Welcome to Volume 2, Issue 1 of the Stanford International Policy Review. The editorial board hopes you will enjoy the contributions, from the independence movement in West Papua to the Rohingya conflict in Myanmar. If you want to engage further with the authors or have questions and comments for the editorial board, please email us at stanfordipr@stanford.edu

—Ethan Hamilton, Leah Nosal, and César Martínez Álvarez

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Proposed Actions on Independence Movement in West Papua Region

By Nadia Anggraini

In December 2015, the Indonesian military opened fire on 800 unarmed demonstrators in Enarotali, West Papua, killing five and injuring seven. In January 2015, local authorities arrested over 100 people and burned down a village in response to the killing of two police officers. These recent spates of conflict in West Papua, combined with rising international attention sympathizing with the plight of the West Papuans, demands a reconsideration of the Indonesian government’s current policy towards the region.

The Indonesian government is saddled with the delicate task of balancing the demands of many different interest groups in a country of over 17,000 islands with 300 ethnic groups speaking 700 languages. West Papua has been one of Indonesia’s more problematic regions, experiencing decades of low-intensity conflict, with clashes between pro-independence groups and the local military. The national government’s approach towards the region has been relatively heavy-handed to date, focusing on suppressing the independence movement by giving relative free rein to Indonesian Special Forces (Kopassus), detaining key leaders of the movement, and restricting media freedom. This policy has been quite successful to date in keep-
ing a lid on the strength of the movement, but there are indications this pattern may change.

First, there is a higher degree of coordination and strength among the hitherto fractious separatist groups. In December 2014, three key pro-independence groups came together to form a new body, the United Liberation Movement for West Papua (ULMWP), led by Octavianus Mote as General Secretary and exiled political leader Benny Wenda as spokesperson. On the one hand, this poses a rising threat to the government as the movement grows in legitimacy; on the other hand, it now enables us to engage with a single group in negotiations rather than coordinating with multiple local organizations.

Second, there is also increasing international support for West Papua. In February 2015, the ULMWP filed for membership to the Melanesian Spearhead Group (MSG), an intergovernmental organization composed of the Melanesian states of Fiji, Vanuatu, Papua New Guinea (PNG), and Solomon Islands. Following this membership application, the PNG’s Prime Minister publicly announced his intent to speak out more against human rights abuses in West Papua. However small a gesture, this nevertheless represents a departure from PNG’s previous stance that West Papua’s problems were a domestic issue for Indonesia.

This international support is further evident in the increasing media attention for West Papua. Images of military brutality from the spates of incidents highlighted earlier were circulated in mainstream international media outlets such as Time and

These brutalities mar Indonesia’s international standing as a promising young democracy, and hark back to the country’s authoritarian past.
The Guardian, despite ongoing restrictions on foreign press. These brutalities mar Indonesia’s international standing as a promising young democracy, and hark back to the country’s authoritarian past.

Finally, President Widodo has indicated first-hand that he will take a greater interest in West Papua in 2015. During his visit to the region in December 2014, President Widodo promised more open dialogue between Jakarta and leaders of West Papua, focusing on political development in the region in addition to economic goals as well. The President currently enjoys strong support in West Papua, but as months continue to roll by and no concrete change is perceived to occur, he risks facing resentful and disenchanted constituents. Given this momentum, there are a number of policy measures the Indonesian government can implement to improve its relationship with West Papua.

First, the national government should initiate a dialogue with the ULMWP with the goal of coming to a negotiated settlement that keeps West Papua as part of Indonesia. One of the previous challenges in the West Papuan situation was finding a single rebel group to enter dialogue with. The ULMWP appears to be the first organization that represents the interests of multiple West Papuan interest groups, and can now be sought out for negotiations. The government should consider involving Jusuf Kalla, the country’s Vice President and a key architect behind the Helsinki agreement that ended the long-running Acehnese conflict, in the negotiations process, so as to signal commitment on the part of the Indonesian government for reform.

Next, it is critical that the government implements economic and political reforms demanded by the populace as it begins undergoing negotiations with the ULMWP. Part of the rea-
son for the strength of the pro-independence movement in West Papua is perceived economic neglect of the region by the central government and oppression of locals’ rights. President Widodo currently enjoys strong support in West Papua, and his government’s ability to introduce real reforms will help quell the populace’s demand for independence, and thus provide the government with a stronger bargaining position in its negotiations with ULMWP. The government can additionally strengthen its bargaining hand by activating support from the non-indigenous populations of West Papua. Decades of transmigration programs have resulted in an equal split between indigenous and non-indigenous populations in the region, with the latter forming the backbone of pro-Indonesia supporters.

Third, the national leadership needs to clarify and limit the role of Kopassus within West Papua. Kopassus’ presence in West Papua can be traced as far back as the Dutch colonial era, and the organization enjoys considerable latitude today: local police have no jurisdiction over Kopassus, while the Kopassus leadership has not kept its soldiers in line and made them accountable for abuses against the population. Limiting Kopassus’ power in the region will be a critical part of any reform
agenda. Specifically, the government needs to clarify situations that warrant Kopassus involvement. Kopassus’ presence was ostensibly intended for preventing inter-tribal clashes, and its role should be limited as such. It should not be allowed to intervene in peaceful demonstrations or continue engaging in spying of citizens.

Maneuvering of the West Papuan situation can either cement Indonesia’s reputation as a flourishing modern democracy, or highlight the entrenched power of anti-reform interests within the country. Fourth, the Indonesian government should also lift media and NGO access in West Papua and release political prisoners. This will increase accountability on those implementing the reform agenda and also create transparency around Kopassus’ actions, reducing the likelihood that they breach the limits of their power. Releasing political prisoners such as Filep Karma will additionally lend credibility to the central government’s sincerity in engaging with West Papuan leaders.

Another important action item will be more stringent monitoring of national funds delivered to West Papua to reduce corruption. Jakarta provides each West Papuan village with Rp. 100M annually through the Respek program, which, in total represents a higher sum than what the central government collects from the region. Unfortunately these funds, intended for provision of public services, are frequently squandered by corrupt local officials. If economic development is to be a cornerstone strategy for increasing West Papuan support of the Indonesian government, we need to focus more on reducing corruption. Case studies of successful local anti-corruption efforts have highlighted the importance of creating community organizations to monitor graft activity and demand formal le-
gal processes for handling corrupt cases. The national government should partner with a domestic anti-corruption NGO to train West Papuan villages on how to deal with corrupt actors.

The road to a negotiated settlement will be a long one, but first and foremost should begin with the opening up of dialogue between Jakarta and ULMWP. To signal our commitment to the peace talks and as a measure of goodwill, the central government can begin to release political prisoners and lift media restrictions. Concurrently, we will need to engage Tentara Negara Indonesia (TNI) to gain their buy-in for reducing the power of Kopassus in the region. The principal obstacle here lies with Defense Minister Ryacudu, whose staunch opposition to reforms of TNI is well known. Minister Ryacudu is an ally of Mrs. Megawati, and his appointment to President Widodo’s cabinet is wholly due to her influence. President Widodo should focus his attention on working with Mrs. Megawati to sway Minister Ryacudu, while Vice President Kalla and his team engages in negotiations with ULMWP. Finally, the central government should collaborate with ULMWP to push through the corruption reduction initiative. Not only will this allow the Indonesian government to build a working relationship with ULMWP, it will also be a good opportunity to test the organizational capabilities of ULMWP and to get a sense of the degree of influence they have with local village leaders.

The Indonesian government’s maneuvering of the West Papuan situation can either cement Indonesia’s reputation on the international stage as a flourishing modern democracy, or highlight the entrenched power of authoritarian and anti-reform interests within the country. With unrest in West Papua likely to continue building up over the coming months, national leadership needs to take a proactive stance in resolving the situation.


Save a Seat for Human Rights at the COP21

By Jessie Brunner

Come November, thousands of policymakers, scientists, and civil society representatives will descend on Paris for the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC)—just as they did last year in Lima, and the year before that in Warsaw. But this year, the expectations are higher than ever. In 2015, for the first time, the conference goal is to reach “a universal, legally binding agreement that will enable us to combat climate change effectively and boost the transition towards resilient, low-carbon societies and economies.”

Realizing this objective will require that negotiators place human rights alongside environmental, economic, and political considerations in the final agreement while resisting the past tendency to emerge with little more than patchwork, temporary goals or anemic, last-minute compromises. Climate policy can simply not be effective without acknowledging that our changing environment “poses an immediate and far-reaching threat to people and communities around the world.” Adding human rights to the agenda will guarantee both a human-centered approach to this anthropogenic problem and ensure governments continue to respect their obligations under international human rights norms.
The convergence of climate policy and human rights is natural. To begin, there are meaningful similarities between the treaty apparatuses underlying these two disciplines in international law. Much as the Universal Declaration on Human Rights was adopted by the UN general assembly in 1948, parties to the UNFCCC include all UN member states. Both foundational documents are essentially aspirational and legally non-binding, but both documents have served as a framework for relevant, binding treaties and protocols, such as the Convention of the Rights of the Child and the Kyoto Protocol (neither of which has been ratified by the United States, incidentally). There is hope that with time, the aspirations of the climate movement, whether enforced limits on greenhouse gas emissions or protection of indigenous lands, will reach the customary law status of such human rights as the right to life or prohibition against slavery and torture. Pushing for the integration of critical human rights and environmental priorities at the Paris COP, a major world event, is a meaningful first step in making this a reality.

There are multitudinous ways—some subtle, some obvious—that climate change very directly impedes the ability of populations to enjoy their inherent human rights. To give just a few examples, for small island nations the reality of rising tides means that in the best-case scenario coastal communities must relocate to higher ground. In more drastic cases, as in the Maldives and Kiribati, predictions that entire nations could be underwater in a few decades has presidents buying up land to which their populations can emigrate.³

Building upon a number of laboratory and field studies that link heat and violence, a 2013 study published in Science documented an association between aberrant climate shifts and violent conflict, both among individuals and groups. Said the authors, “for each one standard deviation change in
climate toward warmer temperatures or more extreme rainfall, median estimates indicate that the frequency of interpersonal violence rises 4% and the frequency of intergroup conflict rises 14%.”

Climate scientists predict between two and four standard deviations of temperature rise in certain parts of the world by 2050, meaning already violent conflicts claiming hundreds of thousands of lives in places as diverse as Central African Republic, Syria, and Mexico only stand to be exacerbated by climate change.

Climate change also presents very real impacts on agriculture and food supply, from warmer ocean temperatures threatening fisheries to changing precipitation patterns affecting crop yields. For example, in 2008, the Mississippi River flooded just before the harvest period, causing an estimated loss of $8 billion for farmers. A study published earlier this year found that rising temperatures and atypical rainfall patterns are threatening cultivation of the Arabica coffee plant, which accounts for nearly three-quarters of the global coffee market. Reduced coffee plant cultivation could challenge the livelihoods of millions of small farmers in countries like Brazil, Indonesia, Colombia, and Vietnam.

