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Established in 2021, the Journal of Asia and Europe Relations is a flagship peer-reviewed journal of Student Think Tank for Europe-Asia Relations (STEAR). Interdisciplinary and wide-ranging in scope, the Journal of Asia and Europe Relations covers the latest research on all topics relevant to Asia and Europe relations that focus on theory, policy, and/or practice. The journal aims to provide readers with a truly global and comparative perspective. This journal is primarily aimed at policy issues and, ideally, the role of youth engagement. All papers are submitted to anonymous peer-review process conducted by young academics, professionals, and future leaders of highly relevant fields. The journal is published annually.

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Congratulatory Note

“Asia, and what happens in Asia, influences European society on every level.” That is what I said in a video message for the closing ceremony of the Student Think Tank for Europe-Asia Relations’ (STEAR) Global Village in February 2022, and I think these words are even more true now than they were back then. It’s not just the future that’s Asian, but the present already is. In the coming decades, Asia is increasingly going to shape global affairs. The continent is home to almost 60% of the global population, 40% of global GDP and various countries that are increasingly active on the international stage. Just a 100 years ago, London, Paris and Washington D.C. were the global centres of decision-making. While these cities remain important today, influence over global affairs is increasingly shifting towards Asian cities like Beijing, New Delhi and Jakarta.

This is why I, as Executive Director of Asia Society Switzerland, strive to enhance Asia competence among the populations of Switzerland, and Europe more broadly. Understanding Asia is no longer a ‘nice to have’, it has become essential for everyone doing anything remotely international. Asia competence is not just knowledge of Asia, it is an actionable skill that includes the ability to understand different viewpoints, tap into Asia-related networks and operate in an Asian context.

Where to start when one wants to build Asia competence? I could of course say, head over to Asia Society Switzerland’s website, but reading this second edition of the Journal of Asia and Europe Relations is also an excellent starting point. It takes some of the complex themes, such as AI or disability rights, and unpacks how these themes are at play in both Europe and Asia and connects the two continents. I am therefore honoured to congratulate STEAR on publishing the second edition of its journal.

Ever since I delivered that video message to STEAR’s Global Village, I have been impressed by STEAR’s work. By fostering closer ties between Europe and Asia, and especially among Europe and Asian youth, STEAR’s values are well-aligned with those of Asia Society Switzerland. This journal is a good example of the high quality work that STEAR delivers. I would there once again like to congratulate STEAR, and especially the Editors-in-Chief, associate editors, editors, writers and everyone else on the STEAR team that worked on this journal, on the final result. I hope that you as reader will enjoy the journal and will keep following STEAR’s work. Moreover, I am confident that STEAR will continue to work on activities that help create better relations between youth in Europe and Asia. Keep up the good work!

Nico Luchsinger

Executive Director of Asia Society Switzerland
Advisory Board member of STEAR



Letter from the Co-Presidents

We are glad to be able to present you with the second Journal of Asia and Europe Relations. The first edition of the journal was published in October 2021; a lot has happened in Eurasia since then. The impact of digitalisation and artificial intelligence (AI) is more significant now than it was even a few years ago. And perhaps most significantly: In 2021 Europe was a far more peaceful, stable and secure place than it is today.

In this journal, you will read about these new developments. Varnakomola writes about the war in Ukraine and the influence of climate changes on hybrid warfare strategies. The articles of Díaz, Siennot and van Wanrooij & Graef all dive into the cyber realm by addressing global AI, the digital Silk Road and influencer advertising in Germany and China respectively. Crowe meanwhile looks at an often overlooked topic: Disability rights, and how they are approached in the EU and ASEAN.

Undeniably, relations between many European and many Asian countries have become more fraught since October 2021. Tensions between China and the European Union have for instance been rising. In such a polarised context, it is essential to have a venue for constructive policy discussions. We are glad that this journal provides such a venue, as do the policy opinion pieces and podcast episodes that STEAR regularly publishes. The aim of the journal is not to convince you, the reader, of any particular viewpoint. The aim is to make you think about various issues facing Eurasia, and gain new perspectives on those issues.

This journal is the result of the hard work of a number of people. First and foremost, we would like to congratulate the leadership team of the Editorial Office from 2022-2023, which includes Sakshi, Fatima, Juliette and Eyrin. We moreover want to thank all editors and writers for their insightful articles; without you this journal would not have been possible. Finally, we want to thank Nico Luchsinger, Executive Director of Asia Society Switzerland and one of STEAR's Advisory Board members, for his congratulatory note for this journal, and his unwavering support for STEAR. We hope that you will enjoy the journal, and invite you to let us know what you think of it. Happy reading!

Yusril Nurhidayat & Koen Donatz

Co-Presidents of STEAR, 2023-2024

Editors' Note

We are delighted to present to you the second edition of the Journal of Asia and Europe Relations. As we reflect on the second edition, we are proud to have produced a body of work which reflects STEAR's growth in its second year. Though the publication process came with significant challenges, we find that it mirrors the moment we find ourselves in this world.

The inaugural edition of the Journal of Asia and Europe Relations received an overwhelming response, with contributions from valued contributors based all around the world. As stated by the previous Editors-In-Chief, an understanding of Europe-Asia affairs fundamentally requires insights from all branches of knowledge. It is with this spirit of fostering diversity of opinion, dialogue, and knowledge exchange that informed our article selection for this edition.

In this second edition, we are proud to showcase a rich tapestry of research articles, that encapsulate the multidisciplinary nature of the Journal of Asia and Europe Relations. Our peer-review process, guided by the expertise of our editorial board, ensures that each piece published in this edition maintains the high standards of academic rigor and excellence.

van Wanrooij & Graef discuss how political systems impact the development of commercial and business regulations, and in turn can effect how Asian and European countries build trade ties. Díaz maps convergences and divergences in global AI principles in Singapore and the EU. The article reflects the evolving landscape of AI and is an incredibly important resource for us to think about how we approach multilateral cooperation and reach a global standard on how we use and govern this extremely important technological development. Siennot's article explores the impact of China's Digital Silk Road in the Western Balkans, and advocates for a nuanced understanding of its implications on the EU's strategy. Crowe's article comparatively analyses advances in disability rights approaches in EU and ASEAN and explores if regional multilateralism can take the place of the nation state in providing welfare. Finally, Varnakomola's article importantly addresses how the nexus between climate change and hybrid warfare strategies will increasingly begin to shape how war is shaped.

We are extremely proud to present this catalogue of diverse, current, and though-provoking articles. We would like to express our sincere appreciation to the editorial team, reviewers, and production staff whose dedicated efforts have brought this edition to fruition. We would also like to thank Rosemay Thea A. Pañares for designing our journal cover.

Thank you for reading!

Sakshi Chandrasekhar and Fatima Umar

Co-Editors-in-Chief, 2023-2024

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Fostering the Sino-German Relationship: How the Political Environment Influences the Legislative Framework on Influencer Advertising: An Analysis Between China and Germany

Danny van Wanrooij & Liliana Graef¹

Abstract

This study explores how political systems shape legislative frameworks for influencer advertising in China and Germany. Through an alignment of legislative documentation with the prevailing political context, our study reveals how democratic principles in Germany and the authoritarian context in China significantly shape these frameworks. Germany prioritises sponsorship endorsement and fact-based laws, while China emphasises behavioural norms congruent with its governmental vision. China's hierarchical structure facilitates agile decision-making, contrasting with Germany's bureaucratic processes underpinning democratic principles and legal equity. In these three aspects, recognising how political contexts shape law creation and enforcement highlights the need for strategic approaches in fostering successful cross-country collaboration. These insights can inform and enhance the Sino-German relationship in guiding enterprises, governments, and entrepreneurs in navigating distinct political landscapes within influencer advertising. Our recommendations encompass establishing local networks, utilising case studies, and seeking guidance from legal advisors or experts. This research underscores the significance of comprehending contextual legal intricacies for effective foreign expansion and encourages further research in legal and political attitudes.

Key words: Influencer Advertising, Political influence, Legislative framework, Germany, China

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Liliana Graef comes from a Polish-German family but has spent all her life in Poland. Her bilingual upbringing has allowed her to fully appreciate the diversity of the two cultures to which she belongs. After high school, she went to the University of Warsaw to study European Studies. During her studies, she managed to go on an exchange to the Netherlands, which completely changed her life. She is currently in Germany on an internship, and her next stop will be the Netherlands, where she plans to start her master's degree next year.

1. Introduction

Influencer marketing has become a predominant form of advertising, especially in the top economic sectors like China and Germany (Silver, 2022) wherein considerable contrast in the political system shapes the regulations on influencer laws. The shift from advertisements in newspapers or billboards into the “recent marketing trends indicate the rise of influences as an extension of word of mouth campaign” (Chopra, Avhad & Jaja, 2020, p. 1), highlight the technological developments enabling new means of advertising: Social Media Influencers (SMIs) (Balaban, Mucundorfeanu & Naderer, 2021, p. 1). This sector has significantly grown in recent years as a branch of “the advertising industry” (Michaelsen, Collini et al., 2022, p. 13) wherein “the social connections between the streamer and viewer” becomes the main selling-point (Lin & Lu, 2017, pp. 1-2) in “affecting a purchase decision” (Chopra, Avhad & Jaja, 2020).

The terminology of “influencer” or “social media celebrities” (Aderibidge, Awobamise & Jarrar, 2020, p. 51), can be interpreted as the link between the social media platform and the customer, using SMIs as the embodiment of the company's values and target group. The power and reach of the influencers (Chopra, Avhad & Jaju, 2020, pp. 1;11) can be beneficial for companies in the case when the perceived similarity of “shared interest and values”, possibly increasing the “trust they [followers] put into influencers and their advice” (Michaelson, Collini, et al., 2022, p. 43; Ipsos, 2017).

Since brand building and penetrating the local market (Leung, Gu & Palmatier, 2022, p. 226; Mansouri & Torgull, 2022) are core aspects found in influencer market, Chen, Lin & Shan (2021, p. 1426) argue that the consumer's identification with influencers positively impacts trust, attitude and engagement. Understanding cultural and legislative values fosters mutual understanding and improves economic relations (Moser et al., 2011, p. 102). Following nearly 75% of marketing specialists who use influencers (Vyatkina, 2020, p. 1307), a case study of German customer acceptance of Chinese OEMS argues that the purchase consideration jumps from 21% to 85% by creating a “touchpoint with Chinese brands” (Mansouri & Torgull, 2022).

Tackling China's record low consumer confidence (2022) (Hui et al., 2023, p. 2) and the German low trust in Chinese goods into account (Holtbrügge & Kreppel, 2012, p. 79), effective brand endorsers have a high level of authenticity and can effectively spread

word of mouth (WOM) as foundational in successfully entering the foreign market (Leung et al., 2022, p. 1-2; Lou & Yuan, 2019, p. 59; Vyatkina, 2020, p. 1307).

Taking the rapid developments in the advertising branch into account, the regulations in Germany and China know foundational similarities and differences which are derived from the political influence in lawmaking. Therefore, our research analyses the corresponding legislative frameworks and aims to answer the following research question: “How is the legislative framework on influencer advertising shaped by the country-specific political system?”. Whilst this research is based on a Western perspective, the analysis provides three recommendations to foster Sino-German cooperation taking the political and legal frameworks into account: 1) get acquainted with in-depth case studies, 2) advise a legal counsellor or cultural expert, and 3) network on the local level.

2. Methodology

Our research aims to stimulate the economic growth and partnership between Germany and China and therefore to facilitate recommendations to flourish the cooperation between these two economic powerhouses. Enterprises need a legal framework comparison regarding influencer advertising laws to be able to allocate regulations, whereas governments can use this analysis to position themselves accordingly. Whilst Germany might be categorised as following the EU legislation such as the General Data Protection Regulation (GDPR: 2016/697) and amendment 2022/1925 on “contestable and fair markets in the digital sector”, Baladan, Mucundorgeanu & Naderer (2021) argue that there is “no European Union-wide legislation governing sponsorship transparency” and claim that “monitoring practices differ significantly across member states” (p.395). While these differences are still evident in administering and adhering to the EU regulations, the vast majority of the EU countries already follow these regulations and have established country-wide rules. Germany distinguishes itself as one of the quickest implementers of these EU regulations and proves its bureaucratic nature as being the leader in influencer marketing regulations.

Moreover, the decision to include China in the comparison can be explained by two main arguments. Firstly, German companies account for “a third of all European investment in China in 2018-2021” (Rinke, Waldersee & Marsh, 2022). Secondly, the

political system, the position of the regime in legislation, and the differences in culture and language can cause challenges in expanding your company to and from either China or Germany. The comparison between the democratic Germany and the authoritarian regime of China therefore showcases the way that the political environment shapes the influencer laws and its implications for further economic cooperation.

Lastly, our research works via a clear structure and allows the reader to follow the analysis country by country. The covered themes within the legal analysis are sponsorship, behaviour, and fines. These are analysed by using the English version of the Chinese regulations of the Chinese Advertising Laws (CAL) and the Chinese version of the Code of Conduct for Influencers (hereafter CCI). The German regulations are found in the Unfair Competition Act (Gesetz gegen den unlauteren Wettbewerb [UWG]).

3. Theoretical Framework

Our research follows Osterberg-Kaufmann, Stark & Mohamad-Klotzbach's (2020) perception that political systems know many challenges in conceptualisation and understanding. The terms democracy and authoritarianism, as used throughout this research to categorise the political systems of Germany and China, have various interpretations and understandings among citizens and scholars. Whereas among others the "identity, experience, tradition, culture, language, religion, knowledge" shape the understanding of these terminologies, the conceptualisation can also differ in shapes and variants (e.g. liberal, social, (in-)direct) (Osterberg-Kaufmann, Stark & Mohamad-Klotzbach, 2020, p. 303). Taking these nuances into account, three main differences in these political systems are foundational to working with these terminologies: 1) citizen participation, 2) the rule of law, and 3) fundamental liberties.

Firstly, democratic civic participation contrasts the concentrated power as present in the top layers of the government in authoritarianism. The populace can vote and influence the political decision-making in the former, whereas the populace cannot enact similar actions in the latter (Weingast, 1997, p. 261). The lack of concentrated power in democracy due to citizen participation equals bureaucracy in decision-making. In contrast, the one-party system in China can freely implement

changes without incorporating the perspectives of citizens, political coalitions or opponents (TNI, 2017).

Secondly, following the difference in citizen participation, the consensus-based society in democracy emphasises that the law framework is clear and strict. Political officials cannot be self-enforcing and share “equal” standards with the populace (Martial Law Museum, 2023). Chinese authoritarianism does have laws, but strictness ought to disappear as the privileges “correlate to your rank within society” (TNI, 2017; Marital Law Museum, 2023). The rule of law is flexible and self-interpretable by high-ranked individuals.

Thirdly, democratic values go paired with fundamental liberties such as the German understanding of freedom (of expression, religion, and the right to process, press, and privacy). In China, these liberties are contested and the freedom of expression, religion, privacy and press are infringed. The regime limits these liberties and assures that citizens do not bring the government discredit (e.g. cameras, online surveillance). The goal of the regime is that the party ideology is followed and that citizens are mobilised (Davis, 1976, p. 653).

By implying the “democracy versus authoritarianism” narrative, the terminology within this paper can be understood by three key differences: 1) citizen participation, 2) the rule of law, and 3) fundamental liberties. While conceptualising the terms is necessary, Xi’s perspective is that this narrative is not followed, yet it is solely Western-style democracy and Chinese-style democracy (Xinhua, 2022).

4. Legal and Political Analysis

Germany

The basic law for influencers in the German legal framework is called the Unfair Competition Act (UWG = Gesetz gegen den unlauteren Wettbewerb). It regulates unfair competition, protects consumers from harassing advertisements, and is enforced through fines, disclosures, removal, and claims for injunctive relief. Advertisement takes many forms: video, a picture, or just plain text. All ads must be marked in the description of a post, or the company responsible for the product/service must be tagged. Otherwise, according to § 5 UWG, we are dealing with a “misleading commercial act”. All sponsored posts must be described in a way that

ought to not confuse the consumer, meaning that it must be clear which post the influencer paid for.

The safest and clearest way to inform the follower about the ad is to put “Anzeige” or “Werbung” at the beginning of the post. To continue, surreptitious advertising is prohibited according to the principle of truth (Wahrheitsgrundsatz). Surreptitious ads are concealed by faking or withholding circumstances. A good example of such behaviour is when an influencer is posting about a certain product online and praising it but conceals the fact they received a large payment in exchange for promoting the product in question. Hence surreptitious advertising must always be marked as such, according to the competition law in § 5a Section 6 of the Unfair Competition Act (UWG).

In Germany, the political system does not directly affect content creators. Influencers are obliged to abide by the aforementioned laws, but these laws do not affect the content they publish. The freedom of speech provided by the German constitution allows online creators to write/speak about anything. The role of influencers is not contained in promoting German values and German culture. To exemplify, in the run-up to the 2019 European parliament elections in Germany, the famous influencer “Rezo” posted a 55-minute long YouTube video named “Die Zerstörung der CDU” (The destruction of the CDU) (2019). The video gained momentum and emphasises that the criticism of politicians can be done freely in Germany (Rezo ja lol ey “Rezo”, 2019).

Moreover, the German legal system is closely linked to the democratic system prevailing in the country. The law, though strict, allows people to exercise their basic freedoms and liberties, enshrined in the Constitution. Democratic tendencies shine through the legal framework since the laws are equal for all societal classes, implying that the rule of law is respected.

China

China’s influencer advertising mainly consists of the new trend around Key Opinion Leaders (KOLs) who promote the products of the firms by making videos” (Chen et al., 2020, p.1). The terminology of the Chinese KOLs and the German influencers are often used interchangeably. However, whereas influencers are used for “general exposure to a wide audience” (Goo, 2018), KOLs provide added value in expertise or personality to a

certain target group. The latter is frequently a celebrity and is designed for full immersion between the brand and the KOL (Goo, 2018).

Nowadays, the terminological difference showcases the development from untargeted to coordinated influencer marketing. While sponsorship endorsement needs regulation, the Chinese law frameworks do not entail concretisation of consequences. Following the authoritarian character of unequal standards across classes, this can aim at only being able to receive this information within the “higher political bubble” or rather the fines of sponsorship endorsement indirectly depends on your place in the social ranking. Chinese law barely mentions concrete fines and instead attempts to further limit fundamental liberties. Influencers who do not follow the regulations are punished by losing “morality and norms”, and can be blacklisted, banned, or boycotted from all platforms (CCI, §15-18). Losing morality and norms is herein used as an incentive to behave like the authoritarian regime wants. In combination with the Chinese principle of “losing face”, public humiliation in the sense of losing morality cannot be accepted: othering this group in society.

Moreover, these laws such as “true to facts and lawful” (§1, Article 3) follow authoritarian principles and are as demonstrated in the legal framework subjected to the perspective of the elite. The safeguarding of the rule of law, as is the case in a democracy, is not applicable in China’s one-party authoritarianism and implies that the elite has more rights and goes above the law.

The Chinese government rejects the participation of the populace and thus the political elite has direct control of the political decisions. To exemplify the power of the regime and the non-bureaucratic manner of decision-making, the livestream of popular Chinese influencer Li Jiaqi instantly got taken down upon promoting ice cream which seemingly looked like the distinct photograph of “tank man” (Yip, 2022). This refers to the protests in Tiananmen Square sparking violence by the Chinese government.

Moreover, the ideological motives behind the laws are evident and are carried out in a top-down movement: Chinese culture and language need to be displayed excellently and traditionally (CCI, §14.6) and be disseminated with positive energy (§5) to not bring national unity into disregard (CCI, §2;4;14.2). Political pressure also influences the

behaviour of internet usage as citizens get monitored and need to “follow social responsibility, establish a good image, and jointly create a positive, healthy, orderly, harmonious and clear cyberspace” (CCI, §1; 15-16). The advertising language should include “good” language behaviour without vulgar interactions or spreading rumours (CCI, §14.24). The regulatory aspect in the behaviour of the KOLs is even more evident in the power of restricting the democratic fundamental liberty of “being one-self”: being sexually provocative (§14.18) and applying abundant makeup is restricted. Regarding food and animals, the influencer is not allowed to display cruelty to animals (CCI, §14.22) and cannot waste food, display fake eating, overeating, or bad food consumption (§14.23). The governmental influence becomes even more clear since permission from the overarching governmental entity for certain topics like agriculture and healthcare is needed to be allowed to advertise (CAL, §41).

5. Recommendations

The differences between the political system, and thus legal framework on influencer advertising, need to be considered when cooperation or entering the foreign market. Whereas bureaucratic Germany is categorised by the rule of law, citizen participation and slowness in decision-making, authoritarian China is mainly concerned with behaviour guidance of the influencers and corresponding the laws to one’s social ranking. Knowing that these discrepancies exist is, for both governments and companies, not enough to foster Sino-German cooperation regarding influencer advertising.

Understanding the local laws and the perspective on law, practising foreign expansion to Germany or/from China entails knowing your place in society and grasping the governmental approach to law frameworks. Whereas Chinese investors in Germany might take the law as their own interpretation as long as they follow the behaviour fundamentals, German investors in China might see certain liberties as a given and see the laws as concrete and non-interpretable. Both of these approaches can lead to hardships in cooperation and even lawsuits in a foreign country.

Therefore, we propose three concrete recommendations to flourish this cooperation. Firstly, get acquainted by reading in-depth case studies. As presented in *Dragon Tactics* (Spaanjaars & Zerbib, 2022), various countries aim at using the Chinese populace as an opportunity for their sales market. Secondly, advising a legal

counsellor or cultural expert can assist in acquainting your company or governmental institute with the inherent differences in legal and political approach. Thirdly, cooperating on a local level increases your knowledge regarding legal and political differences. In this regard, searching for a local business partner can function similarly.

6. Conclusion

Our research answers the following research question by scrutinising China and Germany: “ How is the Legislative Framework on Influencer Advertising Shaped by the Country-Specific Political System?”. As the analysis showcases, the political characteristics of democracy and authoritarianism shape the legal framework of influencer advertising. Whereas democratic Germany focuses on sponsorship endorsement as a main principle in regulating this rather new branch in advertising, Chinese authoritarianism emphasises the behavioural norms that influencers need to propagate. The Chinese government influences the behaviour of the KOLs and illustrates the optimal digital world wherein the KOLs can solely oblige. The power is found in the elite and characterises the lack of consensus-based input and enables fast decision-making without bureaucratic red wire. The cultural aspect of “losing face” is evident in the punishments and restrictions.

The German law framework instead follows the democratic sense of bureaucratic organisation and citizen participation. This framework has clear-cut rules and respects the democratic “equality” of law and the rule of law. On the contrary, China provides ambiguous laws and a lack of fines that are open for interpretation. The class difference between the higher and lower political spheres is evident in this manner of the legal framework. Behavioural guidance, as present in China’s one-party authoritarianism, is not present in the democratic framework and instead focuses on respecting property rights and showcasing strong legal action. In this light, the usage of “good” and “bad” in the Chinese Code of Conduct for Influencers aims at maintaining political influence in society. Whereas in the Western perspective, the description of good and bad is rather flexibly interpreted this analysis argues that Chinese society has a certain value for these denominators and continues to disseminate this into society. This approach is seen in the fines and the way the government handles, the almost computer-like terminology of, “errors” (CCI, §17) made by the influencers.

To continue, this study can be used by enterprises to guide them into practising foreign expansion in either China or Germany. Our recommendations can be used by the Chinese and German governments to possibly align regulations to foster a flourishing economic climate or to allocate issues for entrepreneurs regarding influencer advertising. While this paper is not carried out by legal experts and requires more in-depth scrutinization, our research can function as a foundation to analyse the cooperation between China and China, to create a step-by-step plan for cooperation between companies or governments. To conclude, this influential branch of advertising knows differences based on the political environment of the country. By emphasising either behaviour or legal aspects within the law framework, countries with different political systems can have hardships to maintain fruitful cooperation. Understanding regional perspective on law and being aware of your position within the society and foundational in successful foreign expansion in the field of influencer advertising.

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Convergence Or Divergence in The Interpretation of Global Artificial Intelligence Principles? A Comparative Study of Singapore and The European Union

Lucía Pradel Díaz²

Abstract

The abundance of AI national policies and strategies can signify a great challenge for the construction of AI Governance. To reduce this fragmentation, states currently adhere to common AI principles. However, the perceptions of these can differ, which demonstrates the difficulties of making global frameworks actionable. An artificial intelligence governance initiative was selected for the European Union and Singapore to conduct a comparative analysis of their interpretations of the OECD's five AI Principles.

This paper used framing in discourse analysis to highlight the points of convergence and divergence. The study found that the principles (P) with greater similarity of interpretation included human-centred values and fairness (P2) inclusive growth and well-being (P1), and safety (P4). However, there are divergences in other elements of these same principles, such as robustness and security (P4). This also applies to transparency and explainability (P3) and accountability (P5). An international communication strategy within AI national policies and strengthening science diplomacy could bring different perspectives closer.

Keywords: European Union, Singapore, AI Governance, Framing, Discourse Analysis, OECD AI Principles, AI, Artificial Intelligence

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1. Introduction: Defining AI and the OECD AI Principles

The rise of artificial intelligence (AI) is the opportunity and the global challenge of this century. The mathematician Alan Turing gave a lecture on this matter in 1947 (Monostori, 2014, p. 47). Furthermore, the Turing Test from 1950 analysed whether machines could think but also demonstrate behaviour similar or identical to humans (Oppy & Dowe, 2003). Currently, AI is at the centre of the “fourth industrial revolution” (Schwab, 2016).

