



PERSPECTIVES

— ON GLOBAL ISSUES —

Fall 2015

Vol X





Photograph © Stevin Michels
Prague Castle from accross the Vltave River
Charles Brdige
March 2015





PERSPECTIVES

— ON GLOBAL ISSUES —

Tad Schnauffer II
Editor-in-Chief

Thomas Cyrs
Managing Editor

Marina Mansour
Assistant Editor

Kirsiah McNamara
Publication Designer

Niki Huntsman
Co-OpEd Editor

Tanner Kenney
Co-OpEd Editor

Editorial Team

Ossama Ayesh
Rachel Barnett
Sepideh Behzadpour
Karl Beck
Pharohl Charles

Michael Depp
Joe Gillis
Stevin Michels
Satya Hangga Yudha Widya Putra
Patrick Stahl

The Center for Global Affairs at New York University's School of Professional Studies educates and inspires students to become global citizens capable of identifying and implementing solutions to pressing global challenges. Its flagship is the Master of Science in Global Affairs (MSGA) program.

New York University SPS Center for Global Affairs
15 Barclay Street, New York, NY 10007

This journal and its content is the copyright of Perspectives on Global Issues (PGI) - © PGI 2014.
All rights reserved.



Cover Photo © Stevin Michels
Back Cover Photo © Stevin Michels

Letter From the Editor

Conflict and development have risen to the top of international attention and debate. We have seen the hybrid warfare methods of Russia in Ukraine, as well as its subversive projects around Europe to undermine the European Union. On development, new nations are struggling to find a level of political and economic stability to foster growth. The recent crash of the Chinese market and global economic slowdown speak to the frailty of the economic system around the world.

Conflict and violence continue to have a strong presence internationally, with the recent terror attacks in Paris serving as a painful reminder that conflict can cross borders and bring violence to seemingly any part of the world rapidly. Furthermore, the Israeli-Palestinian conflict has reached new heights with increased violence and unrest throughout both territories. Russian involvement in Ukraine has diminished, yet Russia has found a new outlet for aggression and distraction in Syria. Sudan and South Sudan still have conflicting claims on land, which has in turn hindered development. Low oil prices have put strains on developing nations that rely heavily on crude export revenues, increasing the chances of civil and political unrest as state budgets shrink.

This edition of Perspectives on Global Issues (PGI) examines intersections of conflict and development around the globe. I

would like to highlight a few articles from this edition:

Stevin Michels writes about the information and media war that Russia continues to wage in the Czech Republic as well as other states in the post-soviet region. He explains that the only way to combat these challenges is for a democratic and independent Czech media to expose the truth behind Russia's subversive plans in the country.

This issue also features a piece by Marina Mansour on the legality of the Russian intervention in Ukraine. This article makes one question the strength of international law and what countries will try to push the limits of those laws. Russia has led the way in challenging the international system of late, while China is not far behind as they construct islands in the South China Sea and claim rights to others.

The fall 2015 edition of PGI advances ideas about various conflict and development issues that challenge today's state leaders. This edition aims to guide the reader and policy maker alike on tackling these complex situations.

With the Utmost Regard,

Tad Schnauffer II
Editor in Chief



Table of Contents

Security & Conflict

Security Sector Reform to Address Human Trafficking for Sexual Exploitation..... 8

A Case Study of Gender & Security in the Czech Republic

Christine Monska

The Israeli-Palestinian Conflict..... 16

Examined Through Ethnic Conflict & International Relations Theory

Joe Gillis

Non-use of Force & the Legality of Russian Intervention in Ukraine..... 24

Marina Mansour

Czech & Balance..... 29

How the Czech Media & Information Can Combat the Threat of Russian Cyber Warfare

Stevin Michels

Genocide in the 20th Century & Beyond..... 37

The Difficulties of Applying the Convention on the Prevention & Punishment of the Crime of Genocide

Ossama Ayesha

Developing Economies & Transition

Amigos o Rivales?..... 44

Oil & Gas Export Competition Between Mexico and Brazil

Giovanni Dubon

Building A New Nation..... 49

Strengthening the South-Sudanese Economy

Tegan Mosugu

Works Cited..... 57

Security & Conflict



Photograph © Tad Schnauffer II
Right Sector Protest in Maiden Sq
Kiev July 2015

Security Sector Reform to Address Human Trafficking for Sexual Exploitation

A Case Study of Gender & Security in the Czech Republic

Christine Monska

Introduction

Deep into the shadows in Prague one can hear the faint sounds of music from a local pub where commoditized women can be seen dancing in cages through the windows. As one continues to walk down the cobblestone streets in the direction of the Old Town Square one can see what lurks in the alleyways and entrances to each new street. They can find men stationed in interconnected clusters watching as groups of young women walk out of a nightclub and begin to solicit them as they head to their next destination.

The elements of sex work, forced prostitution, and trafficking can be found in many facets of nightlife in the city of Prague. It is ranked as Europe's third worst slavery haven (Richter "Czech Republic"). The type of slavery that is most prominent in the Czech Republic is human trafficking for the sex industry primarily because of its geopolitical location, low costs for transport, and corruption within the government. The Czech Republic plays a significant role in the international trafficking of women for the sex trade because it is a country of origin, destination, and transit.

The Ministry of the Interior's Security Policy De-

partment publishes an annual national strategy to combat trafficking in human beings including an assessment of the situation; protection and support for victims; prosecution; and prevention of trafficking for forced labor and sexual exploitation ("National Strategy to Combat Trafficking"). In each of these sections, there are policy, institutional, and legal gaps within the national strategy that the Czech Republic and neighboring states are not adequately addressing. By ignoring the gendered aspect of forced prostitution and trafficking, the gaps will continue to widen and the security threat to the Czech Republic and Eastern/Central Europe will worsen.

This essay will address the existing gaps in the national strategy of the Czech Republic to include a feminist discourse of security sector reform to address human trafficking for sexual exploitation. The first section will address the geopolitical position of the Czech Republic and its effect on the recruitment of women and children into schemes of corruption. The following section will then introduce a feminist discourse of the policy, legal, and institutional gaps to include the effect of prostitution laws, criminal liability, and the intersection of gender in institutional decision making capacities on trafficking. The third section will then address women in the security sector's role in conducting interviews, investiga-

tions, and prosecutions. The subsequent section will focus on the international element of trafficking, the migration through the EU, and intervention mechanisms. Addressing each of these facets of human trafficking with a gendered lens will contribute to the reform of the political structure that perpetuates this international human rights and transnational security issue.

Recruitment of Women and Children into Schemes of Corruption

According to the Czech Republic's 2013 Status Report on Trafficking in Human Beings, the origins of the victims of trafficking are mainly from the following source countries: Slovakia, Nigeria, Ukraine, Vietnam, Mongolia, Moldova, the Russian Federation, and among new EU countries Romania and Bulgaria (3). However, the fact that Czech nationals are also trafficked cannot be overlooked. In an interview with Katerina Stupkova from La Strada, an international organization that provides psychosocial support and strategic litigation services to victims of trafficking and forced labor, she mentioned that most women they helped this year were from the Czech Republic. The Status Report listed low socioeconomic status and high unemployment levels as the main causes for committing the crime of trafficking in most cases (3). According to the Institute for Criminology and Social Prevention's report, *Trafficking in Women: The Czech Republic Perspective*:

The generally acknowledged constants which influence the existence of this specific form of organised crime include: imbalance of international economic relations, economic weakness and political instability in the countries of origin, violation of human rights, gender inequality in the legislation and in the practice...⁽⁵⁾.

The designated factors relating to gender in-

equality are saliently present in all forms of Czech society and other countries of origin.

In addition to analyzing the data regarding the vulnerabilities of trafficked people, it is important to look at the data from the perspective of the perpetrators of the organized crime element of trafficking and forced prostitution. The latest data shows that

Offenders of the crime of THB [trafficking in human beings] in 2013 were registered primarily in Prague, Central Bohemian and South Bohemian regions...the vast majority of such offenders were manual (often unemployed) labourers. Two businessmen were prosecuted ("2013 Status Report on Trafficking" 4).

The groups of foreign nationals were primarily from Slovak or Ukrainian origin ("2013 Status Report on Trafficking" 4). These organized criminal groups operate in the Czech Republic because of lax laws enforcing prostitution, free migration in EU states, and vast demand for the sex work in a city that visibly welcomes sex as a commodity. Gender inequality is embedded in the culture of both countries of origin for organized crime and prostitution. It exists in all aspects of the policy, law, and institutions that are tasked with creating and enforcing laws.

Policy, Institutional and Legal Gaps: A Focus on the Security Sector

Policy Gaps: The Effect of Prostitution on Trafficking for Sexual Exploitation

Many countries form their laws on prostitution to reduce the number of people forced into labor for sexual exploitation and trafficking incidents. They are also based on two distinct feminist discourses, which the Institute of International Relations in Prague described as, "abolitionism" and "sex work"

schools of thought. In their publication, *Developments in Trafficking in Human Beings for the Pur-*

nearly always an increase in the number of women and children trafficked into commercial sex slavery

The Czech Republic's lack of clearly defined and enforced policy towards prostitution makes it easier for criminal networks to disguise forced prostitution and trafficked persons as sex workers or misrepresent the exploitation aspect

pose of Labour Exploitation and Forced Labor, they define abolitionism as an ideology that maintains the notion that “women’s human rights are best protected when prostitution, which they consider to be deeply discriminatory institution, is abolished” (Stnitechky et al. 18). They also “support either criminalization of prostitution or criminalization of demand for sexual services” (Stnitechky et al. 18). Conversely, the Institute of International Relations defines the sex work feminist discourse as an ideology in which “persons (usually women) who engage in prostitution can do so on their own accord and that prostitution can be a profession” (Stnitechky et al. 18).

Based on unclear evidence from various models of legislation addressing the issue based on these feminist discourses, the Czech Republic chooses to have ambiguous laws addressing prostitution which creates grey areas for traffickers and victims accessing psychosocial services or legal remedy. In an interview with Jana Kotrbova and Michal Smid from the Security Policy Department of the Ministry of the Interior they commented on their legal strategy as “neither legal nor illegal.” It is up to the individual countries within the EU to decide on their security strategy. Today, “neither international nor EU legislation takes a clear position on the treatment of consensual adult sex work” (Stritechky et al. 19). Where prostitution is legalized or tolerated, there is a greater demand for human trafficking victims and

(“The Link Between Prostitution and Sex Trafficking”). However, in countries where sex work is legal, the women have greater protections under the law and more access to social services. An ambiguous law affords none of the positive aspects of a clear security policy strategy to address forced prostitution and trafficking.

Legal Gaps: Criminality and Trafficking

As a member of the EU, the Czech Republic was urged to make trafficking in human beings for the purpose of labor exploitation a criminal offense. Although the criminal law (Act. no. 140/1961 Coll.) was amended to reflect the EU’s policy towards trafficking in 2004, it was not until 2010 when case law was developed (Stritechky et al. 36). As indicated in the Ministry of the Interior’s report concerning the unit for detection of organized crime’s strategy on trafficking in 2011,

Law enforcement authorities are facing problems during the interpretation and application of facts in the case of trafficking in human beings, mainly after the interpretation and application of the distress, dependency, forced labour and other forms of exploitation (Stritechky et al 36).

The Czech Republic’s lack of clearly defined and enforced policy towards prostitution makes it easier

for criminal networks to disguise forced prostitution and trafficked persons as sex workers or misrepresent the exploitation aspect. The institutional gaps in the Czech Republic stem from a deeply embedded gender bias and lack of consensus on a course of action to address security issues that disproportionately affect women.

Institutional Gaps: The Intersection of Gender and Security Policy

The misunderstanding and recognition of the role gender plays in forced labor and trafficking issues is clearly represented in the lack of concern for security and foreign affairs. During lectures at Charles University with Professors Vitek Stritecky and Tomas Karacek they mentioned that institutions lack professionalization which only promotes corruption and stalemate in progressive policies and government officials do not care much about foreign and security issues. Rather, they are primarily fringe issues in which individuals are not properly trained for.

Chief Advisor to the Minister of Foreign Affairs, Katerina Bocianova commented on the lack of women represented in the security sector and foreign affairs as a major barrier to addressing security issues that have a gendered nature. Not only are security issues underfunded and underrepresented in national politics, but gender issues are largely forgotten and women face many barriers to entering the political arena to bring attention to these agendas. The Czech Republic does not have a special committee or ministry of gender affairs present in security sector decision making capacities. Therefore gender-related security platforms are generally ignored.

NYU Prague Professor Vanda Thorne lamented that after the fall of communism in 1989 women's

gender roles altered to reflect western traditions which often left women out of the public sphere because they no longer had to complete both paid work and informal work within the home. The transitional political culture that transgressed was not conducive to gender equality and mainly operated like a "gentlemen's club" entangled in corruption. If women do not want to be involved with government and see feminism as synonymous with communism then issues that disproportionately affect women may continue to be ignored in national politics.

In a survey of 187 women politicians from 65 different countries, including conflict-affected countries in Europe, researchers found that "women's involvement in politics makes a difference" (Bastick 160). Further, the survey documented the differences that women made, stating that:

Women pointed to tangible achievements in the areas of social security, gender equality, fighting violence against women and children, employment, services, the environment and--although to a lesser extent as yet--arms control and conflict resolution (Bastick 160).

In transitioning states like Serbia and the Western Balkans, they have developed capacity building programs to promote women in decision-making security sector related positions (Bastick 160). The Belgrade Fund for Political Excellence "initiated a program to increase the visibility of women in the security sector and strengthen their engagement in its reform" (Bastick 160).



Photograph © Tad Schnauffer - Charles Bridge & Vltava River - Prague March 2015



Photograph © Steven Michels - Prague March 2015

In interviews with the Ministry of the Interior's Security Policy Department, La Strada, and even Forum 50%, a NGO that addresses the unsatisfactory representation of women in public life in the Czech Republic, they did not mention women's participation in the security sector as a means to bring greater attention to issues that disproportionately affect gender. Although the different organizations understand the importance of the inclusion of women in government, this is an area that lacks research and advocates. Including gender at the security policy level when assisting victims of forced prostitution and trafficking is one of the most important steps for upholding equal rights in transitioning countries.

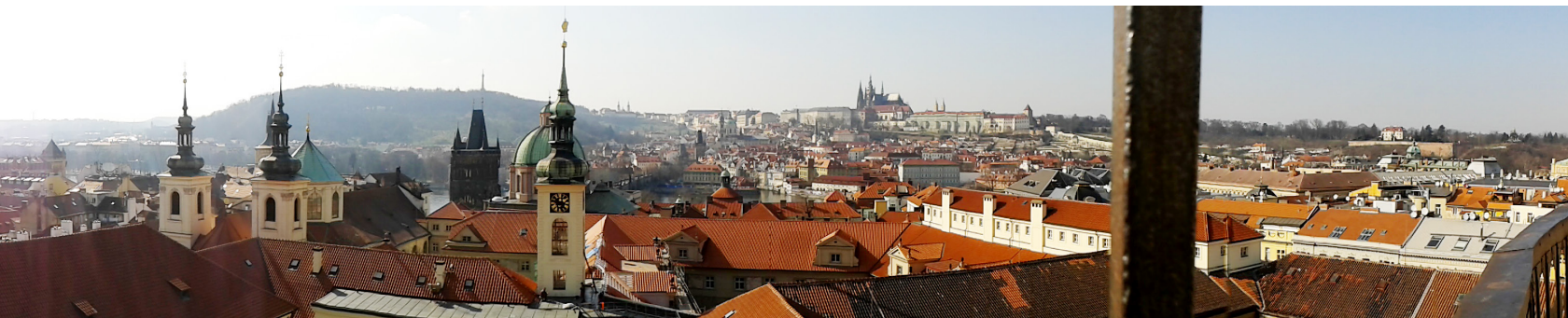
Investigating and Prosecuting Crimes

Victim Identification and Interviewing Protocols during Investigations

According to Megan Bastick in *Integrating Gender in Post-Conflict Security Sector Reform*, "the benefits of increased participation of women in policing are well documented" (163). Where "women are victims of sexual or domestic violence, there is overwhelming evidence...that they are more likely to report this to a female police officer or to a women's police station or family unit than to a male police officer within a traditional police structure"

(Bastick 163). In the Czech Republic context, this notion was confirmed by both La Strada and the Ministry of the Interior who stated that most victims of forced labor or prostitution feared and distrusted male police officers. It was only the well trained special unit for organized crime that is made up of both male and female officers that victims may seek help from. Lack of training to respond to victims of trafficking is one of the largest barriers to addressing the issue.

In an interview with La Strada, Katerina Stupkova strongly stated that police identification of trafficked and forced labor individuals is one of the largest hurdles. Often, sex workers who seek help from security forces are not identified as trafficked and sent back to their aggressors. This creates a culture of fear and distrust of the local police force and military's reputation for being linked to criminal networks and potentially unwilling to assist victims. There is a large disconnect between civil police officers and the special organized crime unit that addresses human trafficking. La Strada indicated that they had positive experiences with this unit because they have specialized training to work with victims of forced labor and trafficking. The Ministry of the Interior and La Strada emphasized that there needs to be more uniformed training mechanisms for the civil police officers who may not receive adequate training. One area that was not mentioned was the proposition to incorporate gender units or more women in the security sector assist with interviews, investigations, and the rapport of police.



Human Rights Watch recently reported that many police officers in Eastern Europe are not held accountable for their actions in relation to crimes and have a propensity to turn a blind eye to crimes of a sexual nature (Stoeker 138). Fear and distrust of both the security sector and government were indicted in interviews with the Ministry of the Interior and La Strada. Government officials are commonly known to be consumers of sexual services from women who are voluntarily working, forced, or trafficked. If a victim of sexual violence or exploitation is confronted by a male officer, especially one who is untrained in the area of trafficking, they may experience retraumatization. Explicitly shown in Figures 1 and 2 (see appendix), a larger number of victims reached out to La Strada rather than the local police. If the police implemented La Strada's mechanisms for working with victims with an emphasis on psychosocial services, they may be more apt to cooperate in testifying and combating all forms of organized crime and trafficking.

Instituting greater funding for uniformed training mechanisms that incorporate gender mainstreaming will start to close the existing gaps for both men and women in the local police forces. Figure 3 (see appendix) shows some examples of the types of training that can be implemented for local police to identify trafficked women and children and how to interview properly. These gender mainstreaming training mechanisms can prevent disconnect between the victims of trafficking and local police forces who are tasked to protect them.

Accountability and Prosecution Mechanisms

A lack of understanding of the complexity of trafficking schemes and exploitation leads to a scattered response to crimes related to forced prostitution and a lack of accountability for government officials, police officers, and organized criminal networks responsible for trafficking. Often "law enforcement agencies tend to see human trafficking as "criminal only" in relation to illegal migration and illegal labour or prostitution, rather than as a crime and set of human rights abuses in its own right" (Bastick and Grimm 16). This lack of priority given to human trafficking both reflects and is reinforced by the absence in many countries, including the Czech Republic, of clear legislation addressing human trafficking (Bastick and Grimm 160).

In *Developments of Human Trafficking in Human Beings for the Purpose of Labour Exploitation and Forced Labor*, the Institute of International Relations in Prague dedicate a section of their publication on four different prosecution schemes neighboring countries use.