The international human rights apparatus has long recognized and promulgated the consequences of climate change on such fundamental rights enshrined in the Universal Declaration of Human Rights and core human rights treaties as life, health, security, food and water, housing, and self-determination. This notion has further permeated the mentalities of individual states, as demonstrated in a 2014 report from the Mary Robinson Foundation-Climate Justice, which found that 45 countries have made explicit reference to the impact of climate change on human rights in their country reports to the Universal Periodic Review, the UN’s process for reviewing member states’ human rights records.
Climate change very directly impedes the ability of populations to enjoy their inherent human rights. Yet the climate policy community has only recently begun to integrate human rights language into its discourse. The 2007 Malé Declaration on the Human Dimension of Global Climate Change brought critical attention to this issue on behalf of representatives of the Small Island Developing States. However, this declaration also served as a stark reminder that the destructive consequences of climate change are disproportionately affecting already vulnerable populations—many of whom are the least responsible for CO2 and other emissions that have put the planet and its people in this precarious position. Recent efforts to engage a broader representation of nations on this issue are encouraging. At the February meeting of the Ad Hoc Working Group on the Durban Platform for Enhanced Action, 18 countries signed the Geneva Pledge on Human Rights and Climate Action to facilitate the sharing of best practices and knowledge between human rights and climate experts. This builds on the legacy of the 2010 Cancun Agreements adopted at COP16 that declared States Parties “should, in all climate change related actions, fully respect human rights.”

It might be useful for the UNFCCC parties to look elsewhere within the United Nations for inspiration on integrating these two agendas. The forthcoming UN summit to adopt the post-2015 development agenda, where international representatives will convene to decide the details of the Sustainable Development Goals (SDGs), presents just such an opportunity to emphasize the linkages between climate change and human rights in advance of COP21.
Building off the soon-to-expire Millennium Development Goals (MDGs), which set out to reduce poverty and hunger; combat HIV, malaria, and other diseases; and ensure environmental sustainability, among other goals, the SDGs promise to better address the oft-interrelated root causes of today’s most intractable challenges, including climate change, poverty, and inequality. Like the MDGs, the SDGs are certain to provoke critiques from various parties, but it is difficult to deny their utility in providing a target on which governments can focus their domestic and foreign policy and to which NGOs can hold them to account. Having laid out 17 goals that include reducing inequality and building resilient, peaceful societies, world governments already posited an approach to sustainable development in the face of climate change that demonstrates “respect for all human rights, including the right to development and the right to an adequate standard of living, including the right to food and water, the rule of law, good governance, gender equality, women’s empowerment and the overall commitment to just and democratic societies for development.”

COP 15 UNECCC climate change opening ceremony
Paris provides an ideal forum to cement the interdependence of sustainable climate policy and respect for human rights; this key moment could move the world away from a myopic approach that only accounts for economic or environmental interests. Integration of these complementary agendas will ensure that each is strengthened and allow all to reap the benefits of a world that respects the values of justice and equality.

Bridging the Gap: A Conversation with Karl Eikenberry

By Leah Nosal, Ethan Hamilton, and César Martínez Álvarez

Karl Eikenberry served as the U.S. Ambassador to Afghanistan from May 2009 until July 2011. Before his appointment as Chief of Mission in Kabul, Ambassador Eikenberry had a thirty-five year career in the United States Army, retiring in April 2009 with the rank of Lieutenant General. He served in Afghanistan as the Commander of the American-led Coalition forces from 2005 to 2007. Today he is the William J. Perry Fellow in International Security at the Center for International Security and Cooperation and an affiliate of the Shorenstein Asia-Pacific Research Center at Stanford University. He is also affiliated with the Center for Democracy, Development, and Rule of Law, and is a researcher with The Europe Center.

There are few who have experienced Afghanistan as Karl Eikenberry has in his long and distinguished career. Given his leadership in the United States Army as Commander of Coalition Forces from 2005 to 2007, and his later role as Chief of Mission in Kabul from 2009 to 2011, Karl Eikenberry has personally bridged the gap that exists between the US armed forces and civilians. After leading both combat operations in Afghanistan, and later, the civilian surge, he arrived at Stanford University as US forces began to
withdraw. In May 2015, Professor Eikenberry sat down with our editorial team to discuss new questions that his time at Stanford has raised.

**Afghanistan in Retrospect**

While thousands of US troops remain stationed in Afghanistan, the longest running ground war in the history of the United States has officially concluded. Circumstances in Afghanistan have changed markedly since 2001, and indeed, since Professor Eikenberry’s time there. In 2011 there were approximately 100,000 US troops in Afghanistan, while today there are 10,000. Whereas responsibility for Afghanistan’s national security once fell primarily to the United States and its coalition partners, their role is now largely supportive. The departure of international troops has moved Afghan national forces to the front lines.

The same trend is reflected in US civilian efforts in Afghanistan. When Professor Eikenberry retired as US Ambassador and Chief of Mission in 2011, the US Embassy in Kabul hosted 1,400 civilians representing 18 different US departments and agencies. At the time, most operations by the Afghan central government were managed or financed by assistance from the United States and other foreign donors. However, “There has been a real sea change in the last 4 years,” Professor Eikenberry says, “with the Afghan government being much more responsible for the administration of governance throughout the country.” While there is still a considerable amount of development aid and advisory work being directed to Afghanistan, the Afghan government, like its military, is independent today.

While these indicators may appear encouraging, continued
progress in Afghanistan is far from certain. Professor Eikenberry says he is more confident in Afghan peace and reconstruction this year, in 2015, than he was last year at this time, but notes the number of intervening variables that prevent any clear predictions from being made. In particular, Afghan security and reconstruction moving forward will depend on the sustained commitment of international and US assistance over the next ten years. “Afghanistan is going to need a considerable amount of security assistance so they can keep the army and the police on the payrolls,” he continues, “without that, you would have a collapse in Afghanistan and a return to the kind of chaos that Afghanistan witnessed back in their civil war days.” While the decline of official development assistance is not unexpected in light of troop withdrawals, more dramatic cuts to future funding threaten gains made during the war.

Second to sustained international support, Eikenberry also emphasizes the current instability in Afghanistan’s domestic politics. While the successful transfer of presidential authority last year in Afghanistan was unquestionably a critical milestone for the country, the current alliance between President Mohammed Ashraf Ghani and Chief Executive Officer Abdullah Abdullah has obvious tensions and vulnerabilities. “Any coalition government, whether it is in Europe or Afghanistan, will have contradictions and tensions. The problem in Afghanistan is that politics are not yet institutionalized, and so the system remains fragile.” While the long-term results of the US War in Afghanistan remain to be seen, the effect of the war on the United States

“The war appears to be very distant. Occasionally there is a distant rumble that is heard over the hills like thunder, but then people very quickly move on with their lives.”
receives much less attention. Eikenberry believes that the war has caused military and political leaders alike to re-consider the conditions under which US armed forces are deployed. “For the American political leadership,” he says, “a lesson that we can hopefully learn now as a result of our Iraq and our Afghanistan experience, is the need for clearly stated political objectives when we go to war.” He argues that the United States lacked clearly stated political objectives in Iraq and Afghanistan for too long, though this gap was addressed in part when President Obama took office and led appropriate policy reviews.

While the need for clear objectives is indeed an important lesson, Professor Eikenberry is quick to say that this lesson has already been learned by the United States. Professor Eikenberry entered the US Army upon graduating from the United States Military Academy at West Point in 1973. Following the War in Vietnam, the reigning mantra in the US Armed Forces at this time was “never again,” a pledge to never again fight a war where the United States did not have political clarity, and instead stumbled forward with no ultimate objective. “The irony,” Professor Eikenberry says, “is that I ended my military career 35 years later in wars in Iraq and Afghanistan that were plagued by exactly the same problems. It is as if we could not transmit the lessons learned from one generation to another.”

A Growing Divide

Part of the failure in transmitting this lesson may be the voluntary nature of armed forces in the United States. “The United States has a remarkably capable all-volunteer force that can do incredible things—things that no other military in the
world can do,” Eikenberry tells us. “And yet,” he continues, “because it is an all-volunteer force, the American public is not too well connected to it. The US military fights long wars, and the American people do not always have tissue that is connecting them to it.”

The US Constitution contains certain checks and balances to ensure that political authorities think hard about the deployment of US armed forces. For example, Article 1 contains the War Powers Clause, which gives the US Congress the power to declare war - a power that has only been exercised five times, and was notably not used to declare war in Afghanistan or Iraq. Eikenberry explains, “the framers of the US constitution expected that if American sons and daughters were to go to war, parents would turn to their directly elected representatives and ask questions.” Today, he continues, “the United States has a magnificent armed force that does not require Congress to do anything before the President commits it to a long war.”

These historical trends raise troubling questions about who the US military serves. Professor Eikenberry asks, “Is it serving the American people? Of course it is. But the American people are not connected with the force politically in terms of having a sense of ownership for its deployment. Because it is not connected, it makes it much easier for the executive branch, or congress and the executive branch, to make the decision to put that force in harm’s way.”

The growing gap between the US armed forces and civilians was evident to Professor Eikenberry when he returned to the United States and re-entered academia, where he found a surprising lack of awareness and understanding about the US War in Afghanistan, especially given that the conflict was still ongoing. Despite the length of the war, the number of
troops committed, and the level of bilateral development aid, Professor Eikenberry says, “the war appears to be very distant. Occasionally there is a distant rumble that is heard over the hills like thunder, but then people very quickly move on with their lives.”

**Bridging the Gap in Afghanistan**

Given his leadership of coalition forces in Afghanistan and his later role as US Ambassador in Kabul, Professor Eikenberry personally traversed the apparent gap that exists between the US military and civilians. As such, he left Afghanistan with a very unique understanding of what distinguishes US military and civilian efforts abroad. His reflections do not necessarily emphasize a gap between military and civilian efforts, but rather highlight their respective strengths in the field.

First and foremost, Professor Eikenberry makes note of the extraordinary difference in resources between US armed forces in Afghanistan and the US embassy in Kabul. During his time as US Ambassador to Afghanistan, the United States had 100,000 troops on the ground in country, while the US embassy had 1400 personnel stationed in Kabul and throughout the country. In an insecure environment such as Afghanistan, military resources provided mobility, communications, and firepower. “Our military had the ability to get things done,” Professor Eikenberry says. “Our military is superb at innovation. When it saw a problem in the country that was being unattended, that people would say was important to try and solve, the US military could mobilize the resources to at least take a swing at the problem.”

US armed forces also brought their incredible planning
capacity to bear in Afghanistan. As an expeditionary force, it is trained to deploy and fight wars abroad. “The idea of the US military since the Second World War has been forward defense. Our military is continually thinking in times of peace about planning for the next war, and when you’re in a war, the military is planning not for the fight going on today, but where it will need to be next year and in a couple of years.”

However, Professor Eikenberry is quick to note that such an abundance of both resources and capacity can encourage mission creep, whereby military and civilian leaders try to accomplish more because they can. In these cases, he says, “You start to solve a new problem every day, and after a year, you look back over your shoulder and ask yourself: How did I end up walking down this path and getting lost in this forest? Every day you were making a good incremental decision, but it did not add up to a strategic success.”

While the civilian US presence in Afghanistan did not and could not measure up to US armed forces in terms of resources or numbers, Eikenberry applauds the diverse competencies and talents that the US embassy team brought together. “We were really the shadow government in Afghanistan,” Eikenberry reports. “The diversity within our team was just extraordinary.”

When faced with a remarkably complex counter-insurgency, the presence of so many experts in diverse fields made for a very nuanced team of problem solvers. These various departments performed ongoing reassessments of circumstances on the ground, a kind of flexibility that US armed forces did not—and cannot—have. The necessity of advanced preparation and effective execution requires that, at some point, debate and deliberation cede to a final plan. “When you are engaged in a
conflict, at some point a commander has to bring closure to debates,” Eikenberry adds, “you cannot endlessly be debating the operation that is going to occur tomorrow.”

Professor Eikenberry notes that despite complementary strengths, coordination between the US military and civilian efforts in Afghanistan was imperfect. Given the rapid pace of developments, Eikenberry says the number of departments or agencies at the table for any one problem—among many different problems—complicated coordination even more. He explains, “You are looking at novel problems that no one is at all clear how to go about solving. What that leads you to conclude upfront is that no matter how good you are, given the pace and complexity of actors involved, coordination will never be great. All that said, I think that the military and the embassy actually worked together very well and got better over time.”