Stanford Professor John McCarthy, in 1955, defined AI as “the science and engineering of making intelligent machines” (Manning, 2020, para. 2). However, current research has pondered on the fact that there is no universal definition of AI (Wang, 2019). The focus of each definition varies; some include problem-solving as the key element (Minsky, 1985), others focus on the machine achieving its goal in a complex environment (McCarthy 1988), and the machines’ environmental adaptation (Newell & Simon, 1976). Recent definitions state that AI means “making machines intelligent, and intelligence is that quality that enables an entity to function appropriately and with foresight in its environment” (Nilsson, 2009, p. 13). This study follows Nilsson’s definition.

AI principles, particularly the ones designed by the Organisation for Economic Co-operation and Development (OECD), attempt to reduce this conceptual fragmentation. The goal of this organisation is “to shape policies that foster prosperity, equality, opportunity and well-being for all” (OECD, n.d.). There are five values-based principles (OECD.AI, 2019):

- Inclusive growth, sustainable development and well-being (P1);
- Human-centred values and fairness to ensure a just society (P2);
- Transparency and explainability to guarantee that people know when they are engaging with AI (P3);
- Robustness, security, and safety, which refers to functionality (P4);
- Accountability of organisations and individuals (P5).

The OECD also includes recommendations for policymakers, such as investing in AI research and international cooperation for trustworthy AI, amongst other suggestions (OECD.AI, 2019). The 38 OECD participants have adopted this framework, along with other non-members like Singapore (OECD, 2019).

Nevertheless, even if states do adhere to common principles, is the perception of these similar? This paper explores this question by utilising the OECD's AI principles to compare the AI governance models in Singapore and the European Union (EU), highlighting the divergence and convergence of their interpretations.

2. Literature Review

2.1 AI Governance: An Opportunity or a Challenge?

AI Governance currently has no set definition (Cihon et al., 2020a, p. 546). One possible conceptualisation involves making AI principles into “actionable practice and governance” (Mäntymäki et al., 2022, p. 604), contributing to their effectiveness. Nevertheless, the way they are incorporated within policies can vary, and studies also highlight that each country has different views on AI (Fatima et al., 2020). This research is inspired by the variation in the perceptions towards AI, where some authors show their concerns while others see it as an opportunity.

The benefits include both economic and societal advancements (Ulinicane et al., 2021, p. 74). There are opportunities within the medical field (Yeasmin, 2019) and interactive learning (Baidoo-Anu & Owusu Ansah, 2023). However, other documents emphasise the difficulty of drawing boundaries on the reach of this new technology (Dwivedi et al., 2021, pp. 37-39).

The interaction between politics and AI could promote power competition or oppression (Dafoe, 2018, p. 34). Possible biases within algorithms could impact the healthcare and justice system (Borenstein & Howard, 2021, pp. 62-63). Ensuring responsibility when AI causes errors, particularly in the public health system, is another concern (Gupta & Kumari, 2017). There are also challenges involving transparency and privacy (Coeckelbergh, 2020, pp. 127-145), voice impersonation, discrimination due to facial recognition, surveillance, and automation causing job loss (Siau & Wang, 2020, p. 77).

2.2 AI Policies: A Multiplicity of Voices

This research analyses the AI governance policies of Singapore and the EU. However, these are part of a wider production of AI policies globally. Due to the lack of consensus on the definition of AI and AI Governance, this poses difficulties in establishing solid policies (Calo, 2017, p. 407). The OECD's AI Policy Observatory includes about 800 AI policy initiatives from 69 countries, territories, and the EU (2021). The multiplicity of voices that exist can impact the coordination in the interpretation of global AI principles.

The growing interest of states towards AI has resulted in an abundance of comparative research on their different strategies. For example, some compare data protection and AI law frameworks between Australia, the EU and Singapore (Walters & Coghlan, 2019). Moreover, it is common to find comparative studies that include China, the US, the EU, and multiple countries in Asia (Roberts et al., 2023; Kumar, 2021; Almeida et al. 2022; Muehlematter et al. 2021; Dixon, 2022).

In addition, research has considered the influence of differing interpretations, especially within AI Ethics. There is a limited impact of ethical guidelines in decision-making (Hagendorff, 2020, pp. 113-114). Engagement with law and governance, specificity, reach, enforceability, and follow-up can determine the prosperity of ethical policies (Schiff et al. 2020, pp. 5-6). Moreover, documents state there is a global convergence of ethical principles, but their interpretations differ (Jobin et al., 2019). This finding can also be applicable to other principles of AI and not just ethics.

There is a debate on whether to centralise AI policy or to maintain the current fragmented approach (Cihon et al., 2020b, pp. 7-6). A standardisation of international AI processes can motivate states to have coherent research initiatives but also encourage trust (Cihon, 2019, p. 8). The idea of centralisation influenced this study by demonstrating the importance of coordination.

3. Methodology, Theoretical Considerations and Limitations

Singapore and the EU were chosen as the case studies due to their respective importance in the construction of AI Governance. Singapore was the first Asian country to present an AI Governance Model (Infocomm Media Development Authority, 2019). The EU was selected due to its aim to regulate AI with a vision towards the future (World Economic Forum, 2023). For the sake of clarity, a representative AI Governance document was selected for each case: for Singapore, the Model AI Governance Framework in its Second Edition and for the EU, the Proposal for an AI Act. The OECD's AI Principles are the common comparative variable because they are supported by the European Commission, and Singapore adheres to these principles.

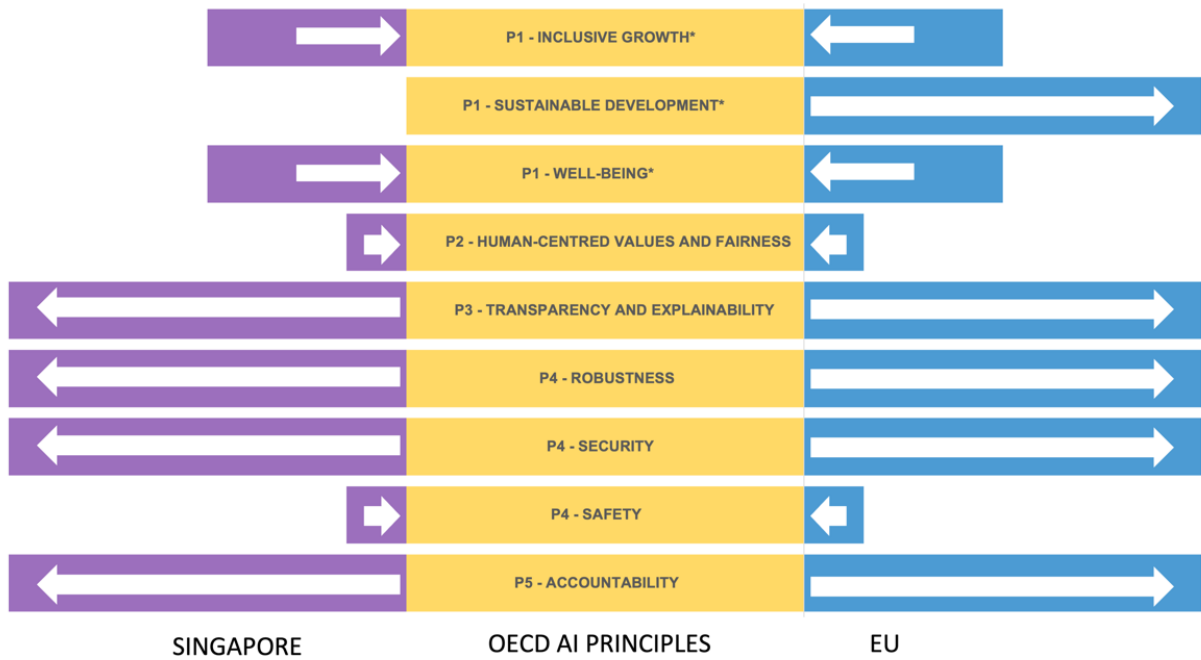
This paper specifically used framing for its analysis. The examination focused on how the principles were presented in each policy, highlighting the difference or convergence of interpretations. The strategy included analysing where each principle was stated expressly and implicitly; the latter can be inferred by the context. There are multiple explorations that analyse discourse analysis (Fairclough, 1989; van Dijk, 2008; Foucault, 1982; Wodak, 2009). This paper considered Nelson's definition: "Framing is the process by which a communication source constructs and defines a social or political issue for its audience" (1997, p. 221). This is complemented by Entman's definition that states that framing can "(...) *promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation* for the item described" (1993, p. 52)³.

It should be considered that the EU's AI Act is a proposed regulation and is subject to change. Furthermore, Singapore's Model AI Governance Framework Second Edition mentions some high-level guiding principles (2020, p. 15), but other principles are present implicitly throughout the document. Moreover, the generalisation of this study is limited because it analyses two cases and investigates one specific AI policy for each. This does not mean other policies do not exist. Possibilities for further research can include comparative analyses of multiple countries or more policy initiatives.

³ Italics in original text

4. Results

FIGURE 1: CONVERGENCE/DIVERGENCE OF INTERPRETATION OF OECD AI PRINCIPLES



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles⁴⁵

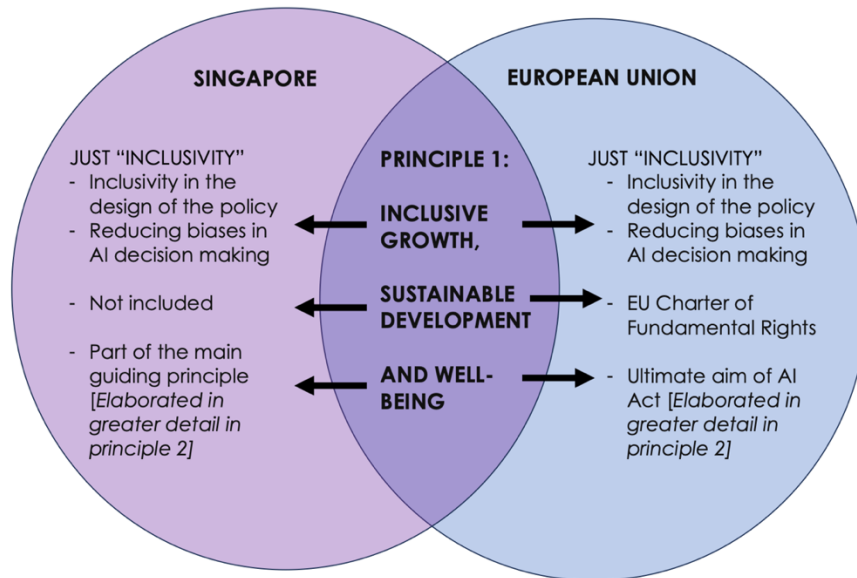
⁴ The arrows that go towards the principles demonstrate convergence in the interpretation, and divergence is shown through the arrows pointing in opposite directions.

⁵ An asterisk has been added to highlight some special findings. Inclusive growth has been interpreted as just "inclusivity". Sustainable development was mentioned by the EU, but not directly by Singapore. Well-being is further developed in principle 2.

5. Analysis: The Framing of OECD’s Principles

5.1 Inclusive growth, sustainable development and well-being⁶

Figure 2: Frame of Principle 1



Source: Author’s elaboration based on EU’s AI Act, Singapore’s Model AI Governance Framework Second Edition and OECD’s AI Principles

A) Inclusive growth

Inclusive growth is not mentioned as an integral part of either document. However, the framing of the word inclusivity by itself does converge. The few moments where inclusivity is stated relate to the creation of both initiatives, which were developed by considering multiple perspectives (EUR-Lex, 2021, p. 8-9; Personal Data Protection Commission Singapore, 2020, p. 8). Furthermore, inclusivity is implicitly part of minimising the risks of biases within AI-assisted decisions. This is present in Article 10f of the EU’s AI Act and in Singapore’s Model in the Data for Model Development section (2020, p. 36).

⁶ This principle is not addressed in conjunction throughout the documents. Therefore, it was divided into sections to understand the specific framing of each.

B) Sustainable development

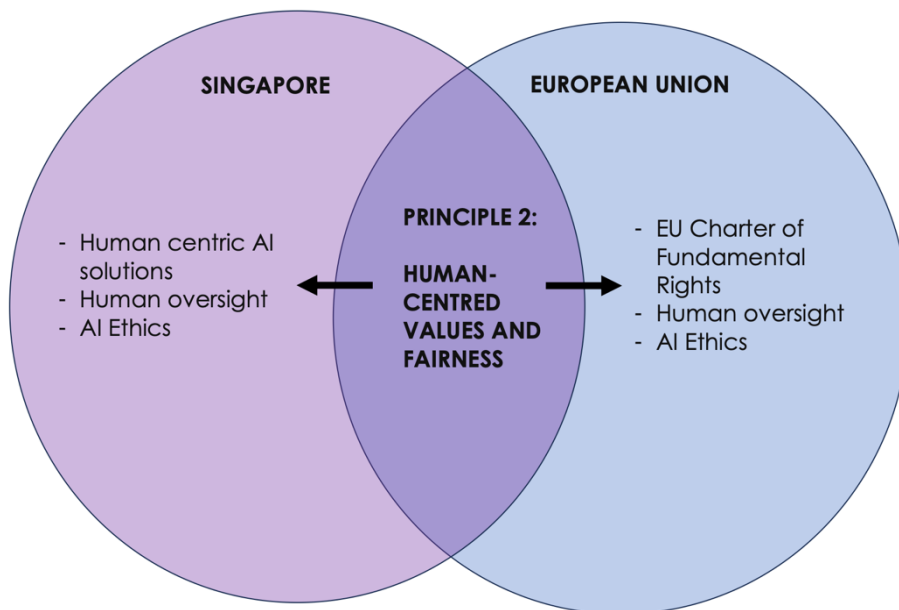
The AI Act focuses on the EU Charter of Fundamental Rights, and Article 37 of the Charter mentions environmental protection (EUR-Lex, 2012). In the case of Singapore, sustainable development is not expressly stated. There are mentions of AI's adaptability to its environment, but this is done from a technical perspective (2020).

C) Well-Being

During AI usage, within the EU's AI Act, well-being by itself is mentioned as the "ultimate aim" (2021, p. 1). For Singapore's Model, well-being is a fundamental part of the human-centric main guiding principle (2020, p. 15). There is convergence because both put this as their principal goal. Well-being is further developed in relation to Principle 2 in both documents.

5.2. Human-centred values and fairness

Figure 3: Frame of Principle 2



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

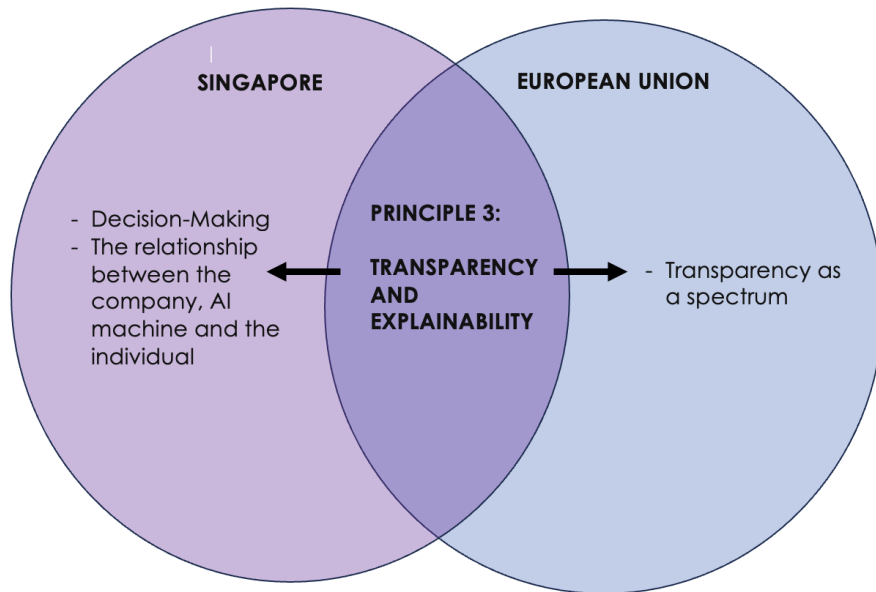
The AI Act centres around the EU Charter of Fundamental Rights. This is a specific objective where the regulatory framework aims to “ensure that AI systems placed on the Union market and used are safe and respect existing law on fundamental rights and Union values” (2021, p. 3). Fairness is also implicitly present in Article 14 through human oversight, which can safeguard “health, safety or fundamental rights,” especially using high-risk AI (2021, p. 51). Lastly, the AI Act coordinates approaches through ethical codes (2021, p. 1-8).

Singapore states in its guiding principle that “AI solutions should be human-centric” (2020, p. 15). This is elaborated in relation to human oversight in AI-augmented decision-making (2020, p. 28). There are degrees of how much human oversight is needed in the decision-making process depending on the risk (2020, p.30). Singapore also focuses on establishing the ethical use and deployment of AI (2020, p.21-28).

This principle has considerable convergence. Both documents include the human factor as the specific objective or principle. Furthermore, human oversight is also present, and the structure is similar because its degree increases based on greater risk. Furthermore, both mention the importance of participating and solidifying AI ethics.

5.3 Transparency and explainability⁷

Figure 4: Frame of Principle 3



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

The AI Act puts differing obligations regarding transparency for each AI system. High-risk AI systems require strong transparency obligations (2021, p. 1-6); this is detailed in article 13. Title IV establishes the transparency obligations for specific systems, such as the ones that interact with humans or are used to detect emotions, amongst others (2021, p.14).

In the guiding principles of Singapore's Model, it mentions that organisations that use AI in decision-making should be "explainable, transparent and fair" (2020, p. 15). Therefore, AI systems should indicate their confidence level in the answers they have provided (2020, p. 24). Transparency and explainability are both pillars of building trust (2020, p. 44). Moreover, this principle can become "meaningful" (2020, p. 54) by

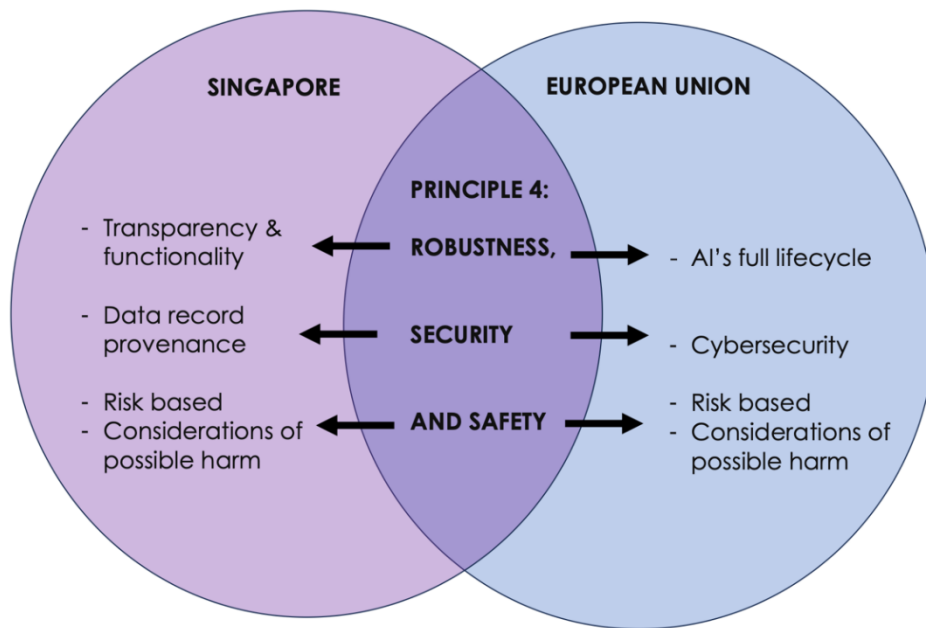
⁷ Both documents incorporate these elements in conjunction and were not separated for this section.

encouraging companies to maintain an open dialogue between the organisation and the individual.

The framing of this principle does differ between both cases. The AI Act focuses more on the word transparency than explainability. Moreover, transparency depends on the risk associated with different types of AI, putting transparency on a spectrum. Singapore includes both terms more frequently, and explainability is the measure to reach greater transparency. Moreover, it establishes a relationship between the company practices, the AI machine, and the individual.

5.4 Robustness, security and safety⁸

Figure 5: Frame of Principle 4



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

⁸ This principle is not addressed in conjunction throughout the documents. Therefore, it was divided into sections to understand the specific framing of each.

A) Robustness

In the AI Act, robustness is part of the evaluation mechanism for high-risk AI and is a mandatory requirement before AI is put on the market (2021, p. 9; p. 27). Furthermore, robustness is seen, amongst other elements, as “strictly necessary” to lower of high-risk AI harm and increase safety (2021, p. 7). Moreover, it is a “key requirement” in the technical resilience of AI systems to prevent errors (2021, p. 30). Article 15 establishes that high-risk AI must be designed, taking this principle into account (2021, p. 52).

Singapore’s Model AI Governance Framework includes robustness as a measure to ensure transparency in algorithms and maintain their accurate functionality (2020, pp. 43-47). Furthermore, robustness can be further ensured through internal governance structures (2020, p. 21).

Robustness ensures different objectives. Singapore established a governance structure to ensure transparency and AI functionality. In the case of the EU, robustness is a strategy to contain high-risk AI in its full lifecycle, beginning with its design, evaluation, entering the market, and its technical resilience. Hence, it establishes a holistic view.

B) Security

Neither document expressly focuses on security alone. Within the AI Act, security is tied to cybersecurity and preventing threats to public and national security. On the other hand, Singapore relates it to data record provenance.

C) Safety

The AI Act is built on safety; this is established as one of the main objectives to solidify governance and enforce fundamental rights, and safety (2021, p. 3). Furthermore, title II establishes a regulation based on risks such as (i) an unacceptable risk, (ii) a high risk, and (iii) a low or minimal risk (2021, p. 12). Additionally, Title III details the conceptualisation of high-risk AI.

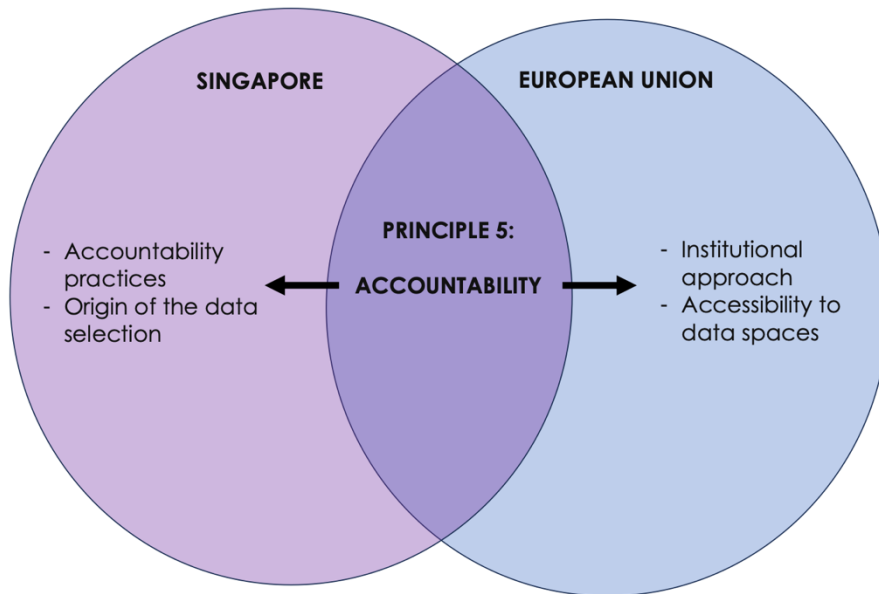
Singapore’s Model AI Governance Framework also focuses on managing risk. Safety is an integral part of the human-centric principle (2020, p. 15). Moreover, this factor is analysed in two sections: in the Internal Governance Structures and Measures and in Determining the level of Human Involvement in AI-augmented Decision-making. The

latter part also establishes a risk impact assessment when utilising AI solutions and the probability and severity of harm (2020, pp. 29-31).

Both documents converge in establishing safety within the frame of risk management. This means ensuring the security of humans when using AI to make decisions, as is the case of Singapore, or protecting fundamental rights from high-risk AI, as occurs for the EU. Both include harm or potential harm as an element to combat.

5.5 Accountability

Figure 6: Frame of Principle 5



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

For the EU, accountability is expressly mentioned in connection to AI high-risk systems and accessibility to data spaces (2021, pp. 27-29). On the other hand, accountability is implicitly present in the Governance and Implementation Section (2021, p. 15). This includes various structural propositions, such as creating a European Artificial Intelligence Board and establishing an EU database for high-risk AI.

Singapore's Second Model AI Governance expressly mentions accountability more times. Accountability is linked with data management and protection, as established in the Data for Model Development Section through good data accountability practices (2020, p. 36).

There are differences in the framing of the accountability principle based on structure. The EU establishes an institutional framework, and Singapore presents a guideline for organisations that have AI departments. Furthermore, the EU emphasises equal access to data, but Singapore centres on the origin and selection of data since this is the determining factor for effective AI solutions.

5.6 Possible Strategies to Converge Interpretations

Based on the results and the literature review, this section makes some suggestions on how to bring interpretations closer. This can be done by strengthening communication strategies and science diplomacy. Based on the literature, "coordination seeks to measure the proactive steps that AI-related regimes take to work with each other" (Cihon et al., 2020a, p. 553). Moreover, studies mention the lack of communication strategies in AI policies, particularly on the internal impact of AI within states (Fatima et al., 2020). To motivate coordination, this can be achieved by establishing an international communication strategy within AI national policies. Moreover, there is a real opportunity for international cooperation instead of international competition; this can be done through science diplomacy (Ulnicane et al., 2021, pp. 80-82). By collaborating on international research, especially in AI policy development, can motivate greater convergence in interpretation.

