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# The East Is Green: China's Global Leadership in Renewable Energy

*Dominic Chiu*

## *Introduction*

### **PRESIDENT XI JINPING'S SPEECH**

at the World Economic Forum's meeting in Davos argued for globalization and the international community's need to proactively manage globalization while mitigating its negative effects.<sup>1</sup> He highlighted how China's past decades of reforms are in line with the trend of globalization, and that China is not only its beneficiary but also its benefactor. Most importantly, Xi stated that China is committed to "a fundamental policy of opening-up," pledging explicitly to keep China's doors open to foreign investment and greater economic integration with the world. Although he did not openly advocate for a Chinese role in global leadership, Xi's desire for China to be at the helm of the push toward globalization is implicit throughout his speech.<sup>2</sup> His host, Klaus Schwab, echoed this open secret by remarking that "in a world marked by great uncertainty and volatility the world is looking to China."<sup>3</sup>

Countries, however, are skeptical of Xi's claim that China can become an active global economic leader through open trade and investment. China is increasingly willing to use

economic coercion in conventional sectors such as retail, tourism, and manufacturing to promote its own national objectives.<sup>4</sup> Critics have also pointed to the country's protectionist policies that speak against its claim to continued openness.<sup>5</sup> China has used a "negative list" to bar foreign investment in various sectors for many years<sup>6</sup> and abused ill-enforced trademark laws to discriminate against foreign firms.<sup>7</sup>

Nevertheless, the international community should be assured that China is genuinely interested in leading the world in one particular sector: deployment and investment in renewable energy.<sup>8</sup> China is already leading in renewable energy production figures. It is currently the world's largest producer of wind and solar energy,<sup>9</sup> and the largest domestic and outbound investor in renewable energy.<sup>10</sup> Four of the world's five biggest renewable energy deals were made by Chinese companies in 2016. As of early 2017, China owns five of the world's six largest solar-module manufacturing companies and the world's largest wind turbine manufacturer.<sup>11</sup>

This article will argue for the case of China's future leadership in the sector by examining domestic incentives

for the Chinese government to reduce carbon emissions and pollution, China's ambitious targets in renewable energy investment, the international community's consensus on climate change, geopolitical implications of transitioning to renewable energy, and current government policy toward inbound investment in the sector. In contrast to the United States government's retreating commitment to the industry under President Donald Trump,<sup>12</sup> China has the political incentive, economic capability, and moral consensus needed to lead the global renewable energy sector.

*China has an urgent domestic incentive to invest in renewable energy*

The Chinese government places a priority on investing in renewable energy primarily because it enables the country to tackle problems of air and water pollution, and mitigate risks of socioeconomic instability. Reducing air pollution is a direct reason why the Chinese government promotes renewable energy. The 2005 National People's Congress's (NPC) Environmental Committee observed that fossil fuel energy production and consumption is the cause of 90 percent of the country's sulfur dioxide emissions.<sup>13</sup> In 2013 Tsinghua University and the Asian Development Bank reported that 7 out of the 10 most polluted cities in the world are in China.<sup>14</sup> Studies also point to climate change being a contributor to China's aggravating smog crises.<sup>15</sup>

The economic and health consequences of air pollution are also well researched. RAND Corporation estimated that air pollution in 2012 cost China \$535 billion, or 6.5 percent of its gross domestic product, due to losses in labor productivity.<sup>16</sup> A UC Berkeley study concluded that air pollution led to an estimated 1.6 million deaths a year, roughly 17 percent of all deaths in the country.<sup>17</sup> A University of Chicago report found that suspended particulates air pollution is causing half a billion residents in northern China to lose an average of 5 years of life expectancy.<sup>18</sup>

It is hardly a surprise, therefore, to see air pollution ranked as a top concern for residents in China. A 2015 Pew poll found that air pollution is considered the second-largest problem for residents in China, second only to the issue of government corruption.<sup>19</sup> However, respondents are much more pessimistic about the prospects for air quality improvement: 34 percent of respondents believe that air pollution will worsen in the next five years, while only 18 percent of respondents believed that corruption would worsen.

Dissatisfaction engenders unrest. Chen Jiping, a former leading member of the Communist Party's Committee of Political and Legislative Affairs, said in 2013 that environmental issues are a major reason for mass protests.<sup>20</sup> As maintaining domestic stability is the Communist Party's top priority,<sup>21</sup> Premier Li Keqiang highlighted the need to combat air pollution by developing cleaner sources of energy in multiple State Council and NPC work reports over the years.<sup>22 23</sup>

**The Chinese government places a priority on investing in renewable energy primarily because it enables the country to tackle problems of air and water pollution, and mitigate risks of socioeconomic instability.**

*China has ambitious goals in promoting renewable energy*

China's commitment to invest in renewables is borne out by its large potential for further production and consumption increases. Its *13th Five Year Plan for Electricity (2016–2020)* aims to raise non-fossil fuel's share of total electricity production from 35 to 39 percent by 2020.<sup>24</sup> By 2030,

one-fifth of the country's electricity consumption is forecasted to come from non-fossil fuel sources.<sup>25</sup> According to the International Energy Agency, 36 percent and 40 percent of the world's growth in solar and wind energy in the next five years will come from China.<sup>26</sup> Renewable energy deployment is also a part of a larger effort within China to develop an "ecological civilization,"<sup>27</sup> a cross-industrial approach to lower pollution level and fossil fuel use, mitigate climate change, and improve energy efficiency.<sup>28</sup>

China's National Energy Administration (NEA) and the National Development and Reform Commission (NDRC) also plan to spend more than \$360 billion developing renewable energy and creating 13 million jobs in the sector by 2020.<sup>29</sup> The country's renewable energy workforce far outstrips that of the United States, which in 2016 employed fewer than 800,000 workers in the renewable energy sector.<sup>30</sup> China also leads by investing in a growing number of international renewable energy projects through increasing contributions to multilateral organizations. For example, the BRICS [Brazil, Russia, India, China, South Africa] New Development Bank, of which China is a participant, gave its first round of long-term green loans worth \$811 million last April to fund clean energy projects to its members.<sup>31</sup>

*There are ecological and geopolitical reasons for China's leadership in renewable energy*

Aside from domestic considerations, there are two other reasons why the international community should respond positively to China's leadership in the sector. The first is ecological: China's stated ecological objectives of developing renewable energy are relatively uncontroversial and widely supported for the positive externality its investments in technology and deployment will bring.

This is because there is largely a global consensus on the need to reduce greenhouse gas emissions in order to mitigate the effects of climate change.

Pew polls done in 2015 across 40 nations identify climate change as the top global threat,<sup>32</sup> with 79 percent of respondents of one survey saying that their countries should limit greenhouse gas emissions as part of an international agreement.<sup>33</sup> A unanimous decision to sign the Paris Agreement in 2015 is a formal indication of the international community's commitment to resolving the challenge of climate change. As the world's leading emitter of greenhouse gases,<sup>34</sup> China's transition to renewable electricity production and consumption is crucial to its international commitment to peak carbon dioxide emissions by 2030.<sup>35</sup>

The second reason is strategic: by increasing the proportion of renewable sources in its energy mix for electricity consumption, China can mitigate geopolitical tensions by making the country less reliant on unstable regions for energy security. An energy market dependent on fossil fuels relies on securing oil and gas transportation routes to and from fossil fuel-rich countries, which in turn requires extended military protection. The protection of oil transit choke points was one of the reasons why China constructed its first overseas naval base in Djibouti last year.<sup>36</sup> In contrast, the availability of resources such as wind and sunlight for renewable energy far outstrips that of fossil fuels and is much more evenly spread across different countries.<sup>37</sup>

China's leadership in renewable energy growth will benefit global geopolitics in two ways. First, China will have one less excuse to expand its regional military presence for the sake of energy security as it raises the share of domestically produced renewable energy in its energy mix. Second, as renewable energy usage diffuses globally as an externality from China's development of the sector, more countries will have the potential to become energy producers and hence be less dependent on unstable regions such as Middle East-North Africa (MENA) and Russia for conventional fossil fuels.

