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Letter from the Editors

The University of Idaho has been the home of the Martin Institute since 1979. Created by Boyd and Grace Martin, the Institute provides students with education about, opportunities related to, and experiences in international locales. This dynamic teaching, research and outreach center plays a key role in the partnership with the Borah Committee, the International Studies program, and the McClure Center. These three partnerships help students gain a well rounded understanding on war, peace, and international relations. The Borah Committee, established in 1948, offers new ideas for overcoming obstacles for world peace. The Martin Institute, as well as the three partnerships, help students, faculty, and administrators learn and improve international relations for all.

The Martin Institute administers an undergraduate major and minor in international studies. The program's essence is to implement experience-based learning on an international level. This begins with specialization in a world region, an issue emphasis, and a language of choice. With a variety of combinations available, professors and staff enable students to reach all corners of the world with any lens imagined. An environment of perpetual learning is born through this, prompting the program to constantly evolve.

Today, the International Studies program has grown to include many opportunities for students to culminate their academic knowledge. A study abroad requirement encourages students to amplify their language proficiency through immersion, while simultaneously learning about a new culture first-hand. To prepare for this international experience, sophomores in the program travel to participate in the National Model UN Conference in New York City. Opportunities brought to Moscow by the Martin Institute expose students to U.S. ambassadors and global experts during the annual Borah Symposium and one-on-one sessions. Following these experiences, graduates gain an understanding of issues the international community faces.

The Martin Institute has published the research of its top students in its annual Journal of the Martin Institute since 2009. The year's top papers are chosen from students enrolled in the International Studies senior capstone course or Martin Scholars programs at the University of Idaho. These students spend their final semester creating impeccable research findings based on an international topic of their choosing. Each year's authors propose a number of thoughtful and incredibly researched solutions to their chosen global issue - the authors included in the 2020 Martin Journal are no exception.

The selection of this year's papers was a difficult task as all of those considered wrote about some of the world's most pressing topics. The final papers included in this journal rose above the rest due to their research conducted, writing quality, and topic uniqueness. Among the chosen papers, an unforeseen theme was noticed - women and the environment. While we did not select the papers according to any predetermined theme, it was fascinating to realize the selected papers all focus on these two areas of study.

As the authors completed their papers in the beginning months of the COVID-19 pandemic, we praise their dedication to their research and writing. The results are truly amazing testimonies to their time at the University of Idaho and the Martin Institute. We wish the authors all continued success in their dedication to learning about and working towards global solutions.



Kailyn Eagy



Abigail Grant



Hanna Jackovich

It now becomes necessary for us to put our major global problems into a socially relevant global framework.

Our world has become too complex, too interdependent, to answer these questions by simplistic answers.

These problems call for creative thinking...

– Boyd A. Martin, founder of the Martin Institute and namesake of the Martin School, at the Institute's inauguration, 1980



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The Arctic Council and Environmental Security: Ensuring Productivity in the North

– Dylan Porter

ABSTRACT

The Arctic region is facing immense environmental change due to increasing temperatures that double at more than the global average. While territory in the Arctic belongs only to the eight countries of the Arctic Circle, many other states, nongovernmental, and intergovernmental organizations have expressed interest in opportunities for change in the region such as reductions in summer sea ice and deglaciation. The need for collaboration from stakeholders in the Arctic is becoming increasingly urgent in order to safeguard both environmental and international security. Effective leadership from the Arctic Council has the potential conserve the Arctic environment and enhance collaboration in the realm. Reforming the Arctic Council, specifically the function of the organization’s Working Groups, has the capability of encouraging effective research and environmental implementation strategies.

OVERVIEW, HISTORY, AND DEFINITION OF THE ISSUE

The Arctic Circle encompasses approximately 6% of Earth’s surface and includes territory of eight countries: United States (Alaska), Russia, Finland, Sweden, Norway, Denmark (Greenland), Canada, and Iceland.¹ In 2019, the Intergovernmental Panel on Climate Change (IPCC) detailed in high confidence that Arctic temperatures have increased at more than double that of the global average. Current environmental projections in the Arctic that derive from anthropogenic increases of greenhouse gas emissions and current rates of climatic change estimate future reductions in summer sea ice, increased ocean acidification and sea temperatures, and alterations of the

¹ Andrew Hund, *Antarctica and the Arctic Circle: A Geographic Encyclopedia of the Earth’s Polar Regions*. (Santa Barbara, CA: ABC-CLIO, 2014), 67.

distribution and characteristics of Arctic marine habitats with multiple associated implications.² The changing climate of the Arctic poses a myriad of threats for the environment, and will continue to introduce varying objectives in the region, including: the stress for indigenous rights, environmental security, adapting and mitigating climate change, international shipping, and defense preparedness.

Multilateral cooperation in the Arctic historically began after the Cold War with the establishment of the Ottawa Declaration in 1996, with purposes of enhancing circumpolar collaboration and sustaining peace.³ The Arctic Council (AC) is the “high level forum”⁴ that derived from the Ottawa Declaration. Now a prominent player in Arctic geopolitics, the AC holds no authority to make binding agreements and was established with the commitment to the protection of the Arctic environment with specific emphasis in conservation and sustainable use of natural resources.⁵ The concept of environmental security in AC research is becoming increasingly eminent to current and future projects in the Arctic realm as the AC becomes a key stakeholder in addressing Arctic environmental issues. Environmental security encapsulates four main concepts: it emphasizes issues of exploitation and equity, explores the relationship between foreign policy and the environment, considers the environmental impacts of military activities, and asserts an interdependent relationship between peace and environmental protection.⁶

The need for collaboration from stakeholders in the Arctic is becoming increasingly urgent. Effective leadership in the region from the AC has the potential of safeguarding both environmental and international security in a time where biodiversity and the marine environment are vulnerable to global economic interests. However, in the past, certain distinctive characteristics of the AC have been unrecognized; for example, the AC features a rotating Chairmanship in which the eight founding members serve at the helm of the organization for a two-year term.⁷ While this allows for diversity in the perspective of leadership of the AC, it also allows for an individual Chair to guide the organization’s decisions through both formal procedural and informal consultative powers, initiating a “substantial impact on the agenda.”⁸ There are solutions to addressing environmental security and policy concerns in the Arctic, and the AC, as the intergovernmental body of the region, must consider the complexity of these decision-making processes and the impact on Arctic communities and marine environment.

POSSIBLE SOLUTIONS

APPROACH 1:

Increasing Funding of the Arctic Council

In a study done by the Norwegian Polar Institute, respondents from each Arctic State as well as China, Germany, Italy, Korea, the Netherlands, and Poland replied to the AC’s actions relating to environmental protection locally or regionally including controls on pollution, reducing risks of environmental emergencies, and protection of the marine environment as “modest” successes.⁹ The same study depicted that the greatest barrier to the effectiveness of the AC is the lack of funding, which is mostly

2 Micheal Meredith, et al. “Polar Regions,” *IPCC Special Report on the Ocean and Cryosphere in a Changing Climate* (Intergovernmental Panel on Climate Change, 2019) 203-320.

3 Johanne M. Bruun and Ingrid A. Medby. “Theorising the Thaw: Geopolitics in a Changing Arctic,” *Geography Compass* 8, no. 12 (2014): 915-29.

4 Joint Communique of the Governments of the Arctic Countries, “Declaration on the Establishment of the Arctic Council” (Ottawa, Canada 1996).

5 Ronson, Alison. “Political climate change: the evolving role of the Arctic Council.” *Northern Review*, no. 33 (2011): accessed March 9, 2020, <https://ida.lib.uidaho.edu:7215/apps/doc/A258051914/AONE?u=mosc00780&sid=AONE&xid=c22755a5>.

6 Jon Barnett, *The Meaning of Environmental Security: Ecological Politics and Policy in the New Security Era*. (New York: Zed Books, 2001), 135 -136.

7 Douglas C. Nord, *Leadership for the North: The Influence and Impact of Arctic Council Chairs*. (Cham, Switzerland: Springer, 2019), 5.

8 Nord, *Leadership for the North: The Influence and Impact of Arctic Council Chairs*, 5.

9 Paula Kankaanpää and Oran R. Young, “The Effectiveness of the Arctic Council,” *Polar Research* 31 (October). <https://doi.org/10.3402/polar.v31i0.17176>.

voluntary and comes directly from the Arctic States; Norway contributing 42.5% of its budget each year.¹⁰ The insufficiency of funding of AC projects and functions stems from the organization's founding, which established "voluntary subscriptions"¹¹ given in support of various projects. The AC's funding streams have yet become concrete, and the AC only recently published an overview in 2016 that "is very general" and is the "first attempt" to clarify the organization's main funding streams.¹²

If the AC were to create a fixed budget for each Working Group, the projects would drive the funding instead of visa versa. This allows for research and environmental security to take place over the Chair or individual state's ambitions. A fixed budget that derives from mandatory contributions from its members would support the overall efficiency of the AC in allowing Working Groups to propose projects with specific outlines and estimated project lengths. It also encourages Working Groups to continue to work with other organizations and communities that are publicly funded. This solution would not impede on any outside funding and projects.

APPROACH 2:

Restructure of the Arctic Council Working Groups

When the Arctic Council was established in 1996, it inherited six Working Groups from the 1991 Arctic Environmental Protection Strategy.¹³ These Working Groups include: Arctic Contaminants Action Program (ACAP), Arctic Monitoring and Assessment Program (AMAP), Conservation of Arctic Flora and Fauna (CAFF), Emergency Prevention, Preparedness and Response (EPPR), Protection of the Arctic Marine Environment (PAME)

10 Arctic Council Secretariat, "Arctic Council Funding: An Overview," Senior Arctic Officials Meeting. (Fairbanks: Arctic Council) 1-16.

11 Nord, 64.

12 Secretariat, 1.

13 Heather Exner-Pirot, Maria Ackrén, Natalia Loukacheva, Heather Nicol, Annika E. Nilsson, and Jennifer Spence, "Form and Function: The Future of the Arctic Council," The Arctic Institute, February 5, 2019, <https://www.thearcticinstitute.org/form-function-future-arctic-council/>

and the Sustainable Development Working Group (SDWG); and were created to generate research and knowledge about the Arctic region.¹⁴ These Working Groups are successful for reasons including: addressing indigenous groups in policy recommendations and creating of a forum to discuss future objectives in the Arctic. However, the structure of the Working Groups has been criticized but can be modified to ensure project follow-through and environmental security.

Developed by Pekka Haavisto, an alum of the Finnish Institute of Foreign Affairs, a restructure of the Working Groups avoids the overlapping of research and knowledge gaps while favoring cost efficiency.¹⁵ After modifying Haavisto's initial intentions for the restructure of the Working Groups, the most potential for Working Groups' efficiency lies in the foundation of the surveillance and implementation functions. In the incorporation of the ACAP, CAFF, and AMAP Working Groups, the AMAP will work as the surveillance component while the ACAP and CAFF groups function as the implementation component. A merging of the EPPR, PAME, and SDWG would allow for deepening collaboration in research and response strategies.

APPROACH 3:

Investing in the Relationship of Non-Arctic Observer States

In the establishment of the Ottawa Declaration, the AC created three categories of "Observers," these include non-Arctic states, intergovernmental organizations (IGO), and nongovernmental organizations (NGO), and were deemed with the potential to strengthen the AC's work.¹⁶ There are currently thirty nine Observers in the AC, including thirteen non-Arctic states. In 2008, a Senior Arctic Officials meeting became a platform for Observer states to express their desires to become a permanent part of the decision-making process given their

14 Exner-Pirot, "Form and Function: The Future of the Arctic Council."

15 Rottem, Svein Vigeland. *Arctic Council: Between Environmental Protection and Geopolitics*. Singapore: Springer, 2020.

16 Nord, 168.

“significant contributions” to Arctic research and economic and technological advancement.¹⁷

In 2011, the role of AC Observers was expanded and revised in the Arctic Council Rules of Procedure (ACRP) — this process included three main factors: Observers must respect and agree to the legal framework that applies in the Arctic, they must demonstrate “relevant Arctic expertise,” and must work to improve the efforts of permanent members, most notably indigenous populations.¹⁸ These actions merely made an Observer state’s role more defined and lacked the benefits that non-Arctic states were urging. These states have the potential to support the AC’s goals and provide resources while enhancing multilateral cooperation. By giving non-Arctic states a permanent role in the decision-making process, the AC can become a more effective global institution. For members that currently have permanent status in the Council, the threat of other permanent members may threaten the integrity of the organization, however, with the ACRP criteria, Observer states must cooperate with AC principles.

APPROACH 4:

Strengthening Coordination with Global and Regional Organizations

Similar to the relationship of Non-Arctic States, IGO and NGO Observers have limited influence in the decision-making process of the AC; including offering ideas and opinions on pre-approved projects and providing written statements and relevant documents acknowledging the topic at hand in meetings of the Council’s subsidiary bodies.¹⁹ In a Senior Arctic Officials’ (SAO) meeting in October of 2015, the U.S. Chairmanship at the time opened the meeting to discuss if the AC was benefiting at full potential from the participation of Observers. Observers, given a chance to speak at the meeting, expressed dissatisfaction in

“not being able to participate” in Working Group or Task Force meetings.²⁰

By increasing involvement from global institutions and regional organizations such as International Union for the Conservation of Nature and Arctic Institute of North America, collaboration with non-Arctic scientists will be more accessible, and most importantly—Arctic challenges that are global in nature, such as climate change and international shipping, would be more approachable.²¹ Giving IGOs and NGOs that have obtained Observer status for the AC a permanent role in Working Groups and research would extend them more power in decision-making, as well as improving the incentive of implementation of AC recommendations at both the regional and global scales. This structure would allow for Observers to participate in Working Groups’ projects, enhancing the AC’s values of Arctic research and multilateral cooperation while maintaining the exclusive responsibilities of the permanent eight participants.

APPROACH 5:

A Shift from Policy Shaping to Policy Making

The nature of the AC as a “high level forum” illustrates that in its establishment, the AC operates as a policy-shaping body.²² However, as interest in the Arctic region globally escalates, the AC and its authority in the realm are becoming gradually more important. In recent years, the AC has shifted into a platform for the creation of legally-binding agreements. For example, in 2011 Arctic Ministers gathered in Greenland to sign the Agreement on Cooperation on Aeronautical and Maritime Search and Rescue in the Arctic, the first legally-binding agreement that was “negotiated under the auspices” of the AC.²³ Following this agreement was the Oil Spills Agreement (2013) and the Agreement on Enhancing International

17 Nord, 171.

18 Rottem, *Arctic Council: Between Environmental Protection and Geopolitics*, 29-31.

19 “Observers.” Arctic Council. Arctic Council Secretariat, 2020. <https://arctic-council.org/en/about/observers/>.

20 Nord, 175.

21 Rottem, 30-31.

22 Joint Communique of the Governments of the Arctic Countries, “Declaration on the Establishment of the Arctic Council” (Ottawa, Canada 1996).

23 Nord, 40-41.

Arctic Scientific Cooperation (2017), however none of these agreements are “Arctic Council” agreements, instead the organization acted as a platform for each agreement.²⁴

If the AC were to take the steps to become a formal legal structure, which would include adjusting the Ottawa Declaration, the AC would become an ideal structure for implementing and monitoring vital environmental policies and regulations. This step has the potential to develop the AC into an international organization with more “political potency.”²⁵ However, is likely to be met with animosity from members such as the United States and Russia who highly regard sovereignty over international ambitions.²⁶ This is a question of benefits-over-sovereignty for the members of the AC, with lack of a legal framework the AC could continue to be a “semi-influential body,” continuing concerns of efficiency and effectiveness.²⁷

RECOMMENDED SOLUTION

The AC is facing important challenges relating to its internal structure, specifically regarding the function of Observers and their role in decision making. It’s evident that the expectations of the AC are shifting as the interests in the Arctic region are threatening regional environmental security. Climate change, oil and gas ambitions, and potential shipping routes in the Arctic Ocean are eminent concerns that the 1996 Ottawa Declaration was not prepared to confront. Actions taken by the AC in recent years illustrate the institution’s need to evolve and expand the scope of the Council’s work, engaging both regional and global stakeholders.

For the eight Arctic States that currently have permanent status on the Council, the threat of including other permanent members may threaten the integrity and the values of the organization. However, this threat can be avoided in further integrating Observers (both non-Arctic states and global and regional

organizations) into the Working Groups and Task Forces. The combination of these three approaches (Approaches 2, 3, and 4) enhances the AC’s goals of promoting international cooperation and environmental sustainability while also considering the other factors limiting AC effectiveness as derived from the Norwegian Polar Institute including lack of funding and the absence of authority to make binding decisions.²⁸

From the Arctic Council Observer Manual, the role of Observers is to observe the AC, but are encouraged to make “relevant contributions” through Working Groups.²⁹ In addition to this role, Observers may propose projects, however, this must be through a Permanent Participant or Arctic State. Creating a permanent committee in each Working Group with the purpose of strengthening communication between Working Groups and SAOs will enhance the performance of the AC and acknowledge the frustrations that Observers hold about their role in the decision-making process. Each committee will include a “Director” or lead whose position will be reserved for only those who obtain Observer status. This “Director” will be appointed by the permanent Arctic States with consultation and potential candidates deriving from Observers.

The creation of this committee will avoid any research gaps and overlaps between Working Groups and can serve as a catalyst for continued collaboration in the North. This committee would also serve as a function to determine the performance of the six Working Groups, which have been criticized in the past.³⁰ Furthermore, this addition to the AC would be a movement in creating a formal legal structure, allowing for more valuable implementing and monitoring policies, but accommodating the “informal nature” that the Ottawa Declaration.³¹

Finally, encouraging the Working Groups to report to this leadership position would support the denotation that security, particularly

24 Nord, 43.

25 Bruun, “Theorising the Thaw: Geopolitics in a Changing Arctic,” 918.

26 Rottem, 67.

27 Kankaanpää, “The Effectiveness of the Arctic Council”.

28 Kankaanpää, “The Effectiveness of the Arctic Council”.

29 Arctic Council, “Arctic Council Observer Manual for Subsidiary Bodies” (Manual, Portland, 2020), 1-15.

30 Kankaanpää, “The Effectiveness of the Arctic Council”.

31 Exner-Pirot, “Form and Function: The Future of the Arctic Council.”

environmental security, is a process of continuous monitoring and adaption policies and programs.³² This solution reinforces the environmental values of the AC by encouraging progress and internal structure change. It supports the notion that environmental security calls upon the international community to manage change peacefully, rather than defend against it.³³

APPENDICES

APPENDIX A

List of all Observers on the Arctic Council with date of granted observer status.³⁴

Non-Arctic States	Intergovernmental and interparliamentary organizations	Nongovernmental organizations
France <i>Barrow Ministerial meeting, 2000</i>	International Council for the Exploration of the Sea <i>Fairbanks Ministerial meeting, 2017</i>	Advisory Committee on Protection of the Sea <i>Barrow Ministerial meeting, 2000</i>
Germany <i>Iqaluit Ministerial meeting, 1998</i>	International Federation of Red Cross & Red Crescent Societies <i>Barrow Ministerial meeting, 2000</i>	Arctic Institute of North America <i>Reykjavik Ministerial meeting, 2004</i>
Italian Republic <i>Kiruna Ministerial meeting, 2013</i>	International Maritime Organization <i>Rovaniemi Ministerial meeting, 2019</i>	Association of World Reindeer Herders <i>Barrow Ministerial meeting, 2000</i>
Japan <i>Kiruna Ministerial meeting, 2013</i>	International Union for the Conservation of Nature <i>Barrow Ministerial meeting, 2000</i>	Circumpolar Conservation Union <i>Barrow Ministerial meeting, 2000</i>
The Netherlands <i>Iqaluit Ministerial meeting, 1998</i>	Nordic Council of Ministers <i>Barrow Ministerial meeting, 2000</i>	International Arctic Science Committee <i>Iqaluit Ministerial meeting, 1998</i>
People's Republic of China <i>Kiruna Ministerial meeting, 2013</i>	Nordic Environment Finance Corporation <i>Reykjavik Ministerial meeting, 2004</i>	International Arctic Social Sciences Association <i>Barrow Ministerial meeting, 2000</i>
Poland <i>Iqaluit Ministerial meeting, 1998</i>	North Atlantic Marine Mammal Commission <i>Barrow Ministerial meeting, 2000</i>	International Union for Circumpolar Health <i>Iqaluit Ministerial meeting, 1998</i>
Republic of India <i>Kiruna Ministerial meeting, 2013</i>	OSPAR Commission <i>Fairbanks Ministerial, 2017</i>	International Work Group for Indigenous Affairs <i>Inari Ministerial meeting, 2002</i>
Republic of Korea <i>Kiruna Ministerial meeting, 2013</i>	Standing Committee of the Parliamentarians of the Arctic Region <i>Iqaluit Ministerial meeting, 1998</i>	Northern Forum <i>Iqaluit Ministerial meeting, 1998</i>
Republic of Singapore <i>Kiruna Ministerial meeting, 2013</i>	United Nations Development Program <i>Inari Ministerial meeting, 2002</i>	Oceana <i>Fairbanks Ministerial meeting, 2017</i>
Spain <i>Salekhard Ministerial meeting, 2006</i>	United Nations Environment Program <i>Iqaluit Ministerial meeting, 1998</i>	University of the Arctic <i>Inari Ministerial meeting, 2002</i>
Switzerland <i>Fairbanks Ministerial meeting, 2017</i>	World Meteorological Organization <i>Fairbanks Ministerial meeting, 2017</i>	World Wide Fund for Nature <i>Iqaluit Ministerial meeting, 1998</i>
United Kingdom <i>Iqaluit Ministerial meeting, 1998</i>	West Nordic Council <i>Fairbanks Ministerial meeting, 2017</i>	

32 Barnett, *The Meaning of Environmental Security: Ecological Politics and Policy in the New Security Era*, 130.

33 Barnett, 130.

34 "Observers." Arctic Council. Arctic Council Secretariat, 2020. <https://arctic-council.org/en/about/observers/>.

ADDITIONAL WORKS CONSULTED

Arctic Council. "Nuuk Declaration," The Seventh Ministerial Meeting of the Arctic Council. Nuuk, Greenland, May 12, 2011.

Newton, R., Pfirman, S., Schlosser, P., Tremblay, B., Murray, M., & Pomerance, R. "White Arctic vs. Blue Arctic: A Case Study of Diverging Stakeholder Responses to Environmental Change." *Earth's Future* 4, no. 8 (2016): 396-405. Accessed April 1, 2020, <http://dx.doi.org/10.1002/2016EF000356>.

Wilson Rowe, Elana. *Arctic Governance: Power in Cross-border Cooperation*. Manchester, UK: Manchester University Press, 2018.



Promoting Economic Development in the Middle East and North Africa (MENA) Region

– Logan Smith

ABSTRACT

The Middle East and North Africa (MENA) is a varied region, spanning from the coasts of Morocco to the oil fields of Saudi Arabia. In a region that lacks quality governance, equal opportunity or fiscal equity, MENA has struggled to develop economically, especially in the last few decades. With such a varied landscape of socio-cultural norms and vast economic differences, an integrated and locally contextualized economic development solution is recommended. Focusing on women's empowerment and technological investments, the economic development of MENA has lots of untapped potential that could be unleashed in the 21st century.

OVERVIEW

Economic development in the Middle East and North Africa (MENA) (see Appendix A for what states will be defined as MENA) has been a topic of concern and action for centuries, from colonization to liberation, the economic growth, and stability of this often-overlooked region has drastic impacts on the rest of the global economy. If nothing is done and the status quo remains then MENA will continue to spiral downwards, widening the gap between the economically developed and the underdeveloped regions of the world. With greater economic disparity comes more violence, more war, more terrorism, and more failed states.¹ The former US General Jim Mattis once aptly said “If you don’t fund the State Department fully, then I need to buy more ammunition ultimately.”² This summarizes the outlook for the region; if economic changes do not take place, the ripple effects for the region

1 Abadie, Alberto. “Poverty, Political Freedom, and the Roots of Terrorism.” MIT Economics, May 2006. <https://economics.mit.edu/files/11865>.

2 Lockie, Alex. “Mattis Once Said If State Department Funding Gets Cut ‘Then I Need to Buy More Ammunition’.” Business Insider. Business Insider, February 27, 2017. <https://www.businessinsider.com/mattis-state-department-funding-need-to-buy-more-ammunition-2017-2>.

and the world will be large. Conversely, the upside for the region to grow economically is substantive. It has been seen how economic changes in other emerging markets like South East Asia since the 90's has radically shifted regional and world markets and MENA is poised to make similar economic advances.

Over the past 20 years, the MENA region has significantly underperformed economically leading to stagnation in job creation and high poverty rates.³ From 2000 until the present, the GDP per capita percentage change year over year has remained frustratingly low, averaging around 1.56%, with some of those years even seeing negative growth rates, about 2–3 percentage points lower than in South and East Asia, respectively.⁴ With large population growth rates, MENA has young and well-educated youth joining the workforce in the next few years. This makes it critical for new jobs to be created and for economic stability to be maintained to maximize an opportunity for growth.^{5 6}

Some of the key causative factors to the stagnation of the region can be categorized within four major buckets; political privilege and corruption, inadequate infrastructure, a lack of economic integration, and the underutilization of human capital. While these four buckets are primarily economic hindrances in the region, it must be noted that war and political instability in countries like Libya and Yemen have significantly affected the economic performance and outlook of the region. While it must not be understated how significant of

a cultural and economic impact these conflicts have had on the region, the prevention and mitigation of war in MENA is too large a topic to be addressed in this paper, and thus will not be noted. Under these umbrellas lies a myriad of causative factors such as poor governance leading to a “privileged” private sector, unclear and unfair competition in the creation and maintenance of businesses, and a regional challenge to adopt and enforce competition and antitrust laws.^{7 8} Furthermore, the weak economic freedoms of its citizens, inadequate technological infrastructure and the gross underutilization of women in the formal market, all limit growth.^{9 10 11} In essence, the region needs to reorient its economic policy and mobilize its human capital if it hopes to spur economic growth in the 21st century.