Some of the Czech Republic's neighboring countries use various interpretations of each of these schemes and therefore there is a lack of consensus and understanding of where criminal liability should be. Part of the problem is a lack international cooperation and negotiation on gender and security issues and the intersection of organized criminal networks and government corruption in less devel-

oped post-communist states.

The juxtaposition of the Czech and Slovak Republic's criminal case law, outlined in Figure 5, shows that even countries that have common criminal traditions, culture, and language still cannot come to a consensus. Overall, the number of prosecutions for trafficking in human beings remains extremely low (Stritecky et al 17). In regard to state failure to prosecute, "states have been very reluctant to broaden the group of deserving victims beyond a limited number of persons, often foreigners, who were subjected to severe exploitation" (Stritecky et al. 17).

In addition to the differences in prosecution mechanisms there are not proper accountability mechanisms for corruption within government. As noted in a United Nations publication on *Trafficking in Human Beings in South Eastern Europe*,

In some places, the police, afraid of organised crime groups or themselves corrupt, only pretend to combat trafficking. They repeatedly raid the same establishments and there is often cooperation between the traffickers, venue owners and the local police. The report also claims that, in many cases, police have not developed new approaches based on intelligence-led investigations (58-59).

This is something that is not well documented and needs further research. However, the issue was mentioned during several conversations with Czech NGOs, academics, and the general public. Prague Security Studies Associate and former head of Defense Intelligence Peter Pelz said that organized crime in the political sphere is an intelligence challenge because it is difficult to detect the bridge between the two entities. Accountability and prosecution mechanisms need to be addressed at both the local, regional, and international levels to promote a consensus of gender and security issues that negatively affect most of eastern and central Europe.

The International Element of Human Trafficking; Transnational Cooperation and Prevention

By addressing the trafficking complexities in this country of geopolitical importance, the international community can better address this international gender and security issue. However, there is a lack of consensus relating to all security policy aspects of trafficking.

The Czech Republic took some measures to implement EU and international legal strategies. It joined the Palermo Convention on Transnational Organized Crime, and adapted parts of its penal code (Richter "Czech Republic"). However, as many NGOs working on the issue report, these measures are not implemented and enforced properly (Richter "Czech Republic"). It also lacks a cohesive international response because it is one of nine NATO countries that have not signed key anti-trafficking UN conventions (the UN Convention on Transnational Organized Crime and its Supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and the Council of Europe Convention on Action Against Trafficking in Human Beings) (Allred "Combating Human Trafficking").

In a publication in the NATO Review Captain Keith J. Allred, a Senior Military Judge in the Judge Advocate General's Corps, U.S. Navy and a faculty member at George C. Marshall European Center for Security Studies in Germany, emphasized that

Human trafficking is a significant source of revenue for criminal organisations whose activities may destabilise legitimate governments and undermine the NATO mission. Hence, human trafficking should be viewed as a security threat that merits NATO's attention ("Combating Human Trafficking").

In 2004 NATO created a "policy that calls human

trafficking a crime meriting universal condemnation, describing it as a 'modern day slave trade that fuels corruption and organised crime' bringing with it the potential to 'destabilise fragile governments'" (Allred "Combating Human Trafficking"). The policy specifically requires member states to review national legislation; ratify, accept, or approve the UN Convention Against Organised Crime and train all personnel taking part in NATO-led operations (Allred "Combating Human Trafficking").

Dr. Jan Jires, Defense Policy Director at the Ministry of Defense strongly stated that the country is turning to an Atlantic security strategy and will be contributing more resources, including soldiers, to the NATO effort. If they have not signed onto this NATO policy then hypothetically their soldiers may not be held accountable for their role in trafficking. This policy specifically prevents NATO troops from patronizing sex workers because

When they patronise prostitutes, they are often purchasing services from organised criminal enterprises and are creating the 'demand' for trafficked women. NATO troops engaged in such activities are often patronizing sex slaves and filling the coffers of organized criminals in countries where NATO operates (Allred "Combating Human Trafficking").

It will be difficult for the Czech Republic to combat human trafficking if their policies are not aligned with other NATO or EU countries. If their security sector is not reformed to prevent and hold traffickers accountable then they may lose EU funding for pertinent programs. In 2008 the EU "announced suspension of almost 500 million (\$700 million) in funding from Bulgaria due to their lack of progress in combating organized crime and corruption" (Hignett 85). Although some transnational cooperation does occur, it cannot progress if each country has different protocols, laws, social norms, and enforcement mechanisms.

Conclusion

Implementing a security policy strategy that includes a gendered analysis of human trafficking for sexual exploitation will promote identification of women who are forced into labor schemes. They will no longer be negative externalities of European countries in transition. The Czech Republic's geographic position makes it vulnerable to a number of security complexities. Therefore, a greater emphasis on security policy and foreign affairs to combat structural corruption and issues that disproportionately affect women should be emphasized. The Czech Republic should promote a new campaign to address human trafficking that mainstreams a gendered analysis of security concerns by reforming its security sector. A decision making body that incorporates women's unique experiences in security concerns will likely promote gender equality and decrease the gaps in the policy, legal, and institutions. Increasing training on trafficking protocols and gender sensitivities for local police could brighten the security sector's rapport and result in more arrests of organized criminal groups that are a security threat to the international community. Finally, the Czech Republic should implement international law concerning trafficking and organized crime into its national legal mechanisms. Only then can it start to rebuild its government, institutions, and culture based on equality after so many years under communist rule.

The Israeli-Palestinian Conflict

Examined Through Ethnic Conflict & International Relations Theory

Joe Gillis

The Israeli-Palestinian peace talks, led by United States Secretary of State John Kerry, collapsed in April 2014. The peace process, sometimes referred to as the Oslo process due to its origins with the 1993 Oslo Accords, is an American mediated effort to achieve peace between the two parties. The objective of the talks is a “land for peace” agreement, which would establish a Palestinian state and end Palestinian attacks on Israel. Additionally, negotiators are seeking agreement on a number of other contentious issues including rapidly expanding Jewish settlements in the West Bank, the status of Palestinian refugees, and the division of Jerusalem among Israelis and Palestinians.

This paper will explore the drivers of the Israeli-Palestinian conflict and the outlook for a potential resolution. First, a historical review of the conflict will be explored to provide contextual background. Further context will be provided using the levels-of-analysis approach to examine specific aspects of the conflict at the local, regional, and global levels. Then, theories of ethnic conflict and international relations will be utilized as lenses to gain greater insight into conflict.

The clarity provided by these theoretical lenses will then be used to explore future scenarios for potential resolution, while a constructivist approach in particular will be utilized for speculating on a potential sustainable peace agreement. The role of civil

society in constructing future narratives of the conflict is pivotal, and provides an avenue for a potential two-state solution.

History of the Israeli-Palestinian Conflict

Though Jewish ties to current day Israel trace its history to biblical Judea, the origin of today’s conflict began in the late 19th Century. The Zionist movement, which advocated for a Jewish state, evolved in response to persecution and anti-Semitism against the Jews. Theodor Herzl, a Viennese journalist and playwright, in 1896 wrote “The Jewish State,” arguing for the creation of a Jewish nation. The First World Zionist Congress—organized by Herzl—was held in 1897 in Basel, Switzerland with the goal being to establish a Jewish state. Though other locations were considered for a Jewish state, including Uganda, Palestine was ultimately chosen due to the historical connection to biblical Judea. (NPR 2002)

The region was under Ottoman rule until World War I. Britain gained control of Palestine as part of the Sykes-Picot agreement of 1916, and the Arab Hashemite population in the region was offered a future Arab state by the British in return for their efforts in fighting the Ottomans. Britain also declared its support for a Jewish state in Palestine in

1917 through the Balfour Declaration. In clarifying the Balfour Declaration, Britain publically affirmed its conviction that Palestine be the future home of both a Jewish state and an Arab state. (Council on Foreign Relations) (NPR 2002)

The League of Nations in 1922 affirmed the British mandate to rule Palestine. Though Britain aimed for a peaceful coexistence and an eventual Arab state in the region, violence broke out almost immediately between Arabs and Jews. Between World War I and World War II, Jewish immigration to Palestine continued and led to violent confrontations between both Arabs and Jews, and Arabs and British forces. In one incident in 1936, hundreds of Jews and Arabs died. (Council on Foreign Relations)

In the early twentieth century, violence and persecution of Jews escalated in Europe, the Russian Empire, and the Austro-Hungarian Empire. Adolph Hitler was appointed German Chancellor in 1933. Soon afterwards, Germany opened its first concentration camp, Dachau. The Nuremberg Race Laws, announced in 1935, defined in writing Nazi racial theories. These laws defined as Jews those of Jewish ancestry, even if they were not practicing Judaism. Jews were prohibited from having romantic relations with and doing business with non-Jews, and many were forced to sell their businesses to Germans. This led to the flight of many Jews to Palestine and elsewhere. (Council on Foreign Relations)

A British peace effort in 1937 was initiated to examine the causes of the Arab-Israeli conflict and propose a sustainable resolution. These talks, known as the Peel Commission, issued a report that proposed a division of land between Arabs and Jews, and resettlement of members of each group. The proposed resettlement involved approximately 1,250 Jews and 225,000 Arabs. Though the report recommended annual limitations on Jewish immigration, Jewish leadership, led by future founder and

First Prime Minister of Israel David Ben-Gurion, embraced it. However, Arab leadership opposed the report, though some moderates were more receptive of the proposal. (Council on Foreign Relations)

During World War II and the Holocaust, Germany massacred six million Jews and five million non-Jews. This led to hundreds of thousands of Jews immigrating to Palestine. Because of the horrors of the Holocaust, there was broad international support for establishment of a Jewish state in Palestine. Britain, frustrated by the ongoing violence, ceded control of Palestine to the United Nations in 1946. The U.N. proposed a partition into two states with Resolution 181. (BBC News 2001)

The Arabs opposed the U.N. plan. They believed it conceded too much land to the Jews. In 1948, Israel declared its independence. In response to this declaration, four neighboring Arab states invaded Israel, initiating the 1948 Arab-Israeli War. Israel emerged victorious, and expanded its territory to include much of the land the U.N. had allotted to the Arabs. (Council on Foreign Relations) (NPR 2002)

As a result of the war, 700,000 Palestinians became refugees, and dispersed throughout the region. Palestinians refer to this forced exile as the Nakba, Arabic for "catastrophe." Refugees resettled in Lebanon, Jordan, Gaza, and what is now the West Bank. U.N. Resolution 194 of 1948 addressed the refugee crises with the "right of return", which detailed the right of Palestinians to return to Palestine, or be compensated for their loss. (United Nations 1948) In 1950, Israel's Knesset passed the "Law of Return", which allowed for Jews and their families to migrate to Israel and be given citizenship. (Council on Foreign Relations)

The next several years saw a gradual increase in tensions between Israel and its neighbors, includ-

ing Egypt's attempt in 1956 to nationalize the Suez Canal and the 1964 formation of the Palestinian Liberation Organization (PLO), which opposed a Jewish state. These growing tensions led to the Six Day War 1967, which began when Egyptian President Gamal Abdel Nasser sent troops into the Sinai Peninsula, blockaded Israel's Red Sea port, and expelled U.N. peacekeepers. Israel responded aggressively by striking Egyptian air forces on the ground and sending troops into the Sinai. They seized all of the Sinai and the Gaza Strip. Jordan and Syria also attacked Israel. In the defeat of Jordan and Syria, Israel seized control of the Golan Heights, the West Bank, and Jerusalem. In Jerusalem, Israel took control of religiously significant locations including the Temple Mount and the Western Wall. In response to the Six Day War, the U.N. passed Resolution 242, calling for a return of the land Israel seized in return for peace. (Council on Foreign Relations) (NPR 2002)

The years between the 1967 War and the 1973 War saw the drafting of the Arab League's Khartoum resolution, which called for no peace talks and no recognition of Israel's existence; and the rise of Fatah, the violent extremist Palestinian group led by Yasir Arafat. The 1973 Arab-Israeli War began with surprise attacks in the Sinai and Golan Heights by Egypt and Syria. Eventually the U.N. orchestrated a cease-fire, and passed Resolution 338, which called for a land for peace deal. The Sinai was returned to Egypt and diplomatic talks were held that eventually improved relations between Israel and Egypt. The damage to both sides in the conflict provided motivation to hold peace talks and attempt to reach sustainable peace. The most significant outcome occurred a few years later when Egypt and Israel signed a peace treaty at the Camp David Accords in 1978. (Council on Foreign Relations)

Many Palestinians felt left out of the improving relations between Israel and its Arab neighbors, and

they were mostly alone in their pursuit of a Palestinian state. In 1974, the PLO ratified a "ten-point political program" that advocated for "liberating Palestinian territory" and the establishment of a state. In a speech given in front of the U.N. General Assembly, Yasir Arafat said, "I have come bearing an olive branch and a freedom fighter's gun. Do not let the olive branch fall from my hand...I repeat: do not let the olive branch fall from my hand." In 1975, the U.N. granted the PLO observer status and recognized its right to self-determination and the establishment of a Palestinian state. (Council on Foreign Relations)

In the early 1980s, the conflict moved to Lebanon. Following the shooting of an Israeli diplomat, Israel attacked PLO facilities in Beirut. During the conflict, Christian militiamen allied with Israel massacred 700 Palestinians in refugee camps. Israel eventually withdrew to a self declared "security zone." (Council on Foreign Relations)

Hamas was formed in 1987 by Palestinian spiritual leader and activist Sheikh Ahmed Yassin, and they advocated for violent jihad to pursue Palestinian statehood. Its focus on religion distinguished it from the other secular focused Palestinian groups. In December of 1987, the First Intifada was triggered by the death of four Palestinians in a traffic accident. The violence of the Intifada inspired Israeli leadership to consider peace talks with the Palestinians. After Yitzhak Rabin's election as Prime Minister in 1992, secret talks with the PLO were held in Oslo, Norway. The result of the talks was the Oslo Accords in 1993. Progress was hindered by the 1995 assassination of Prime Minister Rabin by a right-wing Israeli. Deadly Hamas attacks also hindered progress. Additional negotiations were held at the Wye River Plantation in Maryland in 1998, and at Camp David in 2000. A sustainable peace agreement was not achieved. Meanwhile, Israeli settle-

ments were expanded; and terrorist attacks within Israel continued. Shortly following the Camp David meeting of 2000, the Second Intifada erupted, provoked by Ariel Sharon's visit to the Temple Mount

global levels. This approach is useful for exploring the motivations of the significant actors, and the relationships between these actors. Additionally, this approach may offer insight to potential conflict res-

The perception of a regional threat to its security is a strong driver of Israel's actions

in East Jerusalem. The Second Intifada was more violent than the first and included suicide bombings in Israel. Israel responded with heavy artillery including targeted air strikes that led to the death of Palestinian civilians. The Second Intifada also led to construction of barriers between Jews and Arabs in the West Bank. (Council on Foreign Relations) (NPR 2002)

Numerous rounds of U.S. led peace negotiations between Israel and Palestine were held during the Administrations of U.S. Presidents George W. Bush and Barack Obama, but no lasting peace was attained. In 2005, as the Second Intifada raged on, Israel began a unilateral withdrawal of both troops and settlers from Gaza. Major conflicts have since erupted in Gaza in 2006, 2009, and 2014. There have also been violent conflicts in the West Bank and near the Syrian and Lebanese borders. The current outlook for peace is dire as indicated by the failure of the recent John Kerry led peace talks, and the renewed violence in Jerusalem and elsewhere.

Levels of Analysis of the Israeli-Palestinian Conflict

The levels of analysis approach, as developed by J. David Singer, Kenneth Waltz, and others provides a model for pursuing a deeper analysis of the Israeli-Palestinian conflict by examining the specific aspects of the conflict within the local, regional, and

olution and produce policy recommendations. (Cordell and Wolff, *Ethnic Conflict* 2010, 6-9)

The local level analysis of the conflict primarily focuses on the motivations of the two primary groups, the Israelis and the Palestinians. The conflict over territory is driven by two competing narratives focused on historical and religious ties to the region; both the Israelis and the Palestinians claim the land as their own. The perceived need for a Jewish state was derived from the rampant anti-Semitism of the late 19th and early 20th century, which led the Jews to choose the land of biblical Judea as their new state. The Palestinian narrative has questioned the legitimacy of the Jewish state within the land the Palestinians inhabited. This tension has been further inflamed as they lost additional territory as a result of the Arab-Israeli Wars and expansion of Jewish settlements in the West Bank. This injustice is the cause of Palestinian anger and frustration, and explains the origins of Hamas and its use of terrorist tactics.

Examining the conflict on the regional level provides further insight. Israel is surrounded by Arab neighbors, many of whom question the legitimacy of its existence. As discussed in the previous section, Israel fought many wars against its neighbors, many of whom now have significant populations of Palestinian refugees. The state that Israel perceives as being the greatest threat to its existence is Iran. Iran has supported both Hamas and Hezbollah, and

has pursued nuclear weapons. The perception of a regional threat to its security is a strong driver of Israel's actions.

The Israeli-Palestinian conflict can also be looked at on the global level by considering the role of other states and multilateral institutions. Specifically, the United States, as an ally of Israel, has played the prominent role in mediating negotiations between Israelis and Palestinians. Palestinians, unhappy with the U.S. led peace process, have in recent years pursued statehood through the U.N., where they have observer status. It has also joined the International Criminal Court, where it is pursuing war crimes against Israel for its actions in Gaza and the West Bank. These organizations may provide Palestinians with added leverage in future peace talks. It is also possible that another state could take a prominent role in negotiations. China now has significant financial interests in the region, and could get involved in talks if they believe the conflict is threatening their economic interests.

Ethnic Conflict and International Relations Theory

Several theories of Ethnic Conflict and International Relations are helpful in examining the Israeli-Palestinian conflict. First, the conflict will be examined using two theories of International Relations: Post-Colonialism and Structural Realism. Then, the drivers and motivations of the conflict will be explored using theories of Ethnic Conflict: Primordialism, Instrumentalism, Constructivism, and Social Identity Theory.

The International Relations theory of Post-Colonialism is the best theory to explain the origins of the conflict, as British colonial mismanagement of the region sowed the seeds for the emergence of the conflict. Britain gained control of the region in

the 1916 Sykes-Picot Agreement. Though Palestinians already inhabited the region, Britain declared its support for the establishment of a Jewish State with the Balfour Declaration of 1917. Prior to that agreement, Britain had promised an Arab state in return for the Arabs rebelling against Ottoman rule. If Britain would have opposed a Jewish state in Palestine, the Jewish state may today be in Uganda or elsewhere, and there would be no Israeli-Palestinian conflict. Though Britain tried to maintain peace between Arabs and Jews, by supporting a division of land between the two groups, the relationship was contentious from the beginning and has remained hostile. Britain conceded defeat in bringing peace to the region when it relinquished control to the U.N. in 1946. (Council on Foreign Relations) (NPR 2002)

It has also been argued that the relationship between Israel and Palestine resembles the relationship between a colonizer and its colony. (Beinart 2013) The Palestinians have in essence been a colony under control of a number of dominant groups for many years. The Ottomans controlled them before they became a British colony, and they are now occupied by Israel. This history of subjugation will be further explored later through the social identity theories of Ethnic Conflict.

