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TOWSON UNIVERSITY JOURNAL OF INTERNATIONAL AFFAIRS

LETTER FROM THE EDITOR

May 20, 2023

Dear Readers,

I am excited to present to you the Spring 2024 edition of the *Towson University Journal of International Affairs*. This issue features four intriguing articles, which constitute a wide-ranging discussion of diverse topics spanning across geographic foci and disciplinary perspectives. The authors represent a variety of professional backgrounds, ranging from undergraduate and graduate students from Towson University and the University of Idaho, to distinguished professionals such as the 31st Adjutant General of Maryland.

In our first article, "Revisiting the Cyprus Crisis of 1974: U.S. Involvement and Future Prospects," Steve Lemeshko calls for a re-examination of the discourse surrounding the role of the United States in the development of the crisis and its long-lasting effects on the regional dynamics of the Eastern Mediterranean. Lemeshko employs a historical overview of the events and an analysis of related American foreign policy to advocate for the potential of the U.S. to serve as a mediator in post-1974 Cyprus.

In our second article, "Human Trafficking and U.S. Repatriation of Foreign Terrorist Fighters from Northeast Syrian ISIS Detention Camps," Jordan McConville examines ISIS's use of human trafficking to recruit foreign terrorist fighters, in conjunction with an analysis of the U.S. government's policy and decision-making process regarding repatriation. McConville considers these factors in her investigation of the U.S. government's role as the decision maker for repatriation and its potential responses to the crises of Northeast Syria.

In our third article, "*Tibet and Kasmir: Identity Politics in the Contemporary Era,*" Ashley Hajimirsadeghi explores concepts such as civic nationalism and histories of settler colonialism in order to argue their role in expediting the formation of national identities in the cases of Tibet and Kashmir independence. Hajimirsadeghi uses these factors to further argue the existence of commonalities between the nation building trajectories of each case.

In our final article, "Partnerships, Persistence, Potential: The National Guard's Role in Security Cooperation," Major General Janeen L. Birckhead lends her expertise to an interesting discussion of the role of the Maryland National Guard in strategic international partnerships. In her comments, the Adjutant General discusses her own professional experiences to further highlight the significance of international partnerships in both civilian governance and military action.

Finally, I extend my deepest gratitude to our editorial board staff and Dr. Paul T. McCartney for their spirited commitment and dedicated work during the creation of this issue. We are all honored to present for your perusal Volume LVII Number 2 of the *Towson University Journal of International Affairs*.

Sincerely, Nicole Golemboski and Catherine Geiger Editors-in-Chief

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Revisiting the Cyprus Crisis of 1974: U.S. Involvement and Future Prospects

Steve Lemeshko*

Abstract: The Cyprus Crisis of 1974 divided the island of Cyprus and left a long-lasting effect on the regional dynamics of the Eastern Mediterranean to this day. The following paper provides an examination of the Crisis of 1974 and the role of the United States in it. The study begins with an overview of the history of Cyprus and then focuses on the key development in the crisis—from the Greek-sponsored coup to the subsequent two phases of the Turkish invasion—to analyze where exactly American foreign policy on Cyprus failed. It then concludes with an overview of the aftermath of the conflict, advocating for the role of the U.S. as a potential mediator in post-1974 Cyprus. The following study contributes to the academic discussion through a critical reflection on the role of American foreign policy in Cyprus in 1974 and its aftermath.

Keywords: Cyprus, Cyprus Crisis of 1974, US-Cyprus relations, Eastern Mediterranean, Cold War, Henry Kissinger.

INTRODUCTION TO THE CYPRUS CRISIS OF 1974

Relevance and Significance

Fifty years after the Cyprus Crisis of 1974, Cyprus appears to be slow-paced on the surface, yet beneath this façade lies its scarred history, underscored by the fact that Nicosia is the last divided capital in the world, with a Berlin-type wall in the middle. The Crisis of 1974 was so explosive that it left the island divided to this day, and the dynamic surrounding the two *de facto*

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^{*}Steve Lemeshko is an undergraduate student at the University of Idaho, pursuing his degree in Environmental Science with a minor in Political Science. He is interested in studying conflicts of the past and the present and has worked on the Arithmetic of Compassion website for Scott Slovic, Ph.D., to study behavioral responses to mass tragedies such as wars, genocide, and ecocide. In recognition of his outstanding contributions to the University, Steve was recently awarded the Distinguished Sophomore Award.

Acknowledgments: "I would like to express my gratitude to Charles Dainoff, Ph.D., for his insightful feedback, invaluable guidance, and support throughout the process of preparing this paper for publication. I extend my appreciation to Dr. Iakovos Menelaou, Ph.D., for his generous assistance in providing constructive feedback, whose expertise and attention to detail greatly enhanced the quality of this work. Additionally, I would also like to thank Jordan McConville and the editors of the Towson University Journal of International Affairs for their extensive and thoughtful feedback on the articulation and contextualization of this paper. Their expertise and dedication have significantly enhanced the depth and clarity of this research, and for that, I am truly grateful."

entities of the divided island—the internationally recognized Republic of Cyprus (RoC) and the unilaterally declared Turkish Republic of Northern Cyprus (TRNC)¹—not only shapes the sociopolitical landscape for conflict resolution on the island, but also poses challenges to the stability of the southern flank of the North Atlantic Treaty Organization (NATO). Cyprus is both "the cause and the victim of continued antagonism" of tensions between two NATO members crucial for regional stability, with Greece supporting the RoC and Turkey supporting the TRNC.²

Understanding the Cyprus Crisis of 1974 should be contextualized within the broader dynamics of the Cold War, particularly through the lens of the Truman Doctrine of 1947, which provided a framework for United States engagement during this period. At its core, the Doctrine articulated the U.S. commitment to containing the spread of communism by justifying support for upholding and safeguarding democracy in the strategically important countries of Greece and Turkey: Turkey is a key player in the Middle East, while Greece is a key player in the volatile politics of the Balkan states. Furthermore, it emphasizes the ultimate role of the U.S. in the newly created United Nations as *the* global power in defense of democracy. In the case of Cyprus, however, the U.S. used double standards in its foreign policy and, notably, violated its own laws—a matter that will be explored later.

Central to the U.S. response during this period was Henry Kissinger, who, from 1973 to 1977, served as the U.S. Secretary of State, the President's chief foreign affairs adviser responsible for carrying out foreign policies during the Cold War of the 1970s. Henry Kissinger's approach to foreign policy was grounded in *realpolitik*, prioritizing strategic interests and power dynamics over ideological, ethical, and legal considerations. Despite Cyprus's strategic

¹ The Turkish Republic of Northern Cyprus is recognized only by Turkey.

² Tozun Bahcheli, Theodore A. Couloumbis, and Patricia Carley, *Greek-Turkish Relations and U.S. Foreign Policy: Cyprus, the Aegean, and Regional Stability* (Washington, DC: U.S. Institute of Peace, 1997), x and 7.

significance and its tensions with implications for regional stability, Kissinger's *realpolitik* approach did not actively promote democracy and stability on the island and did not consistently align with the principles outlined in the Truman Doctrine.

The academic discourse surrounding the American involvement in the 1974 events, and Kissinger's role, differs based on the perspectives and interpretive frameworks of historians and political scientists, with the most critical examinations of the American involvement articulated by Brendan O'Malley and Ian Craig in The Cyprus Conspiracy: America, Espionage, and the Turkish Invasion and by Christopher Hitchens in The Trial of Henry Kissinger. Considering that Henry Kissinger passed away in 2023, it is crucial to reassess his legacy and his influence in shaping the U.S. response to the crisis (or lack thereof). This paper provides an examination of the failure of the American foreign policy in regard to the Cyprus Crisis of 1974, focusing on the responses of U.S. officials, particularly Henry Kissinger, to shed light on the rationale behind specific policy approaches and untangle the complexities inherent to the crisis and its aftermath. The paper will offer a balanced assessment that synthesizes various viewpoints, providing insights that both align with and diverge from prevailing interpretations. It revisits the Cyprus Crisis across three parts: an introduction and a historical overview, a critical examination of the U.S. involvement and policy gaps during the crisis, and a contextualization of these events within the complexities of its resolution, calling for a reevaluation of the U.S.'s historical role and its approach in addressing the Cyprus conflict, providing insights into its long-lasting impact.

Historical Context to the Independence of Cyprus

The Cyprus Conflict is often portrayed as solely ethnic, yet this depiction oversimplifies a complex narrative. For centuries, two communities—the Greek Cypriots (GCs) and the Turkish

Cypriots (TCs)—coexisted on one island. While ethnic confrontations undeniably constituted a major part of the crisis, foreign players had been influencing the island's dynamic immensely. Tracing the roots of the Cyprus Conflict could take us as far as the sixteenth century, when the Ottoman Empire started its 300-year rule in Cyprus before giving the island to the British Empire. Even though the existing ethnic separation on the island intensified during the Colonial British period, which was evident in the decline of the number of mixed TC and GC villages,³ the escalation of ethnic tensions was marked by the struggle for Cypriot liberation from Colonial British rule when the U.K. started to lose its grip on Cyprus after the end of World War II.

At the forefront of the fight for liberation was EOKA—a nationalist GC organization with the old guerilla fighter Georgios Grivas as its military leader. EOKA made British rule as uncomfortable and costly as possible through guerilla warfare tactics.⁴ In turn, the colonial authorities intensified their "divide-and-rule" policy by pitting ethnic groups against each other to preserve their rule on the island. Because the EOKA's primary goal was *enosis*, meaning the union of Cyprus with Greece, the colonial authorities made the TC minority wary of the Cypriot liberation movement, as the pursuit of *enosis* would potentially result in TCs becoming an even smaller minority within Greece. In practice, this translated to torturing those suspected of collaborating with EOKA and employing TCs in the police to take armed actions against the EOKA's primarily GC movement,⁵ further polarizing the communities and amplifying the growing tensions on the island.

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³ Ozay Mehmet, "Divergence or Convergence? Toward a Two-State Outcome" in *Sustainability of Microstates: The Case of North Cyprus*, ed. Ozay Mehmet (Salt Lake City: University of Utah Press, 2010), 136.

⁴ Some literature, particularly British and Turkish sources, characterize those tactics as terrorist in nature.

⁵ Andreas Varnavas, "The Events Following the Exile of Archbishop Makarios until His Release from Seychelles (9 March 1956 - 28 March 1957)," in *A History of the Liberation Struggle of EOKA (1955-1959)*, ed. Tomazos Maos, trans. Philippos Stylianou (Nicosia: C. Epiphaniou Publications, 2004), 159.

By the mid-1950s, Archbishop Makarios III became the political leader of Cypriot liberation. At the same time, the British were ultimately losing Cyprus, lacking an extensive military presence after they had to withdraw much of their forces from the island in late 1956 due to the Suez Crisis. Yet the political climate surrounding the island was changing: the goal of *enosis* was not achievable, and Makarios knew it. Turkey would never allow it, and in Greece, this goal was abandoned in favor of Cypriot independence. Makarios had to balance interests for the island to become liberated, and in this, he succeeded: after the London-Zürich Agreements, the island achieved its independence in 1960.

The island, however, became independent under provisions that contributed to its instability. In an effort to secure the representation of both communities on the island, provisions were made in the constitution for the president to be elected by GCs and the vice president with veto power to be elected by TCs, leading to government paralysis. Among the various conditions accompanying independence, one of the prominent ones was the Treaty of Guarantee, which was meant to secure stability in Cyprus by granting the guarantor powers—the United Kingdom, Greece, and Turkey—the right to take action in the event of a breach of established provisions, i.e., Cypriot independence. However, the interpretation of the Treaty in subsequent events instead introduced ambiguities that would be exploited in the future.

In the discourse surrounding the crisis of 1974, the Turkish argument often relies on the Treaty of Guarantee to justify its military intervention. However, it is essential to clarify that while the Treaty indeed undermined the sovereignty of Cyprus, it did not give Turkey the right to invade. Article 2 of the Treaty explicitly "prohibit[s] ... either the union of the Republic of Cyprus with any other State, or the partition of the Island." Additionally, Article 4, mentioning

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⁶ "Treaty of Guarantee," conclusion date: 16 August 1960, UN Peacemaker, https://perma.cc/HQS7-P8UC.

"taking actions," does not refer to active military intervention, rather focusing on actions solely aimed at restoring the state of affairs established by the Treaty, excluding the events of partial or double *enosis*: "taking actions [not forces] with the sole aim of re-establishing the state of affairs established by the present Treaty." Additionally, if the word "action" is to be interpreted as "force," then it is not consistent with the U.N. charter and is thus void. Clearly, the Treaty of Guarantee did *not* authorize any invasion.

The rocky path to the island's independence provides the basis for understanding the complexities and inconsistencies in American foreign policy during the Cyprus Crisis of 1974. The complex interplay of foreign influences and power struggles between two ethnic groups, with intra- and inter-communal violence resulting from the power vacuum left by the British, led to full-scale clashes between the two communities in the coming years, with two major crises in 1964 and 1967, with both Greece and Turkey involved. Still, the Truman Doctrine solidified the commitment of the U.S. to the region, particularly with Turkey and Greece. Due to the strategic importance of Cyprus and its influence on the relationship between those two key allies, it was unavoidable that the U.S. would become involved in the crises that arose in the area. However, the greater U.S. involvement in the Eastern Mediterranean that helped solve those conflicts peacefully left many with the impression that this would be the course of action in the future.

⁷ See note 7 above.

⁸ Eugene T Rossides, "American Foreign Policy Regarding Cyprus and the Rule of Law" in *The United States and Cyprus: Double Standards and the Rule of Law*, ed. Eugene T. Rossides and Van Coufoudakis, (Washington, D.C.: American Hellenic Institute Foundation, 2002), 29.

FAILURE OF AMERICAN FOREIGN POLICY ON CYPRUS IN 1974

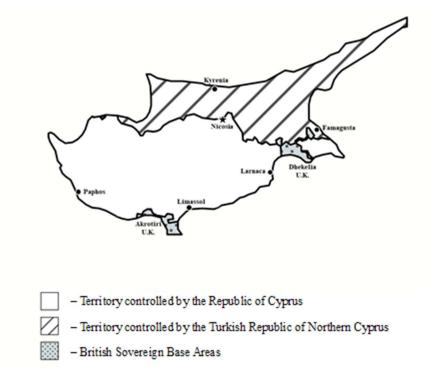


Figure 1. Map illustrating the division of Cyprus after the events of 1974. 9

Setting the Stage for Analysis

We will fast-forward to 1973, less than one year before the Cyprus Crisis. The crisis itself consisted of three major events over the span of only one month—the Greek-sponsored coup and the two phases of the Turkish invasion that left the island divided to this day, as shown in Figure 1. This part of the paper covers those three events in chronological order and analyzes the actions of the U.S. during that period.

To understand foreign policy decisions, we have to understand what information, primarily intelligence reports, was available. However, it is important to note that while the CIA gives us only one piece of the puzzle, various other sources, from expert analyses to ground-level realities, often provide a more comprehensive understanding. The forthcoming sections will

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⁹ The map was created with mapchart.net.

explore these diverse angles, offering a deeper analysis of American foreign policy actions on Cyprus.

Events Leading to the Greek-Sponsored Coup of 1974

Prior to the coup, Cyprus had long been identified as a potentially volatile region. In a report dated May 6, 1974, from the Interdepartmental Group for Near East and South Asia Study, Cyprus is summarized as "a foreign policy problem for the United States because strife between the Greek Cypriots and Turk Cypriots brings Greece and Turkey into military confrontation unhinging NATO's southern flank." In the 1970s, Cyprus was a major destabilizing factor in the region.

However, the political landscape of Cyprus was volatile not just internally, as it faced external tensions, notably with Greece, stemming from long-held but unsatisfied aspirations of ultra-right GCs for union with Greece. Those tensions became even worse after Dimitrios Ioannides, also known as the Invisible Dictator, became the *de facto* head of the Greek military regime in 1973.¹¹ The United States, however, did not wait long before resuming its relations with the Greek junta. Throughout this period and preceding it, Washington pursued a dual foreign policy in Greece by supporting the military regime with money and arms while having the objective of restoring constitutional order.¹²

Meanwhile, in the U.S., the timing could not be worse. President Nixon would resign on August 8, in the middle of the Cyprus Crisis. However, in the months preceding his resignation,

¹⁰ "Study Prepared by the Interdepartmental Group for Near East and South Asia," in *Foreign Relations of the United States*, 1969–1976, vols. XXX, GREECE; CYPRUS; TURKEY, ed. by Daniel J. Lawler and Erin R. Mahan (Washington, D.C.: Government Printing Office, 2010), Document 75, https://history.state.gov/historicaldocuments/frus1969-76v30/d75.

¹¹ Tensions between Makarios and Ioannides were fueled by their conflicting visions for Cyprus. Makarios favored independence and pursued a non-aligned policy, while Ioannides sought *enosis* and a more aggressive approach towards Turkey—these differences in ideology led to friction between the two leaders.

¹² Stern, *The Wrong Horse*, 7.

