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Faculty Foreword

Dear reader,

I am truly honoured to be asked to write some brief words of introduction to the 2020 issue of the Journal of International Affairs. Tremendous thanks and congratulations are in order to the editorial team who devoted so much of their time and intellectual energy to producing this high-quality publication of some of the best undergraduate work in international relations from across the Faculty of Arts at UBC. The JIA is one of Canada's longest-standing and best student journals, and the editors, assistants, reviewers, and authors involved in producing it exhibit a strong impetus to uphold the rigour and importance of the work featured in it.

This year's edition includes research by UBC students on some of the most pressing global issues of our time. The first three articles deal in various ways with cross-border flows of people, and how states define who belongs or not within their borders, with significant implications for human wellbeing. Henrike's article considers how the European Union apportions member states' responsibility for recent influxes of refugees and asylum seekers, and the resulting harm inflicted on these migrants. Nicolo examines the legal manoeuvring by the government of Myanmar that allows it to lawfully violate the human rights of Rohingya minority people within its borders. Meanwhile, Theresa's article focuses on how the Russian government polices Chinese presence in the Russian Far East. The fourth article in this issue, by Charmaine, examines forms of economic coercion as an increasing mode of state diplomatic pressure in a world where military coercion is becoming less acceptable and states are more reliant on global trade relationships. The final article by Giselle enlightens our understanding of the major global problems of climate change and Indigenous peoples' rights in Bolivia and Ecuador. These articles together constitute a significant contribution to our knowledge about key issues in international relations today, and I hope they will be widely read and appreciated.

Lisa McIntosh Sundstrom
Co-chair, International Relations Program

Introduction

Dear reader,

Welcome to the 2020 edition of the UBC Journal of International Affairs.

Our 35th year of publication continues to uphold the dedication and high editorial standards that have been set since the beginning. As the oldest undergraduate publication of UBC, we have a long history of providing students invaluable opportunities to publish their exceptional undergraduate research early on in their careers.

The Journal of International Affairs received a spectacular number of submissions this year. The topics were marked by a plethora of disciplines and each author offered a unique and multidisciplinary perspective. Although it was a difficult decision to cut down to just five papers, we are proud to share with you, at last, these true masterpieces. The five papers were selected for their creativity, originality, argumentative strength, composition, and diversity. We hope you enjoy the complexities of research topics, from EU migration control to environmental racism in Latin America.

We would like to extend our sincere appreciation for all the hard work and dedication provided by our students, faculty, and staff. We owe a huge debt of gratitude to our editorial and production staff, who worked so diligently to create this year's edition. We would not be anywhere today without our editors and would like to take this moment to thank their invaluable contribution. We would also like to thank our wonderful Managing Editor, Taylor Maorino, for being a great support. A huge thank you to our UBC faculty reviewers as well, who contributed to the success of our journal and the quality of the final published papers you read in our pages. Last but not least, we would like to thank our many readers for their continued support and interest, without whom there would not be a Journal of International Affairs. Thank you – it was truly a privilege and an honour to serve as this year's Editors-in-Chief.

We hope that this journal exposes you, the reader, to international issues for you to become more knowledgeable on a subject or have your pre-existent viewpoints challenged. Enjoy this edition and all the ones that will surely follow for years to come.

Sincerely,

Kim-Sa Ngo & Yoojung Lee

Editors-in-Chief

UBC Journal of International Affairs 2020

Above and Beyond:
THE EXTERNALIZATION OF EU RESPONSIBILITY FOR MIGRATION CONTROL

Henrike Scholz

Introduction

The European Union (EU) experienced an unprecedented escalation in the number of irregular migrants reaching its shores in 2015 and 2016, as people fleeing conflict and political unrest looked to Europe for stability and refuge in the wake of the Arab Spring and the Syrian Civil War. Irregular migration (the movement of people outside of the regulations and international agreements governing entry into a destination state)[1] undermined the EU's pre-existing migration systems, and sparked a crisis of solidarity among member states due to a general unwillingness to shoulder the financial and political costs of receiving migrants. EU-level attempts to establish systems of shared responsibility on hosting migrants amongst member states, such as relocation quotas, failed due to individual states' unwillingness to cede national sovereignty on migration issues, and rising public anxiety about the influx of refugees.[2] Instead, the focus of the European Union's migration governance in response to the refugee crisis has shifted outward, to peripheral member states and beyond. In an examination of these events, this paper argues that the externalization of migration controls is causing indefensible harm to the rights and safety of asylum seekers.

As a result of the "endless state of emergency"[3] ushered in by the refugee crisis, the provisions of the Dublin Regulation on asylum law (which stipulates that a non-EU national must make their asylum request in the country of first arrival in the EU) have been suspended in favour of ad-hoc national measures of migration governance that are subject to less formality, and fewer actors. The EU's political values and institutions are also being tested, as perceptions of weak European solidarity have led to growing Euroscepticism and closed-border mentalities.[4] The newly appointed President of the European Commission, Ursula von der Leyen, called for a "fresh start"[5] on migration governance in announcing the political guidelines for her administration, opening up an avenue for reform of the EU's migration control system, but greater awareness of the implications of the current trend of externalization are needed to

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1   UN Migration. "Key Migration Terms". *International Organization for Migration*, September 2019. Retrieved from https://www.iom.int/key-migration-terms.

2   Dagi, Dogachan. "EU's Refugee Crisis: From Supra-Nationalism to Nationalism?" *Journal of Liberty and International Affairs* 3, no. 3 (2018): eISSN 1857-9760, 15

3   Fine, Shoshana. "All at Sea: Europe's Crisis of Solidarity on Migration" *European Council on Foreign Relations*, October 2019. Accessed at https://www.ecfr.eu/publications/summary/all_at_sea_europes_crisis_of_solidarity_on_migration

4   Dagi, "EU's Refugee Crisis", 15

5   Fine, "All at Sea"

guide the direction that this reform must take.

This paper will begin by exploring the ideological justifications issued by EU member states for the externalization of responsibility on migration control. It will then map the mechanisms that allow this outward turn to occur, specifically the role of technology and multilateral cooperation with non-EU countries. The EU-Turkey Joint Action Plan is used as a case study to demonstrate the pitfalls of current migration control measures, after which the paper will delve into the broader ethical and human rights implications of these evolving trends.

The Externalization of Borders

The fortification of the EU's external borders is not a recent phenomenon, but can be traced back to the creation of the Schengen Area with its underlying principle of free mobility. In the context of unregulated internal borders, the European Commission decided that tighter controls at the EU's external frontiers would be necessary to preclude uncontrolled arrivals.[6] The refugee crisis of 2015 and 2016 sparked a rapid acceleration of efforts to externalize the EU's borders. One symptom of this escalation was the rebranding of Frontex, the EU's border control agency since 2005 to the European Border and Coast Guard Agency in October of 2016.[7] This expansion of its mandate to include actions in non-EU states and managing expulsions from the EU represents the outward orientation of migration control.

The benefits of these so-called 'remote control' policies for national governments lie in the fact that these are cost-effective tools to manage migration, which offload the burden of border management to transit or migrant-source countries and, by reducing the numbers of irregular migrants, minimizes the costs a government would have to bear in processing or integrating them.[8] Costs are not merely financial but can be interpreted in political terms as well, as leaders who fail to signal resolve and strength in the face of the refugee crisis face the political backlash. Closed-border mentalities are seeping into mainstream politics and nativist camps are gaining numbers throughout Europe. By signaling that migration will be managed at a distance, away from states' physical borders, European leaders hope to ease public anxiety and transfer responsibility for the crisis to third countries.[9]

Importantly, borders must be understood as a construct that transcends physical barriers and exists in temporal and symbolic dimensions as well. Externalization, in this context, is not restricted

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6   Moreno-Lax, Violeta. "Accessing Asylum in Europe: Extraterritorial Border Controls and Refugee Rights under EU Law". *Oxford Scholarship Online*, 2017. doi: 10.1093/oso/9780198701002.001.0001, 41

7   Bruns, Bettina. "Homogenous and Extra-territorial Border Regime? Migration and control efforts across the eastern EU external border" *Journal of Borderland Studies* 34, no. 5 (2019): doi: 10.1080/08865655.2017.1402194, 510

8   Zaiotti, Ruben. "Mapping Remote Control: The externalization of migration management in the 21st century" *Externalizing Migration Management*. (London: Routledge, 2016), 10

9   Fine, "All at Sea"

to territorial expansions but includes the construction of virtual or bureaucratic barriers that limit the mobility of persons before they reach their destination country.[10] Scholar Bettina Bruns maps four broad avenues through which extra-territorial control manifests itself, including 1) visa systems, with issuance occurring in sending countries; 2) bilateral agreements with sending or transit countries encompassing, for example, readmissions of irregular migrants, 3) projects in non-EU countries to strengthen refugee protection capacities and asylum systems; and 4) the privatization of migration control, e.g. imposing carrier sanctions on private airlines if they abet illegal migration.[11] Each of these measures, which fall broadly into the categories of 'offshoring' and 'outsourcing' of migration control, comes with its own set of implications. Broadly speaking, measures entail the dispersion of pre-border checks and limitations and the transfer of humanitarian and legal responsibility to third parties or countries. In the process, "the object of protection" has shifted "from the refugee to the frontier itself."[12] This logic fundamentally undermines the principle of asylum consecrated under international and EU-wide law, which demands for protection to be granted to persecuted peoples.

The Role of Technology

Technology has played an ever-greater role in this process of extra-territorialization, a trend that is exacerbated by the perception of physical borders as flawed and permeable in the face of large numbers of refugees. This has led to the increasing implementation of virtual measures to fortify and expand the EU's borders and to construct a set of barriers and obstacles that intercept unwanted migrants long before they reach the physical boundaries of the EU. Many of these have been introduced as part of the European 'Integrated Border Management' (IBM) system whose purpose is to decrease irregular migration flows and reduce the number of unauthorized arrivals to the EU.[13] Measures such as advanced passenger processing systems (pre-screening), biometric visas & passports and international data sharing facilitate the "efficient sorting of desirable and undesirable passengers"[14] long before they leave their home countries. Sanja Milivojevic, a researcher on borders and mobility, uses the term 'Cyber Fortress Europe' to describe the EU's technologically enhanced borders.[15] Scholar Leanne Weber argues that these "shifts in the sites of migration control could be thought of as creating 'quasi-borders' where exclusionary powers are expressed far away from the designated border."[16] This results in the indiscriminate deterrence of would-be asylum seekers from reaching EU territory where they could make their asylum requests,

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10   Zaiotti, "Mapping Remote Control", 9

11   Bruns, "Homogenous and Extra-territorial Border Regime?", 513-514

12   Moreno-Lax, "Accessing Asylum in Europe", 2

13   Moreno-Lax, "Accessing Asylum in Europe", 42

14   Weber, Leanne. "The Shifting Frontiers of Migration Control". *Borders, Mobility and Technologies of Control* Ed. By Sharon Pickering and Leanne Weber. Springer (2006): 25

15   Milivojevic, Sanja. "Borders, technology and (im)mobility: 'Cyber-Fortress Europe' and its emerging Southeast frontier", *Australian Journal of Human Rights* 19, no. 3, (2013): doi: 10.1080/1323-238X.2013.11882136, 108

16   Weber, "The Shifting Frontiers of Migration Control", 108

regardless of whether their claims are legitimate or not.

The Integrated Border Management system is increasingly relying on "technologies borrowed from the intelligence and military realms,"[17] which are intrinsically linked with the securitization of migration, whereby migrants are cast as posing a security threat to the hosting nation (in this case the EU) - either a physical threat in the form of terrorism or a more symbolic threat to the Western-led democratic liberal world order. This growing application of technology has important ramifications for the accountability and responsibility of countries wielding it. Extraterritorial measures such as pre-entry controls diminish states' responsibility to adhere to national or EU regulations, on the rights of asylum seekers, for example.[18] Increasingly sophisticated technology raises administrative discretion and reduces public accountability, diminishing possibilities for legal recourse if violations of international agreements occur.[19]

One concrete example of this is the evolution of Operation Sophia, a mission launched by the EU in 2015 to tackle human trafficking using ships that were required by international law to assist maritime vessels in distress. In March 2019, the EU began replacing the patrol ships involved in the Operation with unmanned drones, which are not subject to the same legal obligations to rescue ships in danger.[20] Through the use of technology, the governments of EU member states "have begun to manipulate the location and meaning of the borders themselves."[21] Technology is facilitating the spatial and temporal externalization of the EU's boundaries, and simultaneously a diffusion of responsibility for migration control that renders would-be asylum seekers more vulnerable.

Multilateral Cooperation

One vital policy tool that has accompanied the outward orientation of EU migration governance involves bi- and multilateral agreements with the Union's neighbouring states to dissuade new arrivals and to deport irregular migrants who have already reached EU territory. The former is achieved through measures of 'operational support and capacity building' to strengthen neighboring states' own asylum and migration systems, often in the form of financial support.[22] The presence of unwanted, landed migrants is addressed through the negotiation of readmission agreements with sending and receiving countries, which oblige countries to accept not only their own nationals but also third country nationals. Development assistance, visa facilitation, and circular migration partnerships are used as compensatory measures and

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17   Zaiotti, "Mapping Remote Control", 7
18   Moreno-Lax, "Accessing Asylum in Europe", 4
19   Zaiotti, "Mapping Remote Control", 16
20   Fine, "All at Sea"
21   Weber, "The Shifting Frontiers of Migration Control", 22
22   Milivojevic, "Borders, technology and (im)mobility", 108

incentives for non-EU actors in these agreements.[23] Ruben Zaiotti argues that due to conditionality, many of these agreements are "defined by a certain degree of imposition or even coercion."[24] As a result, the costs of migration control are shifted to non-EU states who lack the infrastructure and capacity to provide refugees with adequate services and protections.

There are often disparities between the stated aims of multinational cooperation on migration, and the reality of its impacts. This is well illustrated by the example of the Regional Protection Programs (RPP) that were set up in non-EU states in Eastern Europe and Sub-Saharan Africa. Although the Program's primary objectives were two-fold: to better protect refugees in third countries (by strengthening self-reliance through initiatives like vocational training and employment support); and to assist states in enhancing their border control systems (including detention capacities), the allocation of funding was heavily focused on the latter purpose.[25] Multinational cooperation is also developing on the topic of offshore detention facilities in neighboring countries: the EU has allocated funds to expand detention efforts in Ukraine,[26] for example, which would provide an avenue to circumvent legal obligations regarding refugee rights that are valid on EU territory. As these examples illustrate, EU member states have turned towards ad-hoc, temporary and relatively informal agreements with non-EU countries instead of EU-level, supranational cooperation on migration control, further contributing to the externalization of the Union's borders.