SOLUTION 1:

Adoption and Utilization of Competition and Antitrust Laws

Within the MENA region, a disparity between a few “privileged” companies and entities and the rest of the private sector has created corruption, unfair business practices, and overall dissuaded entrepreneurs from joining the formal economy.¹²

In summary, MENA markets do not compete regionally nor globally, with serious barriers

3 Abed, George, and Hamid Davoodi. “Challenges of Growth and Globalization in the Middle East and North Africa.” International Monetary Fund. International Monetary Fund, 2003. <https://www.imf.org/external/pubs/ft/med/2003/eng/abed.htm>.

4 “GDP per Capita Growth (Annual %).” The World Bank: GDP per capita growth (annual %), 2019. <https://data.worldbank.org/indicator/NY.GDP.PCAP.KD.ZG>.

5 Gatti, Roberta. *Striving for Better Jobs: the Challenge of Informality in the Middle East and North Africa*. Washington DC: World Bank, 2014.

6 Arezki, Rabah, Meriem Ait Ali Slimane, and Andrea Barone. “Reaching New Heights: Promoting Fair Competition in the Middle East and North Africa.” WORLD BANK MIDDLE EAST AND NORTH AFRICA REGION, October 2019. <http://pubdocs.worldbank.org/en/660811570642119982/EN-MEM-ReachingNewHeights-OCT-19.pdf>.

7 Matallah, Siham. “Do Globalization and Economic Freedom Trigger Economic Growth in MENA Countries? Empirical Evidence and Policy Implications.” *Academic Journal of Economic Issues* 3, no. 2 (June 2017). <https://ida.lib.uidaho.edu:7213/ps/i.do?id=GAL E|A498382056&v=2.1&u=mosc00780&it=r&p=AON E&sw=w>.

8 Sumpf, Denise, and Dina Waked. “Competition and Regulation in the Arab Region.” *Economic and Social Commission for Western Asia (ESCWA)*, 2015. <https://www.unescwa.org/sites/www.unescwa.org/files/publications/files/economic-governance-series-2015.pdf>.

9 Schiffbauer, Marc. *Jobs or Privileges: Unleashing the Employment Potential of the Middle East and North Africa*. Washington, DC: World Bank Group, 2015

10 Estache, Antonio, Elena Ianchovichina, Robert W. Bacon, and Ilhem Salamon. *Infrastructure and Employment Creation in the Middle East and North Africa*. Washington, DC: World Bank, 2013.

11 Arezki, Rabah, Mottaghi, Barone Yuting Fan, Kiendrebeogo, and Lederman

12 Sumpf and Waked

for new businesses to enter the market and for inefficient organizations to be beat out by competition.¹³

The World Bank prescribes a two-fold solution to this issue; adoption of competition and antitrust laws or improved enforcement of those who already have them in place. In the region, only three countries lack antitrust legislation—Iran, Lebanon, and Libya. The rest of the region lacks key elements of effective policy implementation, placing substantial costs on their economies.¹⁴ A case study from Latin America shows that anti-trust legislation needs two elements to be effective; increased economic sanctions in the form of fines and the participation of a 3rd party in proceedings.¹⁵ For example, as a punitive measure Mexico has adopted a fine for those that violate the antitrust law up to 10% of sales of gross income from the previous period. Similar fines have been adopted with success in Panama, El Salvador, Peru and Columbia.¹⁶ Furthermore, Chile and Brazil have publicly shamed bid rigging offenders by holding public prosecutions of over 600 cases in their respective capitals.¹⁷ Those countries in MENA that already hold antitrust and competition laws should follow suit, increasing economic sanctions, including 3rd parties in the proceedings, and publicly shaming offenders.

SOLUTION 2:

Economic Integration of the MENA Region

MENA's intraregional trade makes up less than 5% of the regions total trade, making it the least integrated global region.¹⁸ Like many other economic factors within MENA, the hindrance to economic integration can be explained by political inadequacies. In this instance, trade and investment barriers as well as poor and disconnection regional infrastructure inhibit regional trade.

The results of integration have the potential to be extremely valuable, with the IMF projecting that integration would “create a regional market of almost 100 million people with an average income of about \$4,000 per capita in nominal terms and about \$12,000 in purchasing-power-parity terms.” This would make the region more attractive for foreign direct investment, reducing the costs of intra-regional trade, capital, and labor movement and increase the efficiency of resource allocation. It would also make the region more resilient to market volatility and may also lead to greater global integration.¹⁹

In order to integrate, the IMF suggests five policy objectives (JOINT) described as follows; job creation, regional trade, labor openness, integration of minority workers such as women, negotiate deeply held trade agreement, and highlight private sector trade. These policy objectives should be pursued in order to further integrate the region. It is suggested that these efforts be spearheaded by individual states collaborating with the Arab Maghreb Union (see Appendix C).²⁰

13 Arezki, Rabah, Mottaghi, Barone Yuting Fan, Kiendrebeogo, and Lederman

14 Arezki, Rabah, Mottaghi, Barone Yuting Fan, Kiendrebeogo, and Lederman

15 Londono, Alfonso Miranda. “Competition Law in Latin America: Main Trends and Features.” Centro De Estudios de Derecho de la Competencia. Centro De Estudios de Derecho de la Competencia, April 2012. <https://centrocedec.files.wordpress.com/2010/06/cornell-lacompetition-20123.pdf>.

16 Miranda

17 Gurria, Angel, and Luis Alberto Moreno. “Competition in Latin America and the Caribbean 10 Years of the OECD-IDB Latin American Competition Forum.” OECD. Latin American Competition Forum, 2012. <https://www.oecd.org/competition/latinamerica/LACF10thAnniversaryBrochureEN.pdf>.

18 Kireyev, Alexei P, Boaz Nandwa, Lorraine Ocampos, Babacar Sarr, Ramzy Al Amine, Allan G Auclair, and Jean-Francois Dauphin Yufei Cai. “Economic Integration in the Maghreb : An Untapped Source of Growth.” IMF, February 13, 2019. <https://www.imf.org/en/Publications/Departmental-Papers-Policy-Papers/Issues/2019/02/08/Economic-Integration-in-the-Maghreb-An-Untapped-Source-of-Growth-46273>.

19 Kireyev, Nandwa, Ocampos, Sarr, Al Amine, G Auclair, and Dauphin.

20 Kireyev, Nandwa, Ocampos, Sarr, Al Amine, G Auclair, and Dauphin.

SOLUTION 3:

Increase Access to Credit for Enterprises in MENA

Job creation, entrepreneurial innovation and economic growth worldwide needs access to fair, equitable and useful financing for small businesses.²¹ 39% of MENA's enterprises, the second highest in the world, think that low access to financing is a major constraint to their function (see Appendix D).²² MENA has the most concentrated banking sector in the world, with the three largest banks controlling about 70% of assets, compared with 55% in other emerging markets, leading to poor competition, low-risk tolerance and high chances of corruption.²³

In Southeast Asia, access to credit, sometimes called financial inclusion, has seen great success, especially in countries such as Malaysia and Indonesia. The availability of and easy of digital financial tools (digital infrastructure readiness is about 70% in these countries) has drastically increased the ease to credit, especially in sparsely populated regions.²⁴

In addition to this, the World Bank advises the banking institutions within MENA, to prioritize banking privatization where state-owned banks dominate and increase competition by allowing new entrants, especially foreign banks since state-owned banks lack the market discipline to thrive, thus performing worse than private banks.^{25 26}

MENA should follow the example of others, to build new digital financial tools and privatize banking. This, in turn, should lead to a freer flow of capital, a decrease in corruption from state-owned banks, and the creation of new organizations and jobs.

SOLUTION 4:

Increase the Privatization of Industrial Land Across MENA

Most countries in MENA lack a coherent or cohesive public land management strategy thus limiting industrial growth. This has led to fractured, unclear, and overlapping authority.²⁷ As proposed by the World Bank, "The supply of public land should be made more flexible and responsive to market demand." This calls for authority at the local level since the private sector generally handles development.²⁸ The issue lies with the inability of the governments within MENA to tie together supply and demand, as governments release lands too slowly.²⁹

To solve this issue and spur economic development and growth within the region, the World Bank prescribes to countries within MENA a seven-part plan that follows as such: 1). Formulate an explicit and coherent public land management policy. 2). Recognize the cost of fixed asset ownership and use. 3). Build land information systems. 4). Create accountability mechanisms and incentive structures. 5). Decentralize management responsibilities, strengthening central leadership and regulation. 6). Allocate public land to the private sector. 7). Improve accounting practices.³⁰ Similar procedures have seen implementation success and great economic return in agriculture and manufacturing industries within sub-Saharan Africa.³¹

21 Benhassine, Najy. From Privilege to Competition: Unlocking Private-Led Growth in the Middle East and North Africa. Washington, DC: World Bank, 2009.

22 Najy

23 Najy

24 OECD. "Financial Inclusion and Consumer Empowerment in Southeast Asia." OECE.org, 2018. <http://www.oecd.org/finance/Financial-inclusion-and-consumer-empowerment-in-Southeast-Asia.pdf>.

25 Schiffbauer, Marc. Jobs or Privileges: Unleashing the Employment Potential of the Middle East and North Africa. Washington, DC: World Bank Group, 2015.

26 Najy

27 Najy

28 Najy

29 Najy

30 Najy

31 Platteau, Jean. "Reforming Land Rights in Sub Saharan Africa." UN Research Institute for Social Development, March 1995. [http://www.unrisd.org/80256B3C005BCCF9/\(httpAuxPages\)/04FB3BC5FC4D5D9B80256B67005B6757/\\$file/dp60.pdf](http://www.unrisd.org/80256B3C005BCCF9/(httpAuxPages)/04FB3BC5FC4D5D9B80256B67005B6757/$file/dp60.pdf).

SOLUTION 5:

Empowering women: Social Changes

The female economic participation rate has grown globally in the past 40 years but the participation rates in MENA remain the lowest in the world, underutilizing half of the population and missing out on billions of unrealized economic capabilities in the process.^{32 33 34} While the economic empowerment of women in MENA is a multifaceted issue, changing social norms presents one of the biggest barriers. As a case study, Bangladesh from 1990 to 2010 saw a 250% rise in the economic participation of women in their workforce (see Appendix E). In a country that is comprised of 90% Muslims the social change that is needed inside of Bangladesh is very relevant to MENA. The highly visible and culturally appropriate work opportunities created by garment factories spurred on women's education and the interest in delaying marriage and child birthing, key elements in changing social norms. By 2009 the average number of children per women fell from 5.9 in 1983 to 2.3 with the proximity to factories being associated with a 29% lower rate of early childbearing.³⁵ The specific policy actions that were taken by Bangladesh were expanded primary education (including free education through eighth grade for rural girls), large government-run family planning program, and a lack of significant legal barriers to women's mobility and employment.³⁶ MENA as a region should take similar steps, by promoting women's education, increasing access to family planning resources and information, and eliminating any legal barriers for women in order to drive women's economic equity.

32 Handoussa, Heba Ahmad., and Zafiriz Tzannatos. *Employment Creation and Social Protection in the Middle East and North Africa*, 2002.

33 "Women's Economic Empowerment." U.S. Agency for International Development, March 13, 2019. <https://www.usaid.gov/what-we-do/gender-equality-and-womens-empowerment/womens-economic-empowerment>.

34 U.S. Agency for International.

35 "Women's Economic Empowerment." Bill & Melinda Gates Foundation, 2019. <https://www.gatesfoundation.org/equal-is-greater/case-study/bangladesh/>.

36 "Women's Economic Empowerment."

SOLUTION 6:

Empowering women: Financial Empowerment

In addition to social norms needing to change, financial empowerment of women drives economic development. In a case study done by the Gates Foundation on the Himachal Pradesh region of India it has been determined that access to income and assets, control of and benefit from economic gains and the power to make family decisions lift women into economic participation and enrichment. The Himachal Pradesh region has 63% women's participation rate in the prevalent agriculture-based economy compared to 27% in all of India.³⁷ The region adopted guaranteed wage work for agriculture, increasing the number of days women worked by three-fold. This paired with a large portion of the regions GDP being spent on health care helped with family planning and economic participation. Women were also afforded land ownership and the genesis of women's collectives groups created a sense of community creating real economic power.³⁸ While changing the financial standing of women inside of MENA has extreme barriers, the region should focus on creating decent work opportunities for women, allowing women to own and control property and assets, and encourage women's collectives.

SOLUTION 7:

Investing in the Digital Economy: Educational reforms

With the rise of the digital economy in the world, and within MENA, it is critical for the region to point its' large and well-educated youth population to the job market poised with the skills, experience, and education to maximize market opportunity. In order to achieve these ends, the educational system in MENA needs to be reformed, since "the curriculum is more often a source of frustration than advancement."³⁹

To begin with, schools primarily funnel college

37 "Women's Economic Empowerment."

38 "Women's Economic Empowerment."

39 Arezki, Rabah, Mottaghi, Barone Yuting Fan, Kiendrebeogo, and Lederman

graduates into the large public sectors, leading to a decreased emphasis on STEM while in school. With workers oversaturating the public sector and the private market demanding knowledge of both math and science, the educational curriculum needs to be reoriented around STEM subjects for the up and coming youth. Additionally, the education experience should encourage greater openness to innovation and risk-seeking, traits rewarded in the tech industry, in contrast to the conservative nature of students currently produced in the region. These changes should focus on critical thinking, managerial, and collaborative work arrangement skills.⁴⁰ With companies like Careem, a mobile ride-hailing business going from a start-up to a billion-dollar company in MENA, other companies and educated youth need to follow suit.⁴¹

SOLUTION 8:

Investing in the Digital Economy: Digital Infrastructure

MENA has some of the lowest internet penetration rates compared to other regions in the world, hovering barely above 40% of the population.⁴² In Southeast Asia, by contrast, the digital economy is increasing at an exponential rate, and will move from \$32 to \$300 billion from 2015 to 2025 according to Al Jazeera (see Appendix G).⁴³ Countries in Southeast Asia have done some things to maximize both their internet penetration and digital economies, such as investing in wireless, sharing infrastructure, putting public services

online, and letting private companies, such as Grab and Gojek, be leaders of innovation.⁴⁴

Clearly the digital economy will be the future of economic expansion in the 21st century and for MENA to adequately seize the market opportunity that the digital economy presents, it must first increase the ubiquity of internet connectivity. MENA as a region should follow after Southeast Asia, combining both public and private initiatives to create expansive internet connectivity. While MENA's rulers as a whole may have a sensitive touch to internet connectivity after the Arab Spring since services like WhatsApp were instrumental in unifying the efforts, it is high time for MENA to join the digital economy or face the risk of missing the clearest link to global markets that the 21st century has to offer. This connectivity is a prerequisite for technological advancements, e-commerce, and training.⁴⁵ Investments by private and public enterprises in the technological infrastructure should be taken, with specific focus on universal internet connectivity.

RECOMMENDED SOLUTION

With most economic proposals, it is tempting to become so fixed upon the potential future, that policy implementation realities get overlooked, leading to a naively optimistic proposal that can miss the practicality of implementation, and in turn any true benefits. Although all the previous solutions are feasible, some have major hindrances in policy adoption, due to different situations state to state, fighting massive cultural changes, and funding the proposals.

With that said, the recommended proposal combines solutions 3 and 5-8 with these solutions further segmented into a short term and long-term strategy. To begin in the short term, solutions 5,7, and 8, must be intermixed. The short-term levers will determine the long-term outcome for economic growth in MENA,

40 Arezki, Rabah, Mottaghi, Barone Yuting Fan, Kiendrebeogo, and Lederman

41 Somerville, Heather. "Uber Buys Rival Careem in \$3.1 Billion Deal to Dominate Ride-Hailing in Middle East." Reuters. Thomson Reuters, March 26, 2019. <https://www.reuters.com/article/us-careem-m-a-uber/uber-buys-rival-careem-in-3-1-billion-deal-to-dominate-ride-hailing-in-middle-east-idUSKCN1R70IM>.

42 Clement, J. "Global Regional Internet Penetration Rate 2019." Statista, January 7, 2020. <https://www.statista.com/statistics/265149/internet-penetration-rate-by-region/>.


43 Al Jazeera. "Online All the Time: Southeast Asia's Booming Internet Economy." News | Al Jazeera. Al Jazeera, October 4, 2019. <https://www.aljazeera.com/ajimpact/online-time-southeast-asia-booming-internet-economy-191003101641367.html>.

44 Al Jazeera

45 "Sustainable Investment in the Middle East and North Africa Region Repo." ifc.org, January 2011. https://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/sustainability-at-ifc/publications/publications_report_sustainableinvestmentmena_wci_1319577030052.

with the short-term levers of investing in the digital infrastructure (solution 8) and reforming the education systems to spur on social changes in technological and women engagement (solutions 5 and 7). The combination of these solutions brings together the latent potential of marginalized workers and increases short term digital access to credit for businesses. This short-term solution advocates for three main points. One, a call for the educational systems to funnel their young professionals to the technologically driven private sector and focus on training its pupils in STEM-focused critical thinking. Two, a call to both the public and the private sectors to unify the region with universal internet connectivity and implement digital financing tools. Three a call to shift the educational process to de-stigmatize women accessing the labor markets.

Furthermore, the long term solution, driven upwards by the pressure on these short term levers, combine solutions 3, 5, and 6. With the economic potential of the region being hamstrung by the public ownership of banks and with massive social changes needed in the region to create gender equity, these issues will be unwaveringly essential to MENAs success in the 21st century economically, while also having a much longer time horizon than ubiquitous internet or shifting the focus of the existing workforce. The equity of women in the region is no small task, with engrained patterns and ideologies of Islam hindering any substantial social changes. This long-term solution, in addition to the short-term actions calls for the region to privatize banks, especially in states where public banks dominate, and for women to have access to income and assets, control economic gains, and have power to make family decisions. These changes should be done progressively, with a focus on access to family planning and increasing women's education opportunities in MENA, following the example of the Muslim populated Bangladesh.

While no single solution will be able to maximize the utility of every country and community, the conglomeration of sending the brightest young professionals into the technological private sector, increasing the ease and quality of digital capital that can be accessed, utilizing both the public and the private sectors to bring internet access to all of the region and accelerating cultural norms to empower women to access the labor markets may finally unleash the underlying economic potential inter-regionally and globally. 

APPENDICES

APPENDIX A:

Overview

A map of the MENA region (shown by UNICEF) that defines MENA in the whole of this paper.



46

APPENDIX B:

Adoption and Utilization of Competition and Antitrust Laws

A framework for a quality competition policy in MENA. ⁴⁷

Figure II.1. A Comprehensive Competition Policy Framework		
Pillar I: Procompetition regulations and government interventions: opening markets and removing anticompetitive sectoral regulation Reform policies and regulations that strengthen dominance: restrictions to the number of firms, statutory monopolies, bans towards private investment, lack of access regulation for essential facilities. Eliminate government interventions that are conducive to collusive outcomes or increase the costs of competing: controls on prices and other market variables that increase business risk. Reform government interventions that discriminate and harm competition on the merits: frameworks that distort the level playing field or grant high levels of discretion	Pillar II: Competitive neutrality and non-distortive public aid support Control state aid to avoid favoritism and minimize distortions on competition. Ensure competitive neutrality including vis-a vis SOEs	Pillar III: Effective competition law and antitrust enforcement Tackle cartel agreements that raise the costs of key inputs and final products and reduce access to a broader variety of products Prevent anticompetitive mergers
		Strengthen the general antitrust and institutional framework to combat anticompetitive conduct and abuse of dominance

Source: World Bank and OECD (2017), elaborated by The World Bank Group Markets and Competition Policy team.

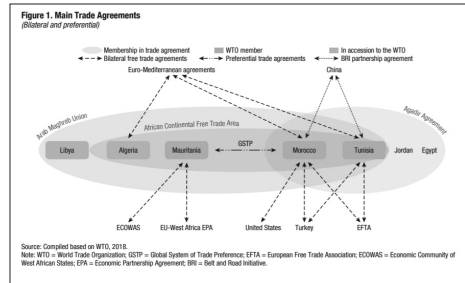
46 “Where We Work.” UNICEF Middle East and North Africa. Accessed May 11, 2020. <https://www.unicef.org/mena/where-we-work>.

47 Arezki, Rabah, Mottaghi, Barone Yuting Fan, Kiendrebeogo, and Lederman

APPENDIX C:

Economic Integration of the MENA Region

An exploration of current regional trade agreements. ⁴⁸

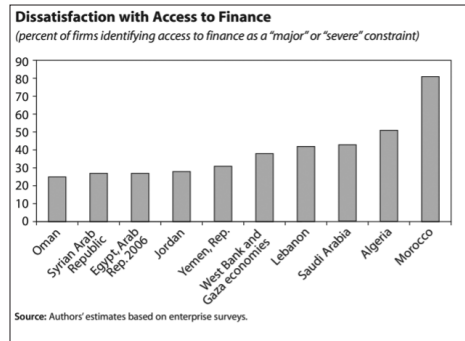


Source: Compiled based on WTO, 2018. Note: WTO = World Trade Organization; GSP = Global System of Trade Preferences; EPA = European Free Trade Association; ECOWAS = Economic Community of West African States; EPA = Economic Partnership Agreement; BR = Belt and Road Initiative.

APPENDIX D:

Increase Access to Credit for Enterprises in MENA

Company satisfaction rates pertaining to the access to organizational financing country by country in MENA. ⁴⁹



Source: Authors’ estimates based on enterprise surveys.

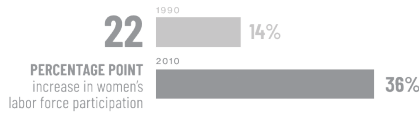
48 Kireyev, Nandwa, Ocampos, Sarr, Al Amine, G Auclair, and Dauphin.

49 Najy.

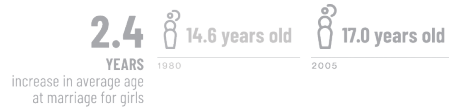
APPENDIX E:

Empowering women: Social Changes

Workforce participation over time of women in Bangladesh form the Gates Foundation. ⁵⁰



The average age that women in Bangladesh got married over time according to the Gates Foundation. ⁵¹



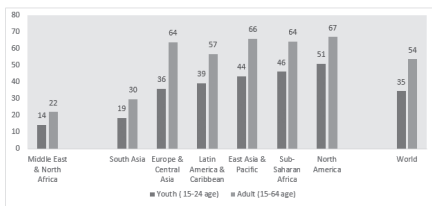
APPENDIX F:

Empowering women: Financial Empowerment

The increase of women's economic participation in India by the Gates Foundation. ⁵²



Figure 1 - Female Labor Force Participation Rate (2018)



Source: World Development Indicators (based on ILO estimates)

The female labor participation rates by region. ⁵³

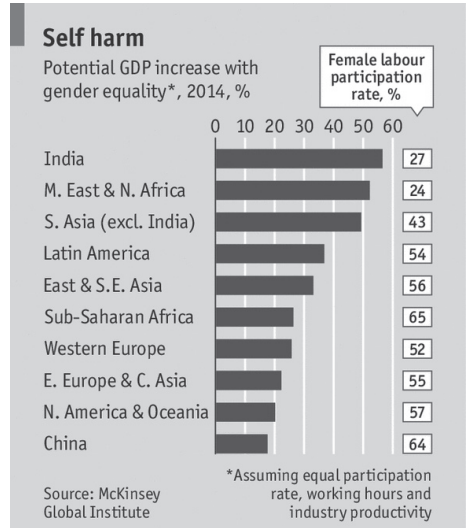
50 "Women's Economic Empowerment."

51 "Women's Economic Empowerment."

52 "Women's Economic Empowerment."

53 "Labor Force Participation Rate, Female (% of Female Population Ages 15) (Modeled ILO Estimate)." Data. Accessed May 13, 2020. <https://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS>.

Countries potential GDP gain through the equit of women's labor by region. ⁵⁴



*Assuming equal participation rate, working hours and industry productivity

Source: McKinsey Global Institute

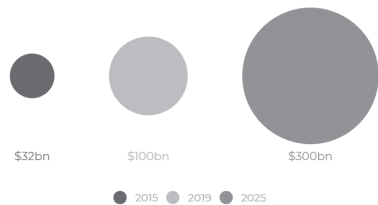
Economist.com

APPENDIX G:

Investing in the Digital Economy: Digital Infrastructure

The historical trends and forecast of the internet economy in Southeast Asia according to Al Jazeera. ⁵⁵

Growing value of Southeast Asia's internet economy in US dollars, expected to hit \$300bn in 2025



Source: economy SEA 2019 report

54 "The Power of Parity." The Economist. The Economist Newspaper, September 2015. <https://www.economist.com/finance-and-economics/2015/09/24/the-power-of-parity>.

55 Al Jazeera



Innovative Strategies to Reduce Consumer Demand for Fast Fashion in Latin America

– Bailey Carpenter

ABSTRACT

Fast fashion is the process of designing, producing, and marketing clothing lines which replicate runway trends, but come at a fraction of the price to consumers. To keep production expenses low, fast fashion brands utilize cheap labor in offshore factories in countries with low environmental regulations. In doing so, the production and consumption of fast fashion comes at a detrimental cost both socially and environmentally. Because its development is still in progress in comparison to the U.S. and Europe, Latin America has yet to noticeably indulge in fast fashion consumer trends. However, due to its low market saturation, economists are expecting a drastic increase in the near future. This paper examines six feasible solutions that would effectively deter Latin American consumers from shopping fast fashion. The recommended solution is to integrate four strategies that will discourage pre-existing consumers and prospective consumers from shopping fast fashion in the future.

