugee support difficult, but not impossible. Donor countries should work with local NGOs and private companies to support high-need areas by helping to provide food and water, education, and employment opportunities.

The CP solves capacity building in Syria and surrounding countries.

Ignatieff et al '16 (By Michael, Juliette Keeley, Betsy Ribble and Keith McCammon [all members of the Harvard Kennedy School], "The United States and the European Refugee Crisis: Standing with Allies," May 4, 2016, in International Affairs, Papers, Policy & Issues, Research, War, Defense & Security, <https://shorensteincenter.org/us-european-refugee-crisis-standing-with-allies/>)

Recommendation Two: Provide resources for education, employment, and security assistance for refugees in Lebanon and Jordan. Weakened front line states could also threaten the EU-Turkey deal. Turkey, Lebanon, and Jordan currently host over 1 million displaced Syrians. In Jordan, UNHCR calculates a funding gap of \$448 million out of the \$1.19 billion deemed necessary to support refugees in Jordan in the short-term. As of late 2015, 85% of Syrian families in Jordan are now food insecure or vulnerable to food insecurity, compared to 48% in 2014.[4] In Lebanon, the absence of camps has driven most refugees into makeshift conditions or abandoned buildings. 70% of Syrians in Lebanon now live below the Lebanese extreme poverty line.[5] The EU-Turkey deal promises 6 billion Euros to Turkey, but does not provide similar funding for Lebanon and Jordan. *Financial support matters immensely to the decisions of displaced Syrians and the fragile stability in front line states.* In September 2015, the World Food Programme was forced to cut the value of the food vouchers distributed to those in need. An assessment of the effects of these cuts on vulnerable Syrians in Jordan has shown that 13% of families sent at least one family member to beg (up from 4% before the cuts), and 80% of families borrowed money to pay for basic food needs. Almost half of those interviewed said they would consider leaving Jordan – either for Europe (20%) or back to Syria (26%) – if they did not receive WFP food assistance in the future.[6] While increased donations have recently allowed the WFP to reinstate the full value of the food vouchers, these repercussions demonstrate the importance of ongoing financial support from the US and others. If conditions in the front line states worsen, many refugees would proceed towards Europe and the sudden pressure might fracture the fragile deal. To prevent this, the US should assess financial shortfalls and where necessary increase its already substantial contributions. Financial support to Jordan and Lebanon should continue to be targeted at programs that aid integration, education, and labor market access. The US should also provide security assistance for border security and protection of vulnerable populations.

2NC – Resettlement Bad

Resettlement drains resources and ensures poverty for the community – better to aid frontline states.

Vaughan '15 (Jessica, "Help Refugees, but Stop Feeding the Refugee-Resettlement Industry," National Review, October 22, 2015, <https://www.nationalreview.com/2015/10/refugee-resettlement-united-states/>)

