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**Pressing Security Concerns
in Southeast Asia:
Next-Generation Perspectives**

EDITED BY
DR. JOHN HEMMINGS





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Introduction

Dr. John Hemmings



Southeast Asia is a pivotal sub-region of the Indo-Pacific. Spanning 1,700,000 square miles, its total population is 676 million – around 8.5% of the world’s population – and has a collective GDP of US\$3.67 trillion (as of 2022). Over the years, it has been associated with both economic dynamism and significant security challenges. As authors in this volume note, the territorial disputes in the South China Sea, disagreements over water rights in the Mekong Delta, and the current conflict in Myanmar highlight fault lines not only between Southeast Asian states themselves, but also between great powers such as China and the United States. There are many more – the EU, India, Japan, Australia, and South Korea – that pay close attention to developments in the sub-region. Maintaining peace and stability in a region that plays host to one-third of global sea-borne trade, hosts major undersea internet cables, and is a major thoroughfare for energy supplies from the Middle East to the advanced manufacturing hubs in China, Japan, and South Korea is both challenging and complicated.

The primary mechanism for engagement with the individual countries in Southeast Asia has been through the Association of Southeast Asian Nations (ASEAN) and its attendant bodies, such as the ASEAN Regional Forum (ARF), the East Asia Summit (EAS), and the ASEAN Defense Ministers Meeting (ADMM). Meanwhile, ASEAN member states have promoted the principle of “ASEAN centrality” as a means to prevent major power interference in the sub-region and to retain influence over security cooperation within Southeast Asia and beyond. As a result, the acknowledgement of ASEAN centrality has become a “boilerplate” for strategy and policy documents related to regional security. One example of this is the inclusion of the principle in the 2021 U.S. Indo-Pacific Strategy. However, the increasingly pressing nature of challenges confronting the broader region, their speed and intensity, are beginning to outpace the evolution of institutions and processes associated with ASEAN.

The ASEAN Way – an emphasis on informal consultation, non-interference, and consensus as the basis of major decisions – has been integral to creating internal cohesion and harmony within ASEAN decision-making and is an enabler of socio-political integration. On the other hand, it has also stymied efforts to develop effective collective responses to conflicts and has made ASEAN hostage to great powers able to use their influence over members to break consensus. While defenders of ASEAN point to its successes and remain confident that it will adapt to regional issues over time, others are increasingly skeptical that ASEAN can retain its status as the gatekeeper of regional security agenda.

It is in this context that Pacific Forum carried out this extended study with support from the Luce Foundation to investigate Southeast Asian perspectives on the “biggest threats or most pressing security issues, now and in the foreseeable future.” We asked a group of our Southeast Asian cohort of Young Leaders (ages 21 to 35), what problems were most pressing to them, and asked them how they thought their countries should address these issues, noting which third-parties would be most important for them to leverage in doing so. We believe this publication, which cuts across a broad range of security issues, is a fair representation of the eclecticism and diversity that characterize the region itself and hope that our readers will find them as useful as we have here at Pacific Forum.

The collection starts with traditional security issues and then moves to more non-traditional security issues, though this does not reflect any internal emphasis or prioritization on the part of the editors. The first essay, by Siu Tzyy Wei, is entitled “Caught in the Middle: The Measured Voice of Brunei’s Foreign Policy Amidst the South China Sea Dispute.” Beginning with the South China Sea is appropriate for any collective study on the region, but Brunei’s position as a “silent claimant” presents a perspective not often heard. The author’s assertion that it is China and external powers – AUKUS and the Quad are mentioned – that are adding pressure to the South China Sea and adding a dangerous complexity, compelling Brunei’s “neutrality,” a striking claim given the threat to Bruneian sovereignty. The second essay moves to another flashpoint, the political crisis in Myanmar; a national issue that has reverberated around ASEAN as well as further abroad in Washington and Brussels. Appropriately titled “The Coming of the Raging Fire: The Revolution in Myanmar,” Thiha Wint Aung analyzes the lead-up to the political crisis and concludes by calling for the international community to explicitly support

the people's "armed resistance" against the military. The third essay presents a bold national case for a region-wide issue: dealing with rising Chinese influence. In "Malaysia's China Policy Amid China's Growing Security Concerns," Fikry A. Rahman argues that Malaysian policy elites will have to prioritize strategic concerns over economic ties vis-a-vis China if it is to adequately defend Malaysian sovereignty.

The next group of essays focuses on non-traditional security issues, beginning with climate change, one of the most pressing global issues. Southeast Asia is particularly vulnerable to the effects of climate change, as noted in the fourth essay, "When it Rains, it Pours: Disaster Displacement and the Future of Human Security in the Philippines Amid Changing Climate." Katrina Guanio calls for policymakers to be aware of gradual or even sudden human migrations due to inclement weather, such as typhoons, and the impact these have on national health, economic, and security dynamics. Taking an unusual and unique perspective, the fifth essay, "Climate Maladaptation: Migration, Food Insecurity, and the Politics of Climate Change in Timor-Leste" by Ariel Mota Alves, makes the provocative argument that international organizations can sometimes promote detrimental Western development narratives that undermine local solutions to local climate change effects. The sixth essay, "Human Trafficking in Vietnam: A Top-Tier Non-Traditional Security Threat in the 21st Century" by Thu Nguyen Hoang Anh, measures the impact of the scourge of human trafficking in Vietnam and offers practical policy solutions to mitigating its impact on victims. Finally, the seventh essay, by Attawat Assavanadda, looks at "Thailand's Brain Drain Challenge: Trends and Implications," noting the push-pull drivers of the phenomenon and its impact on Thailand's overall development.

As one can see from this summary, the range of topics chosen by our talented Young Leader cohort from Southeast Asia is as diverse, inspiring, and multidimensional as the region itself. Ranging from security issues that are well covered by regional and international media to those that take an eclectic look at local variations of international issues, we are pleased to showcase these essays. As ever, the mission of Pacific Forum only begins with the creation of such young leader cohorts, and empowering them to present their analyses and recommendations should only be a prelude to robust regional conversations and discussions. We have been since our creation – a forum for those discussions – and hope that our readers will take that engaging approach to these essays and their authors.

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1. Caught in the Middle: The Measured Voice of Brunei's Foreign Policy Amidst the South China Sea Disputes

Siu Tzyy Wei



ABSTRACT

Known as the silent claimant of the South China Sea, Brunei Darussalam's 2021 Defence White Paper highlighted the ongoing maritime dispute between major powers as a key security challenge it foresees itself facing in the next few years. Amidst a complex, multipolar environment, the sultanate's foreign policy has always strived to maintain its bilateral and multilateral relationships "on the basis of friendship, mutual respect and peaceful co-existence." Although the oil-rich country has fared fairly well with its current efforts in maintaining friendly diplomatic relations with its international counterparts through efforts to adhere to universally recognised principles of sovereignty and international law, such as the United Nations Charter and the ASEAN Charter, Brunei finds itself in a challenging position amid emerging tensions in the South China Sea. The sultanate has found itself caught in the middle of the South China Sea disputes; China's self-appointed occupancy with its nine-dash line overlaps the exclusive economic zones (EEZ) of Brunei and other claimants. As such, Brunei's relative neutrality, despite the tensions it is witnessing at its coastline, is an anomaly amidst the vocal and opinionated world of foreign policy. Given Brunei's relatively small military size and arsenal compared to other contesting major powers and its direct exposure to growing tensions in the South China Sea, this chapter aims to cultivate an understanding of Brunei's perception of its position as a quieter pawn in this territorial dispute and explore the feasibility of strengthening the language of its foreign policy to further preserve its national interests and priorities.

INTRODUCTION

With a humble population of 440,715, Brunei Darussalam (hereafter referred to as "Brunei") is a young sultanate whose foreign policy puts high priority on adherence to international law and universally recognised principles like the United Nations Charter and the Association of Southeast Asian Nations (ASEAN) Charter.¹ Due to its all-round, mutual-respect approach and advocacy for non-interference and the peaceful settlement of disputes, Brunei is generally able to manage its own national interests sans international scrutiny. In other words, amidst all the disputes it observes, the sultanate is still able to maintain all four of its priorities: (1) maintain its sovereignty, independence and territorial integrity, (2) preserve the political, cultural and religious identity of the country, (3) help promote regional and global peace, security, stability and prosperity and (4) enhance the prosperity, economic and social well-being of the country.² While this can contribute to an international reputation of being relatively neutral, the country has spoken up when necessary, such as that of their 2020 Statement on the South China Sea (hereafter referred to as the 2020 Statement), which was released in line with the foreseeable downward spiral of U.S.-China relations that year.³ China was expected to clamp down on its claims over the South China Sea regardless of the outcomes of the November 2020 presidential elections. The Statement reiterates the country's two-step approach: 1) issues should be addressed through bilateral dialogue in accordance to the the 1982 United Nations Convention on the Law of the Sea (UNCLOS) and international law; and 2) all countries involved need to promote a peaceful and conducive environment when addressing the South China Sea regarding their preferred solution for rising tensions.

As the smallest country in Southeast Asia, Brunei is positioned on the northern coastline of Borneo Island. The country possesses 161 kilometers of coastline on the South China Sea and claims a 200-nautical mile (nm) exclusive economic zone (EEZ) that overlaps with China's historical claim under-

¹ Department of Economic Planning and Statistics of Brunei Darussalam, "The Population and Housing Census Report (BPP) 2021: Demographic, Household and Housing Characteristics," accessed 2022, <https://deps.mofe.gov.bn/DEPD%20Documents%20Library/DOS/POP/2021/RPT.pdf>; Ministry of Foreign Affairs of Brunei Darussalam, "Foreign Policy," accessed 2022, <https://www.mfa.gov.bn/SitePages/Foreign%20Policy.aspx#:~:text=Brunei%20Darussalam%27s%20foreign%20policy%20objective>.

² *Ibid.*

³ Ministry of Foreign Affairs of Brunei Darussalam, "Statement on the South China Sea," (July 20, 2022), <https://www.google.com/url?q=https://www.mfa.gov.bn/Lists/Press%2520Room/news.aspx?id%3D841%26source%3Dhttps://www.mfa.gov.bn/pages/PressRoom.aspx?archive%3D1&sa=D&source=docs&ust=1681787391139738&usq=AOvVaw1ZqRkOGi1IxiHFPkC4s7dj>.

the “nine-dash line.”⁴ Shortly after its independence in 1984, Brunei first stated its maritime jurisdiction based on its history as a former British colony by claiming Louisa Reef of the Spratly Islands – a land feature that lies within its EEZ and has been disputed by China, the Philippines, Taiwan and Vietnam.⁵

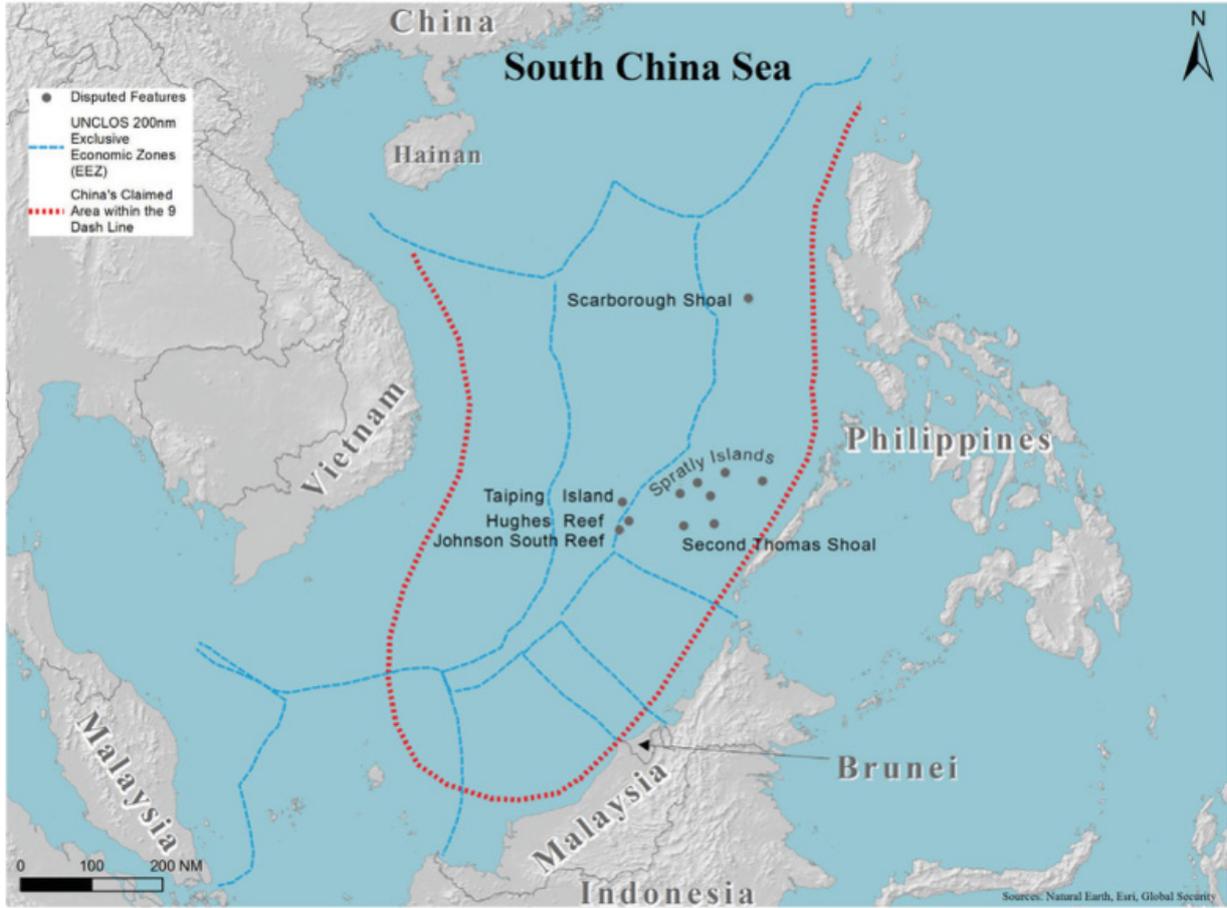


Figure 1. The area claimed under China's nine-dash line⁶

⁴ Permanent Mission of Brunei Darussalam to the United Nations, “Country Facts: Brunei Darussalam,” United Nations, accessed August 13, 2022, [https://www.un.int/brunei/brunei/country-facts#:~:text=It%20has%20a%20total%20area](https://www.un.int/brunei/brunei/country-facts#:~:text=It%20has%20a%20total%20area;);

The National Bureau of Asian Research, “Country Profile from the Maritime Awareness Project,” The National Bureau of Asian Research (NBR), (July 9, 2020), <https://www.nbr.org/publication/brunei/>.

⁵ NBR, “Country Profile from the Maritime Awareness Project,” <https://www.nbr.org/publication/brunei/>.

⁶ The Fletcher School of Law and Diplomacy at Tufts University, “The South China Sea Tribunal,” *Law of the Sea: A Policy Primer*, (2020), <https://sites.tufts.edu/lawofthesea/chapter-ten/>.

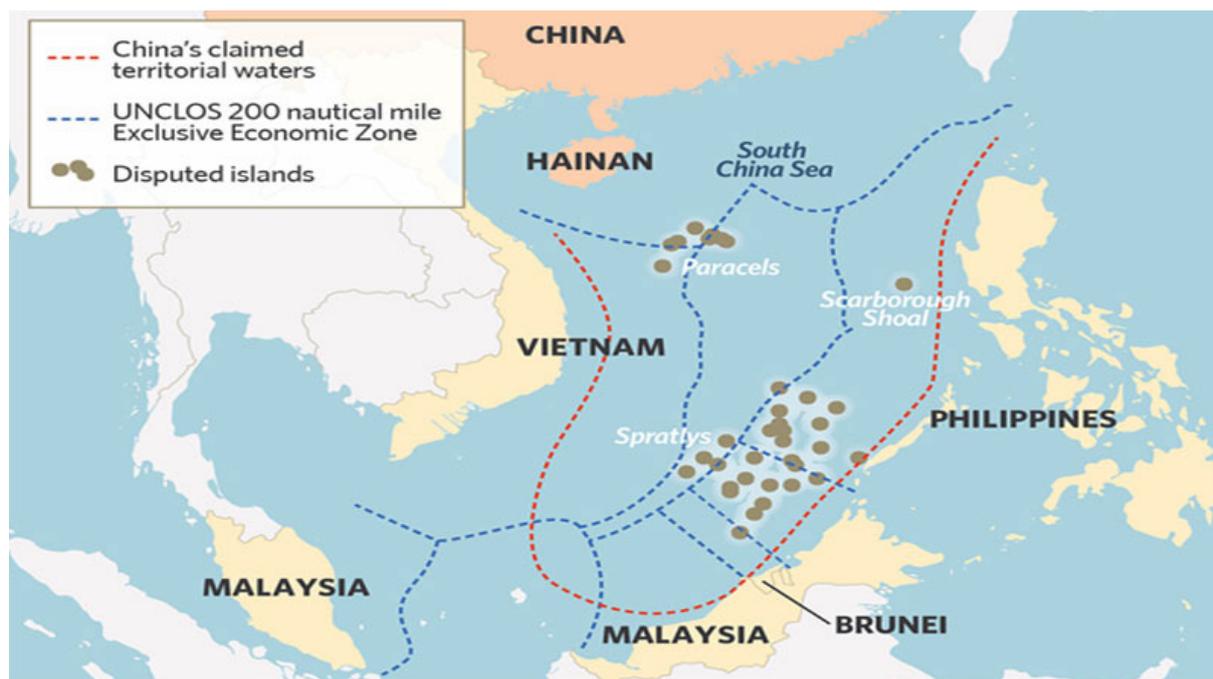


Figure 2. Louisa Reef within Brunei's EEZ

Since the 2016 South China Sea Arbitration, tensions related to overlapping maritime claims in the South China Sea have continued to grow and have been highlighted in the sultanate's 2021 Defence White Paper as a key security issue.⁸ The sea's hydrocarbon reserves are estimated to contain 11 billion barrels of untapped oil and 190 trillion cubic feet of natural gas.⁹ The sea also plays a crucial role as one of the world's busiest shipping routes and is home to fishing grounds that may fuel the conflicting island and maritime claims in the region. Given that Brunei has neither actively nor explicitly pushed for its claims since the Spratly Islands, the country has gained its moniker as the "silent claimant of the South China Sea," whose claims have since been viewed by some critics as "vanishing," defined as the non-existence of action taken by state actors amid the emerging South China Sea disputes.¹⁰

In accordance with its 2020 Statement, Brunei has maintained friendly relations with other Southeast Asian claimants vis-à-vis constant communication with ASEAN, all the while faring quite well in balancing bilateral relationships with both rival major powers, namely the United States and China. On one hand, Brunei and China have collaborated on large scale projects like the petrochemical joint venture Hengyi Industries Sdn Bhd and the development of one of Brunei's largest infrastructure projects, the Sultan Haji Omar Ali Saifuddin Bridge (a joint venture between Brunei, China State Construction Engineering Corporation, and South Korea's Daelim Industrial).¹¹ On the other hand, the

⁷ Muhammad Estiak Hussain, "Peaceful Settlement on South China Sea Is Difficult," *The Independent*, (January 20, 2021), <https://www.theindependentbd.com/post/258479>.

⁸ Permanent Court of Arbitration, "The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China)," case no. 2013-19, (2013), <https://pca-cpa.org/en/cases/7/>; Ministry of Defence of Brunei Darussalam, *Defence White Paper 2021*, accessed 2021, <https://www.mindef.gov.bn/Defence%20White%20Paper/DWP%202021.pdf>.

⁹ Center for Preventative Action, "Territorial Disputes in the South China Sea," *Global Conflict Tracker*, (May 4, 2022), <https://www.cfr.org/global-conflict-tracker/conflict/territorial-disputes-south-china-sea>.

¹⁰ Oliver Ward, "The Silent Claimant in the South China Sea," *ASEAN Today*, (July 16, 2017), <https://www.aseantoday.com/2017/07/the-silent-claimant-in-the-south-china-sea/>;

Bama Andika Putra, "Comprehending Brunei Darussalam's Vanishing Claims in the South China Sea: China's Exertion of Economic Power and the Influence of Elite Perception," *Cogent Social Sciences* 7, no. 1 (January 1, 2021), <https://doi.org/10.1080/23311886.2020.1858563>.

¹¹ Hengyi Industries Sdn Bhd, "About Us," accessed 2022, <https://www.hengyi-industries.com/about-us/>; Rasidah Hj Abu Bakar, "Temburong Mega Bridge Completion on Track for November 2019 Deadline," *The Scoop*, (February 15, 2019), <https://thescoop.co/2019/02/15/temburong-mega-bridge-completion-on-track-for-november-2019-deadline/>.

sultanate also engages in military cooperation and educational exchanges with the United States, which also has a prominent presence in the region and has shown elaborate interest in the South China Sea over the years.¹²

While China argues that its unrelenting presence in the South China Sea derives from its own historical claims, the intention of the United States' presence is a multifaceted one; the U.S. government would argue that it is supporting claimant states like the Philippines (which are definitely smaller than China) to "uphold international order and freedom of navigation."¹³ However, other perspectives have observed that the American presence persists for three other reasons: (1) the South China Sea is a major transit route for maritime commercial traffic and the United States Navy to and from East Asia, (2) disputes in the busy area will then result in conflict and instability, which leads to (3) an increase in Chinese influence that then becomes a detriment to the interests of the United States.¹⁴ Regardless, the increased involvement of both the United States and China in the South China Sea has resulted in the increased complexity of the disputes as it becomes a significant component to the overarching U.S.-China rivalry. Today, as the possibility of a militarized South China Sea increases, the sea is no longer simply a territorial dispute between the ASEAN claimant states and China. On top of protecting their own territorial waters, ASEAN claimant states – including Brunei – are now caught in between the U.S.-China disputes and must balance their alliances with both China and the United States.

As such, this paper aims to provide a critical analysis of Brunei's perspective as a pawn caught in the middle of the major powers regarding the South China Sea disputes. In response to Brunei's relative quietness in the international arena, this chapter will begin by looking into the language of Brunei's foreign policy to understand expert opinions on Brunei's "vanishing" claims. More importantly, this chapter will work to better understand why such statements are made regarding the sultanate's foreign policy in light of present day South China Sea disputes. Finally, this chapter seeks to investigate if Brunei should heighten its assertiveness vis-à-vis the competing claims in the South China Sea.

BRUNEI'S CLAIMS TO THE SOUTH CHINA SEA: VANISHING OR CALCULATED?

Since Brunei's Louisa Reef claims in the 1980s until its 2020 Statement, the nation has remained relatively silent regarding the disputes in the South China Sea, leading experts to equate Brunei's non-confrontational nature and its small claims as "vanishing" in the heat of the South China Sea crisis. In particular, some observers have seen Brunei as a claimant with "no regard whatsoever as to what happens in the South China Sea."¹⁵ From the perspective of these disapproving observers, the unchallenged outlook of the sultanate's elites has been focused on achieving domestic-oriented policies, like its national vision of *Wawasan Brunei 2035*.¹⁶ The vision of the sultanate, as stated by Sultan Haji Hassanal Bolkiah, is to be "recognized around the world for the achievements of its people who are educated and highly skilled in accordance with the highest international standards; the high quality of life among the top 10 countries in the world; and an economy that is both dynamic and sustainable with a Gross Domestic Product (GDP) that is among the top 10 countries in the world."

¹² U.S. Embassy in Brunei Darussalam, "History of U.S.-Brunei Relations," (July 20, 2020); U.S. Embassy in Brunei Darussalam, "Embassy Exchanges," (April 30, 2019), <https://bn.usembassy.gov/education-culture/embassy-exchanges/>.

¹³ Ned Price, "U.S. Support for the Philippines in the South China Sea," United States Department of State, (June 17, 2022), <https://www.state.gov/u-s-support-for-the-philippines-in-the-south-china-sea/>.

¹⁴ Michael D. Swaine, "America's Security Role in the South China Sea," Testimony Before the House Foreign Affairs Subcommittee on Asia and the Pacific, Carnegie Endowment for International Peace, (July 23, 2015), <https://carnegieendowment.org/2015/07/23/america-s-security-role-in-south-china-sea-pub-60826>.

¹⁵ Bama Andika Putra, "Comprehending Brunei Darussalam's Vanishing Claims in the South China Sea."

¹⁶ Pejabat Wawasan Brunei, "Wawasan Brunei 2035," accessed 2022, <https://www.wawasanbrunei.gov.bn/en/SitePages/wawasan-brunei-2035.aspx>.

Subsequently, Brunei's limited assertiveness can also be attributed to its high-level integration into ASEAN and the importance of non-interference in its national identity. In addition to this, in 2018, some critics concluded that Brunei's neglect over its territorial waters was solidified when both the sultanate and China agreed to cooperate in the disputed waters to exploit oil and gas, resulting in the joint-venture of the petrochemical plant Hengyi Industries.¹⁷ At the same time, others perceive Brunei's implementation of its South China Sea policy as "irregular."¹⁸ Given the restrained language used in the much awaited 2020 Statement that "maintains its two-step approach in addressing the South China Sea," alongside the decision of the nation's elites to prioritize prospective trade among Brunei and China while conducting military exercises with the U.S., confusion with regards to position as a claimant in the midst of the South China Sea disputes is understandable.¹⁹ In the eyes of critics, as the only claimant that does not have any military presence in the South China Sea, the relative silence from the Brunei Ministry of Foreign Affairs and the Royal Brunei Navy in the past years may have also contributed to negative interpretations of Brunei's overall stance towards conflicts, especially those that it faces at its coastline.²⁰

The Language of Brunei's Foreign Policy

Granted, it is easy to overlook the power of language, especially when it comes to foreign policy. As such, it is important to highlight that language is not simply an instrument of communication, it is the essence of every negotiation, presentation, and exchange in diplomacy.²¹ Thus, an examination of the language used in foreign policies is crucial in order to understand both the explicit and implicit messages leaders wish to send out, which will then determine the next steps of bilateral and multilateralism between nations. For example, in an adversarial relationship between the United States and China, the Chinese Ministry of Foreign Affairs released a statement where it accused the U.S. of being a country that "constantly distorts, obscures and hollows out the one-China principle."²² Similarly, the U.S. Secretary of State Anthony Blinken in his latest speech on the Administration's approach, viewed China as posing "the most serious long-term challenge to the international order."²³ Over the years, the choice of words have reflected familiar yet steeping competitiveness, assertiveness and tensions towards each other, contributing to the long-term, tumultuous relationship that the world is witnessing between the two political powerhouses.

In contrast, the language of Brunei's own foreign policy positions itself on the less-assertive end of the spectrum, which can then be interpreted as "vague," "disappearing," and "bland."²⁴ For one, most if not all of Brunei's stances are made with a consistent mention of unfailing adherence to universally recognised principles and international law like the United Nations Charter and, just as importantly, the ASEAN Charter. While these laws are also followed by countries like the U.S. and China, Brunei takes extensive measures into curating all of its individual opinions. In fact, the sultanate arguably executes extra efforts in avoiding even a slight possibility of disrupting the international order based on these universal documents. As such, these international principles become the inseparable skeleton of the sultanate's foreign policy and, in extension, the country's overall political identity.

¹⁷ Zhen Liu, "China and Brunei to Step up Oil and Gas Development in Disputed South China Sea," *South China Morning Post*, (November 19, 2018), <https://www.scmp.com/news/china/diplomacy/article/2173959/china-and-brunei-step-oil-and-gas-development-disputed-south>; Hengyi Industries, "About Us."

¹⁸ Bama Andika Putra, "Comprehending Brunei Darussalam's Vanishing Claims in the South China Sea."

¹⁹ Ministry of Foreign Affairs of Brunei Darussalam, "Statement on the South China Sea."

²⁰ Michael Hart, "Brunei Abandons South China Sea Claim for Chinese Finance," *Geopolitical Monitor*, (April 4, 2018), <https://www.geopoliticalmonitor.com/brunei-abandons-south-china-sea-claim-for-chinese-finance/>.

²¹ Kamel S. Abu Jaber, "Language and Diplomacy," *Language and Diplomacy*, 22–25, Malta: DiploProjects, (2001), https://www.diplomacy.edu/wp-content/uploads/2023/01/Language_and_Diplomacy.pdf.

²² Ministry of Foreign Affairs of the People's Republic of China, "Statement by the Ministry of Foreign Affairs of the People's Republic of China," Press release, (August 30, 2022), https://www.fmprc.gov.cn/eng/zxxx_662805/202208/t20220802_10732293.html.

²³ Antony J. Blinken, "The Administration's Approach to the People's Republic of China," United States Department of State, (May 26, 2022), <https://www.state.gov/the-administrations-approach-to-the-peoples-republic-of-china/>.

²⁴ Joshua Espeña and Ann Uy, "Brunei, ASEAN and the South China Sea," *The Interpreter*, The Lowy Institute, (August 3, 2020), <https://www.loyyinstitute.org/the-interpreter/brunei-asean-and-south-china-sea>.

As the sixth member of the regional economic bloc ASEAN, Brunei most recently held its rotational position as the ASEAN Chair in 2021. In the year of their chairmanship, member states become the spokesperson, chief executive of the bloc's meetings and task forces, and table new initiatives that can advance cooperation.²⁵ As part of the bloc that prioritizes the non-interference policy, Brunei's steadfast alliance to ASEAN aligns with the language of the statements it released throughout its chairmanship and independent statements outside its ASEAN membership. For example, while countries like the United States and the United Kingdom, among many others, were quick to release their own statements of condemnation and implement economic sanctions in light of the sudden military takeover in Myanmar, Brunei did not release its own independent statement. Instead, as the ASEAN Chair in 2021, the sultanate released the Five-Point Consensus on behalf of member states. As the number of deaths, injuries, and arrests increased exponentially, critics condemned the takeover and quickly labeled it a coup d'état and demanded an immediate ceasefire.²⁶ To the disapproval of critics, the Five-Point Consensus was only reached after two months and was then published with descriptions of the takeover as "violence" and suggested "constructive dialogue among all parties concerned," as opposed to hard sanctions "to seek a peaceful solution in the interests of the people."²⁷ Like it or not, the restraint of the language in the document essentially reflected ASEAN's performance. However, because of Brunei's steadfast loyalty to the bloc, it also, by extension, reflects the sultanate's individual stance as soft and non-confrontational, even in light of a heated conflict driven by the determined military leaders of their fellow troubled state.

One means to further understand the critics' shunning of Brunei for what they perceive as an underwhelming political voice is to look into the independent moves that it has made so far. For one, the sultanate did not join the 2016 Arbitration with the Philippines, nor did they join Vietnam in its Hai Yang Shi You 981 standoff with China in 2014.²⁸ There was also no conclusion on the attempt to negotiate an agreement with Malaysia in 2009.²⁹ To date, the sultanate still remains the only claimant that does not exert sovereignty over its claims and has no military presence in the South China Sea.³⁰ On a related tangent, with the 2020 Statement, Brunei returned to its loyal adherence to international law. The sultanate mentions, "negotiations... should be resolved in accordance with the 1982 United Nations Convention on the Law of the Sea (UNCLOS), and the rules and principles of international law."³¹ As opposed to its more vocal counterparts within and beyond ASEAN, the voice and volume of Brunei's foreign policy is one that is understandably less audible, given that it often echoes the unanimous conclusions of regional blocs and international organizations.

A Counter Perspective on the Language of Brunei's Foreign Policy

In retrospect however, is Brunei's current performance – or in the opinion of critics, a lack thereof – really neglect? Arguably, the answer is not as straightforward as the criticism the sultanate has received so far. Brunei's language in its foreign policy can be regarded as "vague" when compared to other countries, but it can also be seen as calculated. It is important to remember that, as the second wealthiest nation in ASEAN, Brunei's political identity as a sultanate contributes to the fact that everything – including the maintenance of the economic status quo amongst its counterparts, and determination of threats and defense strategies – is perceived and determined by the Sultan.³²

²⁵ Siew Mun Tang, "The ASEAN Chairmanship: Duties, Obligations and Challenges," *News From Southeast Asia*, International Institute for Asian Studies, accessed 2016, https://www.iias.asia/sites/iias/files/nwL_article/2019-05/IIAS_NL73_18.pdf.

²⁶ Richard C. Paddock, "Myanmar's Coup and Its Aftermath, Explained," *The New York Times*, (December 9, 2022), <https://www.nytimes.com/article/myanmar-news-protests-coup.html>.

²⁷ ASEAN Secretariat, "Chairman's Statement on the ASEAN Leaders' Meeting," ASEAN, (April 24, 2021), <https://asean.org/wp-content/uploads/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf>.

²⁸ Ramses Amer, "China-Vietnam Drilling Rig Incident: Reflections and Implications," Institute for Security & Development Policy, accessed 2022, <https://www.files.ethz.ch/isn/185075/2014-amer-china-vietnam-drilling-rig-incident.pdf>.

²⁹ J. Ashley Roach, "Malaysia and Brunei: An Analysis of Their Claims in the South China Sea," *A CNA Occasional Paper*, CNA Analysis & Solutions, (August 2014), https://www.cna.org/archive/CNA_Files/pdf/iop-2014-u-008434.pdf.

³⁰ Joshua Espeña and Ann Uy, "Brunei, ASEAN and the South China Sea."

³¹ Ministry of Foreign Affairs of Brunei Darussalam, "Statement on the South China Sea."

³² Joshua Espeña and Ann Uy, "Brunei, ASEAN and the South China Sea."

Aside from the series of predictable statements that voice “concern” and “condemns any violation of sovereignty, independence and territorial integrity of any country” during political crises over the years, Brunei has occasionally hinted at its calculations, like when it released a statement voicing their concern on “The Recent Developments In The Taiwan Strait” in August 2022.³³ In this context, along with encouraging “all parties concerned to exercise restraint,” the sultanate states in the final sentence that it “continues to reaffirm its commitment to the One China policy,” instead of the One China Principle (一中原則). In light of this heated linguistic debate, to which the latter is defined as the unchangeable core interest advocated by China that Taiwan is inseparable from China, Brunei has chosen to reaffirm its commitment to the One China Policy (一中政策), a slight variation of the original term that is the formulation of solutions on Taiwan framed by the U.S. and governments around the world that do not officially recognise China’s advocacy for the previous definition.³⁴ This is a subtle indication of Brunei’s opinions as a counterpart and a pawn between this particular area of the U.S.-China disputes. On a similar tangent, Brunei has also raised its voice on “The Recent Developments in Jerusalem,” and reiterates the “condemnation in the strongest terms, the repeated blatant violations of the Palestinian’s human rights.”³⁵ This is another example that, depending on where and when Brunei sees fit, it can be as assertive and vocal as its counterparts.