INTRODUCTION

Latin American cultures have rich histories regarding the dress and fashion of their people. There is an immense variety in the use of textiles, fabrics, and dyes spanning back to the 1200 B.C.E. Olmec civilization in Mexico.¹ The geographic diversity of the region, the climate and its associated dress requirements, as well as the culture's traditions all affected each region's dress. As a result of both globalization and the influence of Western societies, fashion

¹ Schevill, Margot Blum. "Introductory Note to Latin America and the Caribbean." In *Berg Encyclopedia of World Dress and Fashion: Latin America and the Caribbean*, edited by Margot Blum Schevill, 3–4. Oxford: Bloomsbury Academic, 2005. Accessed April 03, 2020. <http://ida.lib.uidaho.edu:2153/10.2752/BEWDF/EDch2002a>.

eventually evolved and changed drastically in Latin America. With the increased exposure to music, movies, television, and social media, people throughout the region have added global trends into their own closets. However, those in-style trends are often costly to the average Latin American.

Fashion has commonly been used as a mechanism to indicate social identity as well as a way to decipher between social classes.² The fashion industry developed into a pathway for individuals to indicate social status, taste level, general cultural awareness, and personal individuality.³ In the past, runway trends were only available to those who could afford them. This would leave out middle to lower class consumers who desire trendier garments. To combat the divide in fashion between social classes, consumers have turned to fast fashion brands. Fast fashion is the design, creation, and marketing of fashion that emphasizes making fashion trends quickly and cheaply available to consumers.⁴ Fast fashion designers take runway trends, replicate them, and mass produce the garments in a matter of days. Today, it is nearly impossible to detect the difference between a \$200 shirt and an identically designed \$10 shirt, thus providing consumers with the opportunity to cost efficiently dress luxuriously.

Unfortunately, the combination of low prices and a quick turnaround from the design process to the retail floor comes at a detrimental cost to the environment. According to the UNEP, the fashion industry is responsible for 20% of global wastewater, 10% of global carbon emissions and is the second largest all-around

polluter behind the oil industry.⁵ ⁶ Additionally, textile dyeing contributes the second largest amount of pollution to water globally.⁷

While fast fashion has become somewhat popular among consumers in urban populations of Mexico, Brazil, Chile, Peru and Argentina,⁸ the Latin American region has remained fairly untouched by storefronts in comparison to North America and Europe.⁹ ¹⁰ However, due to the low levels of market saturation in South and Central America, economists expect a huge increase in sales as brands begin to invest in these regions.¹¹

Although every component of the fast fashion chain holds significant responsibility for the negative environmental impacts, the focus of this study highlights strategies to reduce consumer demands for fast fashion among Latin Americans before fast fashion retailers begin to spread their storefronts throughout South and Central America.

SOLUTION 1:

Addressing the Latin American Beauty Standards

Recent studies on Latin American beauty ideologies have found an emphasis on the amount of transformation a woman foregoes

2 "Introduction." In *The Latin American Fashion Reader*, edited by Regina A. Root, 1–14. Dress, Body, Culture. Oxford: Berg Publishers, 2005. Accessed April 03, 2020. <http://ida.lib.uidaho.edu:2153/10.2752/9781847881052/LAFR0005>.

3 Anguelov, Nikolay. *The Dirty Side of the Garment Industry: Fast Fashion and Its Negative Impact on Environment and Society*. Boca Raton: CRC Press, 2016.

4 Barnes, Dr Liz, and Lea-Greenwood, Ms Gaynor, eds. 2006. *Fast Fashion*, Volume 10, Issue 3. Bradford: Emerald Publishing Limited. Accessed May 13, 2020. ProQuest Ebook Central.

5 "UN Launches Drive to Highlight Environmental Cost of Staying Fashionable | UN News." United Nations. United Nations, March 25, 2019. <https://news.un.org/en/story/2019/03/1035161>.

6 UN. "Putting the Brakes on Fast Fashion." UN Environment, November 12, 2018. <https://www.unenvironment.org/news-and-stories/story/putting-brakes-fast-fashion>.

7 UN. "Putting the Brakes on Fast Fashion." 2018

8 "Growing Retail Companies in South America." Fashionbi, 2013. <https://fashionbi.com/newspaper/growing-retail-companies-in-south-america>

9 Fruhlinger, Joshua. "Fast Fashion's Global Takeover since 1985: an Interactive Map." Thinknum Media. Thinknum, March 18, 2019. <https://media.thinknum.com/articles/fast-fashion-world-takeover-an-interactive-map/>.

10 See Appendix A

11 "Growing Retail Companies in South America." 2013

to achieve her beauty.¹² ¹³ A common colloquial phrase in Latin America is ‘No hay mujer fea, sino mal arreglada,’ meaning ‘there are no ugly women, just poorly groomed ones.’¹⁴ The word *arreglada* stems from the Spanish verb *arreglar* which refers to the action of fixing objects. When used to describe the female body, it implies that a woman’s natural body is flawed and must be fixed in order to be beautiful. A common practice to achieve *arreglada* status is the consumption of fashionable clothing. To obtain this practice, the socioeconomic status of a woman may constrain her ability to become “beautiful” in compliance with her country’s artificial beauty standards,¹⁵ further contributing to the growth of fast fashion. For a number of reasons, it has become crucial for these beauty ideologies to shift to a healthier alternative. This shift must occur at a young, impressionable age for both girls and boys through the implementation of values-based learning in schools. Throughout the United States, efforts to reshape body images in sex education courses have increased. The courses raise awareness for the source of body image beliefs, emphasize the acceptance of self and others with regard to appearance, and explain the existence of social construction.¹⁶ By reshaping what today’s youth values, we can expect to see a generational decrease in fast fashion consumption.

SOLUTION 2:

Implementing Sustainable Education Curriculum

In alliance with Sustainable Development Goal 4,¹⁷ UNESCO aims to ensure all learners will acquire knowledge and skills to support sustainable development through education for sustainable lifestyles by 2030.¹⁸ While this is an international goal, UNESCO should improve their education efforts in Latin America as the environmental impact will only worsen as Latin Americans invest more heavily into the fashion industry in the near future, as predicted by economists.¹⁹ In doing so, UNESCO can look to programs such as the U.S. Department of Education’s Green Ribbon Program as a model for sustainability education.²⁰

Schools looking to become Green Ribbon certified must abide by the following criteria: reduced environmental impact and costs, improved health and wellness, and effective environmental and sustainability education.²¹ Green Ribbon programs implement sustainability projects in their classrooms, on their campus, and in their community by integrating various disciplines.²² Rather than requiring schools in Latin America to apply to be Green Ribbon certified, UNESCO should analyze pre-existing, successful programs in Green Ribbon schools and apply it into Latin American classrooms. Looking to the future

12 Nichols, Elizabeth Gackstetter. *Beauty, Virtue, Power, and Success in Venezuela 1850-2015*. Lanham: Lexington Books, 2016.

13 Jafar, Afshan, and Erynn Masi de Casanova. *Global Beauty, Local Bodies*. New York, NY: Palgrave Macmillan, 2013.

14 Ochoa, Marcia. *Queen for a Day: Transformistas, Beauty Queens, and the Performance of Femininity in Venezuela*. Durham: Duke University Press, 2014.

15 Casanova, Erynn Masi de. “Beauty Ideology in Latin America.” *Beauty Ideology in Latin America* 11, no. 23 (2018): 14–16.

16 “Reshaping Body Image.” Teaching Tolerance. Accessed April 8, 2020. <https://www.tolerance.org/classroom-resources/tolerance-lessons/reshaping-body-image>.

17 “Goal 4 .: Sustainable Development Knowledge Platform.” United Nations. United Nations. Accessed April 9, 2020. <https://sustainabledevelopment.un.org/sdg4>.

18 “UIS Releases More Timely Country-Level Data for SDG 4 on Education.” UNESCO UIS, February 26, 2020. <http://uis.unesco.org/en/news/uis-releases-more-timely-country-level-data-sdg-4-education>.

19 “Growing Retail Companies” 2013

20 “U.S. Department of Education Green Ribbon Schools.” Home. US Department of Education (ED), April 1, 2020. <https://www2.ed.gov/programs/green-ribbon-schools/index.html>.

21 “Eligibility - U.S. Department of Education Green Ribbon Schools.” Home. US Department of Education (ED), April 1, 2020. <https://www2.ed.gov/programs/green-ribbon-schools/eligibility.html>.

22 Warner, Benjamin P., and Monica Elser. “How Do Sustainable Schools Integrate Sustainability Education? An Assessment of Certified Sustainable K–12 Schools in the United States.” *The Journal of Environmental Education* 46, no. 1 (November 26, 2014): 1–22. <https://doi.org/10.1080/00958964.2014.953020>.

of Latin American countries, it would be greatly beneficial for students in primary and secondary education to understand that their actions often have unintended consequences on the environment, but more importantly, they are capable of attaining the tools necessary to create a sustainable lifestyle free of fast fashion.

SOLUTION 3:

Skillset Development to Create Stronger Attachment

Fast fashion items are constructed with the idea of functional obsolescence in mind, meaning they are built with a deliberately short lifespan due to the use of low-quality garments.²³ The ‘fastness’ of fast fashion creates the notion that if an item can be easily consumed, it can also be replaced easily, leaving customers detached to their clothing and the happiness with their purchase is often short-lived.²⁴ To counter the short lifespan of articles of clothing and create a stronger attachment to our garments, a secondary school in the UK implemented sewing workshops to test the students’ attachment to their creations and further educate them on the environmental impact of fast fashion.²⁵ The students were provided with supplies and instructions to construct a dress for themselves.²⁶ Researchers conducted questionnaires six weeks after the workshop and found successful results: 93% of the participants said they were proud of their creation, 64% of the participants felt the workshop created an attachment to their garment, and over half of the participants had gone on to create their own sewing projects after.²⁷

By implementing such initiatives into Latin American schools, students will begin to capitalize on their own skillsets as opposed to relying on the habit of buying items too frequently. The development of a skillset can continuously be used as a longer lasting personal gain rather than the fleeting high of purchasing a garment.²⁸ In addition to sewing, other methods of upcycling such as patchwork, embroidery, dyeing, cropping, and painting can be taught to personalize a pre-owned item.

SOLUTION 4:

Increase Transparency to Decrease Greenwashing

Today, more than 90% of CEOs believe that sustainability is important to their businesses’ success due to strategic concern driven by market trends.²⁹ Consumers have expressed increased interest in sustainable brands. According to Neilson’s 2015 Global Corporate Sustainability Report, 66% of consumers would spend more on a product if it came from a sustainable brand.³⁰ To meet those demands, fast fashion corporations such as Inditex have created incentive programs for customers who donate old garments to receive a coupon for their next purchase.^{31 32 33} While well-intentioned on the surface, these programs only encourage customers to shop more,

23 Chapman, Jonathan. “Design for (Emotional) Durability.” *Design Issues* 25, no. 4 (2009): 29–35. <https://doi.org/10.1162/desi.2009.25.4.29>.

24 Boven, Leaf Van. “Experientialism, Materialism, and the Pursuit of Happiness.” *Review of General Psychology* 9, no. 2 (2005): 132–42. <https://doi.org/10.1037/1089-2680.9.2.132>.

25 Henry, Philip Michael, and Madeleine Michell. “Challenging Excessive Fashion Consumption by Fostering Skill-Based Fashion Education.” *Journal of International Education and Practice* 2, no. 1 (March 26, 2019). <https://doi.org/10.30564/jiep.v2i1.403>.

26 Henry

27 Henry

28 Gladwell, Malcolm. *Outliers: The Story of Success*. New York: Back Bay Books, 2013.

29 Hoffman, Andrew J., Terry Nelidov, Allison Burtka, and Holcim. “The Next Phase of Business Sustainability (SSIR).” Stanford Social Innovation Review: Informing and Inspiring Leaders of Social Change. Accessed April 7, 2020. https://ssir.org/articles/entry/the_next_phase_of_business_sustainability.

30 “The Sustainability Imperative.” Nielsen, December 10, 2015. <https://www.nielsen.com/us/en/insights/report/2015/the-sustainability-imperative-2/#>.

31 Zara.com. “CLOTHES COLLECTING-JOIN LIFE: ZARA United States.” CLOTHES COLLECTING-JOIN LIFE | ZARA United States. Accessed April 11, 2020. <https://www.zara.com/us/en/sustainability-collection-program-11452.html>.

32 “Garment Collecting.” H&M. Accessed April 11, 2020. https://www2.hm.com/en_gb/ladies/shop-by-feature/16-garment-collecting.html.

33 Forever21. “Social Responsibility: Forever 21.” Social Responsibility | Forever 21. Accessed April 11, 2020. <https://www.forever21.com/us/shop/info/socialresponsibility>.

further contributing to the fast fashion cycle. Additionally, brands are dishonest about where the donated garments go. According to Inditex's 2018 Annual Report, 88% of their waste is either reused or recycled.³⁴ However, deeper into the report it states that the waste generated in stores is not included in that statistic.³⁵ This method of misleading consumers into believing their products are sustainable is called greenwashing.³⁶ These annual reports are always public and display a company's true statistics, although the negative facts are often buried deep in the report. Creating a sector of the UN Alliance for Sustainable Fashion whose sole purpose is providing consumers with the honest facts about a brand's harmful practices would prevent consumers from believing the embellished claims a brand is feeding them. When consumers understand that they are being greenwashed into believing that their donated garments will go to landfills, they will choose to refrain from shopping fast fashion.

SOLUTION 5:

Defining Ambiguous Terms to Decrease Greenwashing

To further cater to the 66% of consumers who value sustainability, fast fashion retailers have designed eco-friendly clothing lines. In Zara's eco-friendly line 'Join-Life,' customers can purchase a pair of jeans which Zara claims were produced using technologies that reduce water consumption in the dyeing process.³⁷ ³⁸ However, the dyeing process only uses 1% of the water used to produce a standard pair of pants, meanwhile the water consumption

34 Inditex. (2018). Annual Report 2018. Accessed April 5, 2020. <https://www.inditex.com/investors/investor-relations/annual-reports>

35 Inditex

36 "Greenwashing." Merriam-Webster. Merriam-Webster. Accessed April 6, 2020. <https://www.merriam-webster.com/dictionary/greenwashing>.

37 Zara.com. "CLOTHES COLLECTING-JOIN LIFE: ZARA United States." CLOTHES COLLECTING-JOIN LIFE | ZARA United States. Accessed April 11, 2020. <https://www.zara.com/us/en/sustainability-collection-program-11452.html>.

38 Zara.com. "ZW PREMIUM THE SAILOR STRAIGHT JEANS." ZARA, April 12, 2020. <https://www.zara.com/us/en/zw-premium-the-sailor-straight-jeans-p08246068.html?v1=43557674&v2=1499349>.

for the production of cotton is three times the consumption of every other unit combined.³⁹ Fast fashion retailers construct meaningless messages of sustainability by using terms that have no set definition such as green, eco-friendly, responsibly made, ethical, and even the word sustainable.

The UN Alliance for Sustainable Fashion should capitalize on their research and authoritative capabilities⁴⁰ by creating definitions for the aforementioned ambiguous terms. With those definitions, the UNASF should evaluate the fashion sector's environmental footprint and determine standards and requirements for a fast fashion retailer to label their clothing lines as eco-friendly. When a retailer meets those requirements, they should then be awarded a certification mark that signifies to customers that the item or clothing line is in fact sustainable.⁴¹ The UNASF can then use their outreach and knowledge sharing capabilities to spread these standards to all shareholders.⁴² Consumers who care about genuine sustainability will refrain from shopping fast fashion if they become aware of clothing lines that are not environmentally conscious.

SOLUTION 6:

Amplify Second-Hand Shopping

The second-hand market has grown remarkably in the US and UK in recent years most likely catalyzed by millennials' desire to save money and shop sustainably. However, the consignment trend has yet to cultivate in the Latin American region. Because implementing

39 "Patriot Act with Hasan Minhaj: The Ugly Truth of Fast Fashion." *Patriot Act*. Netflix, 2019.

40 "Home." The UN Alliance for Sustainable Fashion. Accessed April 11, 2020. <https://unfashionalliance.org/>.

41 Bussé, Judith, Laura Van Kruijsdijk, Judith Bussé, and Laura Van Kruijsdijk. "Eco-Friendly or Falsely Advertised? Sustainable Fashion Advertising in Europe: Do's and Don'ts." Retail & Consumer Products Law Observer, December 18, 2019. <https://www.retailconsumerproductslaw.com/2019/12/eco-friendly-or-falsely-advertised-sustainable-fashion-advertising-in-europe-dos-and-donts/>.

42 Home, UNASF.

physical thrift stores into Latin American countries is a slow process, online second-hand apps should be utilized by Latin American customers.

Recently, online consignment brands such as ThredUP, Poshmark, and DePop have rapidly grown in the US and UK.⁴³ To increase sales, online consignment site, ThredUP, has taken full advantage of the fast growing 'Instagram influencer' trend. Many influencers with a following of hundreds of thousands of people get paid by consignment brands to advertise for them.⁴⁴ In doing so, they often provide their followers with discount codes for the advertised brand.⁴⁵ This method of advertisement has worked remarkably well in the US and could easily be implemented into Latin American social media. Consignment brands looking to spread the message of sustainable shopping internationally should identify Latin American social media influencers or celebrities and provide them with identical branding opportunities. The followers of the influencers will admire their influencers' efforts to live more sustainably and will be given an incentive to shopping second-hand.

RECOMMENDED SOLUTION

It is in the best interest of Latin America to implement all of these strategies over time. However, considering the current state of the environment and the hypothesized future of Latin American fast fashion,⁴⁶ there is an urgent need to take significant action now to target the current and future consumers of fast fashion. The recommended solutions here are to combine efforts that will address the existing consumers of fast fashion (Solution 4

and Solution 5) with efforts that will work to prevent prospective consumers from shopping fast fashion in the future (Solution 2 and 3).

Fast fashion marketers are effective in their approaches. They know their audience and they know how to gain sales. In recent years, they have capitalized on the sustainability trend by gearing their advertisements towards the consumers who care about shopping responsibly.⁴⁷ However, these brands are far from sustainable. Like most marketing campaigns, they mislead their customers without having any standards or regulations to impede them. Solutions 4 and 5 would utilize the UN Alliance for Sustainable Fashion to educate customers on the realities of their shopping habits. A company's annual reports are accessible to the public however seldom are they read. The UNASF has the capacity to implement a sector of their members that is in charge of reading those reports and deciphering the truths about their harmful production and waste habits.⁴⁸ Additionally, the lack of solid definitions and standards for such commonly used terms (eco-friendly, sustainable, green) contributes to the greenwashing of consumers.⁴⁹ If the UNASF created a set of standards for brands to be able to label their products as sustainable with an official, universal certification mark,⁵⁰ the vast majority of 'eco-friendly' fast fashion lines would either diminish or the brands would work to create actual environmentally responsible garments and the Latin American consumers who care for the environment would look to shop from retailers that meet those standards.

To prevent future generations from falling into the fast fashion cycle, younger populations should be targeted through education efforts (Solutions 2 and 3). Modeling Latin American schools after Green Ribbon schools would engage students in conversations about the significant impact their shopping habits have

43 Fox, MeiMei. "Why Secondhand Clothing Is Cool -- For Your Wallet And The Planet." *Forbes*. *Forbes Magazine*, April 21, 2017. <https://www.forbes.com/sites/meimeifox/2017/04/21/why-secondhand-clothing-is-cool-for-your-wallet-and-the-planet/#1f8a2ffc33c3>.

44 Teneva, Dimira. "Influencer Marketing, Promo Codes and Referral Links." *Metriilo Blog*, February 10, 2020. <https://www.metriilo.com/blog/influencer-marketing-promo-codes-and-referral-links>.

45 Teneva

46 "Growing Retail Companies in South America." *Fashionbi*, 2013. <https://fashionbi.com/newspaper/growing-retail-companies-in-south-america>.

47 Chan, Emily. "What Are Fast Fashion Brands Doing to Tackle Fashion's Sustainability Problem?" *Vogue Australia*, July 30, 2019. <https://www.vogue.com.au/fashion/news/what-are-fast-fashion-brands-doing-to-tackle-fashion-s-sustainability-problem/image-gallery/00db9acbbb9cb5da053486ae2f3dc59b>.

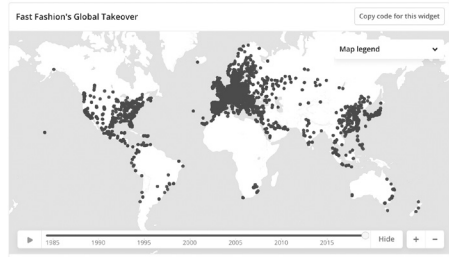
48 Home, UNASF.

49 Bussé, et. al.

50 Bussé, et. al.

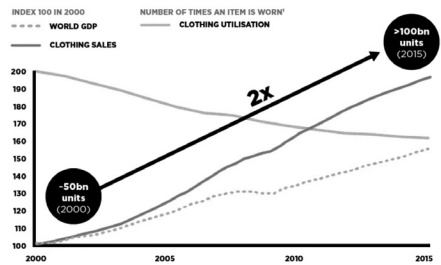
on the environment and provide them with alternative solutions or actions to tackle the issue. The curriculum would shift the mindset of young students at an impressionable age and furthermore, work to ensure the planet is in good hands. Additionally, the mindset that clothing is disposable is an incredibly dangerous mindset to have but unfortunately it is one we attain at a younger age. Teaching students new skillsets to create or upcycle their own garments will prevent them from yearning to shop for fast fashion clothing. The stronger attachment with their clothing will ensure a longer lifespan on the garments and lead to less clothing being sent to landfills. It is necessary that short term action is taken to address the consumption of fast fashion in Latin America now, as well as long term action to better prepare incoming Latin generations for the expected future of fast fashion trends. 🌍

APPENDIX



A.)

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Reducing the Prevalence of Marine Resource Exploitation in the Bay of Bengal

– Jasmine Kinkead

ABSTRACT

The world's quest to increase the reliance of technology amplifies the demand for harmful fishing practices like trawling yet the quickest method of fishing is not always the best option environmentally. Within the Bay of Bengal, large-scale trawling negatively impacts local marine resources through the constant overexploitation of fisheries. The several political entities that surround the bay must unite their collaborative methods to reach a solution that effectively ends the prevalence of trawling or alternatively reduces the stress on species who aren't able to reproduce in a manner quick enough to repopulate. After analyzing numerous options, this paper primarily recommends that the attention be shifted to constructively informing the Bay of Bengal's fishers as well as gearing their fishing vessels with the necessary equipment to begin a better recordation of data collection. This paper also supplies a recommended solution of looking towards temporary fishing closures in the near future to promote better species management and conservation efforts. Through case studies of other bays, this paper recognizes the current limitations of fishers in the Bay of Bengal and that feasible approaches taken by other fisheries sectors may not work at this moment. The proposed solution of addressing the information poverty struggle through improving information services for fishers in the bay is the best way to move forward in establishing functional fisheries without overexploiting their resources.

OVERVIEW AND BACKGROUND

The Bay of Bengal, the largest bay worldwide, has nearly half a billion people living directly on the coast and provides a vast amount of natural resources for the majority of the population surrounding it.¹ The Bay of Bengal formed during the Cretaceous magnetic quiet zone² and employs millions of fishers in primary and secondary fishery production.³ The bay forms part of the Northeastern tip of the Indian Ocean, situated between Sri Lanka, India, Bangladesh, Myanmar, Thailand and Indonesia. Several major rivers flow into the bay from all directions, including the Ganges (Ganga), Brahmaputra, Godavari, Krishna, Kaveri, and Mahanadi rivers. Throughout history the bay has served as a method of transportation and a “maritime highway” that connected larger empires such as India and China for easier access to trade.⁴ In more recent years, the Bay of Bengal has become largely noticed for its untouched mangrove ecosystem, the Sunderban, declared a World Heritage site in 1997. It is also well known for its extensive amount of fish, shrimp, natural gases, and other marine resources⁵ which attracts commercial fishing vessels and consistent trawling in the bay. As the countries surrounding the bay rapidly increase in population, fishing both as a hobby and a necessity grows.

While there has been initiative from several regional organizations including the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC), Association of Southeast Asian Nations (ASEAN), South Asian Association for Regional Cooperation (SAARC), and Indian Ocean Rim Association (IORA) as well as the United Nations Convention on the Law of the Sea (1982) to slow the overexploitation and increase the regulation of marine resources in the bay, harmful fishing practices such as trawling still remain prevalent. The practice of trawling leads to significant amounts of bycatch. For the purpose of this paper the bycatch definition will be congruent with the World Wildlife Fund's definition of “catch that is either unused or unmanaged”.

Due to the Bay of Bengal's rich finfish and shrimp populations, push net and bag net trawling prevail as the most common practices of fishing. Annual bycatch reports from the WWF show that in the early 2000s, Bangladesh's annual bycatch had been estimated at 1,261,600 tons, India's at 4,000,000 tons, Sri Lanka's at 140,000 tons, Myanmar's at 1,790,000 tons, Thailand's at 1,664,000 tons and Indonesia's at 7,021,000 tons.⁶ Despite trawl fisheries setting regulations on net sizes, allotted catch amounts, and the locations where commercial trawlers can fish, these regulations had not been actively enforced. Both Indonesia and Myanmar regularly allow foreign vessels to conduct trawling without reporting their true bycatch numbers.⁷ With multiple governments and organizations overseeing the area, discrepancies over the bay's marine resources and benthic⁸ ecosystems need to be mitigated. The consequences of long-term trawling if continued at the current rate include unprecedented mass displacement of millions, serious losses of marine biodiversity,

1 Xavier, Constantino. *Bridging the Bay of Bengal; Toward a Stronger BIMSTEC*. Carnegie Endowment for International Peace, 2018. 5-7.