6. Conclusion

This paper explored the convergence or divergence in the interpretation of OECD's AI principles by comparing the AI Governance strategies of Singapore and the EU. The greatest similarity in perception is present for human-centred values and fairness (P2), inclusive growth and well-being (P1), and safety (P4). However, there are divergences in other elements of these same principles, such as robustness and security (P4). This also applies to transparency and explainability (P3) and accountability (P5). Moreover,

sustainable development (P1) was not directly mentioned by Singapore. An international communication strategy within AI national policies and strengthening science diplomacy can lead to further convergence. The results of this study shed light on the complexities of making global frameworks actionable because there is not always a uniform interpretation.

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From Beijing to Belgrade: China's Digital Silk Road in Serbia and its Implications for the European Union

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Abstract

When China announced plans for the Digital Silk Road (DSR) in 2015, it became the technological part of the widely discussed Belt and Road Initiative (BRI), a bold policy effort aimed at boosting connectivity across Eurasia. Despite widespread interest, there remains a limited understanding of the DSR's specifics. Nevertheless, DSR-related projects have proliferated, including in Serbia. These projects raise questions for the EU, which considers the Balkans a strategic region in the heart of Europe. This article advises a nuanced understanding of the DSR in the Western Balkans to bolster the EU's regional strategy. To that end, the article presents a case study on Serbia to assess the implications of the DSR for Brussels. Through a comprehensive literature analysis, the article identifies economic, normative, and security challenges to the EU posed by China's DSR in the Balkans.

Keywords: Digital Silk Road, China, European Union, cyber governance, Serbia

1. Introduction

Since its inception as part of the Belt and Road Initiative (BRI), the Digital Silk Road (DSR) has captured global attention. However, DSR projects, including in the Western Balkans, have remained shrouded in secrecy. In a time when technology is a vital part of everyday life as well as the growing geopolitical competition between China and the US, the DSR puzzles many politicians, policymakers and analysts alike (Hussain et al., 2023). In response to the intensifying US-China rivalry, technological decoupling

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has emerged as a key point on the agenda for the US, a traditionally tech-dominant power, and rising digital power China (Yeoh & Chen, 2022). As Europe finds itself caught between the two powers in a deepening Cold Tech War, comprehending the implications of the DSR becomes pivotal.

DSR projects have sprouted up in the Western Balkans and particularly Serbia, posing strategic challenges for the EU. Especially in light of what some have called China's "digital authoritarianism", the impact of the DSR in Serbia is important to study (Makowska, 2022). China's increasing involvement in the region poses risks to the EU's diplomatic objectives, especially considering Serbia's aspirations for EU accession (Petrovic, 2019).

Against the backdrop of an increasingly assertive China, the European Union (EU) is struggling to adapt. Since President of the Commission Ursula von der Leyen called for "de-risking" rather than decoupling (Von der Leyen, 2023), it is vital to map China's influence in strategically important areas for the EU. Existing scholarly works often adopt a Beijing-centric perspective (e.g. Fung et al., 2018) or focus on China's neighbouring countries or Africa as case studies (e.g. Mochinaga, 2020; Van der Lugt, 2021), overlooking the Western Balkans, a region that offers valuable insights into the EU's relationship with the DSR and China's digital policies. This article aims to bridge that gap.

Through its literature review and case study of Serbia, this article aims to identify the challenges posed by China's increasingly active involvement in Western Balkan cyberspace. This analysis contributes to the EU's strategy in the region, assessing the risks, while still acknowledging the benefits that technological and economic cooperation with China can bring.

This article comprises three sections. The first section provides a literature review of the Chinese and European styles of cyber governance, including the Digital Silk Road. This will lead to the second section, which is divided into two parts. The first part digs deeper into the case study of Serbia and how the DSR is implemented there. Finally, the second part identifies the main DSR-related challenges for the EU.

2. Literature Review

2.1 Chinese cyber governance and the DSR

Cyber governance refers to the policies and mechanisms implemented to manage activities in cyberspace to ensure security. In the relatively short time that the Internet and cyberspace have emerged, different states have developed distinct ways of coping with this new realm of governance. As the boundaries between cyberspace and real life are increasingly blurred, the digital domain has become more geopolitical (Chen & Yang, 2022). Some have even referred to the emergence of “techno-spheres” in which states attempt to establish norms and standards within their respective cyber realm (e.g. Korreck, 2021, p. 3). As such, Chen and Yang (2022) have argued that the Internet has become a stage for rising geopolitical tensions and competition between China and the West.

Indeed, many articles have been written on the differences between Chinese and Western models of cyber governance (Chen & Yang, 2022; Gao, 2022; Silvestri, 2021). Over the past decade, China has quickly gained ground as a leader in technological development (Winter, 2022). Moreover, the Chinese net has the biggest number of internet users worldwide (Gao, 2022). Subsequently, it has also adopted a characteristic style of cyber governance with several key features. First and foremost, various scholars highlight the concept of ‘cyber sovereignty’ (网络主权 *wangluo zhuquan*) as central to understanding the Chinese digital policy (Eder et al., 2019; Erie & Streinz, 2021). With this term, the Chinese government claims jurisdiction over the Internet at a national scale (Creemers, 2020).

According to Dekker et al. (2020), cyber sovereignty is used as the normative basis for many of the CCP’s digital policies, such as its infamous online censorship and the ‘great data wall’ (p. 16). In the same vein, Kozłowski (2020) has highlighted how the CCP uses its far-reaching internet control for mass surveillance, while also increasing individual living standards. This way, the Chinese cyber governance style combines several core interests of the Party: sovereignty, control over its citizens, and economic

wealth (Erie & Streinz, 2021). Various authors have used the label 'digital authoritarianism' to refer to China's cyber governance (Codreanu, 2022; Taylor, 2022).

When the DSR was announced, this fuelled a rapidly spreading narrative among Western politicians that the CCP is propagating a 'techno-authoritarian model' beyond Chinese borders (Hussain et al., 2023, p. 13). The Digital Silk Road (DSR) is the technological component of the BRI, running parallel to the land-based Silk Road Economic Belt and the Twenty-First Century Maritime Silk Road (Erie & Streinz, 2021). But where the latter two are more clearly demarcated and visible to outside onlookers, the DSR has remained elusive and often misunderstood, not in the least because its parameters are purposely kept ambiguous. When President Xi Jinping opened the Belt and Road Forum in May 2017, he revealed plans to pursue "innovation-driven development [...] in frontier areas such as digital economy, artificial intelligence, nanotechnology, and quantum computing, and advance the development of big data, cloud computing, and smart cities so as to turn them into a digital silk road of the 21st century" (Xi, 2017).

Naughton (2020) explained that the DSR aims to build 'smart infrastructure', using digital networks and 5G telecommunications. However, Creemers (2021), on the one hand, noted that there is a gap between the DSR as presented by the CCP and reality. According to him, there is still a long way to go before the DSR evolves from a catchphrase into a fully fleshed-out, comprehensive policy initiative (Creemers, 2021). Erie and Streinz (2021), on the other hand, argued that the CCP increasingly has a say over both the physical and virtual components of digital infrastructure in third countries. Consequently, Beijing not only has a say over these infrastructures but also the rules and norms that guide their use.

This is in line with Chinese ambitions for the future: as Zeng et al. (2017) have pointed out, China is seeking more and more to be a 'norm maker' rather than a 'norm taker'. Hussain et al. (2023) further supported this by analysing China's motivation behind the DSR and its wider digital strategy. They found that the Chinese government seeks to increase its international influence by synchronising its technology, software and services with that of other countries. In turn, this can provide Beijing with more technological as well as political leverage (Hussain et al., 2023).

2.2 European models of cyber governance

Whereas the Chinese model of cyber governance is distinguished by the centrality of the government and cyber sovereignty, the European approach values individual liberty and privacy (Kozlowski, 2020). The EU stresses the importance of the free flow of information and freedom of expression (Gao, 2022). What's more, the EU emphasises an open, multi-stakeholder system (Liu, 2012). Rather than full government control over the digital domain, European states underline the importance of having several actors govern cyberspace. Hence, European-style cyber governance significantly differs from the Chinese model. The next section outlines how these differences play out in the Western Balkans.

3. China's engagement with Serbia: Strategic implications for the EU

3.1 The Western Balkans: A bridge between continents

The Western Balkans, which includes Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia, are at the crossroads of Europe and Asia, forming a vital bridge between the continents. They lie in the immediate neighbourhood of the EU, at the edge of the Union: not fully-fledged EU member states but with the prospect of joining Brussels in the future. Indeed, the EU envisions a gradual integration process for these countries to join the Union (De Munter, 2022). Furthermore, several Balkan countries, namely Albania, Montenegro, and North Macedonia, are NATO members who rely on the US for defence and security (Vladisavljev, 2021). Thus, the Balkans play a key role not only in Eurasian relations but also in Washington's strategic considerations.

Currently, the EU is the largest economic partner of the Western Balkans, providing loans, subsidies, and investments (Zweers et al., 2020). At the same time, most of these countries have also seen an increase in trade with China in the past few years (Mardell, 2020). Not only is China handing out loans as part of its BRI but it has also gained soft power, for instance through cultural diplomacy and Western Balkans' cooperation with Chinese media agencies (Zweers et al., 2020). According to Beijing's objectives, the Balkan countries are to be home to China's Land-Sea Express Corridor, which will

connect China to Europe as part of the BRI (Zweerst et al., 2020). Digital Silk Road-related projects go hand in hand with this Corridor: to boost the region's connectivity, Chinese-manufactured technology now forms the basis for most of the telecommunications infrastructure in all of the Western Balkans (Vladisavljev, 2021).

A prime example of China's growing digital footprint is Serbia. Of all of the six Balkan countries, Serbia has been closest to China and central to the development of the DSR (Vladisavljev, 2021). Both economically and politically, Serbia has welcomed Beijing's presence in the region. Belgrade's political elites have readily accommodated China's involvement. Meanwhile, Serbia is an interesting country for China to invest in because of its low labour costs, geographical location, and logistic potential (Brown & Burjanadze, 2020).

Serbia hosts numerous DSR projects. Some are related to telecommunications, such as the installation of 5G networks that replace the previously state-led telecoms operator, while others come in the form of so-called "smart city" projects (Krulj, 2019; Vladisavljev, 2021). These include surveillance software supplied by Huawei to the Ministry of Interior, which oversees the national police and anti-terrorism forces (Krulj, 2019). While carrying out these projects, little attention is paid to citizens' rights. This raises concerns for Brussels and puts Serbia's national security at risk (Vladisavljev, 2021).

A key driver of Chinese involvement in Belgrade is Serbia's need for economic development. Chinese investments fill a gap that the EU has thus far been unable to fill. Even though Brussels is responsible for over 70 percent of foreign direct investment in Serbia, this has not been enough for Serbia's economy to grow sustainably (Krulj, 2019). Thus, China's readiness to pour money into the Serbian economy has not only boosted economic growth but also created much-needed jobs. More fundamentally, Chinese investments have helped fund reforms Serbia needs to achieve the objective of its accession to the EU by 2025.

Hence, China's growing digital engagement in Serbia in itself is not necessarily a strategic threat to Europe. Chinese companies are mainly responding to demand for more telecommunications infrastructure in countries such as Serbia (Triolo et al., 2020). However, there are some areas of interest in which Chinese activities in Serbia might pose challenges to the EU (Brown & Burjanadze, 2020). Through selling 'package deals', the PRC encourages reliance on Chinese technologies (Triolo et al.,

2020). This reliance has various ramifications for the EU, ranging from economic, to value-based, to security challenges.

3.2 The DSR's implications for the EU's economic competitiveness

First and most obviously, the BRI and by extension, the DSR are commercial undertakings. It allows Chinese companies to create new markets: eager to supply, they build digital infrastructure in countries and cities where digital infrastructure has been lagging. In doing so, Chinese tech giants compete with their Western counterparts (Creemers, 2021). Even though Western enterprises might have had the technological advantage in the past, those days are long gone. Chinese alternatives are now readily available, often at lower prices than European or American products (Kozlowski, 2020). Furthermore, Chinese companies are considerably less risk-averse in their investments abroad than Western firms (Kozlowski, 2020). Consequently, China's growing digital footprint, both in the Western Balkans and more widely abroad, forms an economic challenge to the EU. European firms risk being outcompeted by their Chinese counterparts.

3.3 The battle for cyber norms and standards

Perhaps more fundamental is the risk that China's digital governance poses to European norms and standards. The EU is committed to an open economy rooted in liberal norms, rules, and standards (Naughton, 2020). Although China's influence in standard-setting international institutions is not yet as significant as that of the EU or the US, it is growing (He, 2022). Moreover, Beijing is advocating its standards in increasingly assertive manners (Dekker et al., 2020). Naturally, this puts pressure on European norms, for instance when it comes to digital human rights like online freedom and individual privacy (Hemmings, 2020).

Via its provision of digital infrastructure for its DSR projects, China can use the opportunity to increase its standard-setting power and gather support for its cyber sovereignty concept. Especially in digitally underdeveloped places, such as the Western Balkans, Chinese technology provides Beijing with an excellent chance of becoming the technical standard provider (Kozlowski, 2020). Countries that are only beginning the digitalization process now could be tempted to copy (parts of) the

Chinese state surveillance model (Hemmings, 2020). Undoubtedly, this would be undesirable for aspiring EU member states.

3.4 National security concerns and geopolitical influence

Geopolitical influence is closely tied to cyber norms. Ultimately, those who win the hearts and minds of people gain political power. Providing countries and their inhabitants with much-desired digital infrastructure could do exactly that. This way, China's digital presence in the Western Balkan could result in gaining the favour of local governments (Creemers, 2021). Additionally, the Western Balkans is a sensitive region for Brussels: Chinese digital influence could be transferred to the EU when the Balkan countries accede to the Union (Hemmings, 2020). Some European countries, supported by the US, have expressed concerns about the installation of Huawei networks in Serbia, claiming that this could give Chinese agencies access to data via secret build-in backdoors (Hussain et al., 2023).

In the face of this geopolitical challenge, the EU has thus far remained remarkably lacklustre. It seems as though the EU is unwilling to take a stance, lacking a decisive, widely-shared response to the challenges to its cybersecurity (Dekker et al., 2020). Consequently, Europe, including the Balkan countries, has often turned into a playing field for geopolitical games between the US and China, each trying to establish technological dominance.

4. Conclusion

The Chinese and European models of cyber governance are clashing. By extending its Belt and Road Initiative into the digital domain, the PRC has put forward an ambitious policy initiative that could accelerate the dissemination of Chinese cyber norms. A pivotal region in this respect is the Western Balkans, which is vital for the EU's enlargement policy.

Even though the Chinese DSR is still in the early stages of development, it already presents challenges to the EU in economic, normative, and geopolitical terms. Not only are European businesses increasingly facing Chinese counterparts in the market, but EU norms and standards are also confronted more and more with Chinese attempts at digital standard-setting. This forms a geopolitical dilemma for the EU, which cannot afford to completely turn away from China but also cannot ignore Beijing's growing influence in Serbia. The Serbian case demonstrates the difficult

predicament some countries find themselves in, stuck between powers with diverging priorities.

This article sheds light on the need for a more nuanced understanding of the risks and benefits associated with technological and economic collaboration with China. By examining the implications of China's DSR in the Western Balkans, with a specific focus on Serbia, this article underscores the pressing need for the EU to develop a balanced understanding of China's foreign policy. Such an understanding is crucial to formulate an effective strategy to navigate the challenges posed by China's expanding digital presence abroad. By carefully assessing the economic, normative, and geopolitical dimensions, this article contributes to the EU's informed decision-making and policy formulation in the Western Balkans. More detailed research is required to build on this initial exploration of the DSR in the region. Future studies should examine specific Sino-Serbian cyber governance cooperation in more depth.

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The Emergence of Regional Multilateral Approaches to Disability Rights : A Comparative Evaluation of the EU and ASEAN

Nicola Crowe¹⁰

Abstract

While the families of disabled individuals have historically been those faced with the highest care duties, the intensification of the disability rights movement since the 1990s has contributed to greater responsibility being placed on the nation-state. As such, the United Nation's Convention on the Rights of Persons with Disabilities (CRPD) marked a significant turn – consolidating the first international standard of disability rights. With many nations adopting the CRPD into their domestic politics, regional institutions have sought to centre the Convention within their multilateral initiatives – with the European Union (EU) and Association of Southeast Asian Nations (ASEAN) being two of the most notable regional organisations to have followed this path. Through this paper, the approaches of these institutions are critically evaluated to explore how regional multilateralism has contributed to the advancement of disability rights. Utilising document analysis of key policy to contrast the disability rights approaches of the EU and ASEAN, this paper elevates welfare multilateralism as a potential alternative to the welfare state. This analysis proves that, while integral to maintaining attention to the disability rights agenda, regional multilateralism currently remains incapable of displacing the nation-state as that which holds power over the lived realities of disabled individuals.

Keywords: Disability, multilateralism, European Union, ASEAN, welfare

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1. Introduction

The status of disabled individuals has long been debated across societies, yet the onus for the provision of disability rights remains contested. While the families of disabled individuals have historically faced the highest care duties, the intensification of the disability rights movement since the 1990s has contributed to greater responsibility being placed on the nation-state (Kim, 2017). However, this, too, has experienced changes in recent years, with the United Nations' (UN) Convention on the Rights of Persons with Disabilities (CRPD) introducing the first international standard for disability rights (Ferri & Broderick, 2020). As many nation-states have adopted the CRPD, thereby signifying their integration into international norms and regulations, regional organisations have sought to centre the Convention within their initiatives, catalysing multilateral approaches to disability rights.

Taking these shifts into consideration, this paper explores how regional multilateralism has contributed to the advancement of disability rights. Document analysis was undertaken on the central initiatives of the European Union (EU) and the Association of Southeast Asian Nations (ASEAN), with policies assessed on three factors: the elevation of disabled organisations, power afforded to nation-states, and impact. These factors were selected to reveal the differing motivations, reach, and outcomes of each policy, facilitating the assessment of their influence on advancing disability rights. Through evaluating these approaches, this research will argue that while important to sustaining attention to disability rights, multilateralism has fallen short of producing significant region-wide change. After providing background on disability policy across Europe and Asia, outlining relevant literature, and analysing key disability legislations of the EU and ASEAN, the paper will conclude that current multilateral approaches require amendments to ensure robust and consistent standards capable of sufficiently improving the lived realities of disabled individuals.

2. Background on disability policy: Europe and Asia

Disability is a social issue that transcends borders. However, attitudes towards disabled individuals remain significantly influenced by location, as marginalisation is fundamentally constructed by society (Garland-Thomson, 2002). While impairments are universal, it is the norms and structures invoked within nations and regions that

dictate the level of support, stigma, and visibility that disabled individuals experience – resulting in vastly differing lived realities of disabled embodiment.

Although developing countries typically experience higher rates of disability (Cogburn & Reuter, 2017), the World Health Organization (WHO, 2011) has estimated Southeast Asia and Europe to have a similar prevalence, comprising approximately sixteen per cent of regional populations, therefore making their comparison appropriate. Observable through such comparison, social attitudes and values towards disabled individuals have varied across modern history despite points of convergence. Both regions have traditionally viewed disabilities as medical impairments (Cogburn & Reuter, 2017; Ferri & Broderick, 2020), and, therefore, something to be cured or prevented through policies such as eugenics, legislation focused on “the elimination of human ‘defects’” (Mitchell & Snyder 2003, p. 844). However, the rationale behind each region’s pursuit of eugenics differed. The force of colonialism, for example, effectively divided the intent of each region, with European nations promoting eugenics to homogenise themselves and their colonies, while East Asian nations were both victims of European policies and enactors of eugenics post-colonisation as a means of nation-building (Kim, 2017; Mitchell and Snyder, 2003). This example indicates that, although regions may adhere to global trends in disability policy, reasons vary greatly. As such, although the international turn towards social approaches to disability policy – recognising cultural influences as important to the marginalisation of the disabled (Garland-Thomson, 2002) – has undoubtedly been catalysed by the CRPD, the potential for divergence between regions warrants further exploration.

Adopted by the UN in 2006 and effective from 2008, the CRPD is an international human rights instrument, designed to clarify the rights of disabled individuals, identify areas for development, and improve societal attitudes (UN, 2023). With 186 Parties ratifying the CRPD (UN, 2023), the Convention represents a strong source of international pressure to implement and sustain sufficient welfare for disabled individuals. However, despite ratification being a domestic decision, the implementation of the CRPD has taken a regional turn, meaning that nations have increasingly sought to coordinate action through multilateral approaches. Both the EU and ASEAN have become forums for such multilateralism, developing initiatives to promote disability rights among members. The EU has predominantly focused on the ‘Strategy for the Rights of Persons with Disabilities 2021-2030’ (hereafter EU Strategy) and the ‘Accessibility Act’ (EU, 2019; EU, 2021). As for ASEAN, it has pursued the

'Incheon Strategy to "Make the Right Real" for persons with disabilities in Asia and the Pacific' (hereafter Incheon Strategy) and the 'ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities' (hereafter Masterplan) (ASEAN, 2018; ESCAP, 2012).

Therefore, as multilateral approaches to disability rights have increased, exploration of the policies enacted by the EU and ASEAN represents a valuable point of analysis.

3. Literature review

Critical Disability Studies has been pivotal to the increased acceptance of disability as a socially constructed state of oppression rather than a mere form of medical impairment (Wendell, 1989). The emergent discipline has developed alongside associated fields, such as critical race, feminist, and queer studies, to emphasise the intersections between ableism, heteropatriarchy, and white supremacy (Garland-Thomson, 2002; Schalk and Kim, 2020). Summarised effectively by McRuer (2003), the exclusion of social minorities has been found to result from the elevation of the male, heterosexual, and able-bodied as the social norm. Research has subsequently sought to interrogate the domains of everyday life that sustain this perceived inferiority, with Charlton (1998) emphasising national institutions such as the family, media, education, and State to be complicit in perpetuating ableist standards. Scholars such as Das and Addlakha (2001) have presented the family as the most influential sphere, being that which localises disability as an unfavourable experience and a deficit of disabled individuals. Conversely, Worrell (2018) has emphasised the importance of the media in naturalising discrimination towards disabled individuals, due to its frequent use of stereotypical and inaccurate representations of disabilities. However, while these realms undoubtedly contribute to the marginalisation of the disabled, the State arguably possesses the most overt power, as McRuer (2010) has highlighted it to be capable of controlling disabled individuals through welfare support and legislative protections. The nation-state has also been shown to influence societal understandings by promoting a specific model of disability, most commonly either the medical model, which views disabilities as personal tragedies that require cure or rehabilitation, or the social model, which views disabilities as related to detrimental social and material conditions (Mohamed & Shefer, 2015). As such, the State warrants exploration as the most dominant national

institution, and that which partakes in regional multilateralism – the focus of this paper. Despite its dynamic nature, the Critical Disability Studies remains largely Western-centric in focus and origin (Mohamed & Shefer, 2015), with minimal exploration of contexts such as Asia. Consequently, comparative analysis of the EU and ASEAN can effectively expand the geographical focus of the field while simultaneously elevating multilateral organisations as underexplored actors.

4. Multilateral approaches to disability rights: An evaluation

Having established the value of analysing the EU and ASEAN's multilateral action, this section comparatively evaluates their central policy approaches: the Incheon Strategy, Masterplan, Accessibility Act, and EU Strategy.

4.1 Elevation of disabled organisations

As organisations of and for disabled individuals have been at the heart of disability activism, including the creation and implementation of the CRPD (Phillips, 2012), their elevation is important to the pursuit of equality. However, the EU and ASEAN have placed varied emphasis on this within the development and application of their initiatives.

In the development of disability rights policy, ASEAN has demonstrated a more integrated approach with disabled actors. The Incheon Strategy was developed through cooperation between government officials and disabled actors, with the participation of organisations of and for disabled individuals even established as an indicator for one of the strategy's ten goals (ESCAP, 2012). Further, the Masterplan sought to introduce capacity-building features, focusing on developing the knowledge and skills of disabled actors alongside government officials (ASEAN, 2018). Hence, ASEAN has placed an emphasis on nurturing the voices of disabled actors, highlighting their position as primary political actors, central to the success of policies.

In contrast, disabled individuals and organisations are presented as a secondary concern within EU disability policy development. While the Accessibility Act has highlighted the need to include disabled actors to “facilitate exchange of information... [and] foster cooperation” and constructs a working group to do so (EU, 2019, Article

28), the EU Strategy merely encourages Member States to cooperate with disabled individuals (EU, 2021). From this, EU policymaking is placing disabled individuals and organisations in a more peripheral position.

However, when considering the implementation of disability policy, the EU and ASEAN possess similarities. Within both organisations, disabled actors are afforded importance alongside non-disabled actors in the monitoring of policies' success, rather than an elevated status as those most knowledgeable of or impacted by the disability rights agenda. In ASEAN, only two nations have included disabled actors in the monitoring of disability policy. Nevertheless, this remains collaborative, with Indonesia accruing power to both the Ministry of Social Affairs and disabled organisations and Cambodia acting through the Disability Action Council, which comprises of governmental and non-governmental representatives (Cogburn & Reuter, 2017). Consequently, despite ASEAN's inclusion of disabled actors within policy development, the absence of such actors throughout policy implementation indicates a failure to sustain these standards. The EU has similarly included disabled organisations alongside governmental and academic actors, with working groups and monitoring mechanisms routinely dominated by non-disabled actors such as the Council of Europe, the WHO, and the Academic Network of Disability Experts (Priestley, 2013). Due to this dominance of non-disabled actors, disabled actors are therefore shown to be included to a limited extent within the EU, with a lack of influence in any stage of the policy process.