Acknowledging that reports about differences in civilian-military perspectives were correct, Eikenberry mentions the difference in perspectives on how the war should be fought, “depending on where you sit.” He concludes, “but beneath that, at the level of coordination, planning, and implementation, it was very good.” While the perspectives and methods of the US military and civilian efforts may have diverged at times in Afghanistan, the civilian-military gap was bridged in the field, according to Eikenberry, by common purpose. “What ties the military and the civilian efforts together,” he says, “is,
without exaggeration, extraordinary professionalism, a notion of sacrifice, and the idea of a deep commitment of service to the nation.”

**Bridging the Gap in Afghanistan**

Professor Eikenberry believes that more deliberate efforts to cultivate a culture of public service could help to bridge the gap between US armed forces and civilians in the United States. Such national service can take many forms, from serving in the military, to working at any level of government, or doing volunteer work to support fellow citizens in need. “I wonder,” Eikenberry considers, “whether at some point politically in this county there would be any appetite to consider a national service act—not a draft, but an opt-in national service program, where benefits are given to young people that raise their hand.”

In the short term, Eikenberry believes that the United States can do more to encourage interaction between young people and opportunities for public service—not just in the US armed forces, intelligence services, or government, but also in multinational organizations and nonprofit institutions. He would like to see more opportunities for people who have served in different ways to share their experiences with youth, and also provide opportunities for youth to be more involved. For example, creating more internship opportunities and incorporating those opportunities into high school and university curriculums could encourage a culture of national service.

At the university level in particular, Eikenberry sees tremendous potential in balancing academic theory with the experiences of practitioners in the field. “I think it is important
that undergraduate students and graduate students have the theoretical foundations and underpinnings,” he says, “but also more opportunities to connect the theory to the actual practice.” He is passionate about exposing students to the different opportunities for national service that exist, many of which are not typically conceptualized as such. These ideas have motivated the design and approach of Professor Eikenberry’s Spring quarter class, America’s War in Afghanistan: Multiple Actors and Divergent Strategies (IPS 248). This seminar uses Afghanistan as a case study to better assess US foreign policy, and more specifically, the key actors and important consequences to consider when the United States goes to war. By hosting guest speakers from different US departments and agencies operating in Afghanistan at the time of the surge, Eikenberry emphasizes the complexity of international policy-making and the importance of coalition-building in the process. By emphasizing the kinds of decisions that are made in times of war, Professor Eikenberry hopes the seminar will inspire some students to be a part of those decisions in the future. After leading both military and civilian efforts in Afghanistan, Karl Eikenberry continues to bridge the gap by creating more educated citizens and inspiring future decision-makers.
Humanitarian Crisis and Survival Migration in Central America’s Northern Triangle

By Emilio González-Gonzalez

In June 2014, U.S. President Barack Obama referred to Central American migration to the United States as a “humanitarian crisis,” due to the unprecedented amount of unaccompanied minors that were captured at the U.S.-Mexico border trying to enter illegally into the United States. Obama labeled as such the lack of institutional resources for dealing with the unexpected amount of unaccompanied minors that were placed in the detention centers along the border with Mexico. After almost a year that this happened, it is important to rethink this topic. Even though the influx of children has decreased, the diagnosis of the problem made by both the Mexican and US authorities at the time was mistaken, for they considered it a migration management crisis and not as part of a broader humanitarian crisis in which forced displacement is just an empirical reality. The real emergency is not at the US-Mexico border, but in the Central American Northern Triangle itself.

These minors are just one part of a migrant influx caused by generalized criminal violence in countries in the Northern
We are witnessing a special type of humanitarian crisis that has prompted a different kind of migration, one which cannot be explained by the conventional dichotomy between the migrant and the refugee as different social types. Given the fact that the international refugee regime was built around this dichotomy, this paper asks: how can we conceptualize people displaced by criminal violence in Central American Northern Triangle? Under what circumstances would the international refugee regime apply to them? I argue that the pervasive refugee-migrant dichotomy upon which the international refugee regime is based is not a useful analytical tool for understanding forced displacement by criminal violence in the Northern Triangle. I contend that neither the traditional category of economic migrant nor the institutional label of refugee apply to them, and instead I employ Alexander Betts’ “survival migrants” analytical framework to make the case for a new understanding of part, not all, the current Central American migrant influx. The relevancy of this approach has policy implications for ‘survival migrants’ do need international protection, that most of the cases the US and Mexican governments have failed to implement because of the lack of political incentives to do so.

Humanitarian Crisis and Survival Migration: Conceptual Issues

There are several definitions of a humanitarian crisis, both operative and academic. The latter defines a humanitarian crisis as “any situation in which there is a widespread threat to life, physical safety, health or basic subsistence that is beyond the coping capacity of individuals and the communities in which they reside.” This definition does not emphasize causes of
crises, but their widespread consequences. Causes include human and natural catastrophes such as famine, wars, epidemics, and natural disasters; the consequences of these events pose a direct threat to the security of people who reside in the regions affected. Consequences include the collapse of basic services, starvation, epidemics, and one of the most acute: massive influxes of people that left their homes because the state institutions responsible for dealing with consequences of humanitarian crisis are dysfunctional. According to this analytical framework, the dependent variable that explains why a natural, political, or social phenomenon causes a humanitarian crisis is the state’s institutional capacity responsible for dealing with its consequences.

The United Nations’ operative definition of a humanitarian crisis also emphasizes the state as a fundamental variable to respond to an external or internal shock resulting from conflict in the context of a complex emergency. But the most accurate analytical concept to understand what has happened in the Northern Triangle in the last years is “complex political emergency.” According to the World Health Organization it is a “situation with complex social, political and economic origins which involves the breakdown of state structures, the disputed legitimacy of host authorities, the abuse of human rights and possibly armed conflict that creates humanitarian needs.” This last definition is more useful for understanding what has happened in the Northern Triangle in recent years: widespread corruption among law enforcement, security, and political institutions that cause weakness of the state in wide territories and create large “ungoverned spaces” located in re-
regions such as Cortés, Nueva Supaya, San Pedro Sula, Atlántida y Yoro in Honduras; entire neighborhoods in Guatemala City and San Salvador.

A “complex political emergency” is the concept that most accurately captures the social and political landscape that has proliferated since the end of the Cold War in weak states from the developing world. When the international refugee regime was established in 1951, with the signature of the Convention of Refugees, states conceived military violence as the sole causes of refugee influxes. Indeed, the United Nations Higher Commissioner of Refugees’ (UNHCR) existence was planned just for three years. The end of the Cold War accelerated a process that had begun years before: new forms of violence created new types of humanitarian crises. Non-state actors became relevant protagonists in political process such as state dynamics of power. However, the international refugee regime, and specially the refugee definition of 1951 did not evolve. Despite the 1968 African Union and 1984 Cartagena wider refugee definitions, UNHCR officials are reluctant to accept that the 1951 definition should evolve to consider people displaced by different types of violence, not just military.

The 1951 refugee definition has had implications outside the international policy realm and influenced complete generations of refugee studies. The core of the problem is that “refugee” is a bureaucratic concept created in the policy realm, not in the academic world. When trying to understand new situations that could force people to abandon their places of origin, it does not have analytical power to base our analysis in a definition that responded to a complete different set of circumstances. An analysis must center on the academic definition, firmly based in empirical evidence like “survival migration.”
Alexander Betts defines “survival migrants” as “persons outside their country of origin because of an existential threat to which they have no access to a domestic remedy or solution.” Betts uses this concept to express his frustration with the current definition of refugee, which was created in a completely different historical context than today. “Survival migrants” leave their countries not just because of full-out war, like the refugees of the Second World War. They also flee their countries because of the confluence between drivers such as state weakness, climate change, and generalized violence in a non-war context. Central Americans displaced by criminal violence are survival migrants, for they are the product of a social fabric poisoned by poverty, criminal violence, inequality, and generalized human rights violations.

A Social Fabric of “Survival Migrants”

The Central American Northern Triangle is a social fabric of survival migrants because the institutions in charge of dealing with transnational organized crime that operates along the region do not meet their objectives: protecting people’s lives, assuring property rights, prosecuting crime, assisting victims, and providing for citizens basic and effective services in the health, communications, and educational sectors. Empirical evidence indicates that important sectors of security and law enforcement institutions are colluded with gangs and drug cartels located in the region. For instance, in Honduras, 95% of crimes are not solved; in Guatemala the National Witness Protection Program in Judicial Trials has capacity to assist just 20 people, while applicants every year are more than 200. Moreover, in El Salvador intelligence elite unites of the national police have been caught in corruption acts relating to gang and drug transport groups.
The dependent variable that forms the core of Betts and Martin analytical framework is the strength of governance in a given state. If institutions in charge of natural disasters’ response, citizen security, law enforcement, property rights, and economic regulation does function, albeit imperfectly, but at least with an effective scope, a “survival migration” influx is unlikely to happen. However, as the case with Northern Triangle illustrates, if a state is unable to provide all kinds of security to their citizens, people trapped in “ungoverned spaces” will likely cross a border for new life horizons. From the international refugee regime perspective, most of these people are neither migrants nor refugees. They are not migrants, for they do not abandon their homes voluntary in search for new economic opportunities, nor are they refugees according to the 1951 Convention, for they are not fleeing direct persecution due to their race, nationality, political opinion, religion, or social group. However, the extended refugee definition of both Cartagena and African Union would apply to them.

Central Americans displaced by criminal violence are survival migrants, for they are the product of a social fabric poisoned by poverty, criminal violence, inequality, and generalized human rights violations.

Certainly, from a strictly legal perspective, a parsimonious interpretation of the Cartagena definition would apply to them to get international protection from states such as Mexico and the United States. The problem with the Cartagena definition is that it depends fully on the political will of states to be implemented. Some states of the region, such as Mexico, have harmonized their legal frameworks with this extended definition. But again, definitions of the administrative procedures of the Mexican Law Refugee to grant refugee status are based on the assumption that “internal
conflicts,” “widespread violations of human rights,” and “other situations that alter social order” are caused by political agents either from the state or outside it. The extended Cartagena declaration was framed in light of a civil war in which factions involved had a clear political purpose. The problem with this approach is that organized crime does not have a clear political purpose; groups such as gangs and cartels consider the state as mean, not as an end, for improving illicit revenues. Therefore, from an academic point of view, to consider people fleeing criminal violence in the region as refugees according to the Cartagena definition would be to repeat the analytical mistake that some refugees studies have done: to analyze social phenomena with a concept framed due to policy concerns from European states in a very peculiar historical moment.

The Northern Triangle is a social fabric of survival migrants not only for the immediate effects that criminal violence has in social groups in Honduras, El Salvador and Guatemala, but also for the widespread human rights violations that state institutions are unable to eradicate. In Betts’ framework, the em-
phasis to create a new analytical category is not in persecution as the sole ground to label people as refugee, nor is it threat, as it is in the Cartagena Declaration. Rather, it is the human rights threshold violation. How to measure the threshold human rights violation is methodologically difficult because the topic is fundamentally normative, and scientific measures should be based on empirical evidence, not in normative considerations. Human rights should be given both normative and empirical considerations: normative in the sense that analysis of their adherence assumes that states should and must do certain things in favor of their citizens, empirical in the sense that in order to have stability, order, and economic growth a state needs to have functional institutions.