2 Talwani, Manik, Maria Ana Desa, Mohammad Ismaiel, and Kolluru Sree Krishna. *The Tectonic origin of the Bay of Bengal and Bangladesh*. Journal of Geophysical Research: Solid Earth, 2016. 1-16.

3 Habib, Ahasan, Md. Hadayet Ullah, and Nguyen Ngoc Duy, eds. *Bioeconomics of Commercial Marine Fisheries of Bay of Bengal: Status and Direction*. Hindawi Publishing Corporation, 2014. 1-10.

4 Amrith, Sunil S. *Crossing the Bay of Bengal: The Furies of Nature and the Fortunes of Migrants*. Harvard University Press; Reprint edition (October 5, 2015). 1-368.

5 Quader, O. “Coastal and marine biodiversity of Bangladesh (Bay of Bengal).” In *Proceeding of International Conference on Environmental Aspects of Bangladesh* (ICEAB10), Japan, pp. 83-86. 2010.

6 Davies RWD, et al. “Defining and estimating global marine fisheries bycatch”. *Marine Policy* (2009), doi:10.1016/j.marpol.2009.01.003. 1-29.

7 *Ibid*, 11-12.

8 Benthic is defined as the lowest level of a body of water wherein living organisms are usually located. Thrush, Simon F., and Paul K. Dayton. “Disturbance to marine benthic habitats by trawling and dredging: implications for marine biodiversity.” *Annual Review of Ecology and Systematics* 33, no. 1 (2002): 449-473.

irreversible socio-economic disaster, and an expansion of the already existent oxygen depleted zone, otherwise referred to as a dead zone.⁹

THE MOST PROBABLE SOLUTIONS ARE

APPROACH 1:

Reducing Information Poverty

Illiteracy and low levels of education leave fishermen in an undesirable socioeconomic situation and hinder their access to formal information services such as public libraries, television, or other governmental sources. Most fishers do not have electricity in their homes and their prominent information sources include mobile phones, battery-operated radios, or face-to-face communication with family and friends. This is likely due to poverty, illiteracy, lack of technological skills, or convenience.¹⁰ The option of improving information services tailored to the Bay of Bengal's fisher folk is reasonable and implementable. Government officials refuse or dismiss the opportunity to offer need-based and timely information to local fishermen even when they try to obtain it and fishermen feel that government officials ignore their information requests due to their poor socioeconomic status.

The majority of fishers lack awareness of fishing policies and regulations, and hardly any know about the initiatives that governments make to provide updated information to the public.¹¹ Fishers need relevant and current information pertaining to weather patterns, import/export market information, international as well as local government fishing policies, fishery production, fish buying/selling, fish preservation, and economic activity. Information processing

9 Sarma, V. V. S. S., L. Jagadeesan, H. B. Dalabehera, D. N. Rao, G. S. Kumar, D. S. Durgadevi, K. Yadav, S. Behera, and M. M. R. Priya. "Role of eddies on intensity of oxygen minimum zone in the Bay of Bengal." *Continental Shelf Research* 168 (2018): 48-53.

10 Shuva, Nafiz Zaman. "The Information Practices of the Fishermen in the Bay of Bengal, Bangladesh", *Open Information Science* 1, 1: 21-40, doi: <https://doi.org/10.1515/opis-2017-0003>

11 Ibid, 35.

fees for formal sources must be eliminated. Free audio alternatives such as news apps or podcasts that read the information to the fishermen or a radio channel run by government or non-government organizations must be introduced.

APPROACH 2:

Discard Ban

Discarding damages the trophic webs water bodies¹², discard being the "proportion of the total organic material of animal origin in the catch, which is thrown away or dumped at sea, for whatever reason".¹³ Countries surrounding the bay should consider implementing a discard ban, imitating Norway's dynamism in the Barents Sea off the coast of Norway and Russia. Any discard law would have to be made with an eye to consequential fish mortality¹⁴ and with careful consideration so as to not disrupt any maximum sustainable yield. The goal should be to improve bycatch management and discard reduction. Often, fish regularly discarded include juvenile fish that do not meet the market size requirement, fish caught that exceed the vessel's quota or carrying capacity, and low-valued or damaged fish.¹⁵

Norway's initiative of banning the discard of cod and haddock (1987)¹⁶ revolutionized the idea of single-species management in fisheries and provided beneficial results that led to a full discard ban (2009), making it obligatory to land all caught fish. Within the bay, most of the lacking data comes from discarding due to the number of vessels that currently lack

12 Bellido, Jose M., M. Begoña Santos, M. Grazia Pennino, Xulio Valeiras, and Graham J. Pierce. "Fishery discards and bycatch: solutions for an ecosystem approach to fisheries management?" *Hydrobiologia* 670, no. 1 (2011): 317.

13 FAO Fisheries Glossary definition of discards.

14 H.M. Condie; A. Grant and T.L. Catchpole, Incentivising selective fishing under a policy to ban discards; lessons from European and global fisheries, *Marine Policy*, 2014, 45, (C), 287-292

15 Gullestad, Peter, Geir Blom, Gunnstein Bakke, and Bjarte Bogstad. "The "Discard Ban Package": Experiences in efforts to improve the exploitation patterns in Norwegian fisheries." *Marine Policy* 54 (2015): 1-9.

16 Ibid, 1.

proper technology. The obligation to land all catch would help the scientific aspect of fishers' activities. The biggest concern for the Bay of Bengal persists in how to facilitate compliance and monetarily afford the necessary gear to track vessels' landing of fish and discard activity. The governments should utilize BIMSTEC's fisheries sector to aid in opting for organizations that can monitor vessel locations and gear used, such as Global Fishing Watch.

APPROACH 3:

Real-Time Closures or Artisanal Fishing Zones as a Method of Conservation

Due to the high amount of reliance on the bay's resources, a complete fishing ban would prove devastating. Instead, the system of governance over the bay should aim to implement real-time closures.¹⁷ Similarly, through introducing Marine Protected Areas (MPAs) or artisanal fishing zones where only native fishers can fish, foreign vessels who drastically deplete the natural resources that natives rely on would be excluded. In the same respect, introducing RTCs would severely limit the catch quota of fish caught by non-natives. RTCs helped protect cod, shrimp and haddock in Norway, allowing nearly one year of leaving the habitat alone and affording juvenile and threatened fish the chance to continue to grow.

The same was found in Scotland's conservation efforts to reduce juvenile cod mortality (2009).¹⁸ If the Bay of Bengal were to model Norway and Scotland's approach then a vessel monitoring system (VMS) placed on larger vessels would be required in order to allow tracking of fishing activity. Several regions in the world use VMS already, and each VMS differs slightly. VMS

involves tracking vessel speeds, location, and headings. It would be more realistic to have a limited amount of RTCs in the Bay of Bengal that would not allow foreign vessels to fish for a limited amount of time in order to manage single species that are overexploited the most. That includes hilsa (*Tenualosa ilisha*)¹⁹, Indian cephalopods such as *Loligo duvauceli*, the pharaoh cuttlefish (*Sepia pharaonis*), and the webfoot octopus (*Octopus membranaceus*)²⁰, as well as a significant amount of other fish.²¹

APPROACH 4:

Electro/Pulse Trawling for Benthic Ecosystem Preservation

Trawling has remained well known in the fishing world for its negative impact on the seabed. In the Bay of Bengal, the introduction of commercial trawling has caused devastating effects over the years, especially as technology allows vessels to catch more fish than before and in a quicker manner. Fishers in the bay rely heavily on beam trawling as well as push net and bag net trawling. As an alternative to trawling, electro trawling includes the practice of sending an electric pulse that imitates the electric field sent from prey of benthic organisms, resulting in fish that live in or near the seabed to be drawn out to the demersal or pelagic zones²², usually as a reaction to the shock causing the

19 Das, Isha, Sugata Hazra, Sourav Das, Sandip Kumar Giri, Sourav Maity and Shubhadeep Ghosh. "Present Status of the Sustainable Fishing Limits for Hilsa Shad in the northern Bay of Bengal, India." *Proceedings of the National Academy of Sciences, India Section B: Biological Sciences* 89 (2018): 525-532.

20 Mohamed, K. S., Mathew Joseph, P. S. Alloysious, Geetha Sasikumar, P. Laxmilatha, P. K. Asokan, V. Kripa et al. "Quantitative and qualitative assessment of exploitation of juvenile cephalopods from the Arabian Sea and Bay of Bengal and determination of minimum legal sizes." *Journal of Marine Biological Association of India* 51, no. 1 (2009): 98-106.

21 Ghosh, Shubhadeep, M. Muktha, MV Hanumantha Rao, and Pralaya Ranjan Behera. "Assessment of stock status of the exploited fishery resources in northern Bay of Bengal using landed catch data." *Indian J. Fish* 62, no. 4 (2015): 23-30.

22 Desender, Marieke, Stephen Kajiura, Bart Ampe, Lisa Dumolein, Hans Polet, Koen Chiers, and Annemie Decostere. "Pulse trawling: Evaluating its impact on prey detection by small-spotted catshark (*Scyliorhinus canicula*)."

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17 Real-time closures are limited closures of a segment of water, differing from a permanent closure, of an area that is usually small in size that in turn would reduce the negative impacts on fishermen if the alternative were permanent. O'Keefe, Catherine E., Steven X. Cadrin, and Kevin DE Stokesbury. "Evaluating effectiveness of time/area closures, quotas/caps, and fleet communications to reduce fisheries bycatch." *ICES Journal of Marine Science* 71, no. 5 (2014): 1286-1297.

18 Needle, Coby L., and Rui Catarino. "Evaluating the effect of real-time closures on cod targeting." *ICES Journal of Marine Science* 68, no. 8 (2011): 1647-1655.

fish to contract their muscles involuntarily. Pulse gears have recently been allowed for each member state of the European Union for a small percentage of each country's catch quota.

While the practice of electric fishing remains relatively new, several studies show that it can be a promising alternative to managing the sustainability of fisheries²³ and results in less overall disruption of the seabed as well as the rates of fish mortality. Despite electro trawling being in its earliest stages of research, if it continues to prove beneficial the Bay of Bengal Programme (BOBP)²⁴ should develop the necessary technologies to carry it out. The BOBP has the necessary resources and ample funding from the UN Population Fund, UNDP, FAO and the Arab Gulf Fund for United Nations Development Organizations and should focus on resorting to electro trawling for smaller trawlers rather than industrial trawlers,²⁵ who exploit at rates that exhibit several economic drawbacks.

RECOMMENDED SOLUTION

Any approach to reducing the prevalence of marine resource exploitation made without the cooperation of regional organizations and government collaboration would be wasted effort. It is hard to know how much of the bay's resources are exploited. The majority of trawl, bycatch and discard numbers presented in research reports remain guess work due to the lack of technology and data collecting systems. The limitations of fishers remain paramount, therefore addressing the information poverty struggle should be a top priority. The digital divide between fishers worldwide becomes more apparent when looking at the Bay of Bengal. Enforcing any policy change within

23 Ibid, 336.

24 The BOBP is an Intergovernmental Organization covering seven countries around the Bay of Bengal — Bangladesh, India, Indonesia, Malaysia, Maldives, Sri Lanka and Thailand, focused on fisheries management and development. Anderson, R. C., Z. Waheed, M. Rasheed, and A. Arif. Bay of Bengal programme: reef fish resources survey in the Maldives: phase II. Bay of Bengal programme, 1992.


25 Gordon, Ann. *The by-catch from Indian shrimp trawlers in the bay of Bengal: the potential for its improved utilization*. Bay of Bengal Programme, 1991.

the fisheries of the bay without first ensuring that the fisher folk understand current policies cannot be encouraged.

Solution 1 supplies the proposition of a radio channel made available from governmental and formal administrations that would broadcast the information that fishers need. Alternatively, solution 1 proposes that for fishers with access to mobile phones, the option of a free downloadable news app or podcast should be made available to them. The development of free, formal and accessible information sources available to large numbers of illiterate and information poor fishers is the best possible solution moving forward. The importance of fishers' awareness of current policies and regulations regarding fishing practices would validate the legality of their jobs and provide crucial information not currently available to them that would help reduce exploitative activities. Several challenges need to be addressed first before looking to solutions 2 through 4, despite those solutions working for countries like Scotland and Norway.

Directing the focus of BIMSTEC and the Bay of Bengal Programme to gearing the bay's fishers with the necessary equipment to effectively track and monitor bycatch and discards of trawling vessels would afford future scientists and fishers with the needed information to begin discussions on establishing possible real-time closures, artisanal fishing zones, and/or discard bans as methods to single-species management, conservation and preservation. Larger commercial trawls need vessel monitoring systems placed on board in order to begin a higher-level collection of scientific data to evaluate the bycatch and discard activity.

Using scientific data from VMS would fill the gaps of data that are present and help scientists advance based on the research subsequently found. In addition, through quality VMS providing more information, foreign commercial vessel bycatch and discard rates from other countries not part of the bay could be separated from local bycatch and discarding. Reforming the technical infrastructure of trawling vessels could not only provide more data that would prove beneficial but help reduce fish mortality

and exploitation. It is not realistic to implement fishing bans or permanent closures of fisheries at this moment, nor is it possible to create a discard ban due to the lack of tracking and tech resources. The effects of doing so prematurely could consequently harm the already socioeconomically poor fishers as well as the GDP contribution that fishing brings for the countries involved. Yet in order to inclusively reduce marine resource exploitation in the bay, immediate action must be taken. 

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Addressing the Resilience of Global Potato Production in the Face of Climate Change

– Abigail Rowe

ABSTRACT

The humble potato plays a principle role in maintaining global food security by feeding millions of people in ecologically diverse regions, from Andean mountaintops to tropical African lowlands.¹ And the demand for potatoes will only continue to rise with the exponentially growing population. But the ability to meet production demands is threatened by climate change, generating adverse conditions for farmers in both highly (HDCs) and less developed countries (LDCs). This paper examines the current situation for potato farmers around the globe and proposes four solutions that adapt production practices to climate change. The industry must search for an integrated approach to ensure all farmers can equitably maintain yields and support millions of people.

INTRODUCTION

The cultivation of the potato dates back centuries to the pre-Columbian Incan civilization. Today, it plays an undeniably central role in international agriculture as the fourth most important food crop after rice, maize, and wheat.² But even when compared to the top grain crops the potato outperforms by providing more nutritious calories on less land.

Though traditionally cultivated in temperate and highland regions, potato production has expanded to tropical and subtropical regions of Asia, Africa, and Latin America. The crop's comparatively short vegetation period allows farmers throughout a wide range of different climatic conditions to find an appropriate season for its cultivation. Thus, the adaptable plant is grown in nearly every country in the

1 "Potato World." Potato World: Production and Consumption - International Year of the Potato 2008. FAO. Accessed May 14, 2020. <http://www.fao.org/potato-2008/en/world/>.

2 Yamaguchi, Mas, and Vincent Rubatzky. *World Vegetables: Principles, Production, and Nutritive Values*. 2nd ed. Westport, CT: AVI Pub. Co., 1983.

world.³ It plays an important role in highly developed countries (HDCs) as a cash crop for processed potato products, but even more so in less developed countries (LDCs) as a primary source of sustenance for its caloric efficiency.

But global potato production is facing its greatest challenge, ever: climate change. The World Meteorological Organization estimates that the past five years have been the warmest on record and this trend will continue.⁴ Climate change is not a future problem, but a current reality. Farmers are already experiencing an increasing number of extremely hot days, fundamentally disrupting formerly reliable practices.

The potato thrives in regions with temperatures that swing between warm days and cool nights. Climate change, however, fundamentally alters these ideal conditions. Hot daytime temperatures stress plants, forcing them to use energy from tubers instead of photosynthetic processes, while warmer nighttime temperatures disrupt the formation of tubers.⁵ Without diurnal cooling, yields drop.⁶ Any increase in temperature will push potato production outside the limits of feasibility.

A hotter atmosphere not only directly hinders the plant's productivity, but indirectly creates adverse conditions through drought, pests, and desertification. Hydrological cycles intensify, generating floods in some areas and droughts in others.⁷ Without adequate irrigation, crop failure is expected. Increasing weather

extremes, as a result of climate change, also lead to land degradation. Desertification compromises potential for food production by decreasing arable land. Production also becomes vulnerable to less obvious problems. Pests surge as lifecycles lengthen. Mild winters allow insects and microbial life to regenerate more than before.⁸ These conditions have serious consequences for potato production.

The link between agriculture and climate change is complex. Potato production both contributes to and is affected by this phenomenon, intensifying the positive feedback loop. Meanwhile, reduced yields in both highly and less developed regions compromise food security. The industry must find sustainable solutions to respond to climate change.

APPROACH 1:

Northward expansion

In anticipation of a warming climate, the potato industry must consider the movement of production to areas with more favorable conditions. Northern regions will become more suitable for cultivation, resembling climates regimes like those that once produced potatoes. More frost-free days per year will lead to increased yields at high latitudes, while winter cropping is expected to increase annual yields in parts of lower latitudes.⁹ Meanwhile, current production areas will exceed temperature tolerances, forcing growers to consider abandoning potato cultivation and switching crops. Tropical lowland zones, where potato production is already heavily constrained, are at highest risk for displacement. In Africa, declines in potato yields are expected to reach

3 Pitchay, Dharma, and Mikkelsen, Robert. "Plant Nutrition Diagnostics: Potato." *Plant Nutrition Diagnostics: Potato*. Peachtree Corners, GA: International Plant Institute, 2018.

4 "WMO Statement on the State of the Global Climate in 2019." World Meteorological Organization, 2019. https://library.wmo.int/doc_num.php?explnum_id=10211.

5 Stark, Jeffery C, and Stephen L Love. *Potato Production Systems*. 1st ed. University of Idaho Extension, 2003.

6 Uni Research. "Understanding why nights are getting warmer faster than days." ScienceDaily. www.sciencedaily.com/releases/2016/03/160310080530.htm (accessed April 7, 2020).

7 Faulkner, Joshua W, and Zachary M Easton. "Agricultural Adaptation to Climate Change: Improving Resilience in Row Crop Production." Burlington, VT: University of Vermont, n.d. <https://www.uvm.edu/sites/default/files/media/ClimChangeAdaptationRowCrops.pdf>.

8 "IPCC Special Report on Climate Change, Desertification, Land Degradation, Sustainable Land Management, Food Security, and Greenhouse Gas Fluxes in Terrestrial Ecosystems." Intergovernmental Panel on Climate Change, 2019. https://www.ipcc.ch/site/assets/uploads/2019/08/4.-SPM_Approved_Microsite_FINAL.pdf.

9 "Climate Change - Can Potato Stand the Heat?" New Agriculturalist, 2008. <http://www.new-ag.info/en/focus/focusItem.php?a=532>.

up to 20–30%.¹⁰ Historically, to produce more food, man has simply cut down forests and plowed grasslands to make room for more farms.¹¹ But humans can no longer afford to increase food production through agricultural expansion. Thus, expansion in northern regions should be kept to a minimum. If development is not conservative, the impacts of climate change will only be exacerbated, eliminating the possibility of future production of any crops for farmers in LDCs. Redistributing potato farmland northward is not an adequate solution: expansion of cropland must be limited to ensure equitable prolongation of production.

APPROACH 2:

Indoor and urban production

The challenges of climate change need innovative ideas. As arable land becomes unavailable to producers due to desertification, vertical agriculture offers solutions that move potato production to controlled indoor systems. To capitalize on space, growers can use rooftops or indoor vertical spaces, stacking soilless plant structures called hydroponic systems.¹² The UN projects more people will be in urban spaces.¹³ Vertical farms could be established in heavily populated regions to minimize the carbon emissions associated with transportation. Many barriers must be hurdled, though, for this becomes a reality in both HDCs and LDCs. Not only do startup costs pose major blocks to entry for growers, but energy costs of artificial conditions also make

vertical farming uncompetitive compared to conventional farming. Serious alterations must be made for vertical potato production to be viable in every region of the world.¹⁴ High value crops, like potatoes, make good candidates for such systems, since traditional farms provide low value crops like wheat more cheaply than a vertical farm.¹⁵ If the issue of startup costs and energy consumption is not addressed, vertical farms may be an unsustainable alternative to traditional agriculture.

APPROACH 3:

Precision agriculture

The Green Revolution of the 1960s increased yields in Asia and Latin America by using improved crop cultivars and more fertilizer, irrigation, and machines—but not without major environmental costs.¹⁶ Today, potato growers around the world are pressured to produce more – in the face of climate change – without further damaging the environment. One solution: focus on precision agriculture. Its techniques optimize returns while reducing ecological impacts. By using advanced technology, like drone systems, satellites, and GPS tractors, precision agriculture can tailor agrochemical and water applications to the unique features of potato fields, down to the acre. Higher yields are achieved with fewer resources than conventional practices.¹⁷ Such technology has the potential to mitigate further environmental costs, reducing the imprint of industrial potato farming. The prime candidates for utilizing

10 Muthoni, Jane. “Potato Production in the Hot Tropical Areas of Africa: Progress Made in Breeding for Heat Tolerance.” *Journal of Agriculture*, 2015. https://www.researchgate.net/publication/282419747_Potato_Production_in_the_Hot_Tropical_Areas_of_Africa_Progress_Made_in_Breeding_for_Heat_Tolerance.

11 Tilman, David. “Global Environmental Impacts of Agricultural Expansion: The Need for Sustainable and Efficient Practices,” 1999.

12 “Journal of Advanced Agricultural Technologies.” *Journal of Advanced Agricultural Technologies*, 2015.

13 “68% Of the World Population Projected to Live in Urban Areas by 2050, Says UN | UN DESA Department of Economic and Social Affairs.” United Nations. United Nations, 2018. <https://www.un.org/development/desa/en/news/population/2018-revision-of-world-urbanization-prospects.html>.

14 Beacham, Andrew, Laura Vickers, and James Monaghan. “Vertical Farming: a Summary of Approaches to Growing Skywards.” *The Journal of Horticultural Science and Biotechnology*, 2019, 277–83. <https://www.tandfonline.com/doi/citedby/10.1080/15487733.2017.1394054?scroll=top&needAccess=true>.

15 Mendez Perez, Victor, 2014. https://docs.lib.purdue.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1242&context=open_access_theses.

16 Hazell, Peter. “Green Revolution: Cure or Blessing?” *INTERNATIONAL FOOD POLICY RESEARCH INSTITUTE*, 2002. <https://oregonstate.edu/instruct/css/330/three/Green.pdf>.

17 Soto Embodas, Iria, Barnes Andrew, and Athanasios Balafoutis. “The Contribution of Precision Agriculture Technologies to Farm Productivity and the Mitigation of Greenhouse Gas Emissions in the EU.” *JRC Technical Reports*, 2019. file:///Users/abbyrowe/Downloads/final_technical_report_pat.pdf.

precision agriculture are highly developed countries, where farms are much larger and better resourced for allowing mechanized crop-production systems.¹⁸ The hope for the future is that less developed regions will be able to adopt these techniques.¹⁹ Through targeted application of inputs, farmland in LDCs can be sustainably intensified to close yield gaps.

APPROACH 4:

Drip irrigation

The potato crop demands more water than grain crops but provides high caloric and economic returns.²⁰ As regions around the world experience dwindling aquifers and less precipitation during growing seasons, current practices may be reaching their outer limits. The potato industry in both HDCs and LDCs must find solutions to conserve the remaining precious water. In potato production, LDCs most often use flood irrigation, the least efficient method, while HDCs most commonly utilize sprinklers.²¹ Although sprinkling is more efficient than flooding, water still evaporates before reaching its intended destination. Hence, the potato industry must adopt more effective means to delivering water to plants. Drip irrigation is the key. While not currently used much for potatoes, it must be embraced as water availability declines.²² By precisely metering and depositing water into the rootzone, weeds, nutrient leaching, soil erosion, and disease are lessened while the soil surrounding the roots retains moisture at field capacity.²³ The complexity of systems varies greatly, making investment possible for farmers

in HDCs and LDCs.²⁴ In a future where water is a priceless resource, the global potato industry will welcome drip irrigation systems.

APPROACH 5:

Enhanced cultivars

Enhanced potato cultivars offer solutions to some of the problems challenging agriculture and human sustainability today. Genetic modifications to plants create or enhance characteristics beyond natural selection by using genes from native and wild relatives of the potato to diversify and improve industrial cultivars.²⁵ The future will demand crops that can tolerate less water and more heat and still be economically viable for producers, processors, and consumers. Today, improved cultivars most often have gene-specific resistances to insects or pathogens, directly decreasing the need for pesticides.²⁶ Crops that are more resistant to pestilence reduce the danger of crop failure. With the advance of gene editing technology, future potatoes could be more resistant to stress, provide more nutrition, and utilize less land and water while yielding greater harvests and reducing the environmental impacts of industrial farming.²⁷ Farmers in HDCs and LDCs must grow enhanced cultivars to create an eco-friendlier version of agriculture while improving yields. Modified crops are a significant step in the production of potatoes, but consumer concerns impede progress.

18 Jenrich, Michael. "Potential of Precision Conservation Agriculture as a Means of Increasing Productivity and Incomes for Smallholder Farmers." *Journal of Soil and Water Conservation* 66, no. 6 (2011): 171-174.

19 "Levelling the Field: Improving Opportunities for Women Farmers in Africa." The World Bank, 2014.

20 Stark and Love, *Potato Production Systems*, 2003.

21 Ibid.

22 Yamaguchi and Rubatzky, *World Vegetables*, 2003.

23 "Sustainable Potato Production: Guidelines for Developing Countries." Food and Agriculture Organization, 2008. <http://www.fao.org/3/a-i1127e.pdf>.