This is not to say that there would be no more geopolitical concerns as a result of a renewable-led world electricity market: questions on who controls power lines, intellectual property rights for technologies such as energy storage capacity and grid connectivity, and the availability of raw materials for constructing renewable equipment will still remain.<sup>38</sup> China will also most likely find alternative justifications for expanding its military presence along maritime trade routes. Nevertheless, China's leadership in developing renewable technology should be seen and supported by the international community in the broader context of mitigating both the effects of climate change and of energy security concerns.

*China's foreign investment environment for renewable energy is evolving*

While China has been a leader in market expansion of renewable energy, its openness to foreign investments in importing foreign renewable technology is

more ambiguous. On paper, China welcomes foreign direct investment into the sector. The Chinese Ministry of Commerce's 2017 *Industry Catalogue Guiding Foreign Investment* lists renewable energy an encouraged area for investment, which would allow foreign investors to establish wholly foreign-owned enterprises in the country.<sup>39</sup> A separate 2016 *Catalogue of Encouraged Imported Technology and Products*<sup>40</sup> published by the State Council also grants Chinese companies import purchase discounts<sup>41</sup> for a variety of wind, hydroelectric, geothermal, and solar-related technologies and equipment. Ernst & Young consultants last year ranked China as the world's second-most attractive country for renewable energy investments, behind the United States.<sup>42</sup>

In reality however, it is difficult to assess China's openness to foreign investment into the industry. U.S. renewable energy companies investing in China worry about intellectual property being appropriated without fair compensation, the loss of financial control, and national security.<sup>43</sup> These are valid risks to consider when investing in China, but at the same time evidence is anecdotal and hence difficult to substantiate or to disprove.

What is more certain is that China's technological advances in the sector are changing the incentives for foreign companies to invest in the country. The change takes place in two ways: the first is that other countries could be left behind technologically if they do not partner with China in developing renewable technology. Take solar energy as an example: China has been narrowing the gap with Western countries in developing key components of solar panels in recent years.<sup>44</sup> Trina, a Chinese company and the largest solar panel manufacturer in the world, broke the world record on the efficiency of multicrystalline-silicon solar cells in 2014 and 2015.<sup>45</sup> As China becomes one of the world's foremost developers of renewable technology, the strategic benefits of investing in China and cooperating with the Chinese in research and development might outweigh the costs and risks of potential technology thefts.

China's advances in renewable energy are also changing the nature of foreign investment entering the sector. The country currently relies mainly on bank loans and corporate bonds for financing renewable energy projects, which does not necessarily lead to high-quality results. This is because these traditional methods of financing are more accessible to state-owned enterprises (SOE), and put private companies—usually more capital efficient<sup>46</sup> than their public counterparts—at a disadvantage. Private Chinese companies hence not only need more capital but also need access to more financing channels.

Innovative financing models such as utilizing pension funds, crowd-funding, and direct leasing have already been successfully implemented by renewable energy companies and financiers in the United States.<sup>47</sup> China needs these financing

alternatives that were pioneered and applied in the West,<sup>48</sup> which is why the Chinese government has been attempting to attract foreign financiers to employ these renewable energy investment techniques in the country through bilateral platforms such as the U.S.-China Renewable Energy Partnership.<sup>49</sup> Both the U.S. Department of Energy and China's NEA are participants in the partnership to facilitate cross-border dialogue between companies. Another prominent group involved in the partnership is the American Council on Renewable Energy, a trade association comprising various multinationals and investment banks that possess not only the necessary capital but innovative funding techniques to invest in high-quality renewable energy projects.<sup>50</sup> The evolution of China's renewable technology and foreign investment needs thus presents a significant opportunity for the country to lead the industry by cooperating with foreign investors with more innovating financing methods to implement in its increasingly sophisticated market.

### *Conclusion*

China's commitment to support the development of renewable energy comes at a time when the U.S. administration is proposing to reduce federal funding for environmental research.<sup>51</sup> Government funding is crucial for fundamental research in renewable technology, and President Donald Trump's proposal to cut \$516 million from the Office of Energy Efficiency and Renewable Energy for the rest of the 2017 fiscal year<sup>52</sup> has been chastised by China's *Global Times* as a shirking of the United States' responsibility on climate change.<sup>53</sup>

President Trump's decision to withdraw the United States from the Paris Climate Change Agreement this June was also criticized by China,<sup>54</sup> which restated its commitment to meet its pledged emissions reduction objectives. The U.S. government's retreat from clean energy commitments leaves a global leadership vacuum, engendering further economic and political support from the international community for China's leadership in the sector.<sup>55</sup> The European Union, for example, is already forging an alliance with China to implement the agreement by speeding up the world's transition to clean energy. As renewable energy deployment continues to rise around the world,<sup>57</sup> the alignment of China's capabilities and incentives to invest in the sector positions the country in an even greater leading role for the sector's future.

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# China's Youth Social Credit System May Undermine CCP Legitimacy

*Mark Akpaninyie*

## **THE INTRODUCTION OF A YOUTH SOCIAL CREDIT SYSTEM (青年信用)**

to be established in China by the year 2020 has sent many China analysts scrambling.<sup>1</sup> They assert that this plan will erode already limited rights and constrain behavior the government defines as subversive. Some analysts fear that technological advances and the proliferation of personal data will enable the Chinese Communist Party (CCP) to have a wider influence in the daily lives of Chinese citizens.<sup>2</sup> With the goal of incentivizing and rewarding government-dictated “good citizenship,” this plan allegedly represents the CCP’s successful suppression of dissent from an increasingly globalized, vocal youth. This analysis is premature, if not mistaken. Despite youth social credit pilot programs rolling out in major cities, there are already clear indications these programs—which use volunteerism, technology, and mass surveillance to collect information on citizens and rate their behavior—may fail.

The CCP’s impulse to register and monitor Chinese citizens is nothing new. Since the 1950s, the *hukou*, or household registration system, has regulated migration within China.<sup>3</sup> The *dang’an* (档案) system compiled dossiers of personal information, and the

government has actively kept records on its citizens for decades to maintain social control. The youth social credit system is the latest iteration of this trend. This system proposes the use of credit ratings as a method to cultivate core socialist values, to promote integrity, and to rebuild trust and public welfare.

In June 2014, the State Council issued plans to begin developing the social credit system.<sup>4</sup> In collaboration with the Communist Youth League Central Committee, the National Development and Reform Commission, and the People’s Bank of China, a leadership group to construct a youth credit system was subsequently established to begin conceptualizing the system. The expressed goal of the system is to promote “socialist core values,” to “serve the growth and development of young people to promote the construction of social integrity,” and to “provide a wealth of public welfare credit services and market-oriented credit products.” The implicit goal is to develop a model of citizenry that does not challenge the CCP, removes Western influence, and promotes the CCP’s conception of Chinese identity. The current blueprint has established a Volunteer China website,

actively encouraging youth to become registered volunteers.<sup>5</sup> The stated goal is to have basic credit information for all young people by 2020.<sup>6</sup>

**The implicit goal is to develop a model of citizenry that does not challenge the CCP, removes Western influence, and promotes the CCP's conception of Chinese identity.**

With more than 28 million volunteers already registered with their basic information as of May 2016, the CCP is leveraging technology to accomplish its goal.<sup>7</sup> However, the proposed system is far from operational, and faces numerous hurdles. With no unified credit system covering the entire country, no visible, coherent approach

for overcoming these barriers currently exists.<sup>8</sup> Pilot programs in various provinces and cities and universities are experimenting in multiple directions, but there are no standards for behavior, leading to differences on messaging and policy. Beijing, Tianjin, Jiangsu, Zhejiang, Fujian, Hubei, Guangdong, Ningxia, and Chengdu serve as early pilot areas. Current pilot programs emphasize volunteerism and observable behavior, and do not specify their surveillance and data collection.