From both approaches it could be argued that the threshold human right violations from both state and non-state actors are not functional to the state. From a functional point of view, in the last years, criminal violence has cost almost 9.6% GDP in Honduras, 7.7% in Guatemala, and 10.8% in El Salvador. From a normative point of view, the core characteristic of survival migration as an analytical category is that it appears when there are intolerable life conditions in a given territory. Despite of the fact that there are many municipalities with tolerable levels of crime and state malfunction, there are large parts of the Northern Triangle in which life is marked by an explosive mixed set of circumstances both structural and conjectural: when poverty, inequality and unemployment couple with changing patterns of threat, persecution and human rights violations produced by local gangs and transnational organized crime people are prone to cross an international border.
What are the policy implications of survival migration from the Northern Triangle? Betts proposes an analytical framework to explore the relationship between the international refugee regime and survival migration. He calls “regime stretching” to the “degree to which the scope of a regime at the national level takes on tasks that deviate from those prescribed at the global level. Such stretching may be regime consistent (taking on tasks that are complementary to the underlying purpose of the regime) or regime-inconsistent (contradicting the underlying purpose of the regime.”

Under this framework the dependent variable is the level of regime stretching and the independent variable that determines when a regime stretches or not are political incentives the states in charge of implementing the international refugee regime. In other words, when a state has political incentives, it will apply the 1951 Convention refugee definition more parsimoniously, but if the state does not have any political interests it will treat survival migrants as economic migrants. Therefore, the non-refoulement principle, which means states would not deport people whose life is at risk, and is at the heart of the international refugee regime, will not be applied.

Betts’ analytical framework applied to the both the US and Mexican cases results in a negative case of regime stretching. Although there is legal background to grant refugee status to “survival migrants” fleeing criminal violence in the Northern Triangle, both the US and Mexican state have done an restrictive interpretation of the international refugee regime main pillar, namely the 1951 Convention refugee definition. On the one hand, despite of the fact that Mexico incorporated the Cartagena refugee definition, Without Borders, the main NGO that advocates for asylum seekers in Mexico, sta-
ed in a personal interview that the Mexican government has not granted any refugee status on this ground.\textsuperscript{22} This would confirm what a high UNHCR officer told me: the Cartagena definition has remained more a conceptual relic of the Cold War in Central America than a policy instrument.\textsuperscript{23} On the other hand, the US federal government responded to the non-accompanied children crisis of last summer with a massive deportation program and a fierce communication campaign headed by Vice-President Joe Biden in which he warned Central American people not to send their children to the US as if all of them had the choice of staying home. The truth is that at least a total average of nearly 50\% of the children interviewed by UNHCR for two special reports on the matter answered that they were fleeing their countries because of generalized criminal violence.\textsuperscript{24}

Why do reception states such as Mexico and the US not stretch the international refugee regime for survival migrants from the Northern Triangle? Political incentives are a main explanation. During the Cold War both Mexico and the US were sanctuaries of refugees from every corner of the world. But this was not just because of an altruistic policy mindset of decision makers, or because strictly adherence of the international refugee regime. In fact, the US legislation has a special prerogative regarding refugee issues that is not considered in the 1951 Convention, and Mexico did not sign the 1951 Convention until 2000.\textsuperscript{25} Therefore, both countries during the second half of the twentieth century implemented not the international refugee regime, but their own political calculations regarding the ideological nature of the regime from which people were fleeing.\textsuperscript{26} However, as was the case with forced displacement in the context of Central American civil wars both Mexico and the US were reluctant to grant refugee status to Salvadorean, and Guatemalans.\textsuperscript{27} US politicians and Mexican officials la-
beled this humanitarian crisis as an economical migrant influx for they did not have any political incentive to grant refugee status to Guatemalan and Salvadorian poor native and unskilled peasants.²⁸

Politics continue being a key explanation of decision making procedures regarding “survival migrants” because after 9/11, the US enhanced border controls and toughened immigration laws with a securitization approach. The less unknown foreigners entering the US the better, such was the reasoning underlying the securitization of migration policies in America. This same approach has been adopted by the Mexican government regarding last year’s non-accompanied children. In spite of empirical evidence that a humanitarian crisis was occurring in the Northern Triangle countries, the Mexican foreign secretary declined to review Mexican refugee policy.²⁹ Most survival migrants I have spoken with tell me that the federal institution in charge of granting refugee status in Mexico systematically denies asylum requests based on criminal violence claims.³⁰

In fact, Mexican response to the massive influx of Hondurans, Salvadorians, and Guatemalans fleeing criminal violence was the implementation of an ominous course of action called Plan Frontera Sur. Mexican president Enrique Peña Nieto announced it one month after Barack Obama’s statement on the humanitarian crisis in US detention centers along the border with Mexico. Despite Peña Nieto’s promises that the plan would be based on a human security approach, the Plan has achieved the opposite: people in transit, either fleeing criminal violence or looking for job opportunities or family reunification are more vulnerable to criminal violence across southern Mexico because thanks to border controls inside Mexican territory and not along the border with Guatemala, they have to take new routes that are unsafe and controlled by criminal organizations.³¹ There is also a systematic campaign of deporta-
tion that for the first time in history has reached the same pace of US figures.\textsuperscript{32} This approach to human mobility patterns in the region has been problematic. It makes survival migrants invisible given that most of them do not have the opportunity to apply for refugee status when they are deported by the National Migration Institute, whose officers in the field have a poor knowledge of the Mexican National Refugee Law.\textsuperscript{33}

Therefore, in the current survival migration influx from the Central American Northern Triangle, receiving states such as Mexico and the United States have not stretched the international refugee regime even though, at least in the case of Mexico, most Central American forced displaced people by criminal violence could obtain refugee status based on Cartagena extended definition.\textsuperscript{34}

Conclusion

In December 2014, the commemoration process of the thirty years of the Declaration of Cartagena concluded with a ministerial meeting of thirty Latin American and Caribbean states in Brasilia. The final document, “The Declaration of Brazil” proclaimed, for the first time in UNHCR history, that “transnational criminal violence is a new vector of forced displacement in the Northern Triangle.”\textsuperscript{35} This is a landmark statement that must be recognized given the fact that one of the most acute problems that survival migrants face is the lack of recognition of this problem in the Caribbean basin region. The ensuing Action Plan of Brazil proposed concrete course of actions in the region in order to improve life conditions of this new pattern of human mobility in the region. It is too early to assess the implementation of this Action plan but it seems that governments of the region continue to see this problem
through the lens of political interests. Honduras and Guatematican representatives did not attend the follow-up implementation ministerial meeting of Brazil Action Plan in San Remo. Instead, they preferred to go to Washington DC to continue the implementation talks of the Alliance for Prosperity in the region.36 This plan, borne out of the un-accompanied children crisis, is sponsored by the US Government and gives $1 billion to the same political elites that have been unable to reform state institutions so that people could find protection inside their states. As long as political elites are not changed, endemic corruption, widespread human rights violations, and institutional weakness will continue in the Northern Triangle: a social fabric of “survival migrants” will not close.

Brazil Declaration conclusions were a step forward to change the mindset of policymakers and scholars from the region. It was an example of the beginning of a regional institutional adaptation of the international refugee regime. From the policy perspective, governments are the main actors in charge of implementing the three programs proposed to deal with this crisis: “Human Rights Observatory on Displacement”, “Prevention”, and the “Dignified and Safe Transit” program. However, governments often do not want or are otherwise unable to implement regional accords regarding human rights and humanitarian issues. Therefore, other civil society actors, both local and global, should engage in this process so that survival migrants are recognized and protected. This would be the first step in a long walk towards stability, peace and well-being that millions of people in the Northern Triangle strongly desire.
3. Interview Rafael Zavala, UNHCR chief of field office, Tapachula, Chiapas, Mexico, April 2015.
5. Ibid.
7. Ibid.
10. The only evolution of the 1951 definition was the enlargement of its scope globally with the 1967 Protocol. The emphasis of direct persecution as the sole ground of granting refugee status did not change.

16. Interview Juan Carlos Murillo, chief UNHCR’s Bureau of Americas, Regional Legal Unit, Mexico City, May 2015.


22. Interview Nancy Perez, Director of Without Borders, Mexico City, May 2015.


27. The US government granted more refugee status to Nicaraguans as they were considered to be fleeing a communist regime.


30. Focus group with survival migrants from Honduras and El Salvador. Tochán Shelter for Migrants and Refugees, Mexico City, April, 2014.

31. Interview sister Leticia Gutierrez, migrant and refugee advocate of Scalabrini Migrantes y Refugiados, SMR.


33. Interview Rafael Zavala, chief UNHCR field office in Tapachula, Chiapas, Mexico, April 2015.

34. Interview Juan Carlos Murillo, chief UNHCR’s Bureau of Americas, Regional Legal
Unit, Mexico City, May 2015.
36. Interview with top Mexican official who spoke in anonymous condition, Mexico City, April 2015.
Diplomacy, the Law, and Mexican Drug Violence: A Twenty-First Century Diplomatic Strategy toward Drug Cartels in Mexico

By Daniel K. Khalessi

Drug violence continues to pose a major challenge to the Mexican people's aspirations for peace. However, the campaign of the Special Representative for Afghanistan and Pakistan (SRAP) offers a potential model for the application of diplomacy to the evolving security landscape in the twenty-first century.

The use of such a model, however, should not be divorced from context. Mexico is not Afghanistan. The Mexican drug cartels are not the Taliban. And the ongoing conflicts in each country differ in fundamental respects. The Taliban insurgency emerged after the fall of the Taliban government in the aftermath of the U.S. invasion of Afghanistan in 2001. Since then, a key objective of the U.S. and Afghan governments has been to fracture the complex linkages between Taliban insurgents and Al-Qaeda. By contrast, the illicit drug trade in Mexico emerged in the 1980’s after the establishment of the Guadalajara Cartel by Miguel Angel Felix Gallardo ("El Pa-
“drino”), a retired Mexican Judicial Federal Police official from Sinaloa. To encumber the ability of Mexican law enforcement to crack down on the cartel, Felix Gallardo divided and dispersed control of various drug routes to multiple cartels. The ongoing drug violence in Mexico is a complex, multi-tiered conflict between cartels, their rivals, and the Mexican government over the cartels’ expansion and protection of drug routes and illicit activities. Despite cultural, historical, and economic differences between Mexico and Afghanistan, there is one core similarity between the two conflicts: the use of force and intelligence alone has proven to be inadequate.

In Afghanistan, the SRAP model recognized that any kind of meaningful peace would inevitably require another ingredient: Afghans who were in conflict with one another had to communicate. Like the relationship between the Mexican government and the drug cartels, it had been challenging for the Afghan government to communicate with the Taliban. After a classified allied government connected the United States with a Taliban representative, the Obama administration took advantage of the window of opportunity to achieve this diplomatic objective. According to Ambassador Marc Grossman, who served as the Obama administration’s SRAP between 2011 and 2013, “The contact was preliminary, but many on the White House and on the SRAP team hoped that this connection might open the door for the conversation everybody knew would be required if there was ever to be peace in Afghanistan: Afghans talking to other Afghans about the future of Afghanistan.”
This paper weighs the advantages and disadvantages of a potential Department of State initiative to collaborate with the Mexican government to apply the SRAP model to the mitigation of Mexican drug violence. A cohesive whole-of-government team, the application of targeted diplomacy, and economic development assistance to Mexico can lead to a concerted diplomatic campaign to engage with cartel members, create rifts within them, and substantially reduce violence.