Nixon's presidency was in its terminal stage, as the Watergate Scandal was becoming more problematic. This left Secretary of State Henry Kissinger—who was the first and only Secretary of State to hold a chairmanship position in the Forty Committee, which was responsible for approving the covert operations of the CIA¹³—with unprecedented power over American foreign policy. Thus, he had both the diplomatic and intelligence capacities to know about the details of the Cyprus Crisis. While acknowledging that Kissinger was not the only actor, the following analysis will prioritize examining his policy decisions because of their profound influence on foreign policy during the transitional period between the Nixon and Ford administrations that coincided with the Crisis of 1974.

An example of Henry Kissinger's controversial, in retrospect, political views on Cyprus pertains to the meeting with Andrei Gromyko, Soviet Foreign Minister, with whom he met to discuss Soviet-American relations and the Middle East situation in Nicosia on May 7, 1974.

Although Kissinger remained silent about the position of the U.S. regarding Cyprus during this meeting, we can find more context in Gromyko's memoir:

Having heard Kissinger's explanation of the U.S. position, I asked him point blank, "Does the U.S. government support the independence and territorial integrity of Cyprus, or not?"

He was evasive, but his answer boiled down to the admission that Washington would basically be happy to see the division of the island into two parts, Greek and Turkish—that is, the creation of two separate states. ... [H]e personally, and the U.S. administration, regarded Makarios as an anomaly, a church man who would be better sticking to church affairs.¹⁵

¹³ David Wise, "The Secret Committee Called '40," *The New York Times*, January 19, 1975, https://www.nytimes.com/1975/01/19/archives/the-secret-committee-called-40-at-least-in-theory-it-controls-the.html.

¹⁴ Christopher Hitchens, "Cyprus" in *The Trial of Henry Kissinger* (New York City: Verso, 2001), 84.

¹⁵Andrei Andreevich Gromyko, *Memoirs*, 1st ed, trans. Harold Shukman (New York City: Doubleday, 1989), 235-236.

Henry Kissinger's approach to Cyprus focused on the big picture—Soviet involvement and Cold War interests—over the pursuit of a just and lasting solution. Yet his position was not formed in isolation but rather echoed the plans of double *enosis* drafted during the 1964 crisis. For Kissinger, Makarios, the founding father of Cyprus, was nothing more than an anomaly at best and a communist at worst because he, following the policy of non-alignment, sought support from various sources, including Communist nations. Mindful of past events, such as the 1972 incident when Moscow did not stop communist Czechoslovakia from smuggling weapons to Cyprus, the United States was cautious about Makarios's "friendship" with the communist bloc during the Cold War era. These historical ties would influence the decisions the U.S. approved and did *not* approve during the crisis of 1974.

Going back to Cyprus, the apparent lack of urgency surrounding the island is frequently emphasized—"no sense of imminent crisis," as Kissinger put it. ¹⁶ While both Kissinger and British Foreign Secretary James Callaghan did not find it necessary to be worth mentioning during their meeting less than a week before the coup, ¹⁷ it would be inaccurate to completely dismiss the idea that the coup was unimaginable. Callaghan described Cyprus in a very precise way, comparing the island to a volcano that was "always likely to erupt, but not expecting every subterranean rumble to lead to disaster." ¹⁸ While the international community acknowledged Cyprus's volatility, the island did not receive significant attention for its "rumbles," such as Makarios's demands to withdraw all Greek officers from the island on July 2, less than two weeks before the Greek-sponsored coup.

¹⁶ Henry Kissinger, "Cyprus. A Case Study in Ethnic Conflict" in *Years of Renewal* (New York City: Simon & Schuster, 1999), 203.

¹⁷ Kissinger, "Cyprus. A Case Study," 204.

¹⁸ James Callaghan, "Cyprus — background to the Turkish invasion — negotiations at Geneva — President Nixon's Resignation," chap. 11 in *Time and Chance* (Glasgow: William Collins Sons & Co, 1987), 335.

Despite the signals of deteriorating relations between Ioannides and Makarios, the U.S. failed to foresee or anticipate the coup, which was partly attributable to the limited access of government officials to intelligence information. Only the CIA had exclusive access to Ioannides, the *de facto* leader of Greece who, officially, was not a part of the military government, only the chief of the secret police. Even Henry Tasca, the U.S. Ambassador to Greece, lacked direct access to Ioannides. Furthermore, the CIA operatives reported to Washington; however, Washington was not passing the information, partly due to restrictions by Kissinger on the access of most top-secret documentation to NODIS, EYES ONLY, 19 which severely impacted the communication within the government. ²⁰ As a result, when Thomas Boyatt, a junior official and the director of Cyprus Affairs, who believed in the imminence of the attack of the Greek junta on Cyprus and the subsequent Turkish invasion, urged Tasca to use explicit measures but didn't provide specific details of the risk of the coup, Tasca downplayed the potential of a coup and decided not to speak with Ioannides about Cyprus. When Boyatt took the matter to Joseph Sisco, the most senior of Kissinger's officials responsible for the region, Sisco chose to ignore the concerns.²¹ While other officials, including Senator William Fulbright, also voiced their concerns, for brevity, we will not delve into their warnings.

Some observers also point out the inability of the U.S. to react quickly to the CIA's mixed reports. Although the CIA failed to warn of the impending coup, it did provide explicit warnings of growing confrontation between Ioannides and Makarios, as the relations were quickly

¹⁹ "NO DISTRIBUTION, EYES ONLY" refers to classified documents that are exclusively intended for a specific set of readers. Even with the necessary clearance, access to these documents is restricted, and their distribution is heavily limited.

²⁰ Brendan O'Malley and Ian Craig. *The Cyprus Conspiracy: America, Espionage, and the Turkish Invasion*. (New York City: St. Martin's Press, 1999), 164-165; Hitchens, "Cyprus," 83.

²¹ O'Malley and Craig, *The Cyprus Conspiracy*, 166.

deteriorating.²² On June 7, roughly a month before the coup, the *National Intelligence Daily*, breakfast reading for high-ranking officials, stated, "Ioannides claimed that Greece is capable of removing Makarios and his supporters within twenty-four hours with little if any blood being shed ..."²³ Furthermore, an intriguing perspective comes from Tasca, who later suggested that the Turks may have been aware of the coup before July 15, as it was highly unlikely that they would be able to launch the 40,000-troop invasion on July 20 in only three or four days.²⁴ It raises intriguing questions about how Turkey may have been aware of the coup while the United States was not. Nonetheless, the failure to anticipate the coup was not the sole nor the most significant of the American mistakes.

The Greek-Sponsored Coup of 1974

On July 15, Ioannides orchestrated a military coup with the help of the Cypriot National Guard and EOKA-B.²⁵ In the coup, Nicos Sampson was installed as the President of Cyprus. Most importantly, though, the coup aimed to assassinate Makarios. Fortunately, the attempt was unsuccessful, so Makarios fled to the south of the island and was evacuated to Malta by the Royal Air Force. Subsequently, he traveled to New York to address the U.N. Security Council on July 18. From the international perspective, and especially from the viewpoint of Turkey, the coup looked like a *de facto enosis*.²⁶ Turkey was compelled to intervene to "protect" the Turkish Cypriot minority on the island from what they saw as the looming tyranny of the Greeks.

²² "Study Prepared by the Intelligence Community Staff for Director of Central Intelligence Colby," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States*, 1969–1976, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 171, https://history.state.gov/historicaldocuments/frus1969-76v30/d171.

²³ Hitchens, "Cyprus," 82.

²⁴ O'Malley and Craig, *The Cyprus Conspiracy*, 167.

²⁵ Not to be mistaken with EOKA. EOKA-B, aiming solely for *enosis*, was founded by Grivas *after* Cyprus became independent. By 1974, it fell under the control of the Greek military junta. EOKA had the support of the majority of Greek Cypriots, while EOKA-B did not enjoy the same level of support.

²⁶ O'Malley and Craig, *The Cyprus Conspiracy*, 173.

The U.S. failed to predict the coup, yet its subsequent actions, or lack thereof, following the coup led to the failure to deter Turkey from invading, with the U.S. being arguably the only force capable of stopping the Turks. Some assessments even suggest that ill-considered American decisions might have inadvertently emboldened the Turkish invasion. Two primary interconnected foreign policy goals should have been pursued: (1) the active recognition of the legal government of Makarios and (2) the discouragement of Turkey from invading. However, these objectives, particularly the former, remained largely unaddressed. It is, therefore, imperative to look through the policy actions the U.S. took in this critical five-day period from July 15 to July 20.

Following the coup, the U.S. did not condemn the new regime over the legitimate one led by Makarios, even though other countries, such as France and Britain, denounced the coup right away.²⁷ On top of that, Kissinger told the U.S. envoy in Nicosia to treat Sampson's "foreign ministers" as legitimate representatives, making the U.S. the first and only government to de facto recognize the legitimacy of Sampson's regime.²⁸ Had the U.S. joined the international community in condemning the coup, Sampson would have fallen quickly, and this would have prevented Turkey from invading.

Two main factors contributed to the weak response of the U.S. foreign policy to the coup: (1) sensitivity of Greek-American relations and (2) perceived communism threats associated with Makarios. Firstly, American relations with Greece, dictated by its geopolitical importance, are described as being "particularly sensitive [b]ecause the United States depends on Greek bases to berth the Sixth Fleet."29 This dependence on Greece might be one of the reasons for the

²⁷ Rossides, "American Foreign Policy Regarding Cyprus," 33.

²⁸ Hitchens, "Cyprus," 85.

²⁹ "U.S. BEGINS TALKS WITH NEW CHIEFS OF CYPRUS REGIME," The New York Times, July 18, 1974, https://www.nytimes.com/1974/07/18/archives/u-s-begins-talks-with-new-chiefs-of-cyprus-regime.html.

American eagerness to restore relations with the Greek junta in the first place, leading to hesitancy in condemning the coup in Cyprus afterward. Secondly, the U.S. response was affected by the prevailing fear of communism among American officials, often perceiving the Makarios government in general and Makarios in particular as sympathetic to or aligned with communist ideologies. As James Callaghan put it, "[I]t had only been necessary for the Colonels to declare themselves anti-communists to win a measure of understanding." These largely skewed Cold War era perceptions of Makarios and of Cyprus were especially true in high-ranking officials, including Henry Kissinger, and would play a significant role in shaping policy initiatives in regard to Cyprus.

A telling example of this mindset is evident in the telephone conversation between President Nixon and Kissinger on July 17, when Kissinger expressed a viewpoint regarding the return of Makarios. He stated, "My analysis is if Makarios is brought back this way, ... the Communists will be the dominant force and to balance the Turks he will have to rely on the Eastern bloc." Once again, Kissinger was preoccupied with the Soviets and their influence on the island rather than the actual crisis. During the same day, the U.S. made an official statement, a derivative of the telephone conversation: the U.S. was leaning toward recognizing the government of Sampson rather than the one of Makarios, in part because he "turned too readily toward Communist states for assistance." From the outside, all these signs, even if unintentionally, were doing little to deter Turkish military involvement.

³⁰ Callaghan, "Cyprus — background to the Turkish invasion," 338.

³¹ "Transcript of Telephone Conversation Between President Nixon and Secretary of State Kissinger," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States, 1969–1976*, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 93, https://history.state.gov/historicaldocuments/frus1969-76v30/d93.

³² The New York Times, "U.S. BEGINS TALKS WITH NEW CHIEFS OF CYPRUS REGIME."

To some extent, the U.S. did think about Greece and Turkey, albeit those considerations were primarily limited to preventing the war between those allies rather than specifically addressing the Cyprus situation. On July 16, the U.S. sent its men to Ioannides to warn him that the U.S. would oppose *enosis* and full-scale Greek military intervention.³³ While Greece was told not to intervene, the U.S. did not do nearly enough for the restoration of the government of Makarios in Cyprus. This lack of decisive action conveyed a message of ambiguity, in turn convincing Turkey of a lack of firmness in U.S. policy decisions. When Joseph Sisco, the right hand of Kissinger on Cyprus, had a private talk with Turkish Prime Minister Bülent Ecevit in the Turkish Embassy in London on July 18 and pressed if Turkey would take military action or not, Ecevit took a more extreme line with notions akin to partition.³⁴ Turkey's adoption of its stance was partly influenced by domestic pressure but also by the perceived weak response of the U.S. to the coup.

What is particularly striking, however, is that intelligence reports provided explicit warnings, including the date, about the upcoming invasion from various sources in Cyprus and Turkey.³⁵ Notably, the Pentagon reported that the units of the Turkish Second Army were moving to the Southern coast, 50 miles north of Cyprus.³⁶ This critical information was passed down, and the State Department was informed: "Colby [Director of the CIA] related information about Turkish military movements, which indicated that a Turkish invasion would occur July 21 or 22

33 Kissinger, "Cyprus. A Case Study," 204.

³⁴ "Editorial Note," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States, 1969–1976*, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 96, https://history.state.gov/historicaldocuments/frus1969-76v30/d96; Geoffrey Warner, 2009. "The United States and the Cyprus Crisis of 1974." *International Affairs (Royal Institute of International Affairs 1944-)* 85, no. 1 (2009): 136.

³⁵ "Study Prepared by the Intelligence Community Staff for Director of Central Intelligence Colby," Document 171. ³⁶ O'Malley and Craig, *The Cyprus Conspiracy*, 173.

or possibly earlier."³⁷ However, akin to the period preceding the coup, access to the CIA reports was severely restricted, leaving even Tasca, who should have been one of the key figures in such negotiations, unaware of such developments. Nevertheless, it is evident that the senior government officials knew about the upcoming invasion, not only from the theoretical assessments but also from intelligence reports.

Evidently, in this brief period of five days, very little was done after the Greek-sponsored coup to restore the legitimate government of Cyprus and prevent Turkey, a strategic American ally, from intervening. The U.S. allowed the events to develop to the point of no return, even though the intelligence provided accurate and compelling information about the upcoming Turkish invasion—this was not merely an oversight but the second failure of the U.S. foreign policy on Cyprus in 1974.

The First Phase of the Turkish Invasion of 1974

Shortly before dawn at 5:20 a.m. on July 20, heavily armed Turkish troops landed in Kyrenia, north of Nicosia. Turkey invaded Cyprus in an Attila I military operation, even earlier than what the CIA had predicted. On the same day, the U.N. Security Council called for a cease-fire. In the meantime, Turkey faced significant resistance and only managed to capture approximately 3 to 5 percent of Cyprus in two days before the cease-fire took place on July 22.

In invading Cyprus, Turkey violated multiple international agreements. First of all, even though to this day, Turkey relies on the Treaty of Guarantee as justification for military intervention and partition of the island, Turks *did* breach the explicit prohibition of such

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³⁷ "Minutes of Meeting of the Washington Special Actions Group," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States*, 1969–1976, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 98, https://history.state.gov/historicaldocuments/frus1969-76v30/d98.

actions.³⁸ Secondly, by using force against Cyprus, Turkey's use of force violated both the U.N. and NATO charters. Thirdly, and most importantly for the future discourse within the U.S., Turkey breached the Foreign Assistance Act of 1961, the Foreign Military Sales Act of 1968, and the bilateral agreements under those acts.³⁹ Those acts and agreements specifically state that American weapons must be solely used for defensive purposes, yet Turkey was illegally using American armaments during the Cyprus invasion. The official response of the U.S. to this situation should have been the immediate end of all sales of weapons, as stated in those documents. However, the following discussion will focus on the *actual* American response to the invasion.

Prior to the invasion, the only force that could have deterred the Turks from invading was the U.S. Sixth Fleet. Even though the British were one of the guarantor powers, meaning it was their responsibility to deter the military invasion, they were no longer a global super-power in the 1970s. The U.K. lacked the capacity to deter the Turkish army and thus sought the U.S. for a joint Anglo-American policy as a way to deter the escalation of the conflict. Their proposal, however, went without due consideration.⁴⁰

After the first notice of the landing of Turkish troops on the island, the situation was escalating quickly. Turkey was moving even more troops in the direction of Cyprus, while the U.K. was ready to defend its SBAs, and Greece was concentrating its military along the border with Turkey. On the island itself, the skyrocketing intercommunal violence only exacerbated the situation. Yet behind the scenes, the U.K. and the U.S. were doing last-minute frantic diplomacy

³⁸ For further details supporting this statement, please refer to pages 4-5 of the current document.

³⁹ Rossides, "American Foreign Policy Regarding Cyprus," 27.

⁴⁰ Callaghan, "Cyprus — background to the Turkish invasion," 341-42.

to make sure the Turkish invasion of Cyprus would not bring the Soviet Union or other NATO members into a full-scale war.

However, the official response of the U.S. to the Turkish invasion was notably restrained. The United States did not cut military aid to Turkey mainly because of Kissinger's strong position on this question. Henry Kissinger also rejected an appeal from Henry Taska, the U.S. Ambassador to Greece, to use the Sixth Fleet to stop the Turkish invasion. ⁴¹ The U.S. did not want to take any action against Turkey because, for Kissinger, Turkey was a strategic player in the Mediterranean, containing Soviet Union influence in the region. Given the proximity to the USSR, Turkey had twenty-six electronic stations to monitor Soviet missiles. 42 During the conflict, Kissinger favored Turkey over Greece or Cyprus due to concerns that a stronger U.S. stance against Turkish actions in Cyprus would push Turkey closer to the Soviet Union.

These American decisions can be contextualized by examining the mindset of highranking officials regarding Cyprus. Consider a telephone conversation between Kissinger and Colby at the onset of the Turkish invasion of Cyprus:

K: But what do you think they're after? They're not after the whole island, are they?