A pilot program in China's eastern Jiangsu Province illustrates these concerns.<sup>9</sup> Like other pilot programs, this program uses a government website for registration and relies on voluntary participation.<sup>10</sup> The goal is to scale the program and create a unified provincial and municipal credit data system, but the incentives for volunteers remain unclear. A Guangdong pilot aims to incentivize participation by promising volunteers in good standing priority selection in school enrollment, employment, promotions, low-interest loans, and other preferential opportunities.<sup>11</sup> How these incentives will operate in practice remains vague. It is unclear how employers, schools, and service providers themselves would be incentivized to work with the system. How behavior and activity will be rated, to what degree the rating is fixed, and the actual impact of ratings remains unclear; and there is no feasible plan in place to scale up the program. News stories promoting the pilot programs leave out specific details, nor has the leadership group revealed this information.

Another major challenge is technological feasibility. The leadership group has not provided much guidance for obtaining personal data other than through volunteers, nor has it indicated how government ministries would work with private firms that hold personal data. The leadership group's construction plan introduces the establishment of a youth credit information sharing exchange directory and a database. The Chinese government has awarded licenses to

some companies to develop innovative solutions for data collection such as Alibaba's Sesame Credit but it remains uncertain if such partnerships can fill the gap.<sup>12</sup> There is little mention of processes to safeguard this information, coordinate among the different levels of government or across regions, or monitor the security of this system, without which potential volunteers may be dissuaded from sharing information.

It remains doubtful whether the leadership group can overcome these challenges and establish a viable youth social credit system by the expected deadline. Despite the legitimate concerns a successful youth social credit system poses for a generation of Chinese citizens, the ambitious scheme lacks the detailed construction needed to meet its 2020 benchmarks. Given the challenges of scaling the system, the party's authority and legitimacy may be further diluted in the eyes of Chinese youth.

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# Vietnam and the Consequences of Technological Innovation for Developing Countries

*Joshua Albano*

## **MUCH OF THE PUBLIC DEBATE**

around the impact of automation on workers has been concentrated on advanced economies; less well understood or discussed are the consequences of automation for developing countries. This is particularly true for countries like Vietnam that have staked their future economic growth on sectors vulnerable to technological substitution in the coming years. Adidas's construction of a fully automated "Speedfactory" in Germany—to be completed later this year, as part of a larger project to "re-shore" manufacturing and cluster production, distribution, and consumer bases—is emblematic of a trend with worrying implications for countries like Vietnam.<sup>1</sup> Without the global need for cheap labor, Vietnam and similar developing countries may struggle to attract international business and foreign direct investment (FDI), and hence follow the traditional path of industrialization and integration into global supply chains, with implications for regional political stability.

Vietnam began its current period of growth and industrialization in 1986, when Hanoi began a series of economic reforms known as "Doi Moi."<sup>2</sup> Between 2000 and 2010 Vietnam more than

tripled its per capita GDP<sup>3</sup> Mirroring the traditional model of industrialization, workers have moved from agriculture to industry and services. In 2005, agriculture, industry, and services, respectively employed 57.9 percent, 17.4 percent, and 24.8 percent of Vietnam's workforce.<sup>4</sup> By 2014, these numbers have changed to 46.8 percent, 21.2 percent, and 32.0 percent, with industry and services contributing most to Vietnam's GDP in that year and those following.<sup>5</sup> By 2016, Vietnam had an overall GDP growth of 6.2 percent and is projected to continue at similar rates over the next several years.<sup>6</sup> Rising wages in China, coupled with greater demands by Chinese workers for better working conditions, have helped Vietnam become a more competitive off-shore manufacturing hub.<sup>7</sup> Recent data bear this out: 2016 saw FDI inflows to Vietnam hit a record high.<sup>8</sup> Like previous "Asian Tiger" economies, Vietnam is expected to absorb lower-skilled manufacturing jobs as China moves up the value chain, continuing its development and high rates of economic growth. Yet this expectation follows a growth model that may soon be outdated with the rise of automation. Of the Association of Southeast Asian Nations (ASEAN-5), which includes Cambodia,

Indonesia, the Philippines, Thailand, and Vietnam, Vietnam is expected to be hit hardest by technological substitution, with 70 percent of its current overall workforce at high risk of being displaced in the near future.<sup>9</sup> This suggests that if Vietnam continues to follow its current growth model and prioritizes absorbing low-skill, low-wage manufacturing, then it may endanger its long-term development for short-term gain.

**Like previous “Asian Tiger” economies, Vietnam is expected to absorb lower-skilled manufacturing jobs as China moves up the value chain, continuing its development and high rates of economic growth.**

One of the areas where Vietnam currently lacks the ability to address increasingly automated production processes is in workers’ skill levels. Hanoi faces a significant skills shortage in the face of these changes.<sup>10</sup> Around 75 percent of Vietnam’s workforce currently do not have a secondary degree, leaving three-fourths of the current workforce without the necessary skills to either find immediate, viable employment when they are displaced or take up the high-skilled jobs demanded by

the new sophisticated production processes.<sup>11</sup> With so much of the workforce unskilled, immediate investment in education and retraining—a common proposal in the developed world—is a must. Yet this may be an incomplete solution, given that current technological innovation is creating far fewer jobs in low-skill, low-income sectors than it displaces, leaving large portions of the population unemployed, regardless of retraining.<sup>12</sup> Looking to and investing in alternative industries less susceptible to automation due to their inherent complexity or interpersonal human nature—such as human health and social work—are possible but still relatively untried solutions.<sup>13</sup> Regardless of the specific path chosen, Vietnam must begin to think of solutions lest they risk the possibility of mass unemployment.

While automation’s threat to Vietnam is principally economic, significant attendant spillovers exist for both Vietnam and the greater East Asian region. As with Adidas’s Speedfactories, when international corporations cluster manufacturing, distribution, and consumer bases together, the scope and significance of global and regional value chains linking developing and developed countries shrinks. In their wake rise supply chains located in already developed regions, both limiting the ability of developing countries to integrate into global markets and breaking key economic linkages at the global and regional level. While such a breakdown does not directly cause conflict, political

science research has shown that a lack of economic linkages between countries increases its likelihood.<sup>14</sup> In a region like East Asia, host to both conflicting territorial claims and extensive regional value chains, that also often feed into larger global value chains, the possible breakdown of economic linkages is especially dangerous. Despite China's relationship with Vietnam as one of its biggest trade partners, territorial disputes in the South China Sea consistently threaten peaceful relations and regional stability. As of 2014, the year in which a contentious riot broke out across Vietnam against Chinese factories and Chinese-owned business, a poll found that 74 percent of survey respondents in Vietnam believed China was a threat, with 84 percent of those polled concerned about China's territorial ambitions.<sup>15</sup> Even if Hanoi is able to continue its current trade relationship with China and position itself to absorb the jobs from China, significant domestic turmoil could arise as Vietnamese workers are progressively replaced by technology and left unemployed, which could potentially spill over into conflict.

Though Vietnam is a specific case, its situation is not unique. Globally, developing countries face a similar crisis, with 87 percent of jobs in the developing world threatened by automation in the next two decades, nearly double the number of jobs threatened in the United States.<sup>16</sup> Solutions proposed by and in the developed world—such as universal wage or population-wide retraining—are unrealistic for developing countries whose budgets could not fund universal wages or whose educational institutions are either too few, ill-equipped, or nonexistent to retrain displaced workers. While advanced economies must address the problems caused by technology domestically, they should not ignore the wider problems for developing countries abroad, and their potentially dangerous, noneconomic spillovers.

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# Who Is Responsible for Hong Kong's Invisible Migrant Workers?

*Ian Cheung*

**NOT MANY PEOPLE VISITING HONG KONG** realize that the city hosts over 340,000 foreign domestic workers. Domestic workers, also known as helpers, make up roughly a tenth of Hong Kong's total working population.<sup>1</sup> However, these migrant workers suffer unseen hardships that can cause tension, both domestically and abroad. Despite the mutual economic benefits gained by both host and origin countries through this practice, growing humanitarian and ethical concerns regarding their treatment and exploitation have become harder to ignore. Hong Kong's outdated legal framework needs reform, but this cannot be accomplished without cooperation with foreign governments to ensure tensions over migrant labor do not derail diplomatic and economic relationships.