The International Relations theory of structural realism is the best lens for examining the role of security concerns on the conflict. Specifically, Israel's motivations can be better understood through structural realism, or with what Karl Cordell and Stefan Wolff refer to as "theories focused on insecurity" or the "security dilemma." Israel is strongly driven by fear and insecurity due to being surrounded by hostile neighbors, many of who have historically been opposed to its existence. Israel justifies its military activities in Gaza and the West Bank as defensive and/or preventative security operations. (Cordell and Wolff, Ethnic Conflict 2010, 9-14)

A theory related to structural realism, Stephen Walt's balance of threat theory is also a valuable lens for understanding Israeli action. Walt's theory modifies structural realism by focusing on the "balance of threats" instead of the "balance of powers." Walt posits that states will balance against threats by aligning with stronger states. The theory not only explains Israel's relationship with the United States, but it also explains recent talks held between Israel and Saudi Arabia in an effort to counter the potential threat of a nuclear Iran (Walt 1985, 3-43).

The role of Jewish religious and ethnic identity in the Israeli-Palestinian conflict can be further analyzed using the three primary theories of Ethnic Conflict: Primordialism, Instrumentalism, and Constructivism. Primordialism is useful in examining the origins of Jewish identity and nationalism. Constructivism explains how the narrative of Jewish identity and nationalism has been enhanced and cemented throughout Israel's history, and how that narrative may evolve in the future. Instrumentalism is helpful in examining how Israeli leaders leverage the conflict to maintain power.

Primordialism is the lens that most accurately explains the origins of Jewish identity. This theory posits that ethnic identity is an inherent quality based on shared history, language, territory, and other qualities including physical features. (Cordell and Wolff, *Routledge Handbook of Ethnic Conflict* 2013, 17-23) (Cordell and Wolff, *Ethnic Conflict* 2010, 14-15) The Jews have a strong sense of both ethnic and religious identity. The origins of this identity are derived from their earliest presence in the region that is now Israel.

Constructivism offers an alternate lens that opposes the primordialist argument that identity is an inherent quality. Instead, it posits that ethnic or religious identity is constructed as narratives are developed, and that narratives may be altered over

time as conditions evolve. Through this lens, one may view Jewish identity as having been enhanced and cemented throughout history. The shared history of persecution has strengthened Jewish identity and promoted the narrative of Jewish nationalism. The anti-Semitism of the late 19th Century and early 20th Century enhanced Jewish identity and led to the pursuit of a Jewish state, while the Holocaust was arguably the strongest single influence in this pursuit. Furthermore, the Israeli-Palestinian conflict, and Israel's security, has enhanced ethnic and religious identity as many Jews throughout the world support Israel and the need for a Jewish state. (Cordell and Wolff, *Ethnic Conflict* 2010, 13-15)

Instrumentalism is the exploitation of a conflict by a leader or government to pursue its political ambitions, and it best explains the motivations of Israeli leadership, especially the actions of Israeli Prime Minister Benjamin Netanyahu and Israeli conservatives. Specifically, it explains why Netanyahu and others have greatly exaggerated the threat to Israel's security from Palestinians, Iran, and other regional actors. This is done not only to rally domestic support to win elections, but also to gain support of other regional and global actors.

Turning to the other side of the conflict, the motivations and drivers of Palestinians can be better understood through social identity theory, constructivism, and instrumentalism. Social identity theory is derived from looking at how "individuals perceive their environment, locate themselves in it...(and) form the individual and group identities that guide their behavior and actions." Applying this theory to the Palestinian case, they perceive that they are inferior to Israelis in their ancestral homeland. Cordell and Wolff also examine the theories of Donald Horowitz, which focus on the difference between "backward" and "advanced" groups. Horowitz posits that, "backward groups harbor fears of ex-

Palestinians have in essence been a colony under control of a number of dominant groups for many years. The Ottomans controlled them before they became a British colony, and they are now occupied by Israel

inction.” This applies to the Israel-Palestine conflict in that Palestinians fear the loss of their state as Israel builds and expands settlements in the West Bank, and occupies and blockades Gaza. (Cordell and Wolff, *Ethnic Conflict* 2010, 38-39) (Horowitz 1985, 95-229)

Constructivism is useful in examining how Palestinian perception of inequality and its existential fear has affected the narrative of Palestinian identity and its role in the Israeli-Palestinian conflict. The Palestinian narrative has focused on the threat from a more powerful Israel and its support from the United States and other Western states. Palestinians understand that they can not defeat Israel in a conventional war, even with support from more powerful regional states like Iran. The perception among some Palestinians is that the only method to change the equation in their favor is through violent attacks, including against Israeli civilians, with missiles, suicide bombings, and stabbings. This narrative explains the development of Hamas, the First and Second Intifada, and the recent outbreaks of violence. Additionally, an argument could be made using instrumentalism that Palestinian leadership has used the existential threat against the Palestinian state to gain the support of both the Palestinian people and other regional and global actors.

These theories of International Relations and Ethnic Conflict provide for better understanding of the origins and evolution of the Israeli-Palestinian conflict, and provide for speculation on potential resolutions. Constructivism is the best lens in exam-

ining future scenarios, as the outlook for the conflict is dependent on the evolution of the narratives of both sides. Positive changes to the narrative may bring stability. Negative changes will mean more conflict. Future scenarios, and the role of constructivism in the evolution of the dueling narratives, will be explored in the next section.

Future Scenarios, Constructivism, and the Role of Civil Society

The two most likely future scenarios are either a two-state solution or a one-state solution. The status quo will evolve into a one-state solution as Israel occupies the West Bank and imposes a blockade on Gaza. Under this scenario, it is possible that Israel eventually annexes both the West Bank and Gaza. A more idealistic argument for the one-state solution posits that Israel should become a secular democratic state where Jews, Muslims, Christians, and others live with equal rights.

The argument for a secular democracy is appealing, but implausible, as it would likely lead to ethnocracy, apartheid, or civil war. The two-state solution is a more viable option. It has the support of the majority of Israelis and Palestinians, and it is the solution the peace process has pursued.

Though the present outlook for a two-state solution is grim, constructivism offers insights into how narratives may evolve that encourage cooperation among Israelis and Palestinians. Due to domestic

political climates on each side (and among external actors like the United States) that support the status quo, it is unlikely that governments will play a positive role in constructing new narratives. These narratives will evolve from the actions of civil society organizations. Though there are numerous organizations advocating for a peaceful solution to the conflict, two specific organizations that could play a prominent role in promoting change are the Boycott, Divestment, and Sanctions Movement (BDS) and Seeds of Peace.

The BDS Movement advocates for pressuring Israel economically in three ways: boycott of Israeli products and companies; divestment from Israeli companies by investment funds run by universities, pension funds, and others; and sanctions imposed by states and international organizations. The goal of the BDS Movement is to pressure Israel to end its occupation of Arab lands that were not a part of the pre-1967 War borders, dismantle the wall in the West Bank, grant Arab-Israeli citizens full equality, and allow the right of return of Palestinian refugees. (Palestinian BDS National Committee) The BDS Movement was launched in 2005 and has grown significantly in stature in the last few years. An Israeli government report estimated that BDS could cost Israel \$1.4 billion a year. The Rand Corporation estimated the cost could be \$47 billion over ten years. As the BDS Movement grows and the costs of occupation increase, Israel may feel pressure to negotiate a permanent resolution of the conflict. (Reed 2015)

Another civil society organization that is more focused on the long-term evolution of the competing narratives is Seeds of Peace. Seeds of Peace is a peacebuilding organization that brings together the youth of opposing sides in conflict areas, through summer camps and other events. Its ultimate goal is a sustainable “lasting peace.” The relationships es-

tablished by Israeli and Palestinian youth in Seeds of Peace programs will grow over time as connections are maintained over social media. These youth may play a future role in improving Israeli-Palestinian relations. (Seeds of Peace)

The BDS Movement and Seeds of Peace are just two of several civil society actors that will influence the future evolution of the Israeli-Palestinian conflict. Organizations like the BDS Movement will pressure governments to pursue peace, and groups like Seeds of Peace will enhance and cement improving relations.

Conclusion

Resolution of the Israeli-Palestinian conflict is a challenge due to conflicting motivations, competing interests, and divergent narratives of both the origins of the conflict and the preferred outcome. The levels of analysis approach and theories of ethnic conflict and international relations offer insight into the nature of the conflict, and offer ideas on potential resolution. Constructivism specifically provides insight to future resolution of the conflict in examining how the competing narratives may evolve.

Given the insight provided by these theories, a two-state solution remains the most viable option. Due to the limitations of the current peace process because of the ineffectiveness of the United States and the U.N., the role of civil society organizations like the BDS Movement and Seeds of Peace are critical in constructing a new narrative and reaching a sustainable peace agreement.

Non-use of Force & the Legality of Russian Intervention in Ukraine

Marina Mansour

Scope

This paper will be limited in scope, and will focus mainly on the non-use of force in regards to the Ukrainian crisis. There are significant questions of government recognition as well as issues regarding the right to self-defense and collective self-defense. While this article will briefly discuss the right to self-defense and collective self-defense, it will focus primarily on the issue of non-use of force.

Factual Background

The Ukrainian crisis began when pro-Western groups tried to oust and eventually did oust the Ukrainian President, Viktor Yanukovich, in February 2014. Yanukovich, was viewed as corrupt by the pro-Western part of the country and he was also viewed as Russia's puppet. The uprising against Yanukovich was sparked by his changing course on a trade deal with the E.U. However, discontent with Yanukovich was not universal. Large Russian populations living in Eastern Ukraine and Crimea were strongly opposed to Yanukovich's ouster, and so was the government of Russia. It was in this context that Russia's intervention in Ukraine ensued.

Russia viewed its intervention in Ukraine as necessary to protect ethnic Russians (a minority in the

country) from lawlessness spreading from Kiev. This is not the first time that Vladimir Putin has come to the "rescue" of fellow Russians, as he briefly deployed Russian forces and fought a short war with Georgia when it attempted to join NATO. Russia claimed that it was intervening in Georgia to protect the civilians in South Ossetia, whom were seeking independence from Georgia. Russia then proceeded to recognize South Ossetia as an independent nation. Thus, Russia's annexation of Crimea in 2014, and its recognition of the former government as the legitimate government of Ukraine, as well as the separatist government as the legitimate government of the province of Crimea, comes as no surprise.

The issue of recognition is highly political. Russia does not want to recognize the government in Kiev as the legitimate government following the ouster of Yanukovich, and the government in Kiev does not recognize a separate pro-Russian government in Crimea. The disagreement regarding recognition could have an impact on the legal analysis for non-use of force as will be explained in the Legal Analysis section.

With the background information out of the way, it is important to remember that Ukraine historically had very strong ties to Russia when analyzing Russia's actions in Ukraine. Russia feels like Ukrainian membership to the E.U. or NATO is a threat to

Russia, because that would essentially be extending the borders of Western Europe right up to Russia's doorstep. Furthermore, Ukrainian membership in the E.U. and/or NATO would take Ukraine out of Russia's sphere of influence, as Ukraine is currently a major trading partner with Russia, and is the gateway for the exporting of Russian oil to the rest of Europe. Thus, Russia has a strong economic, political, and military stake in seeing that Ukraine does not become a member of the E.U. or NATO.

Issues

As mentioned previously, there are a host of legal issues involved in the Ukrainian crisis. Focusing on the non-use of force, the issues at-hand are:

1. Whether Russia complied with non-use of force principals when it intervened in Ukraine and annexed Crimea; and
2. Whether Russia was entitled to use force.

Rules

Non-Use of Force

There are a number of provisions in the UN Charter that are applicable to the non-use of force. There is also a treaty and a memorandum that apply to the Ukrainian conflict in particular. The treaty and memorandum are: (1) 1997 Treaty on Friendship and Cooperation between Russia and Ukraine, which requires Russia to respect Ukraine's territorial integrity; and (2) the 1994 Budapest Memorandum on Security Assurances. The Budapest Memorandum holds that Russia, the U.K., and the U.S. will respect the independence and sovereignty and the existing borders of Ukraine (Budapest Memorandums on Security Assurances, 1994.)

In addition to the assurances set out in the Treaty on Friendship and the Budapest Memorandum, Article 1(1) of the UN Charter states that one of the purposes of the Charter is to:

...maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of (1) threats to the peace, and for the (2) suppression of acts of aggression or (3) other breaches of the peace, and to bring about by peaceful means... adjustment or settlement of international disputes or situations which might lead to a breach of the peace (Charter, United Nations, Chapter I, Purposes and Principles).

To maintain international peace and security and to prevent wars, Article 2(3) places an obligation on member States to settle their disputes peacefully, stating that "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered (Charter, United Nations, Chapter I, Purposes and Principles)."

Article 33 prescribes the methods of settlement of disputes in which states must adhere to if there is a threat to international peace and security. Any dispute, which may pose a threat to international peace and security, shall be settled by "negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice (Charter, United Nations, Chapter VI: Pacific Settlement of Disputes)."

The use of force is expressly prohibited in settling international disputes. Article 2(4) prohibits member States from using force or the threat of use of force in conducting their international relations.

All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations

(Charter, United Nations, Chapter I, Purposes and Principles).

The prohibition against the use of force is enforced by a system of collective sanctions against an offending state that uses force. This is found in Articles 39-51 of the UN Charter. These articles operate to impose sanctions against a state that has threatened or used force in a way which amounts to a threat to or breach of peace, or an act of aggression. Article 39 states that the Security Council shall decide what constitutes a threat to the peace, breach of the peace, or act of aggression. Furthermore, the Security Council has the power to make recommendations or decide what measures will be taken in accord with Articles 41 and 42, in order to maintain or restore international peace and security (Charter, United Nations, Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Aggression). Under Article 41, the Security Council is authorized to impose sanctions including trade and economic sanctions, and arms embargos. Moreover, under Article 42, the Security Council has the power to authorize the use of necessary force to maintain international peace and security (Charter, United Nations, Chapter VII).

has taken measures necessary to maintain international peace and security (Charter, United Nations, Chapter VII). Other justification for the use of force may be humanitarian purposes and R2P. Because neither a humanitarian intervention nor R2P can be reasonably be applied under the circumstances of Russian intervention in Ukraine, justification for the use of force based on humanitarian intervention and R2P will be briefly in the following section.

Legal Analysis

All sovereigns are to be treated equally under international law regardless of how large or small a country's economy or military is. Similarly, every state must refrain from interference with the internal affairs of other states. Furthermore states must refrain from the threat of use of force or use of force. Consequently, Russia has a general obligation to not intervene in the internal affairs of Ukraine, and to respect the political and territorial integrity of a sovereign Ukraine.

In regards to the Treaty on Friendship and Cooperation, it is debatable whether Russia violated

Neither the humanitarian justification nor the R2P justification for intervention in Ukraine's internal affairs would be applicable to Russia's actions in Crimea as there is no valid basis for such an intervention

Use of Force

A state may only use force if authorized by Article 51 of the UN Charter. Force may be used for individual or collective self-defense when there has been an armed attack, or until the Security Council

the Treaty when Russia annexed Crimea, because that question is dependent upon who the legitimate government in Ukraine is. If the legitimate government in Ukraine is the government of the ousted Yanukovich, then there is a plausible and potentially solid argument that the intervention was lawful, as Yanukovich asked Russia to intervene on his behalf.

If the government in Kiev is the legitimate government, then Russia has violated the treaty by acting against the true sovereign of Ukraine. However, it remains unclear who the legitimate government is in Ukraine, as some argue that the government in Kiev is not legitimate as they did not properly impeach Yanukovich in accordance with the Ukrainian Constitution. Under the Ukrainian Constitution, Yanukovich is still arguable the legitimate president because impeachment requires 338 members of the 450 members of parliament to vote for impeachment. Here, Yanukovich did not receive enough votes to satisfy the constitutional requirement for impeachment, because he only received 328 of the required 338 votes (Radio Free Europe/Radio Liberty). Thus, under this analysis, there is a strong argument that Yanukovich is still the legitimate president, and consequently Russia had legal consent to intervene in Ukraine's internal affairs.

On the other hand, if you accept the E.U.'s and the U.S.' view that the government in Kiev is the legitimate government, then Russia's actions appear to be unlawful. Whether this issue can be practically resolved is unlikely, as there is no consensus within the Security Council as to who the legitimate government of Ukraine is. The Russian intervention while subject to the same legal analysis as the Saudi intervention in Yemen, is not like the Saudi-led military intervention in Yemen, because in the Saudi case all permanent members of the Security Council agree that the ousted President Hadi is the legitimate president. Thus, President Hadi's request that the Saudis intervene on his behalf is not unlawful. However, whether the Saudi-led coalition is following **jus en bello**, (the laws that regulate how war should be conducted) is a separate topic that is outside of the scope of this paper.

Whether Russia violated the Budapest Memorandum is another issue. The Budapest Memorandum

was signed to welcome Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons. In exchange for giving up its nuclear stockpile, Ukraine was given assurances by the U.S., Russia, and the U.K., that they would respect the sovereignty and territorial integrity of Ukraine. However, the agreement was mostly to curry favor domestically and the language is likely too vague to be enforceable. Furthermore, the Memorandum was a political agreement, which was not ratified by the parties. Thus, the coercive or binding effect of the Memorandum is questionable. However, despite the fact that this is likely a non-binding document, the G-7 (formerly the G-8) led by Canada, decided to suspend Russia from the G-8 because they believe that Russia violated the Budapest Memorandum. The G-7 believes that Russia violated the agreement because Ukraine gave up its nuclear stockpile as set out in the NPT, but Russia invaded Ukraine's territorial integrity when it annexed Crimea. Russia countered that the U.S. and the E.U. violated the political integrity of Ukraine when they financed a coup d'état that ousted President Yanukovich.

In order to lawfully apply force against the political and territorial integrity of another state, the parties must have exhausted the procedures for pacific settlement of disputes under Article 33. Furthermore, there must be more than just a legal justification for the use of force, but authorization by the Security Council to do so.

As a general rule, states are required to obtain Security Council authorization prior to using force against another state, but states are not required to seek Security Council pre-authorization when acting under a state of urgency or emergency. Still, states must obtain Security Council authorization to use force either before or after the use of force. Nonetheless, Russia could make the argument that its actions were lawful even though Russia did not seek

prior Security Council authorization to use force. Russia could argue that it was acting under a state of emergency when it responded to the pro-Western groups who Russia could also argue were the aggressors, as they instigated the violence and forced Yanukovich to flee the country. However, this argument fails on several grounds. First, Russia never sought Security Council authorization either before or after its intervention. Second, Russia argues that it was merely exercising its duty and right to defend Russian citizens living in Ukraine. However, this argument is far-fetched as there is no evidence that Russian citizens were targeted or being harmed. Thus, neither the humanitarian justification nor the R2P justification for intervention in Ukraine's internal affairs would be applicable to Russia's actions in Crimea as there is no evidence indicating that there is a humanitarian crisis, genocide, crimes against humanity, or war crimes being committed.

Under the non-use of force framework Russia likely violated international law because it intervened in the internal affairs of Ukraine. Furthermore, there was no legitimate justification for the intervention, and Russia did not follow the proper channels regarding peaceful settlement of disputes as set out in Article 33. Moreover, Russia never sought Security Council authorization for the use of force, and either way, Russia would likely not have obtained Security Council authorization.