As such, although ASEAN is proven to greater encourage the inclusion of disabled organisations in the development of disability rights policies, both organisations display minimal attention to their elevation within policy implementation. Throughout their policies, the EU and ASEAN are shown to include disabled actors as additions to the disability rights dialogue rather than as those whose voices should be prioritised.

4.2 Power of the nation-state

The power of nation-states represents a potential barrier to the uniform implementation of regional policies. With only the Accessibility Act placing a hegemony of power with the EU, regional disability initiatives have afforded nation-states significant power, resulting in varied approaches within organisations.

With policies at least partially informed by the shared goal of enhancing CRPD implementation, it could be argued that regional multilateralism has a homogenising effect. Both the Incheon Strategy and Masterplan explicitly cite the harmonisation of Member States' laws and policies to the CRPD to be a central goal (ESCAP, 2012; ASEAN, 2018), while the Accessibility Act and EU Strategy contain monitoring and enforcement mechanisms (EU, 2019; EU, 2021). These objectives thereby position regional initiatives as a means for assisting sufficient implementation of both EU and ASEAN laws and the CRPD. The Accessibility Act, in particular, details the necessity of regional collaboration by citing differences in Member States' laws, regulations, and provisions as barriers to ensuring equal disability rights (EU, 2019). Therefore, regional multilateralism is shown to result in the creation of unifying norms and control mechanisms.

However, focus on the CRPD has interestingly resulted in great divergence within regional organisations, since nation-states have retained significant power over disability rights. As required by Article 33 of the CRPD, each Party must establish a "focal point" responsible for ensuring the effective implementation of the Convention (Cogburn & Reuter, 2017). Consequently, all nation-states control disability policies' enforcement mechanisms, resulting in varied approaches. For example, within ASEAN, Laos has favoured an inter-ministerial structure by placing its coordination mechanism between the Ministries of Labour and Social Welfare, Health, and Education, while Thailand has placed its own solely under the Ministry of Social Development and Human Security (Cogburn & Reuter, 2017). While regional policies act as guidelines, Member States retain the power to implement recommendations as they wish.

Nevertheless, opposing models of disability can continue to be promoted, which could threaten regional endorsement of the social over the medical model (Cogburn & Reuter, 2017). While this sustained importance of nation-states could be beneficial, as they arguably know the best way to monitor and amend their own policies, there are also associated risks, as opportunities for significant regional advancements could be constrained. For ASEAN, the varied resources of nation-states pose a barrier to effective rights advancement, with only Indonesia, Malaysia, Myanmar, Thailand, and the Philippines possessing national human rights commissions capable of aiding the implementation of the CRPD and associated policies (Muntarbhorn, 2021). Further, the EU has suffered due to the nature of its multilateralism, as nation-states and the EU hold power over different policy areas; nation-states retaining control of health,

education, and culture, and the EU of transport and the internal market (EU, 2021). Consequently, this arrangement has resulted in conflicting actions between Member States, as, for example, Italy has included over ninety per cent of children with Special Educational Needs within mainstream schooling, while Germany continues to favour the use of hybrid or separate approaches to educating disabled children (EU, 2018). Further, as the EU is itself Party to the CRPD, the block has established its Commission as a focal point for the Convention's implementation at a regional level. However, this decision has received criticism from the UN CRPD Committee for being too imprecise, as "each of the EU institutions, agencies, and bodies" would require a distinct focal point to fully comply with the Convention (Ferri & Broderick, 2020, p.83). As such, regional multilateralism has failed to harmonise nations' policy approaches, meaning that equal advancement of disability rights remains difficult to ensure.

Due to the power retained by nation-states within disability rights multilateralism, the approaches of neither the EU nor ASEAN can be regarded as consistent or effective means to advance disability rights. Thus, despite initiatives ensuring a regional focus on disability rights, national policies ultimately retain the greatest significance.

4.3 Impact

While not without criticism, the approaches of both regional blocks have been credited as having contributed to the advancement of disability rights. The adoption of disability rights multilateralism has brought both groups' Member States in line with international standards, whereas ASEAN's involvement in the Incheon Strategy has additionally established the association as an integral part of the wider Asia-Pacific network (ESCAP, 2012). With all ASEAN and EU Member States now Party to the CRPD (Ferri & Broderick, 2020: Tah & Nasir, 2020), it could be argued that regional multilateralism has been successful. However, the reality is more complex.

Firstly, not all ASEAN and EU Member States have sought to ratify the optional CRPD protocol, with twenty-two out of twenty-seven EU members having done so, while only Thailand has within ASEAN (UNTC, 2023). Although both organisations have been successful in the goal of CRPD implementation, the EU has perhaps been more effective in ensuring ongoing commitment to the disability rights agenda. On the other end, ASEAN has not sought such advances. Secondly, the monitoring and implementation of disability rights remains a source of contention. Arguably, ASEAN

has presented a more comprehensive strategy than that of the EU, with its adoption of the Incheon Strategy providing ten goals, twenty-seven targets, and sixty-two indicators through which members can evaluate disability rights domestically and in relation to others (ESCAP, 2012). This has resulted in a high level of data comparability, something that the EU has struggled to achieve due to nations' use of different methods of assessment (Priestley, 2022; ESCAP, 2012). As such, with the EU Strategy setting out the aim of developing disability indicators (EU, 2021), the block could take much inspiration from the Incheon Strategy. However, ASEAN has simultaneously received criticism regarding its prevalence estimates, which have been highlighted as well below the WHO average (Cogburn & Reuter, 2017). While consistent, ASEAN estimates are shown to be inaccurate, highlighting the need for amendments to monitoring standards within both organisations.

Therefore, while succeeding in the shared goal of CRPD implementation, the multilateral approaches to disability rights adopted by the EU and ASEAN have yielded different impacts. Neither are entirely successful yet display reasonable attention to the advancement of disability rights that should be further strengthened through policy adjustments.

5. Conclusion

While advances to the lives of disabled individuals have undoubtedly been made in both regions, primarily through the effective ratification and implementation of the CRPD across all Member States, multilateral initiatives arguably have a long way to go to displace the nation-state's hold over disability rights. Consequently, although multilateralism has acted as a strong source of regional pressure and collaboration, current approaches remain unsuited to the effective advancement of the disability rights agenda.

This is not to say that regional multilateralism has failed to yield distinct achievements, as each organisation has seen points of success that the other could learn from. For ASEAN, the institution has been especially effective in its inclusion of disabled actors within policymaking and in ensuring high levels of data comparability. As these are points lacking in the EU's current agenda, ASEAN's approach could be adapted to suit the EU's goals. In comparison, the EU has shown strong ambition in the promotion of disability rights, with aims of constructing regional enforcement mechanisms and an

enduring commitment to advancement. As such, with both holding strengths and weaknesses, the approaches of each group could benefit from amendments to be truly functional and effective.

What does this mean for the future of disability rights multilateralism? The main point that is clear is that significant changes will be required to ensure consistency, collaboration, and enforcement across regions. It seems unlikely that the power of nation-states will be displaced, yet increased attention to disability rights has undoubtedly been ensured in both the EU and ASEAN through the implementation of the CRPD. From this point of view, multilateral organisations can be seen as sources of strong pressure, capable of encouraging Member States' adherence to international standards of human rights but perhaps unsuited to the creation and enforcement of such standards themselves.

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Shaping the battlefield: Climate change and Russian hybrid warfare strategies in the annexation of Crimea and in the War in Ukraine

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Abstract

The 2014 Russian annexation of Crimea brought the language of hybrid warfare to the forefront of war studies, triggering a global debate on how to effectively counter it. Despite its significant links to hybrid warfare, the centrality of climate change to the analysis of this evolving kind of warfare remains overlooked. This article examines how climate change is linked to hybrid warfare. The purpose of this study is twofold: first, to provide a comprehensive evaluation of the nexus of climate change and hybrid warfare; and second, to suggest that understanding this nexus is quintessential for policymakers to develop better measures to counter hybrid threats. By putting forth case studies of Russia's annexation of Crimea and its 2022 invasion of Ukraine, this article argues that climate change was an important aspect of the hybrid warfare strategy in the form of threat-multiplying and resilience-deteriorating, making it more challenging for targeted states to counter and recover from hybrid threats. In building this argument, this study begins by exploring how climate change is linked to hybrid warfare. Then, it demonstrates this link through the cases of Russia's annexation of Crimea and its invasion of Ukraine. The article concludes that climate change is likely to play an important role in the upcoming decade's hybrid warfare in Eurasia as global temperature continues to rise. Not only does this research contribute to the study of environment and warfare but it also reveals the necessity for policymakers to develop more effective countermeasures to hybrid threats for years to come.

Keywords: Climate Change, Hybrid Warfare, Eurasia, Russia's Invasion of Ukraine, Annexation of Crimea

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1. Introduction

Over the past decade, the centrality of climate change to the study of hybrid warfare has been neglected, with only a handful of previous studies acknowledging its significance (Briggs, 2020; Hook & Marcantonio, 2022; Summers & Goodman, 2020). Previous studies have primarily focused on the conventional and some other unconventional means of conducting warfare like weaponised interdependence, insurgent groups, and cyber operations (Farrell & Newman, 2019; Giegerich, 2016; Jacuch, 2020; Muradov, 2022; Wither, 2016). There are two reasons for this trend: firstly, climate change does not seem to fit into the traditional conception of security (Briggs, 2020). Secondly, it has been limitedly viewed as a mere ‘threat multiplier’ which exacerbates other components of hybrid warfare (Briggs, 2020; Hook & Marcantonio, 2022).

Nevertheless, recent events, starting from the Russian annexation of Crimea in 2014 to its invasion of Ukraine in 2022, have highlighted the interplay between climate change and hybrid warfare. As the world keeps warming, failure to comprehend this connection may leave the global community vulnerable to associated risks. This article studies the connection between climate change and hybrid warfare in the context of Russia’s annexation of Crimea and its invasion of Ukraine. It aims to achieve two objectives: firstly, to provide a thorough examination of the nexus of climate change and hybrid warfare; and secondly, to reiterate the significance of comprehending this link for policymakers, especially in Europe and Asia, so as to formulate more effective strategies to address hybrid threats.

Analysing data from case studies, the article argues that climate change plays a significant role in Russian hybrid warfare strategies by exacerbating associated threats and reducing Ukraine’s resilience. As a result, Ukraine has been left with environmental pollution, deterioration of ecosystems, and risks to nuclear safety (Hall, 2023; Kireitseva et al., 2023; Yatsiv et al., 2023), not to mention the acceleration of environmental hazards in the industrialised Donbas region (Hook & Marcantonio, 2022). Consequently, Ukraine is facing long-term difficulties in countering and bouncing back from the war. Further, this prolonged war could facilitate Russia’s future aspirations to annex more Ukrainian territories (Chao-Fong et al., 2022). As such, this argument illustrates how climate change and environmental vulnerabilities can be weaponised by states to achieve their political ends at the detriment of targeted

states. This, in turn, shapes the security architecture of Eurasia's next decade (See also Clarke, 2019; Sovacool et al., 2023; Yeh, 2022).

This article is structured into three parts. The first part will discuss the fundamentals of hybrid warfare, with an exploration of the role of climate change in this evolving kind of warfare. Further, the second part will present case studies of Russia's annexation of Crimea and its invasion of Ukraine to demonstrate how climate change is profoundly linked to hybrid warfare. The last part will conclude that climate change is likely to constitute a critical component of future hybrid warfare in a region where most countries are currently vulnerable to climate change.

2. The nexus between climate change and hybrid warfare

Although hybrid warfare gained momentum in the study of modern warfare over the past decade, there is still no consensus among scholars on the definition of this term (Hoffman, 2007; Muradov, 2022; Wither, 2016). Having been initially conceptualised by Hoffman (2007), this term has been widely referred as the form of warfare where "conventional weapons, irregular tactics, terrorism, and criminal behaviour" are used "simultaneously and adaptively" in the battlespace to achieve one's political objectives (Hoffman, 2010, p. 443). In the aftermath of the Russian annexation of Crimea in 2014, the North Atlantic Treaty Organization (NATO) elevated this idea to a strategic level from its previous status at the operational and tactical levels, as well as broadened the definition to include the use of economic, legal, and social means (Muradov, 2022).

Nonetheless, climate change has still been left out of NATO's definition, despite its significant links to hybrid warfare. While this article utilises NATO's definition of hybrid warfare, it argues that climate factors should be incorporated into NATO's definition to better reflect the reality of Russian tactics employed during the annexation of Crimea and the war against Ukraine. The following paragraphs will explore how exploiting the threat-multiplying effect of climate change can be seen as both economic and military tools. On one hand, it can inflict considerable damage on targeted states' economies. On the other hand, it can create conditions that enhance the operational capabilities of an adversary's military. Similarly, attacks on states' resilience, such as targeting their critical infrastructures, can function as both economic and social tools of conducting hybrid warfare. These actions not only disrupt the economy of the

targeted states and hinder their recovery efforts, but they can also undermine the solidarity and resistance of local communities.

Essentially, climate change is connected to hybrid warfare in two closely related ways. One way lies in the role of climate change as a threat multiplier. This means that the ramifications of climate change or the changing climate itself can exacerbate the existing threats to society, such as political conflicts, economic instability, social unrest, and environmental issues (Goodman & Baudu, 2023). Consequently, the intensification of such threats can lead to increased risks to human security as well as destabilise the entire nation. For example, the protracted conflict between India and Pakistan over water resources in the Indus River basin has been further intensified by the growing freshwater scarcity in South Asia resulting from the shrinking Himalayan glaciers. Worsened by climate change, this ongoing conflict has fuelled the enmity between the two countries, undermining regional stability (Varnakomola, 2022). As such, taking advantage of the threat-multiplying effect of climate change would allow belligerent states to perpetuate the existing threats in targeted states, leading to long-term uncertainty and insecurity for those states. This is often used in conjunction with the resilience-deteriorating strategy, which constitutes the second nexus between climate change and hybrid warfare.

Resilience-deteriorating refers to the strategy aimed at reducing the ability to respond to and 'bounce back' from the actions of adversaries. This is achieved by attacking the state's essential systems and infrastructure that are critical for recovering from the adversaries' actions. In today's digitalised world, the strategy of resilience-deteriorating can be manifested in both physical and cyberspace contexts. The tactics used can range from installing landmines in the agricultural areas of communities to attacking energy and health infrastructure, and even creating propaganda to undermine the social cohesiveness of the targeted states (Briggs, 2020; Hook & Marcantonio, 2022). As a result, the destruction of states' support systems raises the states' susceptibility to pre-existing and newly arising threats associated with climate change (Briggs, 2020; Summers & Goodman, 2020). Briggs (2020, p. 48) illustrates that if Ukrainian society becomes divided through social media and disinformation campaigns, energy utilities are targeted by cyberattacks, and financial systems become illegitimate and fail, then the country's capability to create policies to mitigate and respond to threats, such as events of extreme heat will be diminished. Similarly, cyber operations have ripple effects on the social unity and military preparedness of the targeted states. Disinformation campaigns on climate science can fuel the anti-climate voices on

social media platforms (Briggs, 2020). These may not only undermine social solidarity but also reduce the ability of those states to preclude further attacks by compromising military preparedness.

All these examples suggest two interrelations between climate change and hybrid warfare. Firstly, climate change as a threat multiplier can worsen the existing threats in targeted states, which would heighten associated risks, and increase vulnerabilities and long-term insecurity in those states. Secondly, through targeting critical infrastructure and systems, adversaries can prolong the impacts of such threats, thereby impeding the ability of targeted states to mount an effective response. These connections suggest that climate change not only goes beyond a mere conception of threat multiplier but can also be considered a strategy to conduct hybrid warfare, as will be elaborated in the following section.

3. From the annexation of Crimea to the invasion of Ukraine: Climate change as an underlying strategy in the Russian plan?

Following the political turmoil in Ukraine in February 2014, Russia employed a combination of conventional and unconventional forces to illegally annex Ukraine's Crimea, a peninsula in the Black Sea. Eight years later, Russia embarked on a full-fledged military invasion of Ukraine on 24 February 2022 (Weber et al., 2022).

Both incidents have had deleterious consequences for Ukraine. For example, they have resulted in a mass displacement of civilians and a deterioration of Ukraine's economy. While the annexation of Crimea displaced over 1.5 million people from the peninsula (Muradov, 2022), ongoing Russia's war against Ukraine has displaced nearly 13.5 million as of March 2023 (Cincurova, 2023). In terms of Ukraine's economy, the real GDP of the nation is expected to plummet by 30 to 35 percent because of the war, with the country's productivity growth estimated to drop in the long term (European Parliament, 2022, p. 10). On a broader scale, this war has not only disrupted the global food system by heightening global food insecurity, as Ukraine is among the top global exporters of grains and oilseeds, but also contributed to massive emissions of greenhouse gases (Hall, 2023; Kicaj et al., 2023; Yatsiv et al., 2023). The Initiative on GHG Accounting of War, a European-based research group, reported that a total of 120 million tons of CO₂ was emitted over a year after the war erupted (Braun, 2023).

The role of climate change has been evident in both the annexation of Crimea and the war against Ukraine, exposing Russia's strategy of exploiting Ukraine's environmental and climate vulnerabilities to achieve its goals. Firstly, it is evident that Russia has taken advantage of the threat-multiplying effect of climate change to intensify the existing threats in Ukraine. A good illustration is the Donbas, the industrialised region in the eastern part of Ukraine. Prior to the annexation, Donbas experienced environmental hazards due to heavy industrialisation since the Soviet Union era. Hook and Marcantonio (2022, p. 6) cite the Ukrainian Ministry of Environmental Protection and Natural Resources (MENR), indicating that 2,160 identified locations were subject to the possibility of an explosion due to the presence of methane, 24 sites presented a risk of radiation hazards, 909 locations were considered hydro-dynamically dangerous, and 34 locations were found to pose a biohazard risk. After the armed conflict occurred in 2014, a network of interconnected underground mines has resulted in flooding that now extends across both Ukraine-controlled territories and separatist-controlled territories (Hook & Marcantonio, 2022).

Climate change has had a multiplying effect on these hazards in numerous ways. For instance, changes in atmospheric factors, such as wind patterns, can heighten the dispersion of radioactive materials in the Donbas region (Hook & Marcantonio, 2022). Supporting this claim, Yoshikane and Yoshimura (2018) found that wind patterns influenced by climate change are associated with an increase in the dispersion of radioactive materials as well as its direction. Moreover, the proximity between the Donbas and Chernobyl nuclear plant has made the region vulnerable to the presence of toxic radioactive substances, such as caesium-137 and strontium-90 (Mousseau, 2022). In this regard, an increase in flooding or changes in groundwater levels could mobilise and spread these hazardous materials, contaminating wider areas, and heightening the exposure of both humans and ecosystem to radiation (Hook & Marcantonio, 2022). Climate change also intensified pollution from heavy metals and industrial chemicals (Cao et al., 2020). To exemplify, an increase in rainfall has resulted in greater runoff, potentially spreading these pollutants into water bodies (Cao et al., 2020). In addition, the warming temperatures increased the mobility of several pollutants, making them more bioavailable and therefore more toxic to living organisms (Cao et al., 2020). Consequently, this left the Ukrainians and those whose livelihoods rely on these waters unsafe since surface waters of the Donbas region empty into the Sea of Azov and the Black Sea respectively (Hook & Marcantonio, 2022). This multiplying effect of climate change was among the factors facilitating Russia's successful occupation of about half of the Donbas region in 2014, as it not only

undermined local resistance but also generated a humanitarian crisis that provided a pretext for the occupation.

Furthermore, after Russia's seizure of the Chornobyl and Zaporizhzhia nuclear power plants in March 2022, Russia set off munitions at the Zaporizhzhia plant and damaged a high-voltage line that supplied electricity for cooling spent nuclear fuel at the local storage pools (Zasiadko, 2022). Following this, an alarming figure of gamma radiation dose rate of almost 70 mSv/h was recorded by the EcoCenter's automated radiation monitoring system (Kireitseva et al., 2023, p. 3) This incident raised concerns over nuclear safety and the potential consequences for Ukraine's environment and public health. The high levels of gamma radiation could disrupt local ecosystems and lead to a loss of biodiversity (Zasiadko, 2022). Additionally, exposure to high levels of gamma radiation can contribute to wide-ranging acute symptoms, such as nausea, vomiting, and decreased organ function (International Atomic Energy Agency, 2022). The prolonged war could intensify these threats, plaguing Ukraine for years to come. In addition to other unconventional forces, Russia exploiting the threat-multiplying effect of climate change to perpetuate the existing threats in Ukraine enables it to destabilise Ukraine in the long run and to hinder it from effectively responding and recovering from the war.

To enhance the effectiveness of the above strategy, Russia has also been simultaneously implementing the resilience-deteriorating strategy. Russia targeting the Ukrainian resilience has been widely observed. In 2022, Russia targeted several critical infrastructure and support systems in Ukraine, for instance, the assaults on nuclear power plants, harbours, and facilities for hazardous waste storage, the destruction of chemical and metallurgical industries, and water supply infrastructure, including conflagrations in oil reserves, fuel stations, and waste disposal sites, etc. (Zasiadko, 2022). These Russian activities have left Ukraine with perilous consequences. Empirical evidence includes Russia's breach of the water pipeline on 12 April 2022, used to provide water from the Dnipro River to the city of Mykolaiv. This contributed to the loss of millions of litres of water and the contamination of surface waters (Kireitseva et al., 2023). As of October 2022, it was also reported that Russian missiles targeted several hydroelectric power plants located on the Dnipro River, such as the Dniprovsk plant and the station at Kremenchuk (Harding et al., 2022). With limited opportunities for repair, the destruction caused by Russia to these water supply infrastructures has resulted in millions of Ukrainian civilians having limited access to clean drinking water (Landay, 2022). To illustrate, Shumilova et al. (2023)

indicate that over 2 million people in the Luhansk region in eastern Ukraine were left with no water supply entirely since early May 2022, and water was merely supplied by humanitarian organisations.

Similar cases of Russia targeting Ukraine's critical infrastructure were reported in Kyiv and Kharkiv. In Kyiv, residential buildings have been devastated by Russia's kamikaze drones since October 2022, resulting in a significant number of Ukrainians losing their homes (Voce et al., 2023). What is more, on 11 September 2022, the CHPP-5 thermal power plant in Kharkiv was destroyed following Russian missile strike, leading to electricity cuts to nearly one-third of the country (Voce et al., 2023). Subsequently, people were left grappling with frigid temperature in Winter and a limited supply of energy.

Furthermore, Russia's assaults on port infrastructure and vessels have been well-documented, with the most recent example is a drone attack on Ukraine's Black Sea port of Odesa (Reuters, 2023). Kireitseva et al. (2023) argue that these Russia's attacks have led to the pollution of nearby coastal waters, predominantly by petroleum products that form a film on the water's surface. This has directly resulted in the mortality of marine life. In a similar vein, deceased dolphins and porpoises have been found stranded along the shores of the Black Sea because of heightened Russia's naval activity since early 2023 (Kroeger, 2023). Consequently, these Russian operations further jeopardise the food security of the Ukrainians. The enduring consequences of these emerging threats have heavily impacted Ukraine's security and economy (Jacuch, 2020).

To summarise, Russia's exploitation of Ukraine's environmental and climate vulnerabilities to achieve its goals can be observed in both the annexation of Crimea and the war against Ukraine, highlighting the role of climate change. Through the strategies of threat-multiplying and resilience-deteriorating, Russia has destabilised most parts of Ukraine, undermined the nation's economy, and impeded Ukraine's ability to effectively respond to and recover from the war. As the global temperature continues to increase, the significance of climate change in hybrid warfare may shape the future of warfare in Eurasia, where most countries are now vulnerable to the changing climate.

4. Conclusion

Using Russia's annexation of Crimea and the subsequent invasion of Ukraine as case studies, this article aims to enhance the understanding of the interrelation between climate change and hybrid warfare and suggest why it deserves greater attention from the global community.

This article has argued that climate change has a profound impact on states' hybrid warfare strategies, by increasing the severity of related threats and undermining targeted states' ability to resist and recover from conflict. Russia exploited Ukraine's environmental vulnerabilities during the annexation of Crimea and the subsequent invasion, bringing socio-environmental repercussions and persistent challenges for Ukraine's security. While this provides an enabling factor for Russia to pursue its ambitions of annexing more Ukrainian territories in the future, destabilising Ukrainian security in the long term, it is crucial to note that environmental vulnerability is only one aspect, yet underestimated, among wide-ranging determinants at play in the war on Ukraine. Thus, it cannot be considered the sole determinant of victory in this war. Other factors, such as Ukraine's counter-offensive tactics, must also be considered.

On the wider scale, the role of climate change in Russia's War in Ukraine is beginning to shape the security architecture of Eurasia. Climate change will constitute a vital factor in the development of future strategies, to identify, assess, and counter hybrid threats, including preventive policies. Failing to acknowledge the nexus between climate change and hybrid warfare poses an imminent threat to the global community as the global temperature keeps rising.