The first migrant workers to arrive in Hong Kong were predominantly from the Philippines. In the 1970s, President Ferdinand Marcos's government encouraged labor emigration, coinciding with rapid economic growth in Hong Kong. Filipinos became the dominant foreign worker demographic up until the arrival of Indonesian migrants in the 1990s. Today, the Hong Kong Immigration Department estimates that 53 percent of the city's foreign domestic workers are from the Philippines, 44 percent are from Indonesia, and the rest are mainly from Thailand, Sri Lanka, and Nepal.<sup>2</sup>

Migrant workers in Hong Kong face numerous challenges, many imposed by legal restrictions set by both host and origin countries. First, migrant workers are underpaid, compared to Hong Kong citizens. As of 2015, the minimum allowable wage (MAW) for migrant workers in Hong Kong is set at roughly HK\$25.69 (USD \$3.30), compared to HK\$30 (USD \$3.86) for Hong Kong citizens.<sup>3</sup> Furthermore, Hong Kong's mandatory live-in law and two-week termination rule mean that foreign domestic helpers must reside in the same location as their employer and that employers can fire a worker for arbitrary reasons. The live-in rule also muddles the line between rest and work, contributing to up to 44 percent higher average working hours for migrant workers, compared to the rest of the population.<sup>4</sup>

Furthermore, employment agencies impose illegal and burdensome placement and training fees that can force domestic helpers into debt bondage.<sup>5</sup> Under Philippine law, recruitment agencies are prohibited from charging a placement fee, but evidence suggests most agencies charged fees averaging HK\$8,800, and Hong Kong placement agencies charge fees averaging HK\$11,320.<sup>6</sup> This is more than 25 times the legally permitted amount, which under current Hong Kong labor

laws is 10 percent of the first month's salary. There are also numerous cases of agencies illegally withholding migrant workers' passports until debts are paid, with weak enforcement in both origin and host countries. Despite over 5,000 inspections being carried out between 2014 and 2016, only 23 agencies were fined and 13 lost their licenses.<sup>7</sup>

**As of 2015, the minimum allowable wage (MAW) for migrant workers in Hong Kong is set at roughly HK\$25.69 (USD \$3.30), compared to HK\$30 (USD \$3.86) for Hong Kong citizens.**

In addition, news stories about employers abusing foreign domestic helpers frequently emerge. Physical and psychological abuse is often reported alongside unreasonable working demands, health risks, and poor living conditions. In one 2013 case, a Hong Kong couple were jailed for burning their Indonesian domestic helper with an iron, and beating her with a bike chain.<sup>8</sup> A survey of 1,000 migrant workers conducted by Justice Centre Hong

Kong revealed that 95 percent of Filipino and Indonesian helpers in Hong Kong had shown signs of “exploitation or forced labor.”<sup>9</sup>

In the last few years, the Philippines and Indonesia have taken some actions in reaction to these concerns, to little effect. After several foreign domestic helpers fell to their deaths while climbing outside to clean high-rise apartment windows in 2016, the Philippine consulate in Hong Kong announced the inclusion of a new contractual clause removing this from their list of duties.<sup>10</sup> However, Hong Kong expressed concern regarding the practical details of this change, leading the Philippine government to suspend this action for thirty days until November 14. No further news of the matter has emerged since then.<sup>11</sup>

Similarly, in March 2015, Indonesian president Joko Widodo announced that Indonesia would ban women from working abroad as domestic helpers. However, amid concerns that this would push individuals toward illegal immigration and unregulated black markets, the Indonesian government reneged on this policy in 2017. In March 2017, the consulates-general of the Philippines and Indonesia agreed to blacklist certain employers with records of abuse.<sup>12</sup> But such actions are largely reactive. Without the agreement and active engagement of Hong Kong's Labor Department, these interventions have proven vulnerable to swift reversal. While domestic changes in Hong Kong, the Philippines, and Indonesia are important, the lack of intergovernmental coordination is a critical problem. The Philippine consulate's initial announcement on window-cleaning was issued without consulting the Hong Kong Labor Department, likely prompting the local pushback.<sup>13</sup>

Going forward, a coordinated policy solution could be the key. Hong Kong, Indonesia, the Philippines, and other origin countries should work to develop a top-down legal framework to tackle the twin problems of mistreatment by employees and financial exploitation by recruitment agencies. This could begin by involving these consulates with Hong Kong's immigration and labor departments in reviewing and changing the contractual obligations between employers and employees, as well as improving regulatory coordination on both sides to restrict predatory behavior by recruitment agencies both at the origin and destination countries. The involvement of foreign consulates would ensure that migrant worker policy in Hong Kong would adjust in accordance with the countries of origin. For instance, foreign consulates should consult with the Hong Kong Labor Department in order to develop criteria assessing which employers should be blacklisted and how the blacklisting process works. Establishing a regular channel of dialogue between officials will allow them to efficiently address any new developments and changes. Taking these steps in a public manner can further foster goodwill between the two nations and set an example for others.

Fortunately, some joint steps are being taken. In March 2017, a senior Indonesian official at the Manpower Ministry mentioned that the country has been in talks with countries to ensure “humane” treatment for Indonesian migrant workers.<sup>14</sup> An even more promising first step is Hong Kong's decision to grant the Philippines' input in a technical working group on “overseas domestic workers.”<sup>15</sup> Demonstrating commitment to improving migrant labor conditions would go a long way in improving intergovernmental relations, and help both sides retain the economic benefits of this international exchange of workers.

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# Covert Bots: The Cyber-Nuisances Threatening Our Newsfeeds and Our Democracy

*Sofie Kodner*

**IN APRIL 2014, A PECULIAR NEWS STORY APPEARED** on social media feeds across the United States. The story: A curious petition on the WhiteHouse.gov website, “Alaska Back to Russia,” had gained over 30,000 online signatures in less than a week.<sup>1</sup> The petition advocated for America to return its largest state back to the country from which it was originally purchased. Until March 30, 2017, the story was widely forgotten. On that day, Clint Watts, former FBI agent and senior fellow at the Foreign Policy Research Institute, testified in front of the Senate Intelligence Committee at the first public hearing on Russian interference in the 2016 U.S. presidential election. Russia has weaponized fake news, Watts told Senators, using social media-driven crusades to discredit U.S. institutions and leadership. Thousands of the accounts signing, commenting on, and promoting the “Alaska Back to Russia” petition were automated, pro-Russian bots. Together, these bots were able to create a story so large it made news across America. The bots, however, were not news. The story they manipulated was. Russia, a long-time U.S. adversary in the battle of narratives, has edged an advantage by testing social media’s potential to gain disproportionate influence over citizens beyond its own. The U.S. government must

recognize and respond to the bot threat, in coordination with social media companies, in order to protect and preserve American democracy as we know it.

Bots, defined as social media identities that use automated scripts to rapidly or strategically disseminate content, have quickly become a prominent element of online politics.<sup>2</sup> Watts and his colleagues identified and named three types of bot accounts—Hecklers, Hacker bots, and Honeypots—that push four categories of Russian propaganda on social media.<sup>3</sup> Hecklers are synchronized “trolls” that attack political targets using analogous talking points, promoting Russian foreign-policy positions and targeting key English-speaking audiences. Hacker bots compromise the social media accounts of prominent leaders, such as U.S. government officials, American security experts, and media personalities, to post disinformation or gain access to private communications. Honeypot accounts are used to contrive friendships between real users and bots, building trust through direct messaging or email conversations before pushing a pro-Russia agenda.

The bot accounts generally advance four categories of propaganda: political

**Even where bot detection methodology is improving, such as with bot detection software, bots have often been able to outpace surveillance with constant, increasingly sophisticated adaptations.**

messages to undermine democratic institutions, financial propaganda to diminish confidence in global capitalism, social issues to deepen societal cleavages, and large-scope conspiracy theories to build skepticism of leadership.<sup>4</sup> As evident by the propaganda categories, bots aim to weaken several of the essential tenants of democracy: institutions, capitalism,

societal cohesion, and trust in leadership. Thus, a successful bot offensive has the potential to deteriorate democracies from the inside-out. So far, these operations have gone largely unhindered.