24 Karlberg, Louise, and Frits W.t. Penning De Vries. "Exploring Potentials and Constraints of Low-Cost Drip Irrigation with Saline Water in Sub-Saharan Africa." *Physics and Chemistry of the Earth, Parts A/B/C* 29, no. 15-18 (2004): 1035-42. <https://doi.org/10.1016/j.pce.2004.08.004>.

25 International Potato Center. *International Potato Center*. CIP, 2019. <https://cipotato.org/blog/jim-bradeen-role-crop-wild-relatives/>.

26 "Annual Review of Phytopathology." *Annual Review of Phytopathology*, 2018.

27 Conrow, Joan. "Study: GMO Crops Could Help Offset Climate Change Impacts." Alliance for Science. Cornell University, 2018. <https://allianceforscience.cornell.edu/blog/2018/11/study-gmo-crops-help-offset-climate-change-impacts/>.

APPROACH 6:

Green-manure crops

A realistic approach for mitigating climate change in the near future might be the use of green manure crops. This technique involves growing an off-season crop, but not harvesting it. Instead, the crop is incorporated into the soil before its maturity, providing the soil with organic material, additional nutrients, and pest protection. Leguminous crops are most often used in potato production for their nitrogen-fixing abilities. They can provide 80-100% of the nitrogen demands for the potato crop of the following season, reducing investment in fertilizers.²⁸ Other crops, like those of the mustard family, have equally beneficial qualities. Toxic compounds, called glucosinolates, are naturally produced by these plants and act as a pesticide to unrelenting pests.²⁹ The use of green-manure crops keeps soils healthy and drastically reduces the reliance on synthetic fertilizers and pesticides, lessening agriculture's contributions to climate change. Since potatoes are short-lived annual plants, there are plenty of possibilities for the integration of these techniques and a variety of effective off-season crops available. In fact, the technique is already familiar in potato-growing regions, though producers are often hesitant since there are no direct returns from such off-season green-manure crop.³⁰ If adopted as a regular practice, green manure effectively supports potato cultivation without relying on as many industrial practices.

THE SOLUTION

An Integrated Approach

No single solution exists for such a complex issue, so the global community must consider an integration of these ideas. A combination of approaches three, four, five, and six provides a realistic answer to the challenges of climate change.

28 Stark and Love, *Potato Production Systems*, 2003.

29 He, Zhongqi. *Sustainable Potato Production Global Case Studies*. Dordrecht: Springer, 2014. https://ida.lib.uidaho.edu:3454/10.1007/978-94-007-4104-1_26.

30 Stark and Love, *Potato Production Systems*, 2003.

Since humans can no longer afford to increase food production through agricultural expansion, precision agricultural technologies directly address this challenge by growing more on what's already available. High-tech innovations boost potato yields while minimizing use of precious inputs. Although industrial potato farmers are currently the beneficiaries of this technology, it must be made available to farmers in LDCs. Without closing yield gaps while freezing agriculture's footprint, consumer demands will not be met, and climate change will worsen.

In recent years, potato-growing regions have been subject to increasing water constraints. Inefficiencies in water distribution will not hold up in the face of climate change. Drip irrigation is widely recognized as the most efficient irrigation technique and may be the best solution to increase agricultural production while reducing the demand for water by carefully measuring only as much as is needed by the plant. The main challenge in implementing drip irrigation systems is the costly initial investment. If made economically viable and used by LDCs and HDCs, the world's precious water supply will be extended.

On top of precision agriculture and drip irrigation, genetically engineered and climate-resilient crops are another means to adapt to the adverse impacts of climate change on agriculture and crop yields. Modified crops could reach beyond disease resistances to include tolerances to conditions like drought and high temperatures, thus producing more food with less resources. This technology is, of course, faced with public resistance. Addressing public apprehensions to genetically modified crops is necessary for its success.

Lastly, the widespread adoption of green manure in HDCs and LDCs will help mitigate agriculture's impacts on the climate. Green-manure crops serve as natural organic amendments and pesticides, reducing the reliance on synthetic agrochemicals and agriculture's impression on the environment.

A multifaceted approach to addressing the adversities of climate change encourages equitable progress for LDCs and further

mitigates agriculture's contributions to climate change. Growers in LDCs are important stakeholders who are disproportionately affected by this phenomenon and cannot be left out of future change. Growers must responsibly adapt these approaches, limiting their contribution to environmental damages, and thereby facilitating equitable progress of the industry. By using precision-agriculture techniques, employing drip-irrigation systems, embracing enhanced varieties, and adopting green-manure crops global potato production can sustain itself in the face of climate change.



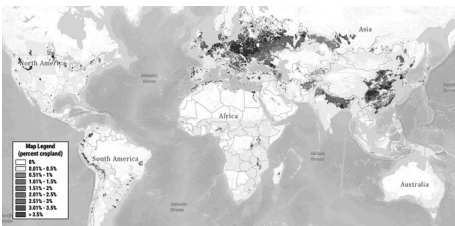
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APPENDIX A

Distribution of Global Potato Production (percent cropland)³¹



APPENDIX B

Predicted Changes in Global Crop Production in 2050 Due to Climate Change³²



31 Pitchay and Mikkelsen, *Plant Nutrition Diagnostics: Potato*, 2018.

32 Foley, Jonathan. "Feeding 9 Billion." *National Geographic*, n.d. <https://www.nationalgeographic.com/foodfeatures/feeding-9-billion/>.



Combatting Sex Trafficking in Russia and Central Asia

– Jaime Shaffer

ABSTRACT

Sex trafficking is a global phenomenon that primarily targets women and children. Individuals are ensnared through promises of economic opportunities or sold by their families as a way to generate revenue and/or settle financial debts. Russia is a hub of human trafficking because of its lax anti-trafficking laws, lack of agency oversight, and corruption. Central Asian countries have similarly low prosecution rates and even worse laws. Additionally, all of these countries have little to no resources for sex trafficking victims. However, some countries in this region have vowed to work with the UNODC, INTERPOL, and other international entities to rectify this. The proposed solutions examine the four broad components of this issue: supply, demand, financial mechanisms, and routes. The recommended solution borrows ideas from each to lay out immediate, mid-term, and long-term actions for this region to pursue in order to achieve a stronger, more united anti-sex trafficking front.

OVERVIEW

Human trafficking is made up of three categories: begging, forced labor, and sexual exploitation. Of the three, sexual exploitation remains the most predominate form of trafficking.¹ A report published by the United Nations Office on Drugs and Crime (UNODC) on January 7, 2019 found that the number of trafficked children has risen to account for 30%, or one third, of all trafficked persons.² Also noted was that Asia, of which Central Asia is included, is one of two regions

- ¹ *Affected for Life* (UNODC, October 16, 2009), documentary, 23 mins. https://www.unodc.org/unodc/multimedia/topPanel.html?vf=/documents/video/2009/Affected_for_Life_-_Long.flv or <https://www.youtube.com/watch?v=kzfd3wOFgv4>
- ² “Rising human trafficking takes on ‘horrible dimensions’: almost a third of victims are children,” Human Rights, United Nations, accessed March 29, 2020, <https://news.un.org/en/story/2019/01/1029912>

seeing the largest increases in sex trafficking.³ A follow-up report by UNODC released two weeks later found that human trafficking cases are at a 13-year record high.⁴

The Eastern Europe and Central Asia country profile report reveals that the main targets for sex trafficking in these regions are women and underage girls.⁵ A majority of sex trafficking victims are being repatriated to Russia and then into Europe and/or Asia.⁶ However, there are two exceptions to this. The first is Azerbaijan, who see a majority of victims being repatriated to Turkey and then Russia.⁷ The second is Tajikistan, who see a majority of victims being repatriated to the UAE and then Russia.⁸ Russia is a hot spot for sex trafficking due to their lax anti-human trafficking laws.⁹ This includes a foreign agent law that targets NGOs and other entities that receive foreign funding.¹⁰ The Russian government did not offer additional funding nor did they implement programs to help supplement services affected by this.¹¹ Rehabilitation programs stopped and shelters for sex trafficked victims in Russia closed in 2015 due to lack of funding as a result.¹² Additionally, Russia does not have a body to

monitor its anti-trafficking activities or provide periodic assessments of this. The situation remains unchanged as of 2019.

In 2000, 147 national governments signed the Palermo Protocols, which helped supplement the U.N. Transnational Organized Crime Convention.¹³ In addition, agencies such as INTERPOL have developed specialized trainings for governmental leaders to better understand sex trafficking. NGOs such as the Coalition Against Trafficking in Women (CATW) and the Inter-Agency Coordination Group against Trafficking in Persons (ICAT) are working to promote greater awareness of the situation in countries and advocate for stronger laws. They also encourage policy revision as well as addressing more effective ways to help victims.¹⁴

Sex trafficking is important for a number of reasons. Chief among them being it violates every article outlined and defined by the Universal Declaration of Human Rights. It negatively impacts the economies of countries by taking from their human capital and forcing them to reallocate resources. This is especially true for this region which already struggles to effectively compete in the globalized market. It also threatens the national security and stability of a country. One of the responsibilities of a state is to ensure its citizens are being protected and their needs are being met. Failure to do so results in the delegitimization of the ruling body which then becomes susceptible to coups and other forms of political violence. It also leaves the door open for more internationally influential countries to takeover weaker countries in the guise of protecting the interests of their citizens and promoting regional stability.

3 “Global Report on Trafficking in Persons,” Human Rights, UNODC, accessed March 29, 2020, https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTIP_2018_BOOK_web_small.pdf

4 “Human trafficking cases hit a 13-year record high, new UN report shows,” Law and Crime Prevention, United Nations, accessed March 29, 2020, <https://news.un.org/en/story/2019/01/1031552>

5 “Eastern Europe and Central Asia,” Country Profiles, United Nations, accessed March 29, 2020, https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTIP_2018_EASTERN_EUROPE_AND_CENTRAL_ASIA.pdf

6 Ibid

7 Ibid

8 Ibid

9 Tverdova, Y.V. “Human Trafficking in Russia and Other Post-Soviet States.” *Hum Rights Rev* 12, 329–344 (2011). <https://doi.org/10.1007/s12142-010-0188->

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11 “Trafficking in Persons 2019 Report,” U.S. Department of State, accessed March 5, 2020, <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-N-S.pdf>

12 Ibid

13 “United Nations Convention against Transnational Organized Crime and the Protocols Thereto,” UNODC, United Nations, accessed March 5, 2020, <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html>

14 Coalition Against Trafficking in Women (CATW), accessed March 5, 2020, <https://catwinternational.org/>

POSSIBLE SOLUTIONS

SOLUTION 1:

Decrease Supply Through Legalized Prostitution

One solution to this is to legalize prostitution. Individuals most at risk are those in poor communities that have little to offer in ways of education or employment. Orphaned and abandoned youths have no means to support themselves and receive little preparation for life after leaving orphanages.¹⁵ Many turn to sex work as it does not require prior education or skills and offers a steady source of income. However, not all those brought into prostitution have prior knowledge of STD transmission, pregnancy, and other health risks associated with sex work.¹⁶

Legalized prostitution can provide better sex education, medical care, and legal protections to those in these communities. It also offers a safe outlet for the demand of sex work which can help decrease the supply of illegal victims. However, it raises concerns of increased sexual violence against women.¹⁷ There are no discussions on trainings to help victims of forced prostitution escape or addressing of social prejudices that come with sex work.¹⁸ It can also have the unintended consequence of increasing sex trafficking since legalized prostitution makes it more difficult to identify

victims.¹⁹ Legalized prostitution can also lead to an increase in demand which legal supply chains may not always be able to meet. Furthermore, it does not mention to what degree prostitution will be made legal or mandate the extent of benefits to individuals.

SOLUTION 2:

Decrease Supply Through Awareness Campaigns

A second solution is to promote awareness campaigns at all levels. These can provide general education and reach a wider audience than legalized prostitution campaigns will. They can also be tailored to vulnerable groups in the community to expose common ploys used by sex traffickers in their area. Additionally, they can provide access to resources offered by NGOs and other groups that governments may not promote or fund.

Examples of successful campaigns include ICAT's World Day Against Trafficking Persons and Terre des Hommes International Federation's Children Win campaign. ICAT's campaign targets governments by encouraging them to evaluate their anti-trafficking policies, responses, and victim resources.²⁰ Children Win utilizes global partnerships with sporting organizations to target mega sporting events like the 2014 World Cup in Brazil.²¹

Some governments in Central Asia have already attended trainings hosted by INTERPOL.²² These officials can share their knowledge with

15 Sally Stoecker and Louse Shelley, *Human Traffic and Transnational Crime: Eurasian and American Perspectives*, (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2005), 63

16 Farley, Melissa. "Bad for the Body, Bad for the Heart": Prostitution Harms Women Even If Legalized or Decriminalized." *Violence Against Women* 10, no. 10 (October 2004): 1087–1125. doi:10.1177/1077801204268607.

17 Coalition Against Trafficking in Women (CATW), accessed March 5, 2020, <https://catwinternational.org/>

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19 Voronova, Sofija and Radjenovic, Anja, "The gender dimension of human trafficking," February 2016 Briefing – European Parliamentary Research Service, European Parliament, accessed April 18, 2020, https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/577950/EPRS_BRI%282016%29577950_EN.pdf

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21 "Child exploitation awareness campaign calls for concrete action around mega sporting events," Children Win, Terre des Hommes International Federation, accessed April 5, 2020, <http://www.terredeshommes.org/>

22 "Tackling human trafficking focus of INTERPOL training for Central Asia," News and Events, INTERPOL, accessed March 5, 2020, <https://www.interpol.int/en/News-and-Events/News/2018/Tackling-human-trafficking-focus-of-INTERPOL-training-for-Central-Asia>

other government agencies as well funnel it down into campaigns for professional and public audiences. Russia has also attended, and even hosted, some of these trainings. However, they still have laws in place that make it a crime to talk to youths younger than 16 about sexual exploitation.²³ They have not made any efforts to develop public awareness of forced labor or sex trafficking. They also prohibited anti-sex trafficking NGOs from using billboards to post telephone numbers of victim hotlines when they hosted the 2018 FIFA World Cup.²⁴

SOLUTION 3:

Decrease Demand by Making Human Trafficking Technology More Accessible

One of the major components fueling sex trafficking is the low risk of being caught. However, the introduction of various technologies that allow law enforcement agencies to better identify victims and human traffickers is helping that change. Of the available 40 tools, 20 of them can be accessed for public use while the others are designed for use by nonprofits, private businesses, or government and law enforcement.²⁵

These technologies are broken down into five categories: image recognition, awareness, reporting, database management, and deep learning & artificial intelligence (AI). They have a wide range of uses including digital forensics on commercial sex ads to facial recognition software programs.²⁶ These programs also have access to massive databases with information on 90,000 cases in nearly 200 countries.²⁷ Phone apps, available to the general public, can match images of locations with criminal activity, missing person identification, and provide

23 “Trafficking in Persons 2019 Report,” U.S. Department of State, accessed March 5, 2020, <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-N-S.pdf>

24 Ibid

25 Smith, Nicole. “Top 40 Tech Tools to Combat Child Trafficking,” The Human Trafficking Institute, accessed April 5, 2020, <https://www.traffickingmatters.com/top-40-tech-tools-to-combat-child-trafficking/>

26 Ibid

27 Ibid

global data analysis.²⁸ A virtual reality film has even been developed by Jayisha Patel for the Oculus VR goggles. This film places the viewer into the story of a sex traffick victim as a way to bring greater awareness and understanding of the ordeal these individuals face.²⁹

Central Asian countries that could utilize these sources may not have the technological framework in place to support them or the funding to run them. Data on sex trafficking in this region is also vague due to refusals to share information and poor recording of cases. These issues could limit the effectiveness of these tools and result in a zero-sum solution.

SOLUTION 4:

Improve Judicial Systems

The second major component fueling sex trafficking is ineffective judicial systems and weak laws. Despite the increase in sex trafficking numbers, legal convictions and punishments in Central Asia and Russia remain low.³⁰ Many Central Asia countries do not have strict punishments for those found guilty of trafficking while Russia’s hard labor punishment toes the line of forced labor human trafficking.³¹ Furthermore, the referral mechanisms in this region are weak. A significant number of cases go unreported because they are not heard in court.³²

Enhancing judicial response is paramount, but conflicts between international trafficking laws and national case law continue to undermine efforts for change.³³ These conflicts

28 Ibid

29 Ibid

30 “Global Report on Trafficking in Persons,” Human Rights, UNODC, accessed March 29, 2020, https://www.unodc.org/documents/data-and-analysis/glotip/2018/GLOTiP_2018_BOOK_web_small.pdf

31 “Trafficking in Persons 2019 Report,” U.S. Department of State, accessed March 5, 2020, <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-N-S.pdf>

32 Ibid

33 “Judges from across the OSCE region meet in Uzbekistan to discuss how to enhance the judicial response to human trafficking,” Combating Human Trafficking – Press Release, accessed April 4, 2020, <https://www.osce.org/secretariat/439058>

have manifested in legislation that does not differentiate sex trafficking victims from victims of other crimes.³⁴ Other legislation notes that “use of force, fraud or coercion” are aggravating factors rather than essential elements of the crime.³⁵ The Palermo Protocols state the opposite. Some countries in Central Asia do not have anti-human trafficking laws of any kind and use criminal or civil law to try traffickers.³⁶ This results in weak penalties like small monetary fines or no convictions. These broken systems need to be fixed before any kind of regional cooperation in the areas of investigation and prosecution can happen.³⁷

SOLUTION 5:

Increase Efficiency of Tier System

The final component fueling sex trafficking is vast amount of money it generates. This makes it appealing not just to individual traffickers, but to organized crime syndicates as well. This region was already poor and its economic strain was further compounded by the USSR’s collapse. As cultural views changed, women were left especially vulnerable due to their loss of social status and standing.³⁸ This made it easier for sex traffickers to create supply chains and afforded them the means to offset their personal poverty. Globalization has made this process even easier and given criminal organizations easy access to the global economy.³⁹

The U.S. Department of State’s tier system and its correlation to foreign aid funding has tried to help encourage governments to stop allowing this to happen.⁴⁰ Russia and Central Asian countries are currently ineligible to receive U.S. aid that is not humanitarian focused due to their lackluster efforts. Should this change, however, it will give them a chance to use this extra funding to create better economic opportunities for their citizens. This will mean more jobs which will reduce victims and traffickers will look for other work.

This solution does have some drawbacks. It is rooted in the U.S. Trafficking in Victims Protection Act (TVPA) and U.S. anti-trafficking standards. When these standards are applied to other countries it could be considered unfair and biased. The additional aid may not be enough to offset the economic gains from sex trafficking. It also does not take into account that states may be unable to act due to pressure from more powerful states in the region.

SOLUTION 6:

Increase Regional Response to Restrict or Eliminate Sex Trafficking Routes

As member states of The Organization for Security and Co-operation in Europe (OSCE), Russia and Central Asian countries have committed to helping promote and maintain cooperation in matters pertaining to security in the region. In 2017, the Russian Federation’s Ministry of Foreign Affairs and OSCE hosted a joint conference on “Public-Private Partnership in the Fight Against Human Trafficking.”⁴¹ While many things were discussed, a formal statement regarding the framework for a policy or strategy was not put forth. The drive and willingness to cooperate in this matter can be used to target trafficking routes from Central

34 “Trafficking in Persons 2019 Report,” U.S. Department of State, accessed March 5, 2020, <https://www.state.gov/wp-content/uploads/2019/06/2019-TIP-Report-Narratives-N-S.pdf>

35 Ibid

36 Ibid

37 “Ending human trafficking possible only with regional cooperation in investigating and prosecuting criminals,” Office on Drugs and Crime, United Nations, accessed April 4, 2020 <https://www.unodc.org/unodc/en/frontpage/2017/November/ending-human-trafficking-possible-only-with-regional-cooperation-in-investigating-and-prosecuting-crimes.html>

38 Sally Stoecker and Louse Shelley, *Human Traffic and Transnational Crime: Eurasian and American Perspectives*, (Lanham, MD: Rowman & Littlefield Publishers, Inc., 2005), 5-70

39 Ibid

40 Mattar, Mohamed Y. “State Responsibilities in Combating Trafficking in Persons in Central Asia”, 27 *Loy. L.A. Int’l & Comp. L. Rev.* 145(2005), accessed April 5, 2020, <http://digitalcommons.lmu.edu/ilr/vol27/iss2/>

41 “OSCE and the Russian Federation join efforts to fight human trafficking through public-private partnerships,” *Combating Human Trafficking- Press Release*, OSCE, accessed April 2, 2020, <https://www.osce.org/secretariat/331396>

Asia through Russia and into Europe. These stronger ties can also help encourage countries that are more suspicious and sometimes hostile to outside intervention to work together.

A successful and current example of this is OSCE's mission in Uzbekistan. They work to combat sex trafficking through sponsored training courses for women's rights groups and the National Federation of Trade Unions. These groups all work together to empower individuals that are high risk targets for various forms of human trafficking. They also work to implement projects and workshops for law enforcement officials and other NGOs to help ensure rights of trafficked persons are being protected.⁴² Greater cooperation between law enforcement agencies makes it easier to restrict and/or eliminate trafficking routes. Increased awareness and understanding of victims' trauma also make officers more approachable. This encourages victims to speak about their ordeal and can lead to uncovering more trafficking routes and methods.


RECOMMENDED COURSE OF ACTION

Multi-level Approach with Domestic Focus

The most effective approach is one that incorporates proposed solutions 2 through 6. For an immediate course of action, solutions 2 and 6 should be adopted. Countries in Central Asia should follow Kazakhstan and Russia's lead by participating in trainings hosted by INTERPOL and other entities. This will help ensure that everyone is fully educated on the issue, provide resource contacts, and strengthen international as well as regional support and cooperation. This could help establish a solid foundation that a region-specific anti-trafficking unit could be built on in the future. The countries in this region are poor, so this would go a long way in helping cut costs while still providing an effective response. Furthermore, the knowledge from these trainings can be funneled down into

domestic awareness campaigns for professional and public audiences.

For a midterm solution, solutions 3 and 4 should be adopted. Countries should work on implementing the components of the Palermo Protocols into their legal framework. Having specific laws in place to prosecute human trafficking crimes as such rather than under other criminal or civil laws will strengthen penalties against traffickers and protect victims. Organized crime syndicates should also not be ignored or placed above the law. Improved referral mechanisms will lead to more court cases which, in turn, will generate higher conviction rates. Uzbekistan is in the process of drafting new Criminal Code framework, so they could end-up being a shining example of this in the not too distant future. More cohesive laws will lead to better recording of sex trafficking cases. This will help improve sex trafficking data in this region and lead to improvements in anti-human trafficking databases. These improvements will make utilizing these types of tools more efficient overall and give this region a reason to invest in them.

Regarding the long-term solution, education and economic build up should be the main focus. As such, solution 2 and 6 should be continued and approved upon. Stronger regional ties coupled with improved internal stability will go a long way in bolstering the regional economy. This will make monitoring sex trafficking activities and routes more manageable in this area. By making continued improvements and demonstrating a willingness to change, it will show the international community that this region is actively trying. This will make adopting solution 5 easier since this solution requires the U.S. Increased foreign aid will further encourage education efforts and job creation. 

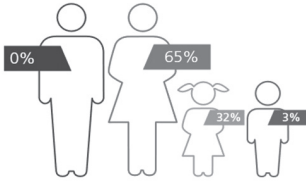
⁴² "Combating human trafficking: OSCE Project Co-Ordinator in Uzbekistan," Combating Human Trafficking, OSCE, accessed April 2, 2020, <https://www.osce.org/uzbekistan/106120>

APPENDICES

APPENDIX A:

Comparison of Human Trafficking Victims by Age and Gender

FIG. 75 Share of detected victims of trafficking for sexual exploitation, by age group and sex, in Eastern Europe, 2016 (or most recent)
3 countries (n=281 victims)



Source: UNODC elaboration of national data.

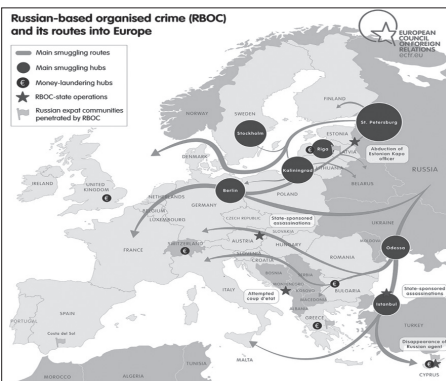
APPENDIX B:

Destinations for trafficking flows from Eastern Europe and Central Asia



APPENDIX C:

Russian-based Organized Crime (RBOC) and Its Routes into Europe



APPENDIX D:

Palermo Protocols

Also known as the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children. These were adopted by the U.N. General Assembly on November 15, 2000, by resolution 55/22, and entered into force on September 29, 2003, in accordance with article 38. This was the first international tool to define “trafficking in persons” and demonstrate the different ways that traffickers can commit these crimes. As of March 31, 2019, they have been ratified by 173 parties and 168 countries have passed domestic legislation criminalizing human trafficking utilizing this framework.