Just like other ASEAN claimant states, Brunei shares deep economic ties with China whilst maintaining military communication with the United States and its allies. But unlike its fellow claimant states, Brunei has not been particularly verbal, nor is it part of larger actions with regards to the South China Sea, such as the Philippine’s 2016 Arbitration, even if its EEZ is positioned within China’s nine-dash line. Although Brunei significantly lacks assertiveness in comparison with its counterparts, its actions tell otherwise. For one, the lack of Brunei’s voice in the 2016 Philippines Arbitration and the 2014 Vietnam standoff against China can be reconciled to the fact that its own EEZ was not directly affected by the Chinese presence. Concurrently, the Malaysia-Brunei agreement dissolved because Malaysia rescinded its claims over Louisa Reef.³⁶

That being said, in May 2022, Brunei announced a net-centric coastal surveillance system and acquired a new squadron of U.S.-made drones for humanitarian and disaster relief, search operations, border control and law enforcement operations, as well as for surveillance and intelligence gathering.³⁷ Despite a lack of information found on the relative ability of the Royal Brunei Navy, specifically on current maritime issues like that of the South China Sea, this is a significant move that signifies not only an upward shift in their priorities when it comes to protecting their territorial waters in comparison to what was mentioned in the 2011 Defence White Paper, but also as an imperative and calculated action taken regarding the heightened concerns voiced in the 2021 Defence White Paper.³⁸ Soon after, in July 2022, the Brunei-China Trade and Economy Forum was launched. Whilst the current political horizons have made bilateral relationships between the United States and China difficult to balance for many nations caught in the middle of the rivalry, the sultanate has fared considerably well so far.

³³ Ministry of Foreign Affairs of Brunei Darussalam, “Brunei Darussalam’s Statement on the Situation in Ukraine,” (February 26, 2022), <https://www.mfa.gov.bn/Lists/Press%20Room/news.aspx?id=969&source=https://www.mfa.gov.bn/pages/PressRoom.aspx?archive=1>; Ministry of Foreign Affairs of Brunei Darussalam. “Statement on the Recent Developments in the Taiwan Strait,” (August 6, 2022), <https://www.mfa.gov.bn/Lists/Press%20Room/news.aspx?id=991&source=https://www.mfa.gov.bn/pages/PressRoom.aspx?archive=1>.

³⁴ Milo Hsieh, “One China ‘Policy’ vs ‘Principle’: How Language Is Used to Obscure Discussion on Taiwan,” *New Bloom Magazine*, (April 21, 2019), <https://new-bloommag.net/2019/04/21/one-china-policy-principle/>.

³⁵ *Ibid.*

³⁶ J. Ashley Roach, “Malaysia and Brunei: An Analysis of Their Claims in the South China Sea.”

³⁷ Adib Noor, “Coastal Surveillance System to Thwart Maritime Security Threats,” *Borneo Bulletin*, (May 29, 2022), <https://borneobulletin.com.bn/coastal-surveillance-system-to-thwart-maritime-security-threats-2/>;

Shareen Han, “RBAF to Use Drones for Maritime Security Surveillance,” *The Scoop*, (May 31, 2021), <https://thescoop.co/2021/05/31/rbafto-use-drones-for-maritime-security-surveillance/>; Nabilah Haris and Ain Bandial, “MinDef Tables \$597 Million Budget to Support National Security,” *The Scoop*, (February 28, 2022), <https://thescoop.co/2022/02/28/mindef-tables-597-million-budget-to-support-national-security/>.

³⁸ Ministry of Defence of Brunei Darussalam, *Defence White Paper 2011*, <https://www.mindef.gov.bn/Defence%20White%20Paper/DWP%202011.Pdf>

Although caught in the middle of the major powers, Brunei has strategically created specific relationships with these major powers: so long as its territorial waters remain undisturbed, it continues its relationship with the United States in predominantly defense cooperation and China in economics and trade. Given that it has not landed itself in any political tensions with either country, it is safe to say that Brunei's calculations, as opposed to vagueness, have worked well for its own priorities and national vision so far.

ON CHANGING THE LANGUAGE OF BRUNEI'S FOREIGN POLICY

In response to past criticisms of Brunei's "vanishing" claims and "irregular" stance over the South China Sea, the reality is that any more assertiveness from the tiny sultanate would immediately place itself in a risky situation. In its 2021 Defence White Paper, Brunei highlighted an increased risk from a combination of security challenges:

"Tensions related to overlapping maritime claims in the South China Sea have increased, as nations seek to dominate and influence in the region. Militarisation of maritime features will continue to be of grave concern as the reach of nations expand well beyond their own mainland shorelines and recognised Economic Exclusive Zones (EEZs). This risk of miscalculation and the ensuing spiralling of regional instability is potentially the most significant threat in the maritime domain."³⁹

Along with Brunei's net-centric coastal surveillance system and the recent procurement of drones from the United States, Brunei has continued to stand behind the efforts of ASEAN as an influential and necessary bloc in maintaining regional peace and security through the consensus-based ASEAN Outlook on the Indo-Pacific in response to the American led and Japanese backed Free and Open Indo Pacific.⁴⁰ More recently, ASEAN member states are scheduled to conduct face-to-face consultations with China later on in 2022 to discuss the Code of Conduct (COC) amid the increasing risk of conflict after the 2012 Declaration on the Conduct of Parties in the South China Sea (DOC).⁴¹ Once again, regardless of major roadblocks, such as China's self-proclaimed historical rights and the escalation of tensions with the U.S., the unanimous agreements of a bloc provide Brunei with a much needed shield that allows it to prioritize its own interests in spite of the turbulent tensions it is witnessing first hand.

Today, with the current maritime security landscape becoming increasingly unpredictable, the claimants of the South China Sea joined the world in witnessing the Chinese military exercises around Taiwan after U.S. Congresswoman Nancy Pelosi's visit in August 2022.⁴² Reflecting on this episode, the abrupt halt of military dialogue between the U.S. and China may, on the contrary, provide some buffer for the tensions to simmer down, as opposed to if the dialogues were to continue at their same intensity. Outside of Taiwan, claimant states still worry about their own security and the unpredictable future of their coastlines, which are already highly disputed between China and the U.S. and its allies. While there has yet to be any outstanding advances by recent minilateral groups like AUKUS (Australia, United Kingdom, and the United States) and the Quad (Australia, India, Japan, and the United States) on the disputed waters recently, the presence of minilateral groups increases the chances of complexity

³⁹ Ministry of Defence of Brunei Darussalam, *Defence White Paper 2021*.

⁴⁰ Adib Noor, "Coastal Surveillance System to Thwart Maritime Security Threats.," Association of Southeast Asian Nations, "ASEAN Outlook on the Indo-Pacific," (2019), https://asean.org/asean2020/wp-content/uploads/2021/01/ASEAN-Outlook-on-the-Indo-Pacific_FINAL_22062019.pdf;
National Security Council, "Indo-Pacific Strategy of the United States," The White House, (February 2022), <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf>.

⁴¹ Benar News, "China, ASEAN to Hold South China Sea Code of Conduct Talks This Month," (May 16, 2022), <https://www.benarnews.org/english/news/indonesia/south-china-sea-conduct-code-05162022164530.html>;
Association of Southeast Asian Nations, "Declaration on the Conduct of Parties in the South China Sea," (May 12, 2012), <https://asean.org/declaration-on-the-conduct-of-parties-in-the-south-china-sea-2/>.

⁴² Paul Haenle and Nathaniel Sher, "How Pelosi's Taiwan Visit Has Set a New Status Quo for U.S.-China Tensions," Carnegie Endowment for International Peace, (August 17, 2022), <https://carnegieendowment.org/2022/08/17/how-pelosi-s-taiwan-visit-has-set-new-status-quo-for-u-s-china-tensions-pub-87696>.

in maintaining amicable relations between all involved parties, including China. In fact, while these groups may provide major powers with economic development and opportunities to strengthen each other's defense alliances, they simultaneously increase the possibility for disputes from contesting major powers.

As a consequence, like the rest of the ASEAN members, Brunei finds itself stuck in the middle of major powers in a multipolar, international system. In addition to all this, another crucial question appears: where does and where will Brunei stand in the current status quo vis-à-vis other claimant states? As the smallest country in Southeast Asia with the smallest claims on the South China Sea, it is more realistically a small antagonist, a middle power on the horizon of heightened interest by major powers in the disputed waters. Its small military size and oil and natural-gas-dependent economy are constantly at risk of fluctuations.

In this light, there is a need to tread carefully when exploring the idea of refreshing the sultanate's language when it comes to foreign policy. A key factor to consider in Brunei's foreign policy and, by extension, overall presence and strategies, is the adolescence of the sultanate. At the young age of thirty-eight, Brunei remains one of the region's youngest and most novice nations, not only in comparison with other ASEAN member states, but also among all the countries involved in the South China Sea disputes, especially when considering the longevity and scale of experience and history the major powers possess. In addition to its distinctly smaller caliber on all fronts, from its land area and population to the size of its military arsenal, Brunei cannot afford to be assertive or be on the offensive in issues of sovereignty, independence, and integrity. In this light, the current statements and friendly stances of the sultanate towards all counterparts is what it can afford in order to maintain its own national interests while navigating its bilateral and multilateral relationships with rival counterparts amidst the concerns it faces on its coastlines.

While Brunei's national interests have not yet been directly affected by the disputes, it is crucial for the sultanate to continue monitoring and preparing itself against an unwanted, but highly possible, conflict in the future, given the unpredictability and volatility of today's reality. If there ever comes a time where it is absolutely necessary for Brunei to increase its individual volume and assert its presence in the international arena for the sake of its sovereignty, independence, and integrity without the help of ASEAN (which is unlikely, but not impossible), it is important to first clarify the fine boundaries that come with presenting stronger language and laying a firm foot down in the face of conflict. Although refreshing the strength of Bruneian foreign policy language, from friendly and neutral to something that is more firm and less malleable, seems like a feasible solution to maintaining and strengthening its national interests, it must prepare with comprehensive, face-to-face, and high-level consultations with counterparts on managing expectations and standards that will appeal to all parties regardless of where they stand in the international order. Continuing with the Bruneian style of prioritizing consensus, non-interference, and maintaining friendly relations with all its allies at the multilateral level, it is the responsibility of the sultanate to stress its intention of strengthening the language to its foreign policy. On top of maintaining its adherence to universal charters, documents, and international law, Brunei must not pick sides. Instead, it must clarify, strengthen, and reinforce what it welcomes, expects, and will tolerate.

Therefore, the next question follows: what will prompt the sultanate to take a stronger position in its foreign policy, particularly towards the South China Sea disputes? The most likely scenario wherein Brunei will be forced to be more assertive is when and if the Chinese militarization of the South China Sea occurs, particularly in areas that Brunei directly claims, like the Louisa Reef. However, given the positive relationship Brunei has with China, the chances of it turning sour is unlikely, although not impossible. Even in the hypothetical scenario where Brunei-China relations take a turn south, the sultanate is more likely to engage in bilateral dialogues rather than utilize its military. As a small pawn

amidst the turbulent disputes, it is only fair that Brunei still chooses to refrain from being more forward in its foreign policy, keeping its distance from provoking any of its counterparts.

THE NECESSITY OF A GENTLE, YET MEASURED BRUNEIAN VOICE

In the midst of an increasingly coercive and polarized world that is closer to the edge of heightened military presence with every conflict, it is easy to undermine the potential of subtle strategies, like that of calculated language in official documents and statements in the midst of the vocal and assertive majority. In the case of Brunei, being at the calmer end of the assertiveness spectrum is a heavily measured decision it makes for its own sake. Instead of exercising its military in the face of disputes like the South China Sea, its current strategy of positioning itself behind the protective wall of universal charters and international law while simultaneously taking smaller steps – such as acquiring U.S. drones for surveillance and releasing its own statement on the South China Sea – displays the extensive calculations the sultanate has made for the sake of its own national interests.

As such, it is more crucial than ever to understand the impacts of having documents speak on behalf of nations, especially when confronted with the heightened possibility of a changing status quo like that of the disputed South China Sea. Just as the way public statements and documents that have been published regarding the U.S.-China conflicts eventually contributed to the current bitter spat between the major powers, positive change is just as possible if Brunei chooses to strengthen its language. Especially, given that it will be done by navigating extensive and substantive face-to-face conversations with every party involved in the South China Sea disputes. In contrast to being vocal like its fellow ASEAN member states and the major powers, staying neutral and friendly among all its counterparts is currently the best strategy the young, but realistic, Brunei can afford.

In hindsight, the sultanate's measured speech is not just pragmatic. It is what the young and tiny sultanate can afford, to not only avoid unfavorable disagreements with the rivaling major powers, but to ensure that its national interests are well protected from risk. In other words, if Brunei hypothetically chooses to heighten its assertiveness through actions like joining the Philippines' arbitration case, it would at the very least put its profitable economic ties with China at a significant risk, let alone bear the other costs of choosing sides such as heightened disputes in territorial waters and, by extension, its overall national security. To put it simply, given that the tensions at its coastlines are indeed alarming, Brunei's gentle but measured approach does not equate to the perception of "vanishing" claims. In reality, Brunei's tone is far more reasonable for the sultanate than increasing its volume and assertiveness at this time of increasing polarity and tensions in the South China Sea.

2. The Coming of the Raging Fire: The Revolution in Myanmar

Thiha Wint Aung



ABSTRACT

This article provides an analysis of the structural origins and political process behind the armed revolt in Myanmar. The military class, which had enjoyed no competition before, staged a coup d'état to reassert their control over the economy. However, the abrupt economic reversals caused by their reckless actions had grieved the new middle class, which had emerged in the last decade. The people felt that the socio-economic boom of the past decade was collapsing, and their future had been stolen. While the protests were initially peaceful, the escalating violence by the State Administration Council (SAC) and helplessness of international institutions made people realize that the military was not going to give up, and there was “no other way out.”

The article challenges the initial expectations of observers and analysts who believed that Myanmar's military would ultimately crush the movement. Engaging with the military, according to them, was the best course of action, as it was the “strongest institution in the country.” A second set of analyses, mainly from security studies, overemphasized the firepower of each side and inflated the role of ethnic armed organizations (EAOs), which, they said, would be king-makers in this conflict. However, the majority of the armed resistance was happening in areas that had not seen armed conflicts for decades, and the king had not been made.

The article argues that the political violence we are witnessing in Myanmar has structural origins. It is a “revolution” of the people aimed at removing the socio-economic exploitation of the military class that had enjoyed impunity for their crimes against the people. The article calls for the international community to support the armed resistance to ensure its success and Myanmar people to build a free democratic and inclusive society.

INTRODUCTION

When the Myanmar military staged the coup d'état on February 1, 2021, the leaders did not foresee how passionately the public would resist or expect that peaceful protests would transform into a nation-wide armed revolt. One and a half years later, the country was in full-blown revolution and, despite the military regime's increasing reliance on violence, it could neither consolidate its rule nor eliminate the opposition. In this chapter, I examine the structural origins of the revolution and how the political process at the height of mobilization evolved into an armed revolt. I argue that the political economy had transformed in the past decade due to liberalization and foreign capital coming in, creating new social groups. The military coup d'état destroyed the future prospects of these social groups and the abrupt economic reversals had despaired the emerging middle class. The escalating violence by the military against peaceful protests led people to realize that there was “no other way out” than to fight back and abolish the military class that had exploited them for decades.¹

The existing analyses of the ongoing armed resistance against the military coup in Myanmar have mainly focused on the actors involved in the emerging and complex security landscape. Since these analyses do not pay attention to the structural origins of the violence or the political processes, they tend to overemphasize the importance of firepower or the role of certain actors. For example, some analysts have suggested that it is the ethnic armed organizations (EAOs) that will decide the fate of the ongoing revolution.² Others have suggested that the Myanmar military will ultimately prevail and thus negotiations with them are more desirable.³ The shortcomings of these analyses are obvious. If “EAOs are the king-makers,” why have they not yet made a king? And, after nearly two years, why was the so-called

¹ Ben Anderson, “Withdrawal Symptoms: Social and Cultural Aspects of the October 6 Coup,” *Bulletin of Concerned Asian Scholars* 9, no. 3 (September 1977): 13–30. <https://doi.org/10.1080/14672715.1977.10406423>.

² Ye Myo Hein, *One Year On: The Momentum of Myanmar's Armed Rebellion*, 2022.

³ Nay Yan Oo, “Don't Give Up on Myanmar,” *Brookings*, (December 16, 2021), <https://www.brookings.edu/blog/order-from-chaos/2021/12/16/dont-give-up-on-myanmar/>.

“strongest institution” in the country losing control, not only over the state administration, but also in the battlegrounds where they were supposed to perform better?⁴ While I recognize the important contribution of these analyses, they need to be supplemented by examining reality beyond the firepower and security landscape. This chapter aims to fill the gap by analyzing the socio-economic origins of the revolution and the evolution of the political process that has led Myanmar into the current situation.

THE SHIFT IN THE POLITICAL ECONOMY:

THE FUEL OF THE RAGING FIRE

The political changes in Myanmar in 2011-12, which were once widely celebrated as a *democratic transition*, provided not only unprecedented political freedom but also remarkable liberalization and deregulation of the market. Charles Tilly argues that it is the emergence of new social groups and the refusal of the old groups to disappear that leads to the revolutionary violence.⁵ We are witnessing this kind of situation in Myanmar today. As the new social groups emerge, the old military guard that used to dominate the country’s economy without any competition appeared to feel threatened. The argument in this section is based on the theoretical framework used by Anderson in his analysis of Thailand’s October 6 coup and the right-wing violence in 1976, and also inspired by my teacher, Prof. Francis Loh’s talk on the Myanmar protests, given at the Penang Institute in June 2022.⁶

Myanmar experienced a decade of rapid economic expansion, with a growth rate of around 7 percent every year according to the World Bank.⁷ The data also shows that the GDP per capita (constant 2015 US\$) in Myanmar jumped from US\$963 in 2011 to US\$1313 in 2016 and reached a record high of US\$1587 in 2020 (See Figure 1). The economic development resulted in a significant reduction in poverty, which dropped from 48 percent in 2005 to 25 percent in 2017.⁸ The World Bank also reclassified Myanmar as a lower middle-income country and a new middle class emerged.⁹ With the liberalization of the economy, foreign direct investment and aid poured in, as shown in Figure 2. People’s lives and the standard of living improved dramatically as many sectors were transformed. Before 2010, a mobile sim card used to cost the ridiculously high price of US\$7,000 each but in 2020, it had declined to merely US\$1 thanks to investment from foreign telecoms.¹⁰ The percentage of the population with access to electricity jumped from 48.8 percent in 2010 to 70.4 percent in 2020.¹¹ The overall GDP of the country grew from US\$37.8 billion in 2010 to US\$78.9 billion in 2020.¹² These are all important changes and the people of Myanmar began to associate the democratic transition with economic growth and improved living standards.

⁴ Min Zin, “The Real Kingmakers of Myanmar,” *New York Times*, (June 4, 2021), <https://www.nytimes.com/2021/06/04/opinion/myanmar-ethnic-armed-groups.html>;

Nay Yan Oo, “Don’t Give Up on Myanmar,” *Brookings*, (December 16, 2021), <https://www.brookings.edu/blog/order-from-chaos/2021/12/16/dont-give-up-on-myanmar/>.

⁵ Charles Tilly, *From Mobilization to Revolution* (New York: Random house, 1978).

⁶ Ben Anderson, “Withdrawal Symptoms: Social and Cultural Aspects of the October 6 Coup.”; Francis Loh, “Myanmar: From Anti-Coup Protests to a Federal Democratic Union Movement,” Penang Institute, (June 24, 2022), <https://www.youtube.com/watch?v=6pUybNxsGAw&t=2361s>.

⁷ The World Bank, “The World Bank in Myanmar - Overview,” (April 2022), <https://www.worldbank.org/en/country/myanmar/overview>

⁸ UNDP, “MYANMAR LIVING CONDITIONS SURVEY 2017,” (June 2019), <https://www.undp.org/myanmar/publications/myanmar-living-conditions-survey-2017-poverty-report>.

⁹ The World Bank, “WB Update Says 10 Countries Move Up in Income Bracket,” (July 1, 2015), <https://www.worldbank.org/en/news/press-release/2015/07/01/new-world-bank-update-shows-bangladesh-kenya-myanmar-and-tajikistan-as-middle-income-while-south-sudan-falls-back-to-low-income>.

¹⁰ Jared Ferrie, “In Myanmar, Cheap SIM Card Draw May Herald Telecoms Revolution,” *Reuters*, (April 24, 2013), <https://www.reuters.com/article/us-myanmar-telecoms-draw-idUSBRE93N1AX20130424>.

¹¹ The World Bank, “Access to Electricity,” (2022), <https://data.worldbank.org/indicator/EG.ELC.ACCS.ZS?locations=MM>.

¹² The World Bank, “GDP (Constant 2015 US\$) - Myanmar,” (2022), <https://data.worldbank.org/indicator/NY.GDP.MKTP.CD?locations=MM>.

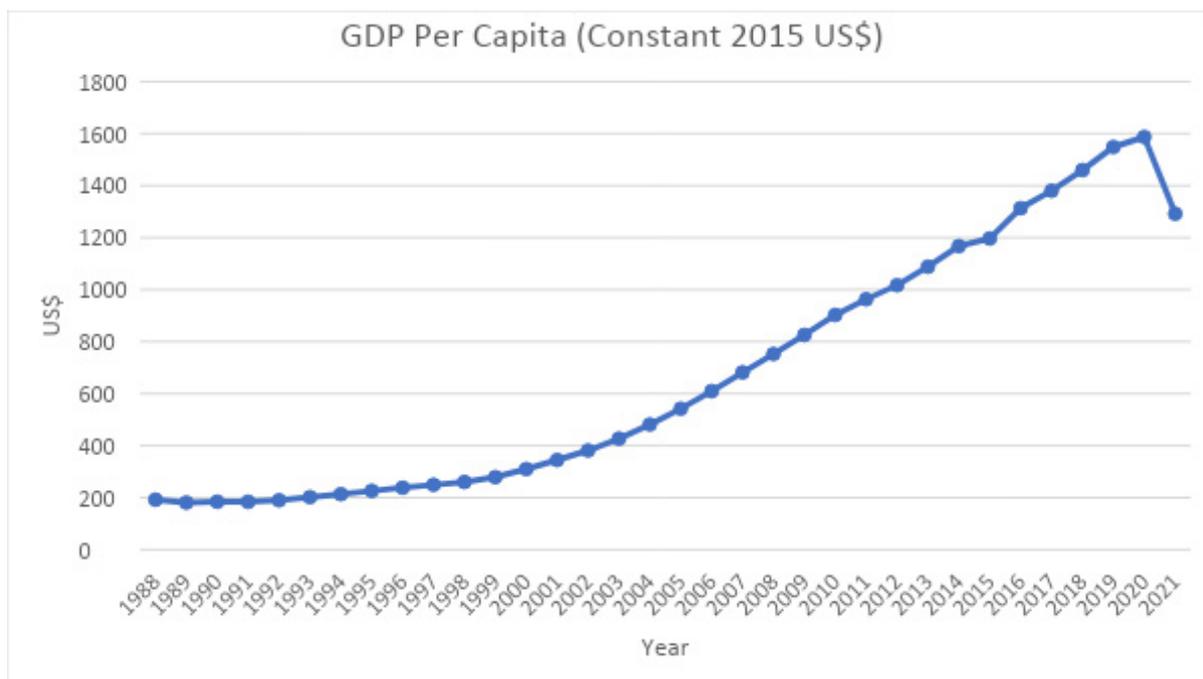


Figure 1. GDP Per Capita (constant 2015 US\$) in Myanmar Since 1988

Source: Adapted from World Bank Data ¹³

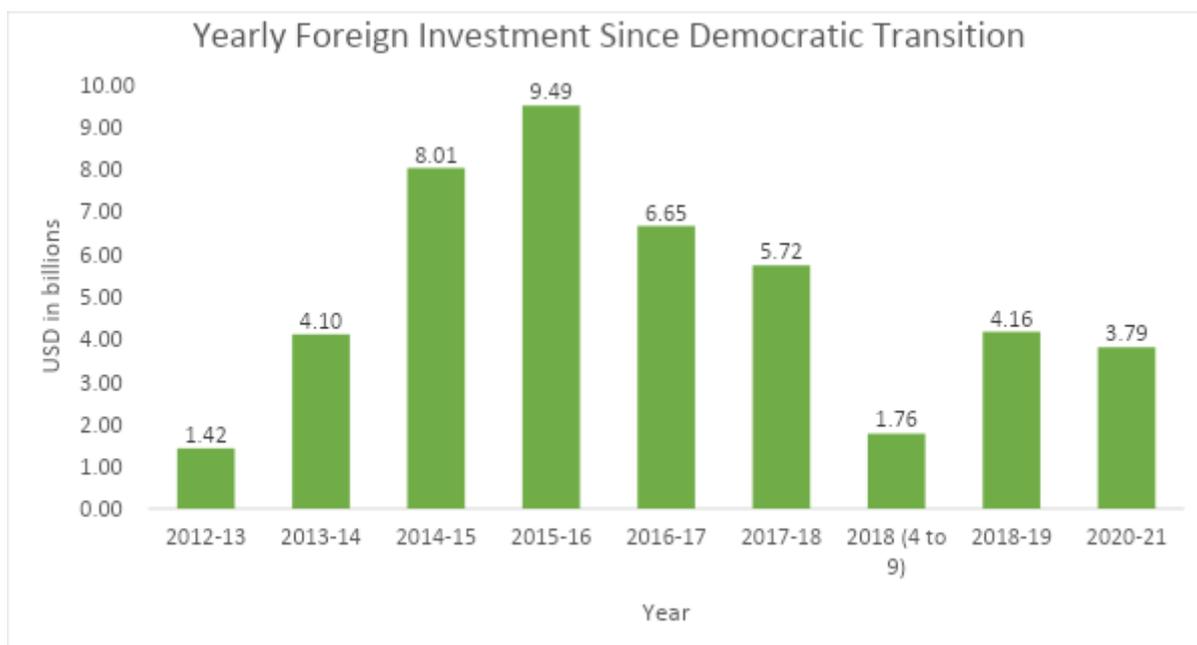


Figure 2. Yearly Foreign Direct Investment (FDI) in Myanmar Since the Democratic Transition in 2011

Source: Adapted from official data released by Directorate of Investment and Company Administration of Myanmar ¹⁴

¹³ The World Bank, "GDP per Capita (Constant 2015 US\$) - Myanmar."

¹⁴ Directorate of Investment and Company Administration, "2022/July Foreign Investment Yearly Approved Amount (Country)," (July 2022), https://www.dica.gov.mm/sites/default/files/document-files/yearly_bycountry.pdf.

Emergence of New Social Groups

The role of the middle class and the structure of the economy during democratic transitions has been long recognized in democratization literature.¹⁵ Since the country’s opening in 2011, there was not only rapid economic growth but also significant changes in the structure of the economy. According to census data, as shown in Table 1, the number of people working in the primary sector (mainly agriculture) declined from 11.1 million in 2014 to 10.4 million in 2019.¹⁶ The second largest industrial group (Group G), which includes people working in the service sector such as wholesale and retail trade as well as the repair of motor vehicles and motorcycles, grew from nearly 2 million in 2014 to 3.7 million in 2019. Manufacturing (Group C) and construction (Group F) industries, which already employed 2.3 million together in 2014, grew to 3.4 million in 2019. The changes in 2019 were all the more remarkable when compared to the labor force survey conducted in 1990, as shown in Figure 3. The percentage of people working in the primary sector (i.e., agriculture, forestry, and fishing) declined from 65 percent of the total workforce in 1990 to only 45 percent in 2019, while the other two sectors grew respectively, as shown in Figure 3.

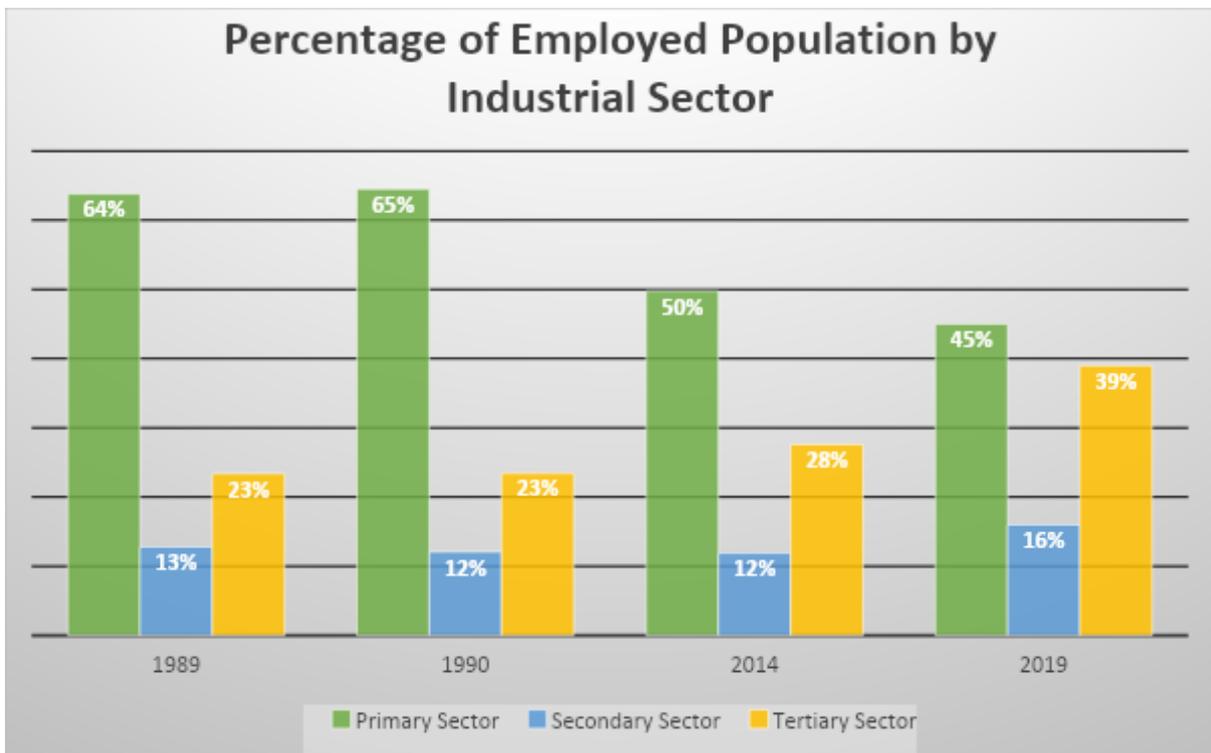


Figure 3. Percentage of employed population in Myanmar by industrial sectors
 Source: Adapted from ‘The 2014 Myanmar Population and Housing Census: Thematic Report and Labour Force’ and 2019 interim census data

¹⁵ Daron Acemoglu and James A. Robinson, *Economic Origins of Dictatorship and Democracy*, 1. paperback ed., reprint (Cambridge: Cambridge Univ. Press, 2009); Barrington Moore, *Social Origins of Dictatorship and Democracy: Lord and Peasant in the Making of the Modern World*, Repr, Peregrine Books (Harmondsworth, Middlesex: Penguin Books, 1984).

¹⁶ Department of Population Myanmar, “2014 Population Census Data,” 2015, <https://dop.gov.mm/en>; Department of Population Myanmar, “2019 Interim Census Report,” (2020), <https://dop.gov.mm/en>.

The Growth of the Middle Class

While the exact size of the middle class is difficult to calculate, its growth can be estimated through the changes in the number of people employed in different industrial categories and their wealth index quantile. The middle class, by definition, is the middle three quantiles of the wealth index. As shown in Figure 4, the primary sector contains mostly peasants and farmers, who have the poorest profile among the different occupational groups. Only 3.6 percent of people employed in this group belong to the highest wealth index quantile. In contrast, the people employed in the secondary and tertiary sectors have better-paying jobs and belong to higher income groups (see Figure 4). Since 2013, a shift in investments towards manufacturing and service sectors has been observed, due to liberalization of the economy.¹⁷ Since there is no reason for the percentage distribution of the wealth index quantile for each industrial group to be different in 2019, we can look at how these groups grew in the last five years (details can be seen in Table 1). The size of the primary sector declined by 5 percent while the secondary and tertiary sectors grew by 28 percent and 32 percent respectively. Since the overall size of the labor force grew by one million during this period, the decline of the primary sector could be attributed to migration to other sectors with better paying jobs and higher income.¹⁸ As such, we can conclude that the middle class has indeed grown substantially over the last decade, coinciding with the democratic transition of the country.

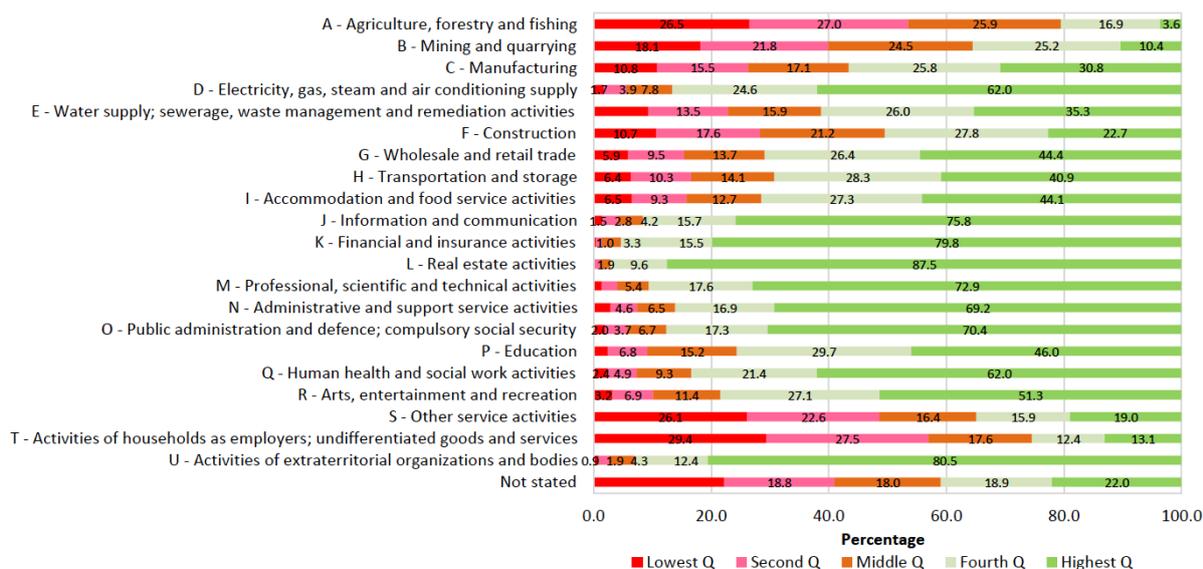


Figure 4. Percentage of employed population aged 10 and over in conventional households by industrial category by wealth index quintile, 2014 Census

Source: Directly adapted from ‘The 2014 Myanmar Population and Housing Census: Thematic Report and Labour Force’ and 2019 interim census data

¹⁷ Masato Abe, “Growing Through Manufacturing: Myanmar’s Industrial Transformation,” *Asia-Pacific Research and Training Network on Trade* 145, (July 2014).

¹⁸ Due to the presence of a high number of people in the group listed as “not stated” in the 2014 census, the comparison here is less powerful. However, if we distribute these people proportionately to the occupation groups, the high proportion of them would still go to the primary sector (at least 50%). Moreover, according to the 2014 census data, the number of people listed as “not stated” is higher in the rural population (68% of those listed “not stated”). So, the overall conclusion that the secondary sector and tertiary sector grew in 2019 would still be the same even if we consider the “not stated” group in the 2014 census.