The mass-migration spectacle unfolding in Europe in recent months, preceded by news of destruction and mayhem committed by ISIS in Syria, has touched the hearts and consciences of Americans. Images of desperate, weary people trudging into Europe have prompted demands from faith leaders, members of Congress, refugee-resettlement contractors, and newspaper editorial boards for Americans to "do our part." And by "do our part" they don't mean we should send more blankets, food, and clothing. They mean "bring more Syrians to the United States." It didn't take a lot of arm-twisting to quickly convince the president to expand the annual refugee-admissions total from 70,000 in 2015 to 100,000 in 2017. Zeal for ramping up refugee resettlement is not so prevalent outside the elite groups demanding more admissions. A recent HuffPost/YouGov poll found that only 39 percent of Americans were in favor of admitting more refugees; 46 percent were opposed. It is remarkable that this category of immigrant, formerly sacrosanct, apparently is now as controversial as the categories "guest workers" and "anchor babies." How did that happen? Part of the answer is the sheer number of new arrivals in refugee and other categories. The United States has admitted approximately 500,000 U.N.-designated refugees since President Obama took office in 2009. That is 70 percent of all such refugees who have been resettled worldwide. Every year, tens of thousands more have been granted political asylum and humanitarian parole. In addition, about 500,000 people, including Haitians, Salvadorans, Guatemalans, and Somalians, who arrived either illegally or as temporary visitors, have since been granted temporary protected status, because of crises in their homelands. And in the past three years more than 150,000 Central American families and teenagers have surged over the southern border, been apprehended by the Border Patrol, and then been released to join friends and family in the United States. Some point to these numbers as proof that we can easily absorb more. "We welcomed approximately 200,000 refugees during the Balkan Wars, 700,000 refugees from Cuba, and more than 700,000 refugees from Vietnam," wrote a group of 27 Senate Democrats to colleagues. "Compared with these historic numbers, we can do better than 10,000 slots for Syrian families." *We can do better, for the refugees and for the host communities, but bringing more refugees here is not necessarily better.* To survive here, they require a considerable support network and a large array of welfare services. Gone are the days when community groups, often churches, would sponsor and serve as the primary source of financial support for refugees. Now the resettlement effort is funded almost entirely by governments (i.e., taxpayers) and carried out by a network of government contractors, known as "volags," or voluntary agencies, though no volunteering is involved. Each refugee receives from the State Department an initial grant of \$1,975, of which the local resettlement contractor may keep \$750, to cover a couple of months' worth of furnished housing, food, clothing, and other immediate necessities. The resettlement contractors help refugees find jobs — but also make sure they sign up for longer-term traditional welfare benefits for which they are immediately eligible, such as food stamps, public housing, cash assistance, health care, and child care. In addition, the Department of Health and Human Services doles out approximately \$1.5 billion in grants to state and local agencies, schools, and non-profits for refugee-oriented support programs, such as legal advocacy, language education, mental-health services, domestic-violence prevention, and follow-on immigration-application assistance. The resettlement agencies and their federal funders boast that most refugees become self-sufficient within four months, which is conveniently about the time that the direct federal support grants run out and the responsibilities of the refugee contractors end. The Vermont Refugee Resettlement Program, for example, claims that 92 percent of the refugees it assisted in 2014 became economically "self-sufficient" within 120 days. They earned an average wage of \$9.66 an hour. But, according to the MIT living-wage calculator, a person really needs to make \$11.13 per hour to live in Vermont, and more like \$23 per hour to support a small family there. What the Vermont Refugee Resettlement Programs call self-sufficiency in fact entails dependency on public welfare. Earlier this year, a Congressional Research Service report found that 74 percent of the refugees who arrived in the past five years were on food stamps, 56 percent were accessing Medicaid, 47 percent were receiving cash assistance, and 23 percent were in public housing. Only 11 percent were getting health insurance through an employer. Other studies have shown that refugees are twice as likely to be unemployed as the rest of the population. The Heritage Foundation has calculated that the 10,000 Syrians who would be admitted under the president's plan would eventually collect about \$6.5 billion in services over the next 50 years. Much of that would be borne by local communities. It's no surprise that most refugees are dependent on government support. Most arrive destitute, and many have had little opportunity for education. Given the enormous cost of refugee resettlement, and the limits to what individual communities can manage, lawmakers must resist calls for drastic increases in government resettlement programs and *instead put the emphasis on providing more assistance to refugees in safe havens nearer their homeland.*

More refugees stresses resettlement efforts – causes resentment and poverty which turns the aff.

Salam '15 (Reihan, "Resettling Syrian Refugees: An Alternative Approach," Slate Magazine, 11/15/2015, http://www.slate.com/articles/news_and_politics/politics/2015/11/syrian_refugee_crisis_an_alternative_to_resettling_refugees_in_europe.html)