APPENDIX E:

Russian Foreign Agent Law Expanded to Include Independent Journalists and Bloggers on December 2, 2019

Созд Поиск

Законпроект № 345523-7 В архиве

О внесении изменений в Закон Российской Федерации "О средствах массовой информации" и Федеральный закон "Об информации, информационных технологиях и о защите информации" (в части уточнения порядка распространения информации)

Паспортные данные

Субъект права законодательной инициативы	Депутаты Государственной Думы П.О.Толстой, Л.Л.Левин, В.А.Кулеминов, П.И.Лимахов, М.Г.Курдюков, Д.В.Саблин, Члены Совета Федерации А.А.Клишас, Л.Н.Богоя, В.А.Незоров
Форма законопроекта	Федеральный закон
Ответственный комитет	Комитет Государственной Думы по информационной политике, информационным технологиям и связи
Комитеты-соисполнители	Комитет Государственной Думы по государственному строительству и законодательству; Комитет Государственной Думы по безопасности и противодействию коррупции
Отрасль законодательства	120.070.000 Информационная безопасность, Защита информации и прав субъектов в области информационных процессов и информатизации
Тематический блок законопроекта	Оборона и безопасность
Профильный комитет	Комитет Государственной Думы по информационной политике, информационным технологиям и связи
Предмет ведения	Ведение РФ

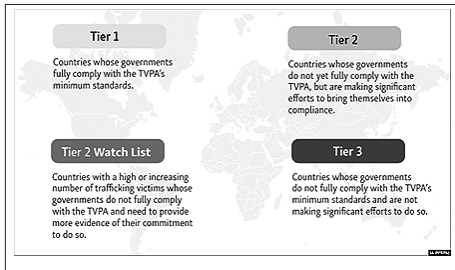
APPENDIX F:

Comparison of Profits by Human Trafficking Categories



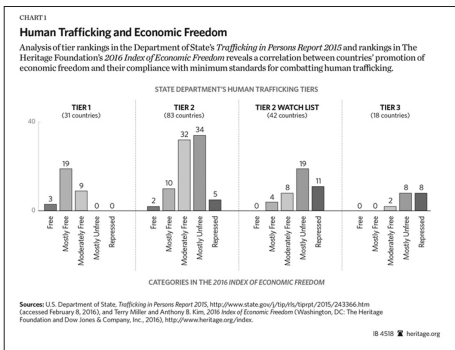
APPENDIX G:

U.S. Department of State Tiers and Definitions



APPENDIX H:

Human Trafficking in Relation to Economic Freedom of Country



ADDITIONAL WORKS CONSULTED

Eremenko, Alexey. "Sex Slavery Thrives in Russia Out of Public View." *The Moscow Times* online. Last modified December 1, 2014. Accessed March 2, 2020. <https://www.themoscowtimes.com/2014/12/01/sex-slavery-thrives-in-russia-out-of-publicview-a41881>

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Towards the Eradication of Menstrual Exile in Rural Nepal

– Samragyee Gautam

ABSTRACT

Chhaupadi Pratha (CP) or menstrual exile is a common practice in rural areas of far-western Nepal, which deprives women from their basic rights. This sexist practice is deep rooted in superstition and patriarchy, which is causing numerous negative consequences, such as short term and long-term diseases, lack of access to clean drinking water and food, lack of proper hygiene and sanitation, malnutrition, depression, and even deaths. The possible solution for addressing and eradicating CP in the region described in this paper are Option 1) Status Quo with Stricter Implementation, 2) Addressing the Lack of Education and Creating a New Education System for the Region, 3) Additional Awareness Through Educational Trainings and Workshops, 4) Assembly of Task Forces Focused on Eradicating Gender-Based Discrimination in Western Nepal and Focused on Educating Girls in Western Nepal, and 5) External Accountability and Transparency. After exploring these solutions, a recommended course of action is suggested. A solution that combined Option 1, 2, and 4 is the most effective way of eradicating CP from Nepal.

OVERVIEW

Menstruation is a biological process that marks the beginning of womanhood, and it is a natural process.¹ However, in many parts of the world, this phenomenon is treated uncommonly; various stigmas and stereotypes challenge it. Especially in South Asia, menstruating women face numerous restrictions regarding food, social contact, household chores, and social

¹ Shanti Kadariya and Arja R. Aro. "Chhaupadi Practice in Nepal – Analysis of Ethical Aspects." *Medicolegal and Bioethics* 5, (2015): 53–58. doi: <http://dx.doi.org/10.2147/MB.S83825>.

events.² Among those countries is Nepal, where girls deal with widespread stigma/taboo, as menstruating women are considered impure and “untouchable.”³ The problem is even more extreme in the rural and underdeveloped parts of far-western Nepal, mostly in mountainous areas. The far-western region has nine districts: 9 districts named Darchula, Bajhang, Bajura, Baitadi, Doti, Dadeldhura, Achham, Kanchanpur, and Kailali.⁴

The tradition of menstrual exile is called Chhaupadi Pratha (CP), which is common in the mid and far-western Nepal.⁵ Women in the region are treated as untouchable beings for around a week; they eat their meals separately, are deprived of physical contact with other people, and denied access to water sources. In the majority of households, women are expected to sleep outside in a tiny hut until they are “clean” again.⁶ Girls experiencing menstruation for the first time are exiled for at least 14 days. This exile also extends to women during childbirth— delivery often takes place in unhygienic sheds, and the women, along with their babies, are exiled for 10-14 days.⁷ As a result of this practice, women face severe social and health consequences due to lack of sanitation and proper nutrition during menstruation. Not being able to touch livestock, plants, kitchen items, and drinking water sources limits their ability to access drinking water, food, and other necessities.⁸

The National Human Rights Commission announced, since 2005, there have been 18 reported cases of women and girls dying in the chhaupadi (tiny huts), out of which 13

were reported in Achham district alone.⁹ These doesn’t account for all the cases that does not get reported due to fear and misinformation.

Women in the region are deprived of fundamental human rights and are denied their constitutional rights. The UN recognizes access to water and sanitation as a human right.¹⁰ Nepal’s Interim Constitution of 2007 establishes the right to equality in Article 12, right to reproductive health in Article 20, and further assures in Article 29 – “No one shall be exploited in the name of any custom, tradition and usage or in any other manner whatsoever.” By denying these women their basic rights, this practice has created a systematic disadvantage against them. A transnational feminist, Serene Khader argues, “Oppression is a social phenomenon wherein disadvantage systematically accrues to members of certain social groups relative to members of others.”¹¹ Women in rural Nepal are victims of this gender specific social construct that agonizes their social status. These women are oppressed/discriminated against due to their gender. According to the definition of feminism, as opposition to sexist oppression, the practice of menstrual exile promotes sexist oppression of women, and hence, it is an anti-feminist practice.¹² Still, most women in rural parts of western Nepal are forced to practice it; some even chose to practice it willingly, as going against the custom would mean defying their culture and religion.¹³ A 2018 survey conducted in Achham District of far-western Nepal stated that nearly 70% women in the region practiced menstrual exile. This paper aims to analyze the effectiveness of current policies of CP using governmental databases, policy papers, peer-reviewed articles, and personal experiences.

2 Prabisha Amatya et, al. “Practice and lived experience of menstrual exiles (Chhaupadi) among adolescent girls in far-western Nepal.” *PLoS ONE* 13, no. 12 (2018): e0208260. *Gale Academic OneFile*.

3 Hannah Robinson. “Chaupadi: The affliction of menses in Nepal.” *International Journal of Women’s Dermatology*, no. 4, (2015): 193–194. doi: 10.1016/j.ijwd.2015.10.002.

4 Sanjya Shrestha. An Overview of the Far Western Region of Nepal. Kathmandu: UN Information Center (UNFCO), 2012. Accessed on April 1, 2020. (See Appendix A).

5 Amatya.

6 Robinson. (See Appendix B)

7 Amatya.

8 Robinson.

9 Elisha Shrestha. “Everything You Need to Know about Chhaupadi, the Taboo Ritual of Banishing Women to Period Huts.” *The Kathmandu Post*. The Kathmandu Post, December 12, 2019. <https://kathmandupost.com/national/2019/12/11/everything-you-need-to-know-about-chhaupadi-the-taboo-ritual-of-banishing-women-to-period-huts>

10 UN Water. “Human Rights to Water and Sanitation.” *The United Nations*, 2010. <https://www.unwater.org/water-facts/human-rights/>.

11 Serene J. Khader. *Decolonizing Universalism: A Transnational Feminist Ethic*. New York, NY: Oxford University Press, 2019: Pg. 37

12 Khader. Pg. 37–39.

13 Shrestha.

It further recommends potential solution to mitigate this crisis, all while acknowledging the importance of culture and tradition in the Nepalese community.

CURRENT POLICY ANALYSIS

After decades of oppression, deaths and other negative socio-economic impacts, the Government of Nepal decided to intervene and ensure they were granted their constitutional rights.¹⁴ Nepal's Supreme Court issued a directive in 2005, which demanded new policies from the Parliament to eliminate CP. Followed by the directive, the Ministry of Women, Children and Social Welfare introduced guidelines to eliminate CP.¹⁵

Although the practice was made illegal, it still persisted in the region for numerous reasons. CP is an important family tradition, which has religious roots. Women are often regarded as inferior in Nepal's conservative Hindu-dominated society.¹⁶ The region has a majority of conservative Hindu population. Women believe that refusing to exile would bring bad luck to their family, and God would punish them.¹⁷ This same belief also extend to the idea that husbands are human form of God, here to protect and provide for us. Women superstitiously believe that defying or disobeying the man of the family is equivalent to disobeying God. The superstition, added with the lack of education and awareness, is why patriarchy persists in most Nepalese societies. Most women do household chores and other agricultural work that are not recognized as real labor. The people of rural western Nepal see CP as a part of their culture and are willing participants.

The government's attempt to eradicate CP by making it illegal did not stop the locals from practicing it. Since 2008, there is an on-going social initiative, CP-free campaign, launched by various non-governmental and social

organizations with government support.¹⁸ Under the campaign, the tiny huts were destroyed with local support and the village was declared CP-free. Reports indicated that between 2011 and 2015, around 31 out of the 75 village development committees in Achham were declared CP-free.¹⁹ However, the campaigns actually made the situation much worse. There are testimonies of women who reported that they were looked down by the community for defying their tradition. They were still forced to practice CP, only this this instead of having a physical hut, the women had to use tents (sometimes even build it).²⁰

In 2017, the Nepalese Parliament passed a bill criminalizing CP. The new law assured a three-month jail sentence or Rs 3,000 (\$30) fine, or both, for anyone forcing a woman to follow the custom.²¹ International NGOs like Save the Children are actively working in the area to eradicate CP and child marriage. Despite the legal provisions, CP still prevails in the region as the local authorities responsible for implementing the law, fail to hold the CP practitioners accountable. There is a general lack of understanding about the causes and consequences of the problem. The government fails to acknowledge that this is a feminist issue, which requires a feminist viewpoint. The people in the region require solutions that can free the women from CP without a sense of betrayal against their culture and society.

Introducing new laws or amending the current ones with a feminist approach will provide the women with an opportunity to be a feminist and a traditionalist. Khader argues, "Feminism is a stance about the normatively acceptable effects of social practices rather than their perceived origins.... Feminism is thus compatible with worldviews that place a higher value on acting

18 Menuka Dhungana. "Chhaupadi-free drive ineffective." The Kathmandu Post. The Kathmandu Post, December 22, 2018. <https://kathmandupost.com/national/2018/12/22/chhaupadi-free-drive-ineffective>

19 Shrestha.

20 Dhungana.

21 Caitlin Smith. "Parliament in Nepal Passes a Bill to Outlaw Chhaupadi." Blogs and Stories. Save the Children, March 27, 2018. <https://campaigns.savethechildren.net/blogs/caitlinsmith/parliament-nepal-passes-bill-outlaw-chhaupadi>

14 Kadariya.

15 Shrestha.

16 "Education in Nepal." WENR, April 16, 2019. <https://wenr.wes.org/2018/04/education-in-nepal>.

17 Amatya.

on inherited dictates, including some that are metaphysically traditionalist.”²² Women should have the right and ability to question their tradition— access to rights are of no value if one lacks the ability to exercise them.

Women in the region lack proper education and awareness regarding not just CP but other superstitious beliefs. In 2011, Nepalese women’s literacy rate was 57.4% compared to 75.1% for men. Most illiterate Nepalese population in the country resides in far and mid-western parts of Nepal.²³ Feminism does not require a Western independence individualism approach. In Nepal, feminist approaches require non-ideal solutions that consider the role of communitarianism and culture among women, and they cannot overlook the potential harms to kinship. The following options aim to provide guidelines for better policy making in the region. A recommended course of action is provided, which can be used to eradicate CP from rural Nepal.

DISCUSSION OF OPTIONS:

1. Status Quo with Stricter Implementation

The Government can work with the current policies to eliminate CP. However, it has been 3 years since the criminalization act and the problem still prevails. The problem with the status quo is that it is horribly implemented.²⁴ Local authorities are also a part of the region and feel the need to follow their customs. Members of the central government, civil societies, and NGOs should work together to hold the local government accountable. Solving sexist oppression of women is not always a straight path and can have multiple ways to it.²⁵ Stricter implementation of the laws are equally important as addressing other socio-cultural causes of CP.

If needed, the status quo should be amended. Understanding the religious and cultural roots

22 Khader. Pg.: 97.

23 Bajracharya, Ashim, and Sameer Khakha. “Literacy Status in Nepal.” [unesdoc.unesco.org](https://unesdoc.unesco.org/ark:/48223/pf0000227683/PDF/227683eng.pdf.multi). UNESCO Kathmandu, 2013. <https://unesdoc.unesco.org/ark:/48223/pf0000227683/PDF/227683eng.pdf.multi>

24 Dhungana.

25 Khader.

behind menstrual exile can help address why people don’t follow the rules and therefore, how they can be amended for better implementation. CP eradication laws must incorporate economic disadvantages of CP. Women require the ability to understand the importance of eliminating these laws. Along with the jail time and payment, the criminalization bill should be amended to include mandatory educational sessions for both men and women. With the current wave of decentralization of power in Nepal, local governments have the authority to organize these sessions. Besides punishment, the government should introduce incentives for families that boycott CP, similar to solutions introduced to decrease caste-based discrimination in the country.²⁶ For example, families abandoning this tradition could receive financial assistance either in the form of direct cash, or lower interest rates for agricultural loans, house loans, and other financial incentives.

2. Addressing the Lack of Education and Creating a New Education System for the Region

Like most South Asian countries, Nepal has a bureaucratic and colonial heritage that has led to a highly centralized government system, resulting in extreme political corruption.²⁷ The 2019 Corruption Perception Index (CPI) of Nepal was 34/100, with 100 being very clean and 0 being highly corrupt.²⁸ The average female literacy rate is around 18% lower than that of men.²⁹ The New Constitution of 2015 ensures the right to education for every citizen. Denying or depriving women’s rights to education must be criminalized as well. Children and youth who lack literacy and formal education are being

26 Times of India (TOI). “Nepal Encourages Dalit Marriage - Times of India.” TOI: South Asia, July 13, 2009. <https://timesofindia.indiatimes.com/world/south-asia/Nepal-encourages-Dalit-marriage/articleshow/4773477.cms>.

27 Stanley A. Kochanek. “Corruption and the criminalization of politics in South Asia.” *Routledge Handbook of South Asian Politics: India, Pakistan, Bangladesh, Sri Lanka, and Nepal*, (2010), 364-381.

28 Transparency International (TI) Report. “Corruption Perception Index 2019.” *Transparency International*, 2020. <https://www.transparency.org/cpi2019?news/feature/cpi-2019>.

29 Literacy Rate: Nepal.” UNESCO UIS, April 12, 2017. <http://uis.unesco.org/en/country/np>. (See Appendix C).

deprived of their future.³⁰ It is essential to understand why women are deprived of their rights. Only then, solutions that allow them to exercise their rights while still being able to practice their culture can be identified.

Using a transnational feminist praxis, educational practices that work in rural Nepal must be adopted, rather than following the normative western approach to education. For instance, authorities could facilitate education of girls through free private education or by providing incentives to their families. Elementary education is already free in government schools. Adopting to region accepted educational approach will require additional support from the private sector as well as the Ministry of Women, Child and Social Welfare, and the Ministry of Education. With a correct political will, accountability checks for corruption, and a better understanding of sexist oppression in the region, it is possible to provide better opportunities for women.

3. Additional Awareness Through Educational Trainings and Workshops

Along with stricter laws and educated women, an intersectional approach is required to eradicate CP; men and women promoting this tradition need proper information and training. National institutions in the private sector must see this sexist oppression as not just a harm to women but a disadvantage to the entire country and its economy. Khader advocated that transnational feminism requires non-ideal theories to empower disadvantaged women in society.³¹ Women in the region might be facing the direct consequences of CP, it is still affecting women in other parts of Nepal. Gender equality cannot be achieved in Nepal, if women one region faces extreme oppression while the others push for more representation and opportunities.

Women in the more developed part of the country must come together with like-minded intellectual men and partner with the government to take action. For example, women's societies from various political parties

should include CP in their agenda. Currently, women societies address issues like domestic violence, sexual assault, unequal pay, and many more. Including CP as a priority can make it a multi-party issue. Using terms like “gender-based violence,” “women’s oppression,” and “violation of human rights” during local elections can force elected officials to act on women’s issues. Once the local government is ready to act, government officers could be stationed in different locations around the country to host workshops and seminars. Vocational trainings should target all age groups—mostly the older population, as older adults often make the decisions in Nepali households. The workshops should incorporate information about why CP is wrong and oppression of women, but also its consequences and the benefits of eliminating CP.

4. Assembly of Task Forces Focused on Eradicating Gender-Based Discrimination in Western Nepal and Focused on Educating Girls in Western Nepal

Creating Task Forces (TFs) focused on women’s issues in the region that would report to the state as well as to the central government could be a great first step. A bill created/supported by the Ministry of Women, Child and Social Welfare, Ministry of Education, and Ministry of Health and Environment would have a great chance of success in the Parliament. A Selection Committee is also required to assemble the TFs. The committee should have members of the Parliament, especially from the four national parties to ensure CP stays a multi-party issue. The committee should also have members from the Judiciary and international actors selected by NRN (Non-Residential Nepalese) Association. Similarly, the TFs should be selected to have diverse representation.

The TFs can collaborate with non-governmental stakeholders or work independently. TFs should operate like a non-profit, with an exception of funding. Nepal government would be responsible for at least 60% of the annual budget, and the rest could be received as private grants by regional and international stakeholders. TFs must release its mandate, objectives, annual goals and reports for

30 Khader. Pg.: 40

31 Khader.

public transparency. The group should work together with the locals as well as government officers in specific projects. These TFs should be monitored by the Ministry of Women, Ministry of Education, and Commission for the Investigation of Abuse of Authority.

5. External Accountability and Transparency

Nepal has been receiving foreign aid from external developmental partners (EDPs), including foreign governments, multi-laterals, and INGOs for majority of its developmental projects. The country is aid-dependent for policy-making, program design, and implementation.³² NGOs in Nepal have made significant contributions in the areas of children's rights, women's rights, and the trafficking of girls.³³ INGOs and NGOs working in the mid- and the far- western region can use EDPs as leverage to further increase their role in policy-making. It does not imply using donations to encourage a Western way of living. International donors can incorporate transnational feminist approaches in their work. INGOs can partner with local non-profits, women's organizations, and various Inter-Governmental Organization (IGOs) to condemn sexist oppression in the region. For example, Save the Children is an INGO working to end CP in every district of the region. They understand that the causes of child marriage and CP are interconnected.

RECOMMENDED COURSE OF ACTION

All above mentioned solutions have a potential to eradicate CP from the region. However, a plan of action that combines Option 1– Status Quo with Stricter Implementation– Option 2– Addressing the Lack of Education and Creating a New Education System for the Region– and Option 4– Assembly of Task Forces Focused on Eradicating Gender-Based Discrimination in Western Nepal and Focused on Educating Girls in Western Nepal is recommended.

Women of far-western region are deprived of basic human rights as well as other constitutional rights. CP has both religious and patriarchal roots. Addressing this issue requires a transnational approach, which means that the solutions should aim to understand the culture and people of the area before condemning the way of life. CP is already illegal, and the 2017 criminalization act was a major step against it. The government now should just focus on its effective implementation. Violation of constitution is a crime and anyone supporting the crime should also be charged as a criminal. Local police force and government officers must be held accountable by the central and local governments. Task forces, discussed in option 4, can be an internal accountability check mechanism for the central Government. The focus shouldn't be just on the law but also the lawmakers and stakeholders.

The region needs a better education system as the current one fails to address the problem of illiteracy in far-western Nepal. Educating women is not just a solution to eliminate CP, but, to a numerous series of problems like domestic violence, child marriage, sexual assault, and human trafficking. Just like the women have a right to education, they also have a right of choice and religion. Women should be allowed to follow their culture and respect their faith, if that's what they choose to do. However, women should be provided with the opportunity to gain that ability of decision making.³⁴ Rights come with an understanding of duties and responsibilities to the society. Nepalese women in the region are denied their rights and yet require fulfilling all their responsibilities to the society. The lawmakers in the country must address this injustice.

CP is not just a gender issue; it is a result of many interconnected complexes and biases of the society tied together to disadvantage the women of the region, in a worse way possible. The patriarchy and superstition deeply rooted in the rural areas of far western Nepal make it challenging to address it. We are so accustomed to western way of living that sometimes understanding a problem in the global South requires a deeper dive. Education and

32 Rajendra Karkkee and Jude Comfort, "NGOs, Foreign Aid, and Development in Nepal," *Frontiers in Public Health* 4 (2016), <https://doi.org/10.3389/fpubh.2016.00177>.

33 *Ibid.*

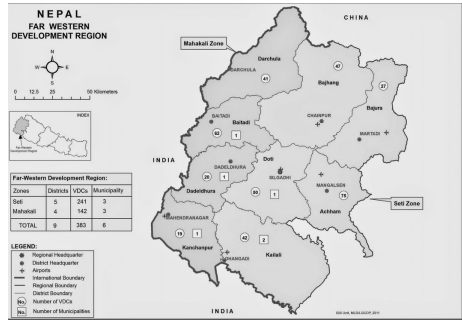
34 Khader. Pg., 76–97

awareness can be an essential component in CP eradication. Educational practices should be more region specific. Local anti-CP advocates should be identified and included in government led social initiatives and trainings.

Achieving gender equality in far-western Nepal might not look like the same as it would in the US or western European countries. It is important to condemn and punish the practitioners of CP. At the same time, it is also important to understand why they do it. Punishing women for practicing CP would just add to their oppression. Hence, a transitional feminist approach that condemns the ill-practice without condemning the core culture or religion is the only way Nepal can eradicate CP. 🌍

APPENDIX A:

A map showing all nine districts of far-western Nepal.³⁵



APPENDIX B:

Picture of menstrual huts where girls and women stay during their exile.³⁶

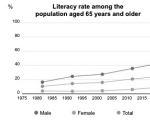
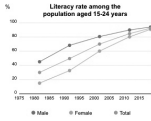
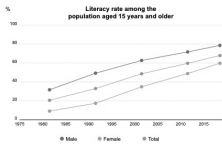


35 "FWDR- Far-Western Development Region." Our FWDR, December 22, 2017. <http://ourfwdr.blogspot.com/2017/12/fwdr-far-western-development-region.html>.

36 Elisha Shrestha. "Everything You Need to Know about Chhaupadi, the Taboo Ritual of Banishing Women to Period Huts." The Kathmandu Post. The Kathmandu Post, December 12, 2019. <https://kathmandupost.com/national/2019/12/11/everything-you-need-to-know-about-chhaupadi-the-taboo-ritual-of-banishing-women-to-period-huts>

APPENDIX C:

A 2017 assessment of Nepal's Literacy Rate by UNESCO.³⁷



Literacy rate (%)	TOTAL	MALE	FEMALE
15-24 years	95.0%	98.0%	92.0%
25 years and older	57.9%	59.5%	56.3%
65 years and older	41.6%	45.1%	38.0%

37 Literacy Rate: Nepal.” UNESCO UIS, April 12, 2017. <http://uis.unesco.org/en/country/np>.

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Limiting the United States' Perpetuation of Sexist Oppression in the Kingdom of Saudi Arabia

– Erin Kwiatkowski

ABSTRACT

As the relationship between the Kingdom of Saudi Arabia and the United States continues to grow under the Trump administration, questions about the kingdom's human rights record frequently surface. The United States remains a steadfast ally to the oil rich nation, despite global criticism of the kingdom's treatment of women. Currently, the Saudi Arabian guardianship system prevents Saudi women from making critical life decisions without the permission of a male guardian. This system is codified and imposed by the Saudi government; whose greatest benefactor is the United States of America. Continued economic, diplomatic and military support by the United States contributes to a misogynistic and sexist system exercised by the Saudi government. This paper serves to analyze all relevant and potential approaches to limiting the United States' perpetuation of sexist oppression in the Kingdom of Saudi Arabia. The recommended course of action urges the United States to order Saudi Arabia to meet compliance measures of the United Nations Convention on the Elimination of all Forms of Discrimination against Women.

BACKGROUND AND CURRENT POLICY

The Kingdom of Saudi Arabia faced unprecedented criticism for its human rights record in the 2019 calendar year. Saudi Arabia came under fire for the failure to provide full accountability for the October 2018 murder of Saudi journalist Jamal Khashoggi committed by government personnel, as well as the country's dismal treatment of Saudi dissidents and human rights activists. Many of the imprisoned activists and dissidents include Saudi Arabian women leading the fight for women's rights within the kingdom.