Industrial category	2014	2019	% Increase
A. Agriculture forestry and fishing	11,051,145	10,486,190	-5.4%
Total primary sector	11,051,145	10,486,190	-5.4%
B. Mining and quarrying	168,381	140,619	-19.7%
C. Manufacturing	1,435,071	2,192,772	34.6%
D. Electricity gas steam and air conditioning supply	44,849	42,791	-4.8%
E. Water supply; sewerage waste management and remediation activities	26,522	31,234	15.1%
F. Construction	960,478	1,229,831	21.9%
Total secondary sector	2,635,301	3,637,247	27.5%
G. Wholesale and retail trade; repair of motor vehicles and motorcycles	1,956,096	3,650,367	46.4%
H. Transportation and storage	817,749	1,027,284	20.4%
I. Accommodation and food service activities	986,092	932,160	-5.8%
J. Information and communication	48,212	68,310	29.4%
K. Financial and insurance activities	42,942	80,781	46.8%
L. Real estate activities	10,936	8,762	-24.8%
M. Professional scientific and technical activities	29,701	30,903	3.9%
N. Administrative and support service activities	250,169	694,558	64.0%
O. Public administration and defense; compulsory social security	619,981	71,670	-765.0%
P. Education	391,170	586,110	33.3%
Q. Human health and social work activities	116,580	172,560	32.4%
R. Arts entertainment and recreation	59,030	91,065	35.2%
S. Other service activities	490,755	1,193,471	58.9%
T. Activities of households as employers; undifferentiated goods- and services-	295,227	394,576	25.2%

Table 1: Economically active population aged 10 and over in conventional households by major industrial category

Source: Adapted from 2014 national census and 2019 interim census data

Expansion of Education Sector and Social Group Formation

Social groups are consolidated into social classes through the family – which is, as Anderson argued, “a key institution for linking power, health and status in one generation and transmitting to the next.”¹⁹ According to Anderson, expansion of the education sector is an important sign of class formation. In this regard, we can look at the expansion of Myanmar’s education sector over the last decade. The expenditure on education as a percentage of total government spending grew from 5.9 percent in 2011 to 10.6 percent in 2019 according to the World Bank.²⁰ As the data from the Myanmar Information Management Unit (MIMU)²¹ shows, the number of students enrolled in government secondary schools

¹⁹ Ben Anderson, “Withdrawal Symptoms: Social and Cultural Aspects of the October 6 Coup.”

²⁰ The World Bank, “Government expenditure on education, total (% of GDP) - Myanmar,” (2022), <https://data.worldbank.org/indicator/SE.XPD.TOTL.GD.ZS?locations=MM>

²¹ Myanmar Information Management Unit (MIMU), accessed 2022 <https://themimu.info/>

rose from 2,071,528 in 2009 to 3,134,700 in 2019, an increase of more than one million students.²² Similarly, during the same period, the number of government high school students rose from 651,033 to 1,093,782. With permission to open private schools in 2011 for the first time, a total of 179,183 students were enrolled in private schools in 2017-2018. The number of university students also significantly grew, from 498,210 in 2009 to 1,040,393 in 2019 according to data from the Department of Higher Education.²³ These trends clearly indicate the aspiration for upward social mobility in these newly emerging social groups.

While the socio-economic boom was happening alongside the democratic transition over the last decade, the young people of Myanmar were hopeful that their lives would get better than those of their parents. As described in the last section, these young people would become employed in the growing manufacturing and service sectors, which relied on foreign investment and continued economic growth. Political activism was also rooted firmly in the mindset of these young people since it was the university students who had historically spearheaded efforts to achieve independence in the 1940s as well as during the democratic struggle of the 1990s. These young people viewed themselves as “new sociocultural elites” and vowed to break free from the past’s traditional military elites and serve the nation’s development.²⁴ It is in this context that we should understand how the military coup d’état not only destroyed the aspirations of the young people but also invoked their historic role as political activists and triggered their sense of patriotic duty to end the military dictatorship once and for all. Early days of protests were marked by crowds of well-dressed youthful protesters, known as Gen-Z. As the military started to violently crack down on the protests, many of these same people went into the jungles to receive armed training and fight back against the military regime.²⁵

The Clash of the New and Old Groups

As social science literature recognizes, the abruptness of the economic reversals, created by the military coup d’état, transformed “class consciousness” into “revolutionary consciousness” in Myanmar.²⁶ The military coup d’état not only destroyed economic growth but also reversed many economic reforms undertaken over the last decade. People perceived that their future had been stolen or destroyed by the military coup. The economy contracted by 18 percent in 2021 and around 40 percent of the population fell back below the national poverty line in 2022, reversing years of progress.²⁷ Gold and dollar prices had been soaring since February 2021 and the value of Myanmar’s currency had fallen sharply.²⁸ Many foreign companies, such as energy giants Total and Chevron as well as Norwegian telecom Telenor, pulled out of Myanmar.²⁹ Foreign direct investment fell to an 8-year low in 2021 and was expected to fall further as the conflict worsened in 2022.³⁰

²² MIMU, “MIMU Baseline Data Education Countrywide,” (August 24, 2021), http://themimu.info/sites/themimu.info/files/documents/MIMU_BaselineData_Education_Countrywide_18Mar2021_revised.zip.

²³ Department of Higher Education, “Number of University Students,” accessed 2022, <http://www.mmsis.gov.mm/>.

²⁴ Moon Suk Hong and You Jin Chun, “Symbolic Habitus and New Aspirations of Higher Education Elites in Transitional Myanmar,” *Asia Pacific Education Review* 22, no. 1 (March 2021): 67–76, <https://doi.org/10.1007/s12564-020-09649-7>.

²⁵ Jonathan Head, “Myanmar: Why Once Peaceful Protesters Are Now Choosing Violence,” *BBC*, (January 30, 2022), <https://www.bbc.com/news/world-asia-60137053>.

²⁶ Barrington Moore, *The social bases of obedience and revolt*, (White Plains, NY: Sharpe, 1978); Anthony Giddens, *The Class Structure of the Advanced Societies*, (New York: Barnes & Noble, 1973); John Walton, *Reluctant Rebels: Comparative Studies of Revolution and Underdevelopment*, (New York: Columbia University Press, 1984).

²⁷ The World Bank, “Myanmar Economy Remains Fragile, with Reform Reversals Weakening the Outlook,” Press Release, (July 21, 2022), <https://www.worldbank.org/en/news/press-release/2022/07/21/myanmar-economy-remains-fragile-with-reform-reversals-further-weakening-the-outlook>.

²⁸ Radio Free Asia Burmese, “Gold and Dollar Prices Soar in Myanmar,” (July 19, 2022), <https://www.rfa.org/english/news/myanmar/gold-and-dollar-prices-soar-in-myanmar-07192022062928.html>.

²⁹ Jubeda Chowdhury, “Pullout of Foreign Companies Jeopardizes Myanmar Economy,” *Asia Times*, (January 29, 2022), <https://asiatimes.com/2022/01/pull-out-of-foreign-companies-jeopardizes-myanmar-economy/>.

³⁰ Nikkei Asia, “Myanmar FDI Drops to 8-Year Low, Reflecting Post-Takeover Unrest,” (October 19, 2021), <https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-FDI-drops-to-8-year-low-reflecting-post-takeover-unrest>.

For the people of Myanmar who associated the socio-economic boom with the democratic transition, the chaos and freefall of the economy were also directly attributed to the coup d'état and the military's self-imposed rule over the country.³¹ The coup itself could also be associated with the military generals' perception that liberalization had gone too far and that their control over the economy was slipping thanks to the reforms under the civilian government. The military leader Min Aung Hlaing was reportedly urged by his subordinates in 2019 to stage a coup when military companies lost to their rivals in some sectors since they no longer had government favor.³² The Myanmar military owned two of the largest business conglomerates in the country – Myanmar Economic Holding Limited (MEHL) and Myanmar Economic Corporation (MEC) – with business empires that incorporated everything from oil and gas extraction and telecoms to banking and tourism.³³ The top military leaders and their families, as well as their cronies, had extensive business interests in these entities that had little civilian oversight.³⁴ While the military coup brought devastating economic consequences to the burgeoning middle class and newly emerging social groups, the old military guard and its cronies were lining up to fill their pockets over the ruins of the economy. In a way, the armed revolt developed because the emerging middle class in Myanmar could no longer tolerate the exploitation of the military class at their expense. They had tasted political freedom and they could no longer allow the military to steal their future away.

THE SHIFT IN POLITICAL OPPORTUNITIES: THE SPARK OF THE RAGING FIRE

But as Goodwin argues, revolutionary movements emerge not only as a response to economic exploitation and structural factors but also as a direct response to “political oppression and violence, typically brutal and indiscriminate.”³⁵ In this section, I pay attention to the immediate causes of the armed resistance in Myanmar. Donatella has suggested that the handling of protests by the authorities serves as “a barometer for political opportunities,” which, in turn, influences the strategic choices of social movements.³⁶ As the Myanmar military resorted to more and more violence in cracking down on popular protests, the public became more radicalized as they realized peaceful protests alone could no longer stop the military's pursuit of power. As people perceived that there was “no other way out,” the armed revolt gradually emerged as a response to escalating violence by the military.

Escalation of Violence and Reciprocation

While the coup regime, known as the State Administrative Council (SAC), tolerated mass protests in the early weeks of the coup, they started using lethal force at the end of February 2021, often aiming to kill protesters with snipers and sometimes even heavy weapons.³⁷ The protesters initially maintained a strict non-violence discipline, hoping that the United Nations or the regional bloc, ASEAN, would ultimately intervene to stop the violence being committed by SAC. However, international mechanisms,

³¹ Maimonna for Mizzima, “BANKING UNDER THE GENERALS: Myanmar Military Once Again Cause Chaos in the Banking Sector,” Mizzima, (April 25, 2022), <https://mizzima.com/article/banking-under-generals-myanmar-military-once-again-cause-chaos-banking-sector>.

³² Khit Thit Media, “စစ်တပ်ဦးပိုင်ကုမ္ပဏီ၏ အကျိုးစီးပွား ကာကွယ်ရေး မင်းအောင်လှိုင် အာဏာ သိမ်းမှုတွင် အဓိက အကူအညီပေး အဖွဲ့ဝင် ၂၀၁၉ ခုနှစ် ကတည်းက အာဏာ သိမ်းရန် ကြံစည်ခဲ့ (အပိုင်း -၁),” (January 12, 2022), <https://www.facebook.com/khitthitnews/posts/plbid0sKR9ahd2iK8tjdSX8dfJdGLum-jYedWWLRdy1oTdrjk3pEZ9m5KToJKRwXWZ2Hkl>.

³³ UN Human Rights Council, “Full Report: The Economic Interests of the Myanmar Military - A/HRC/42/CRP.3,” (August 5, 2019), <https://www.ohchr.org/en/hr-bodies/hrc/myanmar-ffm/economic-interests-myanmar-military>.

³⁴ Joshua Cheetham, “Myanmar Coup: The Shadowy Business Empire Funding the Tatmadaw,” BBC, (March 9, 2021), <https://www.bbc.com/news/world-asia-56133766>; Justice For Myanmar, “WHO PROFITS FROM A COUP? THE POWER AND GREED OF SENIOR GENERAL MIN AUNG HLAING,” (January 30, 2021), <https://www.justiceformyanmar.org/stories/who-profits-from-a-coup-the-power-and-greed-of-senior-general-min-aung-hlaing>.

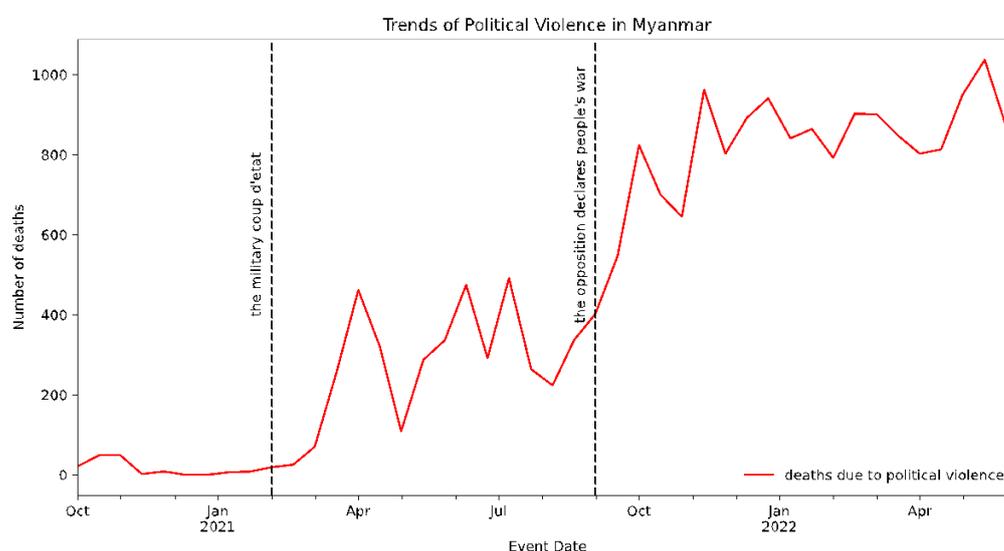
³⁵ Jeff Goodwin, *No Other Way out: States and Revolutionary Movements, 1945-1991*, Cambridge Studies in Comparative Politics (Cambridge; New York: Cambridge University Press, 2001).

³⁶ Donatella della Porta, *Clandestine Political Violence*, Cambridge Studies in Contentious Politics (Cambridge: Cambridge University Press, 2013).

³⁷ Fortify Rights, “‘Nowhere Is Safe’: The Myanmar Junta’s Crimes Against Humanity Following the Coup d’État,” (March 24, 2022), <https://www.fortifyrights.org/mya-inv-rep-2022-03-24/>.

such as Responsibility to Protect (R2P), never materialized despite repeated pleas from the people.³⁸ According to data released by Assistance Association of Political Prisoners (AAPP), 2,142 people had been killed by the Myanmar military and 11,859 political prisoners were still behind bars as of August 1 2022.³⁹ At least 115 of the detained were sentenced to death and the SAC military council carried out high-profile executions of four political prisoners in the last week of July 2022, sparking further widespread public anger.

The escalation of violence serves as an indicator that SAC was not going to back down or resolve the crisis with political dialogue. Even ASEAN started to recognize that SAC had demonstrated “gross lack of will” in implementing their Five-Point Consensus, which was meant to bring SAC to the dialogue table.⁴⁰ For the people of Myanmar, since the end of February 2021, the calls for armed resistance grew louder as SAC used violence against peaceful protesters. The opposition National Unity Government (NUG) announced the formation of People’s Defense Forces (PDF) in May 2021 and finally declared a “people’s war” against SAC in September and labeled SAC a “terrorist entity.”⁴¹



Data Source ⁴²: *ACLED Data*; accessed on 31st July 2022

Figure 4. Trends of political violence in Myanmar since the military coup d'état on 1st February 2021

³⁸ Simon Adams, “Myanmar’s Deadly Coup and the Responsibility to Protect,” *Global Centre for the Responsibility to Protect*, (March 25, 2021), <https://www.global2p.org/publications/myanmars-deadly-coup-and-the-responsibility-to-protect/>; Caleb Quinly, “More Protesters in Myanmar Call for Armed Intervention As Crackdown Intensifies,” *Vice*, (March 9, 2021), <https://www.vice.com/en/article/z3vdyd/more-protesters-in-myanmar-call-for-armed-intervention-as-crackdown-intensifies>.

³⁹ Assistance Association for Political Prisoners (AAPP), “Daily Briefing in Relation to the Military Coup,” (August 1, 2022), <https://aappb.org/?p=22615>.

⁴⁰ Ry Sochan, “Myanmar’s Executions a ‘Gross Lack of Will’ for Five-Point Consensus,” *The Phnom Penh Post*, (July 28, 2022), <https://asianews.network/myanmars-executions-a-gross-lack-of-will-for-five-point-consensus/>; ASEAN, “ASEAN Chairman’s Statement on the Execution of Four Opposition Activists in Myanmar,” (July 25, 2022), <https://asean.org/asean-chairmans-statement-on-the-execution-of-four-opposition-activists-in-myanmar/>.

⁴¹ Myanmar Now, “Myanmar’s Shadow Government Declares ‘Resistance War’ against Military Junta,” (September 7, 2021), <https://www.myanmar-now.org/en/news/myanmars-shadow-government-declares-resistance-war-against-military-junta>.

⁴² Clionadh Raleigh et al., “Introducing ACLED: An Armed Conflict Location and Event Dataset: Special Data Feature,” *Journal of Peace Research* 47, no. 5 (2010): 651–60.

The people’s armed resistance evolved in relation to the growing violence committed by SAC. It is well documented that witnessing violence by the military was a motivating factor for people joining the armed resistance.⁴³ In my own interviews for my master’s thesis, initially peaceful protesters, including doctors and nurses among others, decided that the armed revolt was the only way forward after they witnessed the military’s violence day after day.⁴⁴ Not all of them became soldiers – some became medics or fundraisers for the armed groups – however, they were all very important to the armed resistance. As shown in Figure 4, the number of deaths due to political violence had increased sharply since the opposition had declared a “people’s war” against SAC.

Changing the Calculus of the Established Armed Groups

The escalation of violence against the people by SAC also changed the calculus of many well-established ethnic armed organizations (EAOs), who initially signaled that they did not want to fight against the military, announcing that they would stick to the Nationwide Ceasefire Agreement (NCA) signed in 2015.⁴⁵ As more peaceful protesters were killed and the public pressured them to side with the opposition, their position became untenable. In particular, a prominent protest group called the General Strike Committee of Nationalities (GSCN), consisting of young people from different ethnic groups in Myanmar, called upon the EAOs to openly side with the opposition in a March 2021 letter.⁴⁶ Since then, many EAOs have provided armed training and refuge for protesters, activists, and politicians who came to their areas seeking safe haven. However, some EAOs had also met with SAC, supposedly for “political dialogue,” which SAC had repeatedly tried to portray as fulfilling the mandate of the ASEAN Five-Point Consensus.⁴⁷ This demonstrated that the established EAOs had their own institutional interests and internal logic. A majority of the battles, as of August 2022, were in fact happening in areas such as Sagaing and Chin outside of the EAOs’ controlled territories. While the contribution of EAOs to the armed revolt was undeniable, they should be regarded as one factor among others – not the sole factor in the emergence of the armed revolt. Meanwhile, the National Unity Government (NUG) was trying to develop a coordination mechanism as a central chain of command between the different PDF groups and EAOs that are currently fighting against the SAC military.⁴⁸

Breakdown of Power at the Local Level

One of the important motivating factors for the armed revolt was that the military could not reassert their control over state bureaucracy and local administration, increasing the perception that they could be defeated for good. With the boycott of students, teachers, and medical professionals, the public health and education systems were both paralyzed. The bureaucracy as a whole was functioning at a bare minimum, with many civil servants still in the Civil Disobedience Movement (CDM). The most noticeable lack of control was at the local government level – where local administrators appointed by

⁴³ Maung Saungka, “Ready for War: My Journey from Peaceful Poet to Revolutionary Soldier,” *The Guardian*, (February 9, 2022), <https://www.theguardian.com/global-development/2022/feb/09/hungry-for-war-my-journey-from-peaceful-poet-to-revolutionary-soldier-myanmar>; လက်နက်ကိုင် တော်လှန်ရေး ယာယီ အစည်းအရုံး၊ (2021), <https://www.facebook.com/watch/?v=1422251934792826>; ဗမာ့ပြည်သူ့လွတ်မြောက်ရေးတပ်တော်(BPLA)၏ တာဝန်ခံနှင့် တွေ့ဆုံမေးမြန်းခွင့်၊ (2022), <https://www.facebook.com/watch/?v=941584716551282>; “လက်နက်ကိုင်လမ်းစဉ်တစ်ခုတည်းကပဲ စစ်အာဏာရှင်ကို ဖြိုဖျက်နိုင်မယ်လို့ ယုံကြည်ထားတယ်,” (2022), <https://www.facebook.com/watch/?v=1053283432064732>; စစ်အာဏာသိမ်းမှုကို လက်နက်ကိုင် တော်လှန်နေသည့် ကျောင်းဆရာမ(အင်တာဗျူး)၊ (2021), <https://www.facebook.com/watch/?v=1080233779395260>; Myanmar Now, “သမီးကျသွားတော့ အမေဆက်တိုက်မယ်” စစ်ကိုင်းက သူ့နှစ်သမီး၏မိခင်,” (August 5, 2022), <https://www.myanmar-now.org/mm/news/12221>; BBC, Jonathan Head, “Myanmar: Why Once Peaceful Protesters Are Now Choosing Violence.”; BPLA က သင်တန်းနည်းပညာရာမမ အနုနေ့ သူမဘာတွဲကို စွန့်လွှတ်လိုက်ရတာလဲ။ (2022), <https://www.facebook.com/watch/?v=1362302957608051>.

⁴⁴ Thiha Wint Aung, “Political Violence in Social Movements: Finding ‘A Way Out’ in the ‘8888 Uprising’ & ‘Spring Revolution’ in Burma/Myanmar,” (Vienna, Austria, Central European University, 2022), https://www.etd.ceu.edu/2022/wint-aung_thiha.pdf.

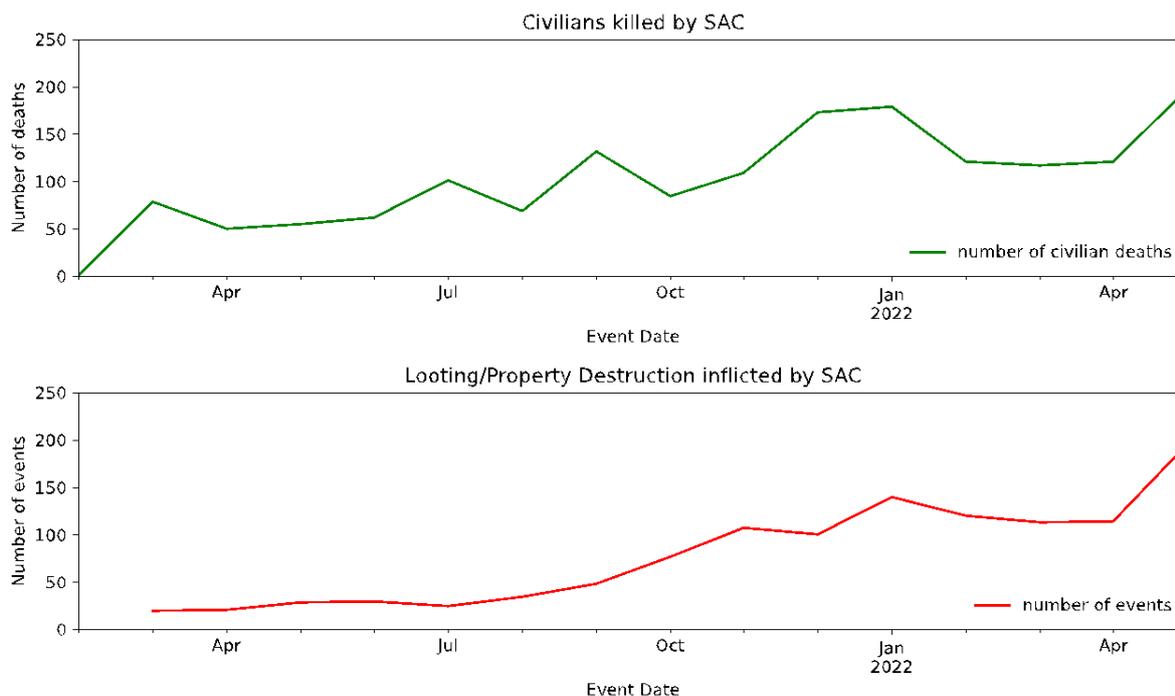
⁴⁵ PPST, “PPST အထူးအစည်းအဝေး,” (February 2, 2021).

⁴⁶ GSCN, “Open Letter to Ethnic Armed Organizations (EAOs) by General Strike Committee of Nationalities (GSCN),” (March 28, 2021), <https://www.facebook.com/General-Strike-Committee-of-Nationalities-GSCN-137892031479772>.

⁴⁷ Htet Myet Min Tun, “Beware of False Peace in Myanmar,” *Fulcrum - ISEAS – Yusof Ishak Institute*, (June 1, 2022), <https://fulcrum.sg/beware-of-false-peace-in-myanmar/>; Sebastian Strangio, “ASEAN Special Envoy Begins Second Official Mission to Myanmar,” *The Diplomat*, (June 30, 2022), <https://thediplomat.com/2022/06/asean-special-envoy-begins-second-official-mission-to-myanmar/>.

⁴⁸ The Irrawaddy, “Myanmar Civilian Government Forms Military Command Structure,” (October 29, 2021), <https://www.irrawaddy.com/news/burma/myanmar-civilian-government-forms-military-command-structure.html>.

the military were regularly getting assassinated, especially if they were suspected of being involved in repression against the public.⁴⁹ The lack of control at the local government level also meant that SAC could not effectively track down the emerging networks of fundraisers and weapon brokers, even in big cities.⁵⁰ While SAC had repeatedly tried to stifle the online movement by blocking social media such as Facebook and Twitter and restricting online banking, people had found ways to circumvent them and the sheer number of people supporting the armed revolt made it very difficult for SAC to assert their control.



Data Source ⁵¹: *ACLED Data*; accessed on 31st July 2022

Figure 5. Trends of violence against civilians committed by SAC as it lost control over the country

As a result, SAC had resorted to more violence as the only way to project its naked power. As shown in Figure 5, the number of civilian deaths caused by SAC and looting and property destruction had risen over the last 18 months. According to Data for Myanmar, SAC forces have burnt down at least 18,886 houses between February 2021 and May 2022 at 435 different locations.⁵² The extent of destruction indirectly indicated how little effective control they had over the country. The continued violence would again exacerbate the existing radicalization of the public, as the people would increasingly consider that there was “no other way out” than to fight back.

⁴⁹ Myanmar Now, “Brazen Assassination Attempt on Junta Administrator Carried out in Broad Daylight in Yangon,” (August 3, 2022), <https://myanmar-now.org/en/news/brazen-assassination-attempt-on-junta-administrator-carried-out-in-broad-daylight-in-yangon>.

⁵⁰ Thiha Wint Aung, “Political Violence in Social Movements.”

⁵¹ Clionadh Raleigh et al., “Introducing ACLED: An Armed Conflict Location and Event Dataset: Special Data Feature.”

⁵² Data for Myanmar, “Data Released by Data for Myanmar on June 6, 2022,” (June 6, 2022), <https://www.facebook.com/data4myanmar/posts/pfbid0ybkDXvB-6JsMKVbuG388WDmzsoASVKS4XGWBxGznrAmQPzCzEzpngzyuGgmDPnnMI>.

CONCLUSION: THIS IS A REVOLUTION

Charles Tilly defines “the revolutionary situation” as a situation where multiple sovereign bodies have emerged and made a claim to “state power” and a significant portion of the population supports the claim.⁵³ In this regard, Myanmar has entered a “revolutionary situation” as both SAC and NUG were claiming to be the sole *legitimate government* of Myanmar. The Civil Disobedience Movement (CDM), comprised not only of striking public servants⁵⁴ but also the public boycott of government taxes and military-affiliated businesses,⁵⁵ succeeded in denying the legitimacy of SAC’s claim to state power. The international community, including the United Nations and ASEAN, also refused to recognize SAC as the legitimate government of Myanmar.⁵⁶ However, they did not explicitly recognize NUG’s claim either. Thus, a fierce *legitimacy battle* was happening alongside the armed conflict in Myanmar.

This *legitimacy battle* was equally important, as it would legitimize the use of violence in the name of the state. In the immediate aftermath of independence in 1948-50s, when the Myanmar military faced an internal rebellion from different groups, it was the ability to purchase arms as the “national army” and participate in the international community that made a difference in their fights.⁵⁷ Now, the opposition was trying to deny the legitimacy of the military under SAC by labeling it a “fascist army” rather than the national army of Myanmar.⁵⁸ The word “terrorist military council” has been consistently used by nearly all local media in their coverage.⁵⁹ This *legitimacy crisis* was unprecedented in the Myanmar military’s entire existence. Meanwhile, the opposition NUG and armed militias were trying to establish local administration and provide some limited government services to boost their claims to legitimacy. NUG had also used its status as a *legitimate government* in the eyes of the public to raise funds necessary for the armed resistance by issuing treasury bonds and auctioning off military-owned properties.⁶⁰ The proposed elections in 2023 were also not going to be an exit for SAC, as they lacked any legitimacy or credibility. Many important stakeholders already announced that they would boycott the elections. Since the military was increasingly viewed as a “terrorist entity” in public opinion⁶¹ and the violence being committed by them had no basis of legitimacy, the political violence and armed conflict would not be resolved until the revolutionary side emerged victorious.

This article offers different perspectives as to why the armed revolt emerged in Myanmar by looking at the structural origins and the political process at the height of mobilization. Initial observers and analysts did not expect the opposition to go this far and believed that the Myanmar military would ultimately crush the movement. Thus, their suggestion was to engage with the military, which, according to them, was the “strongest institution in the country.”⁶² A second set of analysis, mainly from security studies, overemphasized the firepower of each side and inflated the role of EAOs which, they said, would be king-makers in this conflict.⁶³ Not only had “the king” been not made by the EAOs, but the majority of the armed resistance was happening in areas that had not seen armed conflicts for decades. I have

⁵³ Charles Tilly, *From Mobilization to Revolution* (New York: Random house, 1978).

⁵⁴ Mizzima, “The Civil Disobedience Movement, Myanmar’s Longest-Running Non-Violent Movement,” (February 5, 2022), <https://mizzima.com/article/civil-disobedience-movement-myanmars-longest-running-non-violent-movement>; Sett Naing and David Tun, “Myanmar’s Longest Lasting Civil Disobedience Movement,” *Thai PBS World*, (January 21, 2022), <https://www.thaipbsworld.com/myanmars-longest-lasting-civil-disobedience-movement/>.

⁵⁵ Frontier Myanmar, “‘I’m Going to Sell Eggs Instead’: Boycott Brings down Lottery Businesses,” (March 30, 2021), <https://www.frontiermyanmar.net/en/im-going-to-sell-eggs-instead-boycott-brings-down-lottery-businesses/>; Radio Free Asia, “Electricity Bill Boycott Denies Myanmar Military US \$1 Billion in Power Revenues Since Coup,” (2021), <https://www.rfa.org/english/news/myanmar/power-09152021192918.html>.

⁵⁶ United Nations, “Note to Correspondents: Statement by the Secretary-General’s Special Envoy on Myanmar, Noeleen Heyzer,” (August 17, 2022), <https://www.un.org/sg/en/content/sg/note-correspondents/2022-08-17/note-correspondents-statement-the-secretary-general%E2%80%99s-special-envoy-myanmar-noeleen-heyzer>; Ain Bandial, “ASEAN Excludes Myanmar Junta Leader from Summit in Rare Move,” *Reuters*, (October 17, 2021), <https://www.reuters.com/world/asia-pacific/asean-chair-brunei-confirms-junta-leader-not-invited-summit-2021-10-16/>.

⁵⁷ Mary P. Callahan, “The Origins of Military Rule in Burma”, *PhD Dissertation*, 1. print. Cornell paperback (Ithaca: Cornell Univ. Press, 1996).

⁵⁸ Khit Thit Media, “အာဏာဖိဆန် CDM တိုက်ပွဲအဆုံးသတ် PDF ဟုကျင့်ကြံကာ မုံရွာတွင် တစ်လှန်လှန်လှန်များ ဖက်ဆစ်စစ်တပ် ဖြိုခွဲချရင်း ဆန္ဒဒုဂ္ဂ (ရုပ်သံ),” (October 7, 2021), <https://www.facebook.com/watch/?v=356245465467980>; Committee Representing Pyidaungsu Hluttaw, “Announcement No. (10/2021),” (March 1, 2021), <https://www.crphmyanmar.org/terroristgroup/>.

⁵⁹ Thiha Wint Aung, “Political Violence in Social Movements.”

⁶⁰ Marimi Kishimoto, “Myanmar’s Shadow Government to Issue \$1bn in Zero-Interest Bonds,” *Nikkei Asia*, (November 6, 2021), <https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-s-shadow-government-to-issue-1bn-in-zero-interest-bonds>; Min Min, “NUG to Put Military-Owned Land in Yangon on Auction Block,” *Myanmar Now*, (March 6, 2022), <https://myanmar-now.org/en/news/nug-to-put-military-owned-land-in-yangon-on-auction-block>.

⁶¹ Thiha Wint Aung, “Political Violence in Social Movements.”

⁶² Nay Yan Oo, “Don’t Give Up on Myanmar.”

⁶³ Min Zin, “The Real Kingmakers of Myanmar.”

argued that the political violence we are witnessing had structural origins. The military class, which had previously enjoyed no competition, apparently felt threatened and staged a coup d'état to reassert their control over the economy. But the abrupt economic reversals caused by their reckless actions grieved the new middle class which had emerged in the last decade. The people felt that the socio-economic boom of the past decade was collapsing and their future had been stolen.

While the protests were initially peaceful, the escalating violence by SAC and the helplessness of international institutions made people realize that the military was not going to give up and there was “no other way out.” The violence by SAC also changed the calculus of more moderate actors and drove EAOs to support the armed resistance by any means necessary. The control over the local administration was breaking down in many areas. As a result, the opposition NUG and revolutionary forces pushed their rival claims to state power in many areas. Thus, Myanmar was now in a “revolutionary situation” and the political violence will not resolve until the revolutionary side emerges victorious. The international community needs to understand that this is a revolution of the people aimed at removing the socio-economic exploitation of the military class that had enjoyed impunity for their crimes against the people. The friends of Myanmar should support the people in their quest to build a fair, inclusive, free, and democratic country.

3. Malaysia's China Policy Amid China's Growing Security Concerns

Fikry A. Rahman



ABSTRACT

AS Malaysia-China relations are heavily underpinned by economic imperatives, Malaysia needs to navigate China's growing security concerns. This chapter aims to unpack China's two-pronged strategic behavior that creates ambivalent relations with Malaysia. The Chinese two-pronged strategic behavior lies in a compelling economic web of Malaysian trade and infrastructure while continuing to be assertive in Malaysian waters, which creates a pressing security concern for Malaysia. I argue that it is high time for Malaysia to realign its maritime strategy according to the Defence White Paper and the latest Malaysian Foreign Policy Framework, by gradually departing from its low-profile response towards a robust stance against China's assertiveness. The Paper and the Framework clearly stipulate its strategy in protecting its territorial integrity and sovereignty which are currently being challenged by Chinese encroachment and incursion into the South China Sea. Despite Malaysia's economic imperative with China that the latter possessed monumental influence, it should not be reaped by compromising Malaysia's national interest. Thus, Malaysia must strike a balance by conceiving a robust maritime strategy that lies between maximizing economic potential and audaciously contending with maritime challenges. Moving forward, Malaysia must utilize every avenue possible to stake its claim in the maritime disputes and challenges that threaten Malaysian territorial integrity. This includes vehemently using diplomatic channels, accelerating the submission under The United Nations Convention on the Law of the Sea 1982 (UNCLOS), enhancing a national strategy on maritime security, and, finally, engaging in multilateral and regional cooperation amid emerging extra-regional contestation in the South China Sea.