Conclusion

Russia is likely in violation of non-use of force principles under international law because of its use of military force in Ukraine. Because Russia's legal justifications fall flat, the only other argument that Russia can make is that ethnically Russian Ukrainians in Crimea have a right to self-determination, and if they want to join the Russian Federation, they

should be able to do so, as Kosovo was allowed to declare its independence from the former Yugoslavia with the blessing of the U.S. and E.U.. Whether this argument is a legitimate one is debatable, as the people of Kosovo were seeking their independence from the former Yugoslavia, not seeking to join another country. Thus, whether these two scenarios are really comparable is a discussion for another day.

Czech & Balance

How the Czech Media & Information Can Combat the Threat of Russian Cyber Warfare

Steven Michels



Photograph © Steven Michels - Prague 2015

increased use of anti-western propaganda in non-traditional media.

Russia has fought a non-traditional war with the west seeking power and influence through opportunistic battles while utilizing a relative-gain strategy. Czech General Andor Sandor believes Moscow takes a particular interest in the Czech Republic's access to NATO information and its leverage as an EU member

(Sharkov). Russian President Vladimir Putin has realized he does not need to use guns and tanks to unsettle and weaken his enemies.

The following examination of the Czech Republic's media landscape investigates how infiltration from Russian interests may be affecting security aspects of the country and region as a whole. Research and interviews for this article were conducted as part of a Spring 2015 Global Field Intensive (GFI) trip to Prague with Dr. Mark Galeotti, professor at the NYU Center for Global Affairs.

Concerns about a negative Russian influence abound in regard to the security landscape for both the Czech Republic and the European Union (EU). These include an overt and covert influence of Russian money into business and government and the

Through disinformation and the use of techniques such as Internet trolling, he can create dissent and support of the Russian agenda. In the Czech Republic, these tactics could potentially be precursors to increased influence peddling or magnifications of risk factors already at play. Identifying and balancing these influences between the Czech Republic and Russia is essential. Czech security concerns need to exploit any and all mutual benefits in their relations with Russia, as well as be wary and ready to react to any real existential threats.

This report was enlightened by government officials, faculty members, non-governmental organizations (NGO), journalists, dissidents, and everyday residents. While they do not constitute an exhaustive representation of the Czech Republic, they do represent some of the prevailing ideologies that constitute this pragmatic small-to-medium sized Eastern European nation. It is a nation in its infancy, one wrestling with a tragic history of oppression. It holds a sense of national pride and a determination to continue peacefully toward a better future. This probe will explore whether the media branch of Russia's hybrid war represents a real existential threat to the Czech Republic. In addition, this paper will aim to

consulted consider it a matter of fact. They suggest the charges are 'proven' by virtue of his actions.

Second in command Prime Minister Babis claims he is simply too rich to be influenced and that his Russian interests are merely practical business. Jan Urban, a founder of Eastern European Information Agency, a dissident network, also noted that several of the last Czech presidents have had strange contacts. For example, two-time former Czech president Vaclav Klaus, an instrumental figure during the velvet Revolution, is a frequent and outspoken critic of the government. He also speaks in favor of Russian engagement and is considered Euro-skeptic.

Russian President Vladimir Putin has realized he does not need to use guns and tanks to unsettle and weaken his enemies. Through disinformation and the use of techniques such as Internet trolling, he can create dissent and support of the Russian agenda

discover real potential threats, as well as the strategies invoked to counter them, and will develop suggestions for improvement in these ventures.

Several current members of the ruling elite stand accused of being under Russian influence. Dr. Oldrich Bures, of Metropolitan University Prague, was one of many non-governmental experts to implicate President Milos Zeman's political campaign as being bankrolled by Russia's second largest oil company, Lukoil. And while this suggestion was flatly denied by government officials, especially those from within his party, Dr. Jan Jires, current Defense Policy Director at the Czech Ministry of Defense, admitted Zeman was charged with having links to Lukoil. Almost all the journalists and lay members of the public with whom the author of this research paper

According to Stephen Christiansen, former director of Development at Prague Security Studies Institute, there is increased Russian investment within the Czech Republic but a lack of transparency. Dr. Bures agrees and warns of the privatization of security firms, money laundering, and Russian infiltration into various intelligence and business aspects of society. Ondrej Kundra, a journalist with Respekt magazine, notes that with Russian investment comes Russian business standards that are both different from those of the west and potentially dangerous.

Of significant concern is the way Russia uses its 'influence' to force countries to reject policies it does not favor. For example, the EU's Eastern Partnership was declined by Armenia, Azerbaijan and

Belarus, partially in deference to Moscow pressure. Instead the Eurasian Economic Union was agreed to by Georgia, Moldova, and Ukraine, all of whom are partially occupied by Russian-backed forces (Bendavid, A14). The west's advances toward relations with Ukraine, following Ukraine's rebuffing of Russian advances, was portrayed as antagonistic toward Russia, causing them to react by claiming Crimea and 'invading' Eastern Ukraine.

Ondrej Soukup, a reporter for the *Hospodarske Noviny* newspaper and former Moscow correspondent, worries about the role of Russian state-funded media outlets like Russia Today (RT), Russian propaganda, and conspiracy theorists. The generation between 15 and 24 represents 10% of the population, with another 15% under 15 (World Fact Book). They have levels of under- and un-employed of just under 20%, which is consistent with most of the rest of the world. This age-group is also more prone to being swayed and influenced (Steinberg and Monahan, 1531).

These vulnerable youth tend to use alternative and social media outlets, making them more impressionable when encountering propaganda or radical ideas disseminated via internet trolling. Professor Stritecky concurs that there is a real threat of radicalization via cyberwarfare.

The younger population, and even some of those who remember the Velvet Revolution, have cause for concern and skepticism about the government and its intentions. Soukup thinks corruption is even worse than it was 10 years ago, while the original idealism of the revolution is fading. Now things are all business and there is political lying and stealing, one of the more notorious examples being the corruption charges and public disgrace of former Mayor Pavel Bem and Deputy Mayor Tomas Hrdlicka in 2012 (Rousek). Czechs learned of this

scandal because of media-leaked wiretapped phone calls between Pavel Bem and a "lobbyist" named Roman Janousek (Connelly).

Traditional media outlets appear to provide a rich and robust democratic landscape where even Euro-skeptic or anti-western media outlets, like RT, can lend a voice to the discourse. In many respects, opposition press can help to keep government honest by exposing corruption and by helping the citizenry make informed decisions. Alternatively, a media spectrum without dissenting opinion or voice can lead to charges of an authoritarian and anti-democratic press.

In the Czech Republic there are public broadcasters for television—*Ceska Televize*—and for radio—*Cesky Rozhlas*—in addition to many privately owned stations. TV is considered to be the news media of choice for the older population (Online and Mobile Video Analytics). The two leading private channels have high-profile Czech figureheads (Czech Republic profile). TV Nova is the largest and is 98.94% owned by the wealthiest man in the Czech Republic, Petr Kellner (PPF Group's people). While his business dealings lean mostly to Eastern Europe, including Russia, his record reads as one of whole-hearted support of Czech independence (from Russia). The second, Prima TV is 50% owned by the GES Media Europe BV and 50% by MTG Broadcasting AB (*iprima.cz*). Both appear to show mostly American and Euro-centric programming and do not, on the surface, or at the moment, appear to be agents for Russian propaganda.

There are many smaller stations, like RT, which broadcast on cable television, but percentage shares are small (*Ato.cz*). Brian Whitmore, Senior Correspondent in Radio Free Europe/Radio Liberty's Central Newsroom, said that RT has an 'asymmetrical advantage' in that they are now embedded in the

west and utilize the democratic freedoms to spread propaganda. Further, they are state funded and RT does not need to turn a profit; they exist solely to distort the truth in an unflinching and unyielding anti-western diatribe.

Russian influence, however, also spreads into newer media forms like the Internet and social media. It takes the form of propaganda websites spreading disinformation and fomenting unrest, presenting a real danger. These propaganda websites are similar to those being used successfully by Islamic militants to recruit susceptible youth from the French banlieues or Muslim enclaves in Britain. They spread lies about the west, or worse, stretch the truth and make the opposition seem attractive and just. They also use existing mainstream social media, like Facebook, Instagram, Twitter, and an Arabic-language app called, "The Dawn of Glad Tidings" (McCoy; Berger).

Of much concern, as several government spokespeople and Dr. Bures warned, is the Russian internet news servers, propaganda and the utilization of trolling, which works to guide or derail Internet discussions on legitimate Internet site's comments pages. They post non-linear comments in regard to the discussion, attempt to provoke fights with their aggression or offensiveness, seek to broaden the discussion topic to move the centrist position and introduce doubt by providing multiple theories of causation.

Dr. Mark Galeotti, Clinical Professor of Global Affairs at New York University and Russian expert, suggested that Putin wants us divided, worried, and on edge in a presentation at NYU Prague called "Russia, Ukraine and the new 'Hot Peace' with the West." He will use aggression, subversion, propaganda, and information warfare to bring questions of the west. One example is the multiple hypotheses generated about the downing of the Malaysian

airlines plane in the Ukraine. The astute brilliance of the methodology is that it uses freedom of the press to rationalize the right to state anything short of libel. The west, however, cannot, and should not, shy away. It should examine these statements and expose them as false. When this comes from a single source, it is easy to repudiate that source. But when it seemingly comes from multiple everyday citizens, it can cause fissions and tumult and can draw attention away from the real issues.

There is a very active and well-organized Russian presence on the Internet in the Czech Republic. Ondrej Kundra from Respekt magazine spoke about his expose on one such website, Aeronet.cz. The website was originally started by an amateur pilot to share information. Now it has morphed into an anonymously owned Russian propaganda site where readers are welcome to post pro-Russian stories and comments. Kundra's attempts to find the owners proved futile although he did suggest that a small right wing party was among the site's authors. He also noted that there are other such websites.

IBIS, a Security Information Service in the Czech Republic, is aware of this and some in the government do see it as a serious threat. The difficulty is to figure out the proper response. Does one counter each fallacy with truth? This electronic game of 'Whack a Mole' cannot be won. Not with a set of targets as vast and sophisticated as the Russian disinformation and propaganda arm. Does one reply to disinformation with an attempt to quell it? The problem there is that this thread of Russia's hybrid war plays western democracy against itself; attempting to silence disparate opinion is in direct opposition to the democratic ideals of freedom of expression and thought that were so thoroughly trampled upon during the Nazi and Communist regimes. Thus, attempts to outright silence these outlets bring accusations of the lack of freedom and expression. Only

when they specifically incite violence or promote hate, can they be questioned, but these tech savvy agents often know where and when to draw the line. While Russia is not using these outlets to call Westerners to 'jihad', they are using it to create discord and to change the social discourse. A robust, and thoroughly democratic response is necessary.

On the Czech national level, there is a democratic government and a healthy press that frequently reports on politicians being brought to justice for wrongdoing. And while this might give credence to some anti-governmental conspiracy theorists, it is also outward evidence that the system is working. The majority of security issues beyond national anti-corruption legislation are handled on the supra-national level. A medium-sized Eastern European nation like the Czech Republic simply cannot do much on its own. Professor Stritecky, while concurring that the Czech Republic is sometimes seen as a trouble maker and of being too Euro-skeptic, also feels that this is merely part of the Czech mind-

balance Washington and Brussels, and suggested being a more reliable NATO partner.

Attempts to reduce the threat of impact by Russia are addressed at the supra-national level, namely NATO, the EU, and partnerships with the US. The Czech Republic has been a NATO ally since 1999 and an EU member since 2004 (Sharkov). The Czech Republic has previously shown ambivalence toward NATO and the Ministry of Defense has refused to allow NATO troops in its territory. But, on 29 March 2015, they allowed NATO troops to march across the Czech Republic as part of Operation Dragoon Ride (Lyman). This largely symbolic march is an attempt to signal to Putin that NATO is serious about defending its territories and to counter his recent exercises of 45,000 troops near the Russian border (Grove). Dr. Katernia Bocianova, the Chief Advisor to the Minister of Foreign Affairs, said the NATO transport in CZ is causing some negative social media. Smiling children and supporters were there for the photo opportunity when they crossed into Czech

The difficulty is to figure out the proper response. Does one counter each fallacy with truth? This electronic game of 'Whack a Mole' cannot be won. Not with a set of targets as vast and sophisticated as the Russian disinformation and propaganda arm is suggested to be

set and does not feel that Russia poses a threat to the EU.

This frame of mind is changing however, and it is in Czech interests to outwardly support the EU and NATO. This rational approach was echoed by government officials, journalists, and pundits including Dr. Jires who said that what is important to a defensive Czech Security is to have a practical offense. He suggested an internationalist approach to

territory. However, a contingent of protestors was evident outside the base where they arrive to spend the night (Lyman). General Sandor noted that while the Russians "try to make us less reliable partners in the EU", this show of NATO unity provided an outward counterpoint (Sharkov). The media showed that there was NATO support and that there was a healthy difference of opinion. It allowed all voices to be heard.

Dr. Jires mentioned that the Czech Republic was also increasing not only their financial support for NATO from the current level of 1% up to 1.4% of GDP by 2020, but also the number of Czech troops from 22,000 to 27,000 in personnel. Dr. Bures said the Army has amongst the highest level of public trust at 70%. The Czech Republic is rightly cautious as a nation so as to appear neither too reactionary toward Russia, nor to be acting from a position of fear invoking weakness.

There were no discussions of a call for a nationalistic propaganda campaign by government officials to accompany this slow buildup. They seem content to simply continue along a line of natural Czech pride born from the initial formation of Czechoslovakia, the resilience shown during both the Nazi and Russian occupations and the more recent bloodless formation of the Czech Republic. Although there is a minor sense of wounded pride from the occupations, the resolution shown throughout is the more defining character. Susanna Halsey, of New York University Czech-House, noted that even during the occupations, the somewhat bourgeois tradition of learning to ballroom dance was continued. Even in the face of intense scrutiny, the Czech did not lose their sense of self.

But, pro-Russia websites can sway public opinion on political issues, such as on the question of ending the sanctions on Russia. Dr. Bures suggests that the Czech are more hesitant toward sanctions than most EU and questions whether there might be a relation to Russian propaganda. Nonetheless, there should be debate. Do the sanctions work? Are they the right response? Do they punish the right people? These are all legitimate questions to ask in a democratic society.

In a meeting with David Ondracka, Director of the Transparency International Czech Republic chapter, at NYU Prague in March 2015, he suggested

that Russian propaganda is self-serving and that the Czech Republic is quite capable of arguing amongst themselves without outside interference. This somewhat dismissive argument does not really suffice. It does not take into account that in addition to the propaganda, as spread by RT and Internet trolls, there is also the disinformation war intended to turn the people against themselves. Without care, the right divisive issue could pit brother against brother and neighbor against neighbor. Government corruption, issues of race, and same-sex marriage are all polemic issues that could cause major disruption and distraction.

The good news is that those who listen to pro-Russia propaganda or who wholeheartedly accept any far-right or -left agenda as truth is in the minority. They also have a robust government and media. Whitmore, of Radio Free Europe, agrees saying that the Czech Republic has such a robust democratic press that that RFE is no longer needed there.

A democratic society should allow opposition voices and opinions, for it is with exposure and engagement that such ideas and 'facts' can fall. It is the oppressive governments who—in their vulnerability—must prohibit any free and real opposition parties or opinions. And, with the Czech Republic's generous breadth of media outlets that ascribe to strict journalistic ideals, these half-truths and outright lies are easily exposed.

It is in countries like Russia and Turkey whose media has been increasingly attacked and absorbed by the pro-government camp where outlandish conspiracy theories are whispered from ear to ear. It is the lack of an honest and open media that both causes people to distrust what they are being told, but also to be left to make up what they think might be the alternate truth.

Dr. Galeotti said we should treat propaganda

and lies confrontationally, but that we could use more truth in Western media. Kundra, Whitmore and others also questioned whether the west should counter the relentless Russian propaganda and disinformation machine with more propaganda. Their answer is a resounding no. The best response is truth. Dr. Jires revealed that government leaks to the media to sway public opinion do happen, but it is not in the best interest of a democratic state to spread false information or lies.

There are growing pains in any new life, and the Czech Republic, being only in its mid-20s, is no exception. The model for what the citizens of the Czech Republic want their country to look like in another 25 years should be discussed and envisioned. Steps toward those goals should be created and actively worked toward. Attempts to create disparate senses of reality and attempts to fracture society should be called out.

The blending of the Czech Republic population has only just begun, but it is already pro-actively creating an asylum and migration policy. EurActiv, which is an EU online multi-lingual website, suggests it has even gained renewed efforts following the Paris attack on Charlie Hebdo (Bednarova). For every vicious attack on freedom, the west, the EU, and the Czech Republic must stand with a renewed call for cooperation with understanding. Rather than allow a subversive dialogue to suggest the discourse, they pulled the players themselves together to help the majority understand what the discourse should be. Minorities are already protected by the Czech constitution and domestic laws but, in March of 2015, Prague announced a National Minority Committee, which includes members of all the cities' minorities, including the Roma (Zwilling; CTKc). While they included a Jewish member, they did not include other religions.

Of the almost 11 million citizens of the Czech

Republic, only 64.3% identify as Czech (World Fact Book). Peter Pelz, Executive Director of the Prague Security Studies Institute, downplayed issues with minorities in the country, specifically with Muslims, but there has been a recent uptick in anti-Islamic sentiment (Bednarova).

Part of the concern is the rise of Islamic militants in Yemen and Egypt, but also of the porous nature of the Schengen borders. There is a minor fear that the insignificant number and far-flung Muslim population pose an immediate threat but there is alarm amongst Czech's relationship with EU members especially as the Internet and homegrown radicalization of fellow states like France and England has become such a concern. Committees like this one, and conceit of the growing concern, illustrate the pragmatic Czech approach.

Dr. Josef Slerka, at the New Media Department at Charles University, is researching where the pro-Russian social media originates. His team does this by creating a trail comparing and contrasting the linguistics and digital footprints of the writers. This will help to understand some of the new methodologies being employed in this hybrid war. Likewise, studying how ISIS is successfully recruiting jihadists may also offer some insight to counter similar Russian attempts to use the Internet to create dissent. As Ondrej Kundra noted, we have to stop Aeronet.cz, but how many will there be?

Education on how to consume modern media, how to discern truth from fiction and how to evaluate differing ideals is important. Kundra suggested supporting Russian journalists; perhaps people like Tikhon Dzyadko who, as deputy editor at TV Dozhd in Moscow, unflinchingly tries to bring the truth to the Russian people. Dr. Jires said the cyber aspect is neglected and that most in the EU states are lagging in forming a desirable response. There is a frantic effort to establish practical instruments and creation

of a cyber defense within the military. Jires said the Czech Republic needed to be on the “offensive not sissies”.

One of the journalists consulted with for this re-

search paper was from Transitions OnLine, a non-profit organization started in 1999 to strengthen post-communist media (Translations Online). It is here one can read first-hand the work of Onrej Kundra. By countering the negative propaganda that abounds and providing an honest journalistic tradition, they will ultimately allow the truth to light. There will always be conspiracy theorists and those dedicated to the far left and the far right, but by providing an alternate and truthful sense of reality, they allow people the ability to decide for themselves.