Between 2006 to 2012, the drug violence in Mexico has claimed at least 60,000 Mexican lives and undermined Mexican institutions. Since taking office in 2012, the Peña Nieto administration has taken a less confrontational stance toward the cartels and annual homicide rates have dropped by 12.5 percent. The drug violence in Mexico, however, is not an isolated problem for Mexico. Indeed, the black market for drugs in the United States is a conduit in the vicious cycle of drug violence. One should therefore assess the role of the United States in the economic, legal, and security facets of this cycle of drug violence.

First, the economic demand for illicit drugs in the U.S. fuels the activities of the drug cartels. Mexico’s geographical position as the final corridor before the United States gives drug cartels a distinct advantage: they exercise ultimate control over the trafficking pipeline between the entire South American narcotics industry and the American border. In addition, Mexican drug cartels are the largest suppliers of illicit drugs. This oligopoly over the supply, production, and distribution of illicit drugs to the U.S. has resulted in a black market industry that collects approximately $18-39 billion (USD) annually from American drug sales. According to a National Institute on Drug Abuse survey in 2012, approximately 23.9 million Americans had consumed an illicit drug within one month prior to the survey. This high level of demand translates into a clientele relationship with the drug cartels: the United States
is the largest consumer of heroin and methamphetamine produced in Mexico, as well as cocaine produced in Colombia.

Second, the drug cartels have undermined both Mexican and American rule of law. It becomes increasingly difficult for American law enforcement to conceive an effective anti-drug trafficking strategy when there are cracks in the pillars of Mexican policies and institutions. Political corruption has been rampant over the past five years. In 2008, Mexican authorities discovered that one of the country’s anti-drug czars, Noe Ramirez Mandujano, had received a $450,000 bribe from the drug cartels for leaking intelligence on the government’s crackdown efforts.

Beyond corruption within various government agencies, Mexican presidents have lacked a cohesive strategy for reducing the power of the drug cartels. From 2000 to 2006, violence in Mexico increased as President Vicente Fox ordered Mexican troops to fight cartels in the border regions. Later, President Felipe Calderon amplified the strategy of his predecessor by sending 50,000 troops to combat the cartels. Though these crackdowns strained the power of the cartels, the number of
drug-related deaths escalated. Furthermore, a number of cartels offered lucrative financial incentives to troops who deserted the Mexican Armed Forces. The relationship between the economics of the drug trafficking industry and the inadequate capacity of Mexican institutions to maintain order only exacerbates the vicious cycle of drug violence and corruption. After his recent election in 2012, President Enrique Peña Nieto initiated a radical departure from the strategy of his two predecessors by prioritizing the reduction of overall violence over the crackdown on cartels.

Though President Peña Nieto’s strategy emphasizes arresting cartel leaders, the strategy requires a more comprehensive solution for reducing the power of the cartels. In 2014, 53 percent of Mexicans said that President Peña Nieto is “doing well” at “fighting organized crime and drug traffickers.” President Peña Nieto has opposed any form of U.S. military presence in Mexico. However, given the failure of confrontational approaches in responding to the cartels, U.S. military intervention in Mexico is likely to be counterproductive and may not carry political salience here at home. The drug problem in Mexico necessitates a balance between ensuring adequate law enforcement while limiting confrontation and strengthening anti-corruption measures.

Third, the drug cartels in Mexico pose an ongoing challenge to American border security and a long-term threat to communities in the Southwestern United States. As long as the cartels acquire profits from drug sales in the U.S. and use that
money to purchase American-manufactured weapons, the United States is part of the vicious cycle of drug violence. The 1,954 mile-long border between the United States and Mexico compounds this problem. Current U.S. law enforcement initiatives along the border have generated mixed results. In 2011, the Department of Homeland Security (DHS) removed 43,262 criminal aliens involved in illegal drug activity from the United States. Despite the efforts of the DHS to decrease the flow of illicit drugs across the border, cartels continue to smuggle hundreds of thousands of metric tons of illicit drugs in the United States annually. Drug violence has also spilled over into the United States. Though cases of heinous crimes carried out by the drug cartels in the U.S.—such as the 2010 beheading of an Arizona man—are rare, the probability and magnitude of spillover could increase in the long-term given the growing presence of the cartels in the Southwestern United States.

However, a coordinated American and Mexican strategy for reducing drug violence would be to create a diplomatic pathway toward reconciliation for cartel members who are willing to split off from the cartels and renounce violence. The economic, legal, and security aspects of the drug violence underscore an underlying phenomenon: when an organization operates outside of the bounds of the rule of law, it cannot enforce contracts or mediate disputes via the rule of law. Consequently, violence becomes the organization’s modus operandi. Given the illicit market power of the cartels, it is unlikely that the Mexican government can eliminate the entire industry. However, to simultaneously reduce violence in Mexico and weaken the cartels, the Department of State should use the lessons from past experience.

The proposed SRUM diplomatic campaign can take valu-
able strategic lessons from the experience of SRAP in negotiating with the Taliban. In Afghanistan, SRAP devised and executed a strategy for reconciliation by (1) mustering a team of professionals from across the interagency; (2) utilizing the preponderance of power and economic aid to conduct diplomatic negotiations from a position of strength; and (3) increasing Afghanistan’s integration through economic links with its Central Asian neighbors through a proposed New Silk Road. SRUM can adopt a similar strategy tailored specifically to the problems in Mexico. The following options are not mutually exclusive, but components of a comprehensive approach for engaging with the drug cartels.

The first step would entail establishing an interagency team and engaging in bilateral discussions with the Mexican Government over a stronger liaison relationship in enhancing law enforcement in Mexico. Despite President Peña Nieto’s opposition to U.S. military presence, he has expressed interest in receiving advice and training from the U.S. on possible counterinsurgency tactics. However, it is inaccurate to assert that Mexico and Afghanistan are perfectly analogous cases and therefore problematic to superimpose a similar solution on the basis of that assertion. Given the current Mexican administration’s opposition to a confrontational strategy, this liaison relationship should consist of enhanced collaboration with (1) the Department of Justice (DOJ) on strengthening the institutional capacity and accountability of Mexican law enforcement and (2) the U.S. military in working to understand the successes and challenges in attempting to help the Afghan Armed Forces win the hearts and minds of the local population. This liaison relationship provides an opportunity to leverage the institutional lessons and advice of DOJ and the U.S. military without further perpetuating violence in Mexico through excess confrontation or intervention. However, improving the
capacity and accountability of Mexican law enforcement is insufficient. The State Department has an opportunity to convince President Peña Nieto that law enforcement is only one tool in reducing the power of the drug cartels. Transparent, accountable, and effective law enforcement must be complemented by a robust diplomatic campaign aimed at inducing certain cartel members to reconcile with Mexican society.

The advantages of establishing SRUM are two-fold: First, since the cartels operate along and across the U.S.-Mexico border, just as the Taliban operated along the Afghanistan-Pakistan border, a concerted diplomatic campaign must encompass both nations. Second, the United States lacks a coordinated whole-of-government approach toward border security. The DOJ and Department of Homeland Security (DHS)’s separate efforts to regulate the flow of narcotics, money, and weapons highlight a deficit in bureaucratic coordination and efficiency. Given the dual domestic and transnational facets of drug violence, a whole-of-government approach for SRUM would entail bringing together a team of advisors from across the entire interagency spectrum, including: State Department experts on the countries located in the Central American drug smuggling routes, Department of Treasury and USAID development experts, DOJ, DHS, Food and Drug Administration, and the Intelligence Community.

There are also a number of challenges to the creation of a whole-of-government diplomatic team for the drug problem. First, the potential misalignment in the end objectives of the U.S. and Mexican governments toward the drug violence poses a difficult problem. A whole-of-government approach cannot be effectively implemented unless there is clarity in the overarching end goals of an American diplomatic campaign with the cartels. Second, following the SRAP experience in
collaborating with Hamid Karzai, potential corruption in the Mexican government or bureaucratic inertia might hamper the political will necessary to effectively collaborate with the host government on a diplomatic campaign.

A core lesson of the SRAP experience is that diplomacy and institutional capacity are mutually reinforcing. The unique advantages to applying this model for coercive diplomacy to negotiation with the drug cartels rest on a number of prerequisites. First and foremost, the Mexican government and American advisers must ensure that the balance of power against the drug cartels favors the Mexican government over the cartels. To this end, the U.S. can take immediate action at home by using law enforcement to arrest and prosecute drug cartel members operating within American territory. Moreover, the U.S. can increase economic assistance to Mexican law enforcement under conditions of transparency and accountability. By strengthening the Mexican government’s rule of law and capacity to manage the violence perpetuated by the cartels, a diplomatic campaign could have much more potential for success. If cartels rely on violence and coercion to mediate disputes, a preponderance of power toward the Mexican government and people can shift the playing field: weakened cartel members would have an incentive to come to engage in diplomatic negotiations with the SRUM to forsake their activities. Second, like the SRAP experience, the SRUM diplomatic campaign would operate in a symbiotic relationship with the Mexican government’s capac-

Transparent, accountable, and effective law enforcement must be complemented by a robust diplomatic campaign aimed at inducing certain cartel members to reconcile with Mexican society.
ity to reduce violence. As law enforcement weakens the cartels, diplomacy can be used to split members off from the organizations, thereby further reducing the power of the actors at the core of these cartels.

A number of challenges to applying the SRAP coercive diplomacy model to Mexican drug violence exist. First, one might raise the objection that representatives from the drug cartels may lack the political willingness to negotiate with the Mexican government. An SRUM will not simply rely on the U.S. and Mexican governments extending an invitation to drug cartel representatives to negotiate. On the contrary, effective diplomacy should not be built upon fear, but the pressure and preponderance of power created by enhanced American and Mexican law enforcement on their respective sides of the border. The cartels may not currently have the political willingness to come to the negotiating table, but pressure can play an instrumental role in creating that will. In the SRAP case, the Afghan government had to acquire enough institutional capacity and strength before the window of opportunity to negotiate with the Taliban emerged. Moreover, many Mexican government officials may lack the political will to sit down with cartel members. After all, the allegations of corruption between government officials and cartels are rampant, so the outward appearance of diplomatic liaisons between the cartels and Mexican government are likely to appear controversial. However, it is a fallacy to assert that all cartels are monolithic organizations. As long as the SRUM campaign can pressure some cartel members to break off from their own organizations or provide information to law enforcement, the SRUM and Mexican government can frame diplomacy as a tool to weaken the cartels from within. In addition, like the SRAP case, the U.S. and Mexican governments can work to keep individual negotiations and their content secret until their
culmination. Second, there is a key contextual difference between SRAP and SRUM. In the former, an allied government connected the United States with an individual who served as a senior representative of the Taliban, thereby opening the door to conversation. In Mexico, there are seven major cartels and this fact inevitably complicates the diplomatic campaign. However, the SRUM might be able to transform this challenging context into an advantage: as caveats on reconciliation, cartel members must be willing to renounce violence and provide human intelligence (HUMINT) on their own cartels or rivals. Such HUMINT could bolster law enforcement efforts to infiltrate the cartels and strengthen diplomatic efforts by pinpointing the appropriate cartel agents with whom to open avenues of communication.

Third, it is difficult to measure the domestic political salience of a potential SRUM campaign in the United States because the initiative has never been proposed before. However, immigration, border security, and U.S.-Mexico relations will inevitably play an important role in the 2016 election and primary season. Given former Secretary of State Clinton, Senator Rubio (R-FL), and Governor Bush (R-FL)’s work on immigration reform and considerable Hispanic outreach, these issues will likely occupy a more elevated role in the 2016 election than before. Given that the reduction of drug violence and border security are inter-related issues, the implementation of the SRUM in the final two years of the Obama administration may foster more nuanced political discourse on U.S.-Mexico relations during the election season. At the same time, it is possible that some politicians may criticize a potential SRUM diplomatic campaign as a demonstration of weakness or a legitimization of the drug cartels. Given the likely ineffi-
cacy of military force and the American public’s opposition to U.S. military intervention, the creative combination of other resources at the Obama administration’s disposal—diplomacy, law enforcement, and economic revitalization—offers the broadest and most flexible set of alternatives.