INTRODUCTION

Malaysia-China relations have evolved strategically over time since the Cold War period. What started in malign relations due to an ideological clash eventually turned into a benign relationship in 1974 through diplomatic ties with Tun Abdul Razak. The continuity of Malaysia and China's robust relations has continued under Najib Razak in 2009 through Belt and Road Initiative (BRI) projects and strong bilateral trade. It also saw China become Malaysia's biggest trading partner for the first time in 2009. In 2013, Malaysia-China relations were upgraded through the Comprehensive Strategic Partnership (CSP) initiative under the Najib Razak administration, further showing the importance of bilateral ties.

However, China's two-pronged strategic behavior on economy and security has made Malaysia-China relations increasingly ambivalent. China's expanding influence on Malaysia's trade and infrastructural projects has been a double-edged sword of over-dependency and economic importance for Malaysia. Meanwhile, China's assertiveness in the South China Sea poses a grave concern for Malaysia's sovereignty and territorial integrity.

Hence, it is crucial for Malaysia's China policy to be revisited amid these ambivalent relations, along with the growing security risks towards its territory in the South China Sea. China's two-pronged strategic behavior on developing a compelling economic web of trade and infrastructure, while maintaining its assertiveness in Malaysian waters, is creating ambivalent relations that require Malaysia to revisit its strategy. As Malaysia's China policy has been underpinned by the economic interest in maintaining a robust relationship, a new agenda and direction are needed in order to contend with the new realities that risk Malaysia's sovereignty and territorial integrity.

This chapter argues that, as its sovereign and territorial integrity are at stake, Malaysia's China policy needs to be realigned in accordance with the inaugural 2020 Defence White Paper (DWP) and the newly launched 2021 Ministry of Foreign Affairs' Focus in Continuity: A Framework for Malaysia's Foreign Policy in a Post-Pandemic World, hereafter referred to as Malaysia's Foreign Policy Framework.

It must be initiated by prioritizing Malaysia's national interest in sovereignty and territorial integrity over economic imperatives. Thus, it must gradually depart from its low-profile response to a bold stance against China's assertiveness. The DWP and Malaysia's Foreign Policy Framework stipulate a strategy to defend Malaysia's territorial integrity and sovereignty in the South China Sea. With China's two-pronged behavior challenging Malaysia's national interest, the DWP and Malaysia's Foreign Policy Framework must act as primary principles for Malaysia's China policy to be reorganized to defend Malaysia's interests.

Nevertheless, Malaysia must carefully initiate a bold mechanism of policy by striking a balance between the security and economic risks posed by China. As the economic imperative remains vital to Malaysia, policy should be developed by minimizing the ramification of the security risks. Malaysia's China policy must comprise an overarching strategy of diplomacy, security, and international law mechanisms in ensuring the integrity of Malaysian waters while maintaining robust economic relations with China. It is a tough and arduous move for Malaysia since it could occur at the expense of its economic imperative with China. But putting its sovereignty and territorial integrity at the height of concerns must be prioritized and defended.

This chapter will continue as follows. First, it will unpack Malaysia-China relations and the multitude of cooperation. Second, it will delve into China's two-pronged strategy on Malaysia. Third, it will examine China's growing security concerns towards Malaysia, especially regarding the South China Sea claim. Fourth, it will analyze Malaysia's China policy and why it must be gradually revamped by maneuvering its direction based on the DWP and Malaysia's Foreign Policy Framework. Fifth, it will explain the new direction of Malaysia's China policy in contending with the uncertainty and security risks to its national interest.

OVERVIEW OF MALAYSIA-CHINA RELATIONS

During the Cold War, the Chinese Communist Party's (CCP) connections with the Communist Party of Malaya (CPM) pushed countries like Malaysia to protect their political legitimacy and authority from communism, which eventually affected foreign relations with China.¹ What seemed to be a malign relationship during the Cold War period of ideological rivalry between China's communism and Malaysia's pro-Western foreign policy under Tunku Abdul Rahman from 1957 until 1970, shifted under his successor, Tun Abdul Razak in 1970. Tun Abdul Razak, along with Tun Dr. Ismail, became the architect of a new direction for Malaysia's foreign policy, moving towards being independent and non-aligned with any powers, despite the ongoing Cold War. The new principle of Malaysia's foreign policy was manifested in the watershed moment of the establishment of 1974's Malaysia-China diplomatic relations. The inaugural event not only propelled robust Malaysia-China relations but also laid a path for Southeast Asian regional responses towards China for years to come. When Mahathir Mohamad rose to power for the first time in 1981, bilateral relations peaked between Malaysia and China, especially on trade dimensions.

Historically, Malaysia's China policy has been underpinned by the ongoing threat of the CPP's links with the CPM and conflicting claims in the South China Sea.² Despite the 1974 Malaysia-China normalization, apprehensions continued. Mahathir's overarching trade cooperation with China dominated relations and saw Malaysia-China relations mature in the 1990s on the primacy of economics. Still, "Kuala Lumpur's strategy vis-à-vis China seems to stand analogous to full engagement instead" due to the South China Sea disputes.³ The end of the Cold War caused ideological rivalries to cease,

¹ Stephen Leong, "Malaysia and the People's Republic of China in the 1980s: Political Vigilance and Economic Pragmatism," *Asian Survey*, 27, 10, (1987), pp. 1109-1126.

² Ahmad Mokhtar Selat, "Malaysia's China Policy: The Bilateral Relationship," Master's Thesis (Australian National University, 1987).

³ Joseph Chin Yong Liow, "Malaysia-China Relations in the 1990s: The Maturing of a Partnership," *Asian Survey*, 40, 4, (2000), pp. 672-691, see p. 691.

affecting Malaysia's China policy. Since then, the Malaysia-China relationship has boomed, especially during Mahathir's administration, which emphasized the primacy of economic security despite policy adjustments over the South China Sea issues.⁴

For Malaysia, the rise of Xi Jinping as president in 2013 was timely for Najib Razak's premiership in 2009. The latter was in dire need of consolidating power at home through economic development in which the BRI and China's trade power proved to be a potent supplier to bolster and enhance Malaysia's infrastructure needs, especially in the East Coast region. In trade, China remains Malaysia's largest trading partner and numbers continue to grow despite the pandemic. Currently, Malaysia-China bilateral trade reached a record high of US\$176.8 billion in 2021⁵ while in June 2022, trade totaled US\$61 billion.⁶

CHINA'S TWO-PRONGED APPROACH TOWARD MALAYSIA

However, Malaysia-China relations have been tainted and are becoming increasingly ambivalent due to China's two-pronged strategic behavior on the economy and security. On the economic spectrum, China has been Malaysia's largest trading partner since 2009, with trade growing significantly despite the pandemic. While the BRI in Malaysia has been successful in developing Malaysia's infrastructure – e.g. the East Coast Rail Link (ECRL) and the Gemas-Johor Bahru Electrified Double-Tracking project – it has also produced controversial headlines, such as debt-trap projects, the 1Malaysia Development Berhad scandal, and sovereignty issues that stir the masses.

Malaysia, like other ASEAN members, has embraced the BRI initiative. However, unlike other nations, Malaysia has welcomed the program through a wide array of partnerships on hard and soft infrastructure projects, with development progressing despite recalibration.⁷ The receptive response by Malaysia toward China's BRI has been contributed to by the ruling elites' decision to engage China and further consolidate their agenda over the Malay-based, political-economic policy.⁸ Despite the policy recalibration during the Mahathir-led Pakatan Harapan administration in 2018, the convergence of legitimate pathways on developmental and identity-based needs – especially after the 14th General Election – by the Malaysian elites has attributed to the continuity of BRI projects, especially on the renegotiation of the ECRL.⁹ It was also the thought of Mahathir on the boon and bane of the BRI projects over debt and sovereignty, that he shows the paradox of the decisions to maintain Malaysia-China relations while suspending and renegotiating BRI's projects.

Despite recalibration during the Mahathir-led Pakatan Harapan government in 2018 on the renegotiation of the ECRL and the cancelation of the Trans-Sabah Gas Pipeline projects, China-related infrastructure projects continue to progress. For example, the flagship BRI project, the ECRL, is more than 30 percent complete¹⁰ and the Gemas-Johor Bahru Railway Electrified Double-Tracking project was 82.5 percent complete despite delays caused by the pandemic.¹¹ Meanwhile, the once-can-

⁴ Joseph Chin Yong Liow, "Malaysia-China Relations in the 1990s: The Maturing of a Partnership," *Asian Survey*, 40, 4, (2000), pp. 672-691.

⁵ Adrian David, "China Remains Malaysia's Largest Trading Partner, Says Envoy," *New Straits Times*, (June 19, 2022), <https://www.nst.com.my/news/nation/2022/06/806251/china-remains-malaysias-largest-trading-partner-says-envoy>.

⁶ The Star, "Malaysia's Total Trade Hits New High of RM270.4bil in June," (July 20, 2022), <https://www.thestar.com.my/business/business-news/2022/07/20/malaysia039s-total-trade-hits-new-high-of-rm2704mil-in-june>.

⁷ Cheng-Chwee Kuik, "Malaysia's Fluctuating Engagement with China's Belt and Road Initiative: Leveraging Asymmetry, Legitimizing Authority," *Asian Perspective*, 45, 2, (2021), pp. 421 - 444.

⁸ Hong Liu and Lim Guanée, "The Political Economy of a Rising China in Southeast Asia: Malaysia's Response to the Belt and Road Initiative," *Journal of Contemporary China*, 28, 116, (2019), pp. 216-231.

⁹ Cheng-Chwee Kuik, "Malaysia's Fluctuating Engagement with China's Belt and Road Initiative: Leveraging Asymmetry, Legitimizing Authority," *Asian Perspective*, 45, 2, (2021), pp. 421 - 444.

¹⁰ R. Sekaran, "ECRL More than 30% Completed, Says Dr Wee," *The Star*, (July 19, 2022), <https://www.thestar.com.my/news/nation/2022/07/19/ecrl-more-than-30-completed-says-dr-wee>

¹¹ The Malaysian Reserve, "Singapore-Johor RTS Hits 10 Percent Progress," (March 15, 2022), <https://themalaysianreserve.com/2022/03/15/singapore-johor-rts-hits-10-percent-progress/>.

celed projects of the Melaka Gateway and several gas pipeline projects have been revived.¹² Recently, the Ismail Sabri administration has hinted at the possibility of reviving the canceled Kuala Lumpur-Singapore high-speed rail (HSR) project.¹³ These are among the manifestations of robust economic cooperation between Malaysia and China. Despite Mahathir's renegotiation and cancellation of BRI projects, his successors, Muhyiddin Yassin in 2020 and Ismail Sabri Yaakob in 2021, embraced China policies that were underpinned by economic imperatives that resulted in the continuation of the BRI.

On security, the ongoing spat in the South China Sea did not push Malaysia-China defense relations to improve. Malaysia-China defense cooperation started in the 1990s, continued through the 2005 MoU on the Bilateral Defence Cooperation, and peaked in 2017 with top-level exchanges and large-scale bilateral exercises under Najib Razak.¹⁴ However, as China's assertive behavior and encroachments and incursions into Malaysian territory have increased, they have exacerbated Malaysia-China security relations.

In 2020, it was reported that Chinese ships encroached on Malaysian territory 89 times between 2016 and 2019.¹⁵ Chinese envoys have been summoned by the Malaysian Ministry of Foreign Affairs over encroachment activities twice in 2021.¹⁶ China's assertiveness is illustrated through the months-long standoff in the South China Sea between the Chinese seismic survey ship and Malaysia's West Capella drillship in 2020 in which Malaysia's light hedging continued a non-confrontational response.¹⁷ The latest incursion, in May 2021, by 16 People's Liberation Army (PLA) planes near Malaysia's airspace over the South China Sea has further exacerbated Malaysia-China relations.¹⁸

CHINA'S GROWING SECURITY CONCERNS

The South China Sea's overlapping claims between Malaysia, China, Taiwan, Brunei, Vietnam, and the Philippines have been going on for decades. For Malaysia, the claims in the South China Sea include the continental shelf and the Spratly Islands. The continental shelf's acquisition started in 1969, followed by claims from Sabah and Sarawak that the continental shelf was part of Malaysia's maritime territories in 1978.¹⁹ According to Lai and Kuik, Malaysia's geographical attributes as a coastal state strengthen its claims in the South China Sea over the 12 nautical miles of territorial sea, extended continental shelf, and the *Gugusan Semarang Peninjau* that includes Pulau Layang-Layang (Swallow Reef), Terumbu Mantanani (Mariveles Reef), Terumbu Ubi (Ardasier Reef), Terumbu Siput (Erica Reef) and Terumbu Peninjau (Investigator Shoal).²⁰ The Sipadan and Ligitan Islands' dispute in the Celebes Sea between Malaysia and Indonesia resulted in Malaysia's sovereignty over the islands.

As for the overlapping claims over the Spratly Archipelago, as islands in the South China Sea, it is disputed wholly by China, Taiwan, and Vietnam, while Malaysia, the Philippines, and Brunei claim parts of the feature.²¹ Not only that, Malaysia's exclusive economic zone (EEZ) operates under the overlapping

¹² Durie Rainer Fong, "Controversy as RM4bil Sabah Gas Pipeline Project Revived," *Free Malaysia Today*, (October 23, 2021), <https://www.freemalaysiatoday.com/category/nation/2021/10/23/controversy-as-sabah-gas-pipeline-project-revived/>; Bernama, "KAJ Development resumes Melaka Gateway project," (March 8, 2022), <https://www.bernama.com/en/business/news.php?id=2059568>.

¹³ The Straits Times, "Malaysia Hopes to Revive KL-Singapore High-Speed Rail Project, Says PM Ismail," (August 23, 2022), <https://www.straitstimes.com/asia/se-asia/malaysia-hopes-to-revive-kl-singapore-high-speed-rail-project-says-pm-ismail>.

¹⁴ Ngeow Chow Bing, "Malaysia-China Defence Relations: Disruptions Amid Political Changes and Geopolitical Tensions," *ISEAS Perspective*, 57, (2021), pp. 1-14.

¹⁵ The Straits Times, "Chinese Ships Intruded into Malaysian Waters 89 Times In Four Years: Report," (July 14, 2020), <https://www.straitstimes.com/asia/se-asia/chinese-ships-intruded-into-malaysian-waters-89-times-in-four-years-report>.

¹⁶ Martin Carvalho, Fatimah Zainal and Ashley Tang, "Chinese Envoy Summoned Twice Last Year Over Encroachment, Dewan Rakyat Told," *The Star*, (March 7, 2022), <https://www.thestar.com.my/news/nation/2022/03/07/chinese-envoy-summoned-twice-last-year-over-encroachment-dewan-rakyat-told>.

¹⁷ Yew Meng Lai and Cheng-Chwee Kuik, "Structural Sources of Malaysia's South China Sea Policy: Power Uncertainties and Small-State Hedging," *Australian Journal of International Affairs*, (2020), <https://doi.org/10.1080/10357718.2020.1856329>.

¹⁸ Elina Noor and Ivy Kwek, "PLA Flights Ruffle Malaysia-China Relations," *Asia Times*, (June 11, 2021), <https://asiatimes.com/2021/06/pla-flights-ruffle-malaysia-china-relations/>.

¹⁹ BA Hamzah, "Malaysia and South China Sea Disputes: Applicability of International Law," in *Routledge Handbook of the South China Sea*, ed. Keyuan Zou, pp. 184-198 (Routledge, 2021).

²⁰ Yew Meng Lai and Cheng-Chwee Kuik, "Structural Sources of Malaysia's South China Sea Policy: Power Uncertainties and Small-State Hedging," *Australian Journal of International Affairs*, (2020), <https://doi.org/10.1080/10357718.2020.1856329>.

²¹ Fadzil Mokhtar, "Maritime Law Enforcement in Malaysia's Exclusive Economic Zone," in *Malaysia and the South China Sea: Policy, Strategy and Risks*, eds. BA Hamzah, Adam Leong, and Vivian Louis Forbes, pp. 151-172 (Ilham Pena Publishing, 2020).

claims put forth in Malaysia's agenda to claim and strengthen its sovereign right in the South China Sea. The importance of Malaysia's EEZ includes oil and gas industries and massive fishery activities which contribute hugely to Malaysia's economy.

The ambivalence of relations in economy and security between Malaysia and China continued and eventually was overshadowed by China's two-pronged behavior on economy and security. Despite a robust partnership in the economic realm, China's assertiveness in the South China Sea has significantly jeopardized Malaysia-China relations. Since 2008, there have been a series of aggressive acts by China against Malaysia's territory. From the People's Liberation Army Navy (PLAN) assets seen near Malaysia's EEZ to increasing incursions into Malaysian waters in 2013 and 2014 in which Malaysia responded by "playing it safe" and not confronting China, the developments are worrying.²²

The ongoing dispute in the South China Sea and China's assertiveness towards Malaysian territory have put Malaysia on the edge, with its sovereignty and territorial integrity at stake. Malaysia, as one of the claimant states over the South China Sea, is currently having difficulties in dealing with China's assertiveness near Malaysian territory that was included in the nine-dash line claim. As China's assertiveness is increasingly visible under the Xi Jinping administration, Malaysia has continuously experienced aggressive acts and multiple incursions and encroachments of Chinese ships and jets. Notably, the 2020 West Capella standoff between Chinese ships and a Petronas drilling ship and the 2021 incursion of PLA jet fighters into Malaysian airspace.

Regarding the South China Sea territorial dispute, China has resisted multilateral discussions on the dispute to emphasize its hardening and expansive strategy.²³ This approach has generated concerns in Southeast Asia towards China. The emergence of the South China Sea dispute only emphasized the importance of the Sea to China, which has translated into China's resistance to multilateral solutions and several incidents on the seas that involved neighboring states. Despite China's intentions and actions over the South China Sea and its economic initiative to compensate for such actions, China's growing military power and occasional forceful rhetoric have reminded Southeast Asian states of the history of China's assertiveness and its intentions.²⁴

²² Prashanth Parameswaran, *Playing It Safe: Malaysia's Approach to the South China Sea and Implications for the United States*, (Center for a New American Security, 2015).

²³ Denny Roy, "The "China Threat" Issue: Major Arguments," *Asian Survey*, 36, 8, (1996), pp. 758-771.

²⁴ Robert G. Sutter, *Chinese Foreign Relations: Power and Policy since the Cold War*, (Rowman & Littlefield, 2012), p. 207.



Map 1: South China Sea Disputes²⁵

Ambivalent relations between Malaysia and China will continue in both high and low political domains that require Malaysia to readjust its position and strategy toward China’s assertiveness and economic prowess. As the Indo-Pacific region will be fertile ground for the power rivalry, it will definitely shape how Malaysia responds to China-related connectivity to avoid entrapment over the rivalry and overdependence, while maximizing China’s infrastructural inducement to meet domestic needs. Despite repeated encroachment of Chinese Coast Guard (CCG) vessels into Malaysian territory near Sabah and Sarawak over the Kasawari oil field, Malaysia remains less confrontational by tacitly consenting to China’s assertiveness.²⁶ This indicates Malaysia’s low-profile response will continue amid the encroachment and incursions over Malaysia’s interest in the South China Sea. This response demonstrates that Malaysia is driven by economic concerns despite the aggression that has occurred. This, in some ways, has encouraged China’s assertive behavior in Malaysia’s territory.

Even though the economic imperative remains superior in Malaysia-China relations, Malaysia’s sovereignty and territorial integrity remain a core interest, especially when it was challenged by China’s assertiveness, eventually disrupting bilateral ties. The elites and the masses have addressed their concerns over China’s security risk to Malaysian territorial integrity, especially regarding the incursion of 16 PLA military aircraft in 2021 near the Malaysian airspace above Sarawak. The incursion tested Malaysia’s patience over its roof. The latter incident led to a press release made by the Royal Malaysian

²⁵ VOA News, “Challenging Beijing in the South China Sea,” (July 31, 2012), <https://blogs.voanews.com/state-department-news/2012/07/31/challenging-beijing-in-the-south-china-sea/>.

²⁶ Emirza Adi Syailendra, “China, Indonesia, and Malaysia: Waltzing Around Oil Rigs,” *The Diplomat*, (August 18, 2022), <https://thediplomat.com/2022/08/china-indonesia-and-malaysia-waltzing-around-oil-rigs/>.

Air Force (RMAF) condemning the act as a threat to Malaysia's sovereignty. Hishammuddin Hussein, the former foreign minister, said that the incursion is a "breach of Malaysian sovereignty and airspace and [a] diplomatic note of protest will be released to the PRC government."²⁷ Nevertheless, Malaysia has continued to adopt non-confrontational and indirect defiance over China's assertiveness when exerting its South China Sea policy.²⁸

REVISITING MALAYSIA'S CHINA POLICY THROUGH THE DWP AND MALAYSIA'S FOREIGN POLICY FRAMEWORK

With the uncertainty that has challenged regional security and the emerging alliances and partnerships in the South China Sea, Malaysia needs a reality check on how to deal with the rivalries and assertive behaviors of these big powers. As the ambivalence of Malaysia-China relations will continue, especially regarding the overlapping claim in the South China Sea, Malaysia's China policy must be revisited in order to protect its sovereignty and territorial integrity while maintaining robust economic relations. Scholars have written extensively on Malaysia's China policy but as the growing security risks continue, it must be revisited and realigned with the Defence White Paper and Malaysia's Foreign Policy Framework. Nevertheless, with the inevitable rise of China, Malaysia adopts a hedging strategy to contend with China's attraction and apprehensions on economy and security driven by the need of the government to consolidate its legitimacy.²⁹

The pursuit of domestic legitimacy and cooperation by the Malaysian elites continues to drive Malaysia's China policy, focusing on the economic and trading sphere where China is an important partner.³⁰ The demand to bolster infrastructural development in Malaysia has been met by China's BRI on railways, energy, and ports and is particularly pertinent in eastern Malaysia. At the same time, growing concerns rooted in China's assertiveness have threatened Malaysian territorial integrity and created a worrying trend among leaders and the people. Nevertheless, Malaysia's non-confrontational approach remains present when it comes to China's assertiveness in the South China Sea. The stance and the ramifications of this assertiveness did not weaken the domestic legitimacy pursued by Malaysian elites, as long as it did not clearly jeopardize Malaysian sovereignty and territorial integrity.

As Cold War communism was the source of hostility in Malaysia's past China policy, China's assertiveness over the maritime claim has affected Malaysia's China policy today. Malaysia's South China Sea policy on China's assertiveness in Malaysia's territory is viewed as a light-hedging through non-confrontational, open deference, and indirect defiance towards China.³¹ Malaysia has chosen a diplomatic way to contend with the rise of China's assertiveness. Nevertheless, as the U.S.-China rivalry has led to fierce competition in Southeast Asia, it brings a new reality that Malaysia must consider. Otherwise, Malaysia may compromise its sovereignty and territorial integrity when it comes to China's aggressive behavior in Malaysian waters.

Big power rivalries in the region and China's two-pronged behavior toward Malaysia should not be taken lightly. Malaysia's China policy must gradually depart from its trade-focused and low-profile responses towards an approach focused on defending its sovereignty and territory. National interests and sovereignty must not be compromised for robust economic cooperation. Malaysia's Defence White Paper and Malaysia's Foreign Policy Framework must be utilized to contend with pressing security risks in Malaysia.

²⁷ Bhavan Jaipragas, "South China Sea: Malaysia Scrambles Jets to Intercept 16 Chinese Military Planes," *South China Morning Post*, (June 1, 2021), <https://www.scmp.com/week-asia/politics/article/3135661/south-china-sea-malaysia-scrambles-jets-intercept-16-chinese>.

²⁸ Yew Meng Lai and Cheng-Chwee Kuik, "Structural Sources of Malaysia's South China Sea Policy: Power Uncertainties and Small-State Hedging," *Australian Journal of International Affairs*, (2020), <https://doi.org/10.1080/10357718.2020.1856329>.

²⁹ Cheng-Chwee Kuik, "The Essence of Hedging: Malaysia and Singapore's Response to a Rising China," *Contemporary Southeast Asia*, 30, 2 (2008), pp. 159–85.

³⁰ Cheng-Chwee Kuik, "Making sense of Malaysia's China policy: asymmetry, proximity, and elite's domestic authority," *The Chinese Journal of International Relations*, 6, (2013), pp. 429–467.

³¹ Yew Meng Lai and Cheng-Chwee Kuik, "Structural Sources of Malaysia's South China Sea Policy: Power Uncertainties and Small-State Hedging," *Australian Journal of International Affairs*, (2020), <https://doi.org/10.1080/10357718.2020.1856329>.

The inaugural Defence White Paper in 2020 lays out Malaysia's commitment to defense and its resiliency in protecting its national sovereignty and territorial integrity.³² The DWP entails its vision, strategy, and implementation in defending Malaysia's national interests. In the document, it clearly identifies China's occupation and militarization in the South China Sea as the source of uncertainty in the big power rivalry.³³ It reiterates that "(I)ncursions by foreign government vessels off the coast of Sabah and Sarawak are clear challenges to Malaysia's sovereign rights in the EEZ in the South China Sea as provided by international law."³⁴ This document no doubt views the South China Sea spats and the series of incursions as acts to challenge Malaysia's sovereignty.

In Malaysia's foreign policy, *independent, principled and pragmatic* is a famous mantra that is embedded in its strategy when conducting diplomacy. Malaysia's Foreign Policy Framework is the latest document published in 2021 by the Ministry of Foreign Affairs aiming to guide its foreign policy amid the post-COVID recovery. In the document, it is mentioned that territorial and maritime claims in the South China Sea are Malaysia's core national interest to be protected and that Malaysia is in no position to be neutral on these matters.³⁵ Malaysia has also asserted its support for the "primacy of international law and norms" that is mainly epitomized by the United Nations Convention on the Law of the Sea (UNCLOS) in which Malaysia will "uphold its legitimate maritime claims and interest" over the South China Sea.³⁶

These two important papers well represent Malaysia's core interest in defending its sovereignty and territorial integrity and that the South China Sea is paramount to Malaysia's national interests. Nevertheless, when it comes to safeguarding Malaysia's interests, it seems insufficient due to the lack of concerted efforts and divisive actions to respond to South China Sea spats. Thus, the DWP and Malaysia's Foreign Policy Framework should be upheld and act as the primary principles in conceiving Malaysia's new China policy that is driven by uncertainty in the South China Sea.

NEW DIRECTION FOR MALAYSIA'S CHINA POLICY

In order for Malaysia's China policy to cope with these pressing challenges while maintaining robust economic relations, a few mechanisms must be initiated. First, Malaysia must consistently engage China diplomatically, while clearly stating its concerns about China's security challenges. China's two-pronged behavior that challenges Malaysian national interests must be addressed directly through diplomatic channels. The West Capella standoff and the PLA incursion must be a critical juncture for Malaysia to be bold and stand against China's assertive behavior in Malaysian waters. Chinese Foreign Minister Wang Yi's recent visit to Malaysia in July 2022 was a missed opportunity for Malaysia to address its concerns and underscore its sovereign rights in Malaysian waters. The visit by Wang Yi should have been capitalized on by Malaysia to assert that its core interest in sovereignty and territorial integrity must not be risked by any powers, near or far.³⁷ However, Malaysia tends to react after an encroachment or incursion has occurred by summoning a Chinese envoy or submitting a diplomatic protest. It is high time for Malaysia to be active in asserting its rights over the South China Sea through diplomatic channels and by leveraging bilateral and multilateral platforms vehemently.

Second, Malaysia must utilize international laws and norms as avenues to contend against China's assertiveness. Since Malaysia has always emphasized cooperation rather than conflict in the South China Sea, it needs to utilize the legal instruments which have been established through 2009

³² Malaysian Ministry of Defence, *Defence White Paper: A Secure, Sovereign and Prosperous Malaysia*, (Percetakan Nasional Malaysia Berhad, 2020), p. 4.

³³ *Ibid.*, p. 21

³⁴ *Ibid.*, p. 21

³⁵ Malaysian Ministry of Foreign Affairs, *Focus in Continuity: A Framework for Malaysia's Foreign Policy in a Post-Pandemic World*, (D'fa Print Sdn Bhd, 2021), p. 8.

³⁶ *Ibid.*, p. 8.

³⁷ Fikry A. Rahman and Abdul Razak Ahmad, "Bolster Overall Strategy, Territorial Integrity in South China Sea," *New Straits Times*, (July 27, 2022), <https://www.nst.com.my/opinion/columnists/2022/07/817020/bolster-overall-strategy-territorial-integrity-south-china-sea>.

and 2019 submissions to the Commission on the Limits of the Continental Shelf (CLCS) in dealing with assertive behavior and overlapping claims.³⁸ By accelerating and advancing submissions under UNCLOS, it will reiterate Malaysia's clear intentions to resort to international law in defending its territorial integrity in the South China Sea dispute. Although Malaysia may not pursue an arbitral case against China, asserting Malaysia's claim via CLCS and UNCLOS is the embodiment of Malaysia's continuous efforts of adopting legal instruments under international law and norms for the South China Sea claim. Concurrently, Malaysia should continue to push for the South China Sea Code of Conduct (COC) to be expedited after a long overdue process of negotiations between ASEAN and China. This will epitomize Malaysia's relentless commitment to the region to uphold its freedom of navigation over the South China Sea. Although China's foreign minister has given his word to commit to the COC negotiations, it still depends on the outcome of these negotiations in order to be signed into agreement. Next, as Malaysia has sent out a *Note Verbale* to the UN Secretary-General in 2020 on China's South China Sea claim, a new *Note Verbale* must be addressed to reiterate Malaysia's claim and condemn China's incursion into Malaysian territory.

Third, Malaysia must spearhead its maritime security by consolidating key agencies' efforts and the advancement of military assets and capabilities on Malaysian territory. As threats are currently emerging in Malaysian waters and airspace near the South China Sea, the federal budget for the military must be ramped up, specifically to bolster Royal Malaysian Air Force (RMAF) and the Royal Malaysian Navy (RMN) capabilities with new and advanced military assets. This is paramount to ensure the Malaysian Armed Forces' capability to contend with the growing challenges that risk Malaysia's territorial integrity while safeguarding Malaysia's interest in the exclusive EEZ near the South China Sea. With the emerging fiasco of the littoral combat ship (LCS) procurement that gained traction among the people, Malaysia should find a way to bolster its military assets without tarnishing its military status and betraying the trust of its citizens.³⁹ But Malaysia must be very careful not to be dragged into the entrapment of the big power rivalry in the South China Sea through procurement and security cooperation. Although Malaysia has close military cooperation with the United States and its commitment to maritime security in the South China Sea, Malaysia must be wary of becoming entangled with both the U.S.-China rivalry and China's assertiveness.

Finally, as an ASEAN member state, Malaysia must initiate a proactive multilateral and strategic response through the regional bloc to assert its centrality amid the big power rivalry and China's assertiveness. ASEAN-led establishments on the East Asia Forum (EAS), the ASEAN Regional Forum (ARF), and ASEAN Plus Three (APT) must play a critical and aggressive role in addressing growing security concerns in the South China Sea. The claimant states of the South China Sea need to work together to assert their concern over China's assertiveness in the region and the regional bloc must propel the vision of freedom of navigation and the Zone of Peace, Freedom, and Neutrality (ZOPFAN) must be respected. As the ASEAN Outlook on the Indo-Pacific was launched in 2020, Malaysia must urge ASEAN and its member states to enhance and implement the outlook in asserting its centrality over the Indo-Pacific. This is vital for the regional bloc to stake its leadership amid the emerging security alliances and cooperation of the Australia, United Kingdom, and U.S. trilateral security pact (AUKUS) and the Quadrilateral Security Dialogue (the Quad) and excessive big-power competition. The regional bloc must exhibit its centrality amid overlapping claims and big power assertiveness to ensure security in the South China Sea. Most importantly, Southeast Asian claimant states must put aside their overlapping claims at the height of maritime tensions. The time is now, otherwise the region will jeopardize its regional security amid the big power rivalry.

³⁸ BA Hamzah, "Malaysia and South China Sea Disputes: Applicability of International Law," in *Routledge Handbook of the South China Sea*, ed. Keyuan Zou, pp. 184-198 (Routledge, 2021).

³⁹ The Edge Markets, "Spotlight on the LCS Scandal," (August 27, 2022), <https://www.theedgemarkets.com/article/spotlight-lcs-scandal>.

CONCLUSION

China's two-pronged behavior on economic inducement and security apprehension has put Malaysia at a crossroads. As Malaysia's China policy has long been driven by trade-led mechanisms, security concerns sourced by China's assertiveness that challenged Malaysia's territorial integrity and sovereignty provide a reality check. Hence, political will is needed for Malaysia's China policy to gradually depart from its current mechanism of low-profile engagement towards a more proactive and bolder stance in defending its sovereignty and territorial integrity. As the Defence White Paper and Malaysia's Foreign Policy Framework entail essential values on the need to safeguard Malaysia's core interests in the South China Sea, they must be incorporated into the future of Malaysia's China policy and Malaysia's South China Sea policy. Malaysia needs to embark on a new direction in its foreign policy that is underpinned by a sense of geopolitical uncertainty and China's assertiveness that risks its sovereignty in the quest to safeguard its national interest, sovereignty and territorial integrity.

Embarking towards a robust approach to China's assertiveness might shake overall Malaysia-China relations. However, the non-confrontational responses adopted by Malaysia over the South China Sea may also jeopardize its sovereignty and territorial integrity unless proper action is taken. Although several Malaysian officials viewed the PLA's incursion act in 2021 as an action by China to test the waters, it is still unbecoming for Malaysia not to see this as a prime concern over its sovereignty. There might be repercussions that result from multilateral engagement on maritime security and more robust defense capabilities, but as long as it does not cross the line that invites the fury of the big powers, it must be considered. Thus, it is important for Malaysia to explore credible alternatives for trade and infrastructural partners in order to gradually shift its over dependence on China's economic powerhouse while managing maritime disputes in the future.

4. When it Rains, it Pours: Disaster Displacement and the Future of Human Security in the Philippines Amid Changing Climate

Katrina Guanio

ABSTRACT

The environment and climate change have long influenced human mobility, which includes migration and displacement. While climate change is not the single driver of human mobility, recent years have shown how both slow-onset and sudden-onset climatic events interact with economic, political, cultural, and demographic drivers of human mobility. Climate change, along with multiple factors, exacerbates the hazards, exposure, and vulnerabilities of populations, thereby influencing their intentions and decisions on whether to move or stay in their current place of residence. While climate migrants also cross borders, most move within borders. The 2022 World Migration Report estimated that 7 million people are internally displaced due to disasters globally. The Philippines is one of the countries with the most displacement due to typhoons, floods, earthquakes, and volcanic eruptions. In 2021, the International Organization for Migration (IOM) Philippines reported coastal areas, which are home to at least 8.6 million Filipinos, are projected to be submerged by inundation due to rising sea levels. Previous debates argued that human mobility due to climate change is a failure of in-situ adaptation. This, therefore, leads to the emergence of various threats to national and human security, specifically in the form of social tensions and conflict and especially in areas with limited social and economic capacity. With the ongoing climate crisis, people will move in anticipation, or as a result, of disasters brought on by natural hazards. Climate migrants and displaced populations, whether staying temporarily or permanently, will be perceived as competition for scarce resources and economic benefits. Social, cultural, and political differences may potentially arise between existing residents and migrant populations. With this in mind, policy prospects may explore counter-securitization of human mobility amid climate change and channeling security policies to adaptation, mitigation, and resilience mechanisms for the most vulnerable and insecure to climate risks.