Case Study: The EU-Turkey Joint Action Plan

The EU-Turkey Joint Action Plan, which was agreed upon in October of 2015 and formalized in a Statement by the European Council in March of 2016,[27] is an example of one such multinational cooperation on migration control. Analyzing the Action Plan and its implications on various actors demonstrates the pitfalls of agreements like it as avenues of controlling migration.

Broadly speaking the cooperation established a system of burden sharing whereby all new irregular migrants entering Greece via the Balkan route would be returned to Turkey, with the promise that for every returned migrant, one Syrian refugee from Turkey would be relocated to the EU in exchange. The deal also implied the introduction of visa-free travel for Turkish nationals to the EU, alongside aid in the order of €6 billion to support Turkey's migration management efforts.[28] According to a communiqué

23   Dünnwald, Stephan. "Europe's Global Approach to Migration Management: Doing border in Mali and Mauritania" *Externalizing Migration Management* (London: Routledge, 2016), 113

24   Zaiotti, "Mapping Remote Control", 10

25   Bruns, "Homogenous and Extra-territorial Border Regime?", 515

26   Zaiotti, "Mapping Remote Control", 21

27   Moldovan, Carmen. "Is the EU-Turkey Action Plan an effective or just an apparent solution to the refugee crisis" *CES Working Papers* IX, no. 3 (2017): ISSN: 2067 - 7693, 198

28   Dagi, "EU's Refugee Crisis", p. 14

published by the European Commission in March 2019, "the EU-Turkey Statement has consistently delivered tangible results since it was agreed three years ago", citing the fact that irregular arrivals and deaths at sea have fallen substantially.[29]

However, the Action Plan has also been subject to a heavy amount of criticism. The agreement is premised upon the idea that Turkey is a 'safe third country', which means that the principle of non-refoulement consecrated under international law (whereby asylum seekers cannot be forced to return to a country where they may be persecuted) does not apply in this situation.[30] Critics of the cooperation question whether Turkey can credibly be considered a 'safe third country' due to its underdeveloped non-governmental sector, weak judicial system and undemocratic developments under the Erdoğan regime, combined with fears that Syrian-Kurdish people may be subject to persecution.[31] The EU-Turkey deal is blamed for deteriorating conditions in Greek migrant detention centres that are heavily overcrowded with migrants awaiting return to Turkey, who are barred from applying for asylum or travelling deeper into the EU.[32] Several NGOs active in refugee relief in Greece, including Médicins sans Frontières and Save the Children, have suspended their work for fear of being "instrumentalized for a mass expulsion operation."[33] The European Commission's claim that the EU-Turkey deal is a success for migration governance clearly demonstrates that the Union's priority is stopping arrivals to the EU, as opposed to ensuring the judicial and just treatment of asylum seekers.

Another issue is the fact that the Joint Action Plan is operating in a legal grey-zone. The EU Court of Justice has ruled that the agreement is outside of its jurisdiction because the cooperation is technically between EU member states and Turkey, rather than the EU as an institution and Turkey.[34] All of these factors in combination result in the fact that migrants who are affected by this deal are rendered more vulnerable to human rights violations, which are exacerbated by a lack of legal oversight on the measures introduced.

The cooperation has had another important effect: whereas Turkey has previously acquiesced to European demands to garner support for accession to the Union, the Joint Action Plan has made the EU dependent on Turkey to stem the flow of irregular migration through the Balkan route.[35] This shift in the

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29   European Commission. "EU-Turkey Statement: Three years on" (2019) https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20190318_eu-turkey-three-years-on_en.pdf

30   Moldovan, "Is the EU-Turkey Action Plan", 199

31   Arribas, Gloria Fernández. "The EU-Turkey Agreement: A Controversial Attempt at Patching up a Major Problem" *European Papers* 1, no. 16 (2016): doi: 10.15166/2499-8249/80, 1101

32   Long, Olivia. 2018. "The EU-Turkey Deal: Explained". *Help Refugees*. https://helprefugees.org/news/eu-turkey-deal-explained/

33   Carp, Radu. "The Human Rights Implications of the EU-Turkey Deal and the Assessment of the ECHR/General Court" *Journal of Identity and Migration Studies* 12, no. 2 (2018): 56

34   Moldovan, "Is the EU-Turkey Action Plan", 202

35   Kfir, Isaac. "A Faustian pact: Has the EU-Turkey deal undermined the EU's own security?". *Comparative Strategy* 37,

balance of power became apparent in June 2019, when Turkey suspended its obligations under the Action Plan in response to EU sanctions against illegal Turkish gas drilling operations in Cypriot waters.[36] This perpetual threat of 'turning on the tap' of migrants gives Turkey an influence over the EU that is especially worrying in light of undemocratic reforms instigated by the Erdoğan administration.

To conclude this brief case study: although the EU-Turkey Plan was a breakthrough for EU migration policy in the sense that it represented the first major coordinated response to the refugee crisis, garnering approval from all parties involved, the deal itself is an ineffectual blueprint for any reform on EU migration governance that aims to be judicial and sustainable. Within the broader context of the EU's externalization of migration control, the Action Plan demonstrates that this trend reduces immediate costs to national European governments while introducing significant harms to ill-equipped third countries and irregular migrants themselves.

The Ethical Implications of Externalization

As the case of the EU-Turkey Agreement demonstrates, the externalization of the EU's borders – facilitated through the application of technology and cooperation with non-EU states – has ethical implications in the realms of social justice and human rights. To begin with, the inherent logic through which the fortification of borders beyond a nation's territory is rationalized is highly problematic. The academic Sanja Milivojevic explains it as follows: "the logic of border policies is no longer a case of intercepting the 'threat' as it arrives at the border, but of 'assessing' the 'threats' 'likely' to emerge in the future"; this logic is intrinsically punitive and results in the "preemptive mobilization" of those deemed dangerous or unworthy of being hosted by the EU.[37] The securitization of migration has allowed national actors to suspend existing rules and directives such as the Dublin Regulation, effectively placing swathes of people "beyond the pale and beyond the privileges and protections" of the state.[38]

Crucially, the EU's borders are rendered impassable to certain people, most notably third-country nationals (TCN's) who are perceived as security threats to the Union, while borders are simultaneously permeable to European nationals or TCNs who are deemed desirable if their presence is proven to be temporary, or economically beneficial to the EU – "the extraterritoriality of the new global elites and the forced territoriality of the rest" emerges.[39] The externalization of EU migration control only exacerbates these circumstances. Remote border control measures are thought to force migrants to seek out ever-

no. 3 (2018): doi: 10.1080/01495933.2018.1486085, 208

36   Eck, Daniel. "Turkey suspends deal with the EU on migrant readmission" *Euractiv*, 24 July 2019.https://www.eurac-tiv.com/section/global-europe/news/turkey-suspends-deal-with-the-eu-on-migrant-readmission/

37   Milivojevic, "Borders, technology and (im)mobility", 116

38   Gregory, Derek. *The Colonial Present: Afghanistan, Palestine, and Iraq.* (Blackwell Publishing, 2004): 249

39   Weber, "The Shifting Frontiers of Migration Control", 7

riskier options to circumvent these obstacles and reach the EU.[40] Some measures, such as EU efforts to stem migration from Libya and Morocco, have decreased the absolute number of arrivals, but have led to increases in migrant death rates.[41] Landed immigrants face abandonment in "inappropriate and hostile living conditions across Europe, with little access to sufficient physical, psychological and legal support"[42] as a result of efforts to externalize responsibility for asylum processing.

The role of technology in this evolution of migration control leads to reduced public and legal accountability. Substantial scholarly research explores the potential dangers of using 'technologies of control' in the realm of migration governance; Dean Wilson, for example, argues that such "technology is deeply embedded and constitutive of emerging processes of social classification and discrimination."[43] In this context Europe is increasingly becoming "an im(migration) exclusion zone based on high-tech mechanisms of social segregation."[44] Overall, the externalization of EU migration controls has allowed governments to implement measures that violate human rights as codified by international, EU-level and national laws, while avoiding legal recourse.

Justifying Externalization

The multitude of measures through which the externalization of EU migration control manifests are broadly justified through the logic that national interests should be prioritized over the protection of would-be asylum seekers. Further rationales include: that states have no responsibilities to protect refugees who have not reached their territory; that remote control measures prevent illegal migration and abuse of asylum systems; and that measures are implemented to prevent some countries in the EU from being unfairly burdened.[45] From a realist's perspective, externalization becomes defensible in the context of EU states' pursuit of their best interests.

And yet these ideological justifications prove flawed upon deeper analysis. The argument that illegal migration is stemmed by the EU's restrictive policies is undermined by the fact that remote control measures are indiscriminate in their treatment of asylum seekers: few states have made any real attempt to disentangle 'legitimate' refugees (or those with plausible asylum claims) from the web of restrictions barring entry to the EU.[46] The justification that externalizing measures alleviate unfair burdens on certain

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40   Moreno-Lax, "Accessing Asylum in Europe", 5

41   Fine, "All at Sea"

42   Long, "The EU-Turkey Deal"

43   Wilson, Dean. "Biometrics, Borders and the Ideal Suspect". *Borders, Mobility and Technologies of Control* Ed. By Sharon Pickering and Leanne Weber. (Springer, 2006): 89

44   Milivojevic, "Borders, technology and (im)mobility", 103

45   Gibney, Matthew J. "Beyond the bounds of responsibility: Western states and measures to prevent the arrival of refugees" *Global Commission on International Migration, Global Migration Perspectives*, No. 22 (2005)

46   Gibney, "Beyond the bounds of responsibility", 3

countries is equally fallible when considering the fact that the currently largest refugee-hosting countries are far poorer and less politically stable than the average EU state.[47] Remote control measures merely exacerbate these unfair distributions by locking refugees in their region of origin[48] where they continue to be vulnerable to factors like conflict, poverty and persecution. The question of responsibility is particularly difficult to ascertain. The academic Mathew Gibney argues that states assume the responsibility for a refugee's fate by implementing measures to control the mobility of would-be asylum seekers and ensure their non-arrival on EU territory; and that the act of exporting immigration control to third countries or non-governmental actors does not offer states an escape route from their moral obligations.[49] The logic employed by EU member states to justify the outward turn of their migration governance bears up weaknesses when examined from a more liberal and ethical viewpoint.

From a legal standpoint, current trends of migration governance are equally indefensible. The responsibilities and duties of states to EU-wide regulations such as the Dublin Agreement and international agreements that EU member states have signed onto e.g. the 'New York Declaration for Refugees and Migrants' adopted in 2016, are being suspended amid efforts to externalize migration control. It follows that, while EU states have acknowledged the rights of refugees in theory, the use of remote control measures impedes these rights in practice.[50] Beyond the moral dimension of externalization, the current regime of migration governance also stands in violation of domestic and international obligations on refugees, asylum and human rights in general.

Few EU governments have demonstrated a willingness to experiment with alternative migration policies, partially due to strong public fears on the refugee situation.[51] The externalization implemented by EU member states have been undeniably effective in reducing the absolute number of asylum seekers reaching Europe. Attempts to reform migration controls to mitigate associated harms will inevitably signify a rise in the number of claims registered. This would necessarily increase the costs of processing and integrating successful asylum seekers, cause strains on public infrastructure in host countries and stoke the already-prevalent public anxiety over immigration issues.[52] These unavoidable consequences can, however, be eased and alleviated through a number of policy alternatives to the current set of remote control measures which entail a greater respect for the rights of refugees. Such policies, which could

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47   Wood, Johnny. "These Countries Are Home to the Highest Proportion of Refugees in the World." *World Economic Forum*, March 19, 2019. https://www.weforum.org/agenda/2019/03/mena-countries-in-the-middle-east-have-the-highest-proportion-of-refugees-in-the-world/.

48   Gammeltoft-Hansen, Thomas and Tan, Nikolas. "The End of the Deterrence Paradigm? Future Directions for Global Refugee Policy" *Journal on Migration and Human Security* 5, no. 1 (2017), 17

49   Gibney, "Beyond the bounds of responsibility", 10

50   Ibid., 3

51   Papademetriou, Demetrios. "Beyond Asylum: Rethinking protection policies to meet sharply escalating needs". *Migration Policy Institute* (2015) Transatlantic Council on Migration, 10

52   Gibney, "Beyond the bounds of responsibility", 16

include the improvement of processes to sort mixed migration flows (of economic migrants vs. legitimate asylum seekers) and more effective systems of burden sharing across EU states and within nations, are beyond the scope of this paper but are fertile areas for future research.

Conclusion

This paper has demonstrated the various dimensions in which the EU's migration governance has become externalized. A clear trend has been revealed: national EU governments are outsourcing and offshoring their border controls through the use of ever more sophisticated technologies. Cooperation with states neighbouring EU territory is an essential means of diffusing the responsibility for asylum procedures, and the EU-Turkey case illustrates the pitfalls of agreements like it as an alternative to pan-EU cooperation. All of these policy developments on migration control as they have evolved in the face of the recent refugee crisis have critical ethical repercussions that need to be addressed in any further reform of the EU's system of migration governance.

An important aspect of this issue is the fact that remote migration controls are not necessarily implemented because they are the most rational or dignified measure to address the refugee crisis, but rather the avenue of least political resistance; across EU member states and from increasingly vocal populist camps within countries. The fact that public concern on the issue of migration remains high, despite falling numbers of migrants entering Europe since 2016,[53] suggests that this anxiety about the refugee crisis is fuelled by narratives surrounding migration rather than the EU's actual policy measures and their effects. Governments can and should take action to influence public discourse, for example introducing a higher degree of transparency on the implications of migration control measures (in the realm of human rights especially). Taken together, these conclusions suggest that an inward orientation of EU efforts to address the refugee crisis and its aftershocks can soothe public anxieties and foster greater solidarity at the EU-level as opposed to a continuation of the current trend of externalization.

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53   Fine, "All at Sea"

Constructing a State of Exception:
CITIZENSHIP, ABANDONMENT, AND BARE LIFE IN THE ROHINGYA CRISIS

Nico Jimenez

Introduction

On 25 August 2017, the international community turned its attention to the persecution of Rohingya as thousands began to flee Myanmar at a staggering rate into neighbouring countries. Since then, more than 742,000 refugees have taken shelter in Bangladesh over the last two years alone.[1] Heralded as one of the largest stateless populations in the world and fastest growing humanitarian crisis to date, the Rohingya are a Muslim minority group who have inhabited the Arakan region for several centuries, predominantly nestled in the northern part of the Rakhine State along the border of Bangladesh.[234] Ethno-religious tensions and armed conflicts have plagued Buddhist-majority Myanmar since the country's independence. It is estimated that close to one million Rohingya have fled Myanmar due to persecution since 2017.[56] International organizations and several countries have condemned the targeted violence and human rights violations against the Rohingya as an act of 'ethnic cleansing,' 'genocide,' and 'apartheid.'[78] To make sense of these current tensions, I ask two central questions to frame this essay: What legal geographies and political manoeuvres facilitated the mass persecution of the Rohingya and their displacement; and what modalities of sovereign power and abandonment have made these acts possible

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1   United Nations High Commission for Refugees, "Rohingya Emergency," July 31, 2019, https://www.unhcr.org/rohingya-emergency.html

2   Daniele Selby, "Timeline: How the Rohingya crisis unfolded in Myanmar," *Global Citizen*, November 9, 2017, https://www.globalcitizen.org/en/content/myanmar-rohingya-refugee-crisis-burma-timeline/

3   Katie Hunt, "Rohingya crisis: How we got here," *CNN*, November 12, 2017, https://www.cnn.com/2017/11/12/asia/rohingya-crisis-timeline/index.html

4   Utpala Rahman, "The Rohingya refugee: A security dilemma for Bangladesh," *Journal of Immigrant & Refugee Studies* 8, no. 2 (2010): 233-239, accessed on February 23, 2020.