There are certainly Europeans who believe that it is the duty of affluent countries to absorb brutalized refugee populations, particularly among the more educated and better-off. Resettled refugees, however, tend to reside in lower-income neighborhoods, where employment opportunities are relatively limited, and where their neighbors are Europeans, including European Muslims, who may well see them as competitors for access to scarce social goods. Given the manifest failure of France, Belgium, and Germany to successfully integrate native-born Muslims into the cultural and economic mainstream of their societies, despite decades of fitful efforts to that end, what reason do we have to believe that these governments will succeed in 2015? Byman writes that if Syrian refugees are not successfully integrated into local communities, "they risk perpetuating, or even exacerbating, the tensions between Muslim and non-Muslim communities in Europe." He's right on this score, too. There is an alternative to large-scale refugee resettlement in Europe, though it poses many practical challenges of its own. In "Help Refugees Help Themselves," an essay in the latest issue of *Foreign Affairs*, Alexander Betts and Paul Collier offer a plan that would resettle Syrian refugees closer to home. While hundreds of thousands of Syrians have sought refuge in Europe, millions have instead made their way to Lebanon, Jordan, and Turkey. Some have found themselves in refugee camps; others have settled in cities, where they work illegally and lead a marginal existence. Betts and Collier offer a more sustainable solution: Instead of herding refugees into camps where they are forced to subsist on aid, they call for the creation of special economic zones. Essentially, a consortium of countries, including all of the major Western economies, would create financial incentives and trade concessions to spur industrial development in these zones, which would employ refugees and, in some number, citizens of the host country. Betts and Collier note that the Jordanian government has already established a number of industrial zones, one of which, King Hussein Bin Talal Development Area in the eastern Mafraq Governorate, is just 10 miles away from the sprawling Zaatari refugee camp. With its current infrastructure, KHBTDA can accommodate as many as 100,000 workers, but it currently employs only 10,000. If KHBTDA were reinvented as a special economic zone for Syrian refugees, Betts and Collier report that it could employ every worker in the Zaatari camp and only reach half of its full capacity. With the help of the international community, KHBTDA could become a hub for labor-intensive manufacturing and other kinds of productive economic activity. Ultimately, skills learned and firms established in these new special economic zones could be brought back to Syria once peace is re-established there. The beauty of Betts and Collier's approach is that it provides Syrians with a measure of economic self-sufficiency and cultural autonomy in exile, and it sidesteps the challenges of integration by giving them their own space in which to flourish. Getting the Jordanians to agree to such a scheme may well be challenging. And making such industrial zones viable would require major investments not just from the host countries but from the European Union, the U.S., and rich democracies around the world, who would need to use aid dollars to convince the Jordanians to go along. Yet the costs of getting it off the ground would be a small fraction of the costs of successfully integrating refugee families into European societies that are at best ambivalent about welcoming them into their societies and economies.

Off Case Links

Midterms Link

Public opposes the plan

Jones '15 (Jeffrey M. of Gallup, "Americans Again Opposed to Taking In Refugees," Gallup, NOVEMBER 23, 2015,

<http://news.gallup.com/poll/186866/americans-again-opposed-taking-refugees.aspx>)

PRINCETON, N.J. -- Americans, by 60% to 37%, oppose plans for the U.S. to take in at least 10,000 Syrian refugees who are trying to escape the civil war in their country. This is in keeping with Americans' historical tendency to oppose taking in large numbers of refugees, something that has been evident in similar situations as far back as the 1930s. Support for the United States' Taking in Refugees, Gallup Polls Last week, the House of Representatives passed a bill to tighten the federal government's screening requirements on refugees from Syria. This action came after many governors said their states would refuse to take these refugees. Many in favor of halting the refugee program cite increased concerns about terrorism in the wake of the terrorist attacks in Paris earlier this month. Majority in U.S. Disapprove of Plan to Take In Syrian Refugees Despite the specific concerns about possible terrorism associated with accepting Syrian refugees, Americans' opposition to the current plan is in line with public opinion on refugee situations in the past. Across seven different refugee situations since 1939 for which Gallup has a basic support or opposition measure, the average level of public support has been 33% and the average level of opposition has been 57%. Of these seven situations, the only one a majority of Americans supported involved Kosovo refugees in 1999. However, support may have been higher because the question mentioned that only several hundred refugees were being accepted, and the question was asked after the government had already taken that action. Americans are a bit more positive when asked if the Syrian refugees would be welcomed if they came to their community -- 49% say they would be welcomed and 46% say they would not be. However, that is a slightly more negative assessment than Gallup found in a 1979 poll asking about Southeast Asian refugees, also known as the "boat people." At that time, 57% of Americans said those refugees would be welcomed in their community and 30% said they would not be. In 1979 as well as now, many more said refugees would be welcomed in their community than were in favor of having them enter the U.S. This could indicate that Americans are expressing positive sentiments about their local community as much as support for the policy on taking in refugees when asked whether refugees would be welcomed. **Republicans Least Supportive of Taking In Syrian Refugees** Politics are a major influence on Americans' views about Syrian refugees. The majority of Democrats, 57%, approve of the plan for the U.S. to take the refugees, but a far larger majority of Republicans, 84%, disapprove. Independents' views are similar to the national average. These partisan differences are similar to what occurred in the House vote on the Syrian refugee bill, with nearly all Republicans voting in favor of the measure to tighten requirements for those refugees to gain entry to the U.S., and most Democrats voting against it. Opinions on Syrian Refugees Coming to U.S., by Political Party Roughly six in 10 Democrats approve of the plan and say Syrian refugees would be welcomed in their local community. Republicans and, to a lesser degree, independents, are more inclined to believe Syrian refugees would be welcomed than to approve of letting them into the U.S. in the first place. Notably, though, a majority of Republicans still say the refugees would not be welcomed where they live. Implications Last week's House bill passed with enough votes to override an expected veto from President Barack Obama. However, as of now it is not clear whether the Senate will take up the measure, let alone pass it. If the president does move forward on his plans to take in at least 10,000 Syrian refugees, he would be doing so without the American public's support. However, that would hardly be unprecedented, as Americans historically have not been supportive of plans to bring refugees to the U.S., and presidents have sometimes acted to take in refugees despite public opposition.