There will always be conspiracy theorists and those dedicated to the far left and the far right, but by providing an alternate and truthful sense of reality, they allow people the ability to decide for themselves

search paper was from Transitions OnLine, a non-profit organization started in 1999 to strengthen post-communist media (Translations Online). It is here one can read first-hand the work of Onrej Kundra. By countering the negative propaganda that abounds and providing an honest journalistic tradition, they will ultimately allow the truth to light. There will always be conspiracy theorists and those dedicated to the far left and the far right, but by providing an alternate and truthful sense of reality, they allow people the ability to decide for themselves.

Ondracka also suggests the influence of Western transparent NGOs, but a major problem with NGOs is in who funds them. NGOs have been exposed as tools of western governments, namely the US, to forward particular policy agendas. A delicate balance between the use of NGOs in this fashion should be taken and they should instead be held to a higher ideal: Of creating good for the sake of real democracy and human decency. NGOs should help foster this ideal, not governmental policy agendas.

A coalition of 18 NGOs called Rekonstrukce statu, “Reconstructing the State”, compiled nine essential demands for government, which included finance reform and a registry of online contracts (Connelly). David Ondracka suggests publishing all government records and contracts on line. If it is not

published, it is not valid. This will provide transparency and help minimize corruption.

The threat of Russian cyber warfare is real, but what is equally true is that the landscape of Czech

society seems ready to do battle. With care to preserve their media freedoms and to combat governmental corruption, they should be able to engage and allay divisive anti-Western ideals. With tempered, but firm, support of NATO and the EU, they signal a resolute standing with the West. With academic and non-governmental organizations charged with dissecting and unmasking the untruths and disinformation, the new generations will be adept at making informed political decisions. And, most importantly, with a clear sense of where they are headed, they can steer pragmatically toward their future. The very nature of their being Czech will help them balance their future position at the crossroads of Europe.

Genocide in the 20th Century

The Difficulties of Applying the Convention on the Prevention and Punishment of the Crime of Genocide

Ossama Ayesh

Introduction

The atrocities of the 20th century were devastatingly unique and historically unprecedented. States relied on ideals rooted in nationalistic tendencies to justify mass murder and genocide. The 20th century witnessed an era of passivity where history constantly repeated itself within a short period of time. Globalization, advances in technology, and nationalism led to a transformation of genocide from physical destruction and mass killing to more subtle forms of genocide. The evolution involved the incorporation of forced displacement, ethnic cleansing, restriction of movement, and deprivation of resources, in addition to the intent to destroy a particular group. The clouds of war and the veil of state sovereignty have allowed states to operate with impunity. Acts of genocide in the 20th century, and particularly genocidal events that have occurred after the Second World War, have demonstrated that the international community has failed to build the necessary physical and intellectual investments in human rights mechanisms to prevent genocides even after the ratification of the Universal Declaration of Human Rights (UDHR) and the Convention on the Prevention and Punishment of the Crime of Genocide. Before turning to why human rights norms and the Genocide Convention have not been able to prevent genocide, it is important

to understand the context in which the definition of genocide was adopted.

This paper first explores the origins of the conceptualization of the crime of genocide over the 20th century, as defined by the UN Convention. Next, the transformation in how the act has been defined by genocide studies scholars will be outlined. The article will then attempt to reveal the limitations of scope and ambiguity of the Convention document, using both ideas of intent: *Dolus Specialis* and Knowledge-based. This paper will also look at evidence, or lack thereof, available to prove intent to commit genocide, through the analysis of particular events in a number of countries, such as Palestine, Bosnia and Herzegovina, and Cambodia. Finally, this paper will focus on how the ambiguity of the intent to destroy has led to a failure to classify many events—which are genocidal in nature—as genocide and will provide recommendations on preventing future genocides.

Genocide Definition

The act of genocide predates its own definition. “The word is new, the concept is ancient” (1981), asserted Leo Kuper in his work *Genocide: Its Political Use in the 20th Century*. The term “genocide” has roots in both the Latin and Greek languages. It was coined by Raphael Lemkin, a Holocaust survivor and

Polish-Jewish jurist. After years of advocating for the conceptualization of this phenomena—the intentional destruction of a particular group of people—the international community, recovering from the aftermath of the Jewish Holocaust, embraced Lemkin’s definition of genocide with the adoption and ratification of The Convention on the Prevention and Punishment of the Crime of Genocide.

Mechanisms for Enforcing Genocide Prevention

The document drafted at the Genocide Convention in 1948 created an international standard for defining genocide. The definition itself was based on Raphael Lemkin’s conceptualization of genocide, and was highly influenced by the atrocities that occurred during the Jewish Holocaust. Thus, the framing of the term primarily stems from the lens of physical destruction. This is evident in the text of the Convention document. According to Article II of this United Nations Convention, genocide is defined as:

any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group (1948).

A second mechanism for the enforcement of genocide prevention is the International Criminal Court (ICC). The ICC was created through the ratification of the Rome Statute. Its aim is to “exercise its jurisdiction over persons for the most serious crimes of international concern, as referred to in this Statute”, which includes genocide (Rome Statute, ICC).

Within the Rome Statute is the Elements of Crime document, in which every crime under the jurisdiction of the ICC is defined. The “elements” regarding genocide are as follows:

The perpetrator killed one or more persons. 2. Such person or persons belonged to a particular national, ethnical, racial or religious group. 3. The perpetrator intended to destroy, in whole or in part, that national, ethnical, racial or religious group, as such. 4. The conduct took place in the context of a manifest pattern of similar conduct directed against that group or was conduct that could itself effect such destruction (Elements of Crime, Rome Statute, ICC).

Ambiguity and Limited Scope of Genocide Convention

The creation of the UN Convention was motivated by the model employed at the Nuremberg trials, which created the legal mechanism to prosecute the perpetrators and other individuals affiliated with carrying out the Holocaust. Thereafter, the Convention has been referenced as an authoritative source in the international arena and in international law, and it continues to remain the prevailing model today. The convention was created as an anti-genocide regime that would prevent future genocides. However, history has demonstrated that this anti-genocide regime has limitations that prevent it from serving as an effective mechanism to both deter and stop ongoing genocidal acts.

One limitation of the Genocide Convention stems from the ambiguous language used in the definition. The ambiguity of language has prevented the Convention from being applied to many events that some would consider acts of genocide. There is no mention, for instance, of what intent to destroy or physical infliction actually means or how it is proven. The lack of action in 2003 in Darfur is attributed to the ambiguity over the meaning of

intent because the UN could not demonstrate how the events that occurred in Darfur applied to the Genocide Convention (Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, pg. 4). In 2005, the United Nations created a Commission of Inquiry for the situation in Darfur. This Commission released a statement outlining their findings:

The Commission found that government forces and militias conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement, throughout Darfur. These acts were conducted on a widespread and systematic basis, and therefore may amount to crimes against humanity. The extensive destruction and displacement have resulted in a loss of livelihood and means of survival for countless women, men and children... (UN Report on Darfur, 2005).

Despite the clear evidence of genocide, the United Nations was not able to apply the Genocide Convention to this scenario because of the inability to prove intent.

The Convention's limited enforcement scope has made it difficult for other events to be categorized as acts of genocide as well. For example, the document does not mention non-physical and subtle forms of genocides, such as restrictions on access to water, movement, or economic growth. These are simple human rights similar to the rights outlined in the UDHR. Nonetheless, only aspects of physical destruction as forms of genocide are mentioned in the Convention document. Nonetheless, this has often translated into a failure to prevent acts of genocide due to the inability to enforce the Convention.

Transformation of the Conception of the Term "Genocide"

For a few decades after the formal UN adop-

tion of the term "genocide", scholars—for the most part—avoided using the term. Among the scholars that have used the term, the vast majority defined genocide in the context of physical destruction. Also, definitions of genocide have "reflected the ambiguities of the Genocide Convention and its constituent debates" (Jones, p. 16). Nonetheless, there has been a change in how genocide has been used and defined by academics.

According to Christopher Rudolph, a genocide studies scholar, opinions on the definition of genocide are usually divided over the elements of a preferred definition. He asserts that those individuals who prefer stricter laws and narrow definitions of genocide contend that it promotes anti-genocide enforcement and safeguarding mechanisms, while maximizing the amount of leverage needed in order to stop genocides from occurring. Alternatively, the author argues that those who prefer laws that are less stringent and more flexible in interpretation assert that this perspective allows for concession and creates incentives for learning, while improving the process of institutional development (Rudolph, p.659). While this debate continues, subtle forms of genocide remain unmentioned and thus the victims of these forms of genocide are left unprotected.

The current definitions of genocide and the over-emphasis on physical destruction have directly influenced which events have been declared as acts of genocides. Since the adoption of the Convention, the world has considered a number of events as acts of genocide. For example, in the case of Rwanda, the United Nations recognized that an intent to destroy a particular group, in whole or in part, was evident in the country and thus an act of genocide had occurred (United Nations Report of the Independent Inquiry into the Actions of the United Nations Secretary-General during the 1994 Genocide in Rwanda, pg. 4). There have also been situations

It can then be argued that the failure to consider these events as genocidal may be partly attributed to the difficulty in drawing the line between legitimate warfare and genocide

and conflicts that have had characteristics of genocide, such as forced displacement and mass killing, but have not been deemed genocidal events. For example, in 1982, 2,000 Palestinian refugees, after being displaced from their homes in Palestine, were murdered (Pappe, 132). Another example is the events that ensued during the Pakistani-Bangladeshi war in 1971 where Bengalis experienced mass rape, displacement, and murder (Shehabuddin, pg. 93). Many of these events have been deemed “tribal” conflicts or were considered to have occurred during times of war and thus, have not been declared genocides. It can then be argued that the failure to consider these events as genocidal may be partly attributed to the difficulty in drawing the line between legitimate warfare and genocide.

Genocide and War

Martin Shaw, another prominent scholar in the field of genocide studies, has studied the relationship of genocide and war, considering genocide to be an outgrowth of “degenerate” combat, with the disproportionate killing of non-combatants (Shaw, 2003). The difficulty in naming events during war-time as acts of genocide is attributed to a number of factors. First, during times of war, there is a particular climate of violence. Shaw argues that the purpose of war is to eliminate an enemy. This blurs the individual’s psychological response to war. Second, war makes it easier to commit acts of genocide. Adam Jones, a genocide studies scholar, asserts

that war provides a “smokescreen for genocide”, in which “journalism is highly restricted, and military censorship prevents the investigation of reported atrocities” (Jones, p. 49). Third, the gap between in-groups and out-groups is strengthened during war-time. Individuals believe that they are fighting for a common goal: to protect and fight against an enemy. Additionally, war “exaggerates nationalistic impulses as populations come together under outside threats” (Alvarez, 2001, p. 68). Consequently, it has become increasingly difficult to prove the “intent to destroy” element of Article II of the Genocide Convention.

Defining Intent

As previously mentioned, a major defining factor in determining genocide is the element of intent. However, the kind of intent needed to constitute an act of genocide is not written in the Convention. This has led to criticism in the field of genocide studies and throughout the international community.

Two of the most recognized principles of intent are “Dolus specialis” and “Knowledge-based.” The first, Dolus Specialis, is Latin for “specific intent,” which is the type that is most readily accepted, and “demands that the perpetrator clearly seeks to produce the act charged” (Goldsmith, 2010, p. 241). Thus, when applying this concept to genocide, an individual must prove that the actor being charged had the “specific intent” to destroy that particular group, in whole or in part. If proven, they are then

knowingly considered to have engaged in acts of genocide (Goldsmith, p. 241).

In regards to knowledge-based intent, the International Criminal Court's (ICC) Rome Statute defines knowledge as "awareness that a circumstance exists or a consequence will occur in the ordinary course of events" (Goldsmith, p. 245). Hence, if an individual or group actor commits a crime, or, rather, a number of crimes, with "the knowledge that it would naturally cause the destruction of the group", then the individual has demonstrated the necessary "intent" to be convicted of genocide.

The two standards of intent have considerably different implications for the applicability of the UN Convention on many conflicts; however, the narrowness of the concept of intent under both definitions does not allow the Convention to account for the complex situations that genocides constitute.

Case of Cambodia

As previously mentioned, the United Nations Convention on the Prevention and Punishment of the Crime of Genocide defines genocide as any one of a number of acts, committed against people who "belonged to a particular national, ethnical, racial or religious group," and that "the perpetrator intended to destroy, in whole or in part," that particular group of people (1948). The failure to protect different groups is demonstrated in the case of Cambodia at the hands of the Khmer Rouge. Many genocide studies scholars have argued that the 1.9 million people killed by the policies instituted by the Khmer Rouge cannot be deemed to be genocide. Those that deny the events to be genocidal assert that both the victims and those that are suspected of committing the genocide are in fact from the same ethnic group (Jones, p. 195). This presents yet another explicit example of the limitations of the UN Genocide Convention.

Case of Bosnia and Herzegovina

Considering the time in which the Convention was adopted, its scope is significantly limited to events that are comparable to the Jewish Holocaust and thus, genocide has been mainly equated to mass killing. In the case of Bosnia and Herzegovina in the former Yugoslavia, Bosnian-Serbs engaged in acts of massive expulsion of their Croatian and Muslim population. The expulsions eventually led to the deaths of close to 100,000 people. Nevertheless, because only roughly six to seven thousand were massacred systemically, and the rest killed as a result of conflict, the International Criminal Tribunal of Yugoslavia (ICTY) had a difficult time proving the Serbian leader, Milosevic, guilty of acts of genocide. This was due to a lack of "physical or biological destruction" (UN ICTY). Because of this decision, it can then be argued that similar events involving ethnic cleansing sometimes do not constitute genocide because of the lack sufficient physical destruction.

Case of Palestine

With the United Nations Resolution Adopted on the Report of the Ad Hoc Committee on the Palestinian Question, the United Nations partitioned Palestine into two states in 1948: one state for the existing Arab population and one state for the minority Jewish population, which made up less than a third of the population of Palestine, and which owned only 7% of the land (United Nations Resolution A/RES/181, 1947). Under the partition, the Jewish population would be granted more than half of historic Palestine, constituting a major expulsion of the Arab population, although this argument has been long disputed by academics and laypersons alike.

In addition to the aforementioned 1982 mas-

sacre, 1400 Palestinians, again mostly women and children, were killed in what was called Operation Cast Lead in 2009 (Institute for Middle East Understanding, 2012). Here, major parts of the economic infrastructure were deliberately destroyed in a more subtle attempt to eradicate the Palestinian population in the region. However, this was not recognized by the United Nations as anything close to genocide. Instead, the United Nations Secretary-General Ban Ki-moon merely expressed “deep concerns” that the conflict had not been resolved (UN News Center, 2009).

It can be argued that such events, coupled with ethnic cleansing, limited movement, water deprivation and a crippled economy are all subtle forms of genocide because they constitute attempts to create conditions so undesirable that they would warrant a removal of the indigenous population from the region. In 1988, Ariel Sharon, previous Israeli Prime Minister, conveyed the state’s intentions by saying, “You don’t simply bundle people on to trucks and drive them away... I prefer to advocate a positive policy...to create, in effect, a condition that in a positive way will induce people to leave” (Bernstein, 1988, cited by Masalha, 2000). Part of the difficulty in deeming the Palestinian case an act of genocide can be attributed to the Convention’s limitations regarding the principle of “the intent to destroy”. Also, while certain scholars might concur on Israel being guilty of engaging in ethnic cleansing of the Palestinian people in 1948, few scholars are willing to deem ethnic cleansing as genocide.

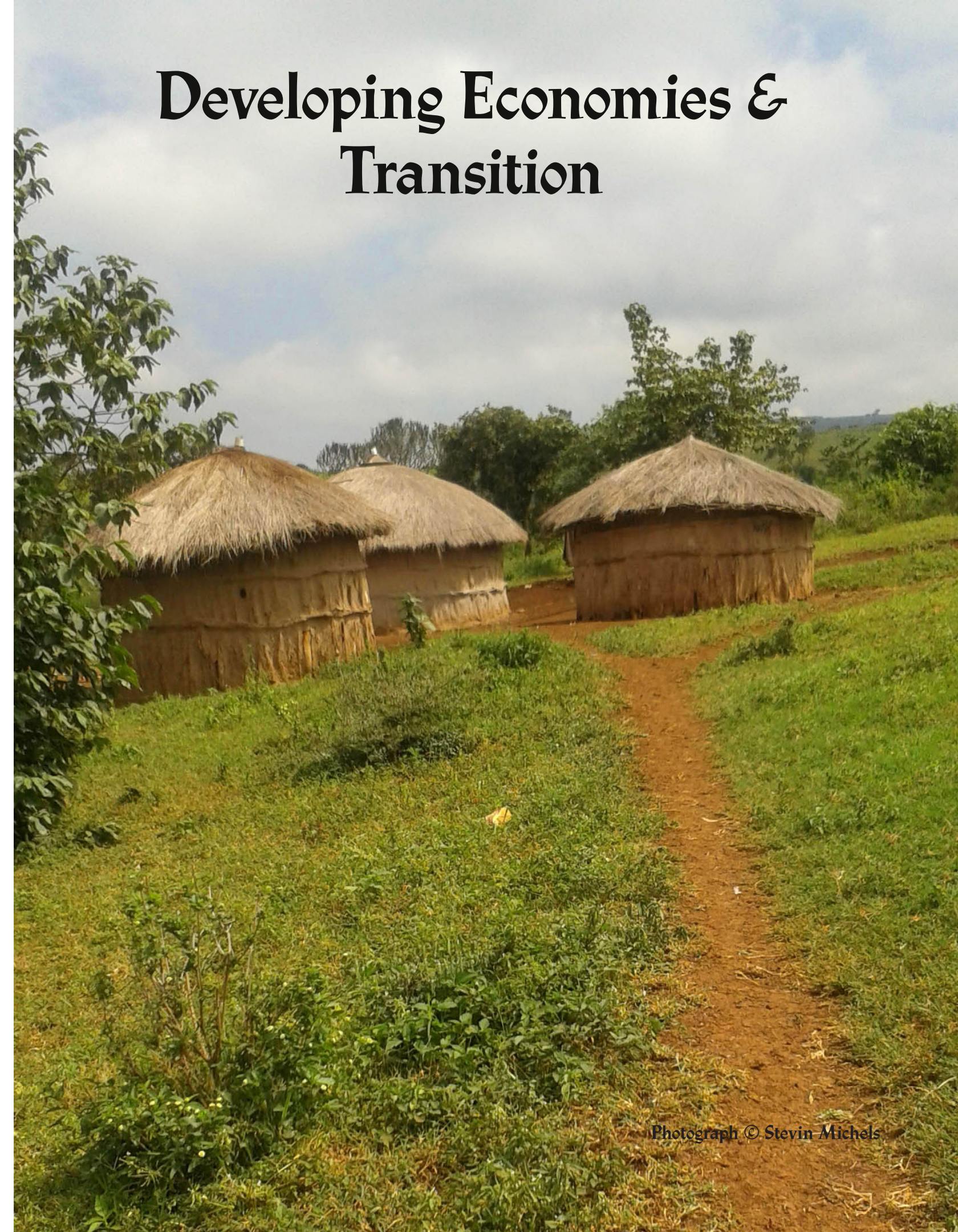
Discussion

The ambiguity and limited scope of the Genocide Convention, theoretically and practically, contribute to a growing scholarly consensus document as inapplicable and non-binding. The ambiguous nature

of the language of the UN Genocide Convention leaves important concepts unclear, in turn failing to deter actors within the international community from committing acts of genocide. Additionally, the Convention overstates physical destruction, while leaving out other conditions that constitute genocide. Genocide scholars argue that this is in part due to the role of the Jewish Holocaust as a benchmark and its considerable influence on the drafting of the Genocide Convention.