5   Nehginpao Kipgen, *Myanmar: A political history*, Oxford University Press, 2016.

6   Al Jazeera, "UN rights chief denounces Myanmar's ethnic cleansing," September 12, 2017, https://www.aljazeera.com/news/2017/09/myanmar-crisis-textbook-ethnic-cleansing-170911088.html

7   Daniele Selby, "Timeline: How the Rohingya crisis unfolded in Myanmar."

8   Owen Bowcott, "Gambia files Rohingya genocide case against Myanmar at UN court," *The Guardian*, November 11, 2019, https://www.theguardian.com/world/2019/nov/11/gambia-rohingya-genocide-myanmar-un-court

and permissible?

This essay seeks to analyze the Rohingya crisis through the lens of Giorgio Agamben's 1998 and 2005 thesis on the state of exception and the production of bare life - a precarious life without rights - to better understand the logic behind the atrocities in Myanmar.[9,10] I argue that violence against the Rohingya population by the military and Buddhist nationalist groups is made possible and even permissible by creating a state of exception through a series of legal manoeuvres.

This essay proceeds in four sections. First, I trace the historical roots of exclusion of Rohingya in Myanmar to provide context for subsequent analyses. Second, I expand Giorgio Agamben's theoretical framework on bare life and the state of exception to incorporate a more grounded legal geography. Third, I examine sovereign power through a series of legal operations, including the 1982 Citizenship Law that deprived Rohingya of citizenship and effectively rendered over a million people stateless and outside the law, thus reducing them to bare life. Finally, I turn to the ongoing hardships where Rohingya are caught in a liminal and precarious space of exception in Myanmar and neighbouring Bangladesh. The current mass atrocities against the Rohingya population reflect a marred colonial past of constructing a state of exception and production of bare life in Myanmar.

Historical Roots and Catalysts of Exclusion

In order to make sense of the current turmoil, it is imperative to understand the rich and complex history of the region, as Myanmar is no stranger to violence. Formerly known as Burma until 1989, ethno-religious tensions and armed conflicts have plagued the country both during and after its independence.[11] The country's history is fraught with disputes and instability, where nation-building and violence are synonymous. Rohingya are a predominantly Muslim group who have called the mountainous Arakan region in the Rakhine State of Myanmar home for generations.[12] Dating back to the eighth-century, the Rohingya are an ethno-religious and linguistic group who freely moved between the post-colonial borders

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9   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*, Stanford University Press, 1998.
10   Giorgio Agamben, *State of exception.* University of Chicago Press, 2005.
11   Nehginpao Kipgen, *Myanmar: A political history*, Oxford University Press, 2016.
12   Katie Hunt, "Rohingya crisis: How we got here."

of what is now Myanmar and Bangladesh.[13] The Rohingya became a significant minority in the western part of Burma in the fifteenth-century as they settled in the Rakhine State.[14]

Along the fault lines of predominantly Muslim and Buddhist states, the Muslim community in the Rakhine State began to expand during British colonial rule with an influx of migrants coming from Bengal.[15][16] The British encouraged migrants from Bengal and Chittagong to come into Burma and reside primarily in Arakan as agricultural labourers.[17] During this time, areas constituting Bangladesh (then under Pakistan) and Burma were both occupied and controlled by Britain until 1984, where migration continued.[18][19] Though the Rohingya were included in Burmese society, seeds of contempt were sown throughout the independence period. British divide and rule policies systematically sought to create divisions between ethnic groups who intentionally privileged the Rohingya and other ethnic minorities in order to keep nationalist movements at bay.[20] Cleavages began to deepen as military alliances were drawn in the Rakhine State with tensions rising through the Second World War.[21] The split between pro-British Muslim populations against the Buddhist majority who supported the Japanese intensified strained relationships over the next decades.

Following the War and shortly after independence from British rule, Rohingya insurgency groups staged rebellions demanding greater autonomy and equal rights in the region.[22][23] These insurgencies were the result of failed promises by Britain who successfully drove out the Japanese but did not provide autonomy for Rohingya living in the Arakan territory which now constitutes the Rakhine State.[24] In

13   Maung, Zarni, and Alice, Cowley, "The slow-burning genocide of Myanmar's Rohingya," *Pacific Rim Law & Policy Journal*, 23 (2014): 683, accessed February 23, 2020.
14   Katie Hunt, "Rohingya crisis: How we got here."
15   Anthony Ware, and Laoutides Costas, *Myanmar's' Rohingya' Conflict*, Oxford University Press, 2018.
16   Katie Hunt, "Rohingya crisis: How we got here."
17   Anthony Ware, and Laoutides Costas, *Myanmar's' Rohingya' Conflict*.
18   Katie Hunt, "Rohingya crisis: How we got here.".
19   Mike Prichard, "Rohingya refugee crisis: Quick facts," *Mercy Corps*, May 14, 2019, https://www.mercycorps.org/articles/bangladesh/rohingya-refugee-crisis-quick-facts
20   Anthony Ware, and Laoutides Costas, *Myanmar's' Rohingya' Conflict*.
21   Katie Hunt, "Rohingya crisis: How we got here."
22   Maung, Zarni, and Alice, Cowley, "The slow-burning genocide of Myanmar's Rohingya."
23   Katie Hunt, "Rohingya crisis: How we got here."
24   Syed Zain Al-Mahmood, "Timeline: A short history of Myanmar's Rohingya minority," *The Wall Street Journal*.

response to the rebellion, the Burmese government took a hardline approach against the Rohingya by ostracizing and removing them from civil service with the ratification of the 1948 Union Citizenship Act.[25] These actions were taken to further extremes in 1962 under the new military junta who intensified the persecution of Muslims and implemented widespread government campaigns in 1978 and 1991 to push thousands of Rohingya across the border to Bangladesh.[26,27,28] The roots of injustice and exclusion toward the Rohingya began to catalyze shortly after independence from British rule. Military rule and religious extremists set the groundwork for hundreds of thousands to flee Myanmar into neighbouring Bangladesh amid charges of violence, injury, and death. The next section introduces Giorgio Agamben's key theoretical framework on the state of exception as a lens to better understand the Rohingya crisis in terms of the production of bare life.

States and Spaces of Exception

Italian philosopher Giorgio Agamben speaks to the production of bare life and the state of exception in his seminal works Homo Sacer (1998) and The State of Exception (2005).[29][30] Agamben's thesis provides a vital lens to understand the Rohingya crisis in terms of the sovereign and its power to enact laws that engender violence. For Agamben, the figure of homo sacer (sacred man) refers to an individual in Roman law who, "may be killed but not sacrificed" through a series of legal operations leading to sovereign abandonment.[31] The work of sovereign power goes beyond simply banning individuals from participating in functions of the state or being granted certain legal rights. Instead, Agamben emphasizes that, "he who has been banned is not, in fact, simply set outside the law and made indifferent to it but rather abandoned by it, that is, exposed and threatened on the threshold in which life and law, outside

December 23, 2016, https://blogs.wsj.com/indiarealtime/2016/12/23/timeline-a-short-history-of-myanmars-rohingya-minor-ity/

25   Syed Zain Al-Mahmood, "Timeline: A short history of Myanmar's Rohingya minority."
26   Katie Hunt, "Rohingya crisis: How we got here."
27   Syed Zain Al-Mahmood, "Timeline: A short history of Myanmar's Rohingya minority."
28   Mike Prichard, "Rohingya refugee crisis: Quick facts."
29   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*, Stanford University Press, 1998.
30   Giorgio Agamben, *State of exception*. University of Chicago Press, 2005.
31   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*, 8.

and inside, become indistinguishable."[32] The reduction and abandonment of homo sacer to bare life is symbolic of the sovereign's decision to enact a state of exception: the power "to decide which life may be killed without the commission of homicide [and] point at which life ceases to be politically relevant."[33] Homo sacer is caught up in a state of exception: a zone of indistinction reducing homo sacer to bare life through the willful exposure and abandonment to violence, injury, or death.[34][35][36]

While Agamben focuses on Auschwitz as the paradigmatic example of the state of exception, recent scholarship has now been directed to expand his thesis beyond the doors of the concentration camp.[37][38][39][40] Placing Agamben's framework on the state of exception and bare life in the Rakhine State of Myanmar and neighbouring countries will add to existing debates on sovereign power and provide nuance to think about legal geographies and political mobilizations. Through a state of exception, the Rohingya population are "rendered to bare life and legally abandoned," which allows for the active discrimination, displacement, and death of entire people groups.[41] The Rohingya population have been reduced to bare life – a life without rights and wilfully exposed to death – through the act of a sovereign and enshrined in law. Expanding on Agamben's thesis, the state of exception places already vulnerable populations in a precarious position they are "abandoned by the law yet subject to it."[42,43] A focal point in this analysis is how the violence against the Rohingya population by the military and Buddhist nationalist groups is made possible and even permissible by creating a state of exception through a series of legal manoeuvres, namely the Citizenship Law of 1982.

32   Ibid., 28, emphasis in original.

33   Ibid., 142.

34   Judith Butler, *Precarious life: The powers of mourning and violence*, Verso, 2006.

35   Geraldine Pratt, "Abandoned women and spaces of the exception," *Antipode* 37, no. 5 (2005): 1052-1078, accessed on February 23, 2020.

36   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*.

37   Geraldine Pratt, "Abandoned women and spaces of the exception."

38   Bruce Braun & James McCarthy, "Hurricane Katrina and abandoned being," *Environment and Planning D: Society and Space* 23, no. 6 (2005): 802-809, accessed on February 23, 2020.

39   Juanita Sundberg, "The state of exception and the imperial way of life in the United States—Mexico borderlands," *Environment and Planning D: Society and Space* 33, no. 2 (2015): 209-228.

40   Derek Gregory, "The black flag: Guantánamo Bay and the space of exception," *Geografiska Annaler: Series B, Human Geography* 88, no. 4 (2006): 405-427, accessed on February 23, 2020.

41   Geraldine Pratt, "Abandoned women and spaces of the exception," 1054.

42   Bruce Braun & James McCarthy, "Hurricane Katrina and abandoned being," 803.

43   Derek Gregory, "The black flag: Guantánamo Bay and the space of exception."

Bare Life and Citizenship

Following the military's large-scale campaigns under General Ne Win in 1978 to eradicate the Rohingya from Arakan and force them to flee to neighbouring Bangladesh, the next point of mobilization was to further annex those who remained in Myanmar.[44] This led to the passage of the 1982 Citizenship Law, which stripped the Rohingya of citizenship. The new Citizenship Law identified 135 ethnic groups that were primarily all Buddhist, with the exception of certain non-Muslim religious and ethnic groups.[45][46][47] Despite historical roots dating back to the eighth century, Burmese people view Rohingya as illegal migrants from Bangladesh and as remnants of the colonial experience who should return to their nation.[48] This Law stated that full citizenship would be reserved for ethnic groups who resided in Burma before 1823, which is a blatant reference to the British colonial era, which began in 1824.[49] As such, this is consistent with the rhetoric the Burmese government employs about the Rohingya as foreign, illegal Bengali invaders who were purportedly brought into Burma by the British.

This Law further exacerbated living conditions for the remaining Rohingya in Myanmar by banning them from accessing education and social services.[50] From this logic, "the original political relation is the ban (the state of exception as zone of indistinction between outside and inside, exclusion and inclusion)."[51] This is reinforced by Catherine Mills, who posits that, "bare life emerges through the irreparable exposure of life to death in the sovereign ban."[52] The Rohingya were not recognized as part of the ethnic groups considered to be indigenous to Myanmar, which immediately rendered them stateless and without citizenship.[53] In doing so, this created a state of exception that effectively subjected over a

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44   Maung, Zarni, and Alice, Cowley, "The slow-burning genocide of Myanmar's Rohingya."
45   Daniele Selby, "Timeline: How the Rohingya crisis unfolded in Myanmar."
46   Mike Prichard, "Rohingya refugee crisis: Quick facts."
47   Maung, Zarni, and Alice, Cowley, "The slow-burning genocide of Myanmar's Rohingya."
48   Katie Hunt, "Rohingya crisis: How we got here."
49   Ibid.
50   Maung, Zarni, and Alice, Cowley, "The slow-burning genocide of Myanmar's Rohingya."
51   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*, 181.
52   Catherine, Mills, "Agamben's Messianic Politics: Biopolitics, Abandonment and Happy Life," (2004): 42-62, 46.
53   Aamna Mohdin, "A brief history of the word 'Rohingya' at the heart of a humanitarian crisis,"

million people outside the law, thus reducing them to bare life. The political process of exclusion refers to the sovereign's ability to define categories of people who are both inside and outside of the law. This exclusion of the Rohingya through the inclusion of other groups culminates in the creation of precarious, bare life. By denying the Rohingya citizenship, violence against them is made permissible. The sovereign's decision and legal application is evident in Agamben's work on the state of exception, stressing that, "human life is politicized only through an abandonment to an unconditional power of death."[54] These acts converge and culminate in the Citizenship Law of 1982.

The production of homo sacer – the embodiment of bare life – is an inherently relational process. Reducing the Rohingya population to bare life is an intimate political process where, "life and death are not properly scientific concepts but rather political concepts, which as such acquire a political meaning precisely only through a decision."[55] The political calculation and decision over the value of life makes it so states of exception include "entire categories of citizens who for some reason cannot be integrated into the political system."[56] Through the lens of Agamben, the denial and violation of human rights towards the Rohingya is made possible and even permissible through the sovereign's decision to enact the 1982 Citizenship Law. The Rohingya are caught in a state of exception through a sovereign's decision that legitimates violence against Rohingya, thus making it permissible. Taking into account the legal geographies and spatial dimensions of this decision, the Rohingya are living in a precarious space of exception where they are stateless and without rights. The current plight of Rohingya in the Rakhine State and Bangladesh underscores the precarity of lives under a state of exception and grounded in a discriminatory legal geography.