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I would like to thank all anonymous reviewers for their insightful comments and suggestions. My heartfelt gratitude goes to my family, friends, and colleagues for their continued support since I first wrote this article. Finally, this acknowledgement would not be completed without thanking the STEAR Journal Team for their assistance throughout the editing process.

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Journal of Asia and Europe Relations

Volume 2, Number 1

Established in 2021, the Journal of Asia and Europe Relations is a flagship peer-reviewed journal of Student Think Tank for Europe-Asia Relations (STEAR). Interdisciplinary and wide-ranging in scope, the Journal of Asia and Europe Relations covers the latest research on all topics relevant to Asia and Europe relations that focus on theory, policy, and/or practice. The journal aims to provide readers with a truly global and comparative perspective. This journal is primarily aimed at policy issues and, ideally, the role of youth engagement. All papers are submitted to anonymous peer-review process conducted by young academics, professionals, and future leaders of highly relevant fields. The journal is published annually.

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Congratulatory Note

“Asia, and what happens in Asia, influences European society on every level.” That is what I said in a video message for the closing ceremony of the Student Think Tank for Europe-Asia Relations’ (STEAR) Global Village in February 2022, and I think these words are even more true now than they were back then. It’s not just the future that’s Asian, but the present already is. In the coming decades, Asia is increasingly going to shape global affairs. The continent is home to almost 60% of the global population, 40% of global GDP and various countries that are increasingly active on the international stage. Just a 100 years ago, London, Paris and Washington D.C. were the global centres of decision-making. While these cities remain important today, influence over global affairs is increasingly shifting towards Asian cities like Beijing, New Delhi and Jakarta.

This is why I, as Executive Director of Asia Society Switzerland, strive to enhance Asia competence among the populations of Switzerland, and Europe more broadly. Understanding Asia is no longer a ‘nice to have’, it has become essential for everyone doing anything remotely international. Asia competence is not just knowledge of Asia, it is an actionable skill that includes the ability to understand different viewpoints, tap into Asia-related networks and operate in an Asian context.

Where to start when one wants to build Asia competence? I could of course say, head over to Asia Society Switzerland’s website, but reading this second edition of the Journal of Asia and Europe Relations is also an excellent starting point. It takes some of the complex themes, such as AI or disability rights, and unpacks how these themes are at play in both Europe and Asia and connects the two continents. I am therefore honoured to congratulate STEAR on publishing the second edition of its journal.

Ever since I delivered that video message to STEAR’s Global Village, I have been impressed by STEAR’s work. By fostering closer ties between Europe and Asia, and especially among Europe and Asian youth, STEAR’s values are well-aligned with those of Asia Society Switzerland. This journal is a good example of the high quality work that STEAR delivers. I would there once again like to congratulate STEAR, and especially the Editors-in-Chief, associate editors, editors, writers and everyone else on the STEAR team that worked on this journal, on the final result. I hope that you as reader will enjoy the journal and will keep following STEAR’s work. Moreover, I am confident that STEAR will continue to work on activities that help create better relations between youth in Europe and Asia. Keep up the good work!

Nico Luchsinger

*Executive Director of Asia Society Switzerland
Advisory Board Member of STEAR*



Letter from the Co-Presidents

We are glad to be able to present you with the second Journal of Asia and Europe Relations. The first edition of the journal was published in October 2021; a lot has happened in Eurasia since then. The impact of digitalisation and artificial intelligence (AI) is more significant now than it was even a few years ago. And perhaps most significantly: In 2021 Europe was a far more peaceful, stable and secure place than it is today.

In this journal, you will read about these new developments. Varnakomola writes about the war in Ukraine and the influence of climate changes on hybrid warfare strategies. The articles of Díaz, Siennot and van Wanrooij & Graef all dive into the cyber realm by addressing global AI, the digital Silk Road and influencer advertising in Germany and China respectively. Crowe meanwhile looks at an often overlooked topic: Disability rights, and how they are approached in the EU and ASEAN.

Undeniably, relations between many European and many Asian countries have become more fraught since October 2021. Tensions between China and the European Union have for instance been rising. In such a polarised context, it is essential to have a venue for constructive policy discussions. We are glad that this journal provides such a venue, as do the policy opinion pieces and podcast episodes that STEAR regularly publishes. The aim of the journal is not to convince you, the reader, of any particular viewpoint. The aim is to make you think about various issues facing Eurasia, and gain new perspectives on those issues.

This journal is the result of the hard work of a number of people. First and foremost, we would like to congratulate the leadership team of the Editorial Office from 2022-2023, which includes Sakshi, Fatima, Juliette and Eyrin. We moreover want to thank all editors and writers for their insightful articles; without you this journal would not have been possible. Finally, we want to thank Nico Luchsinger, Executive Director of Asia Society Switzerland and one of STEAR's Advisory Board members, for his congratulatory note for this journal, and his unwavering support for STEAR. We hope that you will enjoy the journal, and invite you to let us know what you think of it. Happy reading!

Yusril Nurhidayat & Koen Donatz

Co-Presidents of STEAR, 2023-2024

Editors' Note

We are delighted to present to you the second edition of the Journal of Asia and Europe Relations. As we reflect on the second edition, we are proud to have produced a body of work which reflects STEAR's growth in its second year. Though the publication process came with significant challenges, we find that it mirrors the moment we find ourselves in this world.

The inaugural edition of the Journal of Asia and Europe Relations received an overwhelming response, with contributions from valued contributors based all around the world. As stated by the previous Editors-In-Chief, an understanding of Europe-Asia affairs fundamentally requires insights from all branches of knowledge. It is with this spirit of fostering diversity of opinion, dialogue, and knowledge exchange that informed our article selection for this edition.

In this second edition, we are proud to showcase a rich tapestry of research articles, that encapsulate the multidisciplinary nature of the Journal of Asia and Europe Relations. Our peer-review process, guided by the expertise of our editorial board, ensures that each piece published in this edition maintains the high standards of academic rigor and excellence.

van Wanrooij & Graef discuss how political systems impact the development of commercial and business regulations, and in turn can effect how Asian and European countries build trade ties. Díaz maps convergences and divergences in global AI principles in Singapore and the EU. The article reflects the evolving landscape of AI and is an incredibly important resource for us to think about how we approach multilateral cooperation and reach a global standard on how we use and govern this extremely important technological development. Siennot's article explores the impact of China's Digital Silk Road in the Western Balkans, and advocates for a nuanced understanding of its implications on the EU's strategy. Crowe's article comparatively analyses advances in disability rights approaches in EU and ASEAN and explores if regional multilateralism can take the place of the nation state in providing welfare. Finally, Varnakomola's article importantly addresses how the nexus between climate change and hybrid warfare strategies will increasingly begin to shape how war is shaped.

We are extremely proud to present this catalogue of diverse, current, and though-provoking articles. We would like to express our sincere appreciation to the editorial team, reviewers, and production staff whose dedicated efforts have brought this edition to fruition. We would also like to thank Rosemay Thea A. Pañares for designing our journal cover.

Thank you for reading!

Sakshi Chandrasekhar and Fatima Umar

Co-Editors-in-Chief, 2023-2024

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Fostering the Sino-German Relationship: How the Political Environment Influences the Legislative Framework on Influencer Advertising: An Analysis Between China and Germany

Danny van Wanrooij & Liliana Graef¹

Abstract

This study explores how political systems shape legislative frameworks for influencer advertising in China and Germany. Through an alignment of legislative documentation with the prevailing political context, our study reveals how democratic principles in Germany and the authoritarian context in China significantly shape these frameworks. Germany prioritises sponsorship endorsement and fact-based laws, while China emphasises behavioural norms congruent with its governmental vision. China's hierarchical structure facilitates agile decision-making, contrasting with Germany's bureaucratic processes underpinning democratic principles and legal equity. In these three aspects, recognising how political contexts shape law creation and enforcement highlights the need for strategic approaches in fostering successful cross-country collaboration. These insights can inform and enhance the Sino-German relationship in guiding enterprises, governments, and entrepreneurs in navigating distinct political landscapes within influencer advertising. Our recommendations encompass establishing local networks, utilising case studies, and seeking guidance from legal advisors or experts. This research underscores the significance of comprehending contextual legal intricacies for effective foreign expansion and encourages further research in legal and political attitudes.

Key words: Influencer Advertising, Political influence, Legislative framework, Germany, China

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1. Introduction

Influencer marketing has become a predominant form of advertising, especially in the top economic sectors like China and Germany (Silver, 2022) wherein considerable contrast in the political system shapes the regulations on influencer laws. The shift from advertisements in newspapers or billboards into the “recent marketing trends indicate the rise of influences as an extension of word of mouth campaign” (Chopra, Avhad & Jaja, 2020, p. 1), highlight the technological developments enabling new means of advertising: Social Media Influencers (SMIs) (Balaban, Mucundorfeanu & Naderer, 2021, p. 1). This sector has significantly grown in recent years as a branch of “the advertising industry” (Michaelsen, Collini et al., 2022, p. 13) wherein “the social connections between the streamer and viewer” becomes the main selling-point (Lin & Lu, 2017, pp. 1-2) in “affecting a purchase decision” (Chopra, Avhad & Jaja, 2020).

The terminology of “influencer” or “social media celebrities” (Aderibidge, Awobamise & Jarrar, 2020, p. 51), can be interpreted as the link between the social media platform and the customer, using SMIs as the embodiment of the company's values and target group. The power and reach of the influencers (Chopra, Avhad & Jaju, 2020, pp. 1;11) can be beneficial for companies in the case when the perceived similarity of “shared interest and values”, possibly increasing the “trust they [followers] put into influencers and their advice” (Michaelson, Collini, et al., 2022, p. 43; Ipsos, 2017).

Since brand building and penetrating the local market (Leung, Gu & Palmatier, 2022, p. 226; Mansouri & Torgull, 2022) are core aspects found in influencer market, Chen, Lin & Shan (2021, p. 1426) argue that the consumer's identification with influencers positively impacts trust, attitude and engagement. Understanding cultural and legislative values fosters mutual understanding and improves economic relations (Moser et al., 2011, p. 102). Following nearly 75% of marketing specialists who use influencers (Vyatkina, 2020, p. 1307), a case study of German customer acceptance of Chinese OEMS argues that the purchase consideration jumps from 21% to 85% by creating a “touchpoint with Chinese brands” (Mansouri & Torgull, 2022).

Tackling China's record low consumer confidence (2022) (Hui et al., 2023, p. 2) and the German low trust in Chinese goods into account (Holtbrügge & Kreppel, 2012, p. 79), effective brand endorsers have a high level of authenticity and can effectively spread

word of mouth (WOM) as foundational in successfully entering the foreign market (Leung et al., 2022, p. 1-2; Lou & Yuan, 2019, p. 59; Vyatkina, 2020, p. 1307).

Taking the rapid developments in the advertising branch into account, the regulations in Germany and China know foundational similarities and differences which are derived from the political influence in lawmaking. Therefore, our research analyses the corresponding legislative frameworks and aims to answer the following research question: “How is the legislative framework on influencer advertising shaped by the country-specific political system?”. Whilst this research is based on a Western perspective, the analysis provides three recommendations to foster Sino-German cooperation taking the political and legal frameworks into account: 1) get acquainted with in-depth case studies, 2) advise a legal counsellor or cultural expert, and 3) network on the local level.

2. Methodology

Our research aims to stimulate the economic growth and partnership between Germany and China and therefore to facilitate recommendations to flourish the cooperation between these two economic powerhouses. Enterprises need a legal framework comparison regarding influencer advertising laws to be able to allocate regulations, whereas governments can use this analysis to position themselves accordingly. Whilst Germany might be categorised as following the EU legislation such as the General Data Protection Regulation (GDPR: 2016/697) and amendment 2022/1925 on “contestable and fair markets in the digital sector”, Baladan, Mucundorgeanu & Naderer (2021) argue that there is “no European Union-wide legislation governing sponsorship transparency” and claim that “monitoring practices differ significantly across member states” (p.395). While these differences are still evident in administering and adhering to the EU regulations, the vast majority of the EU countries already follow these regulations and have established country-wide rules. Germany distinguishes itself as one of the quickest implementers of these EU regulations and proves its bureaucratic nature as being the leader in influencer marketing regulations.

Moreover, the decision to include China in the comparison can be explained by two main arguments. Firstly, German companies account for “a third of all European investment in China in 2018-2021” (Rinke, Waldersee & Marsh, 2022). Secondly, the

political system, the position of the regime in legislation, and the differences in culture and language can cause challenges in expanding your company to and from either China or Germany. The comparison between the democratic Germany and the authoritarian regime of China therefore showcases the way that the political environment shapes the influencer laws and its implications for further economic cooperation.

Lastly, our research works via a clear structure and allows the reader to follow the analysis country by country. The covered themes within the legal analysis are sponsorship, behaviour, and fines. These are analysed by using the English version of the Chinese regulations of the Chinese Advertising Laws (CAL) and the Chinese version of the Code of Conduct for Influencers (hereafter CCI). The German regulations are found in the Unfair Competition Act (Gesetz gegen den unlauteren Wettbewerb [UWG]).

3. Theoretical Framework

Our research follows Osterberg-Kaufmann, Stark & Mohamad-Klotzbach's (2020) perception that political systems know many challenges in conceptualisation and understanding. The terms democracy and authoritarianism, as used throughout this research to categorise the political systems of Germany and China, have various interpretations and understandings among citizens and scholars. Whereas among others the "identity, experience, tradition, culture, language, religion, knowledge" shape the understanding of these terminologies, the conceptualisation can also differ in shapes and variants (e.g. liberal, social, (in-)direct) (Osterberg-Kaufmann, Stark & Mohamad-Klotzbach, 2020, p. 303). Taking these nuances into account, three main differences in these political systems are foundational to working with these terminologies: 1) citizen participation, 2) the rule of law, and 3) fundamental liberties.

Firstly, democratic civic participation contrasts the concentrated power as present in the top layers of the government in authoritarianism. The populace can vote and influence the political decision-making in the former, whereas the populace cannot enact similar actions in the latter (Weingast, 1997, p. 261). The lack of concentrated power in democracy due to citizen participation equals bureaucracy in decision-making. In contrast, the one-party system in China can freely implement

changes without incorporating the perspectives of citizens, political coalitions or opponents (TNI, 2017).

Secondly, following the difference in citizen participation, the consensus-based society in democracy emphasises that the law framework is clear and strict. Political officials cannot be self-enforcing and share “equal” standards with the populace (Martial Law Museum, 2023). Chinese authoritarianism does have laws, but strictness ought to disappear as the privileges “correlate to your rank within society” (TNI, 2017; Marital Law Museum, 2023). The rule of law is flexible and self-interpretable by high-ranked individuals.

Thirdly, democratic values go paired with fundamental liberties such as the German understanding of freedom (of expression, religion, and the right to process, press, and privacy). In China, these liberties are contested and the freedom of expression, religion, privacy and press are infringed. The regime limits these liberties and assures that citizens do not bring the government discredit (e.g. cameras, online surveillance). The goal of the regime is that the party ideology is followed and that citizens are mobilised (Davis, 1976, p. 653).

By implying the “democracy versus authoritarianism” narrative, the terminology within this paper can be understood by three key differences: 1) citizen participation, 2) the rule of law, and 3) fundamental liberties. While conceptualising the terms is necessary, Xi’s perspective is that this narrative is not followed, yet it is solely Western-style democracy and Chinese-style democracy (Xinhua, 2022).

4. Legal and Political Analysis

Germany

The basic law for influencers in the German legal framework is called the Unfair Competition Act (UWG = Gesetz gegen den unlauteren Wettbewerb). It regulates unfair competition, protects consumers from harassing advertisements, and is enforced through fines, disclosures, removal, and claims for injunctive relief. Advertisement takes many forms: video, a picture, or just plain text. All ads must be marked in the description of a post, or the company responsible for the product/service must be tagged. Otherwise, according to § 5 UWG, we are dealing with a “misleading commercial act”. All sponsored posts must be described in a way that

ought to not confuse the consumer, meaning that it must be clear which post the influencer paid for.

The safest and clearest way to inform the follower about the ad is to put “Anzeige” or “Werbung” at the beginning of the post. To continue, surreptitious advertising is prohibited according to the principle of truth (Wahrheitsgrundsatz). Surreptitious ads are concealed by faking or withholding circumstances. A good example of such behaviour is when an influencer is posting about a certain product online and praising it but conceals the fact they received a large payment in exchange for promoting the product in question. Hence surreptitious advertising must always be marked as such, according to the competition law in § 5a Section 6 of the Unfair Competition Act (UWG).

In Germany, the political system does not directly affect content creators. Influencers are obliged to abide by the aforementioned laws, but these laws do not affect the content they publish. The freedom of speech provided by the German constitution allows online creators to write/speak about anything. The role of influencers is not contained in promoting German values and German culture. To exemplify, in the run-up to the 2019 European parliament elections in Germany, the famous influencer “Rezo” posted a 55-minute long YouTube video named “Die Zerstörung der CDU” (The destruction of the CDU) (2019). The video gained momentum and emphasises that the criticism of politicians can be done freely in Germany (Rezo ja lol ey “Rezo”, 2019).

Moreover, the German legal system is closely linked to the democratic system prevailing in the country. The law, though strict, allows people to exercise their basic freedoms and liberties, enshrined in the Constitution. Democratic tendencies shine through the legal framework since the laws are equal for all societal classes, implying that the rule of law is respected.

China

China’s influencer advertising mainly consists of the new trend around Key Opinion Leaders (KOLs) who promote the products of the firms by making videos” (Chen et al., 2020, p.1). The terminology of the Chinese KOLs and the German influencers are often used interchangeably. However, whereas influencers are used for “general exposure to a wide audience” (Goo, 2018), KOLs provide added value in expertise or personality to a

certain target group. The latter is frequently a celebrity and is designed for full immersion between the brand and the KOL (Goo, 2018).

Nowadays, the terminological difference showcases the development from untargeted to coordinated influencer marketing. While sponsorship endorsement needs regulation, the Chinese law frameworks do not entail concretisation of consequences. Following the authoritarian character of unequal standards across classes, this can aim at only being able to receive this information within the “higher political bubble” or rather the fines of sponsorship endorsement indirectly depends on your place in the social ranking. Chinese law barely mentions concrete fines and instead attempts to further limit fundamental liberties. Influencers who do not follow the regulations are punished by losing “morality and norms”, and can be blacklisted, banned, or boycotted from all platforms (CCI, §15-18). Losing morality and norms is herein used as an incentive to behave like the authoritarian regime wants. In combination with the Chinese principle of “losing face”, public humiliation in the sense of losing morality cannot be accepted: othering this group in society.

Moreover, these laws such as “true to facts and lawful” (§1, Article 3) follow authoritarian principles and are as demonstrated in the legal framework subjected to the perspective of the elite. The safeguarding of the rule of law, as is the case in a democracy, is not applicable in China’s one-party authoritarianism and implies that the elite has more rights and goes above the law.

The Chinese government rejects the participation of the populace and thus the political elite has direct control of the political decisions. To exemplify the power of the regime and the non-bureaucratic manner of decision-making, the livestream of popular Chinese influencer Li Jiaqi instantly got taken down upon promoting ice cream which seemingly looked like the distinct photograph of “tank man” (Yip, 2022). This refers to the protests in Tiananmen Square sparking violence by the Chinese government.

Moreover, the ideological motives behind the laws are evident and are carried out in a top-down movement: Chinese culture and language need to be displayed excellently and traditionally (CCI, §14.6) and be disseminated with positive energy (§5) to not bring national unity into disregard (CCI, §2;4;14.2). Political pressure also influences the

behaviour of internet usage as citizens get monitored and need to “follow social responsibility, establish a good image, and jointly create a positive, healthy, orderly, harmonious and clear cyberspace” (CCI, §1; 15-16). The advertising language should include “good” language behaviour without vulgar interactions or spreading rumours (CCI, §14.24). The regulatory aspect in the behaviour of the KOLs is even more evident in the power of restricting the democratic fundamental liberty of “being one-self”: being sexually provocative (§14.18) and applying abundant makeup is restricted. Regarding food and animals, the influencer is not allowed to display cruelty to animals (CCI, §14.22) and cannot waste food, display fake eating, overeating, or bad food consumption (§14.23). The governmental influence becomes even more clear since permission from the overarching governmental entity for certain topics like agriculture and healthcare is needed to be allowed to advertise (CAL, §41).

5. Recommendations

The differences between the political system, and thus legal framework on influencer advertising, need to be considered when cooperation or entering the foreign market. Whereas bureaucratic Germany is categorised by the rule of law, citizen participation and slowness in decision-making, authoritarian China is mainly concerned with behaviour guidance of the influencers and corresponding the laws to one’s social ranking. Knowing that these discrepancies exist is, for both governments and companies, not enough to foster Sino-German cooperation regarding influencer advertising.

Understanding the local laws and the perspective on law, practising foreign expansion to Germany or/from China entails knowing your place in society and grasping the governmental approach to law frameworks. Whereas Chinese investors in Germany might take the law as their own interpretation as long as they follow the behaviour fundamentals, German investors in China might see certain liberties as a given and see the laws as concrete and non-interpretable. Both of these approaches can lead to hardships in cooperation and even lawsuits in a foreign country.

Therefore, we propose three concrete recommendations to flourish this cooperation. Firstly, get acquainted by reading in-depth case studies. As presented in *Dragon Tactics* (Spaanjaars & Zerbib, 2022), various countries aim at using the Chinese populace as an opportunity for their sales market. Secondly, advising a legal

counsellor or cultural expert can assist in acquainting your company or governmental institute with the inherent differences in legal and political approach. Thirdly, cooperating on a local level increases your knowledge regarding legal and political differences. In this regard, searching for a local business partner can function similarly.

6. Conclusion

Our research answers the following research question by scrutinising China and Germany: “ How is the Legislative Framework on Influencer Advertising Shaped by the Country-Specific Political System?”. As the analysis showcases, the political characteristics of democracy and authoritarianism shape the legal framework of influencer advertising. Whereas democratic Germany focuses on sponsorship endorsement as a main principle in regulating this rather new branch in advertising, Chinese authoritarianism emphasises the behavioural norms that influencers need to propagate. The Chinese government influences the behaviour of the KOLs and illustrates the optimal digital world wherein the KOLs can solely oblige. The power is found in the elite and characterises the lack of consensus-based input and enables fast decision-making without bureaucratic red wire. The cultural aspect of “losing face” is evident in the punishments and restrictions.

The German law framework instead follows the democratic sense of bureaucratic organisation and citizen participation. This framework has clear-cut rules and respects the democratic “equality” of law and the rule of law. On the contrary, China provides ambiguous laws and a lack of fines that are open for interpretation. The class difference between the higher and lower political spheres is evident in this manner of the legal framework. Behavioural guidance, as present in China’s one-party authoritarianism, is not present in the democratic framework and instead focuses on respecting property rights and showcasing strong legal action. In this light, the usage of “good” and “bad” in the Chinese Code of Conduct for Influencers aims at maintaining political influence in society. Whereas in the Western perspective, the description of good and bad is rather flexibly interpreted this analysis argues that Chinese society has a certain value for these denominators and continues to disseminate this into society. This approach is seen in the fines and the way the government handles, the almost computer-like terminology of, “errors” (CCI, §17) made by the influencers.

To continue, this study can be used by enterprises to guide them into practising foreign expansion in either China or Germany. Our recommendations can be used by the Chinese and German governments to possibly align regulations to foster a flourishing economic climate or to allocate issues for entrepreneurs regarding influencer advertising. While this paper is not carried out by legal experts and requires more in-depth scrutinization, our research can function as a foundation to analyse the cooperation between China and China, to create a step-by-step plan for cooperation between companies or governments. To conclude, this influential branch of advertising knows differences based on the political environment of the country. By emphasising either behaviour or legal aspects within the law framework, countries with different political systems can have hardships to maintain fruitful cooperation. Understanding regional perspective on law and being aware of your position within the society and foundational in successful foreign expansion in the field of influencer advertising.

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Convergence Or Divergence in The Interpretation of Global Artificial Intelligence Principles? A Comparative Study of Singapore and The European Union

Lucía Pradel Díaz²

Abstract

The abundance of AI national policies and strategies can signify a great challenge for the construction of AI Governance. To reduce this fragmentation, states currently adhere to common AI principles. However, the perceptions of these can differ, which demonstrates the difficulties of making global frameworks actionable. An artificial intelligence governance initiative was selected for the European Union and Singapore to conduct a comparative analysis of their interpretations of the OECD's five AI Principles.

This paper used framing in discourse analysis to highlight the points of convergence and divergence. The study found that the principles (P) with greater similarity of interpretation included human-centred values and fairness (P2) inclusive growth and well-being (P1), and safety (P4). However, there are divergences in other elements of these same principles, such as robustness and security (P4). This also applies to transparency and explainability (P3) and accountability (P5). An international communication strategy within AI national policies and strengthening science diplomacy could bring different perspectives closer.

Keywords: European Union, Singapore, AI Governance, Framing, Discourse Analysis, OECD AI Principles, AI, Artificial Intelligence

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1. Introduction: Defining AI and the OECD AI Principles

The rise of artificial intelligence (AI) is the opportunity and the global challenge of this century. The mathematician Alan Turing gave a lecture on this matter in 1947 (Monostori, 2014, p. 47). Furthermore, the Turing Test from 1950 analysed whether machines could think but also demonstrate behaviour similar or identical to humans (Oppy & Dowe, 2003). Currently, AI is at the centre of the “fourth industrial revolution” (Schwab, 2016).