C: No, no... [T]he most important thing is to *limit* it to Cyprus [emphasis added].⁴³

This conversation sheds light on a critical aspect of U.S. foreign policy. The primary objective was to *limit* or *contain* the problem of Turkish-Greek hostilities to Cyprus. The island, its people, and its future were viewed as expendable—a matter of secondary concern compared to preventing a full-scale war between Greece and Turkey.

⁴¹ Joe Alex Morris, "U.S. 'Knew' of Plan To Invade Cyprus," *The Los Angeles Times*, November 22, 1974.

⁴² Kissinger, "Cyprus. A Case Study," 225.

⁴³ "Transcript of Telephone Conversation Between Secretary of State Kissinger and Director of Central Intelligence Colby," vols. XXX, GREECE; CYPRUS; TURKEY, in Foreign Relations of the United States, 1969–1976, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 102, https://history.state.gov/historicaldocuments/frus1969-76v30/d102.

Nonetheless, a cease-fire was achieved on July 22 through significant efforts of the U.S. and the U.K. By the time of the cease-fire, Turks had already captured Kyrenia and part of Nicosia, effectively establishing a corridor between the two areas. It is crucial to emphasize that the Turkish agreement to the cease-fire was primarily a strategic move. The Turkish army needed more time and reinforcement on the island to sustain their ongoing invasion. They agreed to temporarily hold fire but *not* to stop the invasion.

Following the invasion, major political rearrangements were unfolding in both Greece and Cyprus, as the Greek junta in Greece and their satellites in Cyprus were not prepared for the full-scale invasion. They erroneously believed that being anti-Makarios, or more accurately, anti-communist, was enough to get the U.S. support to help deter the Turks. However, this assumption proved incorrect. On July 23, both the Greek junta in Greece and Nikos Sampson's government in Cyprus crumbled—shockwaves from the Turkish invasion coincided with mounting internal pressures. Konstantinos Karamanlis, the Greek prime minister between 1955 and 1963, returned from exile to bring Greece to a democratic path. In Cyprus, Sampson resigned eight days into his "presidency," and Glafkos Clerides, the speaker of the House of Representatives, became the president according to the Constitution, restoring the legitimate government on the island.

Peace talks between Cyprus and the guarantor powers—Greece, Turkey, and the U.K.—began on July 25. They resumed on August 8, a day before Nixon resigned. Despite ongoing negotiations in Geneva, Cyprus saw continued military activity: Turkey was reinforcing its positions by deploying more troops to the island and repeatedly violated the cease-fire, demonstrating increasingly aggressive actions. What Turkey could not achieve through peace talks, it sought to gain through force on the ground.

Meanwhile, on August 13, less than 24 hours before the second phase of the Turkish invasion, Kissinger expressed the following views in a conversation with President Ford on the Cyprus Crisis:

We certainly do not want a war between the two, but if it came to that, Turkey is more important to us... Some of my colleagues want to cut off assistance to Turkey—that would be a disaster. *There is no American reason why the Turks should not have one-third of Cyprus*. We will make a statement today that will get the New York Times off our back... [emphasis added]⁴⁴

As seen from Kissinger's remarks, Turkey is still considered a key ally of the U.S., being "more important" than Greece and Cyprus combined. This prioritization significantly influenced the reluctance of the U.S. to discontinue military aid despite it being a legal obligation rather than a matter of preference. Washington issued a calculated official statement on the same day, stating that Turkish Cypriots needed more security, backing Turks in this conflict, albeit acknowledging "military actions were still seen as unjustified." For Turkey, this declaration could have been perceived as the green light to their military campaign.

While the CIA might not have provided a comprehensive picture of the impending invasion's magnitude,⁴⁶ the second phase should not have been unexpected. Signs of Turkey's intentions were evident through its reinforcement of positions on the island. Additionally, there were various proposals for the division of the island—from a canton model to a complete partition—circulating in Geneva talks, indicating potential outcomes.⁴⁷ Finally, on August 12,

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⁴⁴ "Memorandum of Conversation," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States*, 1969–1976, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 129, https://history.state.gov/historicaldocuments/frus1969-76v30/d129.

⁴⁵ Bernard Gwertzman, "U.S. Backs Turks in Cyprus But Warns Against a War," *The New York Times*, August 14, 1974, https://www.nytimes.com/1974/08/14/archives/us-backs-turks-in-cyprus-but-warns-against-a-war.html.

⁴⁶ "Study Prepared by the Intelligence Community Staff for Director of Central Intelligence Colby," Document 171.

⁴⁷ O'Malley and Craig, *The Cyprus Conspiracy*, 209-211.

Kissinger and Callaghan even discussed the growing sense of the imminence of the second phase of the Turkish invasion.⁴⁸

As with the events of the U.S. following the Greek-sponsored coup, the efforts made by the U.S. were insufficient to prompt the withdrawal of Turkish troops from the island or at least deter the second phase of the invasion. The U.S. was reluctant to antagonize first Greece and then Turkey. For Cypriots, the sole consequence of the three-week cease-fire was the even more heavily armed Turkish army that was ready to get what they "deserved," namely one-third of the island. This phase marked the third failure of U.S. policy on Cyprus, which resulted in the worst possible outcome for the island—its partition. The second phase of the Turkish invasion will be detailed in the forthcoming section of this part.

The Second Phase of the Turkish Invasion of 1974

On August 14 at 6:30 a.m., several hours after the breakdown of peace talks, Turkey launched the second phase of its aggression—the Attila II operation. Three weeks after the legitimate government of Cyprus was restored, Turkey captured 37.3% of the territory in just two days. Turkey stopped only when it reached the British base of Dhekelia on the south of the island, as it feared that further progression would mean war with the U.K., a risk Turkey was not prepared to take. The new demarcation line dividing the island became known as the Attila Line or Green Line.

Following August 14, the events unfolding in Cyprus marked a notable change among U.S. officials: previously overlooked, the island nation became a matter of concern. On August 18, Secretary of Defense James Schlesinger stated: "Turkey had gone beyond what any of her

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⁴⁸ "Memorandum of Conversation," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States, 1969–1976*, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 128, https://history.state.gov/historicaldocuments/frus1969-76v30/d128.

'friends or sympathizers' were prepared to accept."⁴⁹ The U.S. military program for Turkey was effectively under review. Nevertheless, this momentum was short-lived, as the following day, Kissinger, in a press conference, relayed assurances he had received from Ecevit⁵⁰ that "the Turkish occupation zone could be reduced in size, that the demarcation line ... is negotiable, and that Turkey is prepared to ... phase troop cuts."⁵¹

Cypriots responded with fury to the U.S. policy. On the same day, an anti-American riot erupted in Nicosia, with the mob shouting "Kissinger—a Killer" in front of the U.S. embassy. ⁵² At this point, the anger towards Kissinger, stemming from his perceived role in the events unfolding in Cyprus, made him a scapegoat for all their grievances. During the demonstration, EOKA-B supporters shot the U.S. ambassador to Cyprus, Rodger Paul Davies, and his secretary. ⁵³ President Clerides took the injured Ambassador to the hospital, where he died. ⁵⁴ The same day, Ecevit made a provocative comparison, equating the death of the ambassador with the violence against the Turkish minority on the island. ⁵⁵ This strategic move sought to portray Turkey, the aggressor, as a benign victim and make the U.S. sympathize with the Turks, even

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⁴⁹ Leslie H. Gelb, "PENTAGON'S CHIEF CAUTIONS TURKEY ON CYPRUS DRIVE," *The New York Times*, August 19, 1974, https://www.nytimes.com/1974/08/19/archives/pentagons-chief-cautions-turkey-on-cyprus-drive.html.

⁵⁰ Rossides, "American Foreign Policy Regarding Cyprus," 36.

⁵¹ *The New York Times*, "Crucial Turkish Pledge," August 20, 1974. https://www.nytimes.com/1974/08/20/archives/crucial-turkish-pledge.html.

 ⁵² Ραδιοφωνικές Μαρτυρίες, [Radio Testimonials], "Anti-American demonstration outside the U.S. Embassy in Nicosia (19/08/1974)," video, 0:01, May 20, 2023, https://www.youtube.com/watch?v=qqUzC-X6aVc.

⁵³ Henry Giniger, "WOMAN AID DIES," *The New York Times*, August 20, 1974,

https://www.nytimes.com/1974/08/20/archives/woman-aide-dies-bullets-from-outside-penetrate-besieged-nicosia.html.

⁵⁴ "Transcript of Telephone Conversation Between Secretary of State Kissinger and Acting Cypriot President Clerides," vols. XXX, GREECE; CYPRUS; TURKEY, in *Foreign Relations of the United States, 1969–1976*, ed. by Daniel J. Lawler and Erin R. Mahan, (Washington, D.C.: Government Printing Office, 2010), Document 139, https://history.state.gov/historicaldocuments/frus1969-76v30/d139.

⁵⁵ Juan de Onis, "Ankara Says Tragedy Echoes. Ordeals of Turks on Cyprus," *The New York Times*, August 20, 1974, https://www.nytimes.com/1974/08/20/archives/ankara-says-tragedy-echoes-ordeals-of-turks-on-cyprusi.html.

after the second phase of the Turkish invasion that left the island divided, resembling nothing less than a refugee camp the size of Puerto Rico.

However, the embargo on military aid to Turkey, mandated by existing acts and agreements, was still not implemented. This failure to act sparked heated debates in Congress, such as the one between Kissinger and Senator Eagleton.

"Do you have any *alternative but to obey the law*," the Senator [Mr. Eagleton, a Missouri Democrat] asked again.

Mr. Kissinger then added, "If your legal opinion is correct, it will have very adverse foreign relations consequences for an important ally" [emphasis added].⁵⁶

Kissinger's position reflected the strategic considerations but also placed him *above the law*. If Kissinger had just enforced the law, congressional action would not have been necessary. ⁵⁷ The embargo on Turkey was placed on February 5, 1975, almost six months after the first phase of the Turkish invasion, further underscoring the divergence between legal obligations and geopolitical considerations. As anticipated, Turkey deprived the U.S. of access to American military bases. The embargo was attacked multiple times and lifted completely under President Carter.

Summarizing American Actions in the Crisis of 1974

The Cyprus Crisis of 1974, rooted in long-standing ethnic disputes, colonial legacy, and its tumultuous transition to independence, underscores a series of critical missteps and oversights of American foreign policy. Key figures within the U.S. administration, notably Henry Kissinger, prioritized geopolitical considerations over humanitarian concerns, viewing Cyprus primarily through the lens of Cold War dynamics and regional alliances. By containing the confrontations in Cyprus, his primary objective was to avoid a full-scale war between Greece and Turkey that

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⁵⁶ The New York Times, "Senate Urges Ford to Halt Arms Aid to Turkey," September 20, 1974, https://www.nytimes.com/1974/09/20/archives/senate-urges-ford-to-halt-arms-aid-to-turkey.html.

⁵⁷ Rossides, "American Foreign Policy Regarding Cyprus," 39.

could have led to the collapse of NATO in the Eastern Mediterranean, and in this, he succeeded.⁵⁸ A month post-invasion, the New York Times will write a critical review of the foreign policy actions on Cyprus taken by Henry Kissinger that reflects what we have already been talking about:

The stalling on the aid cutoff, in violation of the laws, is of a piece with Washington's earlier unwillingness to condemn Greece's disintegrating junta for the coup against the legal Government of Cyprus—a reluctance that encouraged Turkey to intervene on the island. It is also consistent with Washington's refusal to condemn Turkey's subsequent massive occupation of a third of Cyprus in flagrant breach of solemn cease-fire pledges.⁵⁹

Henry Kissinger's approach to the crisis in particular, and the U.S. foreign policy on Cyprus in general, were plagued with hesitation and narrow focus on strategic considerations, all of which ultimately failed to prevent the partition of the island.

First, despite indications of escalating tensions, the Greek-sponsored coup of 1974 caught the U.S. off guard, revealing a lack of anticipation and coordination. Subsequent actions, or rather the lack thereof, following the coup exacerbated the situation, as the U.S. was reluctant to condemn the coup to avoid antagonizing Greece—a reluctance that emboldened Turkey to intervene on the island, using the Treaty of Guarantee of 1960 as the pretext for "safeguarding" the TC minority. Later, despite clear intelligence indicating Turkey's intentions, the U.S. opted for a restrained response, remained hesitant to condemn Turkey's extensive invasion of Cyprus, and delayed implementing a military aid embargo, prioritizing short-term regional stability over the rights and security of the Cypriot people and undermining America's moral leadership and credibility by diverging from the principles of commitment to supporting free peoples as outlined in the Truman Doctrine.

⁵⁸ Geoffrey Warner, 2009. "The United States and the Cyprus Crisis of 1974." *International Affairs (Royal Institute of International Affairs 1944-)* 85, no. 1 (2009): 143.

⁵⁹ *The New York Times*, "Turkey Is Ineligible," September 14, 1974, https://www.nytimes.com/1974/09/14/archives/turkey-is-ineligible.html.

The present part has highlighted how geopolitical interests, such as concerns over communism and maintaining strategic alliances, overshadowed efforts to uphold ethical and legal obligations. In hindsight, the failure of American foreign policy on Cyprus in 1974 underscores the need for a more comprehensive approach to diplomacy and conflict resolution. By prioritizing short-term strategic interests over long-term stability, the U.S. inadvertently contributed to the perpetuation of division and conflict on the island. As subsequent events would demonstrate, the repercussions of these policy failures would echo for decades, shaping the political trajectory of the efforts to reunite the island and of the broader Eastern Mediterranean region. The ensuing and final part of this paper will briefly discuss the most important developments that occurred after the Cyprus Crisis of 1974, while advancing an argument in favor of the greater role of the United States in potential pathways toward conflict resolution.

CYPRUS IN SEARCH OF A UNIFIED FUTURE

Cyprus as a Graveyard for Politicians

In 1983, Northern Cyprus declared its independence,⁶⁰ drifting away further from possible unification. *De jure*, Cyprus still remains a single entity. However, the facts on the ground present a different story: the northern part of the island is under the *de facto* control of the TRNC. The history of Cyprus from 1974 to this day is a history of tensions, miscommunications, and incidents between the RoC and the TRNC.

Over the years, numerous attempts have been made to solve the Cyprus Conflict, with the most promising peace talks starting in the 1990s. The efforts culminated in the Annan Plan of 2004, which aimed to reunify Cyprus before its entry into the European Union, but it ultimately failed. Although the plan was accepted in the North, it was rejected in the South, partly attributable to weak security guarantees and compromises of Cypriot sovereignty, such as allowing Turkish troops to remain indefinitely on the island. The outcome reflects a historical pattern of the over-prioritization of the interests of Turkey at the expense of both GC and TC Communities.

Despite the plan's failure, Cyprus was still admitted to the European Union, but only the legal part of Cyprus, leaving the TRNC in a rather complex position. It is legally part of the EU, and Turkish Cypriots are European citizens who live in this uncontrolled zone. Still, most of the EU's benefits, such as EU legislation and the free movement of goods, capital, and people, have been suspended. The bulk of the support, financial and otherwise, comes from its patron state, Turkey, although the TRNC is also partly supported by the EU.⁶¹

⁶⁰ The TRNC is recognized only by Turkey.

⁶¹ Muhittin Tolga Özsağlam, "Turkish Republic of Northern Cyprus as a De Facto and Limited Recognized State: From Federal Solution to Two State Model," *Международная аналитика [International Analytics]* 13, no. 4, (2023): 131-2.

Following the failure of the Annan plan, several rounds of negotiations followed, with the most recent efforts being the UN-supported Swiss talks of 2015-17. Even though both parties came close to understanding the most important elements of the settlement, the historic opportunity was missed. ⁶² The failure of the talks stemmed mainly from disagreement about two persistent issues: (1) power-sharing arrangements and (2) security guarantee issues. ⁶³

History does not support convergence, and to make Cyprus work as a united entity would require "superhuman effort in power sharing." However, as seen in countries where two or more ethnolinguistic groups are present, such as Canada, Belgium, and Switzerland, it is still possible and imperative, as maintaining the status quo is not sustainable, and there is *always* a risk of the escalation of conflict and further bloodshed.

The most basic framework agreed on multiple times is the bi-zonal, bi-communal federation, yet defining this concept within terms that would be acceptable to both sides has been challenging. As emphasized multiple times, "Neither side can 'win,' and both must be prepared to give up some demands." Greeks aim for a completely representative unitary system, meaning a roughly 80/20 balance, while the Turks aim for a two-state model, meaning a 50/50 balance. To sell the convergence to both sides, the realistic solution would mean some level of skewed but still representative loose federation or a united confederation with checks and balances for both sides. A practical settlement within this framework would mean the physical separation of two communities with the creation of majority-minority provinces while promoting political and

AONE&xid=152987ea.

⁶² Przemysław Osiewicz, "The Cyprus Talks 2015–2017: Their Course, the Outcome, and Consequences for the European Union," *Rocznik integracji Europejskiej [Yearbook of European Integration]*, no. 14 (2020): 144.
⁶³ "Turkey and TRNC Push Two-State Solution to Cyprus Division. Country Report: Cyprus," *Economist Intelligence Unit*, 2020, link.gale.com/apps/doc/A647197177/AONE?u=mosc00780&sid=bookmark-

⁶⁴ Mehmet, "Divergence or Convergence?" 136.