Election politicizes refugees acceptance – massive public opposition

Rose 17 [Joel Rose, 11-22-2017, "Opposition To Refugee Arrivals Keeps Getting Louder," NPR.org,

<https://www.npr.org/2017/11/22/565703410/opposition-to-refugee-arrivals-keeps-getting-louder>]

A few days after Donald Trump was elected President, more than a hundred people packed into a church sanctuary in Poughkeepsie, N.Y. to hear a presentation about refugee resettlement in their town. It didn't go well. This was after Trump had campaigned on refusing Syrian refugees, citing security concerns. In the church that night, staffers from the non-profit organization Church World Service laid out their plan to open a refugee resettlement office in Poughkeepsie, and bring in about 80 refugees, mostly from the Congo, Iraq and Syria. The audience had questions. A lot of them. They wanted to know, would they be safe? And could Poughkeepsie afford to care for these new residents? "As a resident of this town, of this city, I can look out my window any time and find someone in need," said Poughkeepsie resident Steven Planck, to vigorous applause. The head of Church World Service's refugee program, Erol Kekic, spent more than an hour trying to respond to the questions. "We had to do a lot of truth-telling, and dispel some myths," says Kekic. "From 'the value of my property will go down because refugees will be resettling next to me,' to 'are we bringing terrorists?' to 'why are we bringing people who don't all look like us?'" It's getting harder for refugees to find a welcoming home in the U.S. The Trump administration has cut the number of refugees allowed into the country. In cities and town across the nation, citizens are protesting refugees being resettled in their neighborhoods. In Poughkeepsie, the debate got ugly. On social media, people called opponents of the refugee plan racists and Islamophobes. The staff of Church World Service received death threats. "What I didn't anticipate was how the issue would be politicized by the election climate," says Vassar College student Patrick DeYoung, who helped launch the effort to bring refugees to Poughkeepsie. He says the intensity of the debate surprised him. "It went from being a kind of run of the mill, like, maybe not here, to, these Muslims are going to take over our neighborhood and ruin Poughkeepsie," DeYoung says. Until recently, refugee resettlement in the U.S. had wide bipartisan support. The U.S. State Department, along with nine large non-profit groups, decides where to resettle refugees fleeing persecution, war and violence. They look for communities where there are volunteers to help. Patrick DeYoung is one of those volunteers. He's now a college senior, but before he came to Vassar, Sgt. DeYoung served five years in the Army. He did two tours in Afghanistan, where he saw firsthand civilians being forced from their homes. "I felt that there was an obligation to, you know, welcome the stranger and to help people, a chance for the country to show its best self," DeYoung says. "So, why not here? Why not in Poughkeepsie?" Others in town felt that was the wrong question to ask. "We all wondered, why? Why Poughkeepsie?" says David Cole, 37, a lifelong resident of the town who helped mobilize opposition to Church World Service. Cole insists he has nothing against Muslims or other refugees. But he says Poughkeepsie isn't a wealthy town; unemployment there is higher than the statewide average. "I looked at people that I knew," Cole says. "And I said, OK, well, why aren't these people getting help? Why are we trying to help, you know, people from war-torn countries in an area where there's people looking for jobs? Like, they're scavenging for jobs around here. I don't get it." Church World Service did open an office in Poughkeepsie. But it only resettled one family of five. The same story is playing out across America. Critics of the refugee program say they're mobilizing in at least a dozen places where people want more control over who's coming to live in their communities. State and local officials are supposed to be consulted before refugees come to their areas, says Susan Tully, national field director at the Federation for American Immigration Reform, which advocates for lower levels of immigration. But in practice, Tully says, that's not happening enough. "The volunteer organizations who resettle these people seem to be almost the single driving force, and deciding voice, of where they go," Tully says. "People are saying, oh, wait a minute, you're not the only one that's got a dog in this fight." Now, the state of Tennessee is suing the federal government to block refugee resettlement there. The mayor of Rutland, Vt. was voted out of office earlier this year after trying to bring in refugees to give the town's small workforce a boost. And in St. Cloud, Minnesota, some residents are calling for a moratorium on resettlement as the refugee community grows into the thousands. (In response, the City Council passed a resolution "in support of a just and welcoming city".)