The challenges to a successful SRUM campaign are many, but the SRUM offers a clear alignment of limited resources with the overarching end goal of a peaceful, stable, and prosperous Mexico. The revitalization of the Mexican economy naturally plays a key role in the execution of the SRUM diplomatic strategy. First, the Department of State could work with Congress to mitigate the adverse effect of its agricultural subsidies on Mexican farmers. The decrease in American corn prices below the Mexican market prices, coupled with reductions to trade tariffs under the North American Free Trade Agreement (NAFTA), has resulted in increased U.S. corn exports to Mexico, hindering the vitality of Mexico’s agricultural sector. It would be difficult to acquire bipartisan support to scale back existing corn subsidies, which could harm U.S. agricultural exports globally. Instead, Congress can provide direct economic aid so the Mexican government can increase subsidies to its own agricultural sector.

Second, new regional economic initiatives and institutions beyond NAFTA are essential. Under the SRUM, the United States could facilitate and coordinate regular summits between American, Mexican, and Latin American entrepreneurs and technology executives. These efforts could be similar to the joint initiative between Former Intel CEO Craig Barrett and Russian business magnate Viktor Veskelberg to plan the new Skolkovo Innovation Center, the so-called ‘Silicon Valley of Russia.’ A similar entrepreneurial center in Mexico and Latin America could increase the region’s technological development.

Third, education is the engine of economic and technological
vitality. Areas of Mexico with low standardized test scores are directly correlated with high rates of poverty and drug violence. SRUM advisors from USAID can help consult the Mexican government on how to strategically invest the revenues and foreign aid it receives into the improvement of schools. Without economic vitality, the drug cartels can continue to poach human capital from the Mexican labor market. With more viable educational and economic opportunities, Mexican citizens would have a disincentive to work for dangerous, illicit drug traffickers.

However, there are two challenges and disadvantages to these economic revitalization policies that must be overcome. First, the SRUM should be cautious about promoting regional infrastructural development in Mexico in a way that allows drug traffickers to increase their regional mobility. Second, the SRUM must work with the Mexican government and the intelligence assets of both countries to ensure that increased technological and economic progress does not bolster the drug cartels. If Mexico experiences economic growth under these policies, the cartels’ current partnerships with corrupt public servants should not transform into partnerships with corrupt corporate executives. Through a whole-of-government approach that includes reliance on intelligence assets, summits between American and Mexican business leaders, and close coordination with the Mexican government, it is possible to mitigate these two risks.

Challenges to effective diplomacy toward the cartels exist, but this ought not be a negotiation out of fear. The use of force alone is insufficient and the status quo is unsatisfactory. The combination of law enforcement, economic revitalization, and

Education is the engine of economic and technological vitality.
diplomacy can form a mutually reinforcing strategy to pressure cartel members to weaken their own organizations. The Obama administration should approve the creation of a Special Representative for the United States and Mexico to foster a long-term strategy of reconciliation between drug cartel members and the Government of Mexico. This strategy should be based on (1) a whole-of-government diplomatic team, (2) a stronger liaison relationship between U.S. government and Mexican law enforcement, and (3) consultation with Congress on economic assistance and partnerships with Mexico. By adopting this strategy, the U.S. government can begin to help Mexico reduce the violence emanating from the drug cartels in an innovative and non-intervening fashion. If we were not afraid to negotiate with the Taliban in Afghanistan, we must not fear to negotiate with organizations operating in American and Mexican territory.
China has seen unprecedented growth in its trade in the Environmental Goods (EG) sector, from a negligible share in world exports of 3.8% at the beginning of the millennium to a 10.7% of the total environmental goods segment in 2008. It is now only third to Germany and the United States.\(^1\) While exports grew, the imports also saw an outstanding increase, with China becoming the world’s second-largest buyer of EG in 2008, with a 7.6% share of global imports after the U.S.\(^2\) The evolution of China’s prominence in the international environmental goods market exemplifies the rising Chinese technological leadership and competence in the sector.

At the center of China’s success was its two pronged approach, which entails reducing its own emission intensity by employing cleaner manufacturing technology as well as leading exports in this emerging high premium environmental goods market. To achieve these objectives, it had to align its policies and institutional framework.

This direction was provided in China’s 11th Five-Year Plan (2006-2010) which set a target to decrease the overall energy...
intensity of the economy by 20 percent and subsequently in its 12th Five-Year-Plan targeting 16 percent reduction in energy intensity (energy consumption per unit of GDP) and 11.4% increase in non-fossil energy. In 2005, China introduced its policy for ‘indigenous innovation’ through the Medium- and Long-term National Plan for Science and Technology Development (2006-20), as a means to reducing its reliance on low-tech manufacturing exports. Through this policy it aimed to boost the creation and commercialization of home-grown proprietary ideas and technologies through fiscal, tax and financial incentives.

However, it is important to take a step back and assess how all these actions have affected China’s comparative advantage in environmental goods over the past few years. It will also be relevant to understand how China’s evolving comparative advantage compares with the developed country leaders in the field such as the U.S. and Germany.

What have been the key factors that have been driving this result? This paper aims to ascertain whether or not China will be able to sustain its comparative advantage by assessing its past RCA (Revealed Comparative Advantage) trends, policy interventions and tariff structures (trade and non-trade barriers) to assume future leadership in clean energy technology exports to the world, overtaking both USA and Germany.

Methodology

For the purpose of this research paper, we shall do our analysis on 15 critical clean energy technology components which have a high GHG mitigation potential. We will build on the framework provided by the World Bank list of 12 environmen-
tal goods and include within its gambit, components of nuclear energy and hydroelectricity technologies so as to make the list more representative of prominent clean energy technologies. This paper applies a comprehensive measure of RCA (Revealed Comparative Advantage) based on Balassa to the above mentioned set of 15 clean energy technology goods for China, US, and Germany, respectively.\textsuperscript{4} It is expressed as follows:

\[
RCA = \left( \frac{X_{ij}}{X_{nj}} \right) \left( \frac{X_{it}}{X_{nt}} \right)
\]

wherein $X$ represents exports, $i$ is a country, $j$ is a commodity (or industry), $t$ is a set of commodities (or industries), and $n$ is a set of countries. RCA measures a country’s exports of a commodity (or industry) relative to its total exports and to the corresponding exports of a set of countries excluding that of country $i$. A comparative advantage is “revealed”, if RCA greater than 1. However, if RCA is less than 1, the country is said to have a comparative disadvantage in the commodity/industry. We will perform the RCA analysis for China, the U.S. and Germany for the years 2003, 2006, 2009, 2012, and 2013. The data for the analysis was taken from UN COMTRADE. The paper will also address barriers to trade liberalization.

Analysis of China’s RCA in Environmental Goods

While China has been competitive in products like batteries for storing solar energy, it is remarkable to see the increase of its share of world export in these products. It is also interesting to note that China has built its comparative advantage in steam turbine and other vapor turbines from 0.16 in 2003 to 1.29 in 2013 and in hydraulic turbines from 0.21 in 2003 to 1.59 in 2013.
## RCA Analysis for China

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Table 1: Static Analysis of China’s Revealed Comparative Advantage in Environmental Goods
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Table 2: Dynamic Analysis of China’s Revealed Comparative Advantage in Environmental Goods
As for the other clean energy technology products, it is certain that overall the RCA of all these products has been increasing since 2003. The dynamic analysis of China’s RCA (Table 3) over different time periods suggests that over the decade (2003–2013) there has been an overall increase in the RCA of almost all of the selected products barring that of the wind energy transmission shaft and solar energy batteries which have decreased by 0.26 and 0.55, respectively.

Table 2 provides a perspective on China’s RCA trends in the selected commodities over the decade 2003-2013, which demonstrate China’s growing competitiveness in the clean energy technology domain. The section below identifies the various clean energy technologies and describes in detail China’s comparative advantage in the identified commodities within these clean energy technologies.

A. Nuclear Energy Technology

Reactors, Boilers, and Machinery: China is currently uncompetitive in the export of nuclear technology with an average RCA of 0.06 (Table 2). China’s RCA increased only marginally by 0.05 over the decade (2003-13) (Table 3). To encourage import of this critical technology and encourage technology transfer, China has very low average ad-valorem tariff of 1.4% on the import of the nuclear energy technology. Given the massive investments in R&D and strong political will to develop this industry as a potential export market, we could see a gradual increase in China’s RCA for nuclear energy technology in the near future.

Steam Engine: Steam engines are a critical component of nuclear power plants. In 2009, China was the third largest exporter
and importer of steam turbines and other vapor turbines and accounted for 15 percent of world exports and 7.6 percent of world imports. This export prowess is projected in the RCA of 1.22 for China in 2009 in this segment (Table 2) which only increased to 1.29 in 2013. To maintain its leadership even domestically, China has a prohibitive ad-valorem import tariff of 14% on the commodity.

B. Hydropower

Hydropower is the largest renewable energy source, and it produces around 16% of the world’s electricity and over four-fifths of the world’s renewable electricity.

Hydraulic Turbine and Parts: China captured 28% of the world export share in markets by 2010 and 31% by 2012. This corroborates that China over the years has developed a comparative advantage in this industry. In 2003, its RCA was 0.21, whereas in 2013 its RCA increased to 1.59, indicating strong export competitiveness. China levies average tariffs of 4.3% on the imports of these turbines and their parts.

C. Clean Coal Technology

The Chinese government is keenly interested in advanced technologies for using coal to generate electricity, including ultra-supercritical, cycle fluidized bed, and high-efficiency water-saving technologies. In terms of market size, gas turbine manufacturing enterprises achieved sales revenues of more than $6 billion in 2010, taking a share of more than 70% of the gross sales revenue across China. However, it is important to note that China had no comparative advantage in this tech-
nology as on 2013. It’s RCA in 2013 for turbo gas turbines <5000KW, >5000KW, and turbo gas turbine parts were 0.05, 0.07, and 0.12, respectively.

The ad-valorem import tariffs on the other hand were as high as 15%, 3%, and 5%, respectively. This suggests that the Chinese government is protecting its import competing industry especially in the segment of turbo gas turbine of less than 5000 KW. It is also reflective of the intent of Chinese government to grow competitive in this segment by encouraging its local manufacturers to dominate the Chinese market where demand for gas turbines in China was speculated to grow by 8.4% annually through 2011.6

D. Wind Power Technology

China is the largest market for wind energy in the world. The Chinese wind market more than doubled its capacity from 44.7 GW in 2010 to reach 91.4 GW by the end of 2013, cementing China’s global lead in terms of cumulative installed wind power capacity. Drastic increase in China’s cumulative installed wind power capacity can be attributed to the various government incentives provided to domestic manufacturers.

Wind Powered Generating Sets: in 2012, international trade in wind powered generating sets was highly concentrated with European countries accounting for almost 70% of exports while China contributed to less than 14% of exports. This is reflected in China’s low RCA in this commodity of 0.37 in 2012. The average RCA of China over 2003-2013 in this commodity is 0.21 suggesting no competence in this commodity.

Towers and Lattice: China was one of the most competitive
exporters in the towers and lattice masts for wind power generation in the year 2006 with RCA of 1.17. However, with time it has seen a decline in its competitive advantage. The average RCA of this commodity export from China during 2003-2013 was only 0.69. This suggests that while it was exporting its product to USA and other European countries, it was not sufficiently competitive in this segment.