Stanford Professor John McCarthy, in 1955, defined AI as “the science and engineering of making intelligent machines” (Manning, 2020, para. 2). However, current research has pondered on the fact that there is no universal definition of AI (Wang, 2019). The focus of each definition varies; some include problem-solving as the key element (Minsky, 1985), others focus on the machine achieving its goal in a complex environment (McCarthy 1988), and the machines’ environmental adaptation (Newell & Simon, 1976). Recent definitions state that AI means “making machines intelligent, and intelligence is that quality that enables an entity to function appropriately and with foresight in its environment” (Nilsson, 2009, p. 13). This study follows Nilsson’s definition.

AI principles, particularly the ones designed by the Organisation for Economic Co-operation and Development (OECD), attempt to reduce this conceptual fragmentation. The goal of this organisation is “to shape policies that foster prosperity, equality, opportunity and well-being for all” (OECD, n.d.). There are five values-based principles (OECD.AI, 2019):

- Inclusive growth, sustainable development and well-being (P1);
- Human-centred values and fairness to ensure a just society (P2);
- Transparency and explainability to guarantee that people know when they are engaging with AI (P3);
- Robustness, security, and safety, which refers to functionality (P4);
- Accountability of organisations and individuals (P5).

The OECD also includes recommendations for policymakers, such as investing in AI research and international cooperation for trustworthy AI, amongst other suggestions (OECD.AI, 2019). The 38 OECD participants have adopted this framework, along with other non-members like Singapore (OECD, 2019).

Nevertheless, even if states do adhere to common principles, is the perception of these similar? This paper explores this question by utilising the OECD's AI principles to compare the AI governance models in Singapore and the European Union (EU), highlighting the divergence and convergence of their interpretations.

2. Literature Review

2.1 AI Governance: An Opportunity or a Challenge?

AI Governance currently has no set definition (Cihon et al., 2020a, p. 546). One possible conceptualisation involves making AI principles into “actionable practice and governance” (Mäntymäki et al., 2022, p. 604), contributing to their effectiveness. Nevertheless, the way they are incorporated within policies can vary, and studies also highlight that each country has different views on AI (Fatima et al., 2020). This research is inspired by the variation in the perceptions towards AI, where some authors show their concerns while others see it as an opportunity.

The benefits include both economic and societal advancements (Ulinicane et al., 2021, p. 74). There are opportunities within the medical field (Yeasmin, 2019) and interactive learning (Baidoo-Anu & Owusu Ansah, 2023). However, other documents emphasise the difficulty of drawing boundaries on the reach of this new technology (Dwivedi et al., 2021, pp. 37-39).

The interaction between politics and AI could promote power competition or oppression (Dafoe, 2018, p. 34). Possible biases within algorithms could impact the healthcare and justice system (Borenstein & Howard, 2021, pp. 62-63). Ensuring responsibility when AI causes errors, particularly in the public health system, is another concern (Gupta & Kumari, 2017). There are also challenges involving transparency and privacy (Coeckelbergh, 2020, pp. 127-145), voice impersonation, discrimination due to facial recognition, surveillance, and automation causing job loss (Siau & Wang, 2020, p. 77).

2.2 AI Policies: A Multiplicity of Voices

This research analyses the AI governance policies of Singapore and the EU. However, these are part of a wider production of AI policies globally. Due to the lack of consensus on the definition of AI and AI Governance, this poses difficulties in establishing solid policies (Calo, 2017, p. 407). The OECD's AI Policy Observatory includes about 800 AI policy initiatives from 69 countries, territories, and the EU (2021). The multiplicity of voices that exist can impact the coordination in the interpretation of global AI principles.

The growing interest of states towards AI has resulted in an abundance of comparative research on their different strategies. For example, some compare data protection and AI law frameworks between Australia, the EU and Singapore (Walters & Coghlan, 2019). Moreover, it is common to find comparative studies that include China, the US, the EU, and multiple countries in Asia (Roberts et al., 2023; Kumar, 2021; Almeida et al. 2022; Muehlematter et al. 2021; Dixon, 2022).

In addition, research has considered the influence of differing interpretations, especially within AI Ethics. There is a limited impact of ethical guidelines in decision-making (Hagendorff, 2020, pp. 113-114). Engagement with law and governance, specificity, reach, enforceability, and follow-up can determine the prosperity of ethical policies (Schiff et al. 2020, pp. 5-6). Moreover, documents state there is a global convergence of ethical principles, but their interpretations differ (Jobin et al., 2019). This finding can also be applicable to other principles of AI and not just ethics.

There is a debate on whether to centralise AI policy or to maintain the current fragmented approach (Cihon et al., 2020b, pp. 7-6). A standardisation of international AI processes can motivate states to have coherent research initiatives but also encourage trust (Cihon, 2019, p. 8). The idea of centralisation influenced this study by demonstrating the importance of coordination.

3. Methodology, Theoretical Considerations and Limitations

Singapore and the EU were chosen as the case studies due to their respective importance in the construction of AI Governance. Singapore was the first Asian country to present an AI Governance Model (Infocomm Media Development Authority, 2019). The EU was selected due to its aim to regulate AI with a vision towards the future (World Economic Forum, 2023). For the sake of clarity, a representative AI Governance document was selected for each case: for Singapore, the Model AI Governance Framework in its Second Edition and for the EU, the Proposal for an AI Act. The OECD's AI Principles are the common comparative variable because they are supported by the European Commission, and Singapore adheres to these principles.

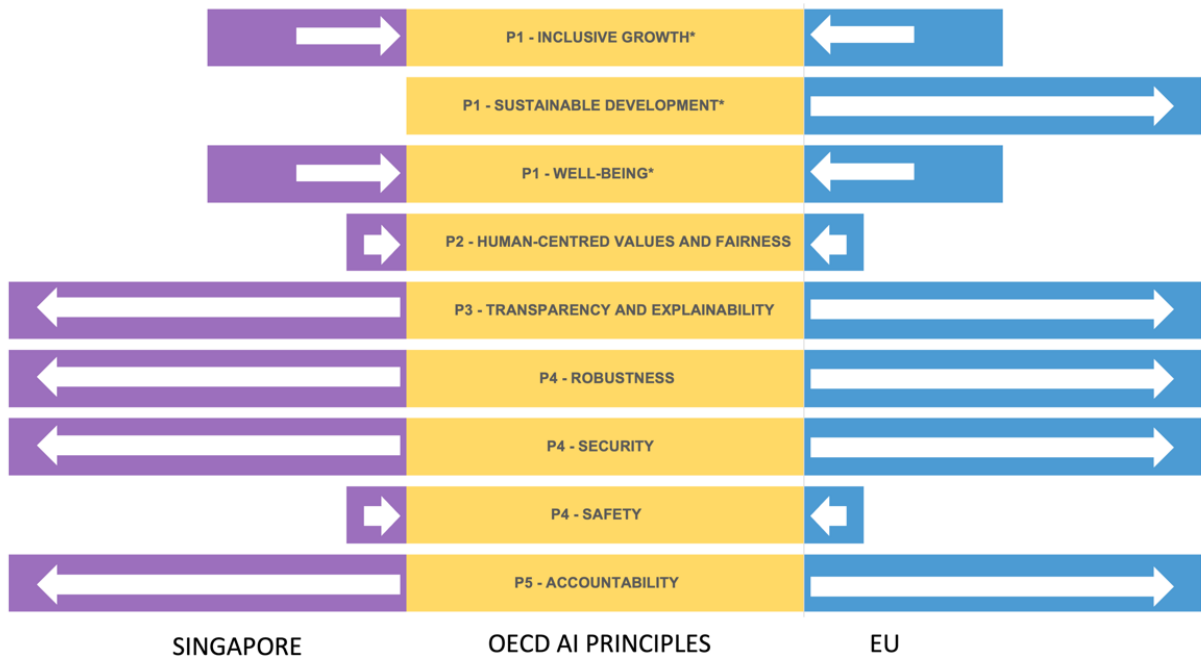
This paper specifically used framing for its analysis. The examination focused on how the principles were presented in each policy, highlighting the difference or convergence of interpretations. The strategy included analysing where each principle was stated expressly and implicitly; the latter can be inferred by the context. There are multiple explorations that analyse discourse analysis (Fairclough, 1989; van Dijk, 2008; Foucault, 1982; Wodak, 2009). This paper considered Nelson's definition: "Framing is the process by which a communication source constructs and defines a social or political issue for its audience" (1997, p. 221). This is complemented by Entman's definition that states that framing can "(...) *promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation* for the item described" (1993, p. 52)³.

It should be considered that the EU's AI Act is a proposed regulation and is subject to change. Furthermore, Singapore's Model AI Governance Framework Second Edition mentions some high-level guiding principles (2020, p. 15), but other principles are present implicitly throughout the document. Moreover, the generalisation of this study is limited because it analyses two cases and investigates one specific AI policy for each. This does not mean other policies do not exist. Possibilities for further research can include comparative analyses of multiple countries or more policy initiatives.

³ Italics in original text

4. Results

FIGURE 1: CONVERGENCE/DIVERGENCE OF INTERPRETATION OF OECD AI PRINCIPLES



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles⁴⁵

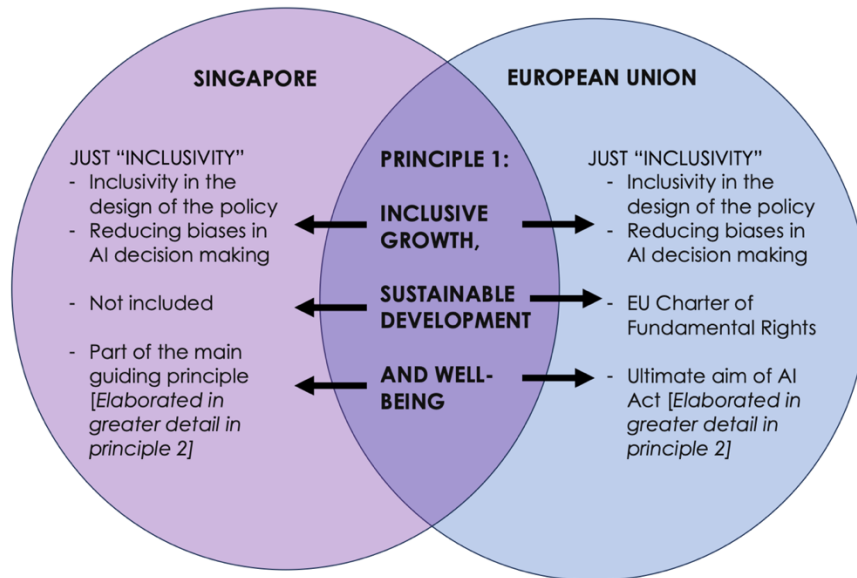
⁴ The arrows that go towards the principles demonstrate convergence in the interpretation, and divergence is shown through the arrows pointing in opposite directions.

⁵ An asterisk has been added to highlight some special findings. Inclusive growth has been interpreted as just "inclusivity". Sustainable development was mentioned by the EU, but not directly by Singapore. Well-being is further developed in principle 2.

5. Analysis: The Framing of OECD’s Principles

5.1 Inclusive growth, sustainable development and well-being⁶

Figure 2: Frame of Principle 1



Source: Author’s elaboration based on EU’s AI Act, Singapore’s Model AI Governance Framework Second Edition and OECD’s AI Principles

A) Inclusive growth

Inclusive growth is not mentioned as an integral part of either document. However, the framing of the word inclusivity by itself does converge. The few moments where inclusivity is stated relate to the creation of both initiatives, which were developed by considering multiple perspectives (EUR-Lex, 2021, p. 8-9; Personal Data Protection Commission Singapore, 2020, p. 8). Furthermore, inclusivity is implicitly part of minimising the risks of biases within AI-assisted decisions. This is present in Article 10f of the EU’s AI Act and in Singapore’s Model in the Data for Model Development section (2020, p. 36).

⁶ This principle is not addressed in conjunction throughout the documents. Therefore, it was divided into sections to understand the specific framing of each.

B) Sustainable development

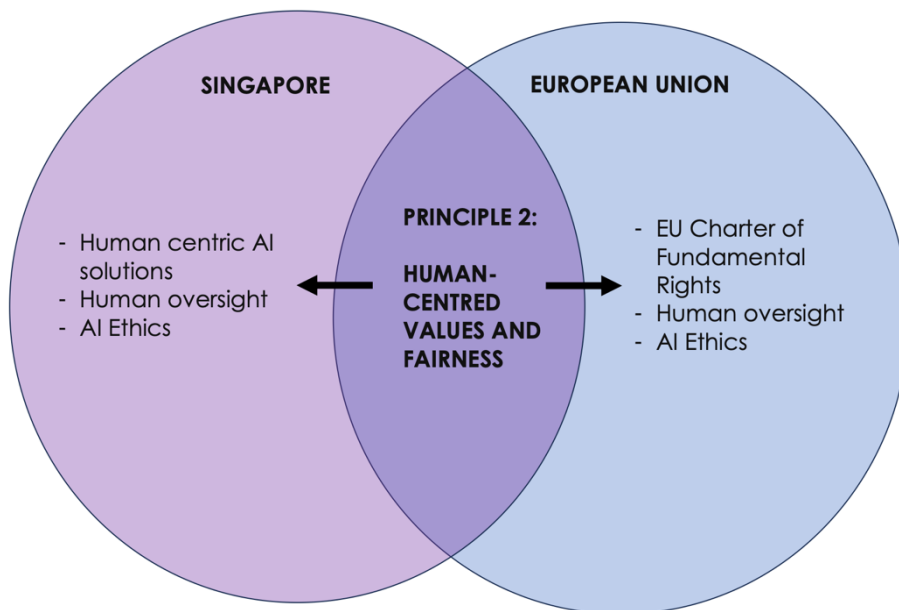
The AI Act focuses on the EU Charter of Fundamental Rights, and Article 37 of the Charter mentions environmental protection (EUR-Lex, 2012). In the case of Singapore, sustainable development is not expressly stated. There are mentions of AI's adaptability to its environment, but this is done from a technical perspective (2020).

C) Well-Being

During AI usage, within the EU's AI Act, well-being by itself is mentioned as the "ultimate aim" (2021, p. 1). For Singapore's Model, well-being is a fundamental part of the human-centric main guiding principle (2020, p. 15). There is convergence because both put this as their principal goal. Well-being is further developed in relation to Principle 2 in both documents.

5.2. Human-centred values and fairness

Figure 3: Frame of Principle 2



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

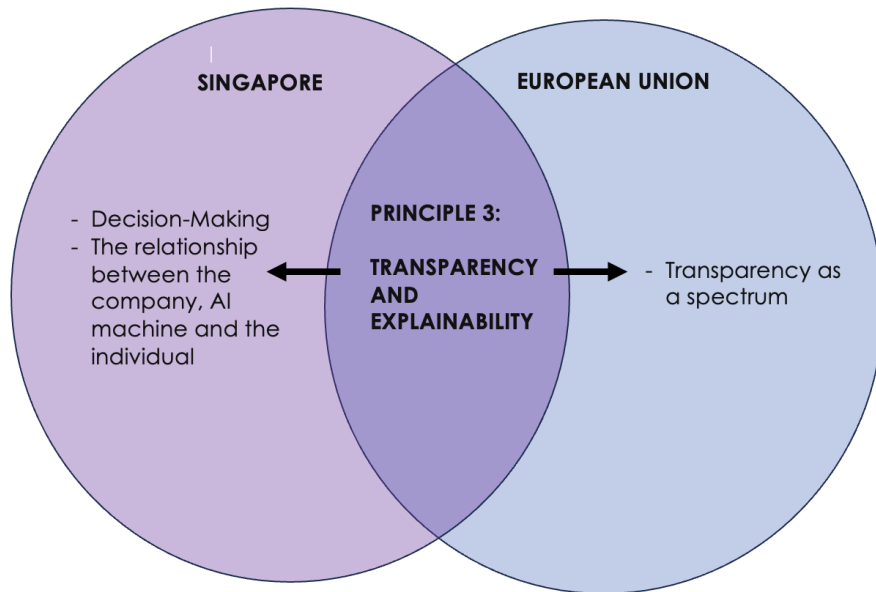
The AI Act centres around the EU Charter of Fundamental Rights. This is a specific objective where the regulatory framework aims to “ensure that AI systems placed on the Union market and used are safe and respect existing law on fundamental rights and Union values” (2021, p. 3). Fairness is also implicitly present in Article 14 through human oversight, which can safeguard “health, safety or fundamental rights,” especially using high-risk AI (2021, p. 51). Lastly, the AI Act coordinates approaches through ethical codes (2021, p. 1-8).

Singapore states in its guiding principle that “AI solutions should be human-centric” (2020, p. 15). This is elaborated in relation to human oversight in AI-augmented decision-making (2020, p. 28). There are degrees of how much human oversight is needed in the decision-making process depending on the risk (2020, p.30). Singapore also focuses on establishing the ethical use and deployment of AI (2020, p.21-28).

This principle has considerable convergence. Both documents include the human factor as the specific objective or principle. Furthermore, human oversight is also present, and the structure is similar because its degree increases based on greater risk. Furthermore, both mention the importance of participating and solidifying AI ethics.

5.3 Transparency and explainability⁷

Figure 4: Frame of Principle 3



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

The AI Act puts differing obligations regarding transparency for each AI system. High-risk AI systems require strong transparency obligations (2021, p. 1-6); this is detailed in article 13. Title IV establishes the transparency obligations for specific systems, such as the ones that interact with humans or are used to detect emotions, amongst others (2021, p.14).

In the guiding principles of Singapore's Model, it mentions that organisations that use AI in decision-making should be "explainable, transparent and fair" (2020, p. 15). Therefore, AI systems should indicate their confidence level in the answers they have provided (2020, p. 24). Transparency and explainability are both pillars of building trust (2020, p. 44). Moreover, this principle can become "meaningful" (2020, p. 54) by

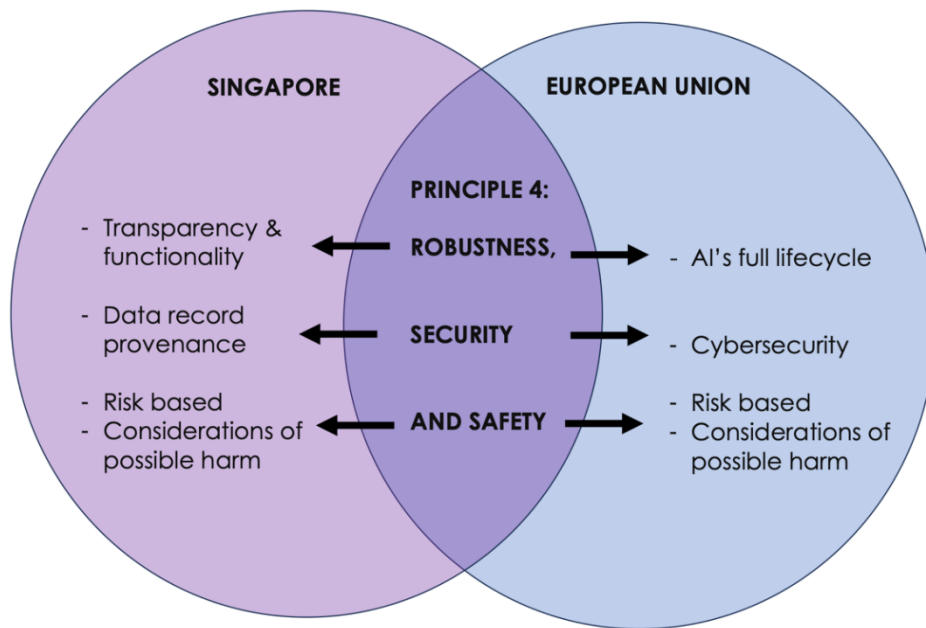
⁷ Both documents incorporate these elements in conjunction and were not separated for this section.

encouraging companies to maintain an open dialogue between the organisation and the individual.

The framing of this principle does differ between both cases. The AI Act focuses more on the word transparency than explainability. Moreover, transparency depends on the risk associated with different types of AI, putting transparency on a spectrum. Singapore includes both terms more frequently, and explainability is the measure to reach greater transparency. Moreover, it establishes a relationship between the company practices, the AI machine, and the individual.

5.4 Robustness, security and safety⁸

Figure 5: Frame of Principle 4



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

⁸ This principle is not addressed in conjunction throughout the documents. Therefore, it was divided into sections to understand the specific framing of each.

A) Robustness

In the AI Act, robustness is part of the evaluation mechanism for high-risk AI and is a mandatory requirement before AI is put on the market (2021, p. 9; p. 27). Furthermore, robustness is seen, amongst other elements, as “strictly necessary” to lower of high-risk AI harm and increase safety (2021, p. 7). Moreover, it is a “key requirement” in the technical resilience of AI systems to prevent errors (2021, p. 30). Article 15 establishes that high-risk AI must be designed, taking this principle into account (2021, p. 52).

Singapore’s Model AI Governance Framework includes robustness as a measure to ensure transparency in algorithms and maintain their accurate functionality (2020, pp. 43-47). Furthermore, robustness can be further ensured through internal governance structures (2020, p. 21).

Robustness ensures different objectives. Singapore established a governance structure to ensure transparency and AI functionality. In the case of the EU, robustness is a strategy to contain high-risk AI in its full lifecycle, beginning with its design, evaluation, entering the market, and its technical resilience. Hence, it establishes a holistic view.

B) Security

Neither document expressly focuses on security alone. Within the AI Act, security is tied to cybersecurity and preventing threats to public and national security. On the other hand, Singapore relates it to data record provenance.

C) Safety

The AI Act is built on safety; this is established as one of the main objectives to solidify governance and enforce fundamental rights, and safety (2021, p. 3). Furthermore, title II establishes a regulation based on risks such as (i) an unacceptable risk, (ii) a high risk, and (iii) a low or minimal risk (2021, p. 12). Additionally, Title III details the conceptualisation of high-risk AI.

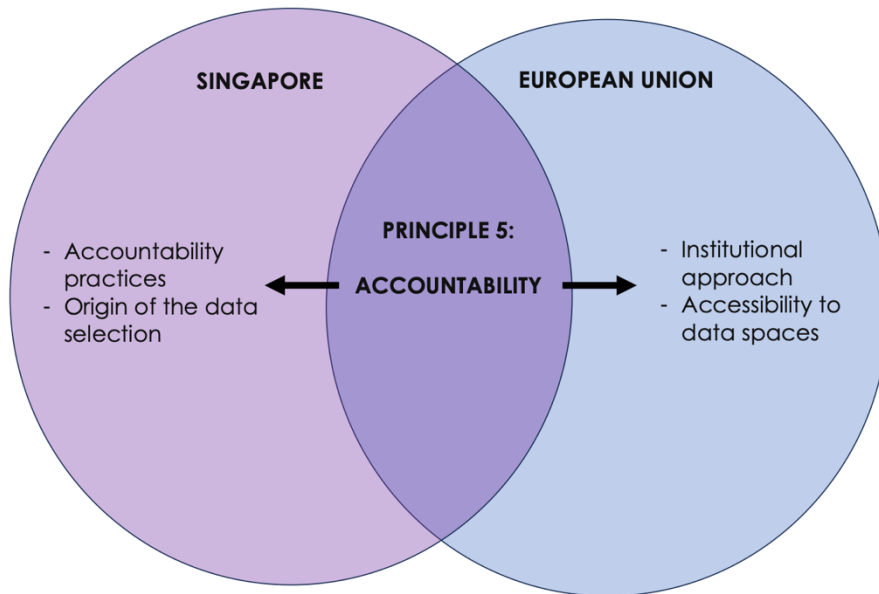
Singapore’s Model AI Governance Framework also focuses on managing risk. Safety is an integral part of the human-centric principle (2020, p. 15). Moreover, this factor is analysed in two sections: in the Internal Governance Structures and Measures and in Determining the level of Human Involvement in AI-augmented Decision-making. The

latter part also establishes a risk impact assessment when utilising AI solutions and the probability and severity of harm (2020, pp. 29-31).

Both documents converge in establishing safety within the frame of risk management. This means ensuring the security of humans when using AI to make decisions, as is the case of Singapore, or protecting fundamental rights from high-risk AI, as occurs for the EU. Both include harm or potential harm as an element to combat.

5.5 Accountability

Figure 6: Frame of Principle 5



Source: Author's elaboration based on EU's AI Act, Singapore's Model AI Governance Framework Second Edition and OECD's AI Principles

For the EU, accountability is expressly mentioned in connection to AI high-risk systems and accessibility to data spaces (2021, pp. 27-29). On the other hand, accountability is implicitly present in the Governance and Implementation Section (2021, p. 15). This includes various structural propositions, such as creating a European Artificial Intelligence Board and establishing an EU database for high-risk AI.

Singapore's Second Model AI Governance expressly mentions accountability more times. Accountability is linked with data management and protection, as established in the Data for Model Development Section through good data accountability practices (2020, p. 36).

There are differences in the framing of the accountability principle based on structure. The EU establishes an institutional framework, and Singapore presents a guideline for organisations that have AI departments. Furthermore, the EU emphasises equal access to data, but Singapore centres on the origin and selection of data since this is the determining factor for effective AI solutions.

5.6 Possible Strategies to Converge Interpretations

Based on the results and the literature review, this section makes some suggestions on how to bring interpretations closer. This can be done by strengthening communication strategies and science diplomacy. Based on the literature, "coordination seeks to measure the proactive steps that AI-related regimes take to work with each other" (Cihon et al., 2020a, p. 553). Moreover, studies mention the lack of communication strategies in AI policies, particularly on the internal impact of AI within states (Fatima et al., 2020). To motivate coordination, this can be achieved by establishing an international communication strategy within AI national policies. Moreover, there is a real opportunity for international cooperation instead of international competition; this can be done through science diplomacy (Ulnicane et al., 2021, pp. 80-82). By collaborating on international research, especially in AI policy development, can motivate greater convergence in interpretation.