⁶⁵ Bahcheli, Couloumbis, and Carley, Greek-Turkish Relations and U.S. Foreign Policy, 19.

social-physiological unity *on par with* economic unity to ensure long-lasting peace.⁶⁶ Under such a settlement, each government would retain control over its cultural, religious, and social policies, along with partial control over the economic sector, while a federal authority would balance and redistribute finances, thus ensuring the island's long-term stability.

However, after five decades of diplomatic failure, Cyprus has been coined "a graveyard for politicians." The complexity of the Cyprus resolution falls somewhere between the German Reunification on one end and the enduring Israeli–Palestinian conflict on the other. As of 2020, the Economist Intelligence Unit predicts a 20% chance of Cyprus settlement with a baseline scenario of the status quo to be maintained. Even though the complexity of the solution is a major factor contributing to this statistic, achieving a solution requires an impartial and influential mediator and security guarantor, as intercommunal talks without a third party are not viable. Greece and Turkey are unsuitable as guarantors because they are biased toward one of the sides. The United Kingdom's inability to guarantee Cypriot independence in 1974 highlights its limited capacity to effectively ensure the preservation of Cypriot independence fifty years later. Among other prominent actors often discussed in the literature are the United Nations, the European Union, the United States, and the North Atlantic Treaty Organization.

The United Nations became more directly involved in the Cyprus issue, mainly through the United Nations Peacekeeping Force in Cyprus (UNFICYP), after Kissinger's mediation efforts failed to produce a lasting solution. UNFICYP, by physically separating two communities with a buffer zone, maintains peace but also entrenches the status quo. Moreover, UNICYP's mandate is extremely limited, as it lacks the authority from the Security Council to carry out

⁶⁶ Ozay Mehmet, "Towards a Solution in Cyprus through Economic Federalism" In *Cyprus: A Regional Conflict and its Resolution*, ed. by Norma Salem. (New York City: ST. MARTIN'S PRESS, INC, 1992), 170-1 and 174. ⁶⁷ "Turkey and TRNC Push Two-State Solution," *Economist Intelligence Unit*.

significant peacekeeping operations: UNFICYP does not even have the authority to propose solutions for the problems that develop on the ground.⁶⁸ Due to the nature of the conflict, it seems that the involvement of the United Nations is insufficient to restore peace, particularly when considering that the conflict has been going on for 50 years, with both sides engaged in a localized arms race.

Some experts have also argued that it may be "high time to 'Europeanize' the peace process in Cyprus," given that the conflict not only presents a global issue but also directly affects the EU.⁶⁹ However, a significant obstacle arises with EU-led peace talks. Turkey would never accept the EU as a mediator because of the perceived bias. Within the EU, the Greek side is represented by Greece and Greek Cypriots, who hold veto powers, while Turkey is not an EU member, and Turkish Cypriots only have observer powers in the EU parliament. This situation undermines the neutrality of negotiations led by the EU.

The U.S. or NATO forces led by the U.S. are the final potential mediators in the Cyprus conflict. The U.S. is the only country that can be perceived as unbiased and powerful enough to become a mediator in the conflict. As argued by the United States Institute of Peace, stakeholders on all sides—Greece, Turkey, and the U.K., as well as Greek and Turkish Cypriots—would be willing to accept the U.S. or NATO as a middleman. The U.S., as the *de facto* leader of the liberal world, can become the key player in the mediation of the conflict, which has been exacerbated, in part, by past neglect on the part of the U.S. The concluding section of the paper will advocate for a re-evaluation of the U.S. foreign policy approach to Cyprus involvement, emphasizing the potential for constructive American engagement.

⁶⁸ Bahcheli, Couloumbis, and Carley, Greek-Turkish Relations and U.S. Foreign Policy, 13-14.

⁶⁹ Osiewicz, "The Cyprus Talks 2015–2017," 149.

⁷⁰ Bahcheli, Couloumbis, and Carley, *Greek-Turkish Relations and U.S. Foreign Policy*, 27.

The Prospective Role of the United States in Post-1974 Cyprus

While some conflicts arising from the Cold War era, such as the division of Germany, have been successfully resolved post-Cold War, the Cyprus Conflict remains unresolved. The significance of a mediator in conflict resolution cannot be overstated, but in the context of Cyprus's division, which is defined by a long-lasting and complicated dynamic between the two communities on the island and the guarantor powers, it is especially true. Considering that superpowers have historically demonstrated the capacity to facilitate resolutions of such conflicts, the U.S., driven by considerations of (1) strategic interests, (2) historical responsibility, and (3) continued tensions, should take an interest in the resolution of the Cyprus Conflict.

The strategic importance of Cyprus to the U.S. lies in its location at a crossroads between Europe, Asia, and Africa. The island hosts critical British Sovereign Base Areas (SBAs) with loads of monitoring facilities the U.K. and its biggest ally, the U.S., rely on for a range of purposes beyond eavesdropping on the neighboring region. More importantly, however, the island's dynamics between the RoC and the TRNC greatly influence the relations between the two key regional U.S. allies, Greece and Turkey, thereby impacting NATO's stability in the southern flank.

Furthermore, Cyprus is tied to America's historical responsibility. Reflecting on the events of 1974, Cyprus suffered immensely when the global advocate for democracy—the United States—driven by the principles of political realism chose to overlook the nuanced regional dynamics. The U.S. hesitated to antagonize Greece and Turkey, worsening the crisis and contributing to the island's division. Henry Kissinger, emblematic of this approach, drove American foreign policy on Cyprus to failure. Even though from a strategic perspective, his efforts to avoid a full-scale war between Greece and Turkey are understandable, they are heavily

criticized for neglecting the sovereignty and rights of the people of Cyprus, contributing to the perpetuation of division and conflict on the island.

The report of the European Commission on Human Rights from July 10, 1976, found the Turkish army, *reliant on U.S. aid and material*, guilty of evicting and confining Greek Cypriots in detention centers, instances of torture, acts of rape and ill-treatment, and deliberate killings of civilians, prisoners, and detainees. ⁷¹ Moreover, despite the U.S. not sending troops to the island, the consequences of the Cyprus Crisis also had a direct human toll on American citizens. During the second phase of the Turkish invasion, five American citizens went missing, their fate remaining unknown to this day. ⁷² On August 19, 1974, the first anti-American riot in the history of the island erupted in front of the U.S. Embassy in Nicosia, resulting in the deaths of Rodger Paul Davies, the U.S. ambassador to Cyprus, and his secretary.

Lastly, the frozen conflict in Cyprus is not sustainable and, without a comprehensive resolution, could potentially lead to the escalation of tensions in the Eastern Mediterranean, further unhinging NATO's southern flank. Recent developments have intensified concerns, particularly with Erdoğan's increasing shift towards authoritarian rhetoric, a trend similar to the one observed in regimes such as those of Russia and China. Following his re-election in 2023, the first visit Erdoğan paid was to the TRNC, where he called for the international recognition of the TRNC and gave a speech advocating for a two-state model—the complete partition of the island.⁷³

⁷¹ European Commission on Human Rights, *Applications Nos. 6780/74 and 6930/75*, Report of the Commission, Strasbourg, 1976. https://perma.cc/CLC3-4P6Y.

⁷² The Bureau of Democracy, Human Rights, and Labor, *Cyprus Country Report on Human Rights Practices for 1997* (Washington, D.C.: U.S. Department of State, January 30, 1974).

⁷³ Menelaos Hadjicostis, "Turkey's president unwavering on two-state policy to resolve Cyprus' ethnic division" in *The Associated Press* (New York City: The Associated Press, June 12, 2023). https://perma.cc/N7D4-X66C.

In conclusion, considering the geopolitical significance of Cyprus, American historical responsibility, and recent developments, the U.S. should play a central role in future peace talks and plans for Cyprus. However, as argued by the United States Institute of Peace, for the U.S. involvement to be effective, it will require a different view on Cyprus, the one where U.N. peacekeeping can be supplemented by special coordinators and negotiators from the U.S. and, most importantly, the one where the U.S. will provide security guarantees to both Greeks and Turks. The latter might entail the complete demilitarization of Cyprus and the replacement of Turkish troops with an international force led by the U.S. or NATO. 74 This decision would become an endorsement not only to acknowledge its historical obligation, but also to align with its commitment to supporting democracy globally with a resolution of a conflict that has long become a strategic necessity.

⁷⁴ Bahcheli, Couloumbis, and Carley, *Greek-Turkish Relations and U.S. Foreign Policy*, 28.

Human Trafficking and U.S. Repatriation of Foreign Terrorist Fighters from Northeast Syrian ISIS Detention Camps

Jordan McConville*

Abstract: Since its creation in 2014, the Islamic State of Iraq and Syria (ISIS) has been proven to participate in the human trafficking of minority women. Through use of government sources on human trafficking and on terrorism, primary sources as published by ISIS, and victim testimony, this research serves as an expansion on the previously understood uses of human trafficking by ISIS. As the definition of human trafficking is better understood, the recruitment practices of ISIS are considered human trafficking when the recruits are exploited after joining and are persuaded to join through deception or coercion. This article seeks to analyze how ISIS's use of human trafficking is ignored in the U.S.'s decision to repatriate Foreign Terrorist Fighters from Northeast Syria. The negligence of the U.S. government in the investigation of human rights violations by ISIS contributes to the trauma of human trafficking victims and subverts the UN Principle of Non-punishment. This article will not minimize legitimate fears of ISIS but introduces a new dimension to prosecution; the implications of victims of ISIS being treated as the abusers that counterterrorism policies seek to punish is an under examined and increasingly relevant issue.

Keywords: ISIS, Human Trafficking, Repatriation, Syria, al-Hol, Roj

Introduction

The Islamic State of Iraq and Syria (ISIS) is a jihadist terrorist group that rose from the "ashes of Al-Qaeda" in Iraq after U.S. troops left the region in 2011.¹ Their raison d'être is to

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¹ Martin Smith and Linda Hirsch, "The Rise of ISIS," FRONTLINE, 2015, https://www.pbs.org/wgbh/frontline/documentary/rise-of-isis/.

wage a war against non-believers, or other "infidels," around the world.² ISIS is classified as a hierarchical organized crime network that is "characterized by strong internal lines of control and discipline," making them more of a highly organized and lethal business than a typical radical violence movement.³ Known for abduction, human trafficking, publicized beheadings, and asymmetrical warfare attacks on the sovereign territory of western states, the global response to ISIS is considered a top priority for security by many states, including the U.S.

As ISIS gained more traction in 2014 in their pursuit to achieve a caliphate, a state under sharia law, the jihadist terrorist group attracted more than 40,000 foreign terrorist fighters (FTFs) from approximately 110 countries.⁴ The United Nations Security Council Resolution 2178 from 2014 defined FTFs as "individuals who travel to a State other than their States of residence or nationality for the purpose of the perpetration, planning, or preparation of, or participation in, terrorist acts or the providing or receiving of terrorist training." As will be argued in this paper, a portion of FTFs in ISIS may be victims of human trafficking if they were recruited to ISIS with deception, coercion, or force, and subsequently suffer exploitation upon arrival. While recruitment as trafficking is an emerging field of study, ISIS has conducted overt human trafficking in the past. In 2014, ISIS held an auction of girls and women who were either abducted or coerced, listing Christian and Yazidi girls aged 1-9 for \$172, girls aged 10-20 for

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² Sarah Myers Raben, "The ISIS Eradication of Christians and Yazidis: Human Trafficking, Genocide, and the Missing International Efforts to Stop It," *Revista de Direito Internacional* 15, no. 1 (April 27, 2018), https://doi.org/10.5102/rdi.v15i1.5191.

³ United Nations Office on Drugs and Crime, "Chapter 4 United Nations Office on Drugs and Crime (UNODC) Trafficking in Persons Global Patterns," 2006, https://www.unodc.org/pdf/traffickinginpersons-report-2006-04.pdf.

⁴ Julie Coleman and Teuta Avdimetaj, "Kosovo's Experience in Repatriating Former Foreign Fighters," International Centre for Counter-Terrorism - ICCT, May 2020, https://www.icct.nl/publication/kosovos-experience-repatriating-former-foreign-fighters.

⁵ Ingram Haroro J. et al., "The Repatriation & Reintegration Dilemma: How States Manage the Return of Foreign Terrorist Fighters & Their Families," *Journal for Deradicalization*, no. 31 (June 24, 2022): 119–63, https://journals.sfu.ca/jd/index.php/jd/article/view/605.

\$129, women aged 20-30 for \$86, women aged 30-40 for \$75, and women aged 40-50 for \$43.6 After the territorial defeat of ISIS in 2017 and the mass apprehension and detention of ISIS affiliates in Northeast Syria, it is possible that all of these women and girls and hundreds of others like them, are detained alongside violent ISIS fighters and prosecuted in the same fashion of those guilty of heinous crimes. Trafficking victims are automatic rights holders and require long-term support, not prosecution.

This article seeks to analyze how ISIS's use of human trafficking is ignored in the U.S.' decision to repatriate FTFs from Northeast Syria. The negligence of the U.S. government in the investigation of human rights violations by ISIS contributes to the trauma of human trafficking victims and subverts the UN Principle of Non-Punishment. This article will not minimize legitimate fears of ISIS, but introduce a new dimension to prosecution, as the implications of victims being treated the same in the justice system as their jihadist abusers is an underexamined and increasingly relevant issue.

What follows is an analysis of ISIS's use of human trafficking and how the recruitment of FTFs by ISIS may be considered human trafficking. To understand the U.S.'s decision to repatriate FTFs, it is necessary to investigate the U.S. government's role as the decision maker for repatriation, the possible courses of action it may take to respond to the crises of Northeast Syria, the repatriation decision the U.S. government made, and why they made this decision. To summarize, the U.S. government's decision to repatriate FTFs from ISIS was informed from the government's understanding of the threat of either repatriating FTFs or not, external pressure from the international community, and the possibility of gaining credibility and influence after

⁶ János Besenyő, "The Islamic State and Its Human Trafficking Practice," ProQuest, no. 60 (2016): 15–21, https://www.proquest.com/docview/1861258226?parentSessionId=Jg2aJkg93FCFI8E2tv9cOSx%2B0JV4da45UWjJ6sV%2F9EM%3D.

repatriation. This paper will show that there is no consideration of human trafficking in the decision to repatriate.

ISIS's Use of Human Trafficking

ISIS has strategically used human trafficking to advance their positionality and retention of fighters. ISIS considers trafficking to be a necessary contribution to the psychological destruction of "the enemy" through the "[decimation of] communities," which destroys their ability to fight back, thus leaving their victims vulnerable to radicalization. The United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially women and children ("UN Trafficking Protocol") defines human trafficking as the "recruitment, or receipt of persons, by means of the threat or use of force or fraud, deception, the abuse of power or of a position of vulnerability for the purpose of exploitation," which includes sexual exploitation, slavery, or servitude. For any child under the age of eighteen, there need not be coercion or force for exploitation to be considered trafficking as children cannot consent. Put simply, trafficking of adults requires three components to be internationally categorized as a crime: the "act" of trafficking, the "means," and the "intent/purpose," to exploit.

⁷ Ashley Binetti, "A New Frontier: Human Trafficking and ISIS's Recruitment of Women from the West," 2015, https://giwps.georgetown.edu/wp-content/uploads/2017/10/Human-Trafficking-and-ISISs-Recruitment-of-Women-from-the-West.pdf.; János Besenyő, "The Islamic State and Its Human Trafficking Practice," *ProQuest*, no. 60 (2016): 15–

 $^{21, \}underline{https://www.proquest.com/docview/1861258226?parentSessionId=Jg2aJkg93FCFI8E2tv9cOSx\%2B0JV4da45UWjJ6sV\%2F9EM\%3D.}$

⁸ Binetti, "A New Frontier,"

⁹ Jayne Huckerby, "When Terrorists Traffic Their Recruits," Just Security, March 15, 2021, https://www.justsecurity.org/75343/when-terrorists-traffic-their-recruits/.

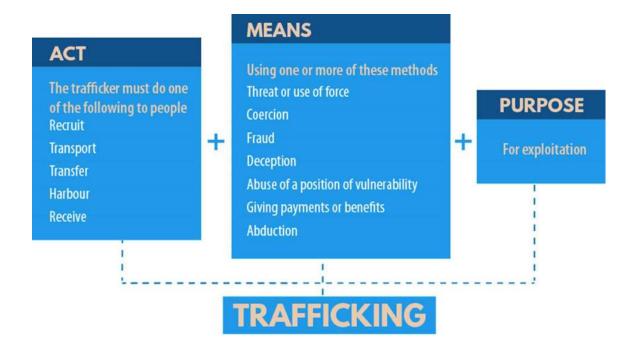


Figure 1: From The United Nations Office of Drugs and Crimes

In *al-Dabiq*, the propaganda magazine distributed by ISIS, trafficking is justified in that "Before Shayṭān reveals his doubts to the weak-minded and weak hearted, one should remember that enslaving the families of the [infidels] and taking their women as concubines is a firmly established aspect of Sharī ah that if one were to deny or mock, he would be denying or mocking the verses of the Qur and the narrations of the Prophet ... and thereby apostatizing from Islam." More than just using trafficking to create income or incentives, ISIS believes that trafficking is central to their ideology, and thus operates four different types of trafficking models.