INTRODUCTION

In 2020, the Internal Displacement Monitoring Centre (IDMC) reported 30.7 million new displacements due to disasters. In the more recent 2022 World Migration Report, the International Organization for Migration (IOM) estimated 7 million people are internally displaced due to disasters globally.¹ The Philippines has the second highest number of disaster displacements in 2020, recognizing more than four million new displacements.²

The country is vulnerable to both sudden and slow-onset climatic events due to its location along the typhoon belt in the Pacific and in the Pacific Ring of Fire.³ In the Philippines, as well as in neighboring countries in East Asia and the Pacific, most of the disaster displacements are due to sudden-onset events such as typhoons, floods, earthquakes, and volcanic eruptions.⁴ Every year, the country has to face an average of 20 typhoons, five of which are generally destructive.⁵

Additionally, the Philippines faces the adverse impacts of slow-onset events, most prominently rising sea levels. In 2021, the IOM Philippines reported coastal areas, which are home to at least 8.6 million Filipinos, are projected to be submerged by inundation due to rising sea levels in a span of three decades. These coastal areas comprise 60 percent of the 1,500 municipalities and 120 cities across the country, including parts of Manila, Malabon, Bulacan, Pasay City, Iloilo, and Cotabato City, among others.⁶ While there is not available local government data on displaced coastal populations due to rising

¹ International Organization for Migration "World Migration Report 2022," United Nations, (December, 2021): 4, <https://doi.org/10.18356/9789292680763>.

² Internal Displacement Monitoring Center (IDMC), "GRID 2021: Internal displacement in a changing climate," (Geneva: IDMC, 2021): 10, https://www.internal-displacement.org/sites/default/files/publications/documents/grid2021_idmc.pdf.

³ Asian Disaster Reduction Center (ADRC), "Information on Disaster Risk Reduction of the Member Countries," (2021), <https://www.adrc.asia/nationinformation.php?NationCode=608&Lang=en>.

⁴ IDMC, "GRID 2021: Internal displacement in a changing climate," 46.

⁵ Ibid.

⁶ International Organization for Migration, "Framing the Human Narrative of Migration in the Context of Climate Change: A Preliminary Review of Existing Evidence in the Philippines," United Nations, (Manila: International Organization for Migration, 2021): 12, https://philippines.iom.int/sites/g/files/tmzbd11651/files/documents/framing-the-human-narrative-of-migration-in-the-context-of-climate-change_0.pdf.

sea levels, poor urban populations along the coasts of Manila Bay have already been warned of the risks of rising sea levels and will soon have to relocate.⁷

Both sudden and slow-onset events can trigger mass population movements. Research suggests that the majority of disaster displacements due to sudden-onset events will occur within countries rather than across borders and will most likely be temporary rather than permanent. This means that individual catastrophic events such as typhoons and earthquakes do not lead to *out-migration* because people generally move within their country or community and return to their homes post-disaster. However, slow-onset events will eventually drive the majority of the global migration, especially due to the incremental changes in rising sea levels.

Previous debates argued that human mobility due to climate change is a failure of in-situ adaptation. This, therefore, leads to the emergence of various threats to national and human security, specifically in the form of social tensions and conflict and especially in areas with limited social and economic capacity. With the ongoing climate crisis, people will move in anticipation, or as a result, of disasters brought about by natural hazards. Climate migrants and displaced populations, whether staying temporarily or permanently, will be perceived as competition for scarce resources and economic benefits. Social, cultural, and political differences may potentially arise between the existing residents and migrant populations. In the Philippines, sudden-onset events in the form of natural hazards like typhoons lead to massive displacement. Typhoon Haiyan, one of the most powerful tropical cyclones ever recorded, triggered the displacement of over four million people.⁸ Due to the slow rescue operations and arrival of aid, desperate typhoon survivors resorted to “looting.”⁹ Tacloban City, the epicenter of Typhoon Haiyan, also became the epicenter of looting as survivors searched for food and water. Reports spew of incidents where “looters” dug up and smashed open water pipes, broke into public buildings that stockpiled rice, trespassed in abandoned houses and stores, and ultimately, led to social breakdown.¹⁰

This paper examines the security concerns that may potentially arise from disaster displacement and the future prospects for climate migration. Furthermore, it explores the policy prospects of the counter-securitization of human mobility amid natural hazards and climate change and channeling security policies to adaptation, mitigation, and resilience mechanisms for the most vulnerable and insecure to climate risks.

CLIMATE-MIGRATION-HUMAN SECURITY: NOMENCLATURE AND NEXUS

The IOM referred to environmental migration¹¹ to describe the movement of people due to sudden or gradual changes in their environment, either forced or voluntary, temporary or permanent, and within or across borders.¹² A subcategory, climate migration, is referred to as the movement of people due to gradual changes in the environment brought about by climate change.¹³ Notably, climate migration refers to climate change as the specific environmental driver of migration.

⁷ Jhesset O. Enano, “Urban Poor Struggle to Adapt as Rising Seas Threaten to Remap Metro Manila,” *INQUIRER.net*, (September 26, 2021), <https://newsinfo.inquirer.net/1492243/urban-poor-struggle-to-adapt-as-rising-seas-threaten-to-remap-metro-manila>.

⁸ Angela Sherwood et al., “Resolving Post-Disaster Displacement: Insights from the Philippines After Typhoon Haiyan,” International Organization for Migration, (Geneva: 2015), 7.

⁹ Laurence L. Delina and Rufa Cagoco-Guiam, “Extreme Weather Event–Social Conflict Nexus in the Philippines,” *Journal of Peacebuilding & Development* 13, no. 1 (2018): 90-95, <https://doi.org/10.1080/15423166.2018.1427137>.

¹⁰ *Ibid.*

¹¹ The broadness of its definition is intended to characterize the wide array of population movements due to various types of environmental drivers.

¹² International Organization for Migration, “Glossary on Migration,” *International Migration Law* (Geneva: Publications, 2019), 31, <https://publications.iom.int/books/international-migration-law-ndeg34-glossary-migration>.

¹³ *Ibid.*

The 2010 Cancun Agreements categorize climate change induced movement into three forms: displacement, migration, and planned relocation.¹⁴ Specifically, the Cancun Agreements state the need for “measures to enhance understanding, coordination, and cooperation with regard to climate change induced displacement, migration, and planned relocation.”¹⁵ However, there are no further provisions clearly differentiating these three types of movement.¹⁶ The Executive Committee of the Warsaw International Mechanism on Loss and Damage has included human mobility in its strategic workstream, specifically in relation to enhancing cooperation and facilitation in relation to human mobility, including migration displacement and planned relocation.¹⁷

Although adopted in the legally-binding Cancun Agreements, the nomenclatures on migration, environment, and climate change (MECC) nexus remain as working definitions used for the purposes of analysis and policy work. These terms do not have specific legal values. As such, there remains a challenge in climate migration statistics and, consequently, the legal framework for climate migration. Unlike climate and environment-induced migration, movement due to conflict is stipulated in the Convention Relating to the Status of Refugees (also known as the 1951 Convention on Refugees) and the Protocol Relating to the Status of Refugees (also known as the 1967 Protocol). These legal documents provide a legal framework for refugee movement by defining the term “refugee” and outlining the rights of refugees. Through the 1951 Convention on Refugees and the 1967 Protocol, the term “refugee” is defined as “people who have fled war, violence, conflict or persecution and have crossed an international border to find safety in another country.”¹⁸ While voluntary, contracting states are bound to enforce the Convention and the Protocol through ratification or accession. The lack of a legal framework on migration, environment, and climate change, coupled with the established legal basis for the refugee movement, resulted in the coining of the terms “environmental refugee” and “climate refugee.”¹⁹

However, use of the term refugee to refer to people who move due to, and in anticipation of, environmental and climatic events has been contested by several scholars.²⁰ As per the 1951 Convention on Refugees and the 1967 Protocol, a refugee is a person outside the country of their nationality in fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion.²¹ Given this, to be considered a refugee requires a persecutor and the environment or nature cannot be regarded as such. Moreover, most people who move due to environmental drivers migrate internally and not across borders. Therefore, the lack of a clear persecutor and the nature of movement do not meet the criteria for one who is referred to as a refugee. Given these existing issues for an internationally agreed term for the phenomenon, states and national governments do not have a satisfactory legal framework for policy making.

¹⁴ International Organization for Migration, “Environmental Migration,” Environmental Migration Portal, n.d., <https://environmentalmigration.iom.int/environmental-migration>.

¹⁵ Koko Warner, “Human Migration and Displacement in the Context of Adaptation to Climate Change: The Cancun Adaptation Framework and Potential for Future Action,” *Environment and Planning C: Government and Policy* 30, no. 6 (January 2012): 1061-1077, <https://doi.org/10.1068/c1209j>.

¹⁶ IOM defines disaster displacement as the movement of people who have been forced to flee their homes due to a disaster or in anticipation of an immediate and foreseeable natural hazard. In other words, disaster displacement is a forced movement due to sudden-onset events. Planned relocation, in the context of environment and climate change, refers to a planned process in which people move from their homes and are settled in a new location and provided with necessary conditions for a new life. Migration, in the broadest sense, is the movement of people from their usual place of residence across an international border or within a state. The United Nations Framework Convention on Climate Change (UNFCCC) refers to the term human mobility to describe all different forms of movements of persons and therefore, cover a wider range of movements of people in addition to migration.

¹⁷ United Nations, “Migration, Displacement and Human Mobility,” United Nations Framework Convention on Climate Change (UNFCCC), accessed 2022, <https://unfccc.int/wim-excom/areas-of-work/migration-displacement-and-human-mobility>.

¹⁸ United Nations, “Protocol Relating to the Status of Refugees,” Office of the United Nations High Commissioner for Human Rights, (1966), <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-relating-status-refugees>.

¹⁹ Joseph Kweku Assan and Therese Rosenfeld, “Environmentally Induced Migration, Vulnerability and Human Security: Consensus, Controversies and Conceptual Gaps for Policy Analysis,” *Journal of International Development* 24, no. 8 (2012): 1046-1057, <https://doi.org/10.1002/jid.2886>.

²⁰ In the 1970s, Lester Brown first used the term environmental refugees but this term has gained more significance when it was used by Essam El-Hinnawi in a paper for the United Nations Environment Programme (UNEP). In El-Hinnawi’s writing, environmental refugees refer to the people who have been forced to leave their traditional habitat, temporarily or permanently, because of environmental disruption that may be natural and/or triggered by people which may risk their lives or affect their quality of life. Further, environmental refugees have been categorized into three groups which include those who temporarily move due to disasters, those who permanently move due to drastic environmental changes (e.g. construction of dams), and those who migrate due to progressive environmental degradation. It was Norman Myers, in 2001, who emphasized the human security dimension of the migration, environment, and climate change nexus when he described environmental refugees as the people who do not have a secure livelihood in their home lands because of environmental problems, leading to migration as an alternative measure. In Myers’ definition, this type of movement may be a hazardous attempt and this movement is predominantly internal with little to no possibility of return.

²¹ United Nations, “The 1951 Refugee Convention,” United Nations High Commissioner for Refugees, accessed 2022, <https://www.unhcr.org/1951-refugee-convention.html#:~:text=The%201951%20Refugee%20Convention%20and,of%20States%20to%20protect%20them>.

In the case of the Philippines, there have been several laws and policy documents developed in relation to displacement, climate change, and disaster risk. For example, the National Climate Change Action Plan (NCCAP) 2011-2028 recognizes that climate change is associated with human security concerns such as population displacement and migration due to natural hazards, sea level rise, and other extreme weather and climate events, as well as geophysical and ecological hazards. In its Strategic Actions on Human Security for 2011 to 2028, the NCCAP recognizes the need to reduce the risks from climate change and disasters as shown in Figure 1. One of its immediate outcomes is the development, promotion, and adoption of climate change-adaptive human settlements and services which require “adaptive and secured settlement areas for vulnerable communities and *climate refugees*.”²² The NCCAP, thus, requires that the government develop a long-term plan so that vulnerable populations, including “climate refugees,” are able to adapt to climate change. Note, however, that the NCCAP uses the term “climate refugees” without providing a definition in the document. As already mentioned, the term is widely contested and holds no legal value. Despite its inclusion in a national action framework, the state and policymakers have yet to clarify the policy implications of “climate refugee” and a nomenclature on environmental and climate migration.

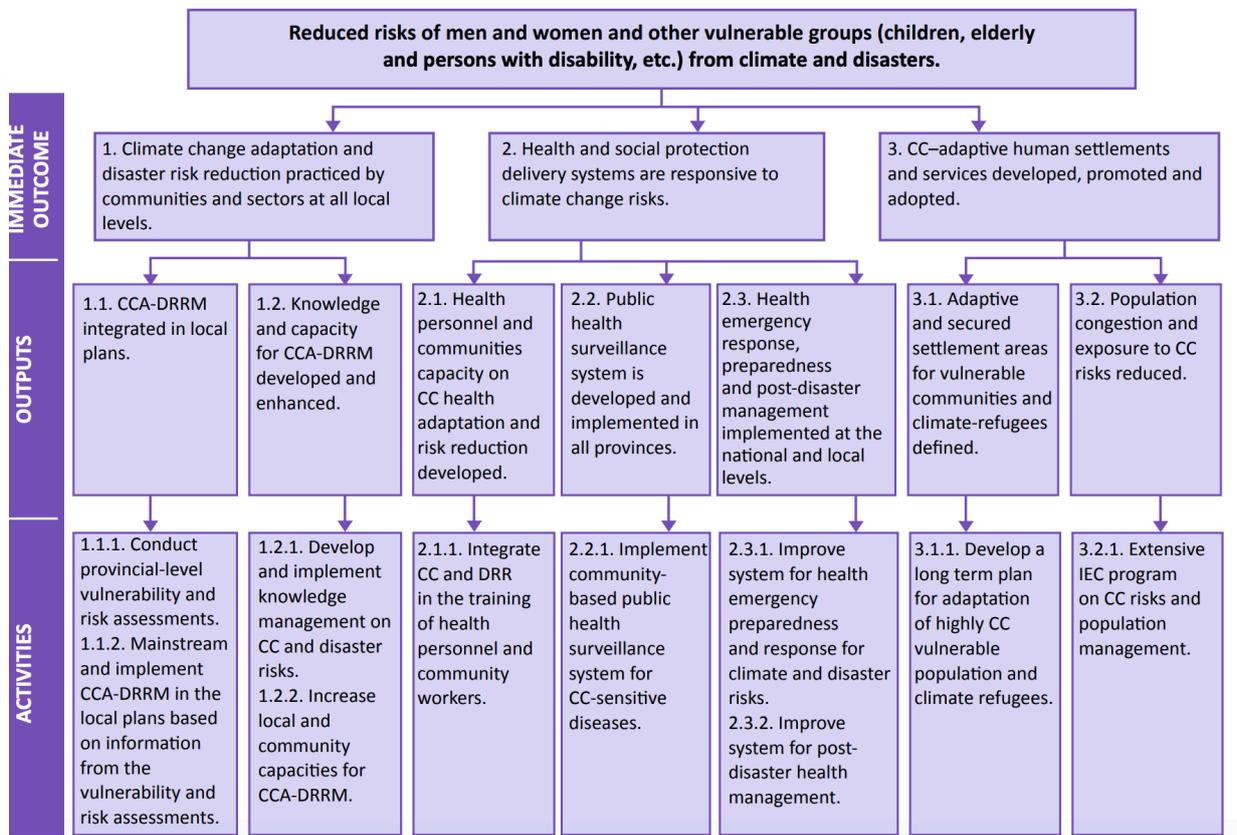
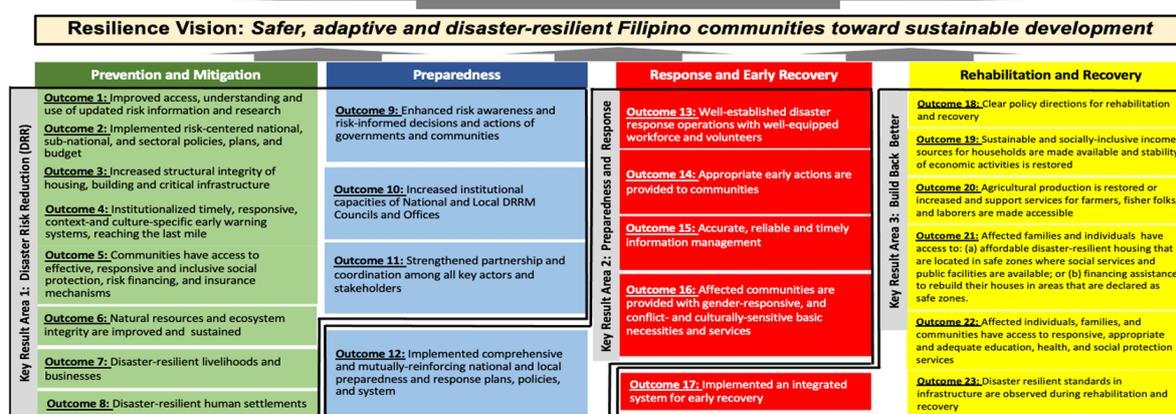


Figure 1. Strategic Actions on Human Security for 2011 to 2028 (Source: National Climate Change Action Plan 2011-2028)

²² Climate Change Commission, “National Climate Change Action Plan (NCCAP) 2011-2028,” National Integrated Climate Change Database and Information Exchange System, (2011), <https://niccdies.climate.gov.ph/action-plans/nccap-monitoring-and-evaluation>.

In addition to the NCCAP, the Philippines also has the National Disaster Risk Reduction and Management Plan (NDRRMP) 2020-2030 that recognizes the complexities of risks and acknowledges the need for discussions on displacement and migration for a comprehensive Disaster Risk Reduction and Management (DRRM). In its updated 2020-2030 version, the NDRRMP identifies disaster prevention and mitigation as one of its key result areas. One of its outcomes is to build disaster-resilient human settlements, especially for families in high risk areas as shown in Figure 2. The indicators of this outcome include the voluntary and participatory resettlement of high risk populations to safer areas. Unlike the NCCAP, the NDRRMP uses a broader term to describe population movement in the context of disasters and climate change. Evidently, the NDRRMP better recognizes the phenomenon surrounding migration and climate change as it also identifies human security needs such as the need for a community-based risk assessment, provision of disaster-resilient housing units, provision of basic services and public facilities, and appropriate land-use, as well as accountability measures. However, the NDRRMP has yet to specifically recognize environmental and climate migration as a unique and complex phenomenon in relation to the ongoing climate crisis.



23 outcomes, 50 outputs, 206 activities

locally-grounded and contextualised, globally aligned and responsive

Figure 2. The Updated National Disaster Risk Reduction and Management Plan 2020-2030 (Source: National Disaster Risk Reduction and Management Plan 2020-2030)

The NCCAP was developed by the Climate Change Commission by virtue of the Republic Act 9729, also known as the Climate Change Act of 2009. The Climate Change Act mandates that the NCCAP provide: an assessment of the national impact of climate change, identification of the most vulnerable communities and areas, identification of the different impacts of climate change to vulnerable groups such as women and children, assessment and management of risks and vulnerability, identification of greenhouse gas mitigation strategies, and prioritization of appropriate measures at the national and local governments. Furthermore, the Climate Change Act mandates Local Government Units (LGUs) to serve as “frontline agencies” in the development, planning, and implementation of their respective Local Climate Change Action Plans, which are reflective of the overall framework of the NCCAP.

The NDRRMP, on the other hand, was formulated and implemented by the Office of Civil Defense by virtue of Republic Act 10121, also known as the Philippine Disaster Risk Reduction and Management Act of 2010. The NDRRMP provides identification of hazards, vulnerabilities, and risks, as well as the disaster risk reduction and management strategies to be applied in managing these risks and hazards. The NDRRMP also maps the roles, responsibilities, and lines of duty of various government agencies at all government levels, as well as stipulating the vertical and horizontal coordination of DRRM in pre and post-disaster situations.

Both the NCCAP 2011-2028 and the NDRRMP 2020-2030, as well as the other key laws and policy documents, provide a legal and policy framework in addressing disaster displacement through a human rights-based and gender-responsive approach.

In Philippine nomenclature, these legal and policy frameworks refer to human mobility in relation to environmental factors, using terms such as “evacuation,” “forced evacuation,” “pre-emptive evacuation,” and “internally displaced persons (IDPs).” Evacuation refers to the “temporary relocation of a population, either individually or in an organized manner, from an area in which a disaster or emergency has been declared and is considered dangerous for the health or safety of the public.”²³ Forced evacuation refers to “the order from a competent authority to forcibly evacuate residents to an appropriate evacuation destination to protect their lives during the onslaught of disaster.”²⁴ Meanwhile, pre-emptive evacuation is an “order from a competent authority to forcibly evacuate residents to an appropriate evacuation destination to forestall their exposure to an imminent disaster.”²⁵

While these frameworks are able to identify key population movements in the Philippines’ disaster and climate change context, they have yet to mainstream migration and other forms of human mobility as an adaptation response to disaster and how such response impacts human security. Furthermore, there are procedural aspects of these frameworks that authorize forced evacuation and resettlement without free, prior, and informed consent of the intended population such as those “forcibly evacuated without engaging in questions of necessity and proportionality.”²⁶

While the global community has yet to institutionalize a universally acceptable nomenclature to describe the nexus of such a complex phenomenon, it is inarguable that environment and climate change will drive people to flee their homes and that they should be able to move in a safe, dignified, orderly, and regular manner.

CAUSES AND CONSEQUENCES OF CLIMATE-MIGRATION-HUMAN SECURITY

Climate change, migration, and human security have a complex interaction and their relationship is never linear. Nevertheless, literature maps the causes and consequences within the climate-migration-human security nexus.

In the Philippines, the predominant form of human mobility in relation to climate change and the environment is internal displacement and it is primarily attributed to sudden-onset events. These sudden-onset events include meteorological hazards such as tropical cyclones and typhoons; hydrological hazards such as coastal floods and mudflow; and geophysical hazards such as earthquakes, tsunamis, and volcanic eruptions.

In December 2021, the Philippines experienced the onslaught of Super Typhoon Rai (Odette) which displaced 195,330 people.²⁷ A year prior, Super Typhoon Goni (Rolly) and Typhoon Vamco (Ulysses) displaced hundreds of thousands of Filipinos.²⁸ As a response, the Philippines government, through the Field Offices of the Department of Social Welfare and Development (DSWD), ramped up their relief

²³ Republic of the Philippines, “Republic Act No. 10121: Philippine Disaster Risk Reduction and Management Act of 2010,” *Official Gazette of the Republic of the Philippines*, (May 27, 2010), <https://www.officialgazette.gov.ph/2010/05/27/republic-act-no-10121/>.

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ Ryan Quan and Matthew Scott, “The Philippines National Law and Policy Report Consultation Draft 2020 Displacement in the Context of Disaster and Climate Change,” Stockholm: Raoul Wallenberg Institute and Ateneo De Manila University School of Law, (2020), 12-13.

²⁷ International Organization for Migration, “Philippines – Site Assessment: Typhoon Rai (Odette) #1 (17 January 2022),” *Displacement Tracking Matrix*, (January 17, 2022), <https://dtm.iom.int/reports/philippines-site-assessment-typhoon-rai-odette-1-17-january-2022>.

²⁸ United Nations, “Super Typhoon Goni (Rolly) and Typhoon Vamco (Ulysses) Humanitarian Needs and Priorities (Nov 2020 - April 2021) in Philippines,” (November 12, 2020), <https://philippines.un.org/en/106540-super-typhoon-goni-rolly-and-typhoon-vamco-ulysses-humanitarian-needs-and-priorities-nov>.

operation efforts which included sending millions worth of food and non-food items to affected areas.²⁹ Hundreds of thousands of affected people had to flee to designated evacuation centers.³⁰ Evidently, evacuation measures and relief operations are reflective of the DRRM strategies and approaches outlined in the NDRRMP. The current government actions regarding environmental issues demonstrates that the priority is on disaster response rather than adaptation. As such, it is imperative to assess future-proofing mechanisms on the impacts of climate change and consequent mass displacements. Thus, there remains the need to clearly define and reflect human mobility in the NCCAP.

As IDPs move to their host areas, it is imperative that they are provided protection, including child protection, gender-based violence protection, explosive hazards protection, and protection of housing, as well as land and property rights.³¹ Furthermore, it is imperative that the host area is able to enforce prevention of, and response to, human rights violations, including access to justice, grievance mechanisms, services and documentation provisions, and psychological support for survivors.

Unlike sudden-onset events which primarily trigger internal displacement, slow-onset environmental events may result in both internal migration and cross-border displacement. Slow-onset environmental events such as rising sea levels, increasing global temperatures, ocean acidification and salinization, land and forest degradation, desertification, loss of biodiversity, and glacial retreat and related impacts have been a gradual yet progressive phenomena. These large-scale climatic events may impact certain parts of a country or state or the entire country or state. For example, in the Philippines, accelerated sea level rise threatens coastal communities in some highly urbanized and impoverished parts of Metro Manila.³² Future projections suggest that the populations in these coastal communities will have to migrate or be displaced as a consequence of the rising sea levels.

As such, the immediate response of exposed populations is to employ mitigation and adaptation measures. However, it also takes time for the population to realize their vulnerability to the exposure and to experience the impacts of their exposure. In many cases, mitigation is no longer an option because of the already adverse impacts of climate change. Inevitably, migration has been proposed as a climate change adaptation strategy.

The impacts of sudden-onset and slow-onset events depend on the vulnerability of the affected population. In this context, vulnerability is the sensitivity of a population or community to climatic disturbances, to which it may be or may have been exposed, and the capacity of the population to adapt.³³ Further, the migration, environment, and climate change nexus has a ripple effect on human security – such interaction is what constitutes an impending “silent crises [sic].”³⁴

As millions are predicted to move for reasons related to environment and climate, there are several threat perceptions for major host communities and countries. In previous studies, large-scale movements have provoked economic and social tension in receiving areas.³⁵ Migration, in the broader sense, as well as immigration, cause social, economic, and political tension in host communities and countries³⁶ such as increased population, social pressure, demand for goods and services, competition

²⁹ ReliefWeb, “DSWD Relief Operations Still Ongoing in Typhoon-Ulysses Hard Hit Areas - Philippines,” Government of the Philippines, (November 23, 2020), <https://reliefweb.int/report/philippines/dswd-relief-operations-still-ongoing-typhoon-ulysses-hard-hit-areas>.

³⁰ International Organization for Migration, “Relief Efforts Stepped up as Super Typhoon Rolly Devastates Philippines’ Bicol Region,” (Manila: International Organization for Migration, 2021), (2020), <https://philippines.iom.int/news/relief-efforts-stepped-super-typhoon-rolly-devastates-philippines-bicol-region>.

³¹ Christelle Cazabat and Louisa Yasukawa, “The ripple effect: economic impacts of internal displacement,” *Unveiling the Cost of Internal Displacement*, (Geneva: Internal Displacement Monitoring Centre, 2021), 11-29, https://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_CostEstimate_final.pdf.

³² Jhesset Enano, “Urban Poor Struggle to Adapt as Rising Seas Threaten to Remap Metro Manila.”

³³ Robert McLeman, “Climate change, migration and critical international security considerations,” *IOM Migration Research Series*, (Geneva: International Organization for Migration, 2011), 16-32, <https://publications.iom.int/system/files/pdf/mrs42.pdf>.

³⁴ Alice Baillat et al., “Addressing the Silent Crisis: The Impact of Slow-Onset Environmental Change on Human Mobility,” *Medium*, (February 2, 2022), <https://medium.com/@ecosystemforpeace/addressing-the-silent-crisis-the-impact-of-slow-onset-environmental-change-on-human-mobility-ee8904f95c7c>.

³⁵ Sergei Mentelev, “Migration as a Threat to National Security,” *Indian Journal of Science and Technology* 9, no. 14 (2016), <https://doi.org/10.17485/ijst/2016/v9i14/91086>.

³⁶ Katy Barnato, “Immigrants Boost Growth but Can Cause Tensions, IMF Says,” *CNBC*, (September 27, 2016), <https://www.cnbc.com/2016/09/27/immigrants-boost-growth-but-can-cause-tensions-imf-says.html>.

for jobs against locals or nationals, informal settlements, informal economic sectors, and transculturation, among others.³⁷

However, these threat perceptions on climate migration are state-centric security concerns rather than human security concerns. This means that the securitization of climate migration has been centered on “territorial integrity, political stability, military and defense arrangements, and economic and financial activities.”³⁸ The Global North, which includes the affluent and industrialized nations, has been the major destination of many types of migrants, including climate migrants. On the other hand, the Global South, which includes the Philippines, the Pacific Small Island Developing States (SIDS), and other vulnerable countries, has been the origin of migrants. Ironically, the Global North has been responsible for the excess carbon emissions while the Global South continues to face the frontline impacts of climate change.³⁹ This is the same Global North that has countries with tightened immigration policies and border patrol in the name of national security and the “protection of the lives and well-being of the native population.”⁴⁰ Looking back to the aftermath of Typhoon Haiyan, the U.S. government, as well as private institutions, immediately provided humanitarian assistance to the Philippines. However, the U.S. government has not granted Temporary Protected Status to Filipino nationals in the country. Rather, the United States Citizenship and Immigration Services instituted immigration relief measures to them upon request.⁴¹ This means that the available options for Filipino nationals residing in the U.S. is a change or extension of non-immigrant status, only applicable to those who entered the U.S. on visitor visas, student visas, and temporary employment status.⁴² Family-based immigration has already been a predominant form of migration among Filipinos and has proven to be a significant and immediate remedy for Filipinos affected by typhoons. As demonstrated in the post-disaster response of the U.S. for Filipinos affected by Typhoon Haiyan and of Canada for Filipinos affected by typhoon Ketsara, familial affiliation played a significant role in the migration of Filipino typhoon survivors. However, as a caveat, this has also shown a case of “selective compassion” for those with kin abroad while those who do not have relatives abroad are unable to avail themselves of the post-disaster migration opportunity.⁴³ Yet, there are numerous reports where sponsorship applications of Filipino migrants in the U.S. have been denied because the immigration officer did not deem that their family has been significantly affected by Typhoon Haiyan.

With the urgency of the ongoing climate crisis, anti-immigrant sentiments should have no place in policymaking and international discourse. As such, there is a need for a paradigm shift from the state-centric security perspective to a human security approach to climate migration.

CONCLUSION: NEW FRONTIERS OF HUMAN SECURITY

Human security is at the core of the migration, environment, and climate change nexus. Threats to economic, food, health, environmental, personal, community, and political security cut across the climate migration phenomenon. While climate migration and disaster displacement are predicted to be predominantly internal, it is imperative to reconsider how future climate trends will shape migration patterns.

³⁷ Guy J. Abel et al., “Climate, Conflict and Forced Migration,” *Global Environmental Change* 54 (2019): 239-249, <https://doi.org/10.1016/j.gloenvcha.2018.12.003>.

³⁸ Inter-American Institute of Human Rights, “What Is Human Security?” accessed 2022, https://www.iidh.ed.cr/multic/default_12.aspx?contentid=e-a75e2b1-9265-4296-9d8c-3391de83fb42&Portal=IIDHSeguridadEN.

³⁹ Rishika Pardikar, “Global North Is Responsible for 92% of Excess Emissions,” *Eos*, (May 6, 2022), <https://eos.org/articles/global-north-is-responsible-for-92-of-excess-emissions>.

⁴⁰ *Ibid.*

⁴¹ Cleovi Mosuela and Denise Margaret Matias, “The Role of a Priori Cross-Border Migration after Extreme Climate Events: The Case of the Philippines after Typhoon Haiyan,” *Environmental Change, Adaptation and Migration*, (2015): 98-116, https://doi.org/10.1057/9781137538918_6.

⁴² *Ibid.*

⁴³ *Ibid.*

In the case of the Philippines, population movements due to environmental factors are primarily internal. These internal displacements in the country are predominantly due to sudden-onset events such as typhoons. However, there have been cases where typhoon survivors with kin abroad resort to immigration that is part of the humanitarian assistance efforts of some major migrant receiving countries in the Global North. Nevertheless, there is still the need for forward-looking approaches to strengthen the integration of human mobility in disaster response and climate change adaptation vis-à-vis human security.

Moving forward, it is imperative that policy prospects consider counter-securitization and human security-centric solutions as adaptation and climate risk management strategies. This entails that the most vulnerable countries are equipped with the adaptive capacity and climate financing to avert, minimize, and address the adverse effects of sudden and slow-onset events, as well as the impacts of climate change. Such strategies should take into consideration the fact that human mobility is part of the response to climate risks and impacts while ensuring that the movement of people is done in a safe, dignified, regular, and orderly manner.

Furthermore, it is imperative that major contributors to climate change are held accountable by ensuring that they commit to their nationally determined contributions (NDCs), particularly in climate financing, to compensate for loss and damages and to support adaptation and resilience-building in developing countries. Likewise, it is necessary to mainstream the need to pave migration pathways for climate migrants and eliminate anti-immigrant sentiments.

Admittedly, there is no blueprint for a guaranteed response to disaster displacement and human security. Nevertheless, there has to be a global dialogue on such an urgent issue because when it rains, it pours – and it is the most vulnerable populations who are most insecure.

5. Climate Maladaptation: Migration, Food Insecurity, and the Politics of Climate Change in Timor-Leste

Ariel Mota Alves



ABSTRACT

What happens when climate adaptation projects do not materialize? This outcome is known as *maladaptation*. In this chapter, I utilize discourse analysis to analyze a corpus of eleven climate change adaptation programs implemented by a body of international development agencies in Timor-Leste. I found that approaches to climate change adaptation in Timor-Leste pay little attention to the human security effects of climatic shocks. I argue that climate-induced natural disasters are underpinned by population growth, unemployment, declining household assets and economic conditions, and that it can inform the recent patterns of urban migration and food insecurity in a highly agrarian Timorese society. Understanding climate change through the lens of *precarity* shifts our understanding of adaptation to the issue of power and a changing labor market that is rooted in a specific geographical milieu. Thus, providing us with new political imagination as to how climate change is shaping people's livelihoods and deepening their precariousness, allowing us to rethink how we approach climate change adaptation.