6. Conclusion

This paper explored the convergence or divergence in the interpretation of OECD's AI principles by comparing the AI Governance strategies of Singapore and the EU. The greatest similarity in perception is present for human-centred values and fairness (P2), inclusive growth and well-being (P1), and safety (P4). However, there are divergences in other elements of these same principles, such as robustness and security (P4). This also applies to transparency and explainability (P3) and accountability (P5). Moreover,

sustainable development (P1) was not directly mentioned by Singapore. An international communication strategy within AI national policies and strengthening science diplomacy can lead to further convergence. The results of this study shed light on the complexities of making global frameworks actionable because there is not always a uniform interpretation.

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From Beijing to Belgrade: China's Digital Silk Road in Serbia and its Implications for the European Union

Anniek Sienot⁹

Abstract

When China announced plans for the Digital Silk Road (DSR) in 2015, it became the technological part of the widely discussed Belt and Road Initiative (BRI), a bold policy effort aimed at boosting connectivity across Eurasia. Despite widespread interest, there remains a limited understanding of the DSR's specifics. Nevertheless, DSR-related projects have proliferated, including in Serbia. These projects raise questions for the EU, which considers the Balkans a strategic region in the heart of Europe. This article advises a nuanced understanding of the DSR in the Western Balkans to bolster the EU's regional strategy. To that end, the article presents a case study on Serbia to assess the implications of the DSR for Brussels. Through a comprehensive literature analysis, the article identifies economic, normative, and security challenges to the EU posed by China's DSR in the Balkans.

Keywords: Digital Silk Road, China, European Union, cyber governance, Serbia

1. Introduction

Since its inception as part of the Belt and Road Initiative (BRI), the Digital Silk Road (DSR) has captured global attention. However, DSR projects, including in the Western Balkans, have remained shrouded in secrecy. In a time when technology is a vital part of everyday life as well as the growing geopolitical competition between China and the US, the DSR puzzles many politicians, policymakers and analysts alike (Hussain et al., 2023). In response to the intensifying US-China rivalry, technological decoupling

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has emerged as a key point on the agenda for the US, a traditionally tech-dominant power, and rising digital power China (Yeoh & Chen, 2022). As Europe finds itself caught between the two powers in a deepening Cold Tech War, comprehending the implications of the DSR becomes pivotal.

DSR projects have sprouted up in the Western Balkans and particularly Serbia, posing strategic challenges for the EU. Especially in light of what some have called China's "digital authoritarianism", the impact of the DSR in Serbia is important to study (Makowska, 2022). China's increasing involvement in the region poses risks to the EU's diplomatic objectives, especially considering Serbia's aspirations for EU accession (Petrovic, 2019).

Against the backdrop of an increasingly assertive China, the European Union (EU) is struggling to adapt. Since President of the Commission Ursula von der Leyen called for "de-risking" rather than decoupling (Von der Leyen, 2023), it is vital to map China's influence in strategically important areas for the EU. Existing scholarly works often adopt a Beijing-centric perspective (e.g. Fung et al., 2018) or focus on China's neighbouring countries or Africa as case studies (e.g. Mochinaga, 2020; Van der Lugt, 2021), overlooking the Western Balkans, a region that offers valuable insights into the EU's relationship with the DSR and China's digital policies. This article aims to bridge that gap.

Through its literature review and case study of Serbia, this article aims to identify the challenges posed by China's increasingly active involvement in Western Balkan cyberspace. This analysis contributes to the EU's strategy in the region, assessing the risks, while still acknowledging the benefits that technological and economic cooperation with China can bring.

This article comprises three sections. The first section provides a literature review of the Chinese and European styles of cyber governance, including the Digital Silk Road. This will lead to the second section, which is divided into two parts. The first part digs deeper into the case study of Serbia and how the DSR is implemented there. Finally, the second part identifies the main DSR-related challenges for the EU.

2. Literature Review

2.1 Chinese cyber governance and the DSR

Cyber governance refers to the policies and mechanisms implemented to manage activities in cyberspace to ensure security. In the relatively short time that the Internet and cyberspace have emerged, different states have developed distinct ways of coping with this new realm of governance. As the boundaries between cyberspace and real life are increasingly blurred, the digital domain has become more geopolitical (Chen & Yang, 2022). Some have even referred to the emergence of “techno-spheres” in which states attempt to establish norms and standards within their respective cyber realm (e.g. Korreck, 2021, p. 3). As such, Chen and Yang (2022) have argued that the Internet has become a stage for rising geopolitical tensions and competition between China and the West.

Indeed, many articles have been written on the differences between Chinese and Western models of cyber governance (Chen & Yang, 2022; Gao, 2022; Silvestri, 2021). Over the past decade, China has quickly gained ground as a leader in technological development (Winter, 2022). Moreover, the Chinese net has the biggest number of internet users worldwide (Gao, 2022). Subsequently, it has also adopted a characteristic style of cyber governance with several key features. First and foremost, various scholars highlight the concept of ‘cyber sovereignty’ (网络主权 *wangluo zhuquan*) as central to understanding the Chinese digital policy (Eder et al., 2019; Erie & Streinz, 2021). With this term, the Chinese government claims jurisdiction over the Internet at a national scale (Creemers, 2020).

According to Dekker et al. (2020), cyber sovereignty is used as the normative basis for many of the CCP’s digital policies, such as its infamous online censorship and the ‘great data wall’ (p. 16). In the same vein, Kozłowski (2020) has highlighted how the CCP uses its far-reaching internet control for mass surveillance, while also increasing individual living standards. This way, the Chinese cyber governance style combines several core interests of the Party: sovereignty, control over its citizens, and economic

wealth (Erie & Streinz, 2021). Various authors have used the label 'digital authoritarianism' to refer to China's cyber governance (Codreanu, 2022; Taylor, 2022).

When the DSR was announced, this fuelled a rapidly spreading narrative among Western politicians that the CCP is propagating a 'techno-authoritarian model' beyond Chinese borders (Hussain et al., 2023, p. 13). The Digital Silk Road (DSR) is the technological component of the BRI, running parallel to the land-based Silk Road Economic Belt and the Twenty-First Century Maritime Silk Road (Erie & Streinz, 2021). But where the latter two are more clearly demarcated and visible to outside onlookers, the DSR has remained elusive and often misunderstood, not in the least because its parameters are purposely kept ambiguous. When President Xi Jinping opened the Belt and Road Forum in May 2017, he revealed plans to pursue "innovation-driven development [...] in frontier areas such as digital economy, artificial intelligence, nanotechnology, and quantum computing, and advance the development of big data, cloud computing, and smart cities so as to turn them into a digital silk road of the 21st century" (Xi, 2017).

Naughton (2020) explained that the DSR aims to build 'smart infrastructure', using digital networks and 5G telecommunications. However, Creemers (2021), on the one hand, noted that there is a gap between the DSR as presented by the CCP and reality. According to him, there is still a long way to go before the DSR evolves from a catchphrase into a fully fleshed-out, comprehensive policy initiative (Creemers, 2021). Erie and Streinz (2021), on the other hand, argued that the CCP increasingly has a say over both the physical and virtual components of digital infrastructure in third countries. Consequently, Beijing not only has a say over these infrastructures but also the rules and norms that guide their use.

This is in line with Chinese ambitions for the future: as Zeng et al. (2017) have pointed out, China is seeking more and more to be a 'norm maker' rather than a 'norm taker'. Hussain et al. (2023) further supported this by analysing China's motivation behind the DSR and its wider digital strategy. They found that the Chinese government seeks to increase its international influence by synchronising its technology, software and services with that of other countries. In turn, this can provide Beijing with more technological as well as political leverage (Hussain et al., 2023).

2.2 European models of cyber governance

Whereas the Chinese model of cyber governance is distinguished by the centrality of the government and cyber sovereignty, the European approach values individual liberty and privacy (Kozlowski, 2020). The EU stresses the importance of the free flow of information and freedom of expression (Gao, 2022). What's more, the EU emphasises an open, multi-stakeholder system (Liu, 2012). Rather than full government control over the digital domain, European states underline the importance of having several actors govern cyberspace. Hence, European-style cyber governance significantly differs from the Chinese model. The next section outlines how these differences play out in the Western Balkans.

3. China's engagement with Serbia: Strategic implications for the EU

3.1 The Western Balkans: A bridge between continents

The Western Balkans, which includes Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, and Serbia, are at the crossroads of Europe and Asia, forming a vital bridge between the continents. They lie in the immediate neighbourhood of the EU, at the edge of the Union: not fully-fledged EU member states but with the prospect of joining Brussels in the future. Indeed, the EU envisions a gradual integration process for these countries to join the Union (De Munter, 2022). Furthermore, several Balkan countries, namely Albania, Montenegro, and North Macedonia, are NATO members who rely on the US for defence and security (Vladisavljev, 2021). Thus, the Balkans play a key role not only in Eurasian relations but also in Washington's strategic considerations.

Currently, the EU is the largest economic partner of the Western Balkans, providing loans, subsidies, and investments (Zweers et al., 2020). At the same time, most of these countries have also seen an increase in trade with China in the past few years (Mardell, 2020). Not only is China handing out loans as part of its BRI but it has also gained soft power, for instance through cultural diplomacy and Western Balkans' cooperation with Chinese media agencies (Zweers et al., 2020). According to Beijing's objectives, the Balkan countries are to be home to China's Land-Sea Express Corridor, which will

connect China to Europe as part of the BRI (Zweerst et al., 2020). Digital Silk Road-related projects go hand in hand with this Corridor: to boost the region's connectivity, Chinese-manufactured technology now forms the basis for most of the telecommunications infrastructure in all of the Western Balkans (Vladisavljev, 2021).

A prime example of China's growing digital footprint is Serbia. Of all of the six Balkan countries, Serbia has been closest to China and central to the development of the DSR (Vladisavljev, 2021). Both economically and politically, Serbia has welcomed Beijing's presence in the region. Belgrade's political elites have readily accommodated China's involvement. Meanwhile, Serbia is an interesting country for China to invest in because of its low labour costs, geographical location, and logistic potential (Brown & Burjanadze, 2020).

Serbia hosts numerous DSR projects. Some are related to telecommunications, such as the installation of 5G networks that replace the previously state-led telecoms operator, while others come in the form of so-called "smart city" projects (Krulj, 2019; Vladisavljev, 2021). These include surveillance software supplied by Huawei to the Ministry of Interior, which oversees the national police and anti-terrorism forces (Krulj, 2019). While carrying out these projects, little attention is paid to citizens' rights. This raises concerns for Brussels and puts Serbia's national security at risk (Vladisavljev, 2021).

A key driver of Chinese involvement in Belgrade is Serbia's need for economic development. Chinese investments fill a gap that the EU has thus far been unable to fill. Even though Brussels is responsible for over 70 percent of foreign direct investment in Serbia, this has not been enough for Serbia's economy to grow sustainably (Krulj, 2019). Thus, China's readiness to pour money into the Serbian economy has not only boosted economic growth but also created much-needed jobs. More fundamentally, Chinese investments have helped fund reforms Serbia needs to achieve the objective of its accession to the EU by 2025.

Hence, China's growing digital engagement in Serbia in itself is not necessarily a strategic threat to Europe. Chinese companies are mainly responding to demand for more telecommunications infrastructure in countries such as Serbia (Triolo et al., 2020). However, there are some areas of interest in which Chinese activities in Serbia might pose challenges to the EU (Brown & Burjanadze, 2020). Through selling 'package deals', the PRC encourages reliance on Chinese technologies (Triolo et al.,

2020). This reliance has various ramifications for the EU, ranging from economic, to value-based, to security challenges.

3.2 The DSR's implications for the EU's economic competitiveness

First and most obviously, the BRI and by extension, the DSR are commercial undertakings. It allows Chinese companies to create new markets: eager to supply, they build digital infrastructure in countries and cities where digital infrastructure has been lagging. In doing so, Chinese tech giants compete with their Western counterparts (Creemers, 2021). Even though Western enterprises might have had the technological advantage in the past, those days are long gone. Chinese alternatives are now readily available, often at lower prices than European or American products (Kozlowski, 2020). Furthermore, Chinese companies are considerably less risk-averse in their investments abroad than Western firms (Kozlowski, 2020). Consequently, China's growing digital footprint, both in the Western Balkans and more widely abroad, forms an economic challenge to the EU. European firms risk being outcompeted by their Chinese counterparts.

3.3 The battle for cyber norms and standards

Perhaps more fundamental is the risk that China's digital governance poses to European norms and standards. The EU is committed to an open economy rooted in liberal norms, rules, and standards (Naughton, 2020). Although China's influence in standard-setting international institutions is not yet as significant as that of the EU or the US, it is growing (He, 2022). Moreover, Beijing is advocating its standards in increasingly assertive manners (Dekker et al., 2020). Naturally, this puts pressure on European norms, for instance when it comes to digital human rights like online freedom and individual privacy (Hemmings, 2020).

Via its provision of digital infrastructure for its DSR projects, China can use the opportunity to increase its standard-setting power and gather support for its cyber sovereignty concept. Especially in digitally underdeveloped places, such as the Western Balkans, Chinese technology provides Beijing with an excellent chance of becoming the technical standard provider (Kozlowski, 2020). Countries that are only beginning the digitalization process now could be tempted to copy (parts of) the

Chinese state surveillance model (Hemmings, 2020). Undoubtedly, this would be undesirable for aspiring EU member states.

3.4 National security concerns and geopolitical influence

Geopolitical influence is closely tied to cyber norms. Ultimately, those who win the hearts and minds of people gain political power. Providing countries and their inhabitants with much-desired digital infrastructure could do exactly that. This way, China's digital presence in the Western Balkan could result in gaining the favour of local governments (Creemers, 2021). Additionally, the Western Balkans is a sensitive region for Brussels: Chinese digital influence could be transferred to the EU when the Balkan countries accede to the Union (Hemmings, 2020). Some European countries, supported by the US, have expressed concerns about the installation of Huawei networks in Serbia, claiming that this could give Chinese agencies access to data via secret build-in backdoors (Hussain et al., 2023).

In the face of this geopolitical challenge, the EU has thus far remained remarkably lacklustre. It seems as though the EU is unwilling to take a stance, lacking a decisive, widely-shared response to the challenges to its cybersecurity (Dekker et al., 2020). Consequently, Europe, including the Balkan countries, has often turned into a playing field for geopolitical games between the US and China, each trying to establish technological dominance.

4. Conclusion

The Chinese and European models of cyber governance are clashing. By extending its Belt and Road Initiative into the digital domain, the PRC has put forward an ambitious policy initiative that could accelerate the dissemination of Chinese cyber norms. A pivotal region in this respect is the Western Balkans, which is vital for the EU's enlargement policy.

Even though the Chinese DSR is still in the early stages of development, it already presents challenges to the EU in economic, normative, and geopolitical terms. Not only are European businesses increasingly facing Chinese counterparts in the market, but EU norms and standards are also confronted more and more with Chinese attempts at digital standard-setting. This forms a geopolitical dilemma for the EU, which cannot afford to completely turn away from China but also cannot ignore Beijing's growing influence in Serbia. The Serbian case demonstrates the difficult

predicament some countries find themselves in, stuck between powers with diverging priorities.

This article sheds light on the need for a more nuanced understanding of the risks and benefits associated with technological and economic collaboration with China. By examining the implications of China's DSR in the Western Balkans, with a specific focus on Serbia, this article underscores the pressing need for the EU to develop a balanced understanding of China's foreign policy. Such an understanding is crucial to formulate an effective strategy to navigate the challenges posed by China's expanding digital presence abroad. By carefully assessing the economic, normative, and geopolitical dimensions, this article contributes to the EU's informed decision-making and policy formulation in the Western Balkans. More detailed research is required to build on this initial exploration of the DSR in the region. Future studies should examine specific Sino-Serbian cyber governance cooperation in more depth.

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The Emergence of Regional Multilateral Approaches to Disability Rights : A Comparative Evaluation of the EU and ASEAN

Nicola Crowe¹⁰

Abstract

While the families of disabled individuals have historically been those faced with the highest care duties, the intensification of the disability rights movement since the 1990s has contributed to greater responsibility being placed on the nation-state. As such, the United Nation's Convention on the Rights of Persons with Disabilities (CRPD) marked a significant turn – consolidating the first international standard of disability rights. With many nations adopting the CRPD into their domestic politics, regional institutions have sought to centre the Convention within their multilateral initiatives – with the European Union (EU) and Association of Southeast Asian Nations (ASEAN) being two of the most notable regional organisations to have followed this path. Through this paper, the approaches of these institutions are critically evaluated to explore how regional multilateralism has contributed to the advancement of disability rights. Utilising document analysis of key policy to contrast the disability rights approaches of the EU and ASEAN, this paper elevates welfare multilateralism as a potential alternative to the welfare state. This analysis proves that, while integral to maintaining attention to the disability rights agenda, regional multilateralism currently remains incapable of displacing the nation-state as that which holds power over the lived realities of disabled individuals.

Keywords: Disability, multilateralism, European Union, ASEAN, welfare

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1. Introduction

The status of disabled individuals has long been debated across societies, yet the onus for the provision of disability rights remains contested. While the families of disabled individuals have historically faced the highest care duties, the intensification of the disability rights movement since the 1990s has contributed to greater responsibility being placed on the nation-state (Kim, 2017). However, this, too, has experienced changes in recent years, with the United Nations' (UN) Convention on the Rights of Persons with Disabilities (CRPD) introducing the first international standard for disability rights (Ferri & Broderick, 2020). As many nation-states have adopted the CRPD, thereby signifying their integration into international norms and regulations, regional organisations have sought to centre the Convention within their initiatives, catalysing multilateral approaches to disability rights.

Taking these shifts into consideration, this paper explores how regional multilateralism has contributed to the advancement of disability rights. Document analysis was undertaken on the central initiatives of the European Union (EU) and the Association of Southeast Asian Nations (ASEAN), with policies assessed on three factors: the elevation of disabled organisations, power afforded to nation-states, and impact. These factors were selected to reveal the differing motivations, reach, and outcomes of each policy, facilitating the assessment of their influence on advancing disability rights. Through evaluating these approaches, this research will argue that while important to sustaining attention to disability rights, multilateralism has fallen short of producing significant region-wide change. After providing background on disability policy across Europe and Asia, outlining relevant literature, and analysing key disability legislations of the EU and ASEAN, the paper will conclude that current multilateral approaches require amendments to ensure robust and consistent standards capable of sufficiently improving the lived realities of disabled individuals.

2. Background on disability policy: Europe and Asia

Disability is a social issue that transcends borders. However, attitudes towards disabled individuals remain significantly influenced by location, as marginalisation is fundamentally constructed by society (Garland-Thomson, 2002). While impairments are universal, it is the norms and structures invoked within nations and regions that

dictate the level of support, stigma, and visibility that disabled individuals experience – resulting in vastly differing lived realities of disabled embodiment.

Although developing countries typically experience higher rates of disability (Cogburn & Reuter, 2017), the World Health Organization (WHO, 2011) has estimated Southeast Asia and Europe to have a similar prevalence, comprising approximately sixteen per cent of regional populations, therefore making their comparison appropriate. Observable through such comparison, social attitudes and values towards disabled individuals have varied across modern history despite points of convergence. Both regions have traditionally viewed disabilities as medical impairments (Cogburn & Reuter, 2017; Ferri & Broderick, 2020), and, therefore, something to be cured or prevented through policies such as eugenics, legislation focused on “the elimination of human ‘defects’” (Mitchell & Snyder 2003, p. 844). However, the rationale behind each region’s pursuit of eugenics differed. The force of colonialism, for example, effectively divided the intent of each region, with European nations promoting eugenics to homogenise themselves and their colonies, while East Asian nations were both victims of European policies and enactors of eugenics post-colonisation as a means of nation-building (Kim, 2017; Mitchell and Snyder, 2003). This example indicates that, although regions may adhere to global trends in disability policy, reasons vary greatly. As such, although the international turn towards social approaches to disability policy – recognising cultural influences as important to the marginalisation of the disabled (Garland-Thomson, 2002) – has undoubtedly been catalysed by the CRPD, the potential for divergence between regions warrants further exploration.

Adopted by the UN in 2006 and effective from 2008, the CRPD is an international human rights instrument, designed to clarify the rights of disabled individuals, identify areas for development, and improve societal attitudes (UN, 2023). With 186 Parties ratifying the CRPD (UN, 2023), the Convention represents a strong source of international pressure to implement and sustain sufficient welfare for disabled individuals. However, despite ratification being a domestic decision, the implementation of the CRPD has taken a regional turn, meaning that nations have increasingly sought to coordinate action through multilateral approaches. Both the EU and ASEAN have become forums for such multilateralism, developing initiatives to promote disability rights among members. The EU has predominantly focused on the ‘Strategy for the Rights of Persons with Disabilities 2021-2030’ (hereafter EU Strategy) and the ‘Accessibility Act’ (EU, 2019; EU, 2021). As for ASEAN, it has pursued the

'Incheon Strategy to "Make the Right Real" for persons with disabilities in Asia and the Pacific' (hereafter Incheon Strategy) and the 'ASEAN Enabling Masterplan 2025: Mainstreaming the Rights of Persons with Disabilities' (hereafter Masterplan) (ASEAN, 2018; ESCAP, 2012).

Therefore, as multilateral approaches to disability rights have increased, exploration of the policies enacted by the EU and ASEAN represents a valuable point of analysis.

3. Literature review

Critical Disability Studies has been pivotal to the increased acceptance of disability as a socially constructed state of oppression rather than a mere form of medical impairment (Wendell, 1989). The emergent discipline has developed alongside associated fields, such as critical race, feminist, and queer studies, to emphasise the intersections between ableism, heteropatriarchy, and white supremacy (Garland-Thomson, 2002; Schalk and Kim, 2020). Summarised effectively by McRuer (2003), the exclusion of social minorities has been found to result from the elevation of the male, heterosexual, and able-bodied as the social norm. Research has subsequently sought to interrogate the domains of everyday life that sustain this perceived inferiority, with Charlton (1998) emphasising national institutions such as the family, media, education, and State to be complicit in perpetuating ableist standards. Scholars such as Das and Addlakha (2001) have presented the family as the most influential sphere, being that which localises disability as an unfavourable experience and a deficit of disabled individuals. Conversely, Worrell (2018) has emphasised the importance of the media in naturalising discrimination towards disabled individuals, due to its frequent use of stereotypical and inaccurate representations of disabilities. However, while these realms undoubtedly contribute to the marginalisation of the disabled, the State arguably possesses the most overt power, as McRuer (2010) has highlighted it to be capable of controlling disabled individuals through welfare support and legislative protections. The nation-state has also been shown to influence societal understandings by promoting a specific model of disability, most commonly either the medical model, which views disabilities as personal tragedies that require cure or rehabilitation, or the social model, which views disabilities as related to detrimental social and material conditions (Mohamed & Shefer, 2015). As such, the State warrants exploration as the most dominant national

institution, and that which partakes in regional multilateralism – the focus of this paper. Despite its dynamic nature, the Critical Disability Studies remains largely Western-centric in focus and origin (Mohamed & Shefer, 2015), with minimal exploration of contexts such as Asia. Consequently, comparative analysis of the EU and ASEAN can effectively expand the geographical focus of the field while simultaneously elevating multilateral organisations as underexplored actors.

4. Multilateral approaches to disability rights: An evaluation

Having established the value of analysing the EU and ASEAN's multilateral action, this section comparatively evaluates their central policy approaches: the Incheon Strategy, Masterplan, Accessibility Act, and EU Strategy.

4.1 Elevation of disabled organisations

As organisations of and for disabled individuals have been at the heart of disability activism, including the creation and implementation of the CRPD (Phillips, 2012), their elevation is important to the pursuit of equality. However, the EU and ASEAN have placed varied emphasis on this within the development and application of their initiatives.

In the development of disability rights policy, ASEAN has demonstrated a more integrated approach with disabled actors. The Incheon Strategy was developed through cooperation between government officials and disabled actors, with the participation of organisations of and for disabled individuals even established as an indicator for one of the strategy's ten goals (ESCAP, 2012). Further, the Masterplan sought to introduce capacity-building features, focusing on developing the knowledge and skills of disabled actors alongside government officials (ASEAN, 2018). Hence, ASEAN has placed an emphasis on nurturing the voices of disabled actors, highlighting their position as primary political actors, central to the success of policies.

In contrast, disabled individuals and organisations are presented as a secondary concern within EU disability policy development. While the Accessibility Act has highlighted the need to include disabled actors to “facilitate exchange of information... [and] foster cooperation” and constructs a working group to do so (EU, 2019, Article

28), the EU Strategy merely encourages Member States to cooperate with disabled individuals (EU, 2021). From this, EU policymaking is placing disabled individuals and organisations in a more peripheral position.