The first type of trafficking is of women, often Yazidis or Christians, who they kidnap and sell as "jihadist brides," or sex slaves. The women are distributed to incentivize the

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¹⁰ Da'esh, *Dabiq*, *Internet Archive*, 11th ed., 2015, https://archive.org/details/dabiq11-indo-thareeqalhaq/page/n56/mode/lup.

recruitment and retention of male FTFs, as a reward for successful fighters. ¹¹ The second type of trafficking is of younger boys, typically for forced criminality, and the third type is the generation of profit through the sales of prisoners. The last type of trafficking, and the focus of this paper, is the recruitment of FTFs. Under the UN definition of trafficking, the recruitment of FTFs to ISIS may be considered trafficking in some cases when the recruiters use force, coercion, or deception in the recruitment process, and if there is an intention to exploit the FTF once they are in ISIS. This is most common with women who believe that think they are joining ISIS to be a fighting force, only to be sold into sexual slavery upon arrival.

Recruitment as Human Trafficking

ISIS's online recruitment since 2014 has mainly targeted women. They have recruited approximately 550 women from the West, but, the number of FTFs from online recruiting means are likely much higher. The effects of their recruitment methods are implicit in the discussion of human rights and have challenged the norms asserted by the international community in reference to counterterrorism policies. Further, as the definition of human trafficking is better understood, should any FTFs that were recruited by ISIS have been radicalized under false pretenses or with the intention by ISIS to exploit them, then the prosecution and repatriation of terrorists requires a reexamination. It is because of the "techniques used to lure these young women and how they are exploited upon arrival in ISIS-held territory," that recruitment may constitute human trafficking.

¹¹ Binetti, "A New Frontier,"

¹² *Ibid*.

¹³ United Nations Security Council Counter-Terrorism Committee Executive, "Gender Dimensions of the Response to Returning Foreign Terrorist Fighters: Research Perspectives,"

^{2019, &}lt;a href="https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/feb_2019_cted_trends_report_0.pdf">https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/feb_2019_cted_trends_report_0.pdf.

¹⁴ Binetti, "A New Frontier,"

Under the UN Principle of Non-Punishment, victims of human trafficking should not be prosecuted for any crimes or unlawful activities that they committed while they were subjected to their traffickers' will. While this is a guideline of the UN, it falls to domestic authorities to enforce it. In 2000, the U.S. adopted the Trafficking Victims Protection Act, which states that "Victims of severe forms of trafficking should not be inappropriately incarcerated, fined, or otherwise penalized solely for unlawful acts committed as a direct result of being trafficked..."

To summarize, trafficking victims cannot consent to any forms of exploitation or criminality because they do not have the ability to exercise free will, and therefore should not be prosecuted for what they do while trafficked. In theory, this would extend to suspects of terrorist activity, just as it would extend to those being tried for crimes of prostitution. It is this caveat that is central to this analysis.

Returning to the recruitment of ISIS members, ISIS recruiters describe the "the glory and honor of being the wife of a jihadi living in utopia," often to women around the age of eighteen, who are then sold into sexual slavery as the "jihadi brides." Mia Bloom, professor of crime and terrorism of the University of Massachusetts Lowell, argues that ISIS recruiters mirror online predators that coerce children, and that women who are recruited to ISIS will, within a few weeks of arrival, "be married and pregnant and…that's not the life that they're anticipating in terms of their contribution to the cause," and as such should be treated as "victims rather than

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¹⁵ Maria Giammarinaro, "The Importance of Implementing the Non-Punishment Provision: The Obligation to Protect Victims 1," n.d., https://www.ohchr.org/sites/default/files/Documents/Issues/Trafficking/Non-Punishment-Paper.pdf.

¹⁶ OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS, "Protecting Victims of Trafficking: The Non-Punishment Principle," May 6, 2024, https://www.state.gov/wp-content/uploads/2023/12/Protecting-Victims-of-Trafficking-The-Non-Punishment-Principle.pdf.

¹⁷ Reprieve, "Trafficked to ISIS," 2021, <a href="https://reprieve.org/wp-content/uploads/sites/2/2021/04/2021_04_30_PUB-Reprieve-Report-Trafficked-to-Syria-British-families-detained-in-Syria-after-being-trafficked-to-Islamic-State-1.pdf.

traitors."¹⁸ Victims may appear willing to join ISIS but could have been subjected to psychological coercion including fraud, deception, grooming tactics, or at times Stockholm Syndrome. ¹⁹ Expert Sara Khan, the Director of Inspire International, a human trafficking prevention group, writes that "... [the girls are] befriended online, told they're loved, [and] showered with praise and flattery. These girls, like victims of child sexual exploitation, don't see themselves as victims. They see themselves as girls going to be with men who genuinely love them."²⁰ In the cases of minors, again it is important to note that any sort of coercion or force is not necessary for them to be considered victims of human trafficking should they be exploited upon arrival. In the case of U.K. national Shamima Begum who left for ISIS when she was fifteen, she was later denied return to the U.K. and had her citizenship revoked on the grounds of her terrorist involvement.²¹

As demonstrated from the 2019 Begum case, domestic courts often do not take into consideration the potential for terrorists to have been trafficked in their application of the law. It is necessary to assume an informed understanding of recruitment circumstances in order to fully prosecute recruits and to interpret the law under the specific circumstances of a suspected terrorist as a criminal defendant.²² Put expertly by Jane Huckerby, the leading scholar on trafficking in recruitment, "To rightfully address such a situation requires considering when the legal definition of human trafficking applies to ISIS foreign recruits, the implications of trafficking in such recruitment cases, and why authorities often ignore this phenomenon."²³ What

¹⁸ Tim Molloy, "How ISIS Uses Sexual Predators' Techniques to Lure Western Women (Podcast)," FRONTLINE, November 12, 2014, https://www.pbs.org/wgbh/frontline/article/how-isis-uses-sexual-predators-techniques-to-lure-western-women-podcast/.

¹⁹ Reprieve, "Trafficked to ISIS,"

²⁰ Binetti, "A New Frontier,"

²¹ Huckerby, "When Terrorists Traffic Their Recruits,"

²² Binetti, "A New Frontier,"

²³ Huckerby, "When Terrorists Traffic Their Recruits,"

will follow is an analysis of current U.S. repatriation policies, an investigation into the primary decision maker behind repatriation of FTFs from Northeast Syria, and a discussion of the degree of consideration of human trafficking given to FTFs.

Detention of ISIS Fighters

After the fall of territorial ISIS in 2017, the Syrian Democratic Forces (SDF), which is the Kurdish militia in Northeast Syria, apprehended tens of thousands of FTFs and their families and detained them in the al-Hol and Roj camps in Northeast Syria, with some additional persons detained in Iraq. The camps are run by the Autonomous Administration of North and East Syria, a non-sovereign entity, which further complicates issues of governance and jurisdiction. ²⁴ The members of ISIS not detained are reportedly coalescing and reestablishing itself in the "Syrian shadows," and are planning increasingly complex attacks on prisons and other detainment centers containing ISIS members. ²⁵ As such, al-Hol and Roj are highly vulnerable to an attack by ISIS, which is increasingly likely as ISIS members within the camps further take control over blocs. Syrian and Kurdish forces ask that states repatriate all FTFs to their home country to reduce the threat of radicalization and the burden of defending the over-populated camps.

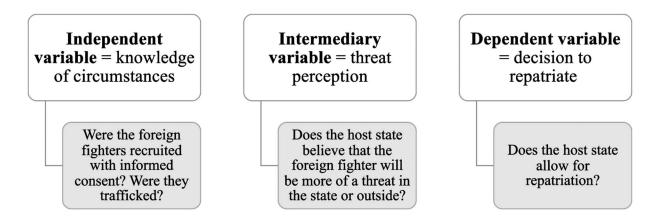
Repatriation is the process of returning foreign nationals to their state. Regarding FTFs, repatriation has been contentious within the international community, with many states, primarily Western European states, decidedly unwilling to repatriate any citizens suspected of ISIS involvement. One of the primary reasons for this can be the legitimate fear that returning former ISIS members to the state will be a threat to society, even if they are prosecuted and

²⁴ Helen Stenger, "Victim versus Villain: Repatriation Policies for Foreign Fighters and the Construction of Gendered and Racialised 'Threat Narratives,'" *European Journal of International Security* 8, no. 1 (November 16, 2022): 1–24, https://doi.org/10.1017/eis.2022.28.

²⁵ Louisa Loveluck, "How the Islamic State Used Bullying and Bribes to Rebuild in Syria," Washington Post, February 24, 2022, https://www.washingtonpost.com/world/2022/02/24/islamic-state-syria-attacks/.

imprisoned. After heavy external pressure from the UN and the international community to repatriate to mitigate human rights violations in the camps and reduce the chance of radicalization, many states began repatriating in some capacity between 2018 and 2020. The U.S. slowly began repatriating the 300 Americans held in detention in 2020. Most recently on September 12, 2023, the U.S. repatriated a mother and nine of her children who were born in the U.S. and taken to Syria to join ISIS by her husband. This was the largest repatriation at once in the U.S. since 2020 and brought the total number of repatriated U.S. citizens from Northeast Syria to 40.27

To evaluate the decision of the U.S. to repatriate FTFs from Northeast Syria, and to understand the impact of human trafficking on this decision, I utilized process tracing between a system of the following variables:



To determine whether FTFs were recruited with informed consent, I researched human trafficking in ISIS to determine theoretical bases for recruitment as individual cases are not publicized. I synthesized information published in the Global Report on Trafficking in Persons

²⁶ Felicia Sonmez and Michael Brice-Saddler, "Trump Says Alabama Woman Who Joined ISIS Will Not Be Allowed Back into U.S.," *Washington Post*, February 21, 2019, https://www.washingtonpost.com/politics/trump-says-alabama-woman-who-joined-isis-will-not-be-allowed-back-into-us/2019/02/20/64be9b48-3556-11e9-a400-e481bf264fdc story.html?noredirect=on.

²⁷ Charlie Savage, "U.S. Seeks to Repatriate Family of 10 Americans from Camps in Syria," *The New York Times*, September 12, 2023, sec. U.S., https://www.nytimes.com/2023/09/12/us/politics/syria-family-repatriate.html.

2022, the 2022 Trafficking in Persons Report, CENTCOM – Year in Review 2022: The Fight against ISIS, the United Nations Office on Drugs and Crime (UNODC) Trafficking in Persons Global Patterns, and the Sixteenth Report of the Secretary-General on the Threat Posed by ISIL (Da'esh) to International Peace and Security and the Range of United Nations Efforts in Support of Member States in Countering the Threat. To determine the threat perception of the U.S. I analyzed the U.S. government as the decision maker and outlined the thought processes behind the decision to repatriate FTFs from Syria.

U.S. Policy on Repatriation of FTFs

The U.S. government is the primary decision maker for all repatriation policies of the U.S. This is because there is not one person who can make the decision to repatriate, but rather there is a collective deliberation on the U.S. foreign policy stance between the most prominent agencies in the Executive Branch. While President Trump and Biden made clear their position on repatriation, the final decision comes down to the joint capabilities of the State Department, Department of Defense, and Department of Justice. The State Department is the primary actor for deciding who, when, and why to repatriate, as demonstrated by the agency's role of media communication. The Department of Defense works with the SDF to coordinate transfer of FTFs, which is more so execution, but the Department can limit the decision to repatriate if they do not have the needed resources.²⁸ Finally, the Department of Justice is responsible for investigating individuals who are detained to determine if they are likely to be prosecuted upon arrival, which is a driving motivation for repatriation. Note here that the non-punishment principle would exempt FTFs from being prosecuted if they were found to be victims of human trafficking. The

²⁸ International Centre for Counter-Terrorism, "Trends in the Return and Prosecution of ISIS Foreign Terrorist Fighters in the United States," International Centre for Counter-Terrorism - ICCT, August 2023, https://www.icct.nl/publication/trends-return-and-prosecution-isis-foreign-terrorist-fighters-united-states.

more likely the FTF is to be prosecuted, the more the Department of Justice will work for repatriation.

How Does the U.S. Understand the Issue?

The U.S. government understands the state of the world, in reference to this issue, to be dominated by four considerations. First, the U.S. maintains that their national priority is combatting terrorism. Second, the U.S. government interprets, and contributes to, mounting international pressure on states to repatriate FTFs from Northeast Syria. Third, the U.S. understands the deteriorating conditions of al-Hol and Roj as grave humanitarian concerns. Fourth, the U.S. considers the threat posed by either leaving the FTF in the camps or repatriating them, ultimately deciding that repatriation poses the lesser threat. As I will emphasize below, the U.S. government does not consider whether an FTF was trafficked in their consideration of repatriation.

It is important to note the challengeof repatriating those detained in al-Hol and Roj. There is inconsistency in reported numbers of detainees, causing there to be inaccurate information guiding the decision of state actors. As an example: at the beginning of 2020, the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights estimated that al-Hol held 74,000 people (it was only designed for 10,000);²⁹ in February 2021, United Nations experts reported that 64,000 were detained;³⁰ in Summer 2022, an independent

²⁹ "Summary Report of the Side Event Held by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) at the Margins of the Joint Regional High-Level Conference on 'Foreign Terrorist Fighters - Addressing Current Challenges,'" February 2020, https://www.osce.org/files/f/documents/9/0/453048.pdf. ³⁰ United Nations Experts, "Syria: UN Experts Urge 57 States to Repatriate Women and Children from Squalid Camps," OHCHR, February 2021, https://www.ohchr.org/en/press-releases/2021/02/syria-un-experts-urge-57-states-repatriate-women-and-children-squalid-camps?LangID=E&NewsID=26730.

source reported that there remained 41,000;³¹ in August 2023, the International Centre for Counterterrorism reported that there were 65,000 FTFs and their families being held;³² in September 2023, the *New York Times* reported that there were 60,000 detained, notably with half the population under 12 years old;³³ in October 2023, Fionnuala Ní Aoláin, the United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism estimated that there remains 70,000 still held in Syria.³⁴ The large variance in these numbers muddies the deciding factors of states to repatriate or not repatriate.

Combatting terrorism

John Brown, FBI Executive Assistant Director for National Security in 2020, asserted that "Preventing terrorism remains the FBI's top priority. Through the hard work and dedication of countless men and women across the FBI and the U.S. government, nearly a dozen citizens have been repatriated from Iraq and Syria over the past several years to face the American justice system." Brown further emphasizes that repatriation, and the resulting force of the Department of Justice, "should serve as a warning to those who travel, or attempt to travel, to join and fight with ISIS." This further demonstrates that the Department of Justice's advocation for repatriation is

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³¹ Ingram Haroro J. et al., "The Repatriation & Reintegration Dilemma: How States Manage the Return of Foreign Terrorist Fighters & Their Families," *Journal for Deradicalization*, no. 31 (June 24, 2022): 119–63, https://journals.sfu.ca/jd/index.php/jd/article/view/605.e

³² International Centre for Counter-Terrorism, "Trends in the Return and Prosecution of ISIS Foreign Terrorist Fighters in the United States," International Centre for Counter-Terrorism - ICCT, August 2023, https://www.icct.nl/publication/trends-return-and-prosecution-isis-foreign-terrorist-fighters-united-states.

³³ Charlie Savage, "U.S. Seeks to Repatriate Family of 10 Americans from Camps in Syria," *The New York Times*, September 12, 2023, sec. U.S., https://www.nytimes.com/2023/09/12/us/politics/syria-family-repatriate.html.

³⁴ Fionnuala Ní Aoláin, "Non-Refoulement and the Obligations of States to Persons Arbitrarily Detained in North-East Syria Position Paper of the United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism *," October

^{2023, &}lt;a href="https://www.ohchr.org/sites/default/files/documents/issues/terrorism/sr/non-refoulement-in-context-repatriation-from-northeast-syria-oct2023.pdf">https://www.ohchr.org/sites/default/files/documents/issues/terrorism/sr/non-refoulement-in-context-repatriation-from-northeast-syria-oct2023.pdf.

³⁵ U.S. Department of Justice, "The United States Has Repatriated 27 Americans from Syria and Iraq Including Ten Charged with Terrorism-Related Offenses for Their Support to ISIS," www.justice.gov, October 1,

based on if they expect the case to result in prosecution, and thus may not be inclined to research forced criminality as an effect of trafficking. As such, repatriation is aligned with the U.S.'s goal to combat terrorism as it acts as a deterrent to future radicals who consider leaving the state to join a terrorist group.

Furthermore, Ian Moss, the State Department's Deputy Counterterrorism Coordinator, expressed the need to repatriate across the international community as a "collective action program" that is meant to "reduce the risk of an ISIS resurgence that threatens us all." The U.S. government therefore understands itself to be situated in a state of the world where terrorism, and the threat of ISIS, remain at large. U.S. concerns were tragically validated during the March 2024 ISIS affiliate group, ISIS-K, attack on Moscow, which was the first ISIS-K attack outside of South Asian territories.³⁷ Thus, the decision to repatriate will be made under considerations of the priority to combat terrorism.