INTRODUCTION

As an island nation, Timor-Leste is increasingly susceptible to climate change, evidenced by climate-induced extreme rainfall in recent years that is becoming more intense and frequent and will have a significant impact on food security, health, and people's livelihoods. However, efforts at climate adaptation have fallen short of reaching their intended outcomes and, instead, some adaptation strategies are shown to bring more harm, known as *maladaptation*. How did this happen? In this chapter, I scrutinize how international organizations (IO) in Timor-Leste depoliticize climate change adaptation policy by framing it through the lens of a technocratic and managerial approach that requires specific development policies with governable solutions. Central to climate change adaptation, as defined by the Intergovernmental Panel for Climate Change (IPCC), is *vulnerability reduction*. However, vulnerability has different meanings and understandings across political actors working on climate adaptation programs. For instance, the IO approach to climate change adaptation in Timor-Leste pays little attention to the human security dimension of climate change. However, climate adaptation is a profoundly political undertaking because the adjustments that people make to their livelihoods in the face of multiple shocks and changes have uneven outcomes.¹ IOs tend to frame climate vulnerability through the rubric of material development that needs development-oriented solutions. By depoliticizing an important issue, such as the impacts of climate change, IOs intentionally fail to address the source of people's vulnerabilities, such as climate-induced food insecurity and migration, two areas of precarity I seek to explore in this paper.

I argue that *vulnerability*, a term heavily used by development practitioners to describe adverse effects of climate change, fails to fully capture the threats that it poses to human security in Timor-Leste. Instead, I propose using the term "climate precarity," developed by Natarajan and colleagues, as a new methodological site to better understand how power and authority mediate climate change adaptation programs and define who is included and excluded from conversations about climate change adaptation programs and what are possible political consequences for future inaction.² The precarization of climate vulnerabilities and adaptation allows for more political imagination in how climate change shapes people's livelihoods and triggers their precariousness.

¹ Eriksen and Jeremy Lind, "Adaptation as a Political Process: Adjusting to Drought and Conflict in Kenya's Drylands," *Environmental Management* 43, no. 5 (May 1, 2009): 817–35, <https://doi.org/10.1007/s00267-008-9189-0>.

² Nithya Natarajan, Katherine Brickell, and Laurie Parsons, "Climate Change Adaptation and Precarity across the Rural–Urban Divide in Cambodia: Towards a 'Climate Precarity' Approach," *Environment and Planning E: Nature and Space* 2, no. 4 (June 24, 2019): 899–921, <https://doi.org/10.1177/2514848619858155>.

CLIMATE CHANGE IN TIMOR-LESTE

In April 2021, torrential rainfall across Timor-Leste induced by tropical Cyclone Seroja resulted in massive countrywide flooding and landslides that destroyed infrastructure and more than 2,000 homes, killed more than 40 people and displaced more than 14,000 people. These massive flash floods were unprecedented, as there is no record of similar events in the past two generations. In the rural part of the country, the tropical cyclone destroyed farms, animals, and plantations. World Bank Timor-Leste estimated that the damage to the agricultural sector accounted for more than US\$15 million, the housing sector sustained a loss of US\$60 million, and transportation infrastructure represented losses of US\$170 million.³ The report notes that the impact of Cyclone Seroja is said to have affected the poorest and most vulnerable people of Timor-Leste as a result of the loss of livestock (used for household consumption) and the destruction of crops. Over 112,000 animals died and over 4,200 hectares of cropland were damaged.⁴

Following Cyclone Seroja, one has to ask: are climate-resilient projects effective in protecting communities from climate change's adverse effects? Every year, despite millions spent on climate adaptation, climate mitigation, and climate risk reduction, the promise of resilience is out of reach for many Timorese people.

Timor-Leste has been most exposed to tropical cyclones in recent years, ranking 43rd for nations at risk of climate-related natural hazards.⁵ Due to climate change, the tiny Southeast Asia nation is predicted to experience an increase in temperature and frequent hydrological disasters that will lead to frequent occurrences of climate hazards such as heatwaves, droughts, floods, landslides, and storm surges. In turn, these hazards pose serious risks to agricultural productivity.⁶ Timor-Leste is an agrarian society where around 70 percent of the population depends on agriculture for income and survival.⁷ Climate change is set to alter rainfall patterns, with Timor-Leste's food production likely to be one of the most affected in Southeast Asia.⁸

Recently, studies have found that global warming has led to varying levels of crop failure for Timor-Leste's most important staples, such as coffee, maize, and peanuts.⁹ In 2016, the Timor-Leste Ministry of Agriculture found that the South Coast of Timor-Leste received low rainfall due to the El Niño phenomenon, resulting in massive crop failures, adding to the deaths of livestock. This agrarian distress – where sustaining agricultural livelihoods becomes more challenging – has led farmers to delay rice field preparation. A 2021 report by the World Bank notes:

Poor crop yield, high variability in rainfall, steep slopes, the agricultural sector in Timor-Leste does not produce enough food to feed the population.¹⁰

The Red Cross in Timor-Leste estimates that climate change is a driver of food insecurity and public health crises ranging from malnutrition and heat exhaustion to vector-borne diseases such as dengue fever.¹¹ This will put pressure on health facilities and reduce people's ability to work. Currently, malnutrition is already one of the single biggest public health crises, with 47 percent of children under the age of five suffering from stunting and 9 percent of those experiencing acute malnutrition.¹² Due to

³ World Bank Group, "Timor-Leste: Rebuilding After Cyclone Seroja Will Be Costly but Offers Opportunities to Strengthen Disaster Resilience," Press release, (January 23, 2022), <https://www.worldbank.org/en/news/press-release/2022/01/23/timor-leste-rebuilding-after-cyclone-seroja-will-be-costly-but-offers-opportunities-to-strengthen-disaster-resilience>.

⁴ World Bank Group, "Timor-Leste: Rebuilding After Cyclone Seroja."

⁵ Asian Development Bank, "Climate Risk Country Profile: Timor-Leste," (November 18, 2021), <https://www.adb.org/publications/climate-risk-country-profile-timor-leste>.

⁶ The Climate Centre, "Climate Change Impacts on Health and Livelihoods: Timor-Leste Country Assessment," Red Cross Red Crescent Climate Centre, (April, 2021), 11-31, <https://www.climatecentre.org/publications/5916/climate-change-impacts-on-health-and-livelihoods-timor-leste-country-assessment/>.

⁷ World Food Programme, "Timor-Leste World Food Programme," (March 31, 2023), <https://www.wfp.org/countries/timor-leste>.

⁸ Asian Development Bank, "Climate Risk Country Profile: Timor-Leste," 5-20.

⁹ Nicholas Molyneux, Gil Rangel Da Cruz, Robert W. Williams, Rebecca Andersen, and Neil C. Turner, "Climate Change and Population Growth in Timor Leste: Implications for Food Security," *AMBIO: A Journal of the Human Environment* 41, no. 8 (May 9, 2012): 823-40, <https://doi.org/10.1007/s13280-012-0287-0>.

¹⁰ Asian Development Bank, "Climate Risk Country Profile: Timor-Leste," 5-20.

¹¹ The Climate Centre, "Climate Change Impacts on Health and Livelihoods," 11-31.

¹² World Food Programme, "Timor-Leste," 1-2.

low agricultural productivity, the World Food Programme (WFP) ranks Timor-Leste as a food-deficit country that increasingly relies on food imports.¹³ Global warming and changing rainfall patterns will affect food production in the country, deepening vulnerabilities for an already at-risk population. The International Organization for Migration (IOM) warns that climate change makes Timor-Leste even more prone to food insecurity, instability, and poverty, increasing forced migration to urban areas.

Interestingly, recent patterns of migration in Timor-Leste have been increasing over the years. A UNESCO report on internal migration in Timor-Leste published in 2015 found that nearly 40 percent of the population of Dili, the capital of Timor-Leste, migrated from rural areas and other municipalities. The report warns about more climate-induced migration in the future:

Timor-Leste is highly susceptible to the effects of climate change; it is predicted to become about 1.5°C warmer and about 10% wetter by 2050, with significant harms to agricultural productivity that might spur greater rural-urban migration.¹⁴

Some critical data from the Timor-Leste census 2015 shows the following:

- 40% of migrants to the urban area (Dili, the capital city) are from the age range of 15-29 years
- 51% of the total migrants are women
- Migrants to urban areas are more likely to move for education or employment-related purposes
- 45% of the total migrants enter the labor force as service and sales workers, clerks and clerical-support workers, craft and related trades workers, plant and machine operators, assemblers, or elementary occupations

Dili is the only economic region in Timor-Leste, so many people migrate to the city to continue their tertiary education and seek better opportunities. But without enough job opportunities, many end up performing menial jobs such as selling newspapers or phone credits on the street for a meager income. It's important to note that the youth population constitutes 60 percent of the population in Timor-Leste, and therefore they become a demographic dividend where young people are at productive ages but cannot find jobs. The lack of work local opportunities has resulted in many moving overseas for jobs that are supported by the government of Timor-Leste.¹⁵ They migrate to countries such as the United Kingdom, Australia, and South Korea to perform a variety of work, from horticulture to the poultry industry. Most recently, in early 2022, as many as 5000 youths were recruited by a labor agency to work in Qatar in the service industry, despite warnings about dire working conditions, passport confiscations, and other human rights violations.¹⁶ Politically, international migration has been a development strategy for the government of Timor-Leste and a solution to the issue of demographic dividends. Migrant workers contribute hugely to the national income, with remittances making up to 15 percent of the country's GDP.¹⁷

Urban migration has been a concern for the government of Timor-Leste for at least a decade. For instance, a report by the government in 2010 found that the magnitude of migration into the capital

¹³ World Food Programme, "Timor-Leste," 1-2.

¹⁴ UNESCO, "Overview of Internal Migration in Timor-Leste," 1-6, accessed 2022, <https://bangkok.unesco.org/sites/default/files/assets/article/Social%20and%20Human%20Sciences/publications/timorLeste.pdf>.

¹⁵ Ann Wigglesworth, "Experiences of Young Timorese as Migrant Workers in Korea," Australian Aid Conference 2016, (February 16, 2016), 38, https://www.researchgate.net/publication/303486352_Experiences_of_young_Timorese_as_migrant_workers_in_Korea.

¹⁶ Amnesty International, "Reality Check: Migrant Workers Rights with Four Years to Qatar 2022 World Cup," (May 18, 2021), <https://www.amnesty.org/en/latest/campaigns/2019/02/reality-check-migrant-workers-rights-with-four-years-to-qatar-2022-world-cup/>.

¹⁷ World Bank Open Data, "World Bank Open Data," accessed 2022, <https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=TL>.

of Timor-Leste was due to “several socio-economic and environmental impacts.”¹⁸ However, the report notes that the primary reason for urban migration was due to marriage, educational attainment, and employment.

In an agrarian society like Timor-Leste, how does climate change drive human mobility and food insecurity? Albeit fragmented, the evidence is clear. Climate-induced natural hazards are causing agrarian distress across the country, followed by an increasing trend in urban and international migration. In a recent visit to Dili in December 2022, I noticed that public discourse has focused on the worrying number of people who left the country for industrialized states in need of low-skilled workers. That is because agriculture is the main source of income for people in rural areas. At the same time, agriculture is one sector most affected by climate change, with implications for agricultural productivity, food security, and people’s livelihoods. Between 1960 and 2010, the mobility of people from 108 low to middle-income developing countries as a result of negative shocks to agricultural productivity due to climate fluctuations has been significant.¹⁹ The same study calls for the importance of recognizing the nexus between agricultural productivity and migration in the context of global warming.

It is not difficult to see how climate change frustrates food insecurity and human mobility. An increasing body of research has established the link between climate and migration: according to the UN, between 2008-2018, there were approximately 26 million people who migrated as a result of climate-related disasters. This number is expected to increase even more with the growing frequency of tropical storms, hurricanes, droughts, and floods in many parts of the world.²⁰ These human insecurity issues are further intensified by the intersecting forces of environmental, political, and social factors that are shaping the lived experience of climate migrants.

MIGRATION, PRECARIETY, AND ADAPTATION

IOM considers climate change a trigger to other existing drivers of human mobility, such as political, social, economic, and demographic circumstances that “adversely affect [peoples] lives or living conditions, and are obliged to leave their habitual homes, or choose to do so, either temporarily or permanently.”²¹ Humans have been migrating throughout history, but climate change drives human mobility even more, increasing social anxiety and making people more likely to leave their homes. Most migration occurs within the same geographical location – such as urban mobility – if people consider that their place of origin is slowly becoming unfavorable in terms of living conditions and economic prospects. Decisions to move are decided by job prospects, level of income, and security in destination areas. IOM recognizes that migration is an adaptation strategy, as it helps people manage risks, diversify their income, and cope with environmental changes affecting their ways of life.²² Migration offers alternative sources of income and reduces reliance on the environment for subsistence, particularly in the case of agrarian societies like Timor-Leste.

¹⁸ Timor-Leste National Statistics Directorate, “2010 Timor-Leste Population and Housing Census: A census report on young people,” (2012), <https://www.laohamutuk.org/DVD/DGS/Cens10/16Youth.pdf>.

¹⁹ Chiara Falco, Marzio Galeotti, and Alessandro Olper, “Climate Change and Migration: Is Agriculture the Main Channel?” *Global Environmental Change-Human and Policy Dimensions* 59 (November 1, 2019): 101995, <https://doi.org/10.1016/j.gloenvcha.2019.101995>.

²⁰ United Nations Climate Change, “Climate Change is key driver for migration and food insecurity,” (October 16, 2017), <https://unfccc.int/news/climate-change-is-a-key-driver-of-migration-and-food-insecurity>.

²¹ International Organization for Migration, “IOM Perspectives on Migration, Environment and Climate Change,” United Nations, (October 21, 2014), 1-4, <https://publications.iom.int/books/iom-perspectives-migration-environment-and-climate-change>.

²² International Organization for Migration, “IOM Perspectives on Migration,” 1-4.



Figure 1. Climate change as a stressor to drivers of human mobility, developed by The German Institute of Development and Sustainability.²³

Because migration and food insecurity are inextricably related to the issue of labor markets and rural-urban economic inequality, I examine both issues in the context of precarity. Guy Standing developed the concept of precarity as a function of the labor market by arguing that liberalization and changes in economic structures and conditions have generated a new emerging class with common experiences known as “precarious.”²⁴ Precarious, according to Standing, are workers living precariously, with short-term jobs, high career instability, and occupational hazards without social security or legal protections. Standing’s concept of the precarious is built on the implicit notion of the way in which workers in the neoliberal era are subordinated into a rapidly changing precarious world that exists within a deeply unequal power structure.²⁵ Precarity also generates heterogeneous identities and group formations under neoliberal capitalism, such as migrant workers.²⁶ I believe Standing’s notion of precarious is useful in understanding the dynamics of labor migration in Timor-Leste. Rapid changes in economic structures force many Timorese youth to leave the country or get left behind.²⁷ Lack of job opportunities and lack of necessary skills compel young people to migrate internationally to perform labor-intensive work.²⁸ In Australia, Timorese migrant workers often experience precarious working conditions. An investigation revealed that those who seek asylum with hopes to escape their “slave-like” working conditions found out that Australian protection visas do not provide workers rights or with better safety nets, leaving many stranded in Australia, unable to return home.²⁹ Existing research on migrant workers mainly focuses on their contributions to the national income rather than their precariousness as migrant workers.

²³ German Institute of Development and Sustainability (IDOS), “Climate Change and Migration: How Do They Connect?” (December 2, 2019), <https://www.youtube.com/watch?v=t5SytZCFzo>.

²⁴ Guy Standing, *The Precariat: The New Dangerous Class*, London: Bloomsbury Academic, (2011), 7-13.

²⁵ Nithya Natarajan et al., “Climate Change Adaptation and Precarity across the Rural-Urban Divide in Cambodia,” 904.

²⁶ Martin Bak Jørgensen, “Precariat – What It Is and Isn’t – Towards an Understanding of What It Does,” *Critical Sociology* 42, no. 7–8 (October 26, 2016): 959–74, <https://doi.org/10.1177/0896920515608925>.

²⁷ Joao da Cruz Cardoso, “Timor-Leste’s Youth Leave or Get Left behind,” *The Interpreter*, Lowy Institute, (October 2, 2020), <https://www.loyyinstitute.org/the-interpreter/timor-leste-s-youth-leave-or-get-left-behind>.

²⁸ Jessica Gardner, “Timor-Leste Population and Housing Census 2015: Analytical Report on Youth,” United Nations Population Fund, (2018), 27-35, <https://timor-leste.unfpa.org/sites/default/files/pub-pdf/2015%20Census%20Youth%20Report.pdf>.

²⁹ Julia Bergin, “For Timorese Migrant Workers, the Grass Is Greener on Social Media,” *Crikey*, (July 27, 2022), <https://www.crikey.com.au/2022/07/27/east-timorese-migrant-workers-social-media/>.

Linking precarity to climate change, both issues can be understood through the relationship between adaptation and vulnerability. IPCC defines adaptation measures as efforts to “reduce climate risks and vulnerability mostly via adjustment of existing systems.”³⁰ In a discussion of climate adaptation, IPCC acknowledged in 2001 that climate change affects people differently and developing countries with fewer resources are more vulnerable to climate impacts.³¹ As previously stated, vulnerability as a result of climate shock can take the shape of, but is not limited to, a reduction in crop yields, increased water scarcity, an increase in the number of people affected by vector-borne diseases (malaria and cholera), heat stress, and hydrological disasters such as floodings, sea-level rise, and heavy precipitation.³² While these vulnerabilities present a real precarity to people experiencing them, they are largely considered a scientific issue rather than a human security one within climate literature.³³ Vulnerability is divided into scientific framing (which focuses on the outcomes of vulnerability) and human-security framing (which looks at vulnerability at the contextual level). Not only do both concepts fundamentally differ in their approach to conceptualizing their character and causes, the former concept is prioritized over the latter in policy debates.³⁴

Since 1995, IPCC has been one of the first major authoritative bodies to advance the idea of vulnerability as a scientific issue. Therefore, the body pushed forward adaptation measures as one unique mechanism to lessen the climate vulnerabilities of the poorest members of society:

Inclusion of climatic risks in the design and implementation of national and international development initiatives can promote equity and development that is more sustainable and that reduces vulnerability to climate change.³⁵

Climate adaptation must be sensitive to the political economy of human security in the Global South. I build my argument upon the concept developed by Natajaran, and colleagues called “climate precarity” as a methodological approach, grounded on the labor market issue, that allows us to identify power relations in the study of the politics of climate change adaptation.³⁶ In their study, Natajaran and colleagues studied how agrarian distress due to climate change forced rural farmers in Cambodia to migrate across the country and become debt-bonded kiln workers. The majority of rural farming households incurred unsustainable debt due to failed crops and then sold these debts to brick kiln owners. Kiln workers and their families live and work on kiln sites in unsafe and difficult conditions on a daily basis and kiln owners make wage cuts to repay kiln workers’ debts.³⁷ The authors argue that the impacts of climate change continue to deepen the livelihood insecurities of farmers-turned-brick workers, at the same time demonstrating that migration as a form of climate adaptation is not an effective solution.

They draw on the concept of precarity to situate both the material relations and experiences of farmers-turned-brick workers in relation to climate change and to the wider economy.³⁸ A similar trend is seen in other Southeast Asian states. Urban mobility due to climate disasters in Cambodia, Myanmar, and Thailand is underpinned by land grabs, population growth, unemployment, declines in household assets, and economic conditions that further urban-rural disparity.³⁹ Instead of looking at the direct relationship between frequent flooding and migration, the very system that produces climate change also simultaneously produces multi-faceted precarity. By making this assertion, Middleton and colleagues argue that climate policy interventions often fail to address climate migration because policies tend to be

³⁰ Intergovernmental Panel on Climate Change, “Climate Change 2022: Impacts, Adaptation and Vulnerability,” 2022, <https://www.ipcc.ch/report/ar6/wg2/>.

³¹ Intergovernmental Panel on Climate Change, “Climate Change 2001: The Scientific Basis,” (2001), https://www.ipcc.ch/site/assets/uploads/2018/03/WGI_TAR_full_report.pdf.

³² Intergovernmental Panel on Climate Change, “Climate Change 2001,” 244.

³³ Karen Fisher O’Brien, Siri Eriksen, Lynn P. Nygaard, and Ane Schjolden, “Why Different Interpretations of Vulnerability Matter in Climate Change Discourses,” *Climate Policy* 7, no. 1 (January 1, 2007): 73–88, <https://doi.org/10.1080/14693062.2007.9685639>.

³⁴ *Ibid* 73–74.

³⁵ Intergovernmental Panel on Climate Change, “Climate Change 2001,” 244.

³⁶ Nithya Natarajan et al., “Climate Change Adaptation and Precarity across the Rural-Urban Divide in Cambodia.”

³⁷ *Ibid* 912.

³⁸ *Ibid* 900.

³⁹ Carl Middleton, Rebecca Elmhirst, and Suphāng Chanthawānit, *Living with Floods in a Mobile Southeast Asia: A Political Ecology of Vulnerability, Migration and Environmental Change*, (Abingdon, Oxon: Routledge, 2018), 23.

one-dimensional, short-term, and depoliticized, thus ignoring the layered complexities of how climate change is enmeshed in assemblages of social inequality, declines in economic conditions, and poverty.

Climate precarity builds on the notion of vulnerability but draws instead from the concept of precarity to shift our understanding of adaptation to the issue of power, rooted in a specific geographical milieu, and provide us with analytical tools to examine how precarity is mediated through power structures.⁴⁰ Rather than factoring vulnerability into broader frameworks for analyses of climate change, this form of vulnerability is produced over time and situated in societies and their political economies.⁴¹ In Standing's words, these workers are precariats, as they become a new class of labor characterized by workers lacking all kinds of labor security and are considered by their employers as factors of production cost they try to minimize.⁴² When climate precarity is privileged over vulnerability, it contributes by adding more nuance to climate adaptation literature, moving beyond seeing adaptation as a technocratic exercise towards seeing how precarity and climate are constantly affected by broader, unequal structural determinants that alter the labor market and the economy of the Global South.

I argue that precarity begins with a depoliticization of climate as a global crisis. Depoliticization bolsters the desensitization of the mass public and hinders collective solidarity in the face of climate shocks. In *Anti-Politics Machine*, James Ferguson writes that the goal of development projects is to "de-politicize" the allocation of resources and strengthen bureaucratic powers that manage those resources. In other words, this reallocation developed into a transfer of land, power, and resources in the hands of a few elites.⁴³ I also turn to Judith Butler's notion of precarious life that lends useful insights into limitations of public discourse and general apathy on global crises that hinder a collective solidarity.⁴⁴ I use this notion to highlight the limited understanding and public discussion on the climate crisis in Timor-Leste from the government and civil society alike that has enabled general indifference and a lack of serious action thus far in the face of climate hazards. In 2021, La'o Hamutuk, a government watchdog in Timor-Leste, organized a first-ever public discussion on climate change after severe infrastructure damage caused by heavy rain in March 2021. In that discussion, a central issue was the indifference and lack of preoccupation of the public about the government decisions that will impact the environment in the long term.

CLIMATE CHANGE ADAPTATION IN TIMOR-LESTE

Due to a lack of local political will, climate change policies, programs, and practices in Timor-Leste are heavily designed and shaped by outside climate experts. As a post-conflict nation, the country continues to see the presence of many international organizations and donor agencies whose primary mission is to advise the government and civil society on the best solutions to solve development issues, including the issue of climate change. Some locals term this phenomenon as *NGOnization*. As climate change gains traction worldwide, particularly in recent years, international institutions in Timor-Leste turn their attention to "NGOnizing" national climate resilience policies and programs.⁴⁵

Scholars have studied the effectiveness of climate adaptation projects. As adaptation becomes more integral in climate policy, it remains deficient and does not address factors and political structures that increase climate vulnerability.⁴⁶ For this research, I use discourse analysis⁴⁷ to review a corpus

⁴⁰ Nithya Natarajan et al., "Climate Change Adaptation and Precarity across the Rural-Urban Divide in Cambodia," 901.

⁴¹ Marcus Taylor, *The Political Ecology of Climate Change Adaptation: Livelihoods, Agrarian Change and the Conflicts of Development*, (London Routledge, 2014), 8.

⁴² Standing, *The Precariat*, 10.

⁴³ James J. Ferguson, *The Anti-Politics Machine*, (Cambridge University Press, 1994).

⁴⁴ Judith Butler, *Prekarious Life: the Powers of Mourning and Violence*, (London : Verso, 2004), 11.

⁴⁵ With the support of international organizations, Timor-Leste has adopted National Adaptation Action Programmes (NAPA), part of the global climate change convention (UNFCCC) that allows countries to "identify priority activities that respond to their urgent and immediate needs to adapt to climate change." Guided by NAPA, most climate-resilient projects aim to support preparedness strategies for vulnerable communities and empower them to respond to climate-induced disasters. There have been several climate investments and projects aiming to make communities more resilient in the face of climate hazards.

⁴⁶ Intergovernmental Panel on Climate Change, "Climate Change 2022."

⁴⁷ Drawing from the Foucauldian framework.

of climate change adaptation programs developed and executed between 2010-2020 in Timor-Leste by the following international organizations and development agencies: United Nations Development Programme (UNDP), World Bank, United States Agency for International Development (USAID), Australian Aid, CARE International, Japan International Cooperation Agency and Korean International Cooperation Agency (KOICA) (see appendix).⁴⁸ I pay critical attention to the various ways international organizations have constructed adaptation as a policy, and the political issues related to climate are discussed within their policy frameworks.

In my analysis, the majority of the projects do not offer immediately actionable solutions, and the scope of adaptation policies are rather limited and fragmented. Instead, they provide a series of climate planning and risk assessments that are developed to inform later actions. They include instruments such as impact assessments, technical tools, stakeholder collaboration, government entities, and other development agencies, and policy recommendations without specific policy actions or implementations. What Remling refers to as to-do-list policy approaches.⁴⁹ In their rationale, I examine the ways IOs use systems mapping backed by research to explain how climate change is connected to poverty, food insecurity, and health complications. Ironically, the climate actions and recommendations being laid out in their proposed actions do not seem to correlate and impact the problems they try to address. This contradiction confirms the suspicions of many political ecologists that have pointed out how adaptations are not effective in helping the communities most vulnerable to climate change.⁵⁰ I found that the majority of these projects do not explain their financial allocations, provide little explanation of the contribution of their partners and stakeholders, are conducted within limited timeframes (1-5 years), and do not specify the monitoring and evaluation of the projects. I group my findings into three categories explaining the workings of climate adaptation projects: *rural communities target, technocratic approaches, and the building of resilience*.

Climate Categories	Codes		
Rural communities target	Gender agenda	Infrastructure to rural areas	Narrative of development
Technocratic approaches	Mainstreaming climate adaptation	Technical skills	Professionalization of climate change
The building of resilience	Climate as growth issue	Individual resilience	Narrative of vulnerability

Table 1: Analysis Matrix

All 11 climate projects I reviewed for this research are implemented in rural areas in Timor-Leste. UNDP in Timor-Leste emphasizes the need to safeguard people living in rural communities against the adverse effects of climate change. A closer read into these projects exposes how most climate enterprises are just ordinary development projects repackaged as climate adaptation. Most projects concentrate on strengthening existing infrastructure or climate-proofing that only requires small-scale changes, improving water and sanitation infrastructure, as well as creating pathways for climate-risk data infrastructure that communities can use in the future. Furthermore, these climate projects show a great deal of similarity with one another and utilize similar practices and language, which Jairus Grove

⁴⁸ These international institutions are made up of financial institutions, bilateral government agencies, and international organizations, but I group these international institutions as “international organizations” based on how the coalition is referred to in Timor-Leste and the nature of their work as development agencies.

⁴⁹ Elise Remling, “Adaptation, Now? Exploring the Politics of Climate Adaptation through Poststructuralist Discourse Theory,” Södertörn University, (2019); J. D. Ford, Lea Berrang-Ford, Robbert Biesbroek, Malcolm Araos, S. E. Austin, and Alexandra Lesnikowski, “Adaptation tracking for a post-2015 climate agreement,” *Nature Climate Change* 5, no. 11 (2015): 967-969.

⁵⁰ Sophie Webber, “Performative Vulnerability: Climate Change Adaptation Policies and Financing in Kiribati,” *Environment and Planning A* 45, no. 11 (January 1, 2013): 2717–33, <https://doi.org/10.1068/a45311>; Marcus Taylor, *The Political Ecology of Climate Change Adaptation*, (Routledge 2017); Silja Klepp and Libertad Chavez-Rodriguez, *A Critical Approach to Climate Change Adaptation: Discourses, Policies and Practices*, (Taylor & Francis, 2018); Elise Remling, “Adaptation, Now?”.

cautions as the homogenization of global politics.⁵¹ In a way, rural development projects are schemes to expand modernity into rural areas and bring into visibility new development clients, who are rural peasants and women who are in the “economic and technological gaze of development apparatus.”⁵²

For instance, the World Bank climate project focuses on rural infrastructure by building a road that connects the Ainaro municipality, located in the southwest part of the country, to the capital city of Dili to increase mobility. The reformulation of development projects as climate projects add to the multiple misunderstandings of how climate adaptation should be understood and practiced, thus contributing to the depoliticization of climate change. On the other hand, by framing that women are more vulnerable to climate shocks, terms such as *economic empowerment* are adopted without concretely laying out what they look like. In many places across Timor-Leste, the established patriarchy prevents most women from having property rights to their families’ lands. Women who were part of the clandestine movement during the fight for independence are not included in the pension scheme privileged of their male counterparts. Instead, projects centered on economic empowerment often do not address the root cause of why women are being left out of economic participation.⁵³

Most adaptation projects not only utilize scientific and technocratic frameworks, they are replicated everywhere around the world.⁵⁴ There is also a tendency for climate projects to be dominated by bureaucratic procedures that explain future policies, regulations, stakeholder networking, and the mainstreaming of climate adaptation without clear explanations of what kind of regulations and policies are envisioned. In doing so, climate practitioners and development agencies reproduce the idea that the climate crisis is an external threat with governable solutions provided by experts.⁵⁵

Another feature of climate projects is the hyper-individualization of resilience that prioritizes personal resilience over collective survival, ignoring the unequal responsibility of climate change between the Global North and Global South.⁵⁶ Sophie Weber notes the ways adaptation strategies run the risk of promoting “performative vulnerability” by envisioning depressing images of a “sinking island” to get climate aid from international donors.⁵⁷

In summary, climate adaptation policy in Timor-Leste is fragmented, depoliticized, and lacks the community’s voice and participation in policymaking. More recently, many scholars have come out to push back against mainstream adaptation. Instead, they argue that climate change ought to be viewed as a more complex, socio-political process that deeply concerns issues of justice, equity, and power relations.⁵⁸ Furthermore, while acknowledging that climate change is the result of anthropogenic activities, IOs erase the unequal contribution of climate vulnerabilities by the Global North through the unequal power structures that produce climate change. This pervasive depoliticization, I argue, is done intentionally by a coalition of global institutions as a mechanism to escape accountability after decades of hostility, colonization, and geopolitical violence that led to the environmental crisis we experience today, while at the same time using the crisis as an opportunity to continually reinforce this existing vulnerability.

⁵¹ Jairus Grove, *Savage Ecology: War and Geopolitics at the End of the World*, (Duke University Press, 2019).

⁵² Arturo Escobar, *Encountering Development: the Making and Unmaking of the Third World*, (Princeton University Press, 1995), 157.

⁵³ Oxfam, “Women’s Land Rights in Timor-Leste,” (May 22, 2022), <https://asia.oxfam.org/latest/publications/womens-land-rights-timor-leste>.

⁵⁴ Elise Remling, “Adaptation, Now?”

⁵⁵ Marcus Taylor, *The Political Ecology of Climate Change Adaptation*.

⁵⁶ Jairus Grove, *Savage Ecology*.

⁵⁷ Sophie Webber, “Performative Vulnerability,” 2218.

⁵⁸ Elise Remling, “Adaptation, Now?”; Marcus Taylor, *The Political Ecology of Climate Change Adaptation*; Jairus Grove, *Savage Ecology*.

CONCLUSION AND POLICY RELEVANCE

This paper examines the effectiveness of the technocratic framing of climate adaptation policies in Timor-Leste by a coalition of international institutions in addressing current climate hazards. I argue that the vulnerability people experience due to climate change is produced simultaneously alongside their social and political conditions. The ways that adaptation in Timor-Leste is depoliticized allows for IOs to ignore climate precarity, such as food insecurity and migration fueled by agrarian distress in recent years. One may argue that the scientific approach to climate adaptation enables development agencies to avoid political contestations. IOs are expected to act as neutral bodies in the host country, and issues such as migration are political ones, supported by the current government. At the same time, IOs as political actors have come to be experts when it comes to environmental policy and, therefore, have authority in constructing knowledge that gives themselves legitimacy and the power to intervene and manage the lives of the people they try to better. Internationalization of climate change policy deprives political leaders in Timor-Leste of understanding how climate change is impacting their communities, nor does it give them a chance to propose alternative solutions to address the climate crisis. I contend that IOs use climate change adaptation as an entry point to promote the narrative of development. By making climate change a non-political issue, I look into how IOs engage in climate adaptation that, governed by neoliberal logic, continues to reproduce a global order based on technocratic paradigms, rural intervention, and the professionalization of development – all under the pretext of climate adaptation.

Research on the effect of climate change on migration and agrarian distress clearly demonstrates adaptation is an issue of power that impacts people's livelihoods in specific geographical locations. Therefore, it is imperative for future research to explore the socio-political dimensions of climate change and how it impacts human insecurities such as food security and migration in Timor-Leste. Despite the evidence, the conversation on the nexus between climate, agriculture, and mobility in Timor-Leste's public discourse is currently lacking and the government's largest environmental initiative so far is limited to a campaign to reduce single-use plastic called the "Zero Plastic Policy."⁵⁹

When the understanding of climate risks is contextually grounded, integrating climate science with local evidence that is sensitive to and representative of local community voices and concerns, more appropriate strategies can be developed to achieve fair and effective adaptation to climate change. Secondly, job creation policies must be conscious of the linkages between global warming and changing labor markets. Adaptation strategies must be deliberate in building a resilient agriculture sector that is climate-ready and able to promote food production, create jobs in the agriculture sector, and support economic growth in rural communities. Similarly, since human mobility is a climate adaptation strategy, governments and development agencies can develop better mobility regulations to understand and prevent causes that contribute to distressed migration. Lastly, future research should look at how precarity produces different identities and groups, such as women and the feminization of labor. If women and young female adults make up the majority of urban migrants to Dili, what is the implication of change in working conditions for women entering the labor force, and what are the ways that this increases their precarity?

⁵⁹ Democratic Republic of Timor-Leste, "Government Supports Initiative to Reduce the Use of Plastic," Government of Timor-Leste, (September 19, 2018), <http://timor-leste.gov.tl/?p=20522&n=1&lang=en>.