The Saudi Arabian government imposes a strict guardianship system which gives a woman's father, brother, husband or son the authority to make critical decisions on her behalf. This system is a codified set of regulations which require Saudi women to seek the permission of male guardians in matters of work, leisure, finances, law and health.¹ Notably, this system prevents women from entering or exiting facilities like domestic violence shelters and jail without the permission of a male guardian. Despite recent amendments to guardianship system, loopholes allowing male guardians to control nearly all aspects of a woman's life remain. Human rights organizations and United Nations experts argue that this system is the greatest barrier preventing women's rights from being realized in the nation. Until this guardianship system is dismantled, Saudi women will continue to live under an institutionally sexist and misogynistic government.² A government and ruling family which has been closely tied to the Wahhabi religious establishment since the nation's founding in 1932.³ The Saudi Arabian branch of Wahhabism, a puritanical form of Sunni Islam, targets the rights of women through a radical interpretation of Islamic Sharia Law.⁴ The efforts to stifle gender equality through a set of radical legal and social codes by the Saudi Arabian royal family are directly and indirectly sponsored by the main political benefactor of the Wahhabi government, the United States.⁵

The United States is globally recognized as a strong proponent of Saudi Arabia, despite the dismal human rights record often scrutinized on the international stage. Congressional members have become increasingly critical of U.S. policy

towards Saudi Arabian leadership in light of Saudi military policy in Yemen and the explicit involvement of Saudi government personnel in the October 2018 murder of Saudi journalist Jamal Khashoggi.⁶ Despite the increased criticism by congress, the Trump administration has vetoed four congressional efforts to curtail U.S. assistance to Saudi Arabia.⁷

The alliance between the United States and Saudi Arabia is built upon decades of security cooperation and strong business ties dominated by U.S. interests in Saudi Arabian oil. Despite severe challenges including the 1973 oil embargo and 9/11 attacks, the transnational relationship has remained unwavering.⁸ Successive U.S. administrations have held that Saudi Arabia is a critical strategic partner in the Middle East region and encourage continued diplomatic, economic and military support.⁹ Following years of precedence, the current administration has further bolstered the relationship between nations through public support of King Salman bin Abd al Aziz Al Saud's domestic policy initiatives and proposed arms sales with a potential value of more than \$28 billion.¹⁰ Strong bilateral agreements ensuring continued production of Saudi oil and support of U.S. security policies suggest this alliance is far from diminishing.

The direct and indirect support of the U.S. government for the Kingdom of Saudi Arabia perpetuates the existing system of sexist oppression. Because the guardianship system is mandated by the Saudi government, U.S. economic support directly sustains the largest barrier to Saudi women's rights being realized.

1 [Anya van Wagtenonk](https://www.vox.com/world/2019/8/3/20752864/saudi-arabia-guardianship-laws-women-travel-employment-mbs), "Saudi Arabia changed its guardianship laws, but activists who fought them remain imprisoned," *Vox*, August 3, 2019, <https://www.vox.com/world/2019/8/3/20752864/saudi-arabia-guardianship-laws-women-travel-employment-mbs>.

2 "Saudi Arabia's enduring male guardianship system," *BBC*, January 8, 2019, <https://www.bbc.com/news/world-middle-east-46789875>.

3 Christopher M. Blanchard, "The Islamic Traditions of Wahhabism and Salafiyya" *Congressional Research Service*, January 24, 2008, pp. 2, <https://fas.org/sgp/crs/misc/RS21695.pdf>.

4 As'ad AbuKhalil, "Women in the Middle East," *Institute for Policy Studies*, October 11, 2005, https://ips-dc.org/women_in_the_middle_east/.

5 *Ibid.*

6 Christopher M. Blanchard, "Saudi Arabia: Background and U.S. Relations," *Congressional Research Service*, February 18, 2020, pp. 1, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

7 "Vetoes by President Donald Trump," *United States Senate Legislation and Records*, 2020, <https://www.senate.gov/legislative/vetoes/TrumpDJ.htm>.

8 Council on Foreign Relations Editors, "U.S.-Saudi Arabia Relations," *Council on Foreign Relations*, December 7, 2018, <https://www.cfr.org/backgrounder/us-saudi-arabia-relations>.

9 Christopher M. Blanchard, "Saudi Arabia: Background and U.S. Relations," *Congressional Research Service*, February 18, 2020, pp. 1, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

10 *Ibid.*, pp. 1.

Additionally, U.S. diplomatic and military support for the Kingdom of Saudi Arabia signals approval of the current policies from a nation that claims to be a champion for human rights. For Saudi Arabian women to be freed of systematic sexist oppression, the United States must diminish its direct and indirect support for the Kingdom of Saudi Arabia.

POSSIBLE APPROACHES

APPROACH 1:

Maintaining the Status Quo

Currently, the Saudi Arabian guardianship system allows a woman's father, husband, brother or son to make critical decisions on her behalf.¹¹ This system of legal codes, regulations and social customs subject many women's rights to the whims of their male relatives. In 2019, Crown Prince Mohammed bin Salman announced reforms to the existing guardianship system for Saudi women: the right to travel without a male relative's permission, to receive equal treatment in the workplace and to obtain family documents from the government.¹² Saudi women have expressed these changes may not have an immense immediate effect on most families as loopholes present will continue to support the control of women by male guardians. In particular, women are granted the right to travel without a male relative's permission, but guardians can still file a police complaint that their female relatives are 'absent', which would lead to their arrest and possible detention in a women's shelter.¹³ Despite the weakening measures to the guardianship system women are still unable to marry, live on their own and exit state facilities like domestic

violence shelters without consent from their guardians. After the kingdom announced these amendments to the guardianship system in an effort to support women's rights, dozens of female Saudi activists were imprisoned for speaking out on behalf of women's issues.¹⁴

The United States has remained steadfast in its support for the Kingdom of Saudi Arabia. President Trump has expressed his desire to strengthen economic, political and military ties between the two nations on various occasions. The U.S.-Saudi relationship became strained during George W. Bush's Administration over Iraq and terrorism issues and during Barack Obama's tenure over differences about U.S. policy toward Iran.¹⁵ In order to repair and advance bilateral ties, The Trump Administration continues to argue against various congressional proposals to limit U.S. arms sales to the kingdom or to end U.S. military support to Saudi-led coalition operations in Yemen.

The United States spent a total of \$909,085 in foreign aid to the Kingdom of Saudi Arabia in 2018, the most recent fully reported fiscal year.¹⁶ A large majority of this foreign aid, roughly 87%, was dedicated to countering violent extremism. These foreign aid obligations and disbursements are considerably lower than the amounts of regional neighbors like Israel and Jordan, who were given \$3.1 billion and \$1.6 billion respectively in the 2018 fiscal year. However, the main source of economic support by the United States comes in the form of multi-billion-dollar arms deals brokered by the Trump Administration. In May of 2019, President Donald Trump orchestrated an \$8.1 billion-dollar arms deal to Saudi Arabia, the United Arab Emirates and Jordan through an emergency declaration in order to evade

11 "Saudi Arabia's enduring male guardianship system," *BBC*, January 8, 2019, <https://www.bbc.com/news/world-middle-east-46789875>.

12 Ben Hubbard, Vivian Yee, "Saudi Arabia Extends New Rights to Women in Blow to Oppressive System," *New York Times*, August 2, 2019, <https://www.nytimes.com/2019/08/02/world/middleeast/saudi-arabia-guardianship.html?auth=login-email&login=email>.

13 "Loopholes riddle Saudi reforms on 'guardianship' of women: Report," *aljazeera*, October 23, 2019, <https://www.aljazeera.com/news/2019/10/loopholes-riddle-saudi-reforms-guardianship-women-report-191023062306285.html>.

14 *Ibid*.

15 Christopher M. Blanchard, "Saudi Arabia: Background and U.S. Relations," *Congressional Research Service*, February 18, 2020, pp. 5, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

16 "U.S. Foreign Aid by Country," *United States Agency for International Development*, updated February 2, 2020, https://explorer.usaid.gov/cd/SAU?fiscal_year=2018&measure=Obligations.

congressional approval.¹⁷ This arms deal was preceded in 2017 by the signing of an arms sales agreement worth \$350 billion over 10 years.¹⁸ The Trump administration has cultivated its relationship with Saudi Arabia and placed it at the center of the administration's foreign policy priorities.¹⁹ A coveted position that is cemented through billion dollar arms deals and unwavering diplomatic support.

APPROACH 2:

Ordering Saudi Arabia to meet compliance measures of the United Nations Convention on the Elimination of all Forms of Discrimination against Women

The Kingdom of Saudi Arabia acceded to the United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 2000. Originally adopted by the United Nations in 1979, CEDAW aims to create legally binding standards for women's human rights by, "highlighting civil and political as well as economic, social and cultural rights, and placing them in a framework of the right to equality and nondiscrimination based on sex."²⁰ During its signatory process, Saudi Arabia enacted general reservations to the treaty. These reservations are the following:

"In case of contradiction between any term of the Convention and norms of Islamic law, the Kingdom of Saudi Arabia is not under obligation to observe the contradictory terms of the

Convention. The kingdom does not consider itself bound by paragraph 2 of article 9 of the Convention and paragraph 1 of article 29 of the Convention."²¹

Reservations like those made by Saudi Arabia are typically based on assertions of cultural and religious belief. However, CEDAW explicitly states that reservations which violate the object and purpose of the treaty will not be permitted.²² Although the guardianship system is enacted as a radical interpretation of Sharia law, the statutes of the guardianship system are inherently sexist and permit sex-based discrimination. Article 5 of CEDAW states that parties shall take all appropriate measures to modify the social and cultural patterns with a view to achieving the elimination of practices based on stereotyped views of men and women; including the idea of inferiority or superiority of either sex.²³ Saudi Arabia is legally bound by this convention and its reservations juxtapose the object and purpose of the CEDAW treaty.

In 2018, the Committee on the Elimination of Discrimination against Women released their concluding observations on findings of the third and fourth periodic reports of Saudi Arabia. The committee explicitly stated that Saudi Arabia's general reservation is incompatible with the object and purpose of the Convention and is thus impermissible under article 28 of the Convention. In addition to numerous policy recommendations, the committee recommended that Saudi Arabia review its reservations in consultation with religious and women leaders with a view to withdrawing the reservations within an established time

17 Marcia Robiou, "What You Need to Know About Trump's \$8 Billion Saudi Arms Deal," *PBS*, July 16, 2019, <https://www.pbs.org/wgbh/frontline/article/saudi-arabia-arms-deal-trump-what-to-know/>.

18 Javier E. David, "US-Saudi Arabia seal weapons deal worth nearly \$110 billion immediately, \$350 billion over 10 years," *CNBC*, May 20, 2017, <https://www.cnbc.com/2017/05/20/us-saudi-arabia-seal-weapons-deal-worth-nearly-110-billion-as-trump-begins-visit.html>.

19 Dan De Luce and Robert Windrem, "The top 11 favors the Trump administration has done for Saudi Arabia," *NBC*, July 25, 2019, <https://www.nbcnews.com/politics/national-security/top-11-favors-trump-administration-has-done-saudi-arabia-n1026926>.

20 P.M. Stankiewicz, "Reservations made by Saudi- Arabia to CEDAW: Compliance of these reservations to the International Legal Framework on Reservations to Treaties," *Tilburg University*, June 18, 2011, pp. 36, <https://arno.uvt.nl/show.cgi?fid=122432>.

21 United Nations, Convention on the Elimination of All Forms of Discrimination against Women, *Declarations, reservations, objections and notifications of withdrawal of reservations relating to the Convention on the Elimination of All Forms of Discrimination against Women*, CEDAW/SP/2006/2 (10 April 2006), available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/309/97/PDF/N0630997.pdf?OpenElement>.

22 P.M. Stankiewicz, "Reservations made by Saudi- Arabia to CEDAW: Compliance of these reservations to the International Legal Framework on Reservations to Treaties," *Tilburg University*, June 18, 2011, pp.6, <https://arno.uvt.nl/show.cgi?fid=122432>.

23 *Ibid*, pp 37.

frame.²⁴ Specifically, the committee highlighted the discriminatory nature of the guardianship system. It urged Saudi Arabia to repeal all remaining discriminatory provisions in its legislation, in particular those that require a male guardian's authorization of women's exercise of their rights, in line with articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere.²⁵

The United States is a member of the permanent five to the United Nations Security Council. This coveted position holds an incredible amount of leverage and influence. The United States can utilize its diplomatic power within the United Nations to assist in ceasing the sexist oppression currently taking place in the Kingdom of Saudi Arabia. Because the second reservation to CEDAW by Saudi Arabia prevents the United States from submitting a formal complaint and seeking arbitration through the treaty body, the United States may instead utilize its time on the floor of the General Assembly to disavow the kingdom and encourage immediate compliance to the statutes of the treaty and recommendations made by the committee.²⁶

APPROACH 3:

Withholding the current foreign aid budget dedicated to “Countering Violent Extremism”

Currently, the vast majority of foreign aid from the United States to Saudi Arabia is dedicated to “Countering Violent Extremism.” This foreign aid is implemented through the United States Department of State and considered a pillar of the Trump Administration’s strategic approach to counterterrorism. The aid is administered through a mix of local grants developed and managed by U.S. embassies, and larger awards managed from Washington.²⁷ The funds dedicated to counterterrorism comprise almost the entirety of the foreign aid budget for Saudi Arabia. Should these funds be frozen, the United States would be signaling a staunch resolve in regard to Saudi Arabia’s current policies.

Since 2003, Saudi Arabia has increasingly become a vital ally to U.S. counterterrorism efforts. Working to stop funding to the Islamic State and Al Qaeda core, the two nations have worked closely to fight terrorist organizations and radical extremists.²⁸ These efforts have been funded largely by Saudi Arabian sources, but assisted by the U.S. foreign aid dedicated to countering violent extremism.²⁹ Without this funding and the direct support of the United States, many of the counterterrorism efforts may be rendered useless and both nations left more vulnerable than before.

Should the United States withhold this funding, Saudi Arabia may become more open to a dialogue concerning the removal of the guardianship system and/or amending legislation to ensure women’s rights are realized. Although the majority of financial support by the U.S. comes in the form of multi-billion dollar

24 United Nations, Convention on the Elimination of All Forms of Discrimination against Women, *Concluding observations on the combined third and fourth periodic reports of Saudi Arabia*, CEDAW/C/SAU/CO/3-4 (14 March 2018), <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqKb7yhskcAJS%2fU4wb%2bdIVicvG05RzUx5HJCvs6GLm%2fn4BpIuyk74g1MO90gF1GidqEkh14pKVjutmT28BZlvc7YPVDi4lIU30wwlEhVVS6sizAGCBbR1ZCguF33gDUSaWiXYKmg%3d%3d>.

25 Ibid, pp 4.

26 United Nations, Convention on the Elimination of All Forms of Discrimination against Women, *Declarations, reservations, objections and notifications of withdrawal of reservations relating to the Convention on the Elimination of All Forms of Discrimination against Women*, CEDAW/SP/2006/2 (10 April 2006), available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/309/97/PDF/N0630997.pdf?OpenElement>.

27 “U.S. Foreign Aid by Country,” *United States Agency for International Development*, updated February 2, 2020, https://explorer.usaid.gov/cd/SAU?fiscal_year=2018&measure=Obligations.

28 Daniel L. Byman, “The U.S.-Saudi Arabia counterterrorism relationship,” *Brookings Institute*, May 24, 2016, <https://www.brookings.edu/testimonies/the-u-s-saudi-arabia-counterterrorism-relationship/>.

29 Christopher M. Blanchard, “Saudi Arabia: Background and U.S. Relations,” *Congressional Research Service*, February 18, 2020, pp. 5, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

arms deals, the aid dedicated to countering violent extremism paired with the training of Saudi Arabian soldiers by the U.S. military has become an integral component to the Saudi Arabian fight against Al Qaeda and others.³⁰ A component that would be sorely missed by the middle eastern ally, should the U.S. withhold it in order to witness policy change enacted by the Saudi Arabian government.

APPROACH 4:

Limiting U.S.-Saudi trade and investment

In 2019, Saudi Arabia was the second largest U.S. trading partner in the Middle East by overall value.³¹ U.S. imports from Saudi Arabia in 2019 were worth \$13.4 billion and U.S. exports to Saudi Arabia were valued at \$14.3 billion.³² The high value of this trade is dictated by U.S. imports of hydrocarbons and Saudi Arabian imports of commercially sold weapons, machinery and vehicles.³³ As noted previously, multi-billion dollar arms deals have been the foundation of the U.S.-Saudi relationship. Deals which have historically been supported by U.S. congress, though recently scrutinized for their potential contribution to arms races in the Gulf region and use in the Yemen war; a war categorized by the United Nations as one of the world's largest humanitarian crises.³⁴

The 2017 arms deal was worth \$110 billion immediately and \$350 billion over the coming decade.³⁵ Because it is only the beginning of the deal's 10-year tenure, it is still possible for

the Trump administration to halt further sales. Halting this deal in the midst of sales would be an astronomical loss for the Kingdom of Saudi Arabia. A drastic move which would also result in the loss of American jobs and threaten the course of the U.S.-Saudi relationship; one that not be received lightly. The administration may make a general announcement vowing to halt further sales until the Saudi government amends current legislation to cease the guardianship system and release women's rights activists who remain imprisoned. A financial decision of this magnitude would illustrate to the international community the severity with which the U.S. is placing on its efforts to ensure that women's rights are realized globally. Following events like the 2018 murder of journalist Jamal Khashoggi, an increasing number of congressional members began signaling their discontent about kingdom's human rights practices, and many have voted to require changes in related U.S. policies.³⁶ This growing amount of discontent suggests such a drastic effort like pausing the arms sale may be readily received and supported by U.S. congressional members.

POLICY RECOMMENDATION

By maintaining the status quo and continuing to support the Kingdom of Saudi Arabia, the United States is permitting and bolstering the ability for the government to impose the guardianship system and prevent women from seeing their rights realized. Despite nominal progress made by the government in regard to women's rights, major loopholes to the guardianship system remain, leaving men in control of every major aspect of a woman's life. Additionally, this option will leave many women wrongly imprisoned for speaking out on behalf of their peers. However, maintaining the status quo allows the United States to remain amicable and continue suggesting changes to the kingdom's human rights practices in a less threatening manner.

30 Daniel L. Byman, "The U.S.-Saudi Arabia counterterrorism relationship," *Brookings Institute*, May 24, 2016, <https://www.brookings.edu/testimonies/the-u-s-saudi-arabia-counterterrorism-relationship/>.

31 Christopher M. Blanchard, "Saudi Arabia: Background and U.S. Relations," *Congressional Research Service*, February 18, 2020, pp. 28, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

32 Ibid, pp 28.

33 Ibid, pp 28.

34 Ibid, pp 23.

35 Javier E. David, "US-Saudi Arabia seal weapons deal worth nearly \$110 billion immediately, \$350 billion over 10 years," *CNBC*, May 20, 2017, <https://www.cnbc.com/2017/05/20/us-saudi-arabia-seal-weapons-deal-worth-nearly-110-billion-as-trump-begins-visit.html>.

36 Christopher M. Blanchard, "Saudi Arabia: Background and U.S. Relations," *Congressional Research Service*, February 18, 2020, pp. 3, <https://fas.org/sgp/crs/mideast/RL33533.pdf>.

Withholding foreign aid would surely ignite tensions between the United States and Saudi Arabia. This strategic move would likely infuriate the receiving party of Saudi Arabia, making them unlikely to negotiate in a friendly manner and even more unlikely to immediately cede to the demands made by the United States. Although this move would surely get the attention of the ruling family and Saudi government, it would likely result in the fight for Saudi women's rights taking two steps back. Instead of completely withholding the funds, the nearly \$800,000 would be better served in the hands of pre-existing Saudi-founded organizations dedicated to fighting for women's rights. Organizations like the Association for the Protection and Defense of Women's Rights founded in 2007 by Saudi activists, Wajeha al-Huweider and Fawzia al-Uyyouni would be ideal beneficiaries of these funds.³⁷ Although, ensuring these funds are effectively disbursed by the Saudi government to selected women's rights organizations and not kept in the hands of the government would likely be difficult as many of these organizations are not officially recognized.

Limiting Saudi-U.S. trade and investment would be likely to spark political and financial mayhem. This decision would not only injure ties politically, but militarily as the Saudi Arabian military forces are largely dependent on U.S. weaponry and training. This policy implementation would see consequential blowback from additional U.S. allies and trading partners alike. Specifically, the Organization of Petroleum Exporting Countries (OPEC) works to coordinate and unify the petroleum policies of its member states and ensure the stabilization of oil markets.³⁸ Saudi Arabia is one of the founding members of OPEC and this move to cut trade and investment would impede on oil exports to the United States and greatly destabilize the global oil market. Additionally,

this extreme policy shift would be seen as an imperialist approach to changing the cultural and legal traditions of an Islamic nation by the United States. Without first consulting with the women of Saudi Arabia about what measures would help free them of sexist oppression, this policy would only further impose on a marginalized population by aiming to give them standard freedoms defined by Western ideals of individualism. Ideals which have the potential to induce further harm to women who are closely tied to family and community connections.

Ordering Saudi Arabia to meet compliance measures of the United Nations Convention on the Elimination of all Forms of Discrimination against Women possess the greatest potential for success. This policy option will not immediately hinder financial or military relations between the United States and Saudi Arabia. Because the United Nations serves as a diplomatic round table for the international community, the United States will have the ability to encourage compliance with the help of peer member states without directly jeopardizing its ties to the Kingdom of Saudi Arabia. Although there will surely be pushback by Saudi Arabia in response to the United States rallying support from other member states, it will demonstrate the United States dedication to human rights efforts globally, not solely with those it disfavors.

IMPLEMENTATION RECOMMENDATION

The 75th session of the UN General Assembly will open on Tuesday, 15 September 2020. The first day of the high-level General Debate will be Tuesday, 22 September 2020.³⁹ As this start date is currently months out, the United States may add a topic of discussion to the proposed meeting agenda without facing procedural hurdles. Because the issue of Saudi Arabia failing to meet compliance with the CEDAW statutes has been previously raised in committee, this topic of discussion

37 Omran Salman, "Saudi Feminist Wajeha Al-Huweider: The Campaign for Women's Right to Drive Saudi Arabia Is Just the Beginning," *The Middle East Media Research Institute*, September 20, 2007, <https://www.memri.org/reports/saudi-feminist-wajeha-al-huweider-campaign-womens-right-drive-saudi-arabia-just-beginning>.

38 "Our Mission," *OPEC*, 2020, https://www.opec.org/opec_web/en/about_us/23.htm.

39 "75th Session of the UN General Assembly (UNGA 75)," *International Institute for Sustainable Development*, 2020, <https://sdg.iisd.org/events/75th-session-of-the-un-general-assembly-unga-75/>.

will not be sidelined from general assembly debate to a sub-committee agenda instead.⁴⁰ Although the United States administrative branch is required to have congressional approval to commit armed forces to the United Nations, this approval is not required to speak on the floor of the general assembly.⁴¹ The administration should immediately begin counseling with cabinet members, the current Permanent Representative of the United States to the United Nations, Kelly Craft, and state department experts in the realms of Saudi Arabia and human rights in the middle east. This working group will allow the administration to craft a cohesive strategy and speech outline for the speaking time during the General Assembly.

Intermediate progress will be seen once the administration or white house representatives release public information on the plan to address the General Assembly. Not only will this involve the United States public, who may rally behind the cause and begin spreading information on social media calling for change, but it also will inform the Saudi Arabian government so that the delegation will not be rendered embarrassed or confounded on the floor of the General Assembly.

Success will be seen once the Kingdom of Saudi Arabia is held responsible for failing to meet the recommendations made by the committee following the third and fourth periodic reports in regard to the CEDAW treaty and amend their legislation accordingly.⁴² The United States must call for action from peer member states while on the floor of the general assembly. This statement must not only disavow the kingdom for their failure to comply with a treaty they are

legally bound by, but also encourage all member states to hold Saudi Arabia accountable during further discussions in the subsidiary United Nations bodies. Member nations supporting the lead of the United States must emphasize the previous recommendations made to Saudi Arabia and encourage the hastily change of Saudi legislation to remove legal provisions which require a male guardian's approval for women to access the rights of the convention. The guardianship system codified in Saudi legislation prevents these rights from being realized and this system must be unequivocally condemned by the United States and fellow member nations. While speaking on the floor, the United States must emphasize that it recognizes the fact that Saudi Arabia argues that the guardianship system is legal through Islamic law, but the CEDAW committee explicitly offered a range of opinions and jurisprudence in regards to Islamic law and that the kingdom should be open to a national dialogue on women's rights in relation to Islamic law, while also clearly separating law derived from Islam over laws based on tradition or customs.⁴³ It is of the utmost importance that the United States enact these steps to limit their contribution to the perpetuation of sexist oppression in the Kingdom of Saudi Arabia and assist in promoting the rights deserved by Saudi women. 🌍

40 "Rules of Procedure," *United Nations*, <https://www.un.org/en/ga/about/ropga/agenda.shtml>.

41 Louis Fisher, "Sidestepping Congress: Presidents Acting under the UN and NATO," *Case Western Reserve Law Review*; 1997, pp 1250, <https://scholarlycommons.law.case.edu/cgi/viewcontent.cgi?article=2197&context=caselrev>.

42 United Nations, Convention on the Elimination of All Forms of Discrimination against Women, *Declarations, reservations, objections and notifications of withdrawal of reservations relating to the Convention on the Elimination of All Forms of Discrimination against Women*, CEDAW/SP/2006/2 (10 April 2006), available from <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/309/97/PDF/N0630997.pdf?OpenElement>.

43 "CEDAW Review Shows Limits of Saudi Arabia's Gender Policies," *Americans for Democracy & Human Rights in Bahrain*, March 19, 2018, <https://www.adhrb.org/2018/03/cedaw-review-shows-limits-of-saudi-arabias-gender-policies/>.