**Gearbox and Transmission Shaft:** Comprising roughly 15% of total wind turbine cost, gearbox manufacturing is critical to China’s localization of components and equipment. China is not export competitive in production of both the gearbox and transmission shaft and has an average RCA of 0.46 and 0.60 from 2003-2013 (Table 2). At the same time its ad-valorem import tariffs are as high as 8%. This is because China seeks to protect this infant industry segment and harbor greater financial and technical strength of domestic manufacturers.

**E. Solar Energy Technology**

**Batteries:** China has become one of the world’s largest exporters of lead-acid batteries; the export volume and export amount are increasing at the annual rates of 40% and 35% respectively. It has an average RCA of 2.9. While this commodity is extremely competitive, it has seen a relative decrease in its RCA from 2.84 in 2003 to 2.29 in 2013. The relative decrease in RCA is primarily due to non-tariff barriers imposed on Chinese exports of Lead-acid battery by European Union, the United States and other developed countries in 2012-13, owing to high mercury/lead content in these batteries which is regarded as hazardous to the environment.

**Solar PV:** China’s share in world exports of Solar PV increased
from 0% in 2003 to a 37% in 2013, while its RCA also increased from 1.12 to 3.29 over the period, which signals China’s strong dominance in the industry. China is presently a leader in the industry. However, a deeper look at the analysis reveals that despite such high comparative advantage, between 2012 and 2013, China saw a relative decline of 0.1 in its RCA and during the same time China maintained a high tariff of 8% on the imports of Solar PV. Interestingly since 2008, through government subsidies, the manufacturing capacity of China’s solar-panel industry grew tenfold.

F. Energy Efficient Lighting Technology

Over the 10 years (2003-13), there have been considerable increases in comparative advantage in the case of energy efficiency lighting (RCA increased by 6.39) suggesting drastic increase in market share in this product. The average RCA for the commodity was 8.63, while its RCA in 2013 was 11.47. This result comes as no surprise as Chinese manufacturers are strongest in the low-wattage LEDs. Chinese companies capture about 30 percent of the global market. That gives them the biggest share ahead of Japan, South Korea, Germany, Taiwan, and the United States, which share the rest of the market in fairly even proportions. The tariff in the segment is also nil, suggesting China’s confidence in its comparative advantage.

Analysis of the US’ RCA in Environmental Goods

The U.S. is one of the leading exporters of Environmental Goods in the world, ranking third only to China and Germany. By analyzing the RCA of the 15 environmental goods, we conclude that overall, the U.S. is most export-competitive
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Average RCA: 1.55 1.77 1.73 1.55 1.50

Table 3: Static Analysis of the U.S.’ RCA in Environmental Goods
Data Source: UNCOMTRADE
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**Table 4: Static Analysis of Germany’s RCA in Environmental Goods**

Data Source: UNCOMTRADE
in clean energy technologies such as clean coal, nuclear power and solar energy technology. However, it is not as export competitive in clean energy technologies such as hydropower, wind power and energy efficient lighting. The average ad-valorem tariffs imposed by USA on the import of these 15 Environmental Goods range between 0% to 3.4%, suggesting significant liberalization in the trade of these goods. USA’s dominance in exports of these clean energy technologies is being challenged aggressively by both Germany and China. It is interesting to note that between 2007 and 2010, the U.S. trade deficit in environmental goods with China increased 170 percent (Table 3).\(^8\)

### Analysis of Germany’s RCA in Environmental Goods

Germany is the world leader in exports of environmental goods as on 2013. Germany’s leadership is a result of the sharp contraction in the role of the United States. However, China is not far behind Germany in the quest of leadership of global clean energy technology markets. Overall, Germany had a comparative advantage in all selected clean energy technologies, except that in energy efficient lighting technology (Table 8). It is interesting to note that while Germany gained comparative advantage in nuclear reactor and boiler technologies in 2013, it lost competitiveness in Solar PV (Photovoltaic) exports. The average tariffs imposed by USA on the import of these 15 Environmental Goods range between 0% to 4.5%, suggesting liberalization in the trade of these goods however less so as compared with USA (Table 4).

### Non-Trade Barriers in Environmental Goods Trade

There are various non-trade barriers and measures employed by governments across the globe to protect their import com-
Petaling industries from foreign competition. Some of the common barriers to trade in environmental goods are business licensing and registration, lengthy procedures related to valuation of goods at customs, local content requirements, restrictive technical standards; disproportionately onerous labeling, packaging and documentation requirements; non-transparent government procurement and contracting procedures; restrictions on professional services, investment, and ownership; intellectual property protection, preferential procurement, legal and regulatory framework issues, lack of financing, lack of adequate energy infrastructure, and incompatible standards.

Over the last decade, China has grown dramatically to become a leading exporter in global environmental goods markets owing to enhanced export competitiveness, evolution of its environmental legislation and policy and also due to extensive government support in the form of subsidy and protection. However, a recent study by Usha C.V. Haley and George T. Haley published in the Harvard Business Review proves that
the trade competitiveness of Chinese exports stems from extensive government support in the form of subsidies. The research argues that in industries such as: solar, steel, glass, paper, and auto parts, labor was between 2% and 7% of production costs, while imported raw materials and energy accounted for most costs. The production mostly came from small companies that possessed no scale economies. Yet, Chinese products routinely sold for 25% to 30% less than those from the U.S. or European Union.

China sees its transition to a clean energy economy as an imperative for its sustainable growth, energy security and as a strategic opportunity to become a leader in this vital emerging market sector with higher premiums. It has undisputed comparative advantage in certain clean energy technologies like energy efficient lighting, Solar PV and batteries, hydraulic motors and steam engine technology. However, it is still developing competence under a protected environment in wind, clean coal and nuclear energy technology. As WTO strengthens trade liberalization efforts in environmental goods, China will benefit a great deal from a larger export market for products in solar, hydro power and energy efficient lighting in developing countries. However, lowering its high tariffs and other non-trade barriers in products where it does not have comparative advantage will hurt China’s domestic manufacturers. Therefore in order to reach scale in this high technology space of environmental goods while it strategizes liberalization, China must continue to develop its domestic market, invest in research and development, provide financial and market incentives and strengthen its trade ties with other developing countries. While Germany leads most of the clean energy technology exports currently, with USA not far behind, China, backed with a strong policy framework, has an unprecedented opportunity to establish its leadership in this sector in the near future.
2. Ibid.
3. List of 15 Environmental Goods: a) Nuclear Power: reactors, boilers, and machinery, steam turbines and other vapor turbines; b) hydroelectricity: hydraulic turbines; c) clean coal technology: producer gas generator, turbo gas turbines; d) wind power: gearbox for wind turbines, transmission shaft, wind-powered electricity generating sets, towers and lattice masts; e) photovoltaic system: cells; f) solar energy; g) energy efficiency technology: energy-efficient lightning
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ANALYSIS SERIES : Volume 1: Power Sector. 


Stoking the Fire without a Stick: The Rohingya Conflict as a Political Instrument

By Amanda Ussak

Myanmar is no stranger to ethnic and religious conflict. The disputed status of Myanmar’s minority Muslims in Arakan (now Rakhine) State dates back centuries. There is no singular origin of these tensions, but territorial disputes and arbitrary colonial policies have often been blamed. The modern era of the conflict can be dated to the creation of a 1982 law that declared “non-indigenous” groups as “associate citizens.” By doing so, the regime stripped Rohingya of their rights in an attempt to classify them as illegal immigrants from Muslim Bangladesh. Bangladesh, however, refused to accept them as their citizens claiming most have lived in the Northern Rakhine since before Myanmar’s independence. Today, there are around one million Rohingya living within Myanmar’s borders.

The Buddhist nationalists largely responsible for recent attacks on the Rohingya claim that the Rohingya presence poses two basic threats: Islam changing the Buddhist identity of Myanmar, and foreigners laying claim to Myanmar territory. However, the perception of these threats, whether they are real or
not, is not new, and fails to explain the recent devastating violence committed by Buddhists against Muslims. Why has this conflict, which has simmered for years, seen a dramatic increase in violence since 2012? And why has this conflict been ignored by the central government in the last two years even as it has brokered deals with other minority groups?

This paper suggests a new theory: that the regime is allowing this particular conflict to escalate in order to reconstruct its image as the sole defender of the Buddhist nation ahead of general elections later this year. Since President Thein Sein took office, each public challenge he has faced has coincided with the re-emergence of anti-Muslim violence across Myanmar. With the international media focused on promised democratic reforms and with opposition party National League for Democracy’s (NLD) famed Aung Sun Suu Kyi free to campaign, this year’s elections will be the largest challenge yet to President Sein’s power. The expansion of internet and mobile phones have allowed Buddhist nationalist groups to spread anti-Muslim propaganda that touts the threat that Rohingya pose to Myanmar’s security and its Buddhist identity. Allowing the Buddhist nationalists to escalate this conflict without attempting to negotiate a settlement or quell the violence, President Sein and his Union Solidarity and Development Party (USDP) attempt to gain political backing from nationalist groups while avoiding international condemnation for actively supporting the Rakhine Buddhists against the Rohingya.

The existing literature on conflict and democratization provides few answers to the question of this increasing violence directed toward the Rohingya. Jack Snyder’s theories on why emerging democracies go to war provide a reasonable explanation for the regime’s decisions to fight various ethnic and religious groups since it came to power in 1962. But they stop
short of explaining why the conflict between Buddhist nationalists and the Muslim Rohingya has intensified since 2012 despite the absence of regime involvement. Why has the regime defeated or made settlements with other minority groups but refused to include the Rohingya? Why is the regime not actively fighting (or less likely, protecting) the Rohingya? If Snyder’s theory held, we should see the regime take an active and visible part in the conflict. Instead, it appears the regime is refraining from direct involvement. James Fearon and David Laitin’s work on “Sons of the Soil” applied to the conflict during independence and the regime formation years but there is no longer a migratory dynamic in Rakhine State and violence between long-established communities is increasing.

The purpose of this paper is threefold: first, to establish the recent violence against the Rohingya as a continuation of an old conflict; second, to apply existing theory and literature to the current situation of increased, pre-electoral violence, and third, to propose a plausible hypothesis for why we see this divergence from traditional patterns of ethnic violence in the wake of stalled democratization. Understanding the nature of this conflict, including its causes and reasons for its perpetuation, is essential for both ending the increasingly dire situation and for adding nuance to the study of democratization and violence.

This paper proceeds in four stages. First, I summarize the current conflict and the parties involved, including the central government does not even acknowledge the term “Rohingya” and refers to the population as Bengali immigrants, rejecting both their existence as a distinct ethnic group and their place in Burma.
government. Next, I evaluate the existing literature on ethnic and sectarian violence and democratization, considering how it can be applied to the Rohingya conflict. I pay particular attention to the dynamics that existed through the 1990s and how the nature of the conflict has changed since. Finally, I use current events and political developments in Myanmar to demonstrate the regime’s use of the conflict for political gain.

The Rohingya Conflict

The Rohingya Muslims are an ethno-religious minority group living predominantly in Rakhine (formerly Arakan) state. They have been officially discriminated against for decades, beginning with the 1982 Burma Citizenship Law, which did not recognize Rohingya as a legal ethnic group of Burma. The central government does not even acknowledge the term “Rohingya” and refers to the population as Bengali immigrants, rejecting both their existence as a distinct ethnic group and their place in Burma.