External Pressures

The U.S., and other states, have been publicly pressured to repatriate FTFs, and this public pressure has thus influenced the U.S.'s decision to repatriate. Notably, the UN has maintained a strong presence in outlining states' responsibilities in the global war on terror. For example, Security Council Resolutions 2178 and 2396 "impose a legal obligation on States to bring terrorists to justice and to develop and implement appropriate prosecution, rehabilitation

^{2020, &}lt;a href="https://www.justice.gov/opa/pr/united-states-has-repatriated-27-americans-syria-and-iraq-including-ten-charged-terrorism">https://www.justice.gov/opa/pr/united-states-has-repatriated-27-americans-syria-and-iraq-including-ten-charged-terrorism.

³⁶ Ian Moss, "Repatriation from Northeast Syria and the Effort to Counter Violent Extremism," The Washington Institute, April 19, 2023, https://www.washingtoninstitute.org/policy-analysis/repatriation-northeast-syria-and-effort-counter-violent-extremism.

³⁷ U. S. Mission OSCE, "On the Terrorist Attack at the Crocus City Hall in Moscow," U.S. Mission to the OSCE, April 11, 2024, https://osce.usmission.gov/on-the-terrorist-attack-at-the-crocus-city-hall-in-moscow/#:~:text=The%20March%2022nd%20ISIS%2DK.

and reintegration strategies for returning foreign terrorist fighters."³⁸ The UN additionally published guidelines in April 2019 that "made clear that states have the primary responsibility for their own nationals," in reference to the detainees in Syria.³⁹ While it is painfully obvious that states will violate these UN guidelines and resolutions, the presence of these regulations at all will contribute to states' decision to repatriate; even if that contribution is minimal, it is still a positive effect. Whether repatriation would be impacted in a significant way if the UN introduced the subject of human trafficking is yet to be determined.

In 2019, the International Centre for Counterterrorism stated that repatriation "is the only correct and viable option from both a legal, moral, and (long-term) security perspective." ⁴⁰
Repatriation is also recommended by AANES, UNICEF, and the International Red Cross on the grounds of preventing human rights violations within the detention camps. ⁴¹ Further, the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights asserted in February 2020 that states "Ignoring shared responsibilities will not create security but exacerbate the long-term risks of camps providing fertile ground for recruitment by terrorist and criminal organizations alike." ⁴² The risks of these camps include

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³⁸ Tanya Mehra and Christophe Paulussen, "The Repatriation of Foreign Fighters and Their Families: Options, Obligations, Morality and Long-Term Thinking," International Centre for Counter-Terrorism - ICCT, March 2019, https://www.icct.nl/publication/repatriation-foreign-fighters-and-their-families-options-obligations-morality-and-long.

³⁹ Julie Coleman and Teuta Avdimetaj, "Kosovo's Experience in Repatriating Former Foreign Fighters," International Centre for Counter-Terrorism - ICCT, May 2020, https://www.icct.nl/publication/kosovos-experience-repatriating-former-foreign-fighters.

⁴⁰ Tanya Mehra and Christophe Paulussen, "The Repatriation of Foreign Fighters and Their Families: Options, Obligations, Morality and Long-Term Thinking," International Centre for Counter-Terrorism - ICCT, March 2019, https://www.icct.nl/publication/repatriation-foreign-fighters-and-their-families-options-obligations-morality-and-long.

⁴¹ Helen Stenger, "Victim versus Villain: Repatriation Policies for Foreign Fighters and the Construction of Gendered and Racialised 'Threat Narratives," *European Journal of International Security* 8, no. 1 (November 16, 2022): 1–24, https://doi.org/10.1017/eis.2022.28.

⁴² "Summary Report of the Side Event Held by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) at the Margins of the Joint Regional High-Level Conference on 'Foreign Terrorist Fighters - Addressing Current Challenges,'" February 2020, https://www.osce.org/files/f/documents/9/0/453048.pdf.

dramatic radicalization of detained children, risk of human trafficking, and humanitarian crises posed by the camps inhumane conditions.

The U.S. recognized this international pressure to repatriate, and decided, in part, to repatriate to corroborate their own urgings for other states to do the same. In 2023, Ian Moss contributed to this international voice saying that mitigating the situations in Northeast Syria requires the support of the international community. A Repatriation is a way for states to gain credibility as human rights practitioners and as defendants of national security. This promotion of human rights protections *could* extend to victims of human trafficking, but it is not presented in the public narrative as a driving force to repatriation. As such, the U.S. exists in this state of the world wherein international approval, which the U.S. is desperately in need of at any point in time, results from repatriation.

The Deteriorating State of the Camps

The Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism found in October 2023 that the detention in al-Hol and Roj meets the threshold of torture or cruel, inhuman or degrading treatment or punishment under customary and treaty based international law. In these camps, there is limited healthcare and food access, arbitrary violence, risk of trafficking and radicalization, limited to no access to outside information, enforced disappearances by camp authorities, and no due process. 44 As such, the Special Rapporteurs of the United Nations Human Rights Special

⁴³ Ian Moss, "Repatriation from Northeast Syria and the Effort to Counter Violent Extremism," The Washington Institute, April 19, 2023, https://www.washingtoninstitute.org/policy-analysis/repatriation-northeast-syria-and-effort-counter-violent-extremism.

⁴⁴ Fionnuala Ní Aoláin, "Non-Refoulement and the Obligations of States to Persons Arbitrarily Detained in North-East Syria Position Paper of the United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism *," October

 $^{2023, \ \}underline{https://www.ohchr.org/sites/default/files/documents/issues/terrorism/sr/non-refoulement-in-context-repatriation-from-northeast-syria-oct 2023.pdf.$

Procedures "recalls that the urgent return and repatriation of foreign fighters and their families from conflict zones is the only international law-compliant response to the increasingly complex and precarious human rights, humanitarian and security situation faced by those women, men and children who are detained in inhumane conditions." Additionally, the camps are run by Kurdish authorities who have reported to the Special Rapporteurs their "inability to manage the humanitarian catastrophe they face," further corroborating the UN's assessment of conditions in the camp. 46

There is also a prominent rhetoric that the women and children detained in these camps, through their relation to FTFs (or in the case of some women, their experience as an FTF), are more vulnerable to violence and human rights violations during and prior to their detention, and thus should be repatriated for their safety and treatment immediately. ⁴⁷ Repatriation is often only extended to women and children as they are more so seen as victims, and not to men who are interpreted as threats. When the U.S. government understands that they are in a state of the world wherein the camps in which these persons are detained do not meet international humanitarian standards, they may be more inclined to repatriate some, if not all, of the detainees there.

It is important to note that reports estimate that at least 63% of British women that are detained in al-Hol are victims of human trafficking.⁴⁸ Many were transported to Syria as

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⁴⁵ United Nations Human Rights Special Procedures Special Rapporteurs, "Extra-Territorial Jurisdiction of States over Children and Their Guardians in Camps, Prisons, or Elsewhere in the Northern Syrian Arab Republic: Legal Analysis," accessed December 17,

^{2023, &}lt;a href="https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020">https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 https://www.ohchr.org/sites/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 <a href="https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 <a href="https://www.ohchr.org/sites/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 <a href="https://www.ohchr.org/sites/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020 <a href="https://www.ohchr.org/sites/Terrorism/UNSRsPublicJurisdictionAnalysis2020 <a href="https://www.ohchr.org/sites/Terrorism/UNSRsPublicJurisdictionAna

⁴⁶ United Nations Human Rights Special Procedures Special Rapporteurs, "Extra-Territorial Jurisdiction of States over Children and Their Guardians in Camps, Prisons, or Elsewhere in the Northern Syrian Arab Republic: Legal Analysis," accessed December 17,

^{2023, &}lt;a href="https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020">https://www.ohchr.org/sites/default/files/Documents/Issues/Terrorism/UNSRsPublicJurisdictionAnalysis2020.pdf.

⁴⁷ OHCHR, "OHCHR | Return and Repatriation of Foreign Fighters and Their Families," Office of the High Commissioner for Human Rights, n.d., https://www.ohchr.org/en/special-procedures/sr-terrorism/return-and-repatriation-foreign-fighters-and-their-families.

⁴⁸ Reprieve, "Trafficked to ISIS,"

children, coerced into traveling to Syria with a partner, or have been kept or transported within Syria against their will. 49 While ISIS recruitment tactics are demonstrative of human trafficking, the terrorist group maintains the standard model of trafficking women that scholars have previously noted. This type of trafficking should impact repatriation policies. Additionally, while the 63% estimate is specific to British women, the statistics alert the international community of the prevalence of trafficked women in the camps of other nationalities, but a lack of evidence and processing related to detainees skews the data of circumstances for those held in Northeast Syria.

Threat Assessment

Finally, the U.S. understands the threat of repatriating FTFs to be less than the threat of leaving them in Northeast Syria. Currently, the concentration of ISIS fighters in al-Hol and Roj remains the largest concentration of detained terrorists anywhere in the world. In December 2022, Human Rights Watch reported that "At al-Hol, managers only allowed Human Rights Watch to enter two small areas, saying armed ISIS members controlled entire sections of the camp." Families within the camps must take extreme measures to hide their children from ISIS members who attempt to radicalize, or, if they fail to do so, kill them. A further threat to the area is the risk of external attacks by ISIS on detention facilities. Beginning in 2022, ISIS fighters who were not imprisoned began attempting jailbreaks to increase the numbers of ISIS fighters in their ranks, for example, the January 2022 attempted jailbreak of the Hasaka detention center. 51

⁴⁹ Reprieve, "Trafficked to ISIS,"

⁵⁰ Human Rights Watch, "Syria: Repatriations Lag for Foreigners with Alleged ISIS Ties | Human Rights Watch," hrw.org, December 15, 2022, https://www.hrw.org/news/2022/12/15/syria-repatriations-lag-foreigners-alleged-isis-ties#:~:text=Al%2DHol%20also%20suffered%20water.

⁵¹ Ian Moss, "Repatriation from Northeast Syria and the Effort to Counter Violent Extremism," The Washington Institute, April 19, 2023, https://www.washingtoninstitute.org/policy-analysis/repatriation-northeast-syria-and-effort-counter-violent-extremism.

Kurdish officials said of this attempt that it was meant to free "jihadist prisoners before moving on to try to take control of nearby areas, including al-Hol." Thus, the al-Hol and Roj camps are vulnerable to attacks and would result in grave consequences should ISIS fighters succeed in breaking out the radicalized detainees. This, combined with the threat of radicalization within the camps because of current ISIS fighters recruiting young children, informs the U.S.'s decision to repatriate to avoid further violence.

Possible Courses of Action

For this analysis, I will consider the two possible courses of action: to repatriate or to not repatriate. Researcher Helen Stenger for her article in the *European Journal of International Security* developed the below model to illustrate the two courses of actions, wherein the state is the hero and whether they perceive the detainees as victims or villains informs their decision to repatriate.

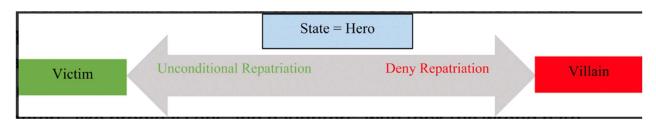


Figure 2: From the European Journal of International Security

While considering the U.S.'s perspective on themselves and the detainees, there are additional considerations to repatriation. These include consideration of the scope of the issue (meaning number of citizens, geographic proximity, and accessibility to conflict), the states' existing legal bases for repatriation and reintegration, the instrumentalization for institution

⁵² Constant Méheut, "Shifting Policy, France Brings Home French Wives of Jihadists," The New York Times, July 5, 2022, https://www.nytimes.com/2022/07/05/world/europe/france-isis-wives-children.html?action=click&module=RelatedLinks&pgtype=Article.

building, and whether the state employs strategic versus ad hoc repatriation and reintegration programming.⁵³ These factors will be key determinants to the U.S.'s decision to repatriate. The following sections will first analyze the two possible courses of action of the U.S. government with a focus on the considerations and consequences for each possible decision.

Possible Decision to Repatriate

Before proceeding with repatriation, the U.S. must identify and evaluate all individuals who are held in detainment for individual threats and viability for human rights protections.⁵⁴

This is a great challenge as the camps are overcrowded and operate without proper documentation of the detainees. It is therefore challenging for states to be confident in who they are repatriating.⁵⁵

In considering repatriation, the U.S. must also analyze their infrastructure system for the detainees after repatriation. This includes systems of rehabilitation, prosecution, and reintegration of the persons into society. To demonstrate, one of the reasons that Kosovo succeeded in repatriation is because the state has a "small, close-knit society" that is better able to reintegrate people.⁵⁶ It is generally easier to reacclimate returnees if they are immediately entrenched in the justice detainment system, rather than rehabilitation facilities.

⁵³ Ingram Haroro J. et al., "The Repatriation & Reintegration Dilemma: How States Manage the Return of Foreign Terrorist Fighters & Their Families," *Journal for Deradicalization*, no. 31 (June 24, 2022): 119–63, https://journals.sfu.ca/jd/index.php/jd/article/view/605.

⁵⁴ OHCHR, "OHCHR | Return and Repatriation of Foreign Fighters and Their Families," Office of the High Commissioner for Human Rights, n.d., https://www.ohchr.org/en/special-procedures/sr-terrorism/return-and-repatriation-foreign-fighters-and-their-families.

⁵⁵ United Nations Security Council Counter-Terrorism Committee Executive Directorate, "The Repatriation of ISIL-Affiliated Women," n.d., https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/cted-analytical-brief-repatriation-of-women 0.pdf.

⁵⁶ Julie Coleman and Teuta Avdimetaj, "Kosovo's Experience in Repatriating Former Foreign Fighters," International Centre for Counter-Terrorism - ICCT, May 2020, https://www.icct.nl/publication/kosovos-experience-repatriating-former-foreign-fighters.

Further, states must consider the logistical process for extraditing citizens out of Syria and moving them to the U.S. As the AANES is not a sovereign state, the Kurds are unable to enter extradition treaties with the U.S. and other states. Therefore, it is the U.S.'s individual responsibility to coordinate removal and must consider how to best protect the consular staff that oversees coordinating the removal of FTFs, as these people may still pose a threat due to their affiliations with ISIS.⁵⁷

Additionally, the U.S. often considers the effects of repatriation on their international standing. Particularly because the population of al-Hol and Roj is overwhelmingly full of children and minors, Helen Stenger considers self-interested motivations as a possible incentive to repatriating children. She writes that "the repatriation of children could be a strategic, calculated decision by political leaders and institutions to demonstrate a country's awareness, if not record, of human rights." As with any foreign policy decision, there are challenges and rewards that must be considered before making such a decision.

Should the U.S. or other states repatriate the detainees, they must consider the consequences after they are transferred back to the states. First, there is the concern that the repatriated will pose a security risk once back home because of their terrorist affiliations.

Second, the state may be concerned that they will be unable to prosecute FTFs due to a lack of evidence, and subsequently will need to release them into the general population. ⁵⁹ The OHCHR

⁵⁷ Tanya Mehra and Christophe Paulussen, "The Repatriation of Foreign Fighters and Their Families: Options, Obligations, Morality and Long-Term Thinking," International Centre for Counter-Terrorism - ICCT, March 2019, https://www.icct.nl/publication/repatriation-foreign-fighters-and-their-families-options-obligations-morality-and-long.

⁵⁸ Helen Stenger, "Victim versus Villain: Repatriation Policies for Foreign Fighters and the Construction of Gendered and Racialised 'Threat Narratives," *European Journal of International Security* 8, no. 1 (November 16, 2022): 1–24, https://doi.org/10.1017/eis.2022.28.

⁵⁹ Julie Coleman and Teuta Avdimetaj, "Kosovo's Experience in Repatriating Former Foreign Fighters," International Centre for Counter-Terrorism - ICCT, May 2020, https://www.icct.nl/publication/kosovos-experience-repatriating-former-foreign-fighters.

stressed the need to prosecute after repatriation, saying that "An effective return process includes holding individuals accountable for violations of national and international law for serious and systematic crimes." Without adequate evidence, the system of accountability may be compromised after repatriation. This lack of prosecution could be further compromised by a negative public opinion on repatriating and then reintegrating FTFs into society, and it is therefore the responsibility of the U.S. to prepare for and mitigate these consequences after the decision to repatriate is solidified.

Possible Decision Not to Repatriate

It has been largely found that the decision not to repatriate is a political issue, not a technical one. As above, states must take into consideration the public's reaction to repatriation policies, which is often cited as a reason not to repatriate. On this topic, Ian Moss said that "We hear time and time again leaders say their domestic publics are opposed to repatriation."

An additional consideration that results in the U.S. not repatriating nationals is their belief that there is inadequate evidence to prosecute them upon arrival in their home state's justice system. Evidence from the conflict zones, like ISIS documents, are hard to authenticate. This so-called "battlefield evidence" may not be enough to prove charges related to terrorism. ⁶² As such, the U.S. may decide that with the possible failure of prosecuting them at home, there is

⁶⁰ OHCHR, "OHCHR | Return and Repatriation of Foreign Fighters and Their Families," Office of the High Commissioner for Human Rights, n.d., https://www.ohchr.org/en/special-procedures/sr-terrorism/return-and-repatriation-foreign-fighters-and-their-families.

⁶¹ Ian Moss, "Repatriation from Northeast Syria and the Effort to Counter Violent Extremism," The Washington Institute, April 19, 2023, https://www.washingtoninstitute.org/policy-analysis/repatriation-northeast-syria-and-effort-counter-violent-extremism.