Today, the U.S. government has no clear strategy to combat information campaigns enabled by the Internet. One reason for this is the limited ability to accurately discern bot activity. Social media platforms are not amenable to sharing data on account activity, making it difficult for researchers to analyze message frequency, networks, or employ other techniques to identify bots online. Even where bot detection methodology is improving, such as with bot detection software, bots have often been able to outpace surveillance with constant, increasingly sophisticated adaptations.<sup>5</sup> Unnatural speech patterns, synchronization and persistent, aggressive language from accounts with unusual biographies provide indication upon examination, but manual heuristics will never be efficient or extensive enough to secure the United States from such a dynamic cyberthreat.

Government response also remains constrained by free speech guarantees in the Constitution. Any U.S. government endeavor to counter the flow of disinformation through explicit deterrence would face major political, legal, and moral obstacles, potentially weakening the same institutions that deterrence would seek to protect.<sup>6</sup> Therefore, third parties must step in to deter bots where democratic governments cannot. Social media companies, which harbor the greatest insight and control over accounts, are the obvious answer here, but may not be particularly willing to get involved. Following the 2016 U.S. election, Facebook CEO Mark Zuckerberg said his company was not responsible for influencing people's votes: "Personally, I think the idea that fake news on Facebook—of which it's a small amount of content—influenced the election in any way is a pretty crazy idea."<sup>7</sup> Yet, a Pew study found that

20 percent of social media users have “modified their stance on a social or political issue because of material they saw on social media.”<sup>8</sup>

Thus, the government must create an incentive to ensure social media companies do their part in taking on this national threat. A related approach has been employed to combat bots of another kind. In December 2016, the Better Online Ticket Sales Act, or BOTS Act, which makes it illegal to use software to purchase tickets to popular events, was passed with bipartisan support in both the House and Senate.<sup>9</sup> The now-law gives enforcement authority to the Federal Trade Commission, punishing with a fine those who do not comply. Following suit, the government can legally require social media companies to monitor and shut down unregulated bot accounts, with a fine for noncompliance.

While social media companies are not legally responsible for the content distributed on their sites in the United States, many platforms, including Facebook and Twitter, note that accounts must reflect real individuals or entities in their terms of service.<sup>10</sup> Thus, while social media companies cannot be required to eliminate accounts for posting disinformation specifically, the government can require that companies live up to their own platform-user agreements. This is not to say that all bot accounts on social media must be shut down: many companies develop and employ branded bots to benefit their clientele. However, bot accounts created with the intention of manipulation, that are not forthrightly tied to a sanctioned origin and purpose, must be considered unregulated and shut down accordingly. The termination of unregulated bot accounts is not financially wise for social media companies, as they generate ad revenue based on user activity. Therefore, the fine must impose a greater burden on companies than the revenue lost from decreased account activity.

In Germany, government incentives seem to be working in the fight against propaganda. In March 2017, Germany began pressuring social networks to take responsibility for the spread of fake news with a bill to fine social media companies as much as 50 million euros if they fail to give users the option to complain about hate speech and fake news, or refuse to remove illegal content.<sup>11</sup> The week after the bill was backed, Facebook Inc. published full-page ads in the country’s most widely circulated newspapers offering readers 10 ways to identify the validity of news. Facebook took out similar ads in newspapers in France. The company also removed over 30,000 bot accounts spreading fake news stories, spam, misinformation, and other deceptive content in the country.<sup>12</sup>

Currently, the grand effects of social media are not fully understood. By experimenting with the budding power of this tool, Russia looks to gain

influence within global democracies amidst the thick of the digital age. If left for too long, manipulated stories end up in a country's mainstream media where the impact of information cannot be underestimated. In the United States, what started as a news story about a laughable petition has grown into a full-blown threat to national security. As social media companies have laid the foundation for this threat to grow, they must recognize their role in disabling it. With law, the U.S. government must ensure that happens.

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# Fighting Fire with Foreign Assistance

*Gillian Locke*

**THE TRUMP ADMINISTRATION RECENTLY ANNOUNCED** its plan to increase the U.S. defense budget, already over \$520 billion, by 10 percent in 2018. This increase will be paid for in part by a proposed 29 percent cut of foreign assistance programs, which only received about \$40 billion in 2017.<sup>1</sup> The budget, titled “A New Foundation for American Greatness,” states that it seeks to “reduce or end direct funding for international programs and organizations whose missions do not substantially advance U.S. foreign policy interests.” The administration fails to recognize that these programs—which support strong local governance, food security, health and education development, and economic growth—have yielded incalculable returns that support U.S. interests around the world and are essential to international security. They work to reach vulnerable populations, promote stability, and reduce poverty, all on less than 1 percent of the U.S. federal budget. A comprehensive defense policy should strike a balance between defense and development and recognize the role U.S. foreign assistance plays in ensuring and expanding international stability.

Foreign assistance is essential to our global standing, our relationships with like-minded allies, and our ability to stabilize nations

and regions. Worldwide, conflict cost an estimated \$14.3 trillion in 2016 alone, or about 13 percent of global GDP by purchasing power parity (PPP).<sup>2</sup> Moreover, the United States bolsters its own national security when it invests in other nations because it helps prevent violence that can affect U.S. citizens, as well as disruptions in global economic and political affairs. Programs funded with U.S. tax dollars—like those that promote food security, improve access to healthcare, and foster economic growth—work as important soft power tools to help protect U.S. interests abroad.

Investments in food security help individuals, families, and communities improve access to safe, nutritious food. These programs have the power to build local economies and to lift people out of poverty, which in turn promotes stability.<sup>3</sup> The relationship between food security and national security is well understood; military leaders and politicians from both parties agree that food security investments are effective at reducing poverty and improving livelihoods; they help secure populations in otherwise unstable environments.<sup>4,5</sup> Conflict over food and resources—and government policies that restrict access to these resources—can destabilize states. The National Intelligence Council has stated that food insecurity

will foster instability if not addressed, especially considering climate change, population growth, and diminishing resources.<sup>6</sup> Syria's instability sheds light on how such situations could play out. There, poor agricultural and water policies combined with a devastating drought to bring about a massive rural-urban migration.<sup>7</sup> The ensuing tension is thought to have contributed to the 2011 uprisings, a precursor to Syria's ongoing humanitarian and political quagmire.<sup>8</sup>

**Programs funded with U.S. tax dollars—like those that promote food security, improve access to healthcare, and foster economic growth—work as important soft power tools to help protect U.S. interests abroad.**

Elsewhere, health funding has wide-ranging implications for human security, from preventing the spread of infectious diseases to promoting family planning. Such programs are essential for effectively managing the growing youth bulges in developing countries. When concurrent to economic and political challenges, fast-changing demographics

can make violent extremism more likely to occur.<sup>9,10</sup> Furthermore, research indicates that poor health and nutrition contribute to the onset of armed conflict.<sup>11</sup> As evidenced by West Africa's Ebola outbreak, inadequate management of infectious diseases can quickly lead to threats at a global scale.<sup>12</sup> Development programs that reduce disease prevalence, increase access to family planning, and improve the wellbeing of vulnerable populations can simultaneously minimize domestic and international security threats.

Finally, economic growth and employment programs provide opportunities for individuals and families of all wealth levels. Growing economies provide burgeoning youth populations with reliable and sustainable livelihoods, grow domestic tax bases for developing governments, and create opportunities for growth for U.S. and foreign businesses. The 2011 World Development Report found that unemployment was a primary driver for joining gangs or rebel groups in about two-fifths of youths surveyed.<sup>13</sup> Examples of the influence of employment range from the recruitment of youth into armed militant groups in Sierra Leone in the 1990s, to recent examples like Boko Haram in Nigeria. Poverty, lack of access to education, and political alienation were drivers for recruitment in these settings.<sup>14</sup> Research suggests that employment prospects can deter radicalization by offering stability and hope.<sup>15</sup> Investments in economic development can thus act as an essential radicalization prevention tool.