As a final point, in order to account for the victims of groups that endure subtler, non-physical forms of genocide, and to reflect a greater understanding of the definition of intent, the definition of genocide should be amended. In today’s era, there exists an international moral authority, the United Nations. With this, there are mechanisms for genocide prevention, such as the existence of peacekeeping operations and the concept of “responsibility to protect”. There needs to be more well thought out early warning mechanisms in place that will be able to detect conflicts that may lead to acts of genocide. Justifications for military intervention are sometimes blurred. Thus, as war may lead to genocidal acts, there needs to be a utilization of other responses to armed conflict, such as the use of sanctions. Lastly, there needs to be a greater capacity for witnesses of genocide to report and transmit the necessary information that the international community needs in order to react quickly, effectively, and proportionately. Inclusiveness needs to be emphasized throughout the international community in order for an anti-genocide regime that is functional and effective to be conceivable.

Developing Economies & Transition



Photograph © Stevin Michels

Amigos o Rivales

Oil & Gas Export Competition between Mexico and Brazil

Giovanni Dubon

In 2001, a Mexican soap opera titled “Amigas y Rivales” captivated its audience with the lives of four friends where the line between friendship and rivalry was not always clear. Fast track 15 years later and a potentially similar plot could be playing out between Mexico and Brazil’s energy production and export sectors. In 2013, Mexico and Brazil’s crude oil production stood at 2.5 million barrels per day (b/d) and 2 million b/d respectively (IEA: Mexico, Brazil). Both Mexico and Brazil forecast that their outputs will increase by 1.2 million b/d and 2.4 million b/d by 2040 respectively (Doman and Singer). These increased outputs will likely be contingent upon the success of Mexico’s 2013 energy reform laws, and the development of Brazil’s deep water pre-salt reserves in the Santos and Campos basins off its coast. Both countries also possess large quantities of natural gas reserves that could potentially increase their energy outputs. Given the optimistic forecasted outputs of both countries, the question arises whether these two emerging powerhouses will directly compete against each other for global market share, or if they can maintain a non-competitive relationship and possibly even form a Latin American coalition. To assess this energy relationship, the following indicators will be used to address the issue: Energy Policies, Geopolitics, and the export market. These indicators are most relevant when assessing future relationships because they es-

tablish the energy strategies they will pursue, their political and diplomatic relationships in terms of geopolitical strategies, and the platforms on which they can interact in the global arena.

Energy Policy

Mexico

Mexico’s energy sector is currently going through a transformation. Since the 1930s, Mexico’s energy and electricity sector have been dominated by state owned utilities (Pemex and CFE). Mexico has faced a steady decline in oil and gas production, increase in electricity prices, and lack of investment in infrastructure. Consumption rates are expected to increase from 199.1 m/t of oil equivalent in 2015 to 222.7 m/t of oil equivalent by 2020 (The Economist: Industry Report-Energy-Mexico). In this context, on December of 2013, Mexican President Enrique Peña Nieto signed into law a constitutional reform to liberalize the energy market, with the aim of opening up the market to foreign investors, extraction companies, and power generation companies. The Hydrocarbons Law and successive secondary supportive laws subsequently passed, and if successful, will increase Mexico’s economic productivity, lower electricity prices, and increase exports of energy and goods. The new reform, with its aggressive timeline,

has the potential to attract sizeable foreign investments to the country (Feldstein).

The opening of the energy sector to foreign investment is scheduled to take place through rounds of bidding starting in 2017. Within 5 years, Pemex will not be allowed to own more than 50% of the market. Large global oil firms (e.g. BP, Chevron, Exxon Mobil, Shell, etc.) have shown strong interest in the initial bidding rounds as it proves a new market for these companies to invest and gain prof-

and increase its use of gas. The discovery of pre-salt reserves off Brazil's coast by Petrobras, the country's leading energy company, has skewed investments towards developing this new potential resource. Brazil's main energy policy is "Garantia de Abastecimento" or assurance of internal energy supply. Under this policy, Brazil's strategy is to produce and consume domestic energy supply before relying on foreign imports so as to mitigate any price volatility in global oil markets, supply disruption, or gaso-

Given optimistic forecasted outputs of both countries, the question arises whether these two emerging powerhouses will directly compete against each other for global market share

its. Mexico will attract investors despite the recent drop in oil price because the existing low production costs will still make extraction profitable. In total, Mexico expects up to \$50 billion in new foreign direct investment (FDI) which could lead to the creation of up to 2.5 million jobs and a 2% annual increase in GDP. Among the benefits, FDI would also bring the technological expertise to extract crude and gas from shale formations and from the deep sea (The Economist Intelligence Unit: Industry Report- Mexico). Additionally, investment would bring much needed cash into the expanding oil, gas, and electricity transmission industries that are needed to move the energy to the ports for export. These outlooks will not provide any substantial changes in the short term, but rather medium to longer term projections.

Brazil

Brazil's energy sector went through privatization reforms in the late 90's to open up the market to foreign investment, spur competition in the market,

line scarcity (Energy Policy in Brazil). Consumption rates are expected to grow from 293.8 m/t of oil equivalent in 2014 to 343.5 m/t of oil equivalent by 2020 (The Economist Intelligence Unit: Industry Report-Brazil). This, however, is contingent on maintaining a consistent investment in pre-salts without sacrificing long-term strategies with short-term goals of the level of production, revenue pay-outs, and political pressures. Brazil also enjoys a healthy mixture of hydropower for electricity generation and biofuel for its transportation sector. Despite this, growing levels of electricity consumption will prompt greater demand for oil and gas as fuel sources given that water shortages can threaten electricity production from hydropower (The Economist Intelligence Unit: Industry Report-Brazil, 6-8).

Both Mexico and Brazil's energy policies suggest support for extraction and production of their fossil fuel reserves. The energy policies in both countries have created a supportive environment for the projected increase in energy production to the point of surpassing domestic consumption rates. The execu-

tion of these policies will largely depend on domestic political pressures, technological advances, and capital to achieve short term and long term goals. Both countries have inefficiencies in their governmental administration and the threat of corruption and insecurity are very real. The energy policy relationship between both countries do not illustrate a conflict of interest but rather an illustration that both countries face similar challenges and approach their energy needs in similar approaches. As an indication, energy policy can be a common ground between both countries to share ideas, best practices, and learn from each other. Conflict may arise should both countries compete for foreign investment in similar projects, but is unlikely to escalate to form a rivalry between both countries.

Geo-Political Relations

Mexico and Brazil's relationship is largely based on geography and their relationship with the United States. Both countries, despite being part of Latin America, exist on two different continents where each other's regional influences do not often clash. Despite both being powerhouses, they project their power in different ways. Brazil seeks to be a regional power in South America, where its power is reflected in its influence on other powers in the region (namely Venezuela and Argentina). In contrast, Mexico's geo-political standing is mostly in relation to the US and its involvement in NAFTA. Mexico has stronger ties with North America as opposed to South America (Kovac, 5-6). Michael Shifter from Inter-American Dialogue supports this view of Mexico-Brazil relations. His assessment is that it would be a "stretch to describe the [Mexico and Brazil] relationship as a rivalry in the strictest sense". He also adds, "[They] seldom clash over major economic questions...and their policies are hardly antagonistic" (Shifter, 49). Mexico and Brazil

are not competitors against each other because they occupy different markets and do not have conflicting strategic goals. Mexico often works closely with the United States as a primary trading partner, neighbour, and nearby market, while Brazil, being further away from Washington, has engaged more on the global stage and taken stronger international roles (peacekeeping operation in Haiti, South-South cooperation, mediation with Turkey on Iran issue, etc). It seems that Mexico's present and future is tied to the United States for better or for worse while Brazil has much more opportunity to expand its influence.

In analysing the geopolitical relationship between these two countries, it can be asserted that their future increase in energy production will not lead to conflict or rivalry. Since both countries do not have strong economic, social, or political ties aside from regional commonalities and similar socio-economic and political challenges, they are more likely to maintain the status quo. An increase in oil and gas production would primarily go to domestic consumption based on their energy policy goals before being available for the market. Once domestic needs are met in each country, energy exports will increase. Given their geographic location, historical relationship, and policy independence from each other, it can be concluded that Mexico and Brazil will not be rivals nor will they spur to create cooperation between themselves in the energy sector. They will remain neutral to each other.

Export Market

The third indicator to determining Mexico and Brazil's relationship as energy exporters is the market and destination of their exports. Again, the United States plays a large role in the trade market of each country. The U.S. made up nearly 80% of Mexico's

total imports and 54% of its exports in 2013, making it its largest trading partner (The Economist Intelligence Unit: Country Forecast-Mexico). In terms of crude petroleum exports, in 2012, Mexico had a total value trade of \$46 billion with the main destinations being the U.S., Spain, and India at 75%, 13%, and 6. In the same year, petroleum gas exports went most exclusively to the U.S. with a trade value of \$73.2 Million (Mexico's Export Destination). Despite having reserves and exporting some of its gas, Mexico is still a net importer of natural gas from the United States. For Brazil, the U.S. makes 10% of its exports and 16.6% of its imports, making it the largest market after China and its largest importing partner (The Economist Intelligence Unit: Country Forecast-Brazil). Brazil's total country trade in crude petroleum accounts for \$20 billion with the primary export destinations being the U.S., China, and India at 29%, 23%, and 16.5% respectively. In respect to petroleum gas, export destinations are the U.S. and Argentina at 43% and 34% respectively which stood at a total of \$309 million in 2012 (Brazil Exports Destination). The fluctuation in oil prices and production levels must also be factored in when considering export markets. The shale gas revolution in the United States also has a profound effect on the market, especially if export bans in the United States are lifted.

Mexico is by far more dependent on the U.S. for trade than Brazil, whose largest trading partner is China. In this sense export markets do not really compete against each other on a significant scale, however, given the slowdown of exports to the U.S. due to its own energy renaissance, alternative markets will need to be found. Both Brazil and Mexico are more attractive alternatives for East and Southeast Asian countries that hope to diversify their oil imports away from the Middle East. Mexico ships carrying oil docked for the first time in 20 years in South Korea this year as demand for cheaper heavy

crude grows in East Asia. Analysts at Arctic Securities ASA note the growth in demand for Latin American crude oil by Northeast Asian countries (Okada). Should Mexico and Brazil successfully increase their crude oil and gas production, they would compete and potentially become rivals as they seek to expand their market share in Asia. Coalitions or partnerships to export as a bloc to Asia are not very likely because of the diverging geopolitical strategies Mexico and Brazil pursue.

Conclusions

The conclusion of this energy policy analysis indicates that a rivalry is less likely should Mexico and Brazil become larger energy exporters. Mexico and Brazil are most likely to cooperate as they face similar challenges in terms of socio-economic development and energy market structures. An exchange of ideas and best practices in this forum could be a strong possibility.

Regarding their geopolitical relationship, each country will likely remain neutral given their distance and national strategies and priorities. Despite this, the U.S. is a significant variable that could shift the neutrality. Larger rifts could result between the geopolitics of Brazil and the U.S. given Brazil's ambitions for a stronger role on the global stage. Since Mexico and Brazil are often dependent variables to the United States interests, the relationship between Mexico and Brazil would be impacted if alliances and partnerships are called into play. In this scenario, Mexico would ally with the U.S. given historical ties and geographic proximity, thus resulting in a rivalry between Mexico and Brazil.

The conclusions derived from the analysis of the export market of Mexico and Brazil should also be viewed in two time frames, short/medium-term and long-term. Short/medium term time frames would

suggest that the destination of the each country's export is dominated largely by Mexico to the United States and Brazil to China. This results in a neutral relationship between Mexico and Brazil since competition is more or less already defined, established, and worked out. Longer-term time frames do suggest a rivalry could result as Mexico and Brazil export their crude oil to Asian markets. A higher demand for heavy Latin American oil is rising and Asian markets can be a very attractive market for Mexico and Brazil. Both countries could face off in contract bids for sale of gas and oil resulting in a rivalry.

Like the soap opera, Mexico and Brazil's relationship is blurry at times. This analysis, however, suggests Mexico and Brazil's political and diplomatic relationship are more likely to maintain the status quo if not increase friendly ties rather than develop a rivalry. The economic incentive of increasing energy exports forms part of both nations' strategic plans, therefore they will pursue policies and trade agreements to further those achievements. Competition, and possible rivalry, between both countries could play out in the energy markets in the long term should these two countries develop their energy resources to their full extent.

The Case of South Sudan

Fostering Development in the World's Youngest Nation

Tegan Joseph Mosugu

Introduction

On July 9, 2011, South Sudan became the newest state in the world. After a twenty-two year conflict with Sudan, ninety-nine percent of South Sudanese voted for secession. Despite the hope for a brighter future, an estimated one million people were displaced in just over 100 days after violence erupted on December 15, 2013. In South Sudan, 20% of children under the age of five are malnourished. A report conducted by World Vision International on South Sudan Food Security Monitoring Report also shows that half of the households surveyed between June – July 2012 are food insecure, with 14% reported as being severely food insecure (World Vision, Hunger Crisis Deepens). It is crucial that the ministry of agriculture and forestry works alongside state and non-state actors in promoting food policies and practices that can create food stability in the nation. The democracy and development of South Sudan is undoubtedly threatened by this imminent food crisis.

The purpose of this paper is to provide recommendations that both state and non-state actors can utilize in making South Sudan a secure nation in terms of its economic outlook and in the agricultural sector. In order to ensure South Sudan's food and economic stability, the Ministry of Agriculture needs to collaborate with the government in ensuring that

there is investment in the mining and agricultural sectors of the country. These much-needed investments can be achieved if the government reduces its dependency on oil as a major source of GDP, executes effective land status policies/programs, utilizes untouched arable land in the White Nile section of the country, and increases the technical capacity of farmers to produce commercially and use foreign aid for cash transfers.

Gross Domestic Product

The Need for South Sudan to Tap into Other Resources

According to the African Development Bank Group, "about 98% of government revenue stems from the oil sector, which contributes over 60% of GDP in terms of direct exports and associated investment" (African Development Bank Group). The government's overdependence on oil is affecting the food security of the nation. For example, in January 2012, South Sudan shut down all of its oil production due to an ongoing dispute with Sudan regarding transit fees. The depletion of government revenue affected the state's ability to import triangular food purchases from neighboring countries such as Uganda, Kenya, Egypt etc. A report by The East African, notes that "that increase in fuel prices,

constrained relations with Sudan, the devaluation of South Sudan pounds, massive influx of returnees from Sudan, and refugees from the warring Blue Nile and South Kordofan states resulted in food insecurity” (East African 2012). The constrained relations have been a by-product of South Sudan’s oil production being situated in the northern states of the country. As a result of these constrained ties, fuel prices have spiked, which has also increased the cost of importation.

The Ministry of Agriculture and Food Forestry needs to ensure that the government does not solely rely on oil as a major source of GDP. This is because an over-reliance on oil increases the ability for South Sudan to import food to “emergency phase level areas” such as the states Unity, Upper Nile, Jonglei and Northern Bhar el-Ghazal. Instead, the Ministry needs to work with the federal government in highlighting industries of the economy that have not yet been tapped into. There should also be investment in the natural resources of South Sudan, considering the fact that the state is well-endowed with gold, diamonds, and ore.

The Need to Invest in the Mining Sector

“Since the signing of the Comprehensive Peace Act (CPA) and the establishment of the regional government of South Sudan in 2005, South Sudan’s mineral resources have remained almost completely untapped”(Deng 2). Honorable Minister Stephen Dau notes that the state “borders mineral rich parts of Uganda and the Democratic Republic of Congo where mining activities have been going on for decades” (Deng 4). As a long term strategy, investing in the mining sector can stimulate the economies of various communities that are food insecure. This can be achieved through a successful collaboration with the Ministry of Petroleum and Mining and the Ministry of Commerce.

Passed by the Southern Sudan Land Commission, the Land Act of 2009 recognizes communities’ ownership rights. Communities should be allowed to negotiate directly with mining companies and with ministries. In doing so, communities would be able to have an equal stake in the decision process when it comes to the amount of revenue that is being contained within them. The ministry of agriculture needs to work in conjunction with other ministries to ensure that part of the revenue generated on both the community and government level is working to improve South Sudan’s food security status. The ministry can use this funds for investing in new farming technologies and for building agricultural infrastructure. It is important that the Ministry of Agriculture puts pressure on the government and other ministries considering the fact that “oil production is expected to decline by more than 40% over the next five years with revenues falling to \$4.2bn, and disappearing five years later unless new discoveries are made or the efficiency of extraction is improved.” Investing in the mineral sector of South Sudan is an effective way of closing the projected gap the oil industry is expected to have in the coming years (The Guardian, 2014).

Land status in South Sudan

In South Sudan, only approximately five percent of arable land is being used, while according to Agricultural Affairs South Sudan, an outstanding 90% of the land in South Sudan is considered suitable for agriculture. Hence, there is an achievement gap between South Sudan’s agricultural output and its agricultural potential (Agribusiness South Sudan Report).

Land titling is the biggest systematic and institutional challenge that is obstructing arable land from being cultivated. Corruption within the process of

land titling is affecting the cultivation of fertile land.

According to the Information Counsel and Legal Assistance Project, surveyors and government officials were regularly accused of corruption or rent seeking in providing surveying services and titles to land. Surveyed plots are often purchased by wealthy businessmen and government officials, displacing residents who could not afford the surveying or titling fees. In many cases, surveyors were accused of selling valuable plots to the highest bidder when the occupant would not or could not pay the surveyor's fee (Mennen 7).

The wealthy have the vast majority of land rights and power in South Sudan. Hence, the common South Sudanese man is unable to farm or produce commercially due to the size of land that he may own. South Sudan cannot continue to rely on the importation of food as a sustainable strategy of making the country food secure. It is important that South Sudanese individuals and families become agriculturally sustainable. There are two possible ways the Ministry of Agriculture can advocate for food-sustainability. Firstly, the Ministry of Housing, Planning and Environment can work alongside the federal government to create a progressive land tax on wealthy land-owning South-Sudanese. A metric that takes into account the size of the land, region and projected viability should be employed when formulating such a tax rate.

ing activity in areas that are considerably lagging. Through the establishment of a tax rate, the ministry of agriculture would be able to generate enormous revenue that it can utilize for emergency food aid, agricultural investment and cash transfers. Considering the fact that South Sudan does not have the capital funds, the government should solicit foreign direct investments from Western countries.

In examining land status, land grabbing, the acquisition of large piece of land by domestic and foreign companies for commercial purposes, has become rampant. In South Sudan, it occurs without the knowledge of local communities. One such example was when the Upper Nile state in South Sudan entered into a 25-year land lease investment with Citadel Capital Group. Citadel Capital did not conduct an environmental and social impact assessment of their operations, and despite an agreement to hire South Sudanese locals, they imported local migrant farmers from South Africa (Johnson 2013).