⁶² International Centre for Counter-Terrorism, "Trends in the Return and Prosecution of ISIS Foreign Terrorist Fighters in the United States," International Centre for Counter-Terrorism - ICCT, August 2023, https://www.icct.nl/publication/trends-return-and-prosecution-isis-foreign-terrorist-fighters-united-states.

no point in repatriating them. This shirking of state responsibility is largely frowned upon, but not unpracticed.

Additionally, when foreign nationals are not repatriated, states must contend with the possibility of further radicalization and marginalization that comes from being essentially abandoned by their home state. For children specifically, being left in these camps could result in indoctrination into ISIS. ⁶³ In April 2021, U.S. CENTCOM Commander General Kenneth McKenzie acknowledged this fear, saying that "unless we find a way to repatriate them, reintegrate them and deradicalize them, we are giving ourselves the gift of fighters five to seven years down the road, and that is a profound problem." ⁶⁴ It was largely this reason that U.S. foreign policy under the Trump administration, and later the Biden administration, decided to repatriate foreign nationals from Northeast Syria.

U.S. Government's Decision to Repatriate

The International Centre for Counterterrorism summarized the U.S. decision to repatriate saying that "across two presidential administrations, the U.S. has actively promoted repatriating and returning its citizens from Syria and Iraq and held them accountable for joining ISIS when appropriate." Further, Ian Moss stated that his office has continually worked to repatriate all Americans since he met with American families in one of the camps in early 2020. He stated

⁶³ Julie Coleman and Teuta Avdimetaj, "Kosovo's Experience in Repatriating Former Foreign Fighters," International Centre for Counter-Terrorism - ICCT, May 2020, https://www.icct.nl/publication/kosovos-experience-repatriating-former-foreign-fighters.

⁶⁴ Ingram Haroro J. et al., "The Repatriation & Reintegration Dilemma: How States Manage the Return of Foreign Terrorist Fighters & Their Families," *Journal for Deradicalization*, no. 31 (June 24, 2022): 119–63, https://journals.sfu.ca/jd/index.php/jd/article/view/605.

⁶⁵ International Centre for Counter-Terrorism, "Trends in the Return and Prosecution of ISIS Foreign Terrorist Fighters in the United States," International Centre for Counter-Terrorism - ICCT, August 2023, https://www.icct.nl/publication/trends-return-and-prosecution-isis-foreign-terrorist-fighters-united-states.

vehemently that "Whenever we find Americans, we work as fast as we can to get them out." The State Department further corroborated the testimony of the above in an email to FRONTLINE, writing that "The United States believes that repatriation, prosecution as appropriate, and rehabilitation and reintegration is the best way to keep fighters off the battlefield and address the humanitarian crisis in detention centers and [internally displaced people] camps in [northeast] Syria." In line with their statements, the U.S. Government successfully repatriated 29 citizens, charged 12 of the adults, and denied citizenship to one in May 2022. It is a testament to the U.S.'s legal and institutional infrastructure, as well as the comparatively light number of American FTFs (approximately 300) that enables the U.S. to successfully repatriate.

U.S. official policy under Trump was pro-repatriation, which was continued under the Biden administration.⁶⁹ To summarize, the U.S. government believed that repatriation and prosecution would be the best way to disincentive future fighters and additionally that repatriating them would pose a lesser threat to the U.S. than leaving them in Syria. Furthermore, the U.S. government considered the moral lens for repatriating, with John C. Demers, Assistant Attorney General for National Security saying that repatriation was "our moral responsibility to

⁶⁶ Charlie Savage, "U.S. Seeks to Repatriate Family of 10 Americans from Camps in Syria," *The New York Times*, September 12, 2023, sec. U.S., https://www.nytimes.com/2023/09/12/us/politics/syria-family-repatriate.html.

⁶⁷ Lila Hassan, "Repatriating ISIS Foreign Fighters Is Key to Stemming Radicalization, Experts Say, but Many Countries Don't Want Their Citizens Back," FRONTLINE, April 6,

^{2021, &}lt;a href="https://www.pbs.org/wgbh/frontline/article/repatriating-isis-foreign-fighters-key-to-stemming-radicalization-experts-say-but-many-countries-dont-want-citizens-back/">https://www.pbs.org/wgbh/frontline/article/repatriating-isis-foreign-fighters-key-to-stemming-radicalization-experts-say-but-many-countries-dont-want-citizens-back/.

⁶⁸ Ingram Haroro J. et al., "The Repatriation & Reintegration Dilemma: How States Manage the Return of Foreign Terrorist Fighters & Their Families," *Journal for Deradicalization*, no. 31 (June 24, 2022): 119–63. https://journals.sfu.ca/jd/index.php/jd/article/view/605.

⁶⁹ Lila Hassan, "Repatriating ISIS Foreign Fighters Is Key to Stemming Radicalization, Experts Say, but Many Countries Don't Want Their Citizens Back," FRONTLINE, April 6,

^{2021, &}lt;a href="https://www.pbs.org/wgbh/frontline/article/repatriating-isis-foreign-fighters-key-to-stemming-radicalization-experts-say-but-many-countries-dont-want-citizens-back/">https://www.pbs.org/wgbh/frontline/article/repatriating-isis-foreign-fighters-key-to-stemming-radicalization-experts-say-but-many-countries-dont-want-citizens-back/.

the American people and to the people of the countries to which these terrorists traveled."⁷⁰ This is in part due to considering FTFs victims, considering them as "Americans first," and considering the state of Iraq and Syria after ISIS annihilated them. Moss further asserts that because of the repatriation efforts of the U.S. government, hundreds of children have the possibility for a better future.⁷¹ The appeal to pathos from the last two statements illustrates part of the reason that the U.S. repatriated their citizens outside of concerns for security, although this is a marginal motivation in the repatriation process. Should Moss's "Americans first" sentiment be true, then I would argue that the U.S. policy of innocent until proven guilty should also apply to the investigation of FTFs' involvement with ISIS, and to what degree they were coerced or forced into any acts of criminality.

It is my argument that the U.S. government also committed to repatriation to "apply international pressure on other states." The State Department has not only publicly encouraged other states to repatriate their nationals from Syria but has more specifically aided other states in the process. By extending diplomatic aid to other states, the U.S. can acquire more credibility, power, and influence over other states. Ambassador Nathan Sales, the State Department Coordinator for Counterterrorism, attests that the U.S. government is "leading by example by working with the [SDF] to repatriate American Citizens." Modeling diplomatic relations with

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⁷⁰ U.S. Department of Justice, "The United States Has Repatriated 27 Americans from Syria and Iraq Including Ten Charged with Terrorism-Related Offenses for Their Support to ISIS," www.justice.gov, October 1, 2020, ten-charged-terrorism.

⁷¹ Ian Moss, "Repatriation from Northeast Syria and the Effort to Counter Violent Extremism," The Washington Institute, April 19, 2023, https://www.washingtoninstitute.org/policy-analysis/repatriation-northeast-syria-and-effort-counter-violent-extremism.

⁷² Ingram Haroro J. et al., "The Repatriation & Reintegration Dilemma: How States Manage the Return of Foreign Terrorist Fighters & Their Families," *Journal for Deradicalization*, no. 31 (June 24, 2022): 119–63. https://journals.sfu.ca/jd/index.php/id/article/view/605.

⁷³ U.S. Department of Justice, "The United States Has Repatriated 27 Americans from Syria and Iraq Including Ten Charged with Terrorism-Related Offenses for Their Support to ISIS," www.justice.gov, October 1, 2020, https://www.justice.gov/opa/pr/united-states-has-repatriated-27-americans-syria-and-iraq-including-ten-charged-terrorism.

the SDF also advances the U.S.'s position with the Kurdish authority as this coordination communicates respect for the Kurdish leadership.

In August 2023, the U.S. flew 95 women and children from Syria to Kyrgyzstan for repatriation.⁷⁴ A few years prior, the U.S. government offered to "facilitate" the removal of Australian nationals and their children from Syria to assuage Australia's concerns that FTFs would harm personnel during the extradition process. 75 While Australia rejected the offer, this sacrifice by the U.S. could be interpreted as the U.S. not only encouraging repatriation, but also offering to assist in repatriation to gain greater credibility in the security and human rights international field. This is therefore a consideration for why the U.S. government decided to repatriate foreign nationals, as it would be hypocritical if the U.S. publicly helped other states to repatriate nationals but did not repatriate their own. In conclusion, the U.S. often makes foreign policy decisions in the reflection of the hero narrative, defined by Stenger, to assert their hegemony. While this motivation for repatriation needs further analysis, it is evident that the U.S.'s decision to repatriate American citizens from Syria is informed by the government's understanding of the threat of either repatriating FTFs or not, external pressure from the international community, and the possibility of gaining credibility and influence after repatriation.

Conclusion

While this analysis has concluded that the U.S. government does not consider the possibility of human trafficking in their repatriation policies of FTFs, the discussion is only just

Affairs, November 2019, https://www.internationalaffairs.org.au/australianoutlook/foreign-fighters-and-the-trendtowards-statelessness/#:~:text=Recent%20developments%20in%20Svria%20have.

⁷⁴ Charlie Savage, "U.S. Seeks to Repatriate Family of 10 Americans from Camps in Syria," *The New York Times*, September 12, 2023, sec. U.S., https://www.nytimes.com/2023/09/12/us/politics/syria-family-repatriate.html. ⁷⁵ Stuart McLintock, "Foreign Fighters and the Trend towards Statelessness," Australian Institute of International

beginning. As demonstrated above, current metrics of threat perception understand all suspected terrorists or affiliates of ISIS as a monolith. In actuality, trafficked persons are recognized internationally as rights-holders, and it is domestic governments' responsibility to "exercise due diligence to prevent and investigate their being trafficked abroad to proscribed groups" which can identify victims of trafficking in this context of terrorism and "keep [victims'] rights as trafficked persons intact in situations of forced criminality." Due diligence of investigation is an obligation on the parts of states, but "there can be a tendency to treat assistance to victims, such as Yazidi female victims of ISIS, as charity when it is instead legally required even if action on prosecuting the perpetrators themselves is stalled." So, the ongoing prosecution of terrorists and the protection of victims of ISIS is not mutually exclusive and can coincide within a states' repatriation policies.

It is critical to the protection of human rights to uphold the principle of non-punishment in cases of human trafficking, which must be extended to all whose circumstances fit the UN definition of trafficking. The awareness that FTFs may be victims of human trafficking is not enough; it is criminal to further traumatize victims of human trafficking by subjecting them to illegal persecution. To proceed, the U.S. must conduct thorough investigations of all possible cases of repatriation to the best of their ability to ensure accurate, legal, and necessary prosecution of protection of all defendants. However, without due diligence, the state may fall into the over-victimization of FTFs, particularly those who are women, and not prosecute terrorists to the full extent necessary. Therefore, counterterrorism and repatriation policies must be enacted circumstantially when discussing human trafficking to balance the security of the state and the security of the individual.

⁷⁶ Huckerby, "When Terrorists Traffic Their Recruits,"

⁷⁷ *Ibid*.

Tibet and Kashmir: Identity Politics and Nation Building in the Contemporary Era

Ashley Hajimirsadeghi*

Abstract: This article explores how the logic of elimination and exploitation entailed in settler colonialism generated civic nationalism in Tibet and Kashmir. Cultural elites in these lands responded to oppression by the metropole governments in China and India, respectively, by shaping the formation of nationalistic ideologies among their respective communities. Ultimately, the systematic persecution and desire for cultural destruction that is involved in settler colonialism has expedited the creation of "imagined communities," and developed national identities for Tibetans and Kashmiris.

Keywords: Settler colonialism, civic nationalism, imagined community, Tibet, Kashmir

Introduction

In recent years, settler colonialism has become an increasing topic of concern, especially when it comes to how it ties in with the process of decolonization studies. It was in the 1990s that the Australian scholar Patrick Wolfe, in the context of genocide and indigenous studies, began to argue that settler colonialism was a structured event, one in which a group of people, bound under a specific identity, would exert power over another group that may not have initially been the minority, such as indigenous peoples in the Americas. Wolfe's logic of elimination explains the process of how political entities, such as a government or those acting in the interest of one, exert power and influence over another community to erase their autonomy and strip away their political rights or sovereignty.

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¹ Patrick Wolfe, "Settler Colonialism and the Elimination of the Native," *Journal of Genocide Research* no. 8 (2006), 388.

Throughout many case studies, this logic of elimination, once proposed by Wolfe, demonstrates how settlers have threatened a second group's right to live and exist, pushing them off their land and destroying their culture in the process.² Often, this has led to the creation of a nation-state that would become globally recognized, such as the United States and Australia. Despite this recognition, these states have been repeatedly questioned for how they have treated their local, indigenous populations amidst their settler colonial models.

For decades, Kashmir has been a region in turmoil after the Partition of India in 1947. The area has been contested by the Pakistani, Indian, and Chinese governments. Each of these three countries has made claims that they own the land, thus making Kashmir a point of major conflict. A former princely state under the British Empire, Muslim and indigenous Kashmiris are now facing violent crackdowns from the Indian government as they protest to assert their right to be their own state or become a part of Pakistan due to the Islamic connections between the two.

Meanwhile, not too far away from the conflict in Kashmir, there is intense debate over Tibet and its right to be considered a state. Although Tibet had largely been independent of Chinese influence throughout its history, it was officially annexed by the People's Republic of China in 1951, leading to violent protests against the settler colonial government and its policies that wiped out Tibetan culture and spiritual beliefs.³ Tibetans have continued to resist against the policies being imposed upon them, making the Tibetan struggle one that aligns with settler colonialism and its impacts.

Through these two examples and the overarching themes of their broader histories, it becomes more apparent that power exerted over locals by settler colonialists and their governments expedited the process of creating what Benedict Anderson defines as an "imagined

² Wolfe, "Settler Colonialism and the Elimination of the Native," 388.

³ Paul Christiaan Klieger, Tibet: A History Between Dream and Nation State (London: Reaktion Books, 2021), 5

community." Within Anderson's framework of "imagined communities," people are defined by the groups in which certain characteristics, such as social and ethnic ones, result in them seeing themselves as unique compared to other groups, even those who may reside within the same national borders. Within the two case studies of Tibet and Kashmir, one can examine how cultural elites led the shaping and formation of nationalistic ideologies among their communities. Kashmir and Tibet were both fragmented kingdoms throughout their early histories, but through conquest, they redefined what it meant to belong to a community; both regions created distinct identities that have led them on the trajectory of major conflicts in the modern world.

This paper argues that through the logic of elimination and exploitation placed over these populations by settler colonial governments – in these case studies, the governments would be China and India – the conditions in which imagined communities become a more tangible concept for the people living there is created and even expedited. Benedict Anderson describes imagined communities as something individuals within that community would die for; it is emotionally charged, and thus creates deeper meanings out of something that previously did not have those emotional attachments. Settler colonialism cultivates and fosters civic nationalism within the group seen as oppressed and othered by a political entity or power, which can be directly seen in Tibet and Kashmir. Rather than uniting these groups solely through ethnicity, settler colonialism creates conditions where various ethnic or religious communities merge together with a shared purpose. This often is created throughnecessity as the groups are othered by a colonizing power.

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⁴ Chok Tsering, "Resurgence of Literary and Cultural Nationalism in Contemporary Tibet," 84. Tsering draws from Benedict Anderson's text *Imagined Communities*, which sees imagined communities as a process that ultimately leads to nationalistic sentiments and the push towards these communities becoming its own nation.

⁵ Gemma Blok, Vincent Kuitenbrouwer, and Claire Weeda,. *Imagining Communities: Historical Reflections on the Process of Community Formation*. (Amsterdam: Amsterdam University Press, 2018), 8.

In both case studies, civic nationalism dramatically increased when indigenous land was seen as violated by foreign governments, thus creating and optimizing the conditions for increased nationalistic sentiments and the unification of fragmented communities. Jasper Trautsch argues that American nationalism, throughout the country's brief history, is often evoked by the threat of an external actor imposing their power and influence over American citizens. In such cases, civic nationalism goes beyond ethnic boundaries and conflicts, instead unifying a group of people under a perceived threat against their autonomy and existence. However, like the indigenous peoples of the United States, Kashmiris and Tibetans united due to their unique cultural and geopolitical beliefs that don't fit the status quo of the oppressors, and are thus now automatically a part of a broader conversation on a global imagined community, as the Kashmiri and Tibetan diaspora continues to spread into other countries due to the ongoing conflicts in their native lands.

Both Tibet and Kashmir face unique situations, but there are several commonalities, including how the pressure of a different group and identity is imposing their beliefs and regulations on another group's way of life. Ultimately, this expedites the process of community building, furthering the isolation between the two distinct groups. In the Tibetan context, the logic of elimination has been applied directly by the People's Republic of China, and, in recent years, the Kashmiris are increasingly facing cultural and land-based threats by an increasingly pro-Hindu government in India.

⁶ Jasper M. Trautsch, "The Origin and Nature of American Nationalism," National Identities 18 no.3 (2016), 290.