6. Human Trafficking in Vietnam: A Top-Tier Non-traditional Security Threat in the 21st century

Thu Nguyen Hoang Anh



ABSTRACT

Human trafficking has long been a conundrum facing Vietnam. It has seriously harmed the survival and well-being of numerous victims. More disturbingly, it has threatened national security and state stability. Due to its adverse impact and transnational nature, human trafficking has become a top-tier non-traditional security threat to Vietnam in the 21st century. Determined to tackle this issue, the Vietnamese government has adopted laws, developed national action plans, and cooperated with regional partners. Nevertheless, several limitations, such as a lack of training for involved stakeholders, insufficient victim support, and corruption, have hindered the implementation and enforcement of anti-trafficking laws and policies. As a consequence, human trafficking has still been rampant in Vietnam. This paper introduces two sets of policy recommendations, namely prevention strategies and victim support measures. Specifically, for preventive purposes, the areas that should be focused on include economic empowerment, education access, and law enforcement. Regarding support for returnee victims of trafficking, the government needs to ensure their access to safe accommodation, health care, and legal assistance.

INTRODUCTION

“The men [traffickers] locked us in a room. They’d come to take us to go ‘serve the clients.’ If we disobeyed, they’d let us starve...wouldn’t feed us. A couple of women tried to escape but were recaptured. The men took an electric cord and beat the women with it, and hung the women upside-down by their ankles and poured fish sauce into their noses.”¹

The aforementioned story was shared by a Vietnamese survivor of human trafficking. Alarmingly, an enormous number of people are entrapped in trafficking situations in Vietnam, which has long been identified as a massive hub for the crime.

Scholars in the field of security studies have widely acknowledged human trafficking as a non-traditional security threat to states, including Vietnam.² The United Nations also recognizes human trafficking (a form of Transnational Organized Crime) as one of the six security challenges in the contemporary era.³ Indeed, human trafficking, despite not being military in nature like other traditional security threats, still has an adverse effect on the survival and well-being of states and societies. This crime has harmed the lives of thousands of Vietnamese victims. It has also threatened national stability and public safety. As a result, over the last two decades, the Vietnamese government has taken several measures to combat this illicit practice. Nevertheless, current efforts remain inadequate, which has allowed for the persistence of human trafficking in Vietnam. Therefore, there is an urgent need for policy reform at the national and local levels.

This chapter aims to address how human trafficking breaches Vietnam’s human and national security. Existing policies to fight against this crime by the government and their limitations will also be pointed out. Two major sets of recommendations for policy reform will be proposed, namely prevention strategies and victim support measures. Specifically, the prevention strategies shall consist of the provision of economic empowerment, education access, and law enforcement. Victim support measures include the provision of safe accommodation, health care, and legal assistance.

¹ Phuong Thao D. Le, “Reconstructing a Sense of Self’ Trauma and Coping Among Returned Women Survivors of Human Trafficking in Vietnam,” *Qualitative Health Research* 27, no. 4 (2017): 509–19, p. 513.

² Mely Caballero-Anthony and Ralf Emmers, “Understanding the Dynamics of Securitized Non-Traditional Security,” in *Non-Traditional Security in Asia*, (Routledge, 2017), 13–24.

³ UN High Level Panel, “A More Secure World: Our Shared Responsibility,” *Terrorism* 145, no. 164 (2004): 41, p. 2.

HUMAN TRAFFICKING AS A NON-TRADITIONAL SECURITY THREAT

According to Article 3(a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol), supplementing the United Nations Convention against Transnational Organized Crime, human trafficking means “the recruitment, transportation, transfer, harbouring [sic] or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”⁴ Exploitation encompasses “the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour [sic] or services, slavery or practices similar to slavery, servitude or the removal of organs.”⁵ This definition has been widely adopted by the international community. Vietnam also ratified the above convention and acceded to the Palermo Protocol on June 8, 2012.⁶

Human trafficking has been considered a top-tier non-traditional security threat for many nations, including Vietnam.⁷ It is important to discuss the security implications of this crime. Traditionally, the security concept is “state-centric” and “military-oriented.”⁸ In other words, traditional security focuses on protecting states and their territorial integrity from wars and military aggression. This traditional approach dominated the field of security studies during the Cold War.⁹ However, recent years have seen a shift away from the traditional concept of security to non-traditional security.¹⁰ According to Mely Caballero-Anthony, non-traditional security can be defined as “challenges to the survival and well-being of peoples and states that arise primarily out of non-military sources.”¹¹ In general, non-traditional security threats tend to share the following characteristics: transnational, detrimental to people’s security, and requiring comprehensive and multinational responses. Some examples of non-traditional security threats include climate change, natural disasters, infectious diseases, and human trafficking. As pointed out by Amitav Acharya, these threats are “at the heart of insecurity” in developing countries in the Third World.¹²

In this sense, human trafficking is a non-traditional threat because the crime itself does not involve the use of military or aggression. It occurs across national borders which, therefore, require collective action from states. With regard to its impact, human trafficking has far-reaching consequences for victims’ dignity and safety.¹³ Their rights to life, health, freedom of movement, and freedom from violence are breached due to the illicit activities of human trafficking. But, besides putting human security at risk, human trafficking also challenges national security. It undermines national sovereignty, autonomy, and rule of law. Clearly, human trafficking has destabilized local communities and driven the displacement of many Vietnamese nationals. Subsequently, this hinders the development of society.¹⁴ What is worse, in several cases, human trafficking can also breed more criminal offenses, such as but not limited to, the smuggling of weapons and drugs, money laundering, and terrorism.¹⁵ This, in turn, can seriously harm the security and stability of Vietnam. The Vietnamese government has approached human trafficking as a “social evil” and acknowledged the security implications of this crime in its

⁴ United Nations, *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, New York, NY: UN Headquarters, (2000).

⁵ Ibid.

⁶ “Ratification of International Human Rights Treaties - Vietnam,” *University of Minnesota Human Rights Center*, n.d., <http://hrlibrary.umn.edu/research/ratification-vietnam.html>.

⁷ Jamille Bigio and Rachel Vogelstein, “The Security Implications of Human Trafficking,” *Council on Foreign Relations*, (2019).

⁸ Mely Caballero-Anthony, “Understanding Non-Traditional Security,” in *An Introduction to Non-Traditional Security Studies: A Transnational Approach* (SAGE, 2016), p. 5.

⁹ Amitav Acharya, “The Third World and Security Studies,” in *Security Studies: A Reader* (Routledge, 2011), 52–63, p. 52.

¹⁰ Ibid, p. 53.; Richard Ullman, “Redefining Security,” in *Security Studies: A Reader* (Routledge, 2011), 11–17, p.13.

¹¹ Mely Caballero-Anthony, “Understanding Non-Traditional Security,” p. 6.

¹² Amitav Acharya, “The Third World and Security Studies,” p. 54.

¹³ Farhan Navid Yousaf, “Forced Migration, Human Trafficking, and Human Security,” *Current Sociology* 66, no. 2 (2018): 209–25, p. 220.

¹⁴ Jamille Bigio and Rachel Vogelstein, “The Security Implications of Human Trafficking,” *Council on Foreign Relations*, October 1, 2019, <https://www.cfr.org/blog/security-implications-human-trafficking>.

¹⁵ United Nations, “Toolkit to Combat Trafficking in Persons,” *United Nations Office on Drugs and Crime*, (2008), p. 107.

National Plan of Action against Crime of Trafficking in Children and Women.¹⁶ Specifically, the government considered human trafficking to be an:

“urgent and pressing problem, badly affecting the society, customs, tradition, social morals and Government laws, destroying family happiness, increasing the risks of HIV/AIDS transmission and resulting in potential impacts on national and social security.”¹⁷

THE MAGNITUDE OF HUMAN TRAFFICKING IN VIETNAM

Vietnam has been known as a major hub for human trafficking in Southeast Asia. From 2010 to June 2021, authorities reported identifying approximately 3,500 human trafficking cases that occurred throughout all 63 cities and provinces in Vietnam.¹⁸ Nearly 5,000 traffickers were arrested and 7,500 victims were identified.¹⁹ Figure 1 presents, in detail, the number of trafficking victims in Vietnam from 2006 to 2016 according to data from the Vietnamese Ministry of Public Security. However, it is worth noting that the actual number of cases and victims is believed to be higher than reported and that the reality of the human trafficking problem in Vietnam is more complicated than the figure portrays.²⁰



Figure 1. Number of identified victims of trafficking in Vietnam (2006 – 2016)

Data source: Ministry of Public Security of Vietnam

¹⁶ Thi Tue Phuong Hoang, “Protection for Trafficked Persons in Viet Nam: Another National Security Discourse?” *International Migration* 53, no. 4 (2015): 25–36, p. 29.; Ramona Vijayarasa, “The State, the Family and Language of ‘Social Evils’: Re-Stigmatising Victims of Trafficking in Vietnam,” *Culture, Health & Sexuality* 12, no. S1 (2010): S89–102, p. S89.

¹⁷ *Ibid.*, p. S89.

¹⁸ Minh Vu, “Vietnam Reports 7,500 Victims of Human Trafficking in 2010-2021,” *Ha Noi Times*, (July 17, 2021), <https://hanoitimes.vn/vietnam-reports-7500-victims-of-human-trafficking-in-2010-2021-318072.html>.

¹⁹ *Ibid.*

²⁰ Child Exploitation and Online Protection Centre (CEOP) and British Embassy Hanoi, “The Trafficking of Women and Children from Vietnam,” (2011), p. 10.; Dung Van Nguyen et al., “Human Trafficking in Vietnam: The Issues and Responses of the Vietnamese Government,” *International Journal of Innovation, Creativity and Change* 13, no. 7 (2020): 135–52, p. 141.; Vietnam Human Rights Network, “Report on Human Rights in Vietnam 2021 - 2022,” (2022), http://vietnamhumanrights.net/english/documents/Report_2021_2022_net.pdf, p. 12.

Vietnam is considered a source, transit, and, to a lesser extent, destination country for human trafficking.²¹ Vietnamese people are trafficked for different purposes, such as sexual exploitation, forced labor, organ removal, and adoption.²² There are three main recognized trafficking routes, (i) from northern Vietnam to China; (ii) from southern Vietnam to Cambodia; and (iii) from Vietnam to other countries, such as Malaysia, Indonesia, South Korea, the United Kingdom, and Saudi Arabia.²³ The majority of trafficking victims are women, children, and members of ethnic minority communities, such as H'mong and Thai.²⁴

There are a variety of reasons as to why human trafficking is flourishing in Vietnam. First, Vietnam has a long land border of 4,616 km that it shares with three countries: China, Cambodia, and Laos.²⁵ Due to this proximity and the permeability of borders between Vietnam and its neighbors, citizens can easily move across the borders.²⁶ This, in turn, has made cross-border trafficking rampant in the country. In fact, it is estimated that human trafficking to China makes up more than 80 percent of the total recorded cases, while trafficking to Cambodia and Laos makes up around 10 percent.²⁷

Second, there is a huge difference in the level of social and economic development between the rural and urban areas of Vietnam. To demonstrate, Vietnam's Committee for Ethnic Minority Affairs found that the poverty rate in rural areas is around four times higher than that of urban areas.²⁸ There is also a remarkable gap in the literacy rate and school enrolment between these two areas.²⁹ Consequently, those living in remote and mountainous areas with poor financial backgrounds and limited education have become easy targets for traffickers. Alarmingly, many of them are still unaware of the risks and dangers of human trafficking.³⁰

Third, human trafficking is prevalent in Vietnam because of a high demand for Vietnamese victims to be trafficked to other countries, especially China and Cambodia.³¹ In the case of China for example, the one-child policy and the practice of sex-selective abortion have led to an unbalanced sex ratio.³² As a result, a large number of Vietnamese women and girls have been trafficked to China. Apart from marriage and sex trafficking, traffickers also lure Vietnamese victims to do seasonal and casual work in China.³³ Meanwhile, in Vietnam, the population is dense and the labor force is abundant. Yet, job opportunities in rural areas are limited and offer quite low salaries.³⁴ These factors have consequently facilitated the human trafficking problem.

Many traffickers are now taking advantage of the internet, web-based games, and social media, such as Zalo and Facebook, to approach potential victims. Using false promises of employment opportunities, marriage offers, and better living conditions, these traffickers lure many victims to move both domestically and internationally.³⁵ Human trafficking has a catastrophic impact on both victims and society. A victim of trafficking can face the risk of exposure to sexually transmitted diseases and trauma

²¹ Thao Do and Eric Kasper, "The Impact of Covid-19 Response Policies on Select Vulnerable Groups in Vietnam," *Brighton: Institute of Development Studies*, (2022), 19, <https://doi.org/10.19088/IDS.2022.038>, p. 25.

²² Ngoc Binh Vu, "Trafficking of Women and Children in Vietnam: Current Issues and Problems," in *Trafficking and the Global Sex Industry* (Rowman & Littlefield, 2006), 33–43, p. 35; "Report on Human Rights in Vietnam 2021 - 2022," p. 15.

²³ Ngoc Binh Vu, "Trafficking of Women and Children in Vietnam: Current Issues and Problems," p. 36.; Hai Thanh Luong, "Transnational Crime and Its Trends in South-East Asia: A Detailed Narrative in Vietnam," *International Journal for Crime, Justice and Social Democracy* 9, no. 2 (2020): 88–101, p. 92.

²⁴ Thi H. Nguyen and J. McIntyre-Mills, "Breaking the Cycle of Trafficking in Vietnam: A Critical Systemic Policy Review," *Systemic Practice and Action Research* 34, no. 5 (2021): 475–93, p. 483.

²⁵ The World Factbook "Vietnam," Central Intelligence Agency, (November 15, 2022), <https://www.cia.gov/the-world-factbook/countries/vietnam/#geography>.

²⁶ Xiaochen Liang, "Marriage Trafficking: Demand, Exploitation, and Conducive Contexts—A Study in China–Vietnam Border Areas," *Violence Against Women*, (2022), p. 4.

²⁷ Quang Huyen Tran, "International Cooperation in Prevention and Combating Human Trafficking in Southeast Asian Region: A Case Study of Vietnam," *Journal of Law, Policy and Globalization* 94 (2020): 19–26, p. 20.

²⁸ Thi H. Nguyen and J. McIntyre-Mills, "Breaking the Cycle of Trafficking in Vietnam," p. 480.

²⁹ *Ibid.*, p. 480

³⁰ Dung Van Nguyen et al., "Human Trafficking in Vietnam: The Issues and Responses of the Vietnamese Government," pp. 139 – 141.

³¹ *Ibid.*, p. 141.

³² Xiaochen Liang, "Marriage Trafficking: Demand, Exploitation, and Conducive Contexts—A Study in China–Vietnam Border Areas," p. 4.

³³ Thi H. Nguyen and J. McIntyre-Mills, "Breaking the Cycle of Trafficking in Vietnam," p. 478.

³⁴ Xiaochen Liang, "Marriage Trafficking: Demand, Exploitation, and Conducive Contexts—A Study in China–Vietnam Border Areas," p. 4.

³⁵ Thao Do and Eric Kasper, "The Impact of Covid-19 Response Policies on Select Vulnerable Groups in Vietnam," p. 26.; Quang Huyen Tran, "International Cooperation in Prevention and Combating Human Trafficking in Southeast Asian Region," p. 20.

(for example, HIV infection, cervical cancer, and sexual trauma).³⁶ Furthermore, they may face mental health issues, such as depression, anxiety, and post-traumatic stress disorder.³⁷ Not only are the victims adversely affected, but the economy can also face the loss of remittances and human resources.³⁸ Most importantly, the crime of human trafficking is a pervasive security threat which corrodes the stability of many Vietnamese communities.

VIETNAM'S EXISTING MEASURES TO COMBAT HUMAN TRAFFICKING

Acknowledging the adverse impacts of human trafficking on the lives of citizens and on national security, the Vietnamese government has been carrying out many actions.

There have been many legal documents introduced to address the human trafficking situation. Two key documents include the Criminal Code No. 100/2015/QH13³⁹ (amended and supplemented by Law No. 12/2017/QH14⁴⁰) and the Law on Prevention and Combating of Human Trafficking No. 66/2011/QH12.⁴¹ Under Article 150 (Human Trafficking) and Article 151 (Trafficking of a person under 16) of the Criminal Code, the trafficking offense is criminalized. Article 150 prescribes penalties of imprisonment for a period of five to ten years and fines of 20 to 100 million Vietnamese Dong. Article 151 prescribes penalties of imprisonment for a period of seven to twelve years and fines of 50 to 200 million Vietnamese Dong. These penalties are evaluated as “sufficiently stringent” by the Department of State of the United States in its 2022 Trafficking in Persons Report.⁴² Meanwhile, the Law on Prevention and Combating of Human Trafficking places a strong emphasis on human trafficking prevention, detection, and handling of violations and receipt, verification, and protection of victims. Furthermore, it addresses the measures to protect and support victims of human trafficking. The law also assigns the tasks and responsibilities of different government agencies. Nonetheless, it is argued to be obsolete in comparison with the Criminal Code.⁴³ As a consequence, there are legal gaps between these two legal documents.⁴⁴

Apart from legislation, the government also launched four National Action Programs against Trafficking covering the periods of 2004-2010, 2011-2015, 2016-2020, and 2021-2025. The primary purpose of these programs is to support the implementation of Vietnam's laws on trafficking and to provide details of national policies on prevention, victim support, and prosecution.⁴⁵ Furthermore, these programs aim to create changes in awareness and action among local communities and relevant organizations.⁴⁶ In terms of results, the program in the 2016-2020 period is reported to have reduced human trafficking cases by more than 40 percent in comparison with the previous period.⁴⁷

³⁶ Chris Beyrer and Julie Stachowiak, “Health Consequences of Trafficking of Women and Girls in Southeast Asia,” *Brown Journal World Affairs* 10 (2003): 105.

³⁷ Phuong Thao D. Le, “Reconstructing a Sense of Self’ Trauma and Coping Among Returned Women Survivors of Human Trafficking in Vietnam,” p. 509.

³⁸ Ngan Dinh et al., “Human Trafficking in Southeast Asia: Results from a Household Survey in Vietnam,” *Journal of Human Trafficking* 7, no. 1 (2021): 14–34, p. 32.

³⁹ The National Assembly, *Criminal Code No. 100/2015/QH13* (came into force from July 01, 2016), (2015).

⁴⁰ The National Assembly, *Law No. 12/2017/QH14 on amendments to the Criminal Code No. 100/2015/QH13* (came into force from January 01, 2018), (2017).

⁴¹ The National Assembly, *Law on Prevention and Combating of Human Trafficking No. 66/2011/QH12* (came into force from January 1, 2012), (2011).

⁴² U.S. Department of State “Trafficking in Persons Report,” (2022), <https://www.state.gov/reports/2022-trafficking-in-persons-report/>, p. 593.

⁴³ Minh Huong Ngo and Cong Giao Vu, “Criminal Justice Responses to Trafficking in Persons: Challenges for Implementing ACTIP in Vietnam,” *Legal Cooperation, Harmonization and Unification: An ASEAN Perspective*, Vietnam National University Hanoi, (2022), p. 13.

⁴⁴ *Ibid.*, p. 13.

⁴⁵ Debbie Beadle and Leah Davison, “Precarious Journeys: Mapping Vulnerabilities of Victims of Trafficking from Vietnam to Europe,” *Anti-Slavery International and Every Child Protected Against Trafficking*, (2019), p. 33.; Minh Huong Ngo and Cong Giao Vu, “Criminal Justice Responses to Trafficking in Persons: Challenges for Implementing ACTIP in Vietnam,” *Legal Cooperation, Harmonization and Unification: An ASEAN Perspective*, Vietnam National University Hanoi, (2022), pp. 15 - 16.

⁴⁶ Kim Anh Duong and Rachel Simon-Kumar, “Dignity and Human Trafficking Policy in Vietnam: Deconstructing Gender,” *Human Dignity: Establishing Worth and Seeking Solutions* (Springer, 2017), 159–78, pp. 164 - 165.

⁴⁷ Vietnam Ministry of Foreign Affairs, “Viet Nam's Voluntary Mid-Term Report on the Implementation of the Universal Periodic Review (UPR) Third Cycle Accepted Recommendations,” (2022), https://www.ohchr.org/sites/default/files/2022-04/VietNam_Implementation_Third_Cycle.pdf, p. 15.

Over the last two decades, Vietnam has implemented several other policies with the aim of assisting victims of human trafficking. Some forms of support include legal assistance, vocational training, and health services.⁴⁸ Thousands of trafficking victims have benefited from this support according to a voluntary report of the Vietnamese government to the United Nations Human Rights Council.⁴⁹

Moreover, Vietnam has been actively cooperating with the international community and other states in the region in order to combat human trafficking. Hitherto, Vietnam signed the Association of Southeast Asian Nations (ASEAN) Declaration on Transnational Crime in 1997, the Memorandum of Understanding on Cooperation against Trafficking in Persons in 2004 with other five members of the Greater Mekong Sub-region including Cambodia, China, Laos, Myanmar, and Thailand, and the ASEAN Convention Against Trafficking in Persons, Especially Women and Children in 2015.⁵⁰ In terms of bilateral cooperation, Vietnam has cooperated and signed agreements with neighboring countries, such as Cambodia (2005), Thailand (2008), Laos (2010), China (2010), and Malaysia (2015), to arrest traffickers and rescue victims.⁵¹

LIMITATIONS OF VIETNAMESE MEASURES TO COMBAT HUMAN TRAFFICKING

Vietnam has utilized a variety of initiatives and mechanisms to address the issue of human trafficking. Despite its efforts, human trafficking has still been rampant in the country. This is because the existing measures have several shortcomings.

First, the quality and effectiveness of law enforcement still fall short of where they need to be due to a lack of training for relevant stakeholders. For instance, many police officers, court judges, border guards, and staff members at rehabilitation centers are not trained properly. Therefore, they do not fully understand the nature of the human trafficking problem, the current legislation, and the initiatives of the government.⁵² Consequently, a large number of trafficking victims have been reported to be mistreated.⁵³ For example, local authorities in Quang Ninh province were reported to remove returnee victims and their children from the list of residents and refuse to register them as local residents. Without residency registration, Vietnamese victims could not access social services and consequently, decided to return to their trafficking destination countries.⁵⁴ Another example is when the Vietnamese police misidentified victims of cross-border trafficking due to their lack of understanding of the victim identification procedure.⁵⁵ Further, another flaw of Vietnam's policies to counter trafficking in persons is the absence of an assessment and reflection framework. Therefore, the implementation process as well as the effectiveness of Vietnam's initiatives cannot be evaluated.

Second, another issue hindering law implementation is corruption and bribery, which is even seen as an administrative norm in Vietnam. Indeed, according to the survey conducted by Transparency International, approximately one-third of people in Vietnam had paid bribes to public servants. This is mainly because government officials and public employees tend to have low salaries and find it

⁴⁸ Dung Van Nguyen et al., "Human Trafficking in Vietnam: The Issues and Responses of the Vietnamese Government."

⁴⁹ Vietnam Ministry of Foreign Affairs "Viet Nam's Voluntary Mid-Term Report on the Implementation of the Universal Periodic Review (UPR) Third Cycle Accepted Recommendations," p. 16.

⁵⁰ Dung Van Nguyen et al., "Human Trafficking in Vietnam: The Issues and Responses of the Vietnamese Government," p. 147.; Quang Huyen Tran, "International Cooperation in Prevention and Combating Human Trafficking in Southeast Asian Region," pp. 21 – 22.

⁵¹ United Nations, "Vietnam's Practices and Responses to Human Trafficking," *Fifth Thematic Consultation on the Global Compact on Migration*, (2017), https://refugeemigrants.un.org/sites/default/files/vietnam_ts5.pdf.

⁵² Oanh Nguyen Van, "The Role of Police in Identifying and Assisting Victims of Human Trafficking for Sexual Exploitation: An Empirical Study in Vietnam," PhD Thesis, Flinders University, (2019), pp. 134 - 140.

⁵³ Bach Duong Le, Daniele Belanger, and Thu Hong Khuat, "Transnational Migration, Marriage and Trafficking at the China-Vietnam Border," *Watering the Neighbour's Garden: The Growing Demographic Female Deficit in Asia* (Paris: Committee for International Cooperation in National Research in Demography, 2007), 393–425, pp. 419 - 422.

⁵⁴ Ibid, pp. 419 – 422.

⁵⁵ Thi Tue Phuong Hoang, "An Analysis of the Protection Regime for Trafficked Persons-from the International to Vietnam," PhD Thesis, Monash University, 2013, pp. 226 - 230.

difficult to live comfortably in terms of finances. Consequently, many of them, mainly at the commune and village levels, decide to collude with organized criminal gangs and traffickers.⁵⁶ This, in turn, lowers the motivation for citizens to report traffickers to the authorities.⁵⁷ Additionally, authority and police corruption results in trafficking victims’ distrust of these institutions. Many victims, therefore, choose not to report their stories to the police and even avoid the police rather than seeking their assistance.⁵⁸

Third, notwithstanding the policy to integrate victims into society, many people still find it difficult to rebuild their lives. They have to face stigma and negative attitudes from society as victims of trafficking. Furthermore, they do not receive sufficient support from the government in terms of legal and financial assistance and education.⁵⁹ This insufficient support is partly caused by a lack of a national budget for anti-trafficking programs.⁶⁰

Given these shortcomings in its policies, for years Vietnam had been listed as Tier 2 and Tier 2 Watch List by the State Department of the United States in its annual Trafficking in Persons reports.⁶¹ Countries in these tiers “do not fully meet the TVPA’s [The Trafficking Victims Protection Act of 2000] minimum standards but are making significant efforts to bring themselves into compliance with those standards.”⁶² However, in 2022, Vietnam was downgraded to Tier 3, which is the lowest tier in the three-tier ranking framework.⁶³ According to the report, countries in Tier 3 “do not fully meet the TVPA’s minimum standards and are not making significant efforts to do so.”⁶⁴ Figure 2 details the tier ranking of Vietnam from 2010 to date.



Figure 2. Vietnam Tier Ranking (2010 – 2022)

Data source: Trafficking in Persons Reports

⁵⁶ U.S. Department of State, “Trafficking in Persons Report,” 2019, <https://www.state.gov/reports/2019-trafficking-in-persons-report/>, p. 501.

⁵⁷ Thoi Nguyen, “Vietnam’s Human Trafficking Problem Is Too Big to Ignore,” *The Diplomat*, (November 8, 2019), <https://thediplomat.com/2019/11/vietnams-human-trafficking-problem-is-too-big-to-ignore/>.

⁵⁸ Oanh Nguyen Van, “The Role of Police in Identifying and Assisting Victims of Human Trafficking for Sexual Exploitation: An Empirical Study in Vietnam,” pp. 125 – 127.
⁵⁹ Ibid.

⁶⁰ Thanh Hung Tran and Tien Hoang Le, “Preventing Human Trafficking in Vietnam through Economic Empowerment Programmes,” *International Journal of Criminology and Sociology* 9 (2020): 1 – 8, p. 2.

⁶¹ U.S. Department of State, “Trafficking in Persons Report,” (2021), <https://www.state.gov/reports/2021-trafficking-in-persons-report/>, pp. 605 - 608.

⁶² Ibid, p. 52.

⁶³ U.S. Department of State, “Trafficking in Persons Report,” (2022), pp. 592 - 596.

⁶⁴ Ibid, p. 55.

However, Vietnam has expressed its objections to the evaluation of the United States. Its foreign ministry spokesperson claimed that the Trafficking in Persons report did not provide accurate information and failed to reflect the actual situation of human trafficking in Vietnam as well as the anti-trafficking efforts of the government.⁶⁵

POLICY RECOMMENDATIONS

Prevention measures

Vietnam can deter trafficking in persons from happening in the first place through a set of prevention strategies. Three areas that should be focused on for prevention purposes include economic empowerment, education access, and law enforcement.

Economic empowerment

Human trafficking can be alleviated by economic empowerment. As mentioned previously, poverty is one of the root causes leading to trafficking crimes. According to research conducted by Le Thi Hong Luong and Dr. Caitlin Wyndham from the Blue Dragon Children's Foundation, both victims and traffickers in Vietnam tend to come from poor financial backgrounds and lack economic opportunities.⁶⁶ In terms of victims, poverty urges them to find a way to pull themselves out of their economic plight. As a result, they are likely to be deceived by fraudulent employment promises. In terms of traffickers, economic imperatives are among the main motivations driving them to commit trafficking crimes.

Therefore, the Vietnamese government should provide more vocational skills training, job placement assistance, and job opportunities for its citizens, especially those from underprivileged backgrounds. Another practical plan is to give impoverished people small state loans with consultation support on how to utilize that amount of money to start a business.⁶⁷ Unless Vietnamese people have stable financial capacity, the cases of trafficking in persons will continue to be widespread in the country. The Vietnamese Ministry of Labour, Invalids and Social Affairs, the Ministry of Finance, the Vietnam Bank for Social Policies, and other relevant departments should cooperate together to help their citizens become economically self-sufficient.⁶⁸

Education access

Studies show that most Vietnamese victims have a low level of education and limited knowledge regarding the issue of human trafficking.⁶⁹ They are not aware of the risks and dangers behind certain trafficking activities. In addition, they are deprived of the tools to fight against trafficking predators. Consequently, traffickers tend to exploit this lack of awareness among vulnerable victims and lure them into the trafficking industry.

The Vietnamese government should ensure that its citizens, especially those living in remote and mountainous areas, have full access to education. More importantly, the government should provide additional support, such as scholarship programs, school feeding programs, flexible schooling hours and systems, and free textbooks, so that students have more incentives not to drop out of school.⁷⁰

⁶⁵ Vinh Tho and Duy Linh, "US Human Trafficking Report Incorrect: Vietnam Foreign Ministry," *Tuoi Tre News*, (July 22, 2022), <https://tuoitrenews.vn/news/politics/20220722/us-human-trafficking-report-incorrect-vietnam-foreign-ministry/68248.html>.

⁶⁶ Luong Le and Caitlin Wyndham, "What We Know about Human Traffickers in Vietnam," *Anti-Trafficking Review*, no. 18 (2022): 33–48.

⁶⁷ Thanh Hung Tran and Tien Hoang Le, "Preventing Human Trafficking in Vietnam through Economic Empowerment Programmes," *International Journal of Criminology and Sociology* 9 (2020): 1–8, p. 5.

⁶⁸ *Ibid*, pp. 2 - 6.

⁶⁹ Tien Hoang Le et al., "Inter-Agency Cooperation to Raise Awareness on Human Trafficking in Vietnam: Good Practices and Challenges," *Asian Journal of Criminology* 13, no. 3 (2018): 251–74, p. 254.

⁷⁰ Ricardo Sabates et al., "School Drop out: Patterns, Causes, Changes and Policies," UNESCO, (2010), <https://unesdoc.unesco.org/ark:/48223/pf0000190771>, p. 19.

Additionally, school curricula need to include content that teaches students how to protect themselves and whom they should contact in unsafe situations. The curricula should also cover sex education and migration information. Finally, it is crucial to let students know about Vietnam's anti-trafficking laws and the way to report traffickers to local authorities. In order to implement this prevention strategy, cooperation between the Vietnamese Ministry of Education and Training, relevant agencies, schools, and teachers is essential.

Once successfully implemented, this policy would help Vietnamese people gain a better awareness of human trafficking issues. They would be less likely to be manipulated or forced into the trafficking industry. Furthermore, education opens up better economic opportunities for potential victims, helps them command higher wages, and have a better standard of living. In addition, as suggested by the Blue Dragon Children's Foundation, should potential traffickers receive sufficient education, they might be able to recognize the risks of prosecution and the heavy penalties for human trafficking offenses,⁷¹ increasing the chances that they are dissuaded from committing trafficking crimes.⁷²

Law enforcement

Vietnam's current laws on human trafficking still have many limitations and need to be revised. To illustrate, under article 151 of the 2015 Criminal Code, child trafficking only applies to children under 16 years old. Meanwhile, under international law, child trafficking is also applied to children aged 16 to 18.⁷³ This, in turn, has caused difficulties for judges in court when addressing the offenses committed towards sixteen-year-old to eighteen-year-old children, as pointed out in the 2022 Trafficking in Persons Report.⁷⁴ Moreover, since sex trafficking has become rampant and well-documented in Vietnam, the national legislation tends to focus more on this form of human trafficking. However, it is crucial to have more robust national legislation that addresses all forms of trafficking.

In addition to law revision, it is also crucial to improve the enforcement of these laws. The 2022 Trafficking in Persons Report stresses that many relevant stakeholders, such as police, social workers, judges, and medical practitioners, are still unsure about the practical application of Vietnam's legislation on the human trafficking issue.⁷⁵ Consequently, they commit misconduct and mistreat the victims such as by misidentifying victims or rejecting the residence registration applications of victims.⁷⁶ The Vietnamese government, therefore, needs to provide training and knowledge transfer workshops for these stakeholders before they take up their roles. Furthermore, these stakeholders should review their training programs and be frequently tested for their knowledge and skills. This law enforcement effort would make the implementation process smoother and, hence, benefit Vietnamese victims in general.

Victim support measures

Besides prevention strategies, Vietnamese policymakers should pay more attention to support measures for returning victims of trafficking. This can help facilitate the recovery and reintegration process and prevent potential re-trafficking of victims after their return. Considering that the follow-up process after returning to Vietnam is still inadequate and that many victims face difficulties reintegrating into their families and communities, it is important to ensure that these victims are provided with safe accommodation, health care, and legal assistance.

⁷¹ Luong Le and Caitlin Wyndham, "What We Know about Human Traffickers in Vietnam," pp. 46 – 47.

⁷² *Ibid.*

⁷³ United Nations, "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children," New York, NY: UN Headquarters, (2000).

⁷⁴ United States Department of State, "Trafficking in Persons Report," (2022), p. 593.

⁷⁵ *Ibid.*, p. 593.

⁷⁶ Bach Duong Le, Daniele Belanger, and Thu Hong Khuat, "Transnational Migration, Marriage and Trafficking at the China-Vietnam Border," pp. 419 – 422.; Thi Tue Phuong Hoang, "An Analysis of the Protection Regime for Trafficked Persons-from the International to Vietnam," pp. 226 – 230.

Safe accommodation

The Vietnamese government has established Social Protection Centers where returning victims can stay after repatriation. However, evidence shows that only 10 percent of victims are able to access these accommodations.⁷⁷ The reason being that, in order to reside in Social Protection Centers, victims are required to present a certificate proving that they are a victim of trafficking. Furthermore, even if victims are eligible to stay at these government-run accommodations, the maximum length of stay is only sixty days.⁷⁸ Returning victims in Vietnam are in dire need of safe, suitable, and sustainable accommodations.

An accommodation is considered as safe and suitable when it properly addresses victims' needs, wishes, and feelings and does not make assumptions based on the gender, culture, or religion of victims. This can be done by surveying the victims as to what kind of accommodation makes them feel comfortable. It is especially necessary to place special attention on victims with special needs, such as those who are pregnant or those with a serious form of mental or psychological disorder.⁷⁹ The government should offer accommodation to returnees for a sufficient period of time so that they are able to recover fully. Another issue to be considered is where the victims will reside after staying in the government-run accommodations to avoid the risk of being re-trafficked.

As accommodations play a crucial role in helping victims recover from their physical and mental problems, gain safety, and avoid being enticed again by traffickers, the Vietnamese government needs to allocate more budget and human resources for the placement of these victims.