The Ministry of Agriculture and Internal Affairs needs to properly coordinate with the federal government in issuing tax credits to domestic and foreign companies that are able to employ community locals in their agricultural business and services. These tax credits would incentivize these large-scale companies to seek employment within rather than outsourcing. Furthermore, tax credits would also enable private sphere actors to take part in the

The democracy and development of South Sudan is undoubtedly threatened by this imminent food crisis.

The Ministry should revisit some of the lands that were sold through ill means. This option would be effective for not only redistributing portions of land, but also for encouraging commercial farm-

nationwide commitment of ensuring food security. In the step to make South Sudan a more food secure nation, the ministry of agriculture needs to collaborate with private actors. In various cases, these

actors have the capital and infrastructure needed for commercial farming activity.

It is vital that there exists a system of checks and balances so as to prevent these private actors from having a laissez-faire approach towards their community commitments and agricultural goals. The Ministry of Agriculture should work with the government is establishing a task force that monitors and evaluates agricultural activities that are being pursued by these companies. Such a task

There needs to be streaming investment when it comes to understanding the White Nile Valley, but there is currently inadequate research on the region. Despite its fertility, scholars, social innovators and local food experts are unaware of the type of crops the valley can produce or support. It is an opportune time for the ministry and government to invest in ground-breaking research on the White Nile's potential. Arguably one of the most fertile regions in Africa, the resources of the government need to be

According to Agricultural Affairs South Sudan, an outstanding 90% of the land in South Sudan is considered suitable for agriculture. Hence, there is an achievement gap between South Sudan's agricultural output and its agricultural potential.

force should also be given executive and regulatory power to revoke licenses of companies such as Citadel Capital that are notably taking advantage of and benefiting off of South-Sudanese cities. Through close supervision by the Ministry of Agriculture and local and national governments, practices such as irresponsible land grabbing with no true commitment to the food security of communities can be effectively checked and corrected.

The White Nile

A report by the U.S. Chamber of Commerce depicts the White Nile Valley as being home to some of the most fertile land in Africa. The White Nile is situated in the Juba region of South Sudan, where very little investment has gone into natural resource maximization for the purpose of food security. A report by Africa Assets shows that "many opportunities remain unexploited due to the lack of risk capital and support (Africa Assets, White Nile SME Fund).

channeled to the region.

Investment can be made in the White Nile Valley through the support of the "White Nile SME (WNSF) fund. The fund is "an investment fund for small and medium-sized enterprises (SMEs) in South-Sudan Uganda and Rwanda (Africa Assets, White Nile SME Fund). The Fund aims to achieve sustainable economic development by (i) encouraging entrepreneurship in these fast growing markets and (ii) creating a local manufacturing, services and agricultural base to provide the South-Sudanese economy with locally produced goods and services. It is recommended that a portion of the ministry's budget be allocated to support the White Nile Fund, as well as research grants on the White Nile Valley. An investment in the White Nile Valley today is arguably an investment in the future security of food in South Sudan.

Food Security in South Sudan

As people flee their homes due to instability, in-

ternational development practitioners are now predicting an imminent food crisis in the young nation. The situation in South Sudan has multi-dimensional complexity and the government is grappling with finding the best policies and practices to make South Sudan food secure.

The northern part of South Sudan, geographically bordering Sudan, has the highest rate of food insecurity in the country. Political and commercial instability in the region have taken a toll on economic and international development activities. South Sudan has accused their Sudanese counterparts of stealing its oil. In January 2012, South Sudan shut down all forms of oil production. Consequently, the government felt the impact since oil production royalties account for ninety-eight percent of government revenues. The depletion of government revenue has affected its triangular food purchases from its neighboring countries. In addition, food aid from the international community is constantly being delayed due to the geographical challenges in the conflict zone between Sudan and South Sudan (South Sudan Economic Outlook, 2014).

The question also arises as to whether farmers are capable of meeting the nutritional needs of the South Sudanese populace. Most of the farming that is done in South Sudan is on a subsistence level. In June 2013, the World Food Programme conducted a survey on the intention of South Sudanese citizens to cultivate crops in the new food season. The vast majority of households said they intend cultivate: sorghums (74%), maize (62%), groundnuts (55%) and sesame (41%). Despite the willingness to local produce food commodities, factors such as erratic rainfall, income sustainability and reliability, are obstructing the ability of South Sudanese households and farmers to achieve the highest level of production (South Sudan Economic Outlook, 2014).

Even though South Sudan has vast land re-

sources, ninety percent of the food in South Sudan is imported. This is not a sustainable approach for the country because there is tension between Sudan and inter-ethnic conflicts among its people. A report by the Chamber of Commerce of the U.S.A depicts the White Nile Valley as being “home to some of the most fertile land in Africa.” However, this region is not being utilized to benefit South Sudanese. Food aid and triangular purchases can only improve the situation in South Sudan to an extent. Rather than limiting the focus on increasing the amount of foreign aid, the dialogue needs to include strengthening the capacity building of government on both a macro and micro level.

The government of South Sudan needs to incentivize farmers to produce on a commercial level. The debate on food security in South Sudan leaves a crucial piece of the puzzle out. Do farmers need incentives to commercialize their farm produce? If so, what are these incentives and how can they met? The International Fertilizer Development Center (IFDC) highlights the fact that South Sudanese commercial farmers are using traditional methods/practices in production (Africa Review, Unleashing South Sudan’s agricultural potential). This becomes problematic since they are unable to meet the demands of the growing population. Therefore, both state and non-state actors need to channel a part of their resources to improving technical training and knowledge of these farmers. Cash transfers should also be utilized since these commercial farmers are lacking the tools and large-scale equipment that are highly needed.

Building the Technical Capacity of Farmers & Suppliers.

The government of South Sudan needs to increase the capacity of farmers to produce on a

commercial level. The International Fertilizer Development Center (IFDC) highlights the fact that South Sudanese commercial farmers are using traditional methods/practices in production (Seeds for Development in South Sudan). This becomes very problematic since they are unable to meet the demands of the growing population. In March 2012, the United States Agency on International Development (USAID) supported South Sudan as it piloted the use of hybrid maize and mineral fertilizers in its cropping season. After planting hybrid varieties with fertilizers, farmers in Central and Eastern Equatoria states reported dramatic increases of between 50 per cent and 300 per cent in their 2012 maize harvests (Seeds for Development in South Sudan).

The USAID sponsored project testifies to the fact that technical capacity building programs do work for South Sudan farmers. The Ministry of Agriculture and Food Forestry needs to solicit the assistance of local and foreign based non-governmental organizations when it comes to increase the technical capacity of farmers to produce on a commercial scale. Considering the fact that most of the farming in South Sudan is done on a subsistence level, it is important that farmers get the necessary skills and resources to boost agricultural production to a processing facilities. Significant resources are also needed for agricultural inputs (fertilizers, machinery, etc.) to fully develop the sector” (United States Chamber of Commerce, 2011). There needs to be a focus on increasing the technical capacity of agricultural suppliers since they serve as middlemen between farmers and consumers. On both a short and long term scale, increasing the technical capacity of suppliers would reduce the problems associated with food storage and distribution.

Through effective collaboration with regional and federal governments, the Ministry of Food Agriculture can make South Sudan a food secure nation.

It is important that new areas of the economy are tapped into, and effective land owning policies are promoted in the state. Furthermore, there must be increased investment in agriculture in terms of infrastructural development, land and human capital. It is hoped that these recommendations will be given careful consideration by both the ministry and the federal government.

Conclusion

Development is not an overnight phenomenon. In the case of most countries in the Global South, development happens through a series of events that stirs the nation in the right direction. South Sudan must drastically reduce its over-dependence on oil as its major source of its revenue. The nation must realize that there are a plethora of other resources that have been untouched that it can tap into. Starting with agriculture, South Sudan should capitalize the sector as a major tool for fostering change in terms of improving the nation’s Gross Domestic Product, but also for making the nation more food secure and improving household income.

"ANYTHING IS POSSIBLE"

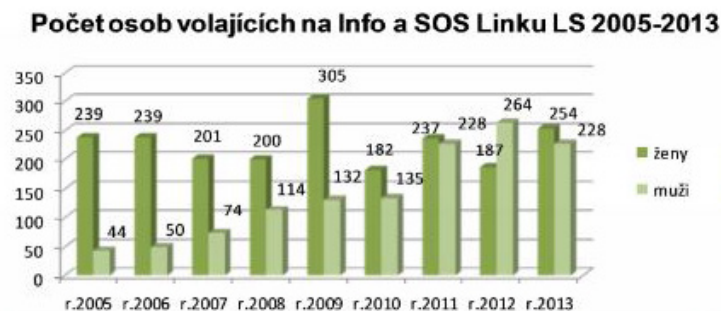
Photograph © Stevin Michels
Tanzania June 2015



Photograph © Stevin Michels
Prague March 2015

Security Sector Reform to Address Human Trafficking for Sexual Exploitation

Figure 1: Number of Persons that Called La Strada Info and SOS Line



Source: Security Policy Department. 2013 Status Report on Trafficking in Human Beings. Ministry of the Interior, 2014.

Figure 2: Number of Victims Indicated by the Czech Police



Source: Security Policy Department. 2013 Status Report on Trafficking in Human Beings. Ministry of the Interior, 2014.

| Internal activities | External activities |
|--|--|
| <i>Gender mainstreaming within security institutions</i> | |
| Gender awareness training | Initiatives to prevent and respond to gender-based violence |
| Sexual harassment training | Training on interviewing victims of rape, human trafficking etc. |
| Codes of conduct | Training on gender for civil society organizations involved in oversight of security institutions |
| Gender advisers | |
| Resources, such as manuals, on how to integrate gender issues | |
| <i>Promoting participation of women within security institutions</i> | |
| Measures to increase female recruitment, retention and advancement | Collaboration with women's organizations for information gathering, referral of victims, drafting security policy etc. |
| Family friendly human resources policies | Training for women's organizations on security sector oversight |
| Support for female staff associations and women's caucuses | |

Figure 3: Examples of Gender Activities within the Security Sector Reform Programs

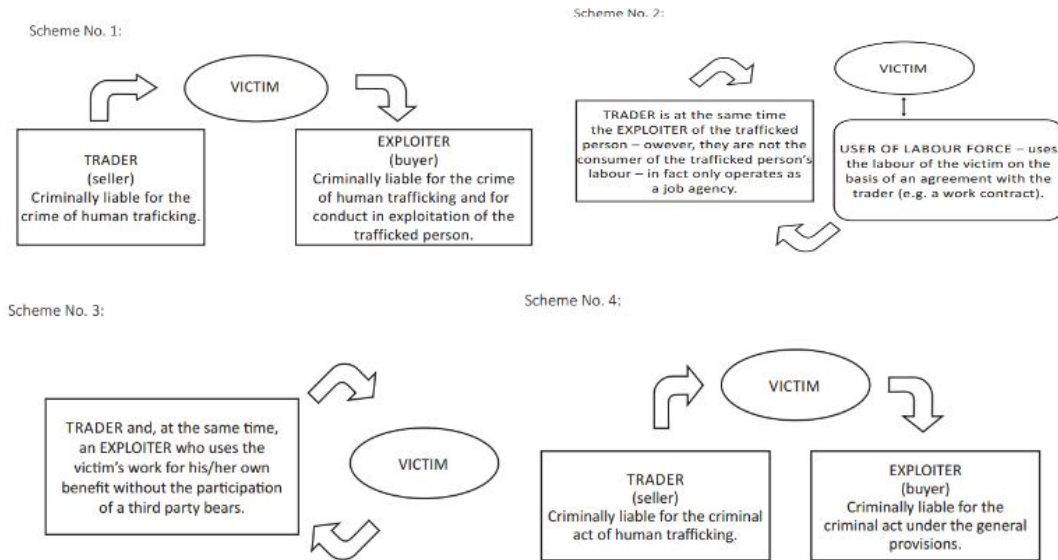


Figure 4: Schematics of Trafficking Laws and Criminal Liability

Source: Vit Stritecky, Daniel Topinka et al. Developments in Trafficking in Human Beings for the Purpose of Labour Exploitation and Forced Labour. Institute of International Relations, Prague 2013. p 18.

Table 1:

| Criminal act | Criminal case law according to the Criminal Act of the Czech Republic | Criminal case law according to the Criminal Act of the Slovak Republic |
|---------------------------------|---|---|
| Denial of personal liberty | Two to eight years | Four to ten years |
| Restriction of personal liberty | Two years | Six months to three years |
| Extortion | Six months to four years | Two to six years Four to ten years (for damage caused in excess of 66,500 CZK) |
| Oppression (Pressure) | One year | Three years One to five years For damage caused in excess of 66,500 CZK or denial of health and safety at work and vacation for recuperation) |
| Torture of persons | Six months to four years | Three years to eight years |
| Illegal employment | Six months | Two years Six months to three years (a person who is a victim of human trafficking) |

- Allred, Captain Keith J. Combating Human Trafficking. NATO Review, 2006. <<http://www.nato.int/docu/review/2006/issue2/english/analysis.html>> Accessed 4/1/2015.
- Bastick, Megan. Integrating Gender in Post Conflict Security Sector Reform. Conflict and Security, 2007. P 157.
- Bastick, Megan and Karin Grimm. Security Sector Responses to Trafficking in Human Beings. Geneva Center for the Democratic Control of Armed Forces, 2007.
- Bastick, Megan and K, Valasek. Security Sector Reform and Gender and Security Sector Reform Toolkit. DCAF Organization for Security and Co-operation in Europe/Office for Democratic Institutions and Human Rights and UN International Research and Training Institute for the Advancement of Women: Geneva, 2008.
- Bocianova, Katerina. Special Adviser to Foreign Minister. Lecture. 16 March 2015.
- Hignett, Kelly. The Changing Face of Organized Crime in Post-Communist Central and Eastern Europe. Debatte: Journal of Contemporary Central and Eastern Europe. 18:1, 2010.
- Institute for Criminology and Social Prevention. Trafficking in Women: The Czech Republic Perspective, 2004.
- Jires, Dr. Jan, Ministry of Defense. Lecture. 16 March 2015.
- Kotrbova, Jana and Michal Smid. Ministry of the Interior. Personal Interview. 19 March 2015.
- Karacek, Professor Tomas. Charles University. Lecture. 18 March 2015.
- Mottlova, Marketa. Forum 50%. Personal Interview. 20 March 2015.
- Pelz, Peter. Prague Security Studies Institute. Lecture. 17 March 2015.
- Richter, Jan. Czech Republic Ranked as Europe's Third Worst Slavery Haven. Radio Praha, 2013. <<http://www.radio.cz/en/section/marketplace/czech-republic-ranked-as-europes-third-worst-slavery-haven>> Accessed 3/26/15.
- Security Policy Department. 2013 Status Report on Trafficking in Human Beings. Ministry of the Interior, 2014.
- Security Policy Department. National Strategy to Combat Trafficking in Human Beings in the Czech Republic for the Period of 2012-2015. Ministry of the Interior, 2015.
- Smid, Tomas and Petr Kupka. Czech Organized Crime: Structural Development and Activities of Czech Organized Crime. Czech Journal of Political Science 1/2011.
- Stoecker, Sally. The Rise in Human Trafficking and the Role of Organized Crime. American University, 1998.
- Stritecky, Vit et al. Developments in Trafficking in Human Beings for the Purpose of Labour Exploitation and Forced Labour. Institute of International Relations, Prague 2013. p 18.
- Stritecky, Professor Vitek. Charles University. Lecture. 18 March 2015.
- Stupkova, Katerina. La Strada. Personal Interview. 17 March 2015.

Thorne, Professor Vanda. NYU Prague. Personal Interview 18 March 2015.

UNICEF/UNOHCHR/OSCE ODIHR, Trafficking in Human Beings in South Eastern Europe, 58-59.

US Department of State, Bureau of Public Affairs. The Link Between Prostitution and Sex Trafficking, 2004.<<http://2001-2009.state.gov/documents/organization/38901.pdf>> Accessed 4/1/15.

The Israeli-Palestinian Conflict

BBC News. "UN Partition Plan." 29 November 2001. BBC.co.uk. <www.bbc.co.uk/2/hi/in_depth/middle_east/israel_and_the_palestinians/key_documents/1681322.stm>.

Beauchamp, Zack. "Everything you need to know about Israel-Palestine." 19 May 2015. Vox.com. <www.vox.com/cards/israel-palestine/gaza-israel>.

Beinart, Peter. "The American Jewish Cocoon." 26 September 2013. The New York Review of Books. <www.nybooks.com/articles/archives/2013/sep/26/american-jewish-cocoon/?pagination=false>.

Brown, L. Carl. "State of Grace? Rethinking Israel's Founding Myth." July/August 1998. ForeignAffairs.com. <www.foreignaffairs.com/reviews/review-essay/1998-07-01/state-grace-rethinking-israels-founding-myths>.

Chait, Jonathan. "Israel Is Making It Hard to Be Pro-Israel." 29 July 2014. NYMag.com. <nymag.com/daily/intelligencer/2014/07/why-i-have-become-less-pro-israel.html>.

Cordell, Karl and Stefan Wolff. Routledge Handbook of Ethnic Conflict. New York: Routledge, 2013.

Cordell, Karl and Stefan Wolff. Ethnic Conflict. Cambridge: Polity Press, 2010.

Council on Foreign Relations. "Crisis Guide: The Israeli-Palestinian Conflict." CFR.org. 10 June 2015 <www.cfr.org/israel/crisis-guide-israeli-palestinian-conflict/p13850>.

Fisher, Max. "Israel's dark future: Democracy in the Jewish state is doomed." 13 April 2015. Vox.com. <www.vox.com/2015/4/13/8390387/israel-dark-future>.

Hinnebusch, Raymond. "The Foreign Policy of Israel." Hinnebusch, Raymond and Anoushiravan Ehteshami. The Foreign Policy of Middle East States. Boulder: Lynne Rienner Publishers, 2014. 289-314.

History.com. "Suez Crisis." 2009. History.com. 14 June 2015 <www.history.com/topics/cold-war/suez-crisis>.

Horowitz, Donald L. Ethnic Groups in Conflict. Oakland : University of California, 1985.

Jerome, Deborah. "Issue Guide: The Israeli-Palestinian Conflict." 31 May 2011. CFR.org. <www.cfr.org/israel/issue-guide-israeli-palestinian-conflict/p25059>.

Khan Academy. "Theodor Herzl and the birth of political Zionism." KhanAcademy.org. 13 June 2015 <www.khanacademy.org/humanities/history/euro-hist/middle-east-20th-century/v/theodor-herzl-and-the-birth-of-political-zionism>.

Klein, Ezra. "Why I have become more pessimistic about Israel." 30 July 2014. Vox.com. <www.vox.com/2014/7/30/5948839/why-i-have-become-more-pessimistic-about-israel>.

Lynch, Marc. "Political science after Gaza." 29 July 2014. WashingtonPost.com. <www.washingtonpost.com>.

com/blogs/monkey-cage/wp/2014/07/29/political-science-after-gaza/>.

NPR. "The Mideast: A Century of Conflict." September 2002. NPR.org. <www.npr.org/news/specials/mideast/history>.