A Precarious Present

As one of the largest stateless populations in the world, the Rohingya find themselves in a

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Quartz, October 2, 2017,
https://qz.com/1092313/a-brief-history-of-the-word-rohingya-at-the-heart-of-a-humanitarian-crisis/
54   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*, 90.
55   Giorgio Agamben, *Homo sacer: Sovereign power and bare life*, 164; emphasis mine.
56   Giorgio Agamben, *State of Exception*, 2; emphasis mine.

precarious situation where they are caught in a liminal space of exception in Myanmar and neighbouring Bangladesh. This is further obfuscated as the current leader and Nobel Peace Prize laureate, Aung San Suu Kyi, is in a power-sharing agreement with the military and has been labelled complicit in the violence.[5758] The Rohingya were excluded from participating as candidates or voters in the country's first democratic elections where Suu Kyi won in 2015.[59] Suu Kyi, who was once thought to be a bright light in a region plagued in a vicious cycle of conflict, has turned a blind eye to the ethnic and religious violence toward the Rohingya. The Rohingya have since been labelled as 'terrorists' and skirmishes between Muslims and Buddhists have also increased under Suu Kyi's leadership. This has led to the proliferation of 'clearing operations' of Rohingya villages. These 'clearing operations' have been sponsored and made permissible by the military and religious extremists and call for the burning of hundreds of villages. Ongoing discrimination, rape, and murder in the Rakhine State has triggered a mass exodus from the country.[60] The United Nations estimates that more than 742,000 Rohingya refugees have fled Myanmar and have taken shelter in neighbouring Cox's Bazar in Bangladesh since 25 August 2017.[61] Here, the state of exception takes on a particular spatial dimension. The Rohingya are caught in a liminal space of exception both in Myanmar and in neighbouring Bangladesh. It is not safe to return to their homes in the Rakhine State as their villages are being destroyed and dangers are apparent in Cox's Bazaar.

Issues of capacity arise as thousands of Rohingya spill over into Bangladesh, whose limited resources and services have been strained by the influx of refugees. Those who survived perilous journeys on foot and boat must now navigate a new treacherous terrain. Dangerous levels of congestion in the camps are compounded by risks of natural disasters, as Bangladesh has been noted as the "second most natural disaster-prone country in Asia and the Pacific."[62] Recent reports note that high rates and risks of epidemics continue to fuel the vulnerable situation of Rohingya residing in Cox's Bazaar.[63] Furthermore,

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57   Katie Hunt, "Rohingya crisis: How we got here."
58   Maung, Zarni, and Alice, Cowley, "The slow-burning genocide of Myanmar's Rohingya."
59   Katie Hunt, "Rohingya crisis: How we got here."
60   *BBC*, "Myanmar Rohingya: What you need to know about the crisis," January 23, 2020, https://www.bbc.com/news/world-asia-41566561
61   United Nations High Commission for Refugees, "Rohingya Emergency."
62   United Nations High Commission on Refugees, "Rohingya Refugee Emergency at a Glance," March 21, 2018, https://unhcr.maps.arcgis.com/apps/Cascade/index.html?appid=5fdca0f47f1a46498002f39894fcd26f
63   United Nations High Commission on Refugees, "Rohingya Refugee Emergency at a Glance."

Rohingya who fled persecution in Myanmar are now subject to a new form of insecurity in strained refugee camps. The UNHCR notes that, "the priority in Bangladesh is to prevent an emergency within an emergency" in the camp.[64] As camps burst to the seams the government of Bangladesh has proposed relocating Rohingya to the island of Bhasan Char - an island prone to flooding and cyclones - to prevent an emergency situation rising in Cox's Bazaar.[65] These latest developments have drawn wide criticism from the international community. Human Rights Watch has equated the natural disaster-prone and uninhabitable land of Bhasan Char to that of a prison, with "the potential to create a new crisis."[66,67] The lives of the Rohingya are subjected to further precarity and caught in a vicious cycle stemming from a state of exception.

Amidst the precarious state the Rohingya find themselves in, they are not entirely void of legal protection. Earlier this year, The Gambia filed an application to the International Court of Justice in the Hague, accusing Myanmar's military of violating the 1951 Convention on the Prevention and Punishment of the Crime of Genocide.[68] So far, the Court has ordered Myanmar to take intentional steps to protect the Rohingya from further genocide.[69] The Rohingya, who were once rendered as bare life and without rights, are not merely passive actors, but can draw on international law for protection. International law, once mobilized, is key to disrupting the state of exception and reversing the fate of homo sacer.

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64   United Nations High Commission on Refugees, "Rohingya Refugee Emergency at a Glance," emphasis mine.

65   Sarah Marsh, "Bangladesh prepares to move Rohingya to island at risk of floods and cyclones," *The Guardian*, July 19, 2019, https://www.theguardian.com/global-development/2019/jul/19/bangladesh-prepares-to-move-rohingya-to-island-at-risk-of-floods-and-cyclones

66   Brad Adams, "For Rohingya, Bangladesh's Bhasan Char 'Will Be Like a Prison'," *Human Rights Watch*, March 14, 2019, https://www.hrw.org/news/2019/03/15/rohingya-bangladeshs-bhasan-char-will-be-prison

67   Stephanie Nebehay, "U.N. envoy fears 'new crisis' for Rohingya if moved to Bangladesh island," *Reuters*, March 11, 2019, https://www.reuters.com/article/us-myanmar-rohingya-un/un-envoy-fears-new-crisis-for-rohingya-if-moved-to-bangladesh-island-idUSKBN1QS147

68   Owen Bowcott, and Rebecca Ratcliffe, "UN's top court orders Myanmar to protect Rohingya from genocide," *The Guardian*, January 23, 2020, https://www.theguardian.com/world/2020/jan/23/international-court-to-rule-on-rohingya-genocide-safeguards

69   Owen Bowcott, and Rebecca Ratcliffe, "UN's top court orders Myanmar to protect Rohingya from genocide"

Conclusion

The mass injustices against the Rohingya population in the present are not an isolated experience, but part of a broader historical projection of sovereign power. Using Giorgio Agamben's thesis on the state of exception as a lens to conceptualize the Rohingya crisis, this essay underscores the ways in which violence towards the Rohingya population is made possible and even permissible by creating a state of exception through a series of legal and political maneouvres. While ethno-religious tensions and armed conflicts have plagued Myanmar since its independence, Agamben provides a new vocabulary to grapple the plight of Rohingya since then. Drawing on the Citizenship Law of 1982 as the primary point of departure, the legal operation effectively constructed a state of exception. The exercise of sovereign power deprived Rohingya from citizenship and rendered over a million people outside the law, thus reducing them to bare life. This relationship between sovereign power, law, and violence facilitated the mass atrocities towards Rohingya and movements to neighbouring countries, which continue to subject them to violence, injury, and even death.

The Dragon Next Door:
IMPLICATIONS OF THE CHINESE PRESENCE IN RUSSIA'S FAR EAST

Theresa Wong

In 2016, a New York Times article entitled "Too Much Land, Too Few Russians," described Russian territory along the Amur River border as a "virtual colony" of China.[1] Indeed, the title alone seems to capture well the anxieties of local residents as well as of Moscow about the Russian Far East's (RFE) proximity to its ambitious neighbour. The underpopulated and underdeveloped but resource-rich backwater is home to just six million people, while on the other side of the border, amongst glimmering new buildings and wide boulevards, live 130 million Chinese.[2] The region's inclusion into one of China's major economic "corridors" in its Belt and Road Initiative, the presence, past and present, of Chinese migrant labourers, and China's hunger for natural resources all aggravate fears that the RFE could soon become an economic, and even political, subject of China.[3]

Putin's public attitude towards Russia's powerful neighbour has been warm, especially since the acceleration of Russia's "Pivot to the East" following the 2014 annexation of Crimea and subsequent deterioration of relations with the West.[4] Yet Moscow clearly has a stake in balancing Chinese interests in its Far East if it hopes to maintain real sovereignty and control over the region. A balancing act complicated by the fact that the government desperately lacks the funds to develop the RFE on its own, Moscow wishes "to reaffirm and strengthen sovereign control" over the region but finds that it must rely on China as a development partner.[5] While China's presence in Russia's Far East should perhaps not yet

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1   Michael Khodarkovsky, "Too Much Land, Too Few Russians", *New York Times*, September 16, 2016, https://www.nytimes.com/2016/09/17/opinion/so-much-land-too-few-russians.html
2   Rajan Menon, "The Sick Man of Asia: Russia's Endangered Far East", *The National Interest* no. 73 (2003): 102, https://www.jstor.org/stable/42895645
3   Malin Østevik and Natasha Kuhrt, "The Russian Far East and Russian Security Policy in the Asia-Pacific Region" in *Russia's Turn to the East: Domestic Policymaking and Regional Cooperation,* eds. Helge Blakkisrud Elana Wilson Rowe (London: Palgrave Pivot, 2017), 88-89, https://link.springer.com/chapter/10.1007/978-3-319-69790-1_5
4   Artyom Lukin and Rensselaer Lee, *Russia's Far East: New Dynamics in Asia Pacific and Beyond* (Boulder, CO: Lynne Rienner Publishers, inc., 2016), 3.
5   Rensselaer Lee, "The Russian Far East: Opportunities and Challenges for Russia's Window on the Pacific," *Orbis* 57, no. 2 (Spring 2013): 316, https://doi.org/10.1016/j.orbis.2013.02.006 ; Roman Vakulchuk, "Russia's New Asian Tilt: How Much Does the Economy Matter?" in *Russia's Turn to the East: Domestic Policymaking and Regional Cooperation,* eds. Helge Blakkisrud Elana Wilson Rowe (London: Palgrave Pivot, 2017), 140. https://link.springer.com/chap-

be thought of as "colonial", this essay argues that too great a Chinese presence could have unintended economic, social, and political implications which will ultimately undermine Moscow's control of the RFE. This paper will proceed in the following way: firstly, it will examine possible economic implications, most notably of the RFE's transformation into a "resource appendage" of China.[6] Then, discussion will turn to social implications, focusing on the reactions of Russian citizens towards perceived Chinese encroachment. Finally, the political consequences of these implications will be considered, especially as they relate to the loss of Russian sovereignty and complication of relations vis-à-vis the federal centre. These implications, while not yet fully realized, are possibilities with which Russia must contend in its pursuit of the sustainable development of the Russian Far East.

To begin, it is possible that the RFE could become too reliant on China for trade and investment, effectively weakening Moscow's ability to negotiate the terms of economic interactions while entrenching the region's economic dependence on natural resources. Indeed, China already dominates much of the trade with the RFE's border regions, and most of this is in natural resources. In Amur Oblast, for example, trade with China makes up nearly ninety percent of total trade.[7] In the region overall, sixty to seventy percent of consumer goods, machinery and foodstuffs come from China, while non-manufactured goods make up the bulk of Russian exports.[8] A full eighty-five percent of these goods in 2013 were comprised of raw materials, and seventy-one percent of these, in turn, were energy products, exposing the region's reliance on hydrocarbons.[9]

Such heavy dependence on natural resources has led to one of the most pressing fears regarding the development of the region: that the RFE will be reduced to a "resource appendage" relationship with "metropolitan" China.[10] The possibility is a strong one: as it stands, China has "little interest in seeing Russia move up the value-added chain."[11] Chinese interests, geared towards fuelling Chinese industry,

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6 Lee, "Opportunities and Challenges," 321

7 Østevik and Kuhrt, "Russian Security Policy," 80.

8 Lukin and Lee, *New Dynamics*, 194.

9 Lukin and Lee, *New Dynamics*, 194.

10 Lee, "Opportunities and Challenges," 321.

11 Lukin and Lee, *New Dynamics,* 139.

are strongly concentrated in natural resources.[12] Indeed, seventy percent of the Russian projects in the 2009-2018 Hu-Medvedev Program of joint Chinese-Russian ventures had a "clear resource focus."[13] Moreover, since 2013 Moscow has allowed "unprecedented" Chinese access into the RFE's oil, gas and copper industries and subsequently many of the development projects in these sectors have been financed with Chinese money.[14]

Thinking ahead, the implications become clearer. Implicit in Chinese backing is "the understanding that China, which provides money, should get upstream investment opportunities and exercise a sizable influence in decision making regarding the projects."[15] As most of the industries and projects which have been backed by the Chinese are "supposed to form the backbone" of the RFE's economy, it follows that China will have significant influence over the direction of the region's economy in the coming years.[16] China, after all, is Russia's largest trade partner, while Russia is only China's ninth. Add to this the economic sanctions as well as the subsequent withdrawal of Western investment in the wake of the Crimean annexation and it would seem that "Russia needs China" much more than "China needs Russia."[17] Hence, if Moscow is unable to significantly diversify economic ties in the region, it seems possible that the RFE could indeed become a "resource appendage" more constrained by Chinese economic interests than may be politically desirable.[18]

The implications of Chinese involvement in the region are not only economic; there are also interesting social implications to consider, specifically as they relate to Russian attitudes towards China. One consequence of the Chinese presence in the RFE, for example, could be a rise in xenophobia or nationalism as Russians react negatively to the perceived threat of a "Chinese takeover." In 2015 a Russian film titled Deadly Friend, predicted an imminent Chinese invasion of the RFE and became an internet

12   Marcin Kaczmarski, *The bear watches the dragon. The Russian debate on China,* The Centre for Eastern Studies, 2013, 32, https://www.ceeol.com/search/book-detail?id=550528.
13   Lee, "Opportunities and Challenges," 320.
14   Lukin and Lee, *New Dynamics*, 194.
15   Lukin and Lee, *New Dynamics,* 195.
16   Lukin and Lee, *New Dynamics*, 195.
17   Lukin and Lee, *New Dynamics,* 138.
18   Lukin and Lee, *New Dynamics*, 138.

hit (Sharafutdinova, 2019).[19] One in three RFE residents in a 2017 poll, meanwhile, said that they "viewed China's Russia policy as expansion," and nearly half said that "China threatened Russia's territorial integrity."[20] Nor is the fear of Chinese expansion confined to the Far East. In 2015, an announcement to lease 285,000 acres of farmland in the Trans-Baikal region to a Chinese company was met with a storm of protest. Coming mainly from people residing in Russia's European districts, this suggests that perceived Chinese encroachment in the RFE could trigger sinophobic responses not only in that region but in other parts of the country as well.[21] Indeed, when one considers that a similar wave of xenophobia already occurred in the 1990's in response to a surge in illegal and legal Chinese migration into the RFE, the possibility of a strong xenophobic reaction in the future becomes all the stronger. Then, regional elites were so successful in stirring up fear of a "Yellow Peril" and Chinese "takeover" that it was reported that few Chinese labourers dared to "go out after dark" for fear of being harassed or beaten. Local backlash was so strong that it generated a government clampdown on Chinese migration.[22]