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Ending the Forced and Coerced Sterilization of Aboriginal Women in Canada

– Emily Wesseling

ABSTRACT

Canada's forced and coerced sterilization of Aboriginal women is a blatant example of contemporary sexist oppression. Historical factors such as the implications of colonialism reflect failures by the Canadian health system to obtain fully informed consent for tubal ligation procedures, resulting in the 2017 lawsuit against the Saskatoon Regional Health Authority (SRHA). Often cited as cultural genocide, the government of Canada must prevent future forced and coerced sterilization while assuring justice and respect for the targeted Aboriginal Canadian women. After exploring various policy options, the recommended course of action combines three recommendations, which are federally criminalizing forced and coerced sterilization, creating Aboriginal Obstetrics Consultants, and establishing cultural competency training for Canadian medical personnel. Overall, this sexist praxis reveals the need for Canada to analyze their own anti-feminist policies and simultaneously dismantles the notion that Western feminism is a flawless model for transnational feminism in the twenty-first century.

INTRODUCTION

In the Global West – that is, Canada, the United States, and Western Europe – there is a misconstrued understanding of feminism and its contexts both nationally and transnationally. Following movements and protests in the name of feminism occurring over decades, Western states have supposedly paved the way for the international community in terms of opposing sexist oppression. Because of this misperception, developing states are seen as inferior. Additionally, non-Western countries must play “catch up” to Western feminist standards since the Global West claims to be the pinnacle of morality.¹ By assuming that transnational feminism equates to Western feminism, these countries often fail to recognize the oppression of women within their own borders.

This paper explains one contemporary instance of sexist oppression being faced by a systemically marginalized group in Canada: The forced and coerced sterilization of Aboriginal women. Although not a new human rights violation, this issue resurfaced and gained international attention following a class action lawsuit filed in October 2017, which represents over 60 Aboriginal women from Saskatchewan claiming they underwent forced or coerced tubal ligation.² Most procedures occurred within the past 10 to 15 years, the most recent being in 2014.³ The disparity between historic examples of sexism towards Aboriginal women and Canada’s current policies regarding consent to medical treatment indicate attempts to reduce Aboriginal populations in Canada, a phenomenon known as cultural genocide. In addition to describing this glaring sexist oppression, this paper outlines viable and effective solutions that, realistically, could be implemented in Canada’s healthcare policies.

Although this paper references these interconnected factors to explain the historical repercussions on healthcare inequalities today, it focuses on the sexist praxis of forced and coerced tubal ligation, the implications for Aboriginal women, and suggests practical and culturally inclusive solutions. In order to thoroughly understand the scope and scale of forced and coerced sterilization, there are broader injustices against Aboriginal women to consider, notably racism and colonialism. It is pivotal to bring anti-feminist praxis, especially those occurring in developed countries, to the international community’s attention in order to facilitate more discussions and actions in the name of transnational feminism.

CURRENT POLICY ANALYSIS

The current situation emerged after an externally commissioned review from 2017 titled *Tubal Ligation in the Saskatoon Health Region: The Lived Experience of Aboriginal Women*.⁴ The SRHA requested the report after the media released four Aboriginal women’s stories who claimed they were forced or coerced to undergo tubal ligation in Saskatoon in 2015.⁵ Following the report’s publication, Aboriginal women in Saskatchewan as well as in Alberta, Manitoba, and Ontario came forward with similar claims.⁶ Although details varied case-by-case, women cited a lack of information about other birth control options, no explanation regarding the permanence of tubal ligation, and that consent for the procedure was obtained either during or immediately after the birth of their child.⁷ The SRHA publicly issued an apology and acknowledged racism towards Aboriginal women, but there were no reparations for victims or commitments to address this issue on a larger scale.⁸

1 Serene J. Khader, *Decolonizing Universalism: A Transnational Feminist Ethic* (New York: Oxford University Press, 2019), 31.

2 “Aboriginal Women in Canada Continue to Be Coercively or Forcibly Sterilized,” *Amnesty International Canada*, 2018, <https://www.amnesty.ca/blog/Aboriginal-women-canada-continue-be-coercively-or-forcibly-sterilized>.

3 Ibid.

4 Alisa R Lombard, “Re: Request for a Thematic Hearing on the Forced Sterilization of Aboriginal Women in Canada,” *Maurice Law*, 2017, <https://aptnews.ca/wp-content/uploads/2018/02/Microsoft-Word-6.12.2017-SUBMISSION-to-OAS-re-thematic-hearing-ARL-ADC.docx.pdf>, 2.

5 Ibid.

6 “Aboriginal Women in Canada Continue to Be Coercively or Forcibly Sterilized.”

7 Ibid.

8 Ibid, 3.

In October 2017, Maurice Law, the first and only Aboriginal-owned law firm in Canada, filed a class action lawsuit at the Court of Queen's Bench in Saskatoon for 50 Aboriginal women.⁹ The lawsuit, which was filed against all Saskatchewan health regions, the provincial and federal government, and individual medical personnel, claims that defendants:

- breached common law duties owed to the plaintiffs, the torts of battery of a sexual nature, trespass against the person of a sexual nature, false imprisonment, negligence and negligent misrepresentation;
- [breached] contract and breach of fiduciary obligations owed to the Aboriginal women plaintiffs; and
- [breached] the plaintiff's Charter rights, including violations of the right to the freedom of conscience, belief and religion, violation of the right to life, liberty and security of the person, the right not to be subjected to cruel and unusual treatment; and violation of the right to access health care services free from discrimination based on race and gender.¹⁰

The following year in December 2018, the United Nations Committee Against Torture expressed concern and made recommendations to Canada regarding forced and coerced sterilization in the country.¹¹ On September 19th, 2018, Justice G.M. Currie issued information pertaining to cross-examination of representative plaintiffs in the lawsuit and document disclosure; however, there have been no further public updates.¹²

In addressing Canada's health policies pertaining to tubal ligation, it is important to define consent to medical treatment, which must be informed and not, "obtained under any suggestion of compulsion either by the actions or words of the doctor or others."¹³ Providing informed consent, which is the responsibility of the physician associated with the treatment, means that the patient has been, "given an adequate explanation about the nature of the proposed investigation or treatment and its anticipated outcome as well as the significant risks involved and alternatives available."¹⁴ In addition to these general guidelines for consent in health care, the former Saskatoon Health Region released their revised policy on informed consent, which included the requirements of mutual and relevant communication between the patient and medical personnel, voluntariness to freely consent without coercion, manipulation, or force, and capacity to comprehend pertinent information.¹⁵

Canada's federal government website is transparent with regards to information about the general structure of their health care system. In the country, healthcare is divided among the federal, provincial, and territorial governments.¹⁶ Specifically, the federal government is responsible for setting and administering principles under the Canada Health Act, providing financial support to territories and provinces, and funding primary and supplementary service delivery to certain population groups, including Inuit and First Nations people living on reservations; they are working to increase service integration in the aforementioned areas within provincial and territorial systems.¹⁷ As of December 4th,

13 Kenneth G Evans, "Consent: A Guide for Canadian Physicians," *CMPA*, 2016, <https://www.cmpa-acpm.ca/en/advice-publications/handbooks/consent-a-guide-for-canadian-physicians#types of consent>.

14 Ibid.

15 Director, Practitioner Staff Affairs and SHR Legal Counsel, "Consent/Informed Consent," *Saskatoon Health Region*, 2015, <https://www.saskatoonhealthregion.ca/about/RWPolicies/7311-50-002.pdf>.

16 Government of Canada, "Canada's Health Care System," 2019, <http://www.canada.ca/en/health-canada/services/health-care-system/reports-publications/health-care-system/canada.html#a4>.

17 Ibid.

9 Ibid.

10 Maurice Law, "Forced Sterilization Class Action," 2020, <https://www.mauricelaw.com/forced-sterilization-class-action>.

11 Inter-American Commission on Human Rights, "IACHR Expresses Its Deep Concern over the Claims of Forced Sterilizations against Aboriginal Women in Canada," *OAS*, 2019, https://www.oas.org/en/iachr/media_center/PReleases/2019/010.asp.

12 Maurice Law, "Forced Sterilization Class Action."

2017, the SRHA, the defendant in the lawsuit, merged with the other twelve regional health authorities into one unified entity, now called the Saskatchewan Health Authority.¹⁸

The forced and coerced sterilization of Aboriginal women cannot be independently analyzed. Instead, it must be understood within the broader implications of controlling the births of any given population, which the Genocide Conventions classify as illegal.¹⁹ However, the term cultural genocide is not explicitly codified in international human rights law.²⁰ In 1948, Canada, the United States, and Western Europe voted against the addition of cultural genocide in the Genocide Conventions; in fact, Canada was even prepared to walk away from the agreement altogether if the provision was not removed.²¹

The reality for Aboriginal women in Canada and the treatment they are facing connects directly to sexist oppression, through which their bodies and reproductive rights are being controlled by powerful social forces. The forced sterilization of Aboriginal women reflects gender disparity existing within the context of colonization that still impacts healthcare provision today.²² In many discussions about feminism, there is an underlying assumption that Western societies have achieved some sort of heightened moral standard and that other nations ought to adhere

to.²³ Unfortunately, idealizing Western values through missionary feminism undermines the rights of Aboriginal women and exacerbates their oppression. As “other” women, which Khader describes as women perceived outside of typical Western culture that may or may not live in Western countries, Aboriginal women are, “often marginalized through internal imperialist dynamics.”²⁴ Additionally, Article 12 of the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW), which Canada signed and ratified, says that “States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.”²⁵ Regardless of Canada’s signature to and ratification of CEDAW, there is still a widening gap between Aboriginal women and the receipt of fully informed, consensual healthcare.

Returning to the concept of cultural genocide, forced and coerced sterilization are residual effects of past colonial and imperialist oppressions on Aboriginal communities. Dr. Karen Stote, an assistant professor at Wilfrid Laurier University, explains larger implications of forced and coerced tubal ligation on Aboriginal women:

*If the coercive sterilization of Aboriginal women is considered within its historical and material context and in conjunction with other practices relating to birth control and abortions in Aboriginal communities, it becomes increasingly difficult to deny that the overarching goal of government has been to destroy Aboriginal people, in whole or in part. At the very least, Indian policy has sought to destroy the ability of Aboriginal peoples to exist in the ways they choose.*²⁶

Historic Western power and control over Aboriginal people reflects the reproductive

18 Saskatchewan Health Authority, “Our Organization,” 2020, <https://www.saskhealthauthority.ca/about/Pages/default.aspx>.

19 “Convention on the Prevention and Punishment of the Crime of Genocide,” *United Nations*, 1948, <https://treaties.un.org/doc/publication/unts/volume 78/volume-78-i-1021-english.pdf>.

20 Courtney Parker, “An Act of Genocide: Canada’s Coerced Sterilization of First Nations Women,” *Intercontinental Cry*, 2018, <https://intercontinentalcry.org/canadas-coerced-sterilization-of-first-nations-women/>.

21 Joseph Brean, “Canada Was Ready to Abandon 1948 Accord If UN Didn’t Remove ‘Cultural Genocide’ Ban, Records Reveal,” *National Post*, 2015, <https://nationalpost.com/news/canada/canada-threatened-to-abandon-1948-accord-if-un-didnt-remove-cultural-genocide-ban-records-reveal>.

22 Public Health Agency of Canada and Pan-Canadian Public Health Network, “Key Health Inequalities in Canada: A National Portrait,” 2018, https://www.canada.ca/content/dam/phac-aspc/documents/services/publications/science-research/hir-full-report-eng_Original_version.pdf, p. 88.

23 Khader, *Decolonizing Universalism*, 34.

24 *Ibid*, 19.

25 OHCHR, “Convention on the Elimination of All Forms of Discrimination against Women,” 1979, <https://www.ohchr.org/documents/professionalinterest/cedaw.pdf>, 5.

26 *Ibid*.

oppressions of Aboriginal women today.²⁷ Actions to reduce Aboriginal populations disproportionately target women because they have the capacity to give birth to the next generation and are literally the lifeline of their communities and cultures.²⁸ Finally, it is important to note that Aboriginal cultural values are not recognized as they pertain to healthcare and medicine. The ethnocentric viewpoint that Western medicine is superior marginalizes medical practices found in other cultures, which further exacerbates the unjust treatment of Aboriginal women.

DISCUSSION OF OPTIONS

Evidently, Aboriginal women throughout Canada but most apparently in Saskatchewan face sexist oppression related to reproductive health. Although different national and international actors have presented possible solutions, there is still the need for a coordinated course of action to address reproductive injustices of Aboriginal women in the long term. According to the Public Health Agency of Canada, having a stronger sense of community belonging can be useful in mitigating inequities for social groups and building resilience; in fact, certain Aboriginal people reported a much higher sense of community belonging than the national average.²⁹ Policies should therefore consider the importance of community in addressing the forced and coerced sterilizations of Aboriginal women. There are a variety of options available to holistically work towards solving this issue.

OPTION 1:

Status Quo

The first option would be to simply continue with current healthcare policies until the lawsuit's ruling and follow the required legal proceedings of the judge's decision. The external review commissioned by the former SRHA in 2017, which served as a foundation for the pending lawsuit, thoroughly evaluates medical discrimination in Saskatoon through interviews, historical analyses, and provides calls to actions based on pertinent information.³⁰

However, relying solely on the outcome of the lawsuit is to look at the forced and coerced sterilization of Aboriginal women through an individual lens. This viewpoint fails to recognize larger social factors that play a role in healthcare injustices faced by Aboriginal women. Firstly, kinship harms describe how structural changes can decrease opportunities for women's well-being; for Aboriginal women, this may manifest in birth restrictions impacting the lineage and role of women.³¹ Historically, Aboriginal women were respected as givers of life and family anchors; however, their role has degraded over time due to patriarchal laws, regulations, colonization, and assimilation.³² Furthermore, Aboriginal women who are forced or coerced into tubal ligation may experience isolation and a weakened attachment to their Aboriginal culture, constituting a cultural harm.³³ Khader stresses that protecting and preserving cultural and kinship relationships are consistent with feminist goals, meaning they must be considered when evaluating and modifying Canadian healthcare policies.

An additional obstacle to maintaining the status quo is that it fails to ignore the negative perception Aboriginal women have towards Canadian healthcare systems. Based

27 Ibid, 79.

28 Andrea Smith, "Not an Indian Tradition: The Sexual Colonization of Native Peoples," *Hypatia* 18, no. 2 (2003), 78.

29 Public Health Agency of Canada, "Addressing Stigma: Towards a More Inclusive Health System," *Government of Canada*, 2019, <https://www.canada.ca/en/public-health/corporate/publications/chief-public-health-officer-reports-state-public-health-canada/addressing-stigma-toward-more-inclusive-health-system.html>.

30 Yvonne Boyer and Judith Bartlett, "External Review: Tubal Ligation in the Saskatoon Health Region: The Lived Experience of Aboriginal Women," 2017, https://www.saskatoonhealthregion.ca/DocumentsInternal/Tubal_Ligation_intheSaskatoonHealthRegion_the_Lived_Experience_of_Aboriginal_Women_BoyerandBartlett_July_22_2017.pdf, 2.

31 Khader, *Decolonizing Universalism*, 55.

32 Boyer and Bartlett, "External Review," 6.

33 Khader, *Decolonizing Universalism*, 56.

on the external review, Aboriginal women who experienced coercion have developed an avoidance and distrust of healthcare, feeling invisible and powerless throughout the tubal ligation procedure.³⁴ Addressing underlying sentiments of distrust is imperative for Aboriginal women to feel respected, accepted, and valued in Canadian healthcare policies. Policymakers need to step back and recognize the greater narratives of abuse and marginalization Aboriginal women have and will continue to face, especially regarding their health.

OPTION 2:

Federal Criminalization of Forced and Coerced Sterilization

Presently, forced and coerced sterilization violates various international human rights laws of which Canada is party to, including CEDAW, the *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)*, the *American Declaration of the Rights and Duties of Man (American Declaration)*, the *International Covenant on Economic, Social and Cultural Rights (ICESR)*, the *International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)*, and the *International Covenant on Civil and Political Rights (ICCPR)*.³⁵ In 2018, the UN Committee on Torture recommended the Canadian government to adopt legislation criminalizing enforced sterilization, reflecting the country's failure to uphold human rights standards for Aboriginal women.³⁶

Other than international human rights agreements, the Canadian government could address domestic legislation and explore federal avenues to criminalize forced and coerced sterilization. In certain cases, forced sterilization can be classified as sexual

assault or sexual battery.³⁷ Although federally criminalizing forced and coerced sterilization is a valid option, it does not fully address the greater narrative surrounding the lawsuit and injustice targeting Aboriginal women. In order for a solution to be effective, it must address sexist, racist, and colonialist oppressions Aboriginal women experience beyond medical malpractice.

OPTION 3:

Compensation for Existing Victims

Compensation for Aboriginal women who have undergone forced or coerced tubal ligation could encourage the reconciliation process in the Aboriginal community. However, this cannot be an isolating, one-time reparation; Canada must recognize the larger implications of systemic Aboriginal oppression, as highlighted earlier in this paper.³⁸ Furthermore, is it not sufficient for the Canadian government to apologize and essentially move on from this issue, as this injustice must recognize this issue as greater than individualized crimes with individual perpetrators.³⁹ A solution that is more sustainable and creates institutional change is required in order to truly build an anti-sexist future for Aboriginal women.

OPTION 4:

Integrate and Encourage Aboriginal Female Healthcare Workers

One way to restore a sense of comfort and trust towards Western healthcare systems would be to increase the number of Aboriginal medical personnel, especially women, in existing healthcare systems. The Truth and Reconciliation Commission (TRC) of Canada supports this option, as expressed in Call to Action 23 which recommends increasing, "the

34 Boyer and Bartlett, "External Review," 2.

35 Alisa R Lombard, "Re: Request for a Thematic Hearing," 6.

36 Rhonda E Howard-Hassmann, "Forced Sterilizations of Aboriginal Women in Canada: One More Act of Genocide," *Indian Country Today*, 2019, <https://newsmaven.io/indiancountrytoday/opinion/forced-sterilizations-of-Aboriginal-women-in-canada-one-more-act-of-genocide-k6zWyMPackmGk5It6Ek-DQ>.

37 Jaipreet Virdi, "The Coerced Sterilization of Aboriginal Women," *New Internationalist*, 2018, <https://newint.org/features/2018/11/29/canadas-shame-coerced-sterilization-Aboriginal-women>.

38 Stote, Karen, *An Act of Genocide: Colonialism and the Sterilization of Aboriginal Women*, Black Point, Nova Scotia; Winnipeg, Manitoba: Fernwood Publishing, 2015, 122.

39 Ibid, 123.

number of Aboriginal professionals working in the health-care field.”⁴⁰ More Aboriginal health personnel could aid in increasing diversity and representation while also breaking down stereotypes towards Aboriginal women. On the other hand, this intervention could exacerbate the Western feminist agenda of “other” women needing to work in order to advocate for their rights and may promote neoliberal governmentality harms; that is to say, Aboriginal women may become more vulnerable to poverty and gendered exploitation.⁴¹

Furthermore, this initiative has the potential to facilitate the “saving to” notion, in which “other” women are essentially assimilated into dominant culture and those in power dictate what women should do.⁴² Therefore, this option would need to be implemented in a voluntary and informative manner that avoids pressure or coercion for Aboriginal women to pursue careers in Western healthcare systems. There must be freedom of choice and acceptance by those affected by forced and coerced sterilization.

OPTION 5

Create Aboriginal Obstetrics Consultants

Considering the uniqueness and value in Aboriginal cultures and recognizing systemic forms of oppression, the Canadian government could consider healthcare provision that is more centered on Aboriginal traditions. Referencing the Canadian Charter of Rights and Freedoms, guaranteeing equality to all citizens could include, “special programs aimed at improving the situation of individuals who are members of groups that have historically experienced discrimination in Canada.”⁴³ The best method to advocate for Aboriginal women’s reproductive health will likely require increased cultural knowledge, awareness, and healthcare services that align with their specific values.

40 Truth and Reconciliation Commission of Canada, “Truth and Reconciliation Commission of Canada: Calls to Action,” 2012, http://nctr.ca/assets/reports/Calls_to_Action_English2.pdf, 3.

41 Khader, *Decolonizing Universalism*, 52.

42 Ibid.

43 Department of Justice Canada, “Canada’s System of Justice,” 2015, <https://www.justice.gc.ca/eng/csj-sjc/justimg/courten.pdf>, 18.

One way to promote Aboriginal values within contemporary healthcare systems would be to establish Aboriginal Obstetrics Consultants within medical facilities. Call to Action 22 in the TRC Canada’s *Calls to Action* report recommends, “those who can effect change within the Canadian health-care system to recognize the value of Aboriginal healing practices and use them in the treatment of Aboriginal patients in collaboration with Aboriginal healers and Elders where requested by Aboriginal patients.”⁴⁴ These consultants should be prioritized in Saskatchewan and areas with higher Aboriginal populations, but also throughout the country as applicable.

OPTION 6:

Cultural Competency Education for Healthcare Personnel

Forced and coerced sterilization partly stems from failure to fully respect Aboriginal women and their culture. As such, the Canadian government should work with universities, medical facilities, and most importantly Aboriginal women to develop an education framework on Aboriginal culture, history, and their unique challenges in Canada. Calls to Action 23 (iii) and 24 from the TRC specific recommendations pertaining to education initiatives:

23. We call upon all levels of government to:

iii. Provide cultural competency training for all health-care professionals.

*24. We call upon medical and nursing schools in Canada to require all students to take a course dealing with Aboriginal health issues, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Aboriginal Peoples, Treaties and Aboriginal rights, and Aboriginal teachings and practices. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.*⁴⁵

44 Truth and Reconciliation Commission of Canada, 3.

45 Ibid.

In light of the lawsuit, the education program should also reteach informed consent, what it means, and how to ethically obtain it in medical procedures. It is necessary that healthcare systems recognize the particular vulnerability of Aboriginal women because of their race and gender and educate their workforces to break down stereotypes and promote respect.

RECOMMENDED SOLUTION

As is often the case when tackling systemic and multifaceted issues, there is not a perfect “catch-all” solution. With regards to this particular problem, it is challenging, or perhaps impossible, to separate and distinguish the root causes of Aboriginal women’s discrimination, which include imperialism, colonialism and racism on top of sexism.⁴⁶ In order to holistically address forced and coerced sterilization of Aboriginal women and specifically target the sexist oppressions they face, Canada should implement aspects of *Option 2 (Federal Criminalization of Forced and Coerced Sterilization)*, *Option 5 (Create Aboriginal Obstetrics Consultants)*, and *Option 6 (Cultural Competency Education for Medical Personnel)*. This mix of solutions will be both reactive to the current situation and proactive in mitigating this problem in the future.

The Criminal Code of Canada details all federal criminal legislations. To date, there are no laws within the Code regarding the criminalization of medical malpractice, such as forced or coerced sterilization.⁴⁷ Condemning this behavior in criminal legislation would reflect the country’s acknowledgement of this grave injustice and also set a precedent for better practices, especially in obtaining consent for medical procedures. Considering pre-existing international pressures and a lack of legislation in the Code, Canada should criminalize forced and coerced sterilization as a first step in assuring justice for future victims and perpetrators.

Additionally, Aboriginal women should have

⁴⁶ Khader, *Decolonizing Universalism*, 38.

⁴⁷ Minister of Justice, “Criminal Code (R.S.C., 1985, c. C-46),” *Justice Laws Website*, 2019, <https://laws-lois.justice.gc.ca/eng/acts/C-46/index.html>.


the option of having an Aboriginal Obstetrics Consultant with them as a resource during delivery. By providing Aboriginal women with additional support in Western healthcare facilities, especially during the childbirth process, Aboriginal healers and Elders could foster more open and respectful communication between medical personnel and Aboriginal patients. Simultaneously, establishing a cross-cultural framework in which Aboriginal women are honored and certain medicinal traditions are maintained will help rebuild trust in Western health services. This should be an option made available in hospitals both on and off reserves throughout the country through partnerships between Aboriginal communities and medical facilities.

In sequence with creating Aboriginal Obstetrics Consultants, Health Canada should mandate cultural competency education for current and incoming healthcare personnel. The program should be created collaboratively between Aboriginal women and healthcare providers and could include presentations or testimonials from women about their experiences. Beyond improving an understanding of Aboriginal culture and traditions pertaining to healthcare, this training should also address the importance of informed consent and how to obtain it to help mitigate discrimination. The program should be similar across the country, but due to the amount of Aboriginal tribes and communities across Canada, there may be slight differences relative to the Aboriginal makeup of each province and territory. Overall, it is imperative that the Canadian government starts to reframe the narrative of Aboriginal culture, the role of Aboriginal women, and understand historic and contemporary intentions to oppress this vulnerable population.

CONCLUSION

As indicated throughout this paper, the issue at hand encompasses both historic and contemporary sexist injustices towards Aboriginal Canadian women. Stemming from a past flagged with targeted sexism, colonialism, and racism, Aboriginal women have emerged as survivors and continue to push back against

oppressive policies. Whether the federal government continues to fund Aboriginal health services or if this responsibility becomes integrated into provincial health jurisdictions, it is clear that Aboriginal women deserve more respect and justice with regards to their healthcare.

The fact that forced and coerced sterilization still occurs in Canada is a testament to the reality of feminist misconceptions in the international community. Since Western values are often equated with universal values, such as women's rights, it is easy for developed nations to accuse, with a hypocritical lens, their less developed counterparts of sexism. However, the pending lawsuit is forcing Canada to take responsibility for evaluating their anti-feminist practices, which will hopefully start a wave of holding the Global West accountable for their transgressions. Although past policies and discriminatory actions cannot be reversed, the Canadian government has an opportunity to take concrete steps forward, model transnational feminist behavior in the international community, and redefine what it means to oppose sexist oppression for all Canadian citizens. 

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Martin Institute | International Studies

University of Idaho College of Letters, Arts and Social Sciences

875 Perimeter Drive MS 3177
Moscow, ID 83844-3177
Phone: (208) 885-6527
Fax: (208) 885-9464
Email: is@uidaho.edu