However, when considering the implementation of disability policy, the EU and ASEAN possess similarities. Within both organisations, disabled actors are afforded importance alongside non-disabled actors in the monitoring of policies' success, rather than an elevated status as those most knowledgeable of or impacted by the disability rights agenda. In ASEAN, only two nations have included disabled actors in the monitoring of disability policy. Nevertheless, this remains collaborative, with Indonesia accruing power to both the Ministry of Social Affairs and disabled organisations and Cambodia acting through the Disability Action Council, which comprises of governmental and non-governmental representatives (Cogburn & Reuter, 2017). Consequently, despite ASEAN's inclusion of disabled actors within policy development, the absence of such actors throughout policy implementation indicates a failure to sustain these standards. The EU has similarly included disabled organisations alongside governmental and academic actors, with working groups and monitoring mechanisms routinely dominated by non-disabled actors such as the Council of Europe, the WHO, and the Academic Network of Disability Experts (Priestley, 2013). Due to this dominance of non-disabled actors, disabled actors are therefore shown to be included to a limited extent within the EU, with a lack of influence in any stage of the policy process.

As such, although ASEAN is proven to greater encourage the inclusion of disabled organisations in the development of disability rights policies, both organisations display minimal attention to their elevation within policy implementation. Throughout their policies, the EU and ASEAN are shown to include disabled actors as additions to the disability rights dialogue rather than as those whose voices should be prioritised.

4.2 Power of the nation-state

The power of nation-states represents a potential barrier to the uniform implementation of regional policies. With only the Accessibility Act placing a hegemony of power with the EU, regional disability initiatives have afforded nation-states significant power, resulting in varied approaches within organisations.

With policies at least partially informed by the shared goal of enhancing CRPD implementation, it could be argued that regional multilateralism has a homogenising effect. Both the Incheon Strategy and Masterplan explicitly cite the harmonisation of Member States' laws and policies to the CRPD to be a central goal (ESCAP, 2012; ASEAN, 2018), while the Accessibility Act and EU Strategy contain monitoring and enforcement mechanisms (EU, 2019; EU, 2021). These objectives thereby position regional initiatives as a means for assisting sufficient implementation of both EU and ASEAN laws and the CRPD. The Accessibility Act, in particular, details the necessity of regional collaboration by citing differences in Member States' laws, regulations, and provisions as barriers to ensuring equal disability rights (EU, 2019). Therefore, regional multilateralism is shown to result in the creation of unifying norms and control mechanisms.

However, focus on the CRPD has interestingly resulted in great divergence within regional organisations, since nation-states have retained significant power over disability rights. As required by Article 33 of the CRPD, each Party must establish a "focal point" responsible for ensuring the effective implementation of the Convention (Cogburn & Reuter, 2017). Consequently, all nation-states control disability policies' enforcement mechanisms, resulting in varied approaches. For example, within ASEAN, Laos has favoured an inter-ministerial structure by placing its coordination mechanism between the Ministries of Labour and Social Welfare, Health, and Education, while Thailand has placed its own solely under the Ministry of Social Development and Human Security (Cogburn & Reuter, 2017). While regional policies act as guidelines, Member States retain the power to implement recommendations as they wish.

Nevertheless, opposing models of disability can continue to be promoted, which could threaten regional endorsement of the social over the medical model (Cogburn & Reuter, 2017). While this sustained importance of nation-states could be beneficial, as they arguably know the best way to monitor and amend their own policies, there are also associated risks, as opportunities for significant regional advancements could be constrained. For ASEAN, the varied resources of nation-states pose a barrier to effective rights advancement, with only Indonesia, Malaysia, Myanmar, Thailand, and the Philippines possessing national human rights commissions capable of aiding the implementation of the CRPD and associated policies (Muntarbhorn, 2021). Further, the EU has suffered due to the nature of its multilateralism, as nation-states and the EU hold power over different policy areas; nation-states retaining control of health,

education, and culture, and the EU of transport and the internal market (EU, 2021). Consequently, this arrangement has resulted in conflicting actions between Member States, as, for example, Italy has included over ninety per cent of children with Special Educational Needs within mainstream schooling, while Germany continues to favour the use of hybrid or separate approaches to educating disabled children (EU, 2018). Further, as the EU is itself Party to the CRPD, the block has established its Commission as a focal point for the Convention's implementation at a regional level. However, this decision has received criticism from the UN CRPD Committee for being too imprecise, as "each of the EU institutions, agencies, and bodies" would require a distinct focal point to fully comply with the Convention (Ferri & Broderick, 2020, p.83). As such, regional multilateralism has failed to harmonise nations' policy approaches, meaning that equal advancement of disability rights remains difficult to ensure.

Due to the power retained by nation-states within disability rights multilateralism, the approaches of neither the EU nor ASEAN can be regarded as consistent or effective means to advance disability rights. Thus, despite initiatives ensuring a regional focus on disability rights, national policies ultimately retain the greatest significance.

4.3 Impact

While not without criticism, the approaches of both regional blocks have been credited as having contributed to the advancement of disability rights. The adoption of disability rights multilateralism has brought both groups' Member States in line with international standards, whereas ASEAN's involvement in the Incheon Strategy has additionally established the association as an integral part of the wider Asia-Pacific network (ESCAP, 2012). With all ASEAN and EU Member States now Party to the CRPD (Ferri & Broderick, 2020; Tah & Nasir, 2020), it could be argued that regional multilateralism has been successful. However, the reality is more complex.

Firstly, not all ASEAN and EU Member States have sought to ratify the optional CRPD protocol, with twenty-two out of twenty-seven EU members having done so, while only Thailand has within ASEAN (UNTC, 2023). Although both organisations have been successful in the goal of CRPD implementation, the EU has perhaps been more effective in ensuring ongoing commitment to the disability rights agenda. On the other end, ASEAN has not sought such advances. Secondly, the monitoring and implementation of disability rights remains a source of contention. Arguably, ASEAN

has presented a more comprehensive strategy than that of the EU, with its adoption of the Incheon Strategy providing ten goals, twenty-seven targets, and sixty-two indicators through which members can evaluate disability rights domestically and in relation to others (ESCAP, 2012). This has resulted in a high level of data comparability, something that the EU has struggled to achieve due to nations' use of different methods of assessment (Priestley, 2022; ESCAP, 2012). As such, with the EU Strategy setting out the aim of developing disability indicators (EU, 2021), the block could take much inspiration from the Incheon Strategy. However, ASEAN has simultaneously received criticism regarding its prevalence estimates, which have been highlighted as well below the WHO average (Cogburn & Reuter, 2017). While consistent, ASEAN estimates are shown to be inaccurate, highlighting the need for amendments to monitoring standards within both organisations.

Therefore, while succeeding in the shared goal of CRPD implementation, the multilateral approaches to disability rights adopted by the EU and ASEAN have yielded different impacts. Neither are entirely successful yet display reasonable attention to the advancement of disability rights that should be further strengthened through policy adjustments.

5. Conclusion

While advances to the lives of disabled individuals have undoubtedly been made in both regions, primarily through the effective ratification and implementation of the CRPD across all Member States, multilateral initiatives arguably have a long way to go to displace the nation-state's hold over disability rights. Consequently, although multilateralism has acted as a strong source of regional pressure and collaboration, current approaches remain unsuited to the effective advancement of the disability rights agenda.

This is not to say that regional multilateralism has failed to yield distinct achievements, as each organisation has seen points of success that the other could learn from. For ASEAN, the institution has been especially effective in its inclusion of disabled actors within policymaking and in ensuring high levels of data comparability. As these are points lacking in the EU's current agenda, ASEAN's approach could be adapted to suit the EU's goals. In comparison, the EU has shown strong ambition in the promotion of disability rights, with aims of constructing regional enforcement mechanisms and an

enduring commitment to advancement. As such, with both holding strengths and weaknesses, the approaches of each group could benefit from amendments to be truly functional and effective.

What does this mean for the future of disability rights multilateralism? The main point that is clear is that significant changes will be required to ensure consistency, collaboration, and enforcement across regions. It seems unlikely that the power of nation-states will be displaced, yet increased attention to disability rights has undoubtedly been ensured in both the EU and ASEAN through the implementation of the CRPD. From this point of view, multilateral organisations can be seen as sources of strong pressure, capable of encouraging Member States' adherence to international standards of human rights but perhaps unsuited to the creation and enforcement of such standards themselves.

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Shaping the battlefield: Climate change and Russian hybrid warfare strategies in the annexation of Crimea and in the War in Ukraine

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Abstract

The 2014 Russian annexation of Crimea brought the language of hybrid warfare to the forefront of war studies, triggering a global debate on how to effectively counter it. Despite its significant links to hybrid warfare, the centrality of climate change to the analysis of this evolving kind of warfare remains overlooked. This article examines how climate change is linked to hybrid warfare. The purpose of this study is twofold: first, to provide a comprehensive evaluation of the nexus of climate change and hybrid warfare; and second, to suggest that understanding this nexus is quintessential for policymakers to develop better measures to counter hybrid threats. By putting forth case studies of Russia's annexation of Crimea and its 2022 invasion of Ukraine, this article argues that climate change was an important aspect of the hybrid warfare strategy in the form of threat-multiplying and resilience-deteriorating, making it more challenging for targeted states to counter and recover from hybrid threats. In building this argument, this study begins by exploring how climate change is linked to hybrid warfare. Then, it demonstrates this link through the cases of Russia's annexation of Crimea and its invasion of Ukraine. The article concludes that climate change is likely to play an important role in the upcoming decade's hybrid warfare in Eurasia as global temperature continues to rise. Not only does this research contribute to the study of environment and warfare but it also reveals the necessity for policymakers to develop more effective countermeasures to hybrid threats for years to come.

Keywords: Climate Change, Hybrid Warfare, Eurasia, Russia's Invasion of Ukraine, Annexation of Crimea

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1. Introduction

Over the past decade, the centrality of climate change to the study of hybrid warfare has been neglected, with only a handful of previous studies acknowledging its significance (Briggs, 2020; Hook & Marcantonio, 2022; Summers & Goodman, 2020). Previous studies have primarily focused on the conventional and some other unconventional means of conducting warfare like weaponised interdependence, insurgent groups, and cyber operations (Farrell & Newman, 2019; Giegerich, 2016; Jacuch, 2020; Muradov, 2022; Wither, 2016). There are two reasons for this trend: firstly, climate change does not seem to fit into the traditional conception of security (Briggs, 2020). Secondly, it has been limitedly viewed as a mere ‘threat multiplier’ which exacerbates other components of hybrid warfare (Briggs, 2020; Hook & Marcantonio, 2022).

Nevertheless, recent events, starting from the Russian annexation of Crimea in 2014 to its invasion of Ukraine in 2022, have highlighted the interplay between climate change and hybrid warfare. As the world keeps warming, failure to comprehend this connection may leave the global community vulnerable to associated risks. This article studies the connection between climate change and hybrid warfare in the context of Russia’s annexation of Crimea and its invasion of Ukraine. It aims to achieve two objectives: firstly, to provide a thorough examination of the nexus of climate change and hybrid warfare; and secondly, to reiterate the significance of comprehending this link for policymakers, especially in Europe and Asia, so as to formulate more effective strategies to address hybrid threats.

Analysing data from case studies, the article argues that climate change plays a significant role in Russian hybrid warfare strategies by exacerbating associated threats and reducing Ukraine’s resilience. As a result, Ukraine has been left with environmental pollution, deterioration of ecosystems, and risks to nuclear safety (Hall, 2023; Kireitseva et al., 2023; Yatsiv et al., 2023), not to mention the acceleration of environmental hazards in the industrialised Donbas region (Hook & Marcantonio, 2022). Consequently, Ukraine is facing long-term difficulties in countering and bouncing back from the war. Further, this prolonged war could facilitate Russia’s future aspirations to annex more Ukrainian territories (Chao-Fong et al., 2022). As such, this argument illustrates how climate change and environmental vulnerabilities can be weaponised by states to achieve their political ends at the detriment of targeted

states. This, in turn, shapes the security architecture of Eurasia's next decade (See also Clarke, 2019; Sovacool et al., 2023; Yeh, 2022).

This article is structured into three parts. The first part will discuss the fundamentals of hybrid warfare, with an exploration of the role of climate change in this evolving kind of warfare. Further, the second part will present case studies of Russia's annexation of Crimea and its invasion of Ukraine to demonstrate how climate change is profoundly linked to hybrid warfare. The last part will conclude that climate change is likely to constitute a critical component of future hybrid warfare in a region where most countries are currently vulnerable to climate change.

2. The nexus between climate change and hybrid warfare

Although hybrid warfare gained momentum in the study of modern warfare over the past decade, there is still no consensus among scholars on the definition of this term (Hoffman, 2007; Muradov, 2022; Wither, 2016). Having been initially conceptualised by Hoffman (2007), this term has been widely referred as the form of warfare where "conventional weapons, irregular tactics, terrorism, and criminal behaviour" are used "simultaneously and adaptively" in the battlespace to achieve one's political objectives (Hoffman, 2010, p. 443). In the aftermath of the Russian annexation of Crimea in 2014, the North Atlantic Treaty Organization (NATO) elevated this idea to a strategic level from its previous status at the operational and tactical levels, as well as broadened the definition to include the use of economic, legal, and social means (Muradov, 2022).

Nonetheless, climate change has still been left out of NATO's definition, despite its significant links to hybrid warfare. While this article utilises NATO's definition of hybrid warfare, it argues that climate factors should be incorporated into NATO's definition to better reflect the reality of Russian tactics employed during the annexation of Crimea and the war against Ukraine. The following paragraphs will explore how exploiting the threat-multiplying effect of climate change can be seen as both economic and military tools. On one hand, it can inflict considerable damage on targeted states' economies. On the other hand, it can create conditions that enhance the operational capabilities of an adversary's military. Similarly, attacks on states' resilience, such as targeting their critical infrastructures, can function as both economic and social tools of conducting hybrid warfare. These actions not only disrupt the economy of the

targeted states and hinder their recovery efforts, but they can also undermine the solidarity and resistance of local communities.

Essentially, climate change is connected to hybrid warfare in two closely related ways. One way lies in the role of climate change as a threat multiplier. This means that the ramifications of climate change or the changing climate itself can exacerbate the existing threats to society, such as political conflicts, economic instability, social unrest, and environmental issues (Goodman & Baudu, 2023). Consequently, the intensification of such threats can lead to increased risks to human security as well as destabilise the entire nation. For example, the protracted conflict between India and Pakistan over water resources in the Indus River basin has been further intensified by the growing freshwater scarcity in South Asia resulting from the shrinking Himalayan glaciers. Worsened by climate change, this ongoing conflict has fuelled the enmity between the two countries, undermining regional stability (Varnakomola, 2022). As such, taking advantage of the threat-multiplying effect of climate change would allow belligerent states to perpetuate the existing threats in targeted states, leading to long-term uncertainty and insecurity for those states. This is often used in conjunction with the resilience-deteriorating strategy, which constitutes the second nexus between climate change and hybrid warfare.

Resilience-deteriorating refers to the strategy aimed at reducing the ability to respond to and 'bounce back' from the actions of adversaries. This is achieved by attacking the state's essential systems and infrastructure that are critical for recovering from the adversaries' actions. In today's digitalised world, the strategy of resilience-deteriorating can be manifested in both physical and cyberspace contexts. The tactics used can range from installing landmines in the agricultural areas of communities to attacking energy and health infrastructure, and even creating propaganda to undermine the social cohesiveness of the targeted states (Briggs, 2020; Hook & Marcantonio, 2022). As a result, the destruction of states' support systems raises the states' susceptibility to pre-existing and newly arising threats associated with climate change (Briggs, 2020; Summers & Goodman, 2020). Briggs (2020, p. 48) illustrates that if Ukrainian society becomes divided through social media and disinformation campaigns, energy utilities are targeted by cyberattacks, and financial systems become illegitimate and fail, then the country's capability to create policies to mitigate and respond to threats, such as events of extreme heat will be diminished. Similarly, cyber operations have ripple effects on the social unity and military preparedness of the targeted states. Disinformation campaigns on climate science can fuel the anti-climate voices on

social media platforms (Briggs, 2020). These may not only undermine social solidarity but also reduce the ability of those states to preclude further attacks by compromising military preparedness.

All these examples suggest two interrelations between climate change and hybrid warfare. Firstly, climate change as a threat multiplier can worsen the existing threats in targeted states, which would heighten associated risks, and increase vulnerabilities and long-term insecurity in those states. Secondly, through targeting critical infrastructure and systems, adversaries can prolong the impacts of such threats, thereby impeding the ability of targeted states to mount an effective response. These connections suggest that climate change not only goes beyond a mere conception of threat multiplier but can also be considered a strategy to conduct hybrid warfare, as will be elaborated in the following section.

3. From the annexation of Crimea to the invasion of Ukraine: Climate change as an underlying strategy in the Russian plan?

Following the political turmoil in Ukraine in February 2014, Russia employed a combination of conventional and unconventional forces to illegally annex Ukraine's Crimea, a peninsula in the Black Sea. Eight years later, Russia embarked on a full-fledged military invasion of Ukraine on 24 February 2022 (Weber et al., 2022).

Both incidents have had deleterious consequences for Ukraine. For example, they have resulted in a mass displacement of civilians and a deterioration of Ukraine's economy. While the annexation of Crimea displaced over 1.5 million people from the peninsula (Muradov, 2022), ongoing Russia's war against Ukraine has displaced nearly 13.5 million as of March 2023 (Cincurova, 2023). In terms of Ukraine's economy, the real GDP of the nation is expected to plummet by 30 to 35 percent because of the war, with the country's productivity growth estimated to drop in the long term (European Parliament, 2022, p. 10). On a broader scale, this war has not only disrupted the global food system by heightening global food insecurity, as Ukraine is among the top global exporters of grains and oilseeds, but also contributed to massive emissions of greenhouse gases (Hall, 2023; Kicaj et al., 2023; Yatsiv et al., 2023). The Initiative on GHG Accounting of War, a European-based research group, reported that a total of 120 million tons of CO₂ was emitted over a year after the war erupted (Braun, 2023).

The role of climate change has been evident in both the annexation of Crimea and the war against Ukraine, exposing Russia's strategy of exploiting Ukraine's environmental and climate vulnerabilities to achieve its goals. Firstly, it is evident that Russia has taken advantage of the threat-multiplying effect of climate change to intensify the existing threats in Ukraine. A good illustration is the Donbas, the industrialised region in the eastern part of Ukraine. Prior to the annexation, Donbas experienced environmental hazards due to heavy industrialisation since the Soviet Union era. Hook and Marcantonio (2022, p. 6) cite the Ukrainian Ministry of Environmental Protection and Natural Resources (MENR), indicating that 2,160 identified locations were subject to the possibility of an explosion due to the presence of methane, 24 sites presented a risk of radiation hazards, 909 locations were considered hydro-dynamically dangerous, and 34 locations were found to pose a biohazard risk. After the armed conflict occurred in 2014, a network of interconnected underground mines has resulted in flooding that now extends across both Ukraine-controlled territories and separatist-controlled territories (Hook & Marcantonio, 2022).

Climate change has had a multiplying effect on these hazards in numerous ways. For instance, changes in atmospheric factors, such as wind patterns, can heighten the dispersion of radioactive materials in the Donbas region (Hook & Marcantonio, 2022). Supporting this claim, Yoshikane and Yoshimura (2018) found that wind patterns influenced by climate change are associated with an increase in the dispersion of radioactive materials as well as its direction. Moreover, the proximity between the Donbas and Chernobyl nuclear plant has made the region vulnerable to the presence of toxic radioactive substances, such as caesium-137 and strontium-90 (Mousseau, 2022). In this regard, an increase in flooding or changes in groundwater levels could mobilise and spread these hazardous materials, contaminating wider areas, and heightening the exposure of both humans and ecosystem to radiation (Hook & Marcantonio, 2022). Climate change also intensified pollution from heavy metals and industrial chemicals (Cao et al., 2020). To exemplify, an increase in rainfall has resulted in greater runoff, potentially spreading these pollutants into water bodies (Cao et al., 2020). In addition, the warming temperatures increased the mobility of several pollutants, making them more bioavailable and therefore more toxic to living organisms (Cao et al., 2020). Consequently, this left the Ukrainians and those whose livelihoods rely on these waters unsafe since surface waters of the Donbas region empty into the Sea of Azov and the Black Sea respectively (Hook & Marcantonio, 2022). This multiplying effect of climate change was among the factors facilitating Russia's successful occupation of about half of the Donbas region in 2014, as it not only

undermined local resistance but also generated a humanitarian crisis that provided a pretext for the occupation.

Furthermore, after Russia's seizure of the Chornobyl and Zaporizhzhia nuclear power plants in March 2022, Russia set off munitions at the Zaporizhzhia plant and damaged a high-voltage line that supplied electricity for cooling spent nuclear fuel at the local storage pools (Zasiadko, 2022). Following this, an alarming figure of gamma radiation dose rate of almost 70 mSv/h was recorded by the EcoCenter's automated radiation monitoring system (Kireitseva et al., 2023, p. 3) This incident raised concerns over nuclear safety and the potential consequences for Ukraine's environment and public health. The high levels of gamma radiation could disrupt local ecosystems and lead to a loss of biodiversity (Zasiadko, 2022). Additionally, exposure to high levels of gamma radiation can contribute to wide-ranging acute symptoms, such as nausea, vomiting, and decreased organ function (International Atomic Energy Agency, 2022). The prolonged war could intensify these threats, plaguing Ukraine for years to come. In addition to other unconventional forces, Russia exploiting the threat-multiplying effect of climate change to perpetuate the existing threats in Ukraine enables it to destabilise Ukraine in the long run and to hinder it from effectively responding and recovering from the war.

To enhance the effectiveness of the above strategy, Russia has also been simultaneously implementing the resilience-deteriorating strategy. Russia targeting the Ukrainian resilience has been widely observed. In 2022, Russia targeted several critical infrastructure and support systems in Ukraine, for instance, the assaults on nuclear power plants, harbours, and facilities for hazardous waste storage, the destruction of chemical and metallurgical industries, and water supply infrastructure, including conflagrations in oil reserves, fuel stations, and waste disposal sites, etc. (Zasiadko, 2022). These Russian activities have left Ukraine with perilous consequences. Empirical evidence includes Russia's breach of the water pipeline on 12 April 2022, used to provide water from the Dnipro River to the city of Mykolaiv. This contributed to the loss of millions of litres of water and the contamination of surface waters (Kireitseva et al., 2023). As of October 2022, it was also reported that Russian missiles targeted several hydroelectric power plants located on the Dnipro River, such as the Dniprovsk plant and the station at Kremenchuk (Harding et al., 2022). With limited opportunities for repair, the destruction caused by Russia to these water supply infrastructures has resulted in millions of Ukrainian civilians having limited access to clean drinking water (Landay, 2022). To illustrate, Shumilova et al. (2023)

indicate that over 2 million people in the Luhansk region in eastern Ukraine were left with no water supply entirely since early May 2022, and water was merely supplied by humanitarian organisations.

Similar cases of Russia targeting Ukraine's critical infrastructure were reported in Kyiv and Kharkiv. In Kyiv, residential buildings have been devastated by Russia's kamikaze drones since October 2022, resulting in a significant number of Ukrainians losing their homes (Voce et al., 2023). What is more, on 11 September 2022, the CHPP-5 thermal power plant in Kharkiv was destroyed following Russian missile strike, leading to electricity cuts to nearly one-third of the country (Voce et al., 2023). Subsequently, people were left grappling with frigid temperature in Winter and a limited supply of energy.

Furthermore, Russia's assaults on port infrastructure and vessels have been well-documented, with the most recent example is a drone attack on Ukraine's Black Sea port of Odesa (Reuters, 2023). Kireitseva et al. (2023) argue that these Russia's attacks have led to the pollution of nearby coastal waters, predominantly by petroleum products that form a film on the water's surface. This has directly resulted in the mortality of marine life. In a similar vein, deceased dolphins and porpoises have been found stranded along the shores of the Black Sea because of heightened Russia's naval activity since early 2023 (Kroeger, 2023). Consequently, these Russian operations further jeopardise the food security of the Ukrainians. The enduring consequences of these emerging threats have heavily impacted Ukraine's security and economy (Jacuch, 2020).

To summarise, Russia's exploitation of Ukraine's environmental and climate vulnerabilities to achieve its goals can be observed in both the annexation of Crimea and the war against Ukraine, highlighting the role of climate change. Through the strategies of threat-multiplying and resilience-deteriorating, Russia has destabilised most parts of Ukraine, undermined the nation's economy, and impeded Ukraine's ability to effectively respond to and recover from the war. As the global temperature continues to increase, the significance of climate change in hybrid warfare may shape the future of warfare in Eurasia, where most countries are now vulnerable to the changing climate.

4. Conclusion

Using Russia's annexation of Crimea and the subsequent invasion of Ukraine as case studies, this article aims to enhance the understanding of the interrelation between climate change and hybrid warfare and suggest why it deserves greater attention from the global community.

This article has argued that climate change has a profound impact on states' hybrid warfare strategies, by increasing the severity of related threats and undermining targeted states' ability to resist and recover from conflict. Russia exploited Ukraine's environmental vulnerabilities during the annexation of Crimea and the subsequent invasion, bringing socio-environmental repercussions and persistent challenges for Ukraine's security. While this provides an enabling factor for Russia to pursue its ambitions of annexing more Ukrainian territories in the future, destabilising Ukrainian security in the long term, it is crucial to note that environmental vulnerability is only one aspect, yet underestimated, among wide-ranging determinants at play in the war on Ukraine. Thus, it cannot be considered the sole determinant of victory in this war. Other factors, such as Ukraine's counter-offensive tactics, must also be considered.

On the wider scale, the role of climate change in Russia's War in Ukraine is beginning to shape the security architecture of Eurasia. Climate change will constitute a vital factor in the development of future strategies, to identify, assess, and counter hybrid threats, including preventive policies. Failing to acknowledge the nexus between climate change and hybrid warfare poses an imminent threat to the global community as the global temperature keeps rising.

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