On the other hand, and perhaps the more interesting implication to consider, there also seems to exist a growing affinity amongst some RFE residents for the Chinese. One Xinhua news feature, for example, seems eager to highlight this shift in opinion. Titled "Chinese Brothers Help Revive Village in Russia's Far East", the video boasts of the improvement of local communities as well as relationships between Chinese and Russians, thanks to Chinese initiatives. As an elderly villager relates:

> "When the USSR collapsed, many young people left for other cities . . . . Then Chinese investors came here and started to work. They build roads. Then everything starts to change. . . . They restored the land, fixed the electricity lines and the canals. They have done many good things."[23]

19   Gulnaz Sharafutdinova, "The Far East and Far North Challenge to the Russian State", Week 8 Lecture, 5YYR0002 Institutions, Identity and Society in Russia, King's College London, London, November 13, 2019. *Deadly Friend* can be viewed on Youtube (in Russian): https://www.youtube.com/watch?v=oZZN0Kr4yDo&t=478s
20   Andrei Zakharov and Anastasia Napalkova, "Why Chinese farmers have crossed the border into Russia's Far East," *BBC News*, November 1, 2019, https://www.bbc.co.uk/news/world-europe-50185006
21   Andrew Higgins, "Russia's Acres, if Not Its Locals, Beckon Chinese Farmers," *The New York Times*, July 31, 2016, https://www.nytimes.com/2016/08/01/world/asia/russia-china-farmers.html
22   Jonathan Sullivan and Bettina Renz, "Chinese migration: still the major focus of Russian Far East/Chinese North East relations?", *The Pacific Review* 23, no. 2 (2010): 265, https://doi.org/10.1080/09512741003624450; Terry McCarthy, "Race hatred simmering in Vladivostok: Chinese who are trading in the former closed Soviet city are facing ancient prejudices," *The Independent.* March 24, 1994, https://www.independent.co.uk/news/world/race-hatred-simmering-in-vladivostok-chinese-who-are-trading-in-the-former-closed-soviet-city-are-1431205.html
23   New China TV, "Chinese brothers help revive village in Russia's Far East," *Xinhua News Agency*, October 26,

Of course, it would do well to consider how Xinhua, as a state-owned agency, might be working to promote its own soft power agenda in the RFE, but the village leader is not a lone voice. In a New York Times article, one resident in the Jewish Autonomous District praised Chinese agricultural workers for turning unused land in her village into productive farms.[24] Local women, meanwhile, are even said to be marrying Chinese men because they prefer them for their supposedly superior work ethic. Furthermore, Chinese is now the second most popular foreign language to learn in school, after English.[25] Thus the Chinese presence in the RFE seems to be breeding two divergent social implications, on the one hand one of fear towards perceived Chinese encroachment, and on the other a much more welcoming attitude which embraces Chinese investment and even culture. Whether representing a turn away or a turn towards China, both social implications may serve to undermine Moscow's control of the region in the long run. Social unrest may force Moscow to forgo demographic and developmental needs in favour of allaying xenophobic fears, while growing affinity for China thanks to their improvement of the region may throw into question belief in Moscow's competence. Both possibilities will be explored further in the last section.

Economic and social implications will naturally entail political consequences. As discussed previously, heavy Chinese economic involvement in the RFE could direct the path of the region's development. As China gains a foothold in the RFE's important hydro-carbon sector, and orients the economy in the direction of its own interests through the laws of supply and demand as well as its project funding choices, Moscow will inevitably lose power over the direction of development in the region. Indeed, the new 2018-2024 Programme for Development with China continues to see Russia dealing with the same issue of natural-resource dependence as was reflected in the Hu-Medvedev agreement, despite Putin's eagerness to avoid this.[26] Moreover, after years of restrictive quotas on foreign (i.e. Chinese) labour in the region, Putin was obliged in 2014 to make exceptions for "prioritized" projects, many of which will no doubt be funded by the Chinese.[27] This ultimately bodes ill for Putin's aspirations of a highly

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2018, https://www.youtube.com/watch?v=ZhSzqknJgWM

24   Higgins, "Russia's Acres, if Not Its Locals, Beckon Chinese Farmers"

25   Sharafutdinova, "The Far East and Far North Challenge"; Lukin and Lee, *New Dynamics*, 181.

26   Gaye Christofferson, "Chinese Northeast-Russian Far East Regional Cooperation: Old and New Programmes,"*Asia Dialogue, University of Nottingham*, 2019, https://theasiadialogue.com/2019/06/19/chinese-northeast-russian-far-east-re-gional-cooperation-old-and-new-programmes/

27   Lutkin and Lee, *New Dynamics*, 168.

centralized, sovereign state, since development policies—many of them necessarily involving Chinese money—will have to align with Chinese interests.

It is also interesting to consider how relationships vis-à-vis Moscow may be affected. In the face of uncontrolled Chinese migration in the 1990's, local elites and politicians were able to use "populist and nationalist rhetoric" to "generate popular support and to extract concessions from Moscow."[28] It is possible, in this light, that the RFE's geopolitical significance and the unstable balance of Russian-Chinese influence may allow for the RFE's leaders to adopt a "Tatarstan model" of relations with the federal centre, whereby the threat of social unrest or perceived Chinese expansion, rather than Tatar ethnic nationalism, may be used in extracting concessions from the center.[29] Ultimately, this could see the RFE become a new battleground for a political struggle between elites jostling for federal attention and Moscow taking careful measures not to offend their Chinese partners.

Attitudes towards the federal centre may not only change on a local governmental level, either. If "Moscow's authority continues to rest mainly on its political-military presence in the RFE," it is worth considering how its legitimacy, as viewed by the RFE's citizens, may be tarnished by its lack of an economic presence.[30] In 2007, the government pledged to invest $31 billion over six years in the RFE and Trans-Baikal regions, but actual implementation of planned projects have been largely unsuccessful because of poor communication between levels of government and funding cuts.[31] It is hardly surprising, then, that surveys reveal "an increasing sense of abandonment" amongst RFE residents.[32] As one resident sums up, "there are no other vegetables in the winter beside the ones from China. The Chinese feed us."[33] Residents increasingly understand that Chinese investment and Chinese companies, more than Moscow's initiatives, will be a source of jobs and development. There is indeed a "Pivot to the East", but it would seem that far from occurring just in the Kremlin on a political, policy-oriented level, it is happening on the ground, as

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28   Sullivan and Renz, "Chinese Migration," 265.
29   Nadir Kinossian, "Post-Socialist Transition and Remaking the City: Political Construction of Heritage in Tatar-stan," *Europe-Asia Studies* 64 no. 5 (2012): 884, https://doi.org/10.1080/09668136.2012.681270
30   Lee, "Opportunities and Challenges," 315.
31   Christofferson, "Chinese Northeast-Russian Far East Regional Cooperation: Old and New Programmes"
32   Sullivan and Renz, "Chinese Migration," 267.
33   Sullivan and Renz, "Chinese Migration," 267.

belief in the competence of the federal centre wains. In such a way, the hold of the federal government on this far-flung territory could be tenuous if it is not perceived to be improving the standards of living for its residents, who are beginning to turn towards China, rather than Moscow, as the saviours of the region.

Evidently, the implications of Chinese involvement in the Russian Far East are wide-ranging, and whether economic, social, or political, all have the potential to undermine Moscow's hold in the region. China's hand in developing the RFE could result in a loss of Russian control over the direction of its development while entrenching the region in natural resource dependence. Both social unrest in the face of and gravitation towards the Chinese sphere of influence could undermine Moscow's agency and legitimacy in the region. Faced with sinophobic backlash, Moscow may find it difficult to accept the Chinese funds, direction and labour which the RFE needs to develop; yet inaction may lead to a loss of confidence in federal competency and comparatively higher faith in Beijing's efforts than Moscow's.

Whether these effects are simply the natural and inevitable products of globalization, or the more foreboding symptoms of a new pattern of neocolonialism which will see itself played out in the developing regions of the world, is perhaps as yet unclear. In Africa, commentators have argued that China is using "debt-trap diplomacy", "saddling Africa with unsustainable debt" in a bid to "use indebtedness to further its geopolitical control over the continent."[34] In Sri Lanka, which has struggled to repay massive Chinese loans, critics have condemned the leasing of Hambantota Port to the Chinese as "equivalent to selling Sri Lankan sovereignty."[35] At the same time, in both places, Chinese politicians and scholars have upheld Chinese investment as creating a "win-win" situation and a new brand of "South-South cooperation."[36] In the case of the Russian Far East, then, Moscow will have to choose which interpretation of Chinese involvement to adopt, and decide just how much control it may be willing to cede to the dragon next door.

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34   Breuer, "Two Belts, One Road," 2 ; Anzetse Were, "Debt Trap? Chinese Loans and Africa's Development Options", *South African Institute of International Affairs: Policy Insights* 66 (August 2018): 7, https://www.africaportal.org/publications/debt-trap-chinese-loans-and-africas-development-options/
35   Maria Adele Carrai, "China's Malleable Sovereignty along the Belt and Road Initiative: The Case of the 99-Year Chinese Lease of Hambantota Port," *New York University Journal of International Law and Politics* 51 no. 4 (2019): 1074, https://www.nyujilp.org/print-edition/volume-51/
36   Jiwoon Baik, "'One Belt One Road' and the Geopolitics of Empire," *Inter-Asian Cultural Studies* 20, no. 3 (2019), 365, 370. https://doi.org/10.1080/14649373.2019.1649013

Understanding economic diplomatic coercion in today's global order

Charmaine Lee

Academic Abstract

In an increasingly trade-based global order, the usage of diplomatic coercion to assume non-military elements in the form of economic sanctions and trade threats has seen a rising trend. By examining the relationship of tactical economic coercion and its impact on inter-state diplomatic negotiations and relations, this paper aims to employ a neoclassical realist approach to understand how the use of coercive trade measures in diplomacy is domestically identified, formulated and targeted towards international actors. It will use China as a key case study and analyse its use of economic coercion on Norway over the 2010 Nobel Peace Prize to Liu Xiao Bo, the 2010-2012 Senkaku Islands Disputes on Japan, as well as the ongoing trade dispute with the United States. By drawing from a host of literature by think tanks, official government publications and scholars, this paper presents the argument that economic coercion as a growing diplomatic strategy runs counter to the values of goodwill and fraternity in the consolidation of a post-war liberal world order. It ends with reflections on the implications of the roles played by state and non-state actors amidst a changing paradigm of coercive diplomacy, and the reconceptualisation of coercion as an increasingly complex and economics-driven strategy in a globalised age.

"Japanese politicians, including Abe, have only themselves to blame, because their brinkmanship is the root cause of the deterioration of China-Japan economic ties… For many in China, Abe's latest remarks are just part of an attempt by the Japanese government to depict China as the villain and gain an upper hand in the territorial dispute. But Tokyo is doomed to lose the gamble, as more and more countries have come to realise that China acts responsibly in the international arena and its development is a real blessing for the

whole world."[1] – China Daily, 11/1/2013

The diplomatic toolkits employed by different states vary based on their national priorities and needs, so do the degrees to which they exercise such tools. However, as diplomacy is premised on a certain goodwill and willingness to advance "the development of friendly relations among nations, irrespective of their differing constitutional and social systems" — as outlined in The Vienna Convention on Diplomatic Relations in 1961 — the existence of such tools should logically be designed and employed to support this end.[2]

In today's trade-dominant global order, where the confluence of politics and economy come under the shadow of neoliberalism, the nature and usage of diplomacy have also evolved with the times. Despite the ideally sanguine notions of diplomacy, diplomacy does not always entail using peaceful means to attain fraternity between nation-states. Incorporating elements of force within diplomacy in the form of coercion have been instrumentalised by the superpowers of the United States and the Soviet Union alike during the Cold War, where coercive diplomacy can be viewed as "marrying diplomacy with military muscle", assuming a military objective that favours compellence over deterrence, which the report by the United States Institute of Peace has argued as difficult, costly and unsustainable in the long run.[3]

Given the current global paradigm, however, one that is increasingly characterised by mutual interdependence via trade relations — the constructs of coercive diplomacy have shifted to encompass an economic dimension as perceptions of force expand to include non-military elements. George and Simons argue that coercive diplomacy, rather than a military strategy, is a "political strategy that uses just enough of a threat to credibly demonstrate resolve and achieve one's objectives… to create in the opponent the expectation of costs of sufficient magnitude to erode his motivation to continue doing what

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1   王辉. Unwise foreign policy turns Japan into own enemy. *China Daily.* January 11, 2013
2   United Nations, *Vienna Convention on Consular Relations*, 24 April 1963 [accessed 8 October 2019]
3   Schelling clearly distinguishes between deterrence and compellence in *Arms and Influences*. He argues that the former involves efforts to prevent changes to the perceived status quo, while compellence refers to attempts to get others to change their current behavior. *See, e.g,* Schelling, Thomas C. "Arms and influence." In *Strategic Studies*, pp. 96-114. Routledge, 2008; The United States and Coercive Diplomacy: Past, Present, and Future. (2013, July 29). The United States and Coercive Diplomacy: Past, Present, and Future. *United States Institute of Peace.* July 29, 2013.

he is doing."[4] Though this definition takes on a more deterrence-based approach, it can be complemented by a more contemporary explanation by Wiegland, who expounds that "the logic of coercive diplomacy is to back up a demand with a threat of punishment that is credible and strong enough to persuade the adversary to comply with the demand"— which can either imply an active or passive behavioural change.

Having established the general precepts of the term, this paper nonetheless seeks to examine the relevance of tactical economic coercion as a form of coercive diplomacy on modern inter-state diplomatic negotiations. By asking the question: What is the role of coercive economic diplomatic practices in today's global order? It will employ neoclassical realism as a primary lens of analysis whilst using neoliberalism as a comparative theoretical approach — to argue that economic coercion, a prevailing diplomatic tactic, is often used punitively to achieve the objectives of deterrence or competence in contextualised settings, albeit with varying degrees of success.

Regarding key case studies, it will undergo a close examination of China by drawing from its successful, and less successful usages of economic coercion on a range of international actors in the past decade. The focus on Chinese use of coercive diplomacy is twofold. Primarily speaking, China's rising international status has enabled its legitimate ability to use coercive diplomacy as a diplomatic tool. Secondly, its tactics of coercion engage with domestic politics in an interesting manner that merits further analysis.

This paper will utilise three case studies — respectively the 2010 Norwegian Nobel Peace Prize Dispute, the 2010-2012 Senkaku Islands Disputes with Japan, and the ongoing trade dispute with the United States before concluding with reflections on how the tactic's rising prevalence is symptomatic of a directional change in our conceptualisation of coercion in an era of deeper globalisation.

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4   George, Alexander L., William E. Simons, David Kent Hall, Bruce W. Jentleson, Scott D. Sagan, Richard Herrmann, Paul Gordon Lauren, and Tim Zimmermann, eds. *The limits of coercive diplomacy*. Vol. 296. Boulder, CO: Westview Press, 1994.