Defense spending can't address global instability in the sustainable, efficient, and proactive ways that foreign assistance can. But, to be sure,



foreign assistance alone won't provide perfect solutions to these complex problems. Development investments earn high returns but don't guarantee the prevention of future conflict or the solidification of democratic norms. Investing in development and stability is a long-term effort that takes both national and international commitments, strong national institutions, and populations that are able and willing to hold their leaders accountable. Nor will these investments eliminate extremist groups or authoritarian regimes singlehandedly. Defense and security programs are still a critical element of a holistic defense strategy, but military force alone cannot stimulate a stagnant economy, provide access to food and healthcare, or sustainably deter extremism. Any engagement strategy is helplessly incomplete without soft power development tools.

If the priority is to create a stable world in order to protect U.S. interests, defense policy will need to recognize the value of foreign assistance programs. A 29 percent cut to U.S. foreign aid would seriously undermine ongoing work to stabilize fragile states across the globe. Continued investments in lower-income and politically fragile countries can help mitigate future crises and conflicts, reduce financial risk, and minimize human suffering in ways that reactionary policies miss entirely. To pursue national security and global stability, the United States must maintain its commitment to development.

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# Chinese Domestic Law in the South China Sea

Sarah Lohschelder

**IN RECENT YEARS**, the different branches of the Chinese government have strategically used domestic law to put Chinese maritime claims into context, create ambiguity about the legality of Chinese claims, and expand Chinese influence over disputed maritime zones. The effect is an expansion of Chinese influence in the South China Sea and an increasing challenge to international law itself.

A fundamental issue with China's use of domestic law to challenge international rules and standards is that China's domestic legal terminology does not cohere with international legal definitions. Thus, a *note verbale* submitted to the United Nations in 2009 states: "China has indisputable sovereignty over the islands in the South China Sea and the *adjacent waters*, and enjoys sovereign rights and jurisdiction over the *relevant waters* as well as the seabed and subsoil thereof." [Emphasis added.]<sup>1</sup> Neither *adjacent* nor *relevant waters* are defined in international law to designate any particular maritime zone. This unique terminology serves as a foundation of China's domestic maritime law and helps the government alter domestic thinking away from the international standard. Abroad, this terminology allows China to remain ambiguous about the exact boundaries of its maritime claims.<sup>2</sup> This is helpful to China because—as it found out in absentia before the arbitral tribunal at the Permanent Court of Arbitration—precise claims with no basis in international law

fail before the courts. China tried to claim maritime areas based on historical rights rather than distance to its land territory and had its argument rejected for violating the United Nations Convention on the Law of the Sea (UNCLOS).<sup>3</sup>

The Supreme People's Court, China's highest judicial body, recently notified the National People's Congress that the court's jurisdiction extends to all areas under China's "sovereign control," including "jurisdictional seas" such as the disputed Sansha in Hainan province. Although not recognized in international law, China uses the term "jurisdictional seas" to describe inland waters, the territorial sea, its contiguous zones, its exclusive economic zone (EEZ), and continental shelf (as well as other sea areas that China claims). The term serves to justify China's claims beyond UNCLOS rules. The implications of this extension of Chinese domestic jurisdiction are unclear in practice but are potentially vast—especially in criminal law. For example, non-Chinese vessels fishing in disputed South China Sea waters may be in compliance with the international law of the sea, but may violate Chinese domestic laws, potentially exposing fishermen to imprisonment of up to one year.<sup>4</sup> Similarly, foreign crew that legally engage in innocent passage under international law, but against the wishes of the Chinese government, may also face one year of jail time.<sup>5</sup> In both cases, China grants its judiciary the power

to interfere in the rights granted to foreigners under international law, thereby enhancing Chinese control over international and disputed waters like the South China Sea.

## Neither adjacent nor relevant waters are defined in international law...

In an effort to strengthen China's maritime posture, the executive branch restructured and centralized maritime agencies in 2013. This included folding four maritime agencies into the newly constituted Chinese Coast Guard command: China Marine Surveillance,

Maritime Police (part of the Border Control department and formerly under the Ministry of Public Security), China Fisheries Law Enforcement (formerly Ministry of Agriculture), and Maritime Anti-Smuggling Police (formerly under the General Administration of Customs).<sup>6</sup> The most innocent interpretation of the reorganization is that it was intended to improve administrative control and reduce redundancy. A wariar interpretation sees the reorganization as part of a bigger plan to achieve “strategic management of the sea,” which appears to mean a comprehensive state effort to achieve maritime dominance of [China's] near seas in peacetime.”<sup>7</sup>

On the legislative front, the Chinese government is considering draft revisions to its Maritime Safety Law to exercise greater control over its internal and territorial waters. Some of these changes, depending on how they are implemented, are likely compatible with UNCLOS. Such measures include requiring foreign vessels to ask permission before entering ports or internal waters, and designating special marine areas where innocent passage is suspended.<sup>8</sup> Some of the contemplated changes are more controversial. For example, one proposed change would require foreign military vessels to request permission to pass through China's territorial sea—a violation of innocent passage rights under UNCLOS. Additional revisions would grant Chinese authorities the power to stop and eject foreign vessels contravening Chinese law or regulations as they transit, operate, or are anchored within the territorial sea or internal waters and extending the right of hot pursuit to China's “jurisdictional waters.”<sup>9</sup> Here again, we see Chinese domestic law supplanting international law to limit the rights of foreign vessels.

These developments are part of China's broader efforts to use domestic law as a vehicle to further entrench its maritime claims in the South China Sea. Beijing's effort to alter existing norms, the reach of its laws, and operational capabilities have two major implications. First, China is becoming more assertive in the region, imposing its domestic law where it should not apply. Second, the implications infringe on the relevance of international law itself, which is losing influence through self-serving reinterpretations and sidelining by domestic law. As the possible amendments to the Maritime Safety Law indicate, China continues to develop and implement this strategy.

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# From Garbage to Green Space: The Rise of Beirut Madinati

*Timothy Louthan*

## **AS UNCOLLECTED GARBAGE**

**FESTERED** on the streets of Beirut in summer 2015, the Lebanese government seemed unwilling and unable to handle the situation. Building a new landfill would have offered a quick remedy, but logical executive decisions are never a simple task for those with political power in Lebanon. The state's confessional political system has institutionalized sectarianism while regional hegemony aggravates the delicate balance by propping up opposing political factions. Thus, political paralysis and corruption have become trademarks in Lebanon. The government's staggering impotence in response to the garbage crisis should not have come as a surprise. Yet the popular response and ensuing local political developments have disrupted Lebanon's politics posing a direct challenge to the status quo.

Emerging from the garbage fumes, the aptly named "You Stink" movement successfully organized 100,000 demonstrators across sectarian divides in downtown Beirut to protest endemic corruption and incompetence. Despite its grassroots tactics and popular anti-establishment message, the movement's influence was short-lived as it failed to articulate solutions to systemic problems. Nevertheless, You Stink's ephemeral success gave way to a more durable alternative.

In the aftermath of the 2015 protests, a group of academics from the American University

of Beirut launched a political movement known as "Beirut Madinati" (Beirut Is My City). From its inception, the group could have been easily mistaken for one of the many NGOs that dot Beirut's landscape. Beirut Madinati's motley mix of technocrats and activists devoid of any formal political experience clearly distinguished it from traditional Lebanese political parties. The organization's initiative to foster town hall-style discussions in public spaces, its use of social media, and its dependence on volunteers certainly resembled the tactics employed by civil society organizations and protest movements.<sup>1</sup> Yet despite its grassroots tactics, Beirut Madinati was not a new iteration of You Stink.