Politics Link

GOP will backlash against refugee increases.

Toosi '16 (Nahal, "Obama raises refugee goal to 110,000, infuriating GOP," 9-13-2016, POLITICO, <https://www.politico.com/story/2016/09/obama-refugees-228134>)

President Barack Obama plans to admit 110,000 refugees from around the world to the United States over the next year — a figure that is 10,000 above his original goal and which *immediately set off howls of protest from some Republicans*. The 110,000 figure is expected to include a substantial number of Syrian refugees, whose admission to the U.S. has sparked debate in the presidential race. Republican nominee Donald Trump wants to bar Syrian refugees completely, alleging that terrorists could be hiding among them. At the same time, the 110,000 figure, which covers the fiscal year beginning Oct. 1, is likely to disappoint many supporters of the refugee program, who have been urging the administration to take in as many as 200,000 displaced people from around the world. A senior Obama administration official confirmed late Tuesday that Secretary of State John Kerry had briefed Congress earlier in the day about the administration's new plan. He noted that Kerry had said several months ago that the U.S. wanted to admit at least 100,000 refugees worldwide but that it would take more if it could. The decision to go with 110,000 "is consistent with our belief that all countries should do more to help the world's most vulnerable people," the official said. In an 82-page report to Congress obtained by POLITICO, the Obama administration said it will try to admit a "significantly higher" number of refugees from Syria during the next fiscal year than the 10,000 goal it set for the fiscal year that ends this month. The administration exceeded the 10,000 figure a month ahead of schedule. "While the vast majority of Syrians would prefer to return home when the conflict ends, it is clear that some remain extremely vulnerable in their countries of asylum and would benefit from resettlement," states the report, which was prepared by the departments of State, Homeland Security and Health and Human Services. *Some Republican lawmakers issued statements denouncing the plan on national security and other grounds.* "We must remain compassionate toward refugees, but we also need to make sure that we use common sense," said House Judiciary Committee Chairman Bob Goodlatte, a Republican from Virginia. "Unfortunately, President Obama unilaterally increases the number of refugees resettled in the United States each year and gives little thought as to how it will impact local communities." Sen. Jeff Sessions, a Republican from Alabama and a top adviser to Trump, called Obama's plan "reckless and extreme." "In addition to the very serious national security implications and the initial resettlement costs, admitting 110,000 refugees will result in an enormous long-term financial burden on the taxpayers," Sessions insisted. On Wednesday, some Democrats came to the president's defense. "I think that number is defensible and necessary," Senate Minority Whip Dick Durbin (D-Ill.) said. "The number of refugees in this world today is at an all-time high." The U.S. refugee resettlement program used to have strong bipartisan support, with lawmakers across the spectrum willing to accept desperate people escaping violence and persecution as a testament to America's generosity. But the Syrian civil war, and a number of terrorist attacks in Europe and the U.S. blamed on migrants or the children of migrants has *altered the calculus*. *A large number of Republicans now say admitting Syrian refugees could expose the U.S. to potential terrorist attacks by Islamist extremists who may have infiltrated the program.*