A Theoretical Groundwork: Neoclassical Realism and its Application

This paper chooses to employ neoclassical realism as its primary theoretical tool, given its pertinence to the topic. As a subfield within the realism camp, neoclassical realism (NCR) is perceived as a "logical and necessary extension"[5] to Waltz's structural realism — in that it co-exists with the Waltzian belief of imperatives in the international system, which alludes to the anarchic environmental factors that condition state behaviour and choices — but it seeks to fill "an explanatory gap by identifying state-level attributes that serve as a mediating variable between these imperatives and actual state behaviour".[6] In other words, neoclassical realism responds to the criticisms of realism's assumption of the unitary state actor and its 'blackbox' thinking by delving into domestic, state-level attributes that mediate state strategy and the imperatives of the international structure. A foundational scholar of neoclassical realism, Rose states that NCR:

"...explicitly incorporates both internal and external variables, updating and systematizing certain insights drawn from classical realist thought. Its adherents argue that the scope and ambition of a country's foreign policy is driven first and foremost by its place in the international system and specifically by its relative material power capabilities. This is why they are realist. They argue further, however, that the impact of such power capabilities on foreign policy is indirect and complex, because systemic pressures must be translated through intervening variables at the unit level.[7]

The unit level can encompass the "elements of perception and misperception; domestic political sentiment; the cohesiveness and efficacy of a state's foreign policy executive; and the ability of a state to mobilise its resources for the purposes of projecting power abroad" among others.[8] It essentially underlines that "understanding the links between power and policy requires close examination of the contexts within

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5   Rathbun, Brian. "A rose by any other name: Neoclassical realism as the logical and necessary extension of structural realism." *Security Studies* 17, no. 2 (2008): 294-321.
6   Quinn, Adam. "Kenneth Waltz, Adam Smith and the Limits of Science: Hard choices for neoclassical realism." *International Politics* 50, no. 2 (2013): 159-182.
7   Rose, Gideon. "Neoclassical realism and theories of foreign policy." *World politics* 51, no. 1 (1998): 136
8   Quinn, Adam. "Kenneth Waltz, Adam Smith and the Limits of Science: Hard choices for neoclassical realism." *International Politics* 50, no. 2 (2013): 159-182.

which foreign policies are formulated and implemented."[9] As such, neoclassical realism provides a set of analytical variables to examine the "connections between foreign policy and domestic politics" amidst the Waltzian structural constraints of the international system.[10]

Provided that this paper centres on the applications of economic coercive diplomacy between international actors, using neoclassical realism as the foremost theory seems an appropriate choice due to its mediated synthesis of domestic state-level attributes and systemic imperatives. The implications of employing this theoretical lens to explain state behaviour,— i.e that of China's—will be fleshed out as we progress with the case studies below.

The Norwegian Nobel Prize Dispute: A Successful Case of Coercive Diplomacy?

The annual Nobel Peace Prize affair in 2010 was met with hostility by many in China after it was announced that Liu XiaoBo, a political prisoner and activist had won the award. Denounced by the Chinese foreign ministry and the state media as a "political farce",[11] articles by Xinhua News Agency, the official state-run press agency and China Daily, the party-owned English language paper, published lines that read:

"Liu's Nobel Peace Prize demonstrates the pride and prejudice held by some westerners hostile to China… The Nobel Committee's selection of Liu is a choice with a clear political purpose. The problem of "selective deafness" has long existed and influenced the evaluation of candidates for the prize and laid its root deep in western countries' ideological bias and political needs." [12]

These denouncements of the prize as prejudiced and indicative of the West's encroachment on the Chinese path towards development and values was further outlined by the Chinese Foreign Ministry spokesperson as a challenge to China's "legal sovereignty" after the US House of Representatives passed

9   Rose, Gideon. "Neoclassical realism and theories of foreign policy." *World politics* 51, no. 1 (1998): 147

10   Gelot, Linnéa, and Martin Welz. "Pragmatic eclecticism, neoclassical realism and post-structuralism: reconsidering the African response to the Libyan crisis of 2011." *Third World Quarterly* 39, no. 12 (2018): 2334-2353.

11   Dongmei, X. Peace prize a political farce. *China Daily.* November 12, 2010.

12   Liu Xiaobo and Nobel Peace Prize are both farce. *China Daily.* October 23, 2010.

a resolution that congratulated Liu and called for his release. This "gross interference in China's judicial sovereignty" thus constituted as an internal basis of justification for China's retaliation, in which they mobilised coercive elements of their diplomatic toolkit, including the swift suspension of diplomatic relations and free-trade negotiations, leveraging "both regional and national regulatory entities" that targeted the Norwegian salmon industry through stringent inspection measures and quality control.[13] The punitive measures reaped drastic economic consequences for Norway — where statistics showed that "in 2010, Norway accounted for 94 percent of China's salmon imports", it "fell to 37 percent in 2011".[14] Though some findings showed that China re-routed some of its salmon imports through other countries informally, the adverse economic outcomes on Norway was nonetheless indicative of China's clear goals — to inflict economic costs and diplomatic hostility to a sufficient magnitude that would deter Norway from continuing its course of action, as well as compel its "public repentance".[15]

From a neoclassical realist point of view, it would be worthwhile to analyse the state-level attributes behind China's formulation and implementation of the coercive economic policy. Given the Communist Party's monopoly of the media landscape, the strategic framing of public opinion via the media enhances the leverage of the Chinese Foreign Ministry in delivering a coherent and efficacious condemnation. By strategically mobilising its resources to stoke domestic political antagonism on the issue, the Chinese state justifies its coercive behaviour towards Norway through a combination of state performance and domestic reinforcement.

Regarding its degree of success, the trade and diplomatic relationship between Norway and China was not formally resumed until 2016, when Norway issued a statement of apology, highlighting its full respect of "China's sovereignty and territorial integrity," the "high importance to China's core interests and major concerns" and will refrain from "actions that undermine them… to avoid any future damage to the bilateral relations".[16] The Chinese statement meanwhile applauded the way Norway "deeply reflected

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13   Harrell, P., Harrell, P., Rosenberg, E., & Saravalle, E. China's Use of Coercive Economic Measures. *Centre for a New American Security*, June 11, 2018, 42
14   Ibid, 43
15   Ibid
16   Chan, Sewell. "Norway and China Restore Ties, 6 Years After Nobel Prize Dispute." *The New York Times*, December 19, 2016.

upon the reasons bilateral mutual trust was harmed" — its forgiving tone and moral positioning a veiled justification of its punitive use of coercion, and a muted celebration of the successful deterrence and behavioural change that had resulted.[17]

The Japanese Senkaku/Diaoyu Islands Disputes and the Limitations to Coercion

Maritime disputes in the East China Sea have been sources of long standing tension between the major stakeholders involved. This case study focuses specifically on the relationship between China and Japan over the Senkaku/Diaoyu Islands — the different names given to the same island themselves an indication of the diverging narratives that exist within state boundaries.

Though the dispute is rooted in historical disagreements over the sovereignty of the islands, the 2010 and 2012 flare-ups have witnessed the Chinese use of economic coercion — both through formal state sanctions and informally through state-encouraged boycotts — on Japan as a method of deterrence.

In 2010, when a Chinese trawler collided with Japanese patrol boats off of the Senkaku/Diaoyu island chain, the arrest and detainment of the Chinese boat captain enraged China, prompting a halt in exports of rare earth materials to Japan, which inflicted considerable damage to high-tech Japanese manufacturing industries. Given that China accounts for about "97 percent of the world's output of the 17 rare earth metals, which are crucial for global electronics production and the defence and renewable-energy industries",[18] these formal state sanctions were well-designed and implemented coercive tools backed by China's comparative wealth in natural resources.

The Japanese response, however, was swift and comprehensive. Acting both "unitarily and with global partners", the Japanese government responded to the supply cut by increasing its budget to source for replacement materials and new global suppliers. More importantly, it worked with the United States and the European Union (EU) on a dispute settlement case against Chinese quotas at the World Trade

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17   Ibid
18   EU, US, Japan launch rare earth WTO case against China. *Reuters*, March 13, 2012.

Organization (WTO) in 2012,[19] which they eventually won in 2014.

The quid pro quo response by the Japanese, albeit via different avenues, demonstrated defiance that weakened the deterrence effect intended by the Chinese through its coercive sanctions. Its mobilisation of international allies and its pursuit of legal recourse from the WTO showed that it would not stand up to China's bullying despite their monopoly on rare earth resources. In this case, the policy of economic coercion as a diplomatic deterrent lacked success with the Japanese.

Meanwhile, in 2012, flare-ups in Sino-Japanese relations were renewed when Prime Minister Noda announced the government's intention to purchase the disputed Islands from private owners. This time, instead of issuing formal state sanctions, the Chinese state media played a vital role in playing on the historical grievances and nationalism of the Chinese people to initiate informal boycotts of Japanese businesses over the disputed islands. As the boycotts spread, major Japanese companies, such as the department chain Heiwado suffered "1.8 billion yen of losses, and was forced to suspend operations for one-and-a-half months", whilst Toyota forecasted to take a "30 billion yen hit to its bottom line because of tumbling demand from Chinese consumers".[20]

Editorials in the People's Daily painted the protests as an act of patriotism, stating that "no one would doubt the pulses of patriotic fervour when the motherland is bullied […]. No one would fail to understand the compatriots' hatred and fights when the country is provoked".[21] In Beijing, warnings were blared over loudspeakers, stating: "Japan has violated China's rights and it is only natural to express your views…However, we ask that you please express your patriotism in an orderly, lawful, rational fashion."[22]

The Chinese state media, in disseminating messages that failed to condemn the boycotts but rather normalised them, thus engaged in a method of economic coercion that targeted the Japanese state

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19   Ibid
20   "China Anti-Japan Protest Damage May Be over US$100m." *South China Morning Post*, November 13, 2012.
21   Johnson, I., & Shanker, T. Beijing Mixes Messages Over Anti-Japan Protests. *The New York Times*. September 16, 2012.
22   Waldmeir, P. Anti-Japan protests spread across China. *Financial Times,* September 18, 2012.

indirectly by inflicting damage against Japanese private actors operating in China. Though not an explicit foreign policy declared by the Chinese Foreign Ministry, China's use of informal economic coercive methods to deter the Japanese state nonetheless qualifies as a grey method intended to solicit tangible behavioural changes. This neoclassical realist analysis of China's tactical use of domestic instruments in spurring a coercive front against the Japanese state and non-state actors shows that China's takeaway from the failed 2010 formal economic sanctions led to a strategic shift towards informal coercive methods — namely state-sponsored boycotts — to amplify its scope of targets whilst simultaneously reinforcing patriotic sentiments domestically.

With the consumer boycotts costing Japanese firms "more than $100m, according to a Japanese government estimate" and the statements by Prime Minister Abe in 2013 criticising the damage in bilateral trade and diplomatic relations, it can be argued that China's informal economic coercion inflicted significant material harm on Japanese businesses.[23] However, Abe's statement reinforced Japan's non-negotiable position on the territorial dispute, including a defence budget increase, closer coastguard patrol as a part of its "resolute" protection of its water and territory.[24] The goal of deterrence was therefore not achieved, but rather reinforced Japanese defiance towards the disputed islands.

China's success in economic coercion is not uniform after all — especially when evaluated against historical inter-state disputes on territorial sovereignty.

The US-China Trade War: A Contemporary Take

The ongoing "trade war" between China and the United States — arguably the two superpowers of this epoch — is partially reminiscent of the diametrical antagonism between the United States and the Soviet Union during the Cold War. Instead of nuclear weapons, however, economic sanctions have become the dominant weapon of choice. The volatility in the two countries' relationships, seen through sudden escalations yet followed by temporary rapprochement, for example the Trump administration's

23   McCurry, J. Japanese PM criticises China's response to protests over islands dispute. *The Guardian*, January 11, 2013.
24   Ibid.

decision to restart trade talks with China at the G7 meeting after threatening to pull American companies out of China and increase in tariffs three days prior,[25] makes this a drastically different case study than the ones mentioned above.

Given this dispute is an ongoing affair reaping adverse repercussions on the global economy, affecting export-dependent countries that are dependent on China and the United States, unpropitious signs have been warned by the WTO after it "slashed its forecast for trade growth this year" — yet the evolving situation renders it impossible to determine how effective China's policy of economic coercion will be against the United States.[26] Furthermore, the reciprocity of coercion, the tit-for-tat approach taken by both countries arguably undermines the effectiveness of the tool itself.

In the repeated augmentations of tariff values, with Trump slapping on "$112 billion worth of Chinese imports" whilst China retaliated with tariffs on "$75 billion" of American exports in September 2019, the increase in scope and magnitude of tariffs only mark marginal changes in the efficaciousness of coercion.[27] The disproportionate effects of economic coercion undertaken by both countries in actually coercing the other power to change behaviour has been minimal, thus calling into question the productivity of continuing this policy — if not for symbolic purposes or to strengthen domestic nationalism, as a neoclassical realist may argue.

The Neoliberal Imperative

Employing a neoclassical realist perspective in analysing the interaction between domestic attributes and the structural imperatives in determining a state's diplomatic policy may not yield a full overview of the forces at play, however. Though it is helpful in analysing intra-state factors that contribute to a certain policy, it should not be the sole lens of analysis. This section thus presents a brief foray into neoliberalism as a complementary framework to view the landscape of economic coercion.

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25   Shear, M. D. At the End of a Chaotic G7 Meeting, Trump Changes His Tone on China and Iran. Again. *The New York Times.* August 24, 2019.

26   Goodman, P. S. W.T.O. Forecasts Global Trade Slowdown Amid Uncertainty. *The New York Times,* October 1, 2019.

27   Ibid.

It can be argued that economic coercion would not be the prevailing diplomatic tactic were it not for the dominance of neoliberalism. In an era of deepening globalisation, the ideals of free trade and markets are sanctified, such that coercive economic tools are threats to their existence. This lends economic coercion certain leverage because of the structural imperatives that the neoliberal system has put in place. Sanctions and tariffs have thus become popular contemporary tools that nation-states threaten others with to attain desired diplomatic outcomes.

This can be situated in the aforementioned case studies — where domestic elements are mediated with neoliberal structures to bring forth economic sanctions and tariffs as effective coercive diplomatic tools. Indeed, the omnipresence of neoliberalism provides a structural explanation to the power of economic coercion in today's international system; yet its degree of success will vary depending on the substance and sensitivity of the issue at hand, and the resourcefulness of the other power in its response.

Research Implications & Conclusion

This paper has attempted to employ neoclassical realism as the primary theoretical framework in exploring the role of coercive economic practices in diplomacy through three case studies involving China as a major actor from the past decade.