Palestinian BDS National Committee. BDS Movement: Freedom of Justice Equality. 4 July 2015 <www.bdsmovement.net>.

Reed, John. Israel: A new kind of war. 12 June 2015. <www.ft.com/intl/cms/s/0/f11c1e1c-0e13-11e5-8ce9-00144feabdc0.html#axzz3f9EFFT9g>.

Sacks, Jonathan. The Dignity of Difference: How to Avoid the Clash of Civilizations. London: Bloombury, 2003.

Seeds of Peace. SeedsofPeace.org. 5 July 2015 <www.seedsofpeace.org>.

Telhami, Shibley. "Beyond Resolution: The Palestinian-Israeli Conflict." Crocker, Chester A., Fen Osler Hampson and Pamela Aall. Grasping the Nettle: Analyzing Cases of Intractable Conflict. Washington D.C.: United States Insitute of Peace Press, 2005.

United Nations. "194(III). Palestine-Progress Report of the United Nations Mediator." 11 December 1948. UN.org. <domino.un.org/unispal.nsf/0/c758572b78d1cd0085256bcf0077e51a?OpenDocument>.

Walt, Stephen M. "Alliance Formation and the Balance of World Power." International Security 9.4 (1985).

Zerubavel, Eviatar. Time Maps: Collective Memory and the Social Shape of the Past. Chicago: The Uni-

Non-use of Force and the Legality of Russian Intervention in Ukraine

"Charter, United Nations, Chapter VII: Action with Respect to Threats to the Peace, Breaches of the Peace and Acts of Agression." UN News Center. UN. Web. 8 May 2015.

"Charter, United Nations, Chapter VI: Pacific Settlement of Disputes." UN News Center. UN. Web. 4 May 2015.

"Charter, United Nations, Chapter I, Purposes and Principles." UN News Center. UN. Web. 6 May 2015.

McMahon, Robert. "Background Briefing: What You Should Know about the Ukraine Crisis." PBS. PBS. Web. 9 May 2015.

Czech & Balance

Applebaum, Anne. (21 Feb 2015). How Vladimir Putin is waging war on the West – and winning. Across the new Europe, a little bit of Russian influence is going a long way. Retrieved 28 feb 2015: <http://www.spectator.co.uk/features/9447782/how-vladimir-putin-is-waging-war-on-the-west-and-winning/>

Ato.cz. Retrieved 8 Nov 2015: <https://translate.google.com/translate?hl=en&sl=cs&u=http://www.ato.cz/&prev=search>

Bednarova, Lucie. (23 Feb 2015). Czech Republic looks to older EU members for cues on immigration. EurActiv. Retrieved 27 Mar 2015: <http://www.euractiv.com/sections/justice-home-affairs/czech-republic-looks-older-eu-members-cues-immigration-312182>

Bendavid, Naftali. (5 Mar 2015). Europe Admits Flaws in Regional Approach. The Wall Street Journal, p. A14.

- Berger, J.M. (16 Jun 2014). How ISIS Games Twitter. The Atlantic. Retrieved 28 Mar 2015: <http://www.theatlantic.com/international/archive/2014/06/isis-iraq-twitter-social-media-strategy/372856/>
- Carney, Sean, and Rousek, Leo. (21 Feb 2015). Tensions Rise in Central Europe Over Use of Russian Nuclear Technology. The Wall Street Journal. Retrieved 22 Feb 2015: <http://www.wsj.com/articles/tensions-rise-in-central-europe-over-use-of-russian-nuclear-technology-1424439629>
- Clark, Neil. (27 Sep 2014). Vaclav Klaus: the West's lies about Russia are monstrous. An interview with the former Czech president, possibly the West's last truly outspoken leader. The Spectator. Retrieved 28 Feb 2015: <http://www.spectator.co.uk/features/9322652/europe-needs-systemic-change/>
- Connelly, Andrew. (20 Mar 2015). The Czech Minister, the Mistress and the Gold Bars. Newsweek. Retrieved 28 Mar 2015: <http://www.newsweek.com/2015/03/27/czech-minister-mistress-and-gold-bars-315283.html>
- CTK. (25 Feb 2015). Islamism is reaction to Western power dominance, says expert. Prague Monitor. Retrieved 1 Mar 2015: <http://praguemonitor.com/2015/02/25/islamism-reaction-western-power-dominance-says-expert>
- CTK. (6 Mar 2015). Czech Television says Zeman attacks its independence. Ceske Noviny. Retrieved 28 Mar 2015: <http://www.ceskenoviny.cz/zpravy/czech-television-says-zeman-attacks-its-independence/1189565>
- CTK. (31 Mar 2015). City of Prague establishes National Minority Committee with seat for Roma. Ceske Noviny. Retrieved 28 Mar 2015: <http://www.romea.cz/en/news/czech/city-of-prague-establishes-national-minority-committee-with-seat-for-roma>
- Czech News Agency. (4 Mar 2015). Former Czech official at NATO arrested. Prague Post. Retrieved 28 Mar 2015: <http://praguepost.com/czech-news/45346-former-czech-official-at-nato-arrested>
- Czech Republic profile - Media. (7 Jan 2015). BBC News. Retrieved 28 Mar 2015: <http://www.bbc.com/news/world-europe-17220321>
- Czechs Give President The Red Card. (17 Nov 2014). Radio Free Europe/ Radio Liberty. Retrieved 28 Feb 2015: <http://www.rferl.org/media/photogallery/czech-republic-politics-velvet-revolution/26695869.html>
- Day, Matthew. (27 Oct 2014). Extremely high' number of Russian spies in Czech Republic. The Telegraph. Retrieved 1 Mar 2015: <http://www.telegraph.co.uk/news/worldnews/europe/czechrepublic/11190596/Extremely-high-number-of-Russian-spies-in-Czech-Republic.html>
- Fraser Nelson. (27 Feb 2015). Vladimir Putin's invisible empire. The Telegraph. Retrieved 28 Feb 2015: <http://www.telegraph.co.uk/news/worldnews/europe/russia/11438314/Vladimir-Putins-invisible-empire.html>
- Freedom House Freedom of the Press Report: Czech Republic. (2014). Freedom House. Retrieved 14 Feb 2015: <https://freedomhouse.org/report/freedom-press/2014/czech-republic#.VN-iry6OX2Q>
- Gallina, Nicole. (6 Feb 2015). You are running out of time, Europe. Euromaidan Press. Retrieved 28 Feb 2015: <http://euromaidanpress.com/2015/02/06/you-are-running-out-of-time-europe/>
- Grove, Thomas. (16 Mar 2015). Russia starts nationwide show of force. Reuters. Retrieved 28 Mar 2015: <http://www.reuters.com/article/2015/03/16/us-russia-military-exercises-idUSKBN0MC0JO20150316>

- Kralova, Simona. (17 Nov 2014). Czech Republic Slovakia: Velvet Revolution at 25. BBC News Europe. Retrieved 1 Mar 2015: <http://www.bbc.com/news/world-europe-30059011>
- Kundra, Ondrej. (16 Mar 2015). Guerrilla Journalists in Our Midst. Respekt in english. Retrieved 28 Mar 2015: <http://respekt.ihned.cz/c1-63694380-guerrilla-journalists-in-our-midst>
- Lyman, Rick. (29 Mar 2015). An American Military Convoy in Europe Aims to Reassure Allies. New York Times. Retrieved 27 Mar 2015: http://www.nytimes.com/2015/03/30/world/europe/an-american-military-convoy-in-europe-aims-to-reassure-allies.html?_r=0
- McCoy, Terrence. (17 Jun 2014). How ISIS and other jihadists persuaded thousands of Westerners to fight their war of extremism. The Washington Post. Retrieved 28 Mar 2015: <http://www.washingtonpost.com/news/morning-mix/wp/2014/06/17/how-isis-persuaded-thousands-of-westerners-to-fight-its-war-of-extremism/>
- Noack, Rick. (4 Nov 2014). The expletive-filled presidential interview that has all of the Czech Republic embarrassed. Washington Post. Retrieved 1 Mar 2015: <http://www.washingtonpost.com/blogs/worldviews/wp/2014/11/04/the-expletive-filled-presidential-interview-that-has-all-of-the-czech-republic-embarrassed/>
- Online and Mobile Video Analytics in “Prehistoric Ages”? (2015). International television Expert Group. itve.org. Retrieved 23 Oct 2015: http://www.international-television.org/tv_audience_measurement_research_boards_and_institutes.html
- PPF Group’s history. (2015). PPF.CZ. Retrieved 28 Mar 2015: <http://www.ppf.cz/en/about-us/ppf-groups-history.html>
- PPF Group’s people. (2015). PPF.CZ. Retrieved 28 Mar 2015: <http://www.ppf.cz/en/about-us/ppf-groups-people/shareholders.html>
- Rousek, Leos. (2 Apr 2012). Czech Leader Asks Former Mayor to Quit Politics. The Wall Street Journal. Retrieved 8 Nov 2015: <http://blogs.wsj.com/emerging europe/2012/04/02/czech-prime-minister-asks-former-prague-mayor-to-quit-politics-over-corruption-scandal/>
- Safarikova, Katerina. (16 Feb 2015). Putin’s ally in Prague Castle. Retrieved 28 Feb 2015: <https://euobserver.com/beyond-brussels/127646>
- Sharkov, Damien. (20 Mar 2015). Russian Spying in Czech Republic ‘Worse Than Cold War’. Newsweek. Retrieved 24 Mar 2015: <http://www.newsweek.com/russian-spying-czech-republic-worse-cold-war-315482>
- Translations Online. Periscope. (2015). TOL.org. Retrieved 23 Oct 2015: <http://www.tol.org/client/transitions/11869-about-us.html>
- Ukraine Today Press Review: Czechs protesting against President Milos Zeman. (18 Nov 2014). Ukraine Today. Retrieved 28 Feb 2015: <http://uatoday.tv/society/ukraine-today-press-review-czechs-protesting-against-president-milos-zeman-392403.html>
- Velinger, Jan. (24 Feb 2015). Poll: 50 percent of Czechs think relations with Russia have worsened. Radio.cz. Retrieved 1 Mar 2015: <http://www.radio.cz/en/section/news/poll-50-percent-of-czechs-think-relations-with-russia-have-worsened>

- Steinberg, Laurence; Monahan, Kathryn C. (Nov 2007). Age differences in resistance to peer influence. *Developmental Psychology*, Vol 43(6), Nov 2007, 1531-1543. <http://dx.doi.org/10.1037/0012-1649.43.6.1531>
- Vondra, Alexandr. (2015). *Czech-American Relations: A Roadmap for the Future*. CEVRO Institut Academic Press: Policy Studies Edition, Volume 3. Prague Centre for Transatlantic Relations: Prague.
- Willoughby, Ian. (27 SEP 2014). Zeman calls for dropping of sanctions against Russia at conference organised by Putin associate. Radio Praha. Retrieved 28 Feb 2015: <http://www.radio.cz/en/section/news/zeman-calls-for-dropping-of-sanctions-against-russia-at-conference-organised-by-putin-associate>.
- World Fact Book, The. (2015). Central Intelligence Agency. Retrieved 23 Oct 2015: <https://www.cia.gov/library/publications/the-world-factbook/geos/ez.html>
- Yan, Holly. (7 Oct 2014). Why is ISIS so successful at luring Westerners? CNN. Retrieved 28 Mar 2015: <http://www.cnn.com/2014/10/07/world/isis-western-draw/>
- Zwilling, Carolin. (2004). *Minority Protection and Language Policy in the Czech Republic*. GenCat. Retrieved 29 Mar 2015: <http://www.gencat.cat/llengua/noves/noves/hm04tardor/docs/zwilling.pdf>

Genocide in the 20th Century & Beyond

- Adam Jones. *Genocide: A Comprehensive Introduction*. (2006). Page 49-195
- Alex Alvarez, *Governments, Citizens, and Genocide: A Comparative and Interdisciplinary Approach* 2001, Page 68.
- Christopher Rudolph, "Constructing an Atrocities Regime. The Politics of War Crimes Tribunals". (2001). P. 659.
- Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9 1948, S. Exec. Doc. O, 81-1 (1949), 78 U.N.T.S. 277
- Goldsmith, Katherine. "The Issue of Intent In The Genocide Convention and Its Effect on the Prevention and Punishment of the Crime of Genocide: Toward a Knowledge-Based Approach." *Genocide Studies and Prevention: An International Journal* 5.3 (2010): 238-257.
- IMEU Institute for Middle East Understanding. (2012, January 12). Retrieved from <http://imeu.org/article/operation-cast-lead>
- International Criminal Court (ICC), *Elements of Crimes*, 2011, ISBN No. 92-9227-232-2. Web. 7 Mar 2015. <http://www.refworld.org/docid/4ff5dd7d2.html>
- Leo Kuper, *Genocide: Its Political Use in the Twentieth Century*. Harmondsworth: Penguin, 1981. The foundational text of comparative genocide studies, still in print.
- Martin Shaw, *War and Genocide: Organized Killing in Modern Society*. Cambridge: Polity Press (2003) Page 5.
- Masalha, Nur. *Expulsion of the Palestinians: The Concept of 'Transfer' in Zionist Political Thought, 1882-1948*. N.p. The Institute for Palestine Studies, 1992.
- Pappe, Illan. *The Ethnic Cleansing of Palestine*. London, England: Oneworld Publications, 2006.

Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General Pursuant to Security Council Resolution 1564 of 18 September 2004. Geneva: United Nations, 2005. Page 4. Print.

Report to the UN Secretary-General on the International Commission of Inquiry on Darfur, Pursuant to Security Council Resolution 1564 of 18 September 2004 (2005), (19) 50.

Resolution Adopted on the Report of the Ad Hoc Committee on the Palestinian Question A/RES/181(II) of 29 November 1947". United Nations. 1947. Retrieved 11 January 2012. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/181%28II%29

Shehabuddin, Elora (2010). Page 93. "Bangladeshi civil society and Islamist politics". In Ali Riaz, C. Christine Fair. Political Islam and Governance in Bangladesh. Routledge. ISBN 978-0-415-57673-4.

"Statement Attributable to the Spokesperson for the Secretary-General on the One Year Anniversary of "Operation Cast Lead"." UN News Center. United Nations, 27 Dec. 2009. <<http://www.un.org/sg/statements/?nid=4322>>. United Nations Report of the Independent Inquiry into the Actions of the United Nations Secretary-General during the 1994 Genocide in Rwanda Pursuant to Security Council Resolution 1257 of 16 December 1999. Geneva: United Nations, 1999. Page 3. Print.

United Nations, General Assembly, The Situation in the Middle East, A/RES/37/123 (16 December 1982), available from <http://www.un.org/documents/ga/res/37/a37r123.htm>

UN ICTY. International Criminal Tribunal of Yugoslavia. "Seven Senior Bosnian Serb Officials Convicted of Srebrenica Crimes." 10 June 2010. Web. 23 Apr 2015. <http://www.icty.org/sid/10415>

Amigos o Rivales?

Annual Energy Outlook 2014." U.S. Energy Information Administration - EIA - Independent Statistics and Analysis. N.p., n.d. Web. 04 May 2015.

"Brazil: Industry Report." The Economist. The Economist Intelligence Unit Limited, n.d. Web. 04 May 2015.

"Brazil. " U.S. Energy Information Administration - EIA - Independent Statistics and Analysis. US EIA, n.d. Web. 04 May 2015.

"Energy Reform Could Increase Mexico's Long-term Oil Production by 75%." U.S. Energy Information Administration - EIA - Independent Statistics and Analysis. Linda Doman, Laura Singer, 14 August 2014. Web. 04 May 2015.

"Energy Policy in Brazil." Growth Analysis. Swedish Agency For Growth Policy Analysis, May 2014. Web. 04 May 2015.

Export Destinations of Crude Petroleum-Mexico and Brazil Data. Observatory of Economic Complexity. 04 May 2015.

Feldstein, Martin. "Mexico's Powerful Energy Reforms." Project Syndicate. 28 October 2014. Web. 4 May 2015.

Kovac, Ivan. "Mexico and Brazil – Forging the Regional Player's Role". Cultural Diplomacy. April 2011.

"Mexico. Energy". The Economist. Intelligence Unit n.d. n.p. Web. 04 May 2015.

"Mexico: Industry Report." The Economist. The Economist Intelligence Unit Limited, n.d. Web. 04 May 2015.

"Mexico." U.S. Energy Information Administration - EIA - Independent Statistics and Analysis. US EIA, n.d. Web. 04 May 2015.

Shifter, Michael. "Shifting Fortunes: Brazil Mexico in a Transformed Region". Inter-american Dialogue. February 2013.

Okada, Yuji, and Heesu Lee. "The Saudis Are Losing Their Lock on Asian Oil Sales." Bloomberg.com. Bloomberg, n.d. Web. 04 May 2015.

Strengthening the South Sudanese Economy

African Development Bank Group. <http://www.afdb.org/en/countries/east-africa/south-sudan/>

Deng, David, Mertenskeotter Paul and Van de Vondervoort Luk. "Establishing a Mining Sector in Postwar South Sudan." United States Institute for Peace. <http://www.usip.org/sites/default/files/SR330-Establishing%20a%20Mining%20Sector%20in%20Postwar%20South%20Sudan.pdf>

Investment Climate Update: South Sudan." Africa Business Initiative: U.S. Chamber of Commerce. September 2011 | Vol 2, No 3. https://www.uschamber.com/sites/default/files/legacy/international/africa/files/16920_AfricaNewsletter_Sudan.pdf

Mennen, Tiernan. "CUSTOMARY LAW AND LAND RIGHTS IN SOUTH SUDAN." Norwegian Refugee Council: Information Counseling and Legal Assistance Project. http://www.nrc.no/arch/img.aspx?file_id=9683694&ext=.pdf

Mgendi, Catherine. "Unleashing South Sudan's Agricultural Potential." Africa Review, 28 June 2013. <http://www.africareview.com/Special-Reports/Unleashing-South-Sudan-agricultural-potential/-/979182/1897552/-/piwpxwz/-/index.html>

Seeds for Development in South Sudan." International Fertilizer Development Center: 2011 IFDC Annual Report. http://www.ifdc.org/Projects/Recent2/East_Southern_Africa_Division/Seeds-for-Development-in-South-Sudan/Articles/Seeds-for-Development-in-South-Sudan-2011-2013/

Significant household-level food deficits likely due to poor harvest, conflict, and rising prices." Famine Early Warning Systems Network. January 2014 to June 2014.

South Sudan Economic Outlook." African Development Bank. Web. 14 May 2014.

"South Sudan Facing Food Crisis, Report." The East African. Rwanda Today, 27 July 2012. Web.

"South Sudan Food Security and Land Governance Fact Sheet" Land Governance for Equitable and Sustainable Development. <http://www.landgovernance.org/system/files/South%20Sudan%20Fact-sheet%20-%202012.pdf>

South Sudan Overview." World Bank. Web. 14 May 2014.

"USAID Shah, UN Amos, EU Georgieva: South Sudan on the Brink of Food Crisis." U.S. Agency for International Development. Web. 14 May 2014.

"White Nile SME Fund." Africa Assets. <http://www.africa-assets.com/data/funds/white-nile-sme-fund>

World Vision. South Sudan Hunger Crisis Deepens

Photograph © Tad Schnauer II
Maidan Sq - Kiev July 2015