Unlike other groups that sprung up in the summer of 2015, Beirut Madinati established clear political objectives as it prepared to campaign for the spring 2016 municipal elections. Driven by its technocratic brass, Beirut Madinati developed a 10-point program advocating improvements to Beirut's crumbling infrastructure.<sup>2</sup> From redeveloping waste management services to increasing the city's public green space, to funding affordable housing, the group placed tangible goals at the forefront of its mission. As a secular group reaching out across conventional sectarian lines, this apolitical strategy was pragmatic.

Although infrastructure dominated Beirut Madinati's agenda, issues of

**The government's staggering impotence in response to the garbage crisis should not have come as a surprise. Yet the popular response and ensuing local political developments have disrupted Lebanon's politics posing a direct challenge to the status quo.**

governance were not ignored. Specifically, the group emphasized transparency and accountability. Its decentralized structure and reliance on individual donations to support its campaign demonstrated a radical departure from established political networks.<sup>3</sup> Its financial transparency was not only refreshing, but also burnished the organization's credentials.<sup>4</sup>

Offering a credible alternative in Lebanese politics, however, requires more than a concrete political program and an enthusiastic cadre of volunteers. Even at municipal levels, Lebanon is paralyzed by a system of sectarian patronage that rewards loyalty above all to a za'im (local leader). So prevalent is the sway of sectarian patronage that the ostensibly nonsectarian You Stink movement fell prey to diverging sectarian interests as opportunistic politicians were able to exploit the collective sense of frustration.<sup>5</sup> Beirut Madinati risked the same fate.

It would be an understatement to say that Beirut Madinati faced unfavorable odds heading into the May 8, 2016, municipal election. As a nascent political movement that did not hold its first public campaign rally until three months prior to the elections, it certainly lacked the political cachet to compete with the traditional Lebanese parties. Nevertheless, Beirut's established political class was clearly concerned by Beirut Madinati's growing prominence and appeal. Two-time Prime Minister Saad Hariri, backed by Lebanese powerbrokers, responded by forming the Beirutis' List, an unprecedented alliance between the country's ruling March 8 and March 14 coalitions. Even more challenging were Lebanon's archaic voter laws that effectively restrict half the city from voting in municipal elections.<sup>6</sup> Traditionally low voter turnout coupled with the apathy of young Lebanese further diminished Beirut Madinati's potential voter base.<sup>7</sup>

When the election results came in, the outcome surprised few. Mired by 20 percent voter turnout and allegations of vote buying and voter intimidation, the election represented a less than convincing win for the Beirutis' list.<sup>8</sup> Hariri's coalition did not even manage to win an absolute majority.<sup>9</sup> Beirut Madinati took a respectable 30 percent of the vote, and in the more affluent eastern Beirut neighborhoods, it garnered over 60 percent.<sup>10</sup> The movement had managed to disrupt political patronage networks, but it failed to produce any tangible political success.

Since the 2016 municipal elections, Beirut Madinati has remained active as a civil society organization. In March 2017, the movement came back into the national spotlight as it helped coordinate protests against Lebanon's controversial new budget. A month later Beirut Madinati saw its first success at the ballot box as its candidate, Jad Tabet, was elected head of the Beirut Order of Engineers. While its leaders narrowly voted to abstain from national politics, the organization remains a vigilant watchdog continuing to challenge an increasingly opaque Beirut municipality.<sup>11</sup>

In fact, Beirut Madinati's success has provoked a rebellion of sorts in local Lebanese politics. The 2016 municipal election in Tripoli, Lebanon's second-largest city, witnessed a fledgling political party topple a coalition backed by prominent Sunni billionaires. In the predominantly Shia areas of southern and eastern Lebanon, the traditional alliance of Hezbollah and the Amal Movement faced unexpected challenges from a collection of unorthodox Lebanese parties based on political ideology instead of creed.<sup>12</sup> Arguably most indicative of Beirut Madinati's dangerous potential was the Beirutis' List nominal political platform, which eerily began to mimic Beirut Madinati's program.<sup>13</sup> Even at a national level, politicians are adopting an anti-establishment tone. The Kataeb, a traditional right-wing Maronite Christian party now part of the self-proclaimed political opposition, has curiously taken up a pro-environment and anticorruption stance. If imitation is the highest form of flattery, then Beirut Madinati has already demonstrated its impact on the Lebanese political scene.

Legitimate questions remain about Beirut Madinati's viability in a notoriously corrupt political landscape. It remains to be seen if the movement can truly succeed if it refuses to tangle with the deeply entrenched political class. Also, while Beirut Madinati staunchly rejected sectarian rhetoric and ran a financially transparent campaign, there remain issues with the movement's approach. For instance, Beirut Madinati has been criticized as an inherently elitist movement. Indeed, with a focus on niche issues like green space and environmental sustainability, its political program reflects the concerns of its upper-middle-class base. Despite the movement's anti-establishment overtones and grassroots network, its message failed to resonate with Beirut's lower-income residents. It is no coincidence that the working lower-class demographic most depends on traditional patronage networks. For Beirut Madinati to win over these potential voters, it would have to directly confront the local political bosses who sustain these feudal practices. So far, Beirut Madinati has been disinclined to do so.

Moving forward, Beirut Madinati should be able to capitalize on the infighting and general impotence of Lebanon's divided government. As political elites continue to bicker over a new parliamentary electoral law, Lebanon's parliament seems less concerned with a democratic process than extending its own mandate. Maintaining the status quo, however, will be increasingly difficult as a growing secular population comes of age.<sup>14</sup> Conditions are ripe for the rise of Beirut

Madinati and other grassroots movements, but they have yet to establish themselves as a viable alternative. Nonetheless, nonaligned movements like Beirut Madinati have generated enthusiasm for genuine governance reforms. If such enthusiasm can be sustained, then perhaps they can set a standard across the region.

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# *The End of the Asian Century,* By Michael Auslin

Rohit Sudarshan

**IN THE PAST TWO DECADES**, Asia has seen unprecedented economic growth and a rapid expansion of the middle class. For this reason, policy experts as well as U.S. intelligence analysts have suggested that parts of Asia will supplant the United States as the preeminent global power in the coming decades, likely as soon as 2030.<sup>1</sup> Amidst such optimism, there is far less discussion about the continent's structural weaknesses, which may prevent the region from fulfilling this potential. In his book *The End of the Asian Century*,<sup>2</sup> Michael Auslin attempts to fill this analytical gap by mapping a series of risks in Asia, namely those that focus on stagnant economic reform, unsustainable demographics, and political unrest. He frames these and other challenges as potential precursors to armed conflict in the broader Indo-Pacific region. While the book does well to demonstrate a variety of threats to Asia's upward trajectory, Auslin fails to specify ways to address these obstacles. As he might say, the dangers facing Asia are so complex and longstanding that planning for them requires a separate volume of work.

China's regional economic and political influence is central to understanding why Asia's future remains precarious. Auslin insists that overreliance on China's economy breeds danger by obscuring the

underperformance of other players in the region. Furthermore, he warns that closer economic and military dependence on China makes countries beholden to a non-democratic power. China focuses on military security and the development of export markets, often relegating standards of human rights and accountability. Such a precedent tends to have harmful regional spillovers in other non-democratic, authoritarian countries. China's past relations with Burma's military regime and its ties to North Korea embody this troubling tendency.<sup>3</sup> Auslin is distinctly nonpredictive and he does not necessarily envision Chinese dominance of Asia, but he also says that economic prosperity does not preclude conflict or prevent China from being a disruptive force.

Auslin also asserts that democratization can play a crucial role in securing sustainable peace in the region. The notion that two democracies are unlikely to engage in violent conflict, which is briefly touched upon in the book, means that the U.S. commitment to free elections and transparent governance should remain.<sup>4</sup> The United States should remain vigilant during democratic transitions and should generally serve as an arbiter in geopolitical disputes, like the island building in the South China

Sea. Democracies like the Philippines and Indonesia feel threatened by Chinese expansion and suffer from a range of domestic challenges to stability.<sup>5</sup> Religious tensions heavily influenced a recent Indonesian gubernatorial race, and the election of Rodrigo Duterte as president of the Philippines has greatly weakened democratic institutions.<sup>6,7</sup> Continued American support for democratic principles will be an essential facet of continued Indo-Pacific security.