By drawing from a combination of legal, scholarly, and media publications, it has examined China's success and lack thereof in using economic coercion, both formally and informally, on state actors and occasionally non-state actors (in Japan's case). This raises implications on the growing trend of economic coercion in future diplomatic strategies, its inclusion of actors extending beyond the state itself, as well as the economic dimension that diplomatic coercion has assumed. Furthermore, with the tit-for-tat tactic between China and the United States in the current trade war, one must question the marginal effectiveness of economic coercion in achieving one's goal rather than acting as a "protracted bargaining tool", as Jakobsen may argue.[28]

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28   Jakobsen, Peter Viggo. "Coercive diplomacy." In *Sage Handbook of Diplomacy*, pp. 476-486. Sage Publications Ltd, 2016

Will the neoliberal structural imperatives dictating the international system lead us to move away from military coercion to an economics-driven coercive strategy in the near future? Indeed, the reconceptualisation of coercion and its different facets of usage grow more complex as globalisation deepens, yet its pertinence to the stability of the international system will merit further examination.

Environmental Racism in Latin America:
NEO-COLONIALISM, CLIMATE CHANGE, AND INDIGENOUS RIGHTS IN BOLIVIA AND ECUADOR

Giselle Hidalgo

Abstract

Environmental racism occurs as a consequence of colonial economic systems founded on the exploitation of indigenous populations that infiltrate socio-political institutions throughout Latin America. Contemporary patterns of exploitation explicitly disadvantage indigenous groups, threatening their well-being as well as their fundamental right to self-determination. This paper posits that the transgressions faced by indigenous communities in Latin America are an issue that warrant global concern, arguing that the neo-colonial socio-economic practices that prevail in the region intensifies the climate crisis. This paper analyzes Ecuador and Bolivia as case studies, exemplifying the way in which neo-colonial resource extraction is legally and socially unaccountable, making it a leading contributor to the unequal distribution of gains from international trade. This paper concludes that a twenty-first century decolonization of the resource extraction industry and its socio-political exploitative systems are a critical component to mitigating climate change.

Introduction

The legacy of colonialism is evident today with neoliberal policy powering globalization through the unequal distribution of socio-economic profits that persistently affects indigenous communities through environmental racism. Environmental racism in Latin America is the practice of repetitively and systematically harming the ecosystems of those with the least European features through the implementation of public policies that reflect twenty-first century neo-colonial power structures.[1] As a result, the costs of 'development' projects are more often than not translated to harm the health of

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1   Flores, Carlos. "Privatización del Agua y Racismo Ambiental en Ciudades Segregadas. La Empresa Aguas del Illimani en las Ciudades de La Paz y El Alto (1997-2005)." *Annuario de Estudios Americanos.* (2009): 109.

indigenous communities for the benefit of the lighter skinned populations in Latin America.

This paper argues that the neo-colonial[2] extractivism fueled by environmental racism in Ecuador and Bolivia serve as microcosms to understand why the individualization of responsibility in international neoliberal climate change policies fail. This paper analyzes Bolivia and Ecuador as examples of nations with active indigenous movements to understand why, despite a highly engaged indigenous polity, neo-colonial racist power structures still dictate socio-economic institutions. In doing so, this paper contends that twenty-first century economic decolonization both at the local and international level is a critical component to create effective climate change policies.

This paper will begin by providing a comprehensive understanding of the politics of extractivism and neoliberal development in the context of Latin American neo-colonialism. Then, it will proceed to deconstruct the concept of indigenous rights to self-determination to understand their role in Latin American politics and civil society. Furthermore, it will integrate Bolivia and Ecuador as case studies to expose the specific ways in which neo-colonial power structures perpetuate the politics of exclusion and oppression against indigenous communities. Finally, it will uncover the way in which the economic decolonization in Latin America can serve to overthrow the systems of exploitations that not only harm indigenous communities, but also present a grave threat to our planet's environment.

Colonialism, Globalization & the Politics of Extractivism

At its very essence, colonialism is about relationships of exploitation. In today's globalized world, it is exercised through economic imperialism both at the national and transnational levels. Economic imperialism is enacted through neoliberal extractivist policies in the Global South by powerful transnational corporations and international financial institutions that disproportionately disadvantages indigenous communities. As explained by Jefferey Webber "[t]he legacies of formal Spanish colonialism live on in republican times in many ways. They find expression through contemporary internally colonial

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2   Neo-colonialism refers to the contemporary capitalist structures in which more powerful and economically advantaged global institutions use coercive economic tactics to exert power and political control over less economically stable countries to preserve their economically advantageous position in the world.

race relations, which are imbricated necessarily in the capitalist character of Latin American societies in the twenty-first century".[3] The economic imperialism that Global North institutions impose on countries in the Global South is the twenty-first century expression of colonialism, and these international colonial power structures reflect the fabric of socio-economic race relations within Latin America. Furthermore, capitalist state-building in Latin America is molded by neoliberal financial institutions such as the International Monetary Fund (IMF) and the World Bank. Subsequently, these institutions encourage foreign and local elite to align their policies with the neoliberal agenda at the expense of marginalized indigenous communities by disregarding their health and livelihoods as collateral damage.

The environmental racism that indigenous communities in Latin America face is also a product of the colonial complicity of the economic elite in nations of the Global South. This can be seen in Franz Fanon's The Wretched of the Earth where he explains that, "[t]he national bourgeoisie discovers its historical mission as intermediary. Its vocation is not to transform the nation but prosaically serve as a conveyor belt for capitalism, forced to camouflage itself behind the mask of neo-colonialism."[4] As such, the 'national bourgeoisie' in Latin America are the beneficiaries of these exploitative power structures. They are often situated at the top of the social hierarchy defined by pigmentocracy,[5] where Indigenous communities are placed at the bottom.

The socio-economic harm caused by contemporary oil and gas development projects causes widespread deforestation in the Amazon, irreversible contamination from oil spills, and the toxification of water resources that disproportionately impact the homelands of multiple Indigenous nations.[6] The homelands of indigenous communities in the Amazon are transformed into health and safety hazards, consequently displacing these indigenous people that populate them. Displacement from their ancestral lands force them into urban areas where they are marginalized due to continuous discrimination and

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3   Webber, Jefferey. " Contemporary Latin American Inequality: Class Struggle, Decolonization, and the Limits of Liberal Citizenship." Latin American Research Review. (2017): 290.
4   Fanon, Frantz. The Wretched of the Earth: Frantz Fanon. Grove Press. (2004): 101.
5   Pigmentocracy refers to the gradient hierarchical structure of skin colour in which the lighter your skin, the higher your position of privilege is in society.
6   Finner, Matt et al. "Oil and Gas Projects in the Western Amazon: Threats to Wilderness, Biodiversity, and Indigenous Peoples." PLoS One, no. 3 (2008): 1.

exclusion, and often pushing them into the cycle of poverty. At the turn of the twenty-first century, poverty in Ecuador was overrepresented by Indigenous populations, making up almost 90 per cent of those who are unable to meet basic needs for food, housing, health and education.[7] This demonstrates the way in which the neo-colonial extractivist economic model that dominated Ecuador's 1980s neoliberal era exacerbated the dehumanization of the indigenous peoples in Latin America.

Indigenous Rights to Health & Self-Determination

In 2014, the United Nations Economic Commission for Latin America and the Caribbean reported that not a single one of its countries had yet achieved the United Nations' standards for recognition of territorial rights of Indigenous populations.[8] These territorial rights, autorgued by the 2007 United Nations Declaration on the Rights of Indigenous Peoples, are a part of the twenty-first century international decolonization project. Ecuador and Bolivia were both firm supporters and signatories to this declaration, choosing to fully incorporate plurinationality into their constitutions. Nevertheless, neoliberal development and extraction projects by both private and public entities in Latin America often take place without the consent of indigenous populations, overriding their right to self-determination. As the scholar Melanie Diaz found:

"Oil drilling in the Amazon violates the rights of seven indigenous nationalities by imposing oil projects in their ancestral territories. Added to this are deepening concerns over industry practices in handling wastewater from drilling." [9]

Nonconsensual oil drilling in the Amazon unveils how indigenous sovereignty in Bolivia and Ecuador is still unacknowledged as is their power over their land, people, health and safety. Additionally, it exemplifies the way in which neoliberal extractivist development in Ecuador and Bolivia can often be in

7   Swason, Kate. " Ecuador: Economic Crisis, Poverty, and Indigenous Identities."Beginning as a Path to Progress. (2010): 12.
8   Castro, Arachu et al. " Assessing equitable care for Indigenous and Afrodescendant Women in Latin America." *Pan American Journal of Public Health.* (2015): 96.
9   Diaz, Melanie. "Chinese aid at the cost of Ecuador's environment and indigenous population." The Council on Hemispheric Affairs. (2015): 4.

direct violation not only to the countries' constitutional rights but also to international humanitarian law.

The violation of human rights that indigenous communities experience uncovers the way in which environmental racism ensures that the prosperity of the mestizo and white populations is valued over the health and safety of indigenous peoples in Latin America. The way in which multinational extractivist corporations produce harm to the environment that indigenous peoples inhabit without any remorse or institutionalized mechanisms of accountability is evidence of environmental racism's profoundness. In doing so, the state also fails to protect these vulnerable communities from the harm produced by uneven patterns of capitalist development, which reflects the ongoing cycle of neo-colonial oppression and environmental racism against indigenous communities in Latin America. As the researcher Krista Perreira reveals,

"Indigenous populations throughout Latin America tend to live in more isolated environments with less access to nutritious food and clean water and experience higher rates of mortality and morbidity than their non-indigenous counterparts." [10]

This demonstrates the way in which indigenous communities continuously experience a violation of their fundamental human rights for the sake of neoliberal 'development' projects that contaminate waters, pollute lands and threaten livelihoods. The violation of these indigenous rights in Latin America is something that affects the entire world because it creates exploitative power structures that fuel the current environmental crisis. In doing so, it prioritizes the profit of national or multinational corporations over the health and well-being of our planet and its most vulnerable communities.

The Case of Ecuador

Ecuador's indigenous communities suffered from contemporary forms of environmental racism in the 1980s Latin American neoliberal era. In the Ecuadorian neoliberal era, a series of 'open-door' policies with very limited environmental regulations were implemented in favour of transnational extractivist

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10   Perreira, Krista and Edward Telles. "The Color of Health: Skin Color, Ethnoracial Classification, and Discrimination in the Health of Latin America." Science Direct, no. 116. (2014): 248.

corporations, the protagonists of economic imperialism. This provoked an environmental catastrophe, especially for the people living in Lago Agrio, a city in the country's North-Eastern Amazon rainforest. Texaco, the multinational oil company that operated in this area, has yet to be held accountable for massive water contamination with heavy metals, toxic substances, and crude oil spills on forests and rivers as well as the deforestation of 2,000,000 hectares of land.[11]

Texaco's presence in the Ecuadorian Amazon caused a complete ecosystem imbalance as well as severe damage to the health and livelihood of the inhabitants in the area. Pigrau's research found that death by cancer in the canton of Lago Agrio (32%) was almost three times higher than Ecuador's national average (12%) due to Texaco's presence. Additionally, the rate of spontaneous miscarriages due to petroleum contamination was 2.5 times higher in this area of the Ecuadorian Amazon.[12] Furthermore, the unaccountability of Texaco's destruction in the Amazon still lingers today through the detrimental health conditions that keeps indigenous communities from escaping the cycle of poverty, characterizing the majority of the population in this area. This reveals how environmental racism plays out as a part of neo-colonial exploitation in Latin America that deems Indigenous people as disposable bodies that are undeserving of the fundamental human rights to health and safety. Neo-colonial economic structures operate to dehumanize indigenous communities in the Amazon by viewing them as collateral damage to the project of neoliberal economic imperialism and globalized capitalist expansion.

The Lago Agrio disaster took the lives of many but left behind a spirit of resistance in Ecuador's indigenous communities. The Waorani Resistance exemplifies the role that indigenous communities have had as primary defenders of mother nature. Neoliberalism to the many like the Waorani is synonymous to the non-functioning of market economies and the restructuring of economic rights in a way that excluded their security and livelihood.[13] Indigenous people in Ecuador recognize that neo-colonial capitalist structures are climate change catalysts that threaten not only indigenous traditions but also the well-

11   Pigrau, Antoni. "The Texaco-Chevron Case in Ecuador: Law and Justice in the Age of Globalization." Revista Catalana de Dret Ambiental. (2014): 4.
12   Pigrau, Antoni. "The Texaco-Chevron Case in Ecuador: Law and Justice in the Age of Globalization." Revista Catalana de Dret Ambiental. (2014): 5.
13   Radcliffe, Sarah A. "Latin American Indigenous Geographies of Fear: Living in the Shadow of Racism, Lack of Development, and Antiterror Measures." Annals of the Association of American Geographers. (2007): 390.

being of future generations. As Sapara leader Ricardo Ushigua explained, "For us there is no capitalism. Everything is collectivism. Anyone can harvest what they want, and the land belongs to everyone."[14] Neoliberal policies are not only perceived as a threat to the cultural convictions within communities like the Sapra, but also as health and safety hazards.

The argument is as follows: The environmental racism that indigenous communities experience concerns all of Ecuadorian society because it is not only a threat to the development of an inclusive and equitable society, but also a threat to the development of an effective environmentally sustainable system. In order to effectively address the climate crisis at a national level, Ecuadorian policy makers and their constituents must begin to acknowledge the damage done by neo-colonialist power structures brought by multinational extractivist corporations. In doing so, new policies must be incorporated to ensure the upheaval of the constitutional rights of Pachamama[15] and its inhabitants.

The Case of Bolivia

Bolivia is a country with one of the largest indigenous populations in Latin America, with 62 percent of the population self-identifying as indigenous in the 2001 census.[16] Even so, indigenous peoples have still been oppressed and excluded from the start of European colonialism to its continuation in twenty-first century economic imperialism. This segment of the essay will discuss how water privatization and other development projects in Bolivia's neoliberal era were used as the foundational mechanisms of environmental racism and indigenous oppression that still prevail today. As the anthropologist Meredith Main argues,

"Particularly under neoliberal globalization, the privatization of land and water resources dispossesses poor, black and indigenous men and women of their natural environments. Accumulation by environmental dispossession centres on the production of social and

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14   Eisenstadt, Todd & Kaleen West. "Ecuador: Indigenous communities lead the fight against climate change and oil extraction on their land." Minority Rights Group International. ND.

15   Pachamama refers to mother earth for the indigenous peoples of the Andes.

16   Madrid, Raul. "Politics, Socioeconomic Status, and Indigenous Identity in Latin America: The Bolivian Case." (2006).

environmental inequalities."[17]

This can be exemplified by the way in which the imposition of these policies amplified inequality and increased poverty in the Bolivian cities of Cochabamba, La Paz and El Alto. The overlap between socio-economic status and race exposes that those who are the most disproportionately disadvantaged are also indigenous.