Although there has been consistent low-level conflict between the Buddhist Arakanese and the Muslim Rohingya for decades, violent clashes erupted in 2012 following a series of retaliatory attacks over an assault, resulting in the displacement of more than 100,000 Rohingya. Burmese President Sein declared a state of emergency in Rakhine, which instituted martial law and unleashed a flood of violence against the Rohingya by state security forces and the notorious NaSaKa border force. Gross human rights violations committed against the Rohingya by NaSaKa and the preferential treatment and protection they provided Rakhine Buddhists are well documented. President Sein disbanded the border force in 2013 but local Buddhist police have filled their void with arbitrary violence toward the
Rohingya. Violence has escalated since, creating a humanitarian crisis. Some Rohingya have fled to Bangladesh or further, only to be deported back to Myanmar. The remainder live in squalid refugee camps in Rakhine State, prohibited from leaving their confines.

Existing Literature

James Fearon and David Laitin explored the Sons-of-Soil dynamic that escalated and perpetuated many 20th Century civil wars. This narrative appears in the Rohingya conflict during the early part of Myanmar’s self-rule and again after the military coup in 1988. Shortly after the establishment of a constitution, Buddhism was declared the state religion and efforts were taken to diminish the effect of Muslim presence in the country. These included efforts to resettle Buddhists from central Myanmar to Muslim-majority areas of Rakhine state. The Rohingya in this case could be viewed as “sons-of-the-soil” in the violent conflict that erupted with the ethnically dominant Burman Buddhist migrants. Rohingya formed local
Muslim militias and attacked Buddhist establishments. Under pressure from Buddhist activists, the central government intervened on the migrant Buddhists’ behalf and successfully decimated most of the militias. By 1961, the remaining Rohingya militant leaders had surrendered or negotiated terms with the central government. Burman Buddhist migration to Rakhine State began again in the 1990s following the establishment of martial law. The central government promoted this migration by forcibly relocating Muslims to make room for Buddhist settlements.¹⁰ Tens of thousands of Muslims fled Rakhine State across the Myanmar border to Bangladesh. The active conflict ended through an agreement between Burma and Bangladesh to repatriate the Rohingya, negotiated and implemented by UNHCR.¹¹

This negotiated agreement and implementation brings to mind Barbara Walter’s civil war settlement theories, which among other points, argue that a negotiated settlement can only be successful when a third party (in this case UNHCR) negotiates and enforces it.¹² After fleeing to Bangladesh, the Rohingya were distrustful of Burmese authority’s promises to allow safe repatriation, or their ability to credibly commit to the settlement. In 1993, UNHCR signed a Memorandum of Agreement with Burma¹³ permitting the organization to monitor the return of Rohingya to Rakhine State.¹⁴ But the ability to control the conflict even with a third party present was short-lived. Reports of attacks and abuses of Rohingya are well documented and many that had fled lost their land to local Buddhists. By this point, the Rohingya were clearly subdued militarily and relegated to refugees in their own land, confined to displaced persons camps.¹⁵ If we consider the situation in 1996 as a final loss for the Rohingya in this conflict, Walter’s work fails to
explain why the central government continues to allow this ethno-religious minority group in particular to be persecuted.

Jack Snyder and Edward Mansfield empirically show that, “war is most likely [to break out] in incomplete democratization that has stalled during the transition from an authoritarian regime to a mixed regime, when the state suffers from serious institutional deficits... Political leaders frequently turn instead to ideological or charismatic appeals to bolster their rule,” (Mansfield and Snyder, Electing to Fight, 2004). That was certainly the case in Myanmar. Starting with a constitution that transferred power from the military to a People’s Assembly in 1974, Burmese military leaders have struggled to avoid relinquishing their grasp on the nation. It was clear from the first attempts at democratic reforms that the public favored new leadership under the opposition National League for Democracy and Aung San Suu Kyi. Each time it seemed that democratic change was likely, the regime would again take up a nationalist charge against a minority group. In 2007 for example, a fuel price surge sparked protests, and activists rallied behind Suu Kyi. The regime responded by rallying nationalist support to defeat the Karen rebels, an ethno-religious minority in northern Myanmar. Since President Sein took office, he has faced three major public challenges: public protests against a Chinese hydroplant project, mass calls to amend the constitution, and widespread support for Suu Kyi. These challenges have coincided with the re-emergence of anti-Muslim violence across Myanmar. Without making tangible reforms that would develop loyalty to the ruling party, President Sein has stoked nationalist sentiment by exaggerating the threat of Muslims in Myanmar to foster support for military action against them.

But in 2014 this diversionary conflict trend started to change
in two ways. First, while violence against Rohingya increased, attacks were being promoted and carried out increasingly by Buddhist nationalists and less frequently by the military and government forces. Second, the ruling party under President Sein made tangible reforms in visible arenas like removing censorship laws and releasing political prisoners. While Mansfield and Snyder’s work provides excellent evidence for why stalled democratizing regimes, including Myanmar, go to war, it falls short of explaining the regime’s shift away from direct involvement in the increasing violence seen in Rakhine State today.

There is extensive literature, including Mansfield and Snyder’s work that studies the relationship between democratization and violence. There is little work, however, that explores the specific role of elections in civil and ethnic violence. Cederman, Gleditsch, & Hug empirically study this relationship and find strong correlation between competitive elections and the outbreak of civil ethnic violence within the year following the election. This could be applied to many of the ethnic conflicts that Myanmar has experienced, including violence committed against the Rohingya following elections in 1990 and 2012. But we are again left with the question of why violence is escalating leading up to (rather than after) an election. The notion that continuing violence against the Rohingya is due to pure ethnic conflict between the Rakhinese and Rohingya seems unlikely considering intra-state conflict in Myanmar was historically between the minority group and the state rather than “low-level societal ethnic violence” (also a global trend).
Empirical Support for Hypothesis

The Rohingya conflict today is marked by several characteristics that differentiate it from previous waves of the conflict and from comparative cases utilized in the relevant literature. First, there is no conflict related to recent migration that could have reasonably sparked the recent attacks on the Rohingya. Perhaps now more than at any time previously, the Rohingya are segregated from other communities in Rakhine State, quarantined in refugee camps and specific neighborhood quarters. The violent attacks committed over the last two years have largely been carried out by communities that have lived in Rakhine State for more than a decade. Second, the Rohingya no longer have organized military operations or capacity, nor are they collectively fighting the central government. In other words, this is no longer a two-sided civil conflict. The few attacks committed by the Rohingya in the last two years have been retaliatory in nature. Third, the central government is absent from the current conflict. The ruling party is neither using its forces to commit attacks nor taking direct action to prevent or enable the attacks. Despite the lack of regime involvement, we see violence against the Rohingya accelerating in the lead up to the next election.²³

According to documentation collected by Human Rights Watch, recent violence in Rakhine State was “organized, incited, and committed” by local Arakanese organizations, and Buddhist monks. Since the outbreak of recent violence in 2012, “President Sein has taken no serious steps to hold accountable those responsible or to prevent future outbreaks of violence.”²⁴ It appears that rather than actively persecuting the Rohingya, as has been the case in the past, the central government has disengaged and changed its tune to outright denial of any conflict.²⁵
These findings support the proposed hypothesis that President Sein and his USDP are allowing conflict between the Buddhists and Rohingya in Rakhine State to escalate in order to recast their image as defenders of Myanmar’s Buddhist identity ahead of the next elections. Rather than send national military forces to handle the Rohingya, they choose to ‘look the other way’ while allowing Buddhist nationalists to attack these Muslim communities. This generates a future opportunity for the government to step in on behalf of the Buddhists (and ‘all of Myanmar’) and appear as their champion in government. In the most recent development, the central government, following petitions from Buddhist nationalists, announced that the Temporary Resident Cards (TRC) or “white cards” some Rohingya carry, which gave them voting rights, will expire in May 2015, notably before the next election. U Wirathu, the leader of the 969 Movement responsible for much of the violence against the Rohingya, was jailed in 2003 for inciting anti-Muslim violence. Despite his virulent speeches and the many attacks that have been committed at the hands of 969 followers in the last two years, the government has not taken action against Wirathu, further evidence of their willingness to allow Buddhists to stoke the conflict.

This plan also plays to the ruling party’s benefit on the international stage. By not attacking the Rohingya as they have in the past, the central government can escape blame for the current violence and claim they are making reforms. The government even produced an investigative report on the 2012 violence in Rakhine State, which pointed to underlying tensions between Rakhine Buddhists and the Rohingya as the source of the conflict. It also included remarks from President Sein promising to “take all necessary measures to create a harmonious society.” Yet in 2013, Rohingya communities were left without defense against Buddhist mobs despite riot
police presence (a measure implemented after the investigation). Reports state, “the Buddhist mobs who perpetrated the violence were well-organized, and that the police stood by and watched as killings were carried out in broad daylight.”

Local Buddhists in Rakhine State have begun implementing measures that the central government had done in the past to marginalize the Rohingya, such as redistributing their property to Buddhist families and forcing the minority Muslims into refugee camps. While the international community is still concerned about the human rights violations in Rakhine State, their attention has turned from the central government to the militant Buddhist nationalists, evidenced by widespread Western media coverage of the 969 Movement.

While President Sein needs to maintain his international reputation as a reformer, his ultimate goal is to remain in power, which requires domestic support. By allowing the Buddhist nationalists to carry out their agenda, President Sein is simultaneously garnering Buddhist electoral support and striking at his main opposition. Though Suu Kyi has been notoriously silent on the Rohingya issue, many believe she would bring human rights violators to justice if she came to power. Without getting involved directly in the conflict, President Sein is able to gain from Suu Kyi’s silence and media speculation on the issue.

Conclusion

President Sein knows he cannot go back on the reforms he has made and the promises to the international community to continue democratization without severe consequences. As a result, he must work through the electoral process to maintain power. President Obama removed many sanctions on Myan-
mar following reforms in 2012, but has maintained some as a result of the ongoing violence in Rakhine State. President Sein must simultaneously be a defender of Buddhist Myanmar and a pro-democracy reformer. In order to do both, his party must walk a fine line between allowing Buddhist nationalists to pursue their agenda while keeping their hands clean of involvement in human rights abuses or violence.

Some suggest the Rohingya conflict could have spillover effects on Buddhist-Muslim tensions in Malaysia and Indonesia, where the issue already mobilizes political and social groups. Letting the conflict escalate could also result in the actualization of a proclaimed concern of these Buddhist groups: militant Islamic jihad entering Myanmar’s borders. Al-Qaeda training camps have already been reported just across the border in Bangladesh, with easy access to the Muslim Rohingya refugee population idling in deportation camps.

As Buddhist Nationalists continue to attack the Rohingya, criticism and attention is surely to remain on them, taking
the international spotlight off President Sein and the USDP for a period of time. While the world is distracted, the central government hopes to rebuild support among its domestic constituents by reinventing its image as a defender of Buddhist Myanmar against Islam and foreigners. Although history would point to a decisive win for the opposition this October, there is no reliable polling data available. History would also suggest that President Sein will do what he can to stay in power. If this conflict continues in the current form, and Sein is able to appear as both reformer and Buddhist advocate, we may see a surprising amount of support for USDP this autumn.
Appendix I: Map of Rahkine (Arakan) State

In June 2012, a series of violent crimes in Ramri, Toungop, and Maungdaw led to widespread violence, abuse, and displacement of Muslim communities in four townships. In the months that followed, Buddhist monks, political party operatives, and government officials organized themselves to permanently change the ethnic demographic of the state.

In late October 2012, Arakanese mobs waged coordinated attacks against Muslim villages in nine townships throughout the state, committing killings, burning down entire Muslim neighborhoods, and displacing tens of thousands more Muslims.
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