Healthcare

Existing studies confirm that Vietnamese victims of trafficking are likely to suffer from an array of physical, psychological, and mental health problems.⁸⁰ It is mainly because they had been exposed to extreme stress, physical and psychological abuse, deprivation of food and sleep, and hazardous travel.⁸¹ As a result, merely rescuing victims from traffickers and helping them return to their homeland alone is not enough. Instead, the government should also offer medical care and psychosocial support to address the health care needs of these victims.

Trafficked victims tend to need specialized support and assistance in terms of healthcare. Therefore, it is necessary that health care providers and social workers learn about victims' specific needs. The government can organize capacity-building training and workshops for health care specialists.

A recent law in Vietnam allows trafficked survivors to receive free health insurance cards.⁸² In situations where these survivors are ill, they would also be supported with medical examinations and basic treatment. However, it is worth highlighting that current healthcare support focuses mainly on healing the victims' diseases and other physical issues. However, restoring victims' psychological well-being and mental health is also of paramount importance, hence, it should be taken into careful consideration when designing policies for post-trafficking support services.

⁷⁷ David Neale, "Vietnam: Risks of Re-Trafficking on Return," *Garden Court*, (May 20, 2020), <https://www.gardencourtchambers.co.uk/news/vietnam-risks-of-re-trafficking-on-return>.

⁷⁸ *Ibid.*

⁷⁹ Sadaf Mir, "Housing Assistance for Trafficking Victims," *Legal Action Group*, (October 2017), <https://www.lag.org.uk/article/202577/housing-assistance-for-trafficking-victims>.

⁸⁰ Ligia Kiss et al., "Health of Men, Women, and Children in Post-Trafficking Services in Cambodia, Thailand, and Vietnam: An Observational Cross-Sectional Study," *The Lancet Global Health* 3, no. 3 (2015): e154–61.

⁸¹ Tiffany Dovydaitis, "Human Trafficking: The Role of the Health Care Provider," *Journal of Midwifery & Women's Health* 55, no. 5 (2010): 462–67, p. 463.

⁸² "Survivors of Trafficking Will Receive Health Insurance Cards Free," *Viet Nam News*, (August 3, 2020), <https://vietnamnews.vn/society/770482/survivors-of-trafficking-will-receive-health-insurance-cards-free.html>.

Legal assistance

As discussed in the report *After Trafficking: Experiences and Challenges in the (Re)integration of Trafficked Persons in the Greater Mekong Sub-region*, trafficked returnees need to deal with several legal and administrative issues after coming back to their home countries.⁸³ For instance, they have to apply for civil/birth registration and residence registration or solve complicated issues such as divorce and child custody. In addition, they need to apply for certification as trafficking victims in order to be eligible for government support. Nevertheless, evidence shows that many Vietnamese survivors of trafficking have limited knowledge and understanding of their legal status and Vietnamese laws.⁸⁴ Thus, the government should ensure that legal advice is provided to these victims following their repatriation to Vietnam.

Additionally, Article 36 of the Law on Prevention and Combating of Human Trafficking notes that “Victims may receive legal counseling to avoid being trafficked again and legal aid to register residence and civil status, receive supports, claim compensation, participate in judicial proceedings and carry out other legal procedures related to human trafficking cases.”⁸⁵ Nevertheless, it is evident that this legal aid has been largely “in principle.”⁸⁶ In reality, only 22 percent of Vietnam’s trafficked survivors can receive legal counseling from the government.⁸⁷ The Vietnamese government, hence, needs to accelerate the implementation of this provision. In addition, it should train and raise awareness of law enforcement officials regarding the crime of human trafficking. Should legal aid still not be undertaken effectively, victims of trafficking in Vietnam will continue to find it challenging to rebuild their lives and reintegrate into their communities.

CONCLUSION

Human trafficking has long been known to be a notorious conundrum facing Vietnam. It has seriously harmed the well-being of thousands of Vietnamese victims. More problematically, it poses a threat to national security and state stability. Determined to combat this non-traditional security threat, the Vietnamese government has adopted several laws and initiated many national plans and policies. Notwithstanding its efforts, existing measures remain ineffective as the number of reported victims continues to rise. Because of this, policy reform is absolutely necessary in order to end human trafficking and restore human and national security.

This paper introduces two sets of policy recommendations with the hope that the human trafficking issue will be better addressed in Vietnam. The government should place more serious attention towards prevention strategies to avoid trafficking from occurring in its genesis. These strategies can be conducted through the provision of economic empowerment, education access, and law enforcement. In addition, it is equally vital that victim support measures are undertaken properly since a large number of trafficked survivors in Vietnam still face challenges reintegrating into communities. The government should ensure that victims are supported with safe accommodation, health care, and legal assistance. Overall, it is hoped that this paper sheds much-needed light on how Vietnam should take action to deal with human trafficking as a complex security threat.

⁸³ Rebecca Surtees, “After Trafficking: Experiences and Challenges in the (Re)Integration of Trafficked Persons in the Greater Mekong Sub-Region,” United Nations Inter-agency Project on Human Trafficking, (October 2013), https://nexusinstitute.net/wp-content/uploads/2015/03/after-trafficking_experiences-and-challenges-in-reintegration-in-the-gms.pdf, p. 13.

⁸⁴ Thanh Hung Tran, Tien Hoang Le, and Thi Phuong Diep Tran, “Support Trafficking Victims through Inter-Agency Cooperation in Vietnam: Achievements and Limitations,” *Asian Journal of Criminology* 15, no. 4 (2020): 321–44, p. 334.

⁸⁵ The National Assembly, *Law on Prevention and Combating of Human Trafficking No. 66/2011/QH12*.

⁸⁶ Thanh Hung Tran, Tien Hoang Le, and Thi Phuong Diep Tran, “Support Trafficking Victims through Inter-Agency Cooperation in Vietnam: Achievements and Limitations,” p. 325.

⁸⁷ *Ibid.*, p. 326.

7. Thailand's Brain Drain Challenge: Trends and Implications

Attawat Joseph Ma Assavanadda



ABSTRACT

As the world is moving towards the age of the new normal, Thailand has lifted almost all pandemic control measures for locals and inbound visitors. The opening of borders and resumption of pre-pandemic life should engender a sense of ebullience among the Thai public. However, a rising cost of living and increasing social polarization in the country, on the one hand, and the friendlier immigration policies in the developed nations, on the other hand, are compelling many young Thai talents to consider leaving the Land of Smiles. This trend puts the Thai government under a new pressing security concern: an imminent brain drain.

In this chapter, I aim to shed light on said concern by calling more attention to young Thais' motives to leave the country and its potential impacts on Thailand's development. My argument is twofold. First, unlike previous waves of migration, the one forming is distinctive in that Thai youth who consider leaving Thailand are educated or well-trained to compete internationally and generally seek a long-term career that can later translate into opportunities to live permanently or secure new citizenship. Besides this, they are paying more attention to the socio-political factors in addition to the long-dominant economic needs. Second, the Thai government has so far seemingly held a misperception of this phenomenon and has shown little interest in addressing this concern. The exodus of the country's brightest minds could cause severe problems to the country's development, but turning a blind eye to the causes of their frustration or misinterpreting their motives can be equally harmful.

INTRODUCTION

As the world moves towards the age of the new normal, Thailand is not an outlier in this trend. The Land of Smiles has lifted almost all pandemic control measures for locals and inbound visitors. The opening of borders and resumption of pre-pandemic life should engender a sense of ebullience among the Thai public. However, the overall situation in Thailand suggests otherwise. A rising cost of living and increasing social polarization are looming over society. To escape an uncertain future, many young Thai professionals and skilled workers have begun to eye overseas opportunities. This trend puts the Thai government under a new and pressing security concern: an imminent brain drain.

The brain drain problem is of critical importance to Thailand's security and development. The Thai government has rolled out several ambitious plans in hope of transforming the nation into a developed country. This mission rests on meticulous support from all parts of the society. To ensure the desired progress in the long run, Thailand needs to count on its younger generations, who will in the future take the helm and steer the country forward. However, as the recent case of "Let's move abroad" – a now-defunct Thai Facebook page where more than one million users had registered to discuss how to leave the country and settle elsewhere – has shown, an enormous number of Thai netizens are currently considering walking away from Thailand. The loss of local talent could cause a drastic shake up in the country's development trajectory. Surprisingly, this human capital challenge still receives scant attention from the government and the society at large.

In this chapter, I aim to shed light on the said concern by calling more attention to young Thais' motives to leave the country and its potential impacts on Thailand's development. I applied the "push and pull factors" framework to elucidate Thailand's evolving migration trends. My analyses center around the dynamics of both push and pull factors, with "Let's move abroad" being a case study. Data are drawn from open-access resources, social media groups, and expert opinions. I also investigated leader speeches and commentaries to gain official views pertaining to the "moving out" trend.

My argument is twofold. First, unlike previous waves of migration, the one currently forming is distinctive in that Thai youths who consider leaving Thailand are generally educated or well-trained to compete internationally and are seeking long-term careers that can later translate into opportunities to

live permanently or secure new citizenship. Besides, they are paying more attention to the socio-political factors in addition to the long-dominant economic needs. Second, the Thai government has so far seemingly held a misperception of this phenomenon, deeming the outward-looking talents unpatriotic or “fanatical about the West,” for instance and thus, shown little interest in addressing this concern.

Put briefly, Thai talents are increasingly frustrated with an authoritarian socio-political structure and diminishing economic prospects. The recent changes in Thailand’s political landscape towards a suppressive regime, inundated with the emerging socio-economic problems brought about by the COVID-19 pandemic, have further triggered a sense of uncertainty among these individuals, leading them to think about relocation. The exodus of the country’s brightest minds could cause severe problems for the country’s development but turning a blind eye to the causes of their frustration or misinterpreting their motives can be equally harmful.

I separate the content into four parts. The first part briefly introduces the “push and pull factors” analytical framework. The second part discusses the differences between the earlier waves of Thai emigration and the forming one. The third part explains why the brain drain problem can pose a pressing challenge to Thailand’s development and illustrates how the government has perceived and responded to such a trend. In the fourth part, I conclude with implications and policy recommendations.

ANALYTICAL FRAMEWORK

One of the most common analytical frameworks in migration studies is the so-called “push and pull factors” model.¹ Based on economic, rational choice foundations, the original model provides a simplistic explanation of the drivers of migration. In essence, it comprises a group of negative factors in the country of origin pushing individuals to emigrate – push factors – and a group of positive factors in the country of destination attracting new arrivals – pull factors. These push and pull factors, which revolve mainly around income differentials between the origin and destination countries, function concurrently in the mind of aspiring migrants.

Recent studies extend this model to provide a more nuanced analysis of migration drivers, calling into question the dominance of the *Homo Economicus* argument. Jørgen Carling and Francis Collins asserted that relatively higher income is not the only factor influencing migration. Broader economic, social, and political considerations also impact one’s will and capacity to migrate.² Similarly, Nicholas van Hear, Oliver Bakewell and Katy Long – developers of the “push and pull plus” model – added that the migration drivers are by no means static. To fully understand individuals’ desires to migrate, it is necessary to look also at the changing structural trends.³ In this sense, the push and pull factors are dynamic and subject to change at any time.⁴

Based on the updated model, the typical push factors now include but are not limited to, economic hardships at home such as low wages/salary, unemployment and unclear career growth, an unfavorable mode of governance, and social inequalities and polarization, as well as rare but possible events such as war and conflict.⁵ By contrast, the pull factors entail advantages – or at least expected advantages

¹ Everett S. Lee, “A Theory of Migration,” *Demography* 3, no.1 (1966): 47–57; European Commission, “Push and Pull Factors of International Migration: A Comparative Report,” Luxembourg: Office for Official Publications of the European Communities, (2000).

² Jørgen Carling and Francis Collins, “Aspiration, desire and drivers of migration,” *Journal of Ethnic and Migration Studies* 44, no. 6 (2018): 914.

³ Nicholas van Hear, Oliver Bakewell and Katy Long, “Push-Pull Plus: Reconsidering the Drivers of Migration,” *Journal of Ethnic and Migration Studies* 44, no. 6 (2018): 927-944.

⁴ It is also worth noting that pull factors can exist in the originating country, and push factors can also exist in the targeted country. These ‘reverse’ push and pull factors will add costs and thus, function as deterrents to their relocation plan. Push factors in the country of destination can appear in many forms, such as negative views of the locals towards immigrants, rules and regulations concerning immigration and unfamiliar cultures, as well as costs pertaining to relocation, such as transportation costs and settling costs. Pull factors in the country of origin work the other way around. For example, food and family ties could pull aspiring migrants to stay in their home country.

⁵ Gursharan Singh Kainth, “Push and Pull Factors of Migration: A Case Study of Brick Kiln Migrant Workers in Punjab.” MPRA Paper 30036 (2009), University Library of Munich, Germany, <https://mpra.ub.uni-muenchen.de/30036/>; European Parliament, “Exploring migration causes – why people migrate,” (October 20, 2020), accessed July 15, 2022, <https://www.europarl.europa.eu/news/en/headlines/world/20200624STO81906/exploring-migration-causes-why-people-migrate>

– achievable in the target countries. Akin to the push factors, the major elements of pull factors deal with economic benefits and socio-political appeals. Higher wages, a smaller gap between income and living costs, and higher chances of career growth are vital economic gains. At the same time, the desired country's attractiveness in politics, or society more broadly, is similarly relevant.⁶

The parsimony of this analytical framework allows scholars to formulate more comprehensive observations of transnational migration.⁷ Nevertheless, a meaningful investigation into each factor driving the migration of citizens in a particular territory still requires in-depth knowledge of the area. In the following section, I will apply this framework to the Thai context in order to dissect the cost-benefit calculations of Thai migrants. The focus will be placed on the changing drivers of migration between the earlier rounds of Thai emigration and the forming one.

BRAIN DRAIN AND THAI MIGRATION

Brain drain, also known as human capital flight, refers to the migration of educated and skilled individuals from developing to developed countries.⁸ Scholars and policy experts recognize that international mobility is frequently a zero-sum game. While the migration of talents endowed with a high level of human capital might benefit the individuals themselves and the receiving nations, it is detrimental to the country of origin.⁹ Importing highly-educated and skilled professionals can increase a country's human capital and capacity to innovate, boost economic growth, sustain demographic balance, and reduce the cost of public goods. Losing them leads to an opposite end.¹⁰

While transnational mobility is not uncommon in Thai society, not all spatial mobility can be regarded as brain drain. Historically, only the earliest wave of Thai migrants can represent brain drain, as skilled professionals led it, especially in health industries, while the rest of past Thai migration movements cannot. During the 1960s, the flux of Thai medical professionals voluntarily moved to practice in countries that still lacked locally trained workers, especially in the United States. Afterwards, most Thai emigrants are classified as non- or semi-skilled workers who seek overseas jobs to escape economic hardship at home.¹¹

These low-skilled workers primarily engaged in labor-intensive agriculture, manufacturing, construction, and care sectors in the more affluent economies.¹² They chose to stay in foreign lands to collect money only for a certain time before eventually taking a journey back to their homeland.¹³ In short, income differentials and the availability of new opportunities abroad are treated as determinant factors driving migration. These characteristics mark the borderline between earlier migration movements and the forming brain drain.

⁶ Gursharan Singh Kainth, "Push and Pull Factors."

⁷ E.g., Evangelia Tastsoglou, "Twenty-First Century 'New' Greek Transnational Migration to Canada," *Journal of Immigrant & Refugee Studies* 20(1) (2021) : 65-78.; Elena Popa, "'You are Romanian. This is going to be a problem': class, desire, and educated migrant women in France," *Journal of Ethnic and Migration Studies* (2022), DOI: 10.1080/1369183X.2022.2085082.

⁸ Nadeem U. Haque and Se-Jik Kim, "'Human Capital Flight': Impact of Migration on Income and Growth." *Staff Papers (International Monetary Fund)* 42(3) (1995): 577–607.

⁹ Michel Beine, Frederic Docquier and Hillel Rapoport, "Brain drain and economic growth: theory and evidence," *Journal of Development Economics* 64(1) (2001): 275-289.

¹⁰ Z. Kone and Ç. Özden, "Brain drain, gain and circulation," *KNOMAD Working Paper* 19 (2017).

¹¹ Udom Sapito, "Problem/Obstacle in supporting Thai workers to work abroad: Case Studies of Thai workers in Oman/Yemen," (Independent Study submitted to the Devawongse Varopakarn Institute of Foreign Affairs, (2009), [in Thai].

¹² The surge resulted mainly from the booming popularity of newly opened Middle Eastern countries, which demanded labor for their infrastructure projects. Saudi Arabia, for example, once recorded over 200,000 Thai workers. However, the Persian Gulf Crisis and the incident in Saudi Arabia crippled Thai workers in these areas. Thai laborers then moved to work in Asian markets such as Malaysia, Singapore, Brunei, Hong Kong, and Taiwan. See Udom, "Problem/Obstacle in supporting Thai workers"; see also Boontueng Polpanich, "Problem of sending Thai workers abroad" (Independent Study submitted to King Prajadhipok's Institute, 2003), [in Thai].

¹³ Ibid.

The Forming wave of Thai Migration

The forming wave of migration should cause alarm in the Thai government because many young, highly-educated Thais are willing to work abroad. The recent survey conducted by JobsDB, Boston Consulting Group, and The Network, shows that around 60 percent of Thai people younger than 30 years old and 45 percent of Thai holders of master's degrees and above are eyeing overseas opportunities.¹⁴ Likewise, 19 out of 23 surveyed occupational groups favor working overseas.¹⁵

Statistics concerning young Thais' willingness to work abroad shown above happen to be similar to the online craze among young Thai netizens of late, as demonstrated in the "Let's Move Abroad" Facebook page. The page owner initially set it up to seek advice for expanding his business to other countries from those who have experience working and living abroad.¹⁶ However, the page gradually changed to serve as a forum for members to share insights about finding ways to settle abroad. It witnessed noticeable growth in terms of the number of followers. Furthermore, against increasing disapproval of the Thai government's COVID-19 response, the group made headlines. It attracted an even larger crowd of like-minded people who came to explore the prospects of living abroad, registering more than one million members in the blink of an eye since its opening in May 2021. The group grew so fast and became so viral that it started to raise the eyebrows of the Thai government and thus, inevitably came under monitoring. Soon after being put under the Thai officials' watchful eye, the page became temporarily inaccessible. It later returned to function with a different, irrelevant name to circumvent authorities, called "Let's move our hips." The key question worth investigating remains: What makes "moving out" such a fad among Thai youths?

Push Factors From Thailand

Analysts brought various explanations to the table. Veerayooth Kanchoochat argued that many young Thais are unsure about the opportunities to thrive in the country under the existing socio-political structure dictated by the junta.¹⁷ He elaborated that a similar phenomenon occurred in Taiwan from the 1960s to 1980s when numerous young and educated Taiwanese decided to move to the United States, due in part to the lack of academic and political freedom and a problematic social environment in Taiwan.¹⁸

Other Thai analysts echo political "push factor" descriptions. Kanokrat Lertchoosakul identified two background factors correlated to the rise of the "move out" attitude. First and foremost, young Thais are losing hope in Thailand's political system. The military junta has held on to power since it staged a coup in 2014 and does not seem poised to step down. Second, Thai youths' demands for more welfare benefits, self-determination, and freedom are deemed threats to the regime and thus, countered with forceful suppression and digital control. Furthermore, the government's mishandling of the COVID-19 pandemic, despite its tight control of society, together with economic downturns in the wake of the pandemic served as trigger factors that sparked a fire.¹⁹

¹⁴ JobsDB, Boston Consulting Group and The Network, *Decoding Global Talent: Thailand Edition* (2021), p. 12, <https://th.jobsdb.com/en-th/cms/employer/decodingglobaltalent/>. Although the overall trend in this report indicates Thai people's decreasing eagerness to work abroad compared to 2014 and 2018, it is worth noting that the survey was carried out during the pandemic, when people around the globe held similar reservations about relocation. The restrictions and uncertainty due to the COVID-19 pandemic, the emergence of nationalistic policies and tighter immigration regulations across key economies, and the normalization of virtual work are identified as three main reasons for the decline in people's willingness to work abroad. For more information about this global trend, please read Orsolya Kovács-Öndrejková, Rainer Strack, Jens Baier, Pierre Antebi, Kate Kavanagh, and Ana López Gobernado, *Decoding Global Talent, Onsite and Virtual* (March, 2021), p.3, <https://web-assets.bcg.com/cf/76/00bdede345b09397d1269119e6f1/bcg-decoding-global-talent-onsite-and-virtual-mar-2021-rr.pdf>.

¹⁵ JobsDB, Boston Consulting Group, and The Network, *Decoding Global Talent*, p.13.

¹⁶ Kanokrat Lertchoosakul, "Let's Move Abroad': When the new generation loses hope in Thailand." Interviewed by The Standard, streamed on May 3, 2021. [In Thai]. Accessed May 15, 2022, <https://youtu.be/n9d9NreHP11>.

¹⁷ Veerayooth Kanchoochat, "Lost chip – New Generations – Brain Drain: Taiwan's three nanometers and Thailand's ten-billion-baht Parliament," The 101. (April 20, 2021). [In Thai], <https://www.the101.world/chip-new-gen-brain-drain/>.

¹⁸ Ibid. During the 1960s to 1980s, the Kuomintang ruled Taiwan as an authoritarian one-party state.

¹⁹ Kanokrat Lertchoosakul, "Let's Move Abroad': When the new generation loses hope in Thailand."

From the economic viewpoint, Purawich Watanasukh observed that amid the pandemic, Thailand started to lose its edge in tourism and exports, which constitute a significant part of the national income, leading to an economic slowdown. As Thailand's economic growth stagnates, recent university graduates are seeing their opportunities to secure a good job and live in the country slipping away.²⁰ His premise on the economic stagnancy (not the causal argument) happens to be in agreement with a report from the World Bank, underlining the impacts of COVID-19 on Thailand's exports and tourism industry.²¹ During the early stage of the pandemic (late 2019 – 3rd quarter of 2021), the country's economy shrank noticeably, with a record negative 12.1 percent in the second quarter of 2020. Only after the country relaxed its border controls for tourists in the last quarter of 2021 did the economy rebound.²² This economic slump exhibits some correlations with the “moving out” trend as well.

Pull Factors From Abroad

On the other side of the same coin, Thai youths have come to realize that the doors to work in developed economies are opening wider than ever before. The transition towards the post-pandemic stage translates into a new round of competition among many affluent countries to attract non-local highly-skilled workers to support their economic resilience and tackle their aging society concerns, which in turn leads to so-called talent wars. As a result, many popular destinations are increasingly willing to embrace incoming specialists with attractive visa schemes that could lead to long-term or permanent stays.

Examples include but are not limited to:

The United Kingdom's High Potential Individual (HPI) visa scheme²³

Germany's Skilled Immigration Act²⁴

Australia's Global Talent Visa Program²⁵

Taiwan's Employment Gold Card²⁶

Hong Kong's The Immigration Arrangements for Non-local Graduates²⁷ and Top Talent Pass Scheme²⁸

For young Thais, working in a developed, democratic country would give them both higher economic gains and a better quality of life.²⁹ Last but not least, globalization also reduces the travel and communication costs that once effectively deterred their decision to step out.³⁰

To summarize, although there is, to my knowledge, no systematic, survey-style investigation on why many young Thais are pondering a plan to move abroad, an analysis of the changing push and pull factors can give plausible explanations. In addition to the long-standing dominance of economic arguments, many Thailand observers are now pointing to the country's recent inclination towards an authoritarian regime, to the degree that many young people – especially those who cherish liberal values

²⁰ Purawich Watanasukh. “A New Brain Drain for Thailand?” *Asia Media Centre*, (May 19 2021), <https://www.asiamediacentre.org.nz/opinion-and-analysis/a-new-brain-drain-for-thailand/>.

²¹ World Bank, *Thailand Economic Monitor: Thailand in the Time of COVID-19* (June 2020), p. 4, <https://documents1.worldbank.org/curated/en/456171593190431246/pdf/Thailand-Economic-Monitor-Thailand-in-the-Time-of-COVID-19.pdf>.

²² World Bank, *Thailand Economic Monitor: Building Back Greener: the Circular Economy* (June 2022), p.6, <https://documents1.worldbank.org/curated/en/099630006272216604/pdf/P1774810035ebf0f70b655077d3e195a99b.pdf>. Thailand started to lift travel restrictions for fully vaccinated foreign visitors from most countries on November 1, 2021.

²³ The Government of the United Kingdom, “High Potential Individual (HPI) visa,” accessed November 15, 2022, <https://www.gov.uk/high-potential-individual-visa>.

²⁴ The Federal Government of Germany, “The Skilled Immigration Act,” accessed November 15, 2022, <https://www.make-it-in-germany.com/en/visa-residence/skilled-immigration-act>.

²⁵ Department of Home Affairs, Australian Government, “Global Talent Visa Program,” accessed November 15, 2022, <https://immi.homeaffairs.gov.au/visas/working-in-australia/visas-for-innovation/global-talent-independent-program>.

²⁶ National Development Council, Taiwan, “Taiwan Employment Gold Card,” accessed November 15, 2022, <https://goldcard.nat.gov.tw/en/>.

²⁷ Hong Kong Immigration Department, “Immigration Arrangements for Non-local Graduates (IANG),” accessed November 15, 2022, <https://www.immd.gov.hk/eng/services/visas/IANG.html#:~:text=All%20non%2Dlocal%20graduates%20should,complete%20application%20form%20ID%20990B>.

²⁸ Hong Kong Chief Executive Office, “The Chief Executive's 2022 Policy Address,” accessed November 15, 2022, <https://www.policyaddress.gov.hk/2022/en/p29.html#:~:text=We%20will%3A,over%20the%20past%20five%20years>.

²⁹ Purawich Watanasukh, “A New Brain Drain for Thailand?”

³⁰ Joseph Harmon, Jordan Hall, Spencer King, Kristen Leach and Timothy Tam, “Brain Drain of Thailand,” Stanford University, accessed May 15, 2022, <https://cs.stanford.edu/people/eroberts/cs181/projects/2010-11/BrainDrain/>.

– find disturbing. Socio-political issues, inundated with discontent over the government’s mishandling of the pandemic, serve as dominant push factors. On the other hand, the emergence of the talent war among developed economies has opened new opportunities for educated or skilled professionals from abroad to work in their lands, with possible options for subsequent long-term settlement. The new visa schemes, among others, serve as a new pull factor in the eye of Thai youths.

GOVERNMENT RESPONSES

The transition into the post-pandemic era can be a double-edged sword for Thailand, depending on how the government copes with this turbulent time. The withdrawal of pandemic control measures can restore hope and faith among Thai citizens. At the same time, several insidious challenges need to be fixed.

Currently, most of Thailand’s development plans are in line with *The 20-Year National Strategy (2017-2036)*, which on the grandest level, sets to elevate Thailand to the status of a developed country by 2037.³¹ This ambitious goal demands major enhancements in all aspects, whether governmental or private sector. Concerning its strategy to enhance national competitiveness, the *National Strategy* demonstrates the need to develop younger generations to meet fast-changing global market demands, including upgrading their English and third language and encouraging them to acquire lifelong learning and development habits. Besides this, the government places the young generations at the heart of the central plan to transform Thailand into a more innovative, entrepreneurial society led by advanced technologies.³² In this regard, Thailand’s development strategies hinge on the present-day youth. Without a doubt, the brain drain problem can hamper these development goals.

With that being said, the current administration continues to use rhetorical devices to shape the event by labeling the youths as “unpatriotic,” “fanatical about the West,” or “forgetting their roots.”³³ At the same time, it endeavors to put forward nationalistic discourses to persuade the public that Thailand is already better than other countries in many aspects, warning that those who leave the country are destined to struggle.³⁴ The sense of denial and misperception was well reflected in Prime Minister Prayut Chan-o-cha’s speech when he spoke to the audience in the southern city of Songkhla:³⁵

Foreigners all want to move to Thailand. Thai food is delicious. Thai people are kind. The weather is fine. Moving abroad can cause one to freeze to death because they do not have any experience living there. Tax is much higher in foreign countries. Energy price is high [sic]. Air conditioners and heaters are a must. Let the rich go. We cannot leave this country because this country is the land where we were born, are living, and will die. Here is our sacred land.

Furthermore, the government chooses to use suppressive tools to block, censor, and harass some campaigners. For example, the Digital Economy and Society (DES) Minister, Chaiwut Thanakhamasorn, ordered thorough scrutiny of the “Let’s move abroad” page for any agenda that causes division and violates the *lese-majeste* law that could entitle him to take legal action while leaving all the underlying social problems untouched.³⁶ Similarly, then-government party member, Sira Jenjaka, blamed the

³¹ The *20-Year National Strategy* came into force in October, 2018. It serves as a master plan for Thailand’s development plans from 2017 to 2036. However, limited studies so far have been conducted to assess and investigate its practicability. Further research on Thailand’s *National Strategy* is still much needed.

³² Office of the National Economic and Social Development Council of The Kingdom of Thailand, *National Strategy (2018-2037)* [in Thai], https://www.nesdc.go.th/download/document/SAC/NS_PlanOct2018.pdf. For the unofficially translated version, please see <http://nscr.nesdb.go.th/wp-content/uploads/2019/10/National-Strategy-Eng-Final-25-OCT-2019.pdf>.

³³ “Let’s move’ buzz no threat,” *Bangkok Post*, (May 6, 2021), accessed May 15, 2022, <https://www.bangkokpost.com/opinion/opinion/2110955/lets-move-buzz-no-threat>.

³⁴ Suwittha Chaiyong, “Fears of a brain drain,” *Bangkok Post*, (May 17, 2021), accessed May 15, 2022, https://www.bangkokpost.com/opinion/opinion/2116867/fears-of-a-brain-drain?fbclid=IwAR0oLz0tjseYY7husD7_BbTo_nmdM8PELKikkR9gVvUlwBYL1aXrgrsb1d4.

³⁵ “Prayut’ sarcastic of the outgoers, moving and freezing to die! Begging local Southern residents to choose good prime minister,” [in Thai] *Matichon Weekly*, (April 25, 2022), accessed July 29, 2022.

³⁶ Pornchai Sereemongkonpol, “A leader should inspire hope,” *Bangkok Post*, (April 29, 2022), accessed April 29, 2022, <https://www.bangkokpost.com/opinion/opinion/2302318/a-leader-should-inspire-hope>.

opposition party for using the hype to discredit the government.³⁷ In a nutshell, the government is not only reluctant to admit its administrative shortcomings but is also pouring efforts to stigmatize unsatisfied citizens which frequently backfire, instead stirring youths to hold more negative attitudes about the government. Such a misstep can lead to a fatal fall in Thailand's overall development plans.

At this critical juncture, Thailand must exploit all available resources to turn over a new leaf. Young people, especially the educated and skilled ones, are more critical to the country's future than ever. They will play a pivotal role in refurbishing the country's economy and stimulating innovation. Thailand's economic resilience and sustainable development require staunch support from its competent nationals. However, the Thai government has not yet shown sufficient attention to this pressing brain drain challenge nor indicated any plan to improve the country's social conditions – the crux of the “move out” trend. Ironically, they invest heavily in suppressing them even when they simply try to make their voice heard.

IMPLICATIONS

As discussed throughout the paper, brain drain is Thailand's most pressing challenge. Young people, especially the educated, are widely expected to be a promising resource for the country's future. They are vital agents of change and progress. However, numerous local talents are currently and seriously planning to leave. Higher living costs, lower living standards, discontent with the government's political incompetence, and expanding authoritarian clout spur the desire to turn away from their homeland. Nonetheless, the government is still missing the point. Not only is it turning a deaf ear to the youths' uneasiness but the current government continues to suppress them strikingly. Its repressive actions are counterproductive.

This latent brain drain challenge is of vital strategic importance to Thailand, especially when demographics are considered. The country has already been classified as an aging society, with a high chance of becoming “super-aged” in slightly more than a decade.³⁸ This demographic shift puts Thailand in a precarious position, as it needs to deal with dual societal challenges – it needs to retain local talents while attracting skilled workers from overseas. This mission should urge the government to address several shortcomings. The following are policy recommendations discussed in two dimensions: short-term and long-term.

For the short-term measures, it is high time the government pays serious attention to this challenge and exercises restraint when dealing with discontent youths, i.e. refrain from using oppressive measures to sanction youths who simply try to raise their voices on social problems. In this sense, strategic communication between elites and the youth is vital. The government should establish official channels dedicated to listening to young voices while abandoning suppressive mechanisms to help restore public trust that all opinions are respected. Besides this, the government should join forces with the private sector to implement plans to revive the country's economy and encourage in-country employment. A better economy and higher chances of employment might attract some young Thais to work domestically.

For the medium and long-term measures, the government should implement structural reforms focusing on enhancing government effectiveness and transparency, augmenting the country's global competitiveness, and improving people's quality of life and public goods such as infrastructure and education. Priority should be placed on the area of research and development (R&D), which is key to the country's innovation and competitiveness.

³⁷ Ibid.

³⁸ Wichit Chantanusornsiri, Dusida Worrachaddejchai and Suchit Leesa-Nguansuk, “Rise of the Grey Market,” *Bangkok Post*, (February 21, 2022), accessed July 30, 2022, <https://www.bangkokpost.com/business/2267415/rise-of-the-grey-market#:~:text=The%20country%20has%20been%20classified,up%2028%25%20of%20the%20population.>

A recent survey by the National Research Council of Thailand revealed the country's R&D expenditure to be 208 billion baht or around 1.33% of the GDP.³⁹ The Office of National Higher Education Science Research and Innovation Policy Council (NXPO) set an R&D investment target of 2 percent of GDP by 2027.⁴⁰ Apart from supporting in-house research training and uplifting the quality of Thai higher education, the government should allocate more budget towards encouraging Thai youths to gain more overseas exposure by funding short-term exchange programs or providing more government scholarships. Upon completion of their programs, the Thai government's scholars would return home with more broad perspectives valuable for Thailand's comprehensive development prospects and bring back connections beneficial for the country's future collaboration on a state-to-state level or a people-to-people level.

Many countries worldwide are now hunting global talents to help stimulate growth. Unless things are rectified, Thailand, in contrast, will soon witness the drastic flight of its top-notch young intellectuals, let alone the *crème de la crème*. The brain drain problem might be latent and rarely visible in the short term but it is strenuous and difficult to reverse the trend when things come to a head. All deficiencies must be addressed in a proper and timely manner.

³⁹ "Thailand's 2020 R&D expenditure tops THB 208 billion," Office of National Higher Education Science Research and Innovation Policy Council, (May 24, 2022) accessed August 16, 2022, <https://www.nxpo.or.th/th/en/11367/#:~:text=The%20recent%20survey%20%E2%80%93%20conducted%20by,to%201.14%25%20in%20previous%20year.>

⁴⁰ Ibid.

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Caught in the Middle: The Measured Voice of Brunei's Foreign Policy Amidst the South China Sea Disputes

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Thiha Wint Aung

The Coming of the Raging Fire: The Revolution in Myanmar

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Human Trafficking in Vietnam: A Top-Tier Non-traditional Security Threat in the 21st century

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