Multinational corporations, along with the 'national bourgeoisie', have attempted to dominate Bolivian society through colonial patterns of criollo power allyship and indigenous oppression. In the case of Cochabamba, the Bechtel Corporation of San Francisco gained control of all the water in Cochabamba in 2000 after the World Bank demanded that Bolivia privatize its water to refinance services to the city through Structural Adjustment Policies (SAP). Therefore, Bolivian water became the property of a North American corporation that claimed that even rain belonged to them. Bechtel, reinforced by the World Bank, imposed SAPs that demanded that one-fourth of all income must be charged for water which compounded the poverty, hardship, and starvation for indigenous peoples in that area.[18] In the case of La Paz and El Alto, the racial segregation of these cities guaranteed that a total of 200,000 people who lived in the most marginalized area of the slopes, mostly belonging to the Aymara indigenous group, were excluded from the cities' central pipeline.[19] In all cases, Indigenous peoples were disproportionately and repeatedly disadvantaged, highlighting the rampant environmental racism entrenched in Bolivia's neoliberal state development powered by the forces of this era's imperialist globalization. Bolivia's case should serve as a lesson to understand that if we wish to create a sustainable non-exploitative systems for growth, we must abolish uneven patterns of development. Additionally, our current environmental crisis can only be combatted effectively through inclusive mechanisms that take into account the integrity of all our communities.

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17   Main, Meredith. *Like Watching a Brother Die: Environmental Racism in Bahia, Brazil.* ProQuest Dissertations & Theses Global. (2017): 11.

18   Peet, Richard. *Unholy trinity: the IMF, World Bank and WTO*. Zed Books. (2003): 66.

19   Flores, Carlos. " Privatización del Agua y Racismo Ambiental en Ciudades Segregadas. La Empresa Aguas del Illimani en las Ciudades de La Paz y El Alto (1997-2005). *Anuario de Estudios Americanos*. (2009): 121.

Addressing the Climate Crisis

The neoliberal world order claims to promote 'green consumption' as a viable solution to climate change rather than the collective disentanglement of the systems of exploitation. As the scholar Michael Maniates argues:

> "States and transnational corporations hold the advantage in the battle to shape the conversation of sustainability and craft the rules of the game. And it is precisely these actors who benefit by moving mass publics toward private, individual, well-intentioned consumer choice as the vehicle for achieving 'sustainability.'"[20]

This 'individualization of responsibility' is dangerous in that it deflects the conversation away from neo-colonial structures of power and oppression and makes it easier for powerful public and private entities to avoid being held responsible for their actions. This climate neoliberalism has created sets of policies such as the 2015 Paris Agreement that have been very ineffective at combating climate change. As scholar Jen Iris Allan found:

> "The Paris Agreement may be unable to reverse the trend of rising emissions. Emissions reductions stemming from the intended NDCs will slow the rate of emissions growth, although aggregate emissions will rise (UNFCCC 2015), suggesting a global temperature increase between 2.6°C and 3.1°C by 2100."[21]

Therefore, the neoliberal climate policies are causing more harm than good by amplifying existing structures of inequality and exploitation and making international conventions a vehicle for the 'Great Polluter's Escape.'[22] The individualization of responsibility in climate justice movements serves as an artificial solution that makes us feel comfortable with being passive citizens that comply with the current

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20   Maniates, Michael F. "Individualization: Plant a Tree, Buy a Bike, Save the World?" *Global Environmental Politics*. (2001): 44.

21   Jen Iris Allan. "Dangerous Incrementalism of the Paris Agreement," *Global Environmental Politics*. (2019):5.

22   Ibid, 5.

structures of neo-colonial exploitation instead of actively engaging in movements to change our societies. Hence, if we truly wish to address the climate crisis with the urgency and immediateness it deserves, we must begin to challenge the dominant individualist discourse and begin acting as a collective.

The environmental racism that indigenous communities in Ecuador and Bolivia face exemplify the negligence of global policy makers and their constituents to take collective action against the patterns of exploitation that harm our earth's environment. This inhibits the implementation of effective climate change policy both locally and transnationally. The United Nations' Global Resource Outlook 2019 found that:

"The extraction and processing of natural resources accounts for more than 90 per cent of global biodiversity loss and water stress impacts and approximately half of global greenhouse gas emissions."[23]

If the elimination of resource extraction could cut in half global greenhouse gas emissions, one can only imagine what could happen with the eradication of every other transnational system of neo-colonial exploitation. Therefore, it is important to consider that a diminution of the carbon resource intensive industries is a fundamental part of the decolonization process.

However, it is important to consider that both Ecuador and Bolivia are heavily dependent on resource extraction, with oil exports making up over one third of Ecuador's gross domestic product.[24] This means that both of these countries' economies, as well as the livelihoods of millions of people, would be severely impacted by the eradication of these extractive industries. That is why a diversification of the economy must be accompanied with just transition policies that provide opportunities for everyone, equitably and sustainably. Economic growth and employment security are not a sufficient justification for

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23   Global Resources Outlook 2019: Natural Resources for the Future We Want. *International Resource Panel.* United Nations Environment (2019).

24   Martin, Pamela. "Saving Yasuní and the Planet: Toward a Global Politics of the Good Life." Oil in the Soil: The Politics of Paying to Preserve the Amazon. (2011): 5.

the negligence to fully launch the process of economic decolonization. The transition into new sustainable economies is indispensable as climate scientists continue to stress that the Earth is likely to become close to uninhabitable by the end of this century.[25]

Conclusion

In summary, this paper has argued that in order to create an environmentally sustainable world and heed the urgency of the current climate crisis, we must begin to dethrone twenty-first century neo-colonial extractivism both at the local and transnational level. The incorporation of national policies that incentivize renewable resources such as solar energy in extractivist Latin American countries would be a good starting point locally. Similarly, international financial institutions such as the IMF and the World Bank can start by flexibilizing their Structural Adjustment Policies so that they take into consideration indigenous rights and prevent the exacerbation of socio-economic inequality.

The paper recognizes that it does not provide a defined proposal of how the decolonization process must take place, such as what specific policies must be incorporated in order to ensure a just transition into non-exploitative economic systems. Nonetheless, the analysis of Bolivia and Ecuador and their experiences with neo-colonial economic structures have demonstrated how the structures of environmental racism in Latin America affects Indigenous communities, and are part of a greater system of global neoliberal institutions that fail to meet the urgency of the current climate crisis. These findings might inform future research that examines how differentiated decolonization processes can be adapted to transcend Latin American contexts to achieve a truly environmentally sustainable world.

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Journal Staff

Editors-in-Chief

Kim-Sa Ngo is a fifth-year undergraduate International Relations and Anthropology double major. She enjoys traveling and recently spent two co-op terms in Copenhagen where she was able to learn the work ethics of a Danish technology startup. Research issues that she is interested in includes human rights and immigration issues. On completion of her graduation, she hopes to take a break from studies by working and then pursuing law school in the future. Aside from academic interests, Kim-Sa enjoys dancing, listening to podcasts, and traveling.

Yoojung Lee is a third-year undergraduate with an International Relations major and Law and Society minor. Due to her multicultural upbringing, she is interested in research issues pertaining to immigration and diplomacy, specifically in the East Asian and European context. In her leisure time, she enjoys travelling, dancing/singing, and volunteering. She has an eclectic range of interests so upon graduation, she wishes to pursue a multifaceted career that is truly global in scale.

Managing Editor

Taylor Maiorino is a third-year undergraduate with a major in International Relations and a minor in Law and Society. Her primary research interests include indigenous issues in Canada, environmental sustainability, and gender studies. In her spare time, Taylor enjoys going on hikes and taking photos of them beautiful views British Columbia has to offer. Upon graduation, Taylor hopes to attend law school and work as an immigration lawyer.

Production Head

Alirod Ameri is a third-year undergraduate student in the Faculty of Science, majoring in biology. He has an interest in the field of communications, especially in regards to the often difficult-to-understand connection between scientific research and its role in society and public policy. Outside of his studies, Alirod is passionate about photography and graphic design, and he enjoys immersing himself in leadership roles and opportunities in the university.

Editorial board

Patrick Leong is a third-year History Honours with International Relations major specialising in East Asia. As part of the Sciences Po and UBC Dual Degree Program, he spent the first two years of his undergraduate career at the Paris Institute of Political Studies, where he majored in Politics and Government (Euro-American Programme). Patrick is passionate about multilateral organisations, international development, and security studies. In the future, he hopes to pursue a Master's Degree in Public Policy. In his free time, Patrick loves to ski, skate, play piano and ukulele, and make memes.

Trevor Travis is a fourth-year undergraduate International Relations major with an Associate of Arts Degree in Asian Studies. He enjoys traveling and writing, and currently has a creative short story and academic paper published. Trevor owns a giant Pacific Rim centered wall map which, according to him, emphasizes the shifting political structure and economic power in the world. Though he has been to Europe, the majority of pin-marked visited places on his map are around the Pacific Rim, including Japan, Indonesia, Australia, New Zealand, and more. Aside from Pacific Rim and East Asian history, economy, and development interests, Trevor enjoys camping, hiking, scuba diving, and surfing.

Felicia Sit is a third-year International Relations major and English Literature minor. Her research interests include the modernization of China and its sociocultural implications on the Chinese diaspora, and she hopes to travel to her motherland sometime soon. Additionally, she has recently developed an interest in international space law, but does not hope to visit Mars anytime soon. Outside of her academics, Felicia enjoys playing board games in mildly competitive environments, travelling, hosting/attending potlucks, and blogging on her vegan food Instagram (where she posts day-to-day eats and quasi-reviews of restaurants).

Tomas Kantor is a fourth-year student of International Relations. He has a particular interest on development studies, European integration, and environmental policy. Over this past summer, Tomas had the opportunity of interning at the European Commission in Brussels, helping in the edition of the 2019 Education and Training Monitor. He is a big ski fan and really enjoys hiking, dancing, and excessive amounts of coffee. Tomas looks forward to be working at JIA this year.

Dorothy Settles is a fourth year International Relations major from Tempe, Arizona. Her main interests are human rights, conflict, and migration, particularly in the context of East and Southeast Asia. A year ago, she took a semester off school and embarked on a solo backpacking trip across Asia, traveling mostly overland from Japan to Myanmar. After graduation, Dorothy is looking to pursue a career in conflict and humanitarian journalism. She is looking forward to joining the JIA editorial team and reading this year's submissions!

Chelsea Parker is a third-year undergraduate student in the Honours in Political Science with International Relations program. Her primary interests include contested territories, plurinationalism, decolonization, government vs. governance, and the transnational mobilization of political societies. On the side, Chelsea enjoys Olympic weightlifting, reading non-fiction, and travel. Upon graduation, she hopes to pursue a graduate degree in Political Science.

Anton Strukoff is a fifth year student with the dual degree between Sciences Po and UBC. At Sciences Po he concentrated in international law, and at UBC he is majoring in international relations.

Julian Lam is a second-year student intending to major in international relations. Besides enjoying a good book or political documentary, you can find Julian at the beach or one of Vancouver's hiking trails. Off-campus, Julian loves to travel and try food that Vancouver has to offer. Julian has keen interests in the topics of foreign aid and international capital flows. After graduating, Julian hopes to attend law school, and eventually, to work as a diplomat.

Daniela Ramirez is a fourth-year International Relations major at the University of British Columbia. Being deeply concerned with emerging issues of climate security in marginalized populations, her academic research has focused on international development and political ecology, primarily within regions of the

Global South that are unequally exposed to the impacts of climate change. She is currently on exchange at Sciences Po in Paris where she continues to explore these areas of study and aims to later pursue graduate studies in the field of global environmental policy following her graduation. She is often seen riding her bike no matter the distance unless she is hiking or travelling whenever she gets the opportunity.

Hannah Exley is a third-year International Relations major and Spanish minor from Agassiz, BC. Her interests within International Relations lie in economic history and development studies in the Global South. In her limited free time, Hannah enjoys writing, caring for her many houseplants, and exploring new places.

David Serpa is in the last year of his program, studying Political Science and Economics. He loves studying environmental issues, especially climate policy and ways to promote sustainable development, as well as political economy and political theory - mainly to try and understand the role of ethics in democracies. When not studying, David likes to work out, read philosophy or books on current affairs, walk around the city or in hiking trails, cook and listen to metal and classic rock. David wants to pursue a Master's in Environmental Policy.

Author Biographies

Henrike Scholz is in her fourth and final year at UBC, majoring in International Relations and minoring in Law & Society. Henrike was born in the UK and grew up in Munich, Germany, also spending time with family in Singapore throughout her childhood. After graduating, she plans to return to Germany to live and work, and put her global education to good use. Henrike is fluent in German, English and French, and has worked with various NGOs within Germany and Canada: most recently at the Centre for Intersectional Justice in Berlin. She is interested in how gender, race and identity factor into international relations on issues like migration and security.

Giselle Hidalgo is a passionate Political Science major in her final year as an Undergraduate at the University of British Columbia. She was born in Quito, Ecuador but had lived in seven countries throughout her life including Argentina, Indonesia, Singapore, Qatar, the United States and Canada.
As a global citizen and a critical thinker, Giselle excels at connecting world phenomenon to understand how everything is interrelated within our global social systems. She is an advocate for inclusive human rights, social justice and environmental sustainability. In her free time, Giselle plays the piano and dances to different styles of Latin Music. Giselle will confer her Bachelor of Arts degree in May 2020 and is intending to pursue graduate studies in Public Policy.

Nicolo Jimenez is a fifth-year student completing an Honours Bachelor of Arts in Geography and Political Science at the University of British Columbia. His research interests include urban studies, economic geography, political ecology, environmental governance, and comparative politics. He is passionate about building community through student leadership and scholarship, and currently serves as a Collegia Advisor and Student Representative on the President's Awards Committee. Nico is excited to pursue graduate studies at the University of Cambridge this fall.

Theresa Wong is a third year student majoring in International Relations and minoring in History. Her research interests include refugee studies, social history and comparative politics. In the future, she would like to research sustainable solutions to the European refugee crisis and explore the often-overlooked histories of racial minorities living in Western societies. She is particularly interested in examining the interconnectivity of the world in pre-modern contexts, and would someday like to share her findings with wider audiences as a journalist and documentary producer. In her spare time, she enjoys travelling, photography, and falling down Wikipedia rabbit-holes.

Charmaine Lee is a 4th-year Honours student in Political Science enrolled in the Dual BA between UBC and Sciences Po Paris. She is currently writing her thesis on the media discursive landscape of the Rakhine conflict in Myanmar and is eager to graduate this May. Her research interests lie in fields related to democratisation challenges, conflict resolution and policymaking in East Asia and the neighbouring regions. In her spare time, she likes to read, bake, hike and explore local café scenes.

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