**According to Auslin, Asian countries can broadly be categorized into three tiers: countries that are growing economically with a desire for greater global power, countries with declining populations, and countries with transitioning economies that still struggle with state security.**

One of the biggest challenges for the United States is developing an all-inclusive Asian policy in the face of Asia's economic, political, and cultural diversity. According to Auslin, Asian countries can broadly be categorized into three tiers: countries that are growing economically with a desire for greater global power, countries with declining populations, and countries with transitioning economies that still struggle with state security. President Barack

Obama's "pivot" to Asia was the most recent, discernable U.S. policy toward the region. Its basis was containing China's economic and military rise with trade and security agreements, a goal it has largely failed to accomplish. Such a broad "pivot" to Asia, without more aggregated policy, obscures that the United States must engage very differently with each country tier. The real challenge is for the United States to balance these targeted policies in the face of conflicting interests. For example, the U.S. must find a way to constructively work with China, a country in the first category, while guarding second- and third-category nations such as Japan, South Korea, Vietnam, and the Philippines against Chinese overreach.

As Auslin's book is largely confined to describing an array of challenges, it is up to policymakers to decide how best to approach second- and third-category countries. Second-category countries, namely South Korea and Japan, are higher income but are contending with economic stagnation and demographic decline.<sup>8</sup> As two of the strongest Asian democracies, the United States must continue to engage with both nations on trade and security, helping these nations continue to thrive as liberal democracies. This is especially necessary if President Donald Trump reduces U.S. assistance for democracy promotion.<sup>9</sup> If the United States ceases to engage in active democracy promotion abroad, it can still support democratic allies to serve as examples for the Indo-Pacific region.

Low-income category-three countries might be the biggest challenge for U.S. engagement. Most of the countries are newly independent with shorter and more

unfamiliar relationships. As a result, the U.S. has less of a concrete policy history that can serve as a useful reference point. For the U.S., the best course of action is to continue to bring these nations, which are largely centered in Southeast Asia, into inclusive economic networks. Auslin acknowledges the weakness of the Association of Southeast Asian Nations (ASEAN), but this does not mean that efforts to unify smaller Asian nations are overly ambitious. Despite obstacles, entities like the European Union demonstrate how economic cohesion can lead to greater political unity and broader regional stability.

Notably, shadows of the threats described by Auslin are manifesting today. North Korean leader Kim Jong-Un has become far more aggressive than his father, South Korea's democracy is threatened by business corruption seeping into the political world, the underground and "black money" economy of India has impacted its national policy planning, and China is contending with an economic slowdown and the continued concentration of political power.<sup>10</sup> More concerning is that the United States seems to be retreating from some of its long-lasting global commitments. Asian countries of all tiers need to help facilitate regional development, but the United States must continue to serve as an influential partner.

Auslin's explanation of Asian threats is thorough. He gives due attention to both smaller countries that have experienced radical political transitions, like Thailand and Myanmar, as well as larger, more established Asian powers like China, India, and Japan. If the goal of the book was to caution policymakers overly optimistic about Asia's continued rise, he succeeds. However, policymakers within and outside of Asia need and will continue to seek concrete steps that can be taken to manage the many threats present in Asia. In so far as the book will spur policymakers into action, it is far closer to a starting point than an end point.

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# Can the International Criminal Court Help Protect Cultural Heritage?

*Ella Weiner*

**“THE BEST WAY TO TEAR SOMEONE DOWN IS TO TEAR DOWN THEIR CULTURE, TEAR DOWN EVERYTHING THAT IS IMPORTANT TO THEM.”<sup>1</sup>**

In August 2016, Ahmad al-Faqi al-Mahdi pled guilty before the International Criminal Court (ICC) to the intentional damage of nine mausoleums and a mosque in Timbuktu, Mali. The Rome Statute of 1998 establishing the ICC classifies the international destruction of cultural heritage as a war crime in Article 8(2), and *Prosecutor v. Al-Mahdi* is the first time the court has taken action stemming from this provision. While the case may not immediately deter future terrorists from targeting cultural sites, it establishes precedent against the practice and helps raise awareness about the necessity of protecting a population’s identity and history.

The government of Mali brought the case to the ICC on July 13, 2012, just days after the crimes occurred. Al-Mahdi admitted guilt at the opening proceedings of his August 2016 trial and he was sentenced to nine years in prison. As a member of Ansar Dine, an al-Qaida-linked paramilitary group seeking to impose sharia law in Mali, he organized, supervised, and actively participated in the destruction of Malian heritage. Sidi Yahia is one of Timbuktu’s main mosques and reflects the city’s place as an Islamic center during the fifteenth and sixteenth centuries. The mosque and eight of the nine mausoleums destroyed are designated UNESCO world heritage sites.

Similarly, the ICC deemed the structures pieces of significant cultural heritage and not military objects.<sup>2</sup> The ICC’s chief prosecutor described the damaged objects as the “embodiment of Malian history captured in tangible form from an era long gone.”<sup>3</sup> With very limited resources and a focus on crimes against persons, the ICC accepting this case demonstrates its conviction that international law and international bodies need to address the deliberate destruction of cultural heritage as acts of war. The court’s decision could have a number of implications, including advancing the codification of the norm against cultural destruction, helping with the Malian reconciliation process, and supporting further efforts to protect cultural sites before they can be targeted.

The ICC, a court of last resort, is unlikely to hear another similar case in the foreseeable future. Thus, al-Mahdi’s case is essential in defining the international precedent of contextualizing cultural heritage destruction as a war crime. This is particularly true given that countries like Iraq, Afghanistan, and Syria cannot be tried because they are not party to the Rome Statute. It seems highly unlikely that this trial will showcase the seriousness of law enforcement without a credible threat of punishment.<sup>4</sup> Nevertheless, the ICC has staked its claim on this case.

Mali’s government described the outcome of the case as a source of “hope for all the

victims of the barbaric ideology . . . in northern Mali,” adding that it “should serve as a . . . warning to criminals who attack cultural property.”<sup>5</sup> In the opening address to the court, al-Mahdi stated, “I regret what I have caused to my family, my community in Timbuktu, what I have caused to my home nation Mali.”<sup>6</sup>

**The 2016 People on War report from the International Committee of the Red Cross polled over 17,000 people in 16 countries and found that 72 percent of the sample said it was wrong to attack religious and historical monuments, and not just an inherent part of war.**

The case could also indicate an important shift in the international consciousness surrounding the importance of cultural heritage and the imperative to protect it. The 2016 People on War report from the International Committee of the Red Cross polled over 17,000 people in 16 countries and found that 72 percent of the sample said it was wrong to attack religious and historical

monuments, and not just an inherent part of war. In countries currently engaged in an armed conflict, 84 percent of individuals deemed it wrong. This stands in contrast to a similar question that found only 59 percent of respondents found it wrong to harm humanitarian workers.<sup>7</sup>

The increase in reporting on cultural heritage issues is echoed by increased scholarship and action. For example, the UN’s Unite for Heritage campaign works to engage the global public in celebrating and safeguarding diverse cultural heritage. Elsewhere, technological innovation is changing the field. Groups have begun to utilize sandbagging to protect heritage, satellite imagery to track looting, and 3D printing to recreate objects. The push is largely a product of significant events, including the al-Mahdi case, that have helped create renewed interest. These events include the destruction of archeological structures in Palmyra, Syria, the towering Buddhas of Bamiyan Valley in Afghanistan, and artifacts of the Mosul Museum in Iraq.

In this case, the ICC functions as an assertive voice at a time when the safety of global cultural heritage is particularly endangered. Increasing the awareness of states, organizations, and individuals of the severity of the issue can improve the likelihood that there will be domestic and global organizing effort to more effectively protect heritage. Although some may argue this case is merely symbolic, it is a needed affirmative decision in a complicated field to guide progress forward.<sup>8</sup>

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