Tibet: A Spiritual Awakening in the Face of Cultural Annihilation

Over a thousand years ago, the Tibetan plateau consisted of multiple kingdoms that were disconnected from each other outside of trade. Through the efforts of King Namri Songtsan of Yarlung, he began unifying the kingdoms scattered within the realm. His son, Songtsen Gampo, would later finish the job and introduce Buddhism into the region. Before this time, there was no unifying force bringing together all of the tribes living within the valley, and this would be a historical trend in the centuries to come. While Tibet managed precarious relations with the Chinese dynasties over the next six hundred years, the Mongol, then Yuan, conquest would place it directly under Mongol and Chinese rule, which led to armed acts of rebellion against whoever was ruling the land at that time. Foreign influence and rule led the indigenous peoples to resist what they saw as a threat to their autonomy.

Tibet would remain theoretically independent after declaring itself so in 1913. While it functioned as an independent state during this period, many of the world's major leaders did not acknowledge them as such.⁷ These foundations of doubt would lead to the region's contemporary issues, especially as Tibetans increasingly began to see themselves as a part of a singular community after the Chinese government annexed Tibet. Now, the case for Tibetan nationalism is under debate as the Chinese government engages in a form of cultural genocide against the people after beginning to annex the region in 1950.

Georges Dreyfus makes the argument that Tibetans, especially after the annexation of the region in 1950, see themselves as a part of a political identity rather than being bound

⁷ Klieger, *Tibet: A History between Dream and Nation State*, 185. In February 1913, the Dalai Lama issued a proclamation declaring Tibetan Independence. The Chinese government claimed it was penned by the British and Russians.

together by one identity that unifies the people through religion or ethnicity. Although one would assume that Tibetans would be bound together by their geographical ties to the land, or through religion due to the prominence of Buddhism in the region, the concept where Tibetans are bound together through civic nationalism offers a lens in which to view state building and national identity after settler colonialism has occurred. Before Tibet's annexation, many of the modern movements and cultural indicators of the resistance were not widespread among Tibetans.

Despite conquest being a core part of what led to the modern Tibetan identity found in the region, the unification of these kingdoms in the area's earlier history leads to a specific outcome that unified the people: the spread of Buddhism throughout the area. This ultimately strengthened and created the foundations of a shared identity that was not present before. By creating a centralized form of government, in the form of one unified kingdom, Tibetians also created a shared sense of the land and its resources. Later, as the Chinese dynasties and the Mongols continued into Tibet, this exacerbated the shared sense of identity among Tibetans, ultimately feeding into the settler colonial model and the expedited process of creating communities unified by settler colonialism and its aggressive, slow violence against those from the impacted community.

The Politics of Forced Assimilation and Colonial Settlement

When Mao Zedong was involved with the question of Tibet in the Chinese lens, he ordered democratic reforms, as he wanted to annihilate the local society's customs and replace

⁸ Klieger, Tibet: A History between Dream and Nation State, 277.

them with Beijing's ideas of what a proper society should look like. ⁹ The leaders of the People's Republic of China believed that Tibet was backwards and in dire need of saving from itself. This is typical language of settler colonialism, as well as colonization on a broader scale. The Chinese government has also been introducing policies to try and appease the local population which have ranged from experimenting with political autonomy, modernizing the Tibetan economy, and introducing modern luxuries and technology into the lives of the people there.

Since then, assimilation policies have been implemented by the Chinese Communist

Party, which has further exacerbated the conditions necessary for Tibetans to feel united

politically, especially if they did not feel a kinship to the previous capital, Lhasa. This has

furthered given the Tibetans reasons to foster a sense of nationalism and pride in the indigenous

ways of living. 10 Ever since 2008, protests against the Chinese government have increased in the

region, and writers, singers, and artists have been at the forefront of stirring these sentiments.

Confronting the realities of exile and forced disconnection from their culture and land, these

creatives are struggling to find the language and words needed, especially as language

oppression has become a form of oppression against Tibetans.

In addition to the overt cultural crackdowns, language has become a different mode of policing by the Chinese government. Language oppression has been a concept noted throughout indigenous studies, and contributes to the erasure of these communities and their histories. ¹¹ Gerald Roche, in "Articulating Language Oppression, Coloniality, and the Erasure of Tibet's Minority Languages," argues that the People's Republic of China's policies have contributed to

⁹ John B. Roberts and Elizabeth A. Roberts. *Freeing Tibet: 50 Years of Struggle, Resilience, and Hope* (New York: Amacom Books, 2009), 5.

¹⁰Tsering, "Resurgence of Literary and Cultural Nationalism in Contemporary Tibet," 85.

¹¹ Gerald Roche, "Articulating Language Oppression: Colonialism, Coloniality and the

Erasure of Tibet's Minority Languages." *Patterns of Prejudice* no. 53 (5): 489. Roche directly cites Patrick Wolfe and the logic of elimination in this text when it comes to how languages in Tibet are being suppressed by the PRC.

the decline of native languages on the Tibetan plateau, and the diaspora's independence movement is actually one of the ways that these languages have been kept alive through indigenous language schools abroad, as well as writers creating work and resources in these languages.¹²

Tibet is home to sixteen different linguistic versions of standard Tibetan, and for those living in China, twenty-seven other languages are cited to be used in Tibetan households. ¹³

Putonghua, or standard Mandarin Chinese, has now replaced Tibetan at the higher levels of schooling for Tibetan children. ¹⁴ This slow violence is another form of cultural oppression and leads to the exclusive learning of Tibetan or other local indigenous languages becoming a radical act in the midst of suppression. Literature, native languages, and the arts have remained a way for Tibetans to assert their identities, emphasizing the characteristics that make them unique compared to their Han counterparts, and a way to express resistance against the occupying governments. However, in the Tibetan context, cultural elites have historically been a part of this process of molding what Benedict Anderson would define as an "imagined community." The concept and territory of modern Tibet arose from Buddhist conquest centuries ago, which is a stark contrast against the contemporary mythology that Tibetan Buddhists are people who solely exist for the sake of peace. ¹⁵

¹² Roche, "Articulating Language Oppression," 491.

¹³ Roche, "Articulating Language Oppression," 498.

¹⁴ Roche, "Articulating Language Oppression," 498. Also mentioned: of the approximate 100 television stations available in Tibet, none are in Manegacha, a key local language, four are in Tibetan, and the remainder are all in putonghua, or standard Mandarin Chinese.

¹⁵Klieger, Tibet: A History between Dream and Nation State, 25.

The Tibetan Diaspora & International Efforts for Awareness

Due to the ongoing contemporary conflicts with the Chinese government, the Tibetan community goes beyond the borders of the autonomous region; up to 150,000 Tibetans live, exiled from their homeland, largely in India and the United States, but spread out across forty different countries. With such a large population of Tibetans abroad, forms of protest have spread beyond the borders of the Tibetan Autonomous Region. Cultural and spiritual elites from Tibet have begun to lead the Tibetan resistance, ultimately using the arts as a form of protest.

One of these influential writers is Pema Bhum, who lives and works out of New York
City and has published two memoirs on the Cultural Revolution, which was a notoriously
difficult time for Tibetans. ¹⁷ The Tibetan refugee writer Tenzin Tsundue has also become a
prominent figure, writing almost exclusively in English, romanticizing the homeland and
exploring the concept of a journey back to Tibet throughout his writing. ¹⁸ Although writers like
Bhum and Tsundue have spent most, if not all of their lives outside Tibet, (Tsundue was born in
India to refugees), they have continued to utilize their work as a method for calling for
independence in their homelands.

On the home front, as Tibet faces increasing crackdowns on its artists and writers by the Chinese government, the diaspora has continued forms of protest abroad, attempting to keep the spotlight on Tibet and the struggles of their homeland. While Bhum and Tsundue are prominent

¹⁶ Purohit, Kunal, "After 60 Years in India, Why Are Tibetans Leaving?" Al Jazeera (201)...

¹⁷ "Pema Bhum," Words Without Borders. See also: Barabara Demick, *Eat the Buddha: Life and and Death in a Tibetan Town* (New York: Random House, 2019). This nonfiction title utilizes the experiences of Tibetans through the history of one town. In it, one of the many anecdotes is from a former Tibetan royal who faced major discrimination during the ongoing revolution due to her royal status, and she would lose all of her family in mysterious ways quickly during the period.

¹⁸ Enrique Galván-Álvarez, "Circular Horizons, Impossible Journeys: Imagining the Tibetan Fatherland in Tenzin Tsundue's Poetry," *IAFOR Journal of Literature & Librarianship* no. 1 (2018), 168.

examples of writers and creatives working outside Tibet's borders, songs have also become prominent internally within the autonomous region. Many of these often-express Tibetan methods of nonviolence and elaborate on how harsh life has become under the Chinese government's rule.¹⁹

While this is a subtle form of resistance in the face of a language and culture under duress, it might be one of the few creative acts of resistance that Tibetans can still utilize while living within the autonomous region. Diaspora members are not only keeping the language alive as the People's Republic of China (PRC)engages with the final phases of settler colonialism — which involves full assimilation into the communities that are involved with the oppressors — but also by recording distinctive cultural elements that are at risk of completely being eliminated by the Chinese government's policies. This has created a form of civic nationalism in which the people are united by the common belief that they should be free of the PRC's influence, rather than united solely by ethno-religious parameters.

However, the example of Tibet has had a unique variable throughout the years: the spread of Buddhism into other countries.²⁰ While in the United States, government organizations like the CIA began to lose interest in locking down U.S. influence in the region, popular culture began to look more towards spirituality and the benefits of religions like Buddhism. As mindfulness and meditation continue to be trendy in American and Western wellness spaces, the existence of Buddhism in the consciousness of these people, whether it's through purchasing a Buddha statue or participating in a yoga class, is there.

At the same time, the Dalai Lama became a more global figure after his exile to India, finding more allies among the likes of the Beatnik writers and singers active in Western popular

¹⁹ Tsering, "Resurgence of Literary and Cultural Nationalism in Contemporary Tibet," 87.

²⁰ John B. Roberts and Elizabeth A. Roberts, Freeing Tibet: 50 Years of Struggle, Resilience, and H, xix.

culture.²¹ In recent years, Tibet has become more of a worldly issue due to the efforts of the Dalai Lama and the globalization of Tibetan Buddhism, allowing people more opportunities to come into contact with those impacted by the ongoing problems happening in Tibet. Because of all of this, the exiled Tibetan community has become famous across the world for their efforts to raise awareness for Tibet, and the spread of Buddhism has encouraged communities from a non-Tibetan or Buddhist background to connect with the struggles of this particular group.

Without this, the question of Tibetan independence from the People's Republic of China might not be as big of a question as it is in global discourse. One of Tibet's saving graces has been the conversations enacted about what is happening in Tibet, otherwise their issues may be lost in broader noise. At the same time, these global calls for Tibetan and their rights have led to an increased awareness for the reasons behind Tibetan sovereignty, not only bolstering the community's relentless advocacy for it, but also legitimizing their cause.

This has further unified Tibetans, thus distinguishing Tibetan identity from the Han and the Chinese government, defying the expectations of assimilatory policies. As the Chinese government tries to establish their own political and spiritual leader within Tibet, the existence of the Tibetan Dalai Lama abroad, recognized and awarded for his acts of resistance and awareness across the world while in exile, firmly establishes even further there are two sides to this conflict. This legitimizes and distinguishes Tibetan national identity, creating even more benchmarks and characteristics for Tibetans, whether they are in the diaspora or still in Tibet, to identify with.

²¹ Scott A. Mitchell, *Buddhism in America: Global Religion, Local Contexts* (London: Bloomsbury Academic, 2016), 232. Mitchell cites a Stanford University study on Buddhism where the control group of nuns and monks were from Tibet–forced to flee Tibet due to its takeover, they now form a significant refugee population abroad in the United States. Mitchell also proposes the Dalai Lama has been a big part in awareness and is involved with several research projects on the impacts of Buddhism, such as the Stanford study.

Kashmir: India's Contested Region

When the British formally pulled out of South Asia, they left behind a major conflict with the Partition of India, an event that would not only form the borders between modern-day Pakistan, India, and Bangladesh, but also displaced many South Asians on the basis of religion, ethnicity, and gender. One of the former British colonies still impacted to this day is the unified territory of Jammu and Kashmir, which has been claimed by three different countries: China, Pakistan, and India. The region is now considered to be one of the most heavily militarized in the world, with soldiers enacting violence against citizens for everyday occurrences and enforcing curfews. The death toll of this is estimated to be up to 100,000 as of 2016.²²

Historically, Kashmir has been a Muslim dominated region of South Asia that's been run by governments and rulers that are Hindu, and there are key linguistic and dialect differences between the metropole and Jammu and Kashmir. Jammu largely consists of a Hindu population, while in Ladakh, located in the Eastern portion of the Kashmiri territory, Tibetan Buddhists consist of a large majority of the population (roughly 40%). In India's most recent government polls, Kashmir's population is mainly Muslim, and it remains the only Muslim-majority state besides the islands comprising Lakshadweep.²³ This puts Kashmir at further odds in a country where almost all states consist of a Hindu population.

Throughout South Asian literary history the region has been depicted as "a paradise on Earth" and is of historical significance due to its location on trade routes, the natural resources

²² Patrick Colm Hogan, *Imagining Kashmir: Emplotment and Colonialism*. (Lincoln: University of Nebraska Press, 2019). 1.

²³ Stephanie Kramer, "Religious Demography of Indian States and Territories," Pew Research Center's Religion & Public Life Project (2021).

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located within the area, and how it is a holy place in Hinduism.²⁴ Kashmiris have had their own language, Kashmiri, that has existed for centuries, and there is evidence that people have been living in Kashmir for millennia. An entryway between Southwest, South, and East Asia, it becomes no question as to why Jammu and Kashmir has become such a prominent dispute among multiple countries, and why India and Pakistan have engaged in armed conflict to try and exert their influence on the people living within Kashmir. While South Asia may have been unified under British colonial rule, identities have become increasingly fragmented under the contemporary umbrella that created South Asian states such as Pakistan, India, Sri Lanka, and Bangladesh.

However, despite the diversity of Jammu and Kashmir and its significance to the South Asian literary canon historically and in the contemporary era, the leading political parties in the region have asserted since the 1930s their right to sovereignty, especially after the issue of the Naya Kashmir in 1944.²⁵ Beginning in 1931, Kashmiris began to push back against what they saw as foreign rule, and increasingly pushed for Kashmiri independence, leading to the creation of the Naya Kashmir a decade later.

This was a Muslim led ideologic movement within Kashmir. The notion of popular sovereignty in the Kashmiri context was first introduced under the Naya Kashmir, but when the Partition of India began, the choice for many states was more obvious than what Kashmir could do. Although the population of Kashmir in 1947 was roughly 77% Muslim, Jammu and Kashmir

²⁴ Hogan, *Imagining Kashmir: Emplotment and Colonialism*, 3.

²⁵ Sumatra Bose, *Kashmir: Roots of Conflict, Paths to Peace* (Cambridge: Harvard University Press, 2003). In 1944, the leader of a major political party in Kashmir, Sheikh Abdullah, submitted the Naya Kashmir to the Hindu ruler of Jammu and Kashmir. The Naya Kashmir sought to convert Jammu and Kashmir into its own state, and the ruler would keep his position, but Kashmir would largely become a constitutional democracy. This was incredibly popular with Kashmiris at the time, but would never be adopted, especially after Kashmir was split into thirds among the three countries (India, Pakistan, and China) fighting over the land now.

had economic and sociopolitical interests in both the new states of India and Pakistan.²⁶ There were valid reasons for Kashmir to become a part of either country, making the decision extremely difficult. However, what would happen next would define and set the conflicts that the region has been embroiled in for decades.

Kashmir ultimately would become a part of India, but not without consequences. In a contemporary setting, through the use of media, India has continuously reshaped what it means to be Kashmiri, shaping the politics of the region so that it becomes a conflict of religious and political differences. This ultimately justifies the public's opinion so that the state can enact violence against those living and dissenting inside of Kashmir because they do not agree with what the metropole proposes they do. This process of dehumanization complicates the delicate situation already happening with the region, putting South Asia as a whole under more stress as India pulls away from acknowledging Islam and Islamic states, and anti-Muslim sentiment increases throughout modern India.

Increasing Sentiments and Colonial Expansion

Indian media actively others Kashmiris, alienating them due to the fact they're majority Muslim in a Hindu country, and, in recent years, they have put out the image of Kashmiris as Islamic jihadists and terrorists.²⁷ With the rise of the Bharatiya Janata Party (BJP) Party in the Indian government and increasing anti-Islamic sentiments fostered within the country and its people, Kashmir has been put in a more precarious situation²⁸ Acts of violence against Muslims

²⁶ Bose, Kashmir: Roots of Conflict, Paths to Peace, 31.

²⁷ D. Boga, "Locating Counterinsurgency in Media on Kashmir in a Post-Neo-Liberal Framework," *Journal of Asian and African Studies* (2023), 5.

²⁸ CJ Werleman, "Rising Violence against Muslims in India Under Modi and BJP Rule," *Insight*

have been increasing in India, creating dangerous situations for religious minorities as a whole residing within the country's borders. Police officers throughout India have been known to discriminately shoot and kill Muslims in their own neighborhoods, making the fears of religious violence against Muslims even more ²⁹

Although the Indian representation of Kashmir relies on the stereotypes of its Muslimmajority, preferring the angle that many Kashmiris are terrorists threatening the pro-Hindu platform within the country, it would be dangerous to conflate Kashmir's national identity as an ethnonational one. India portrays Kashmiris as terrorists and Indians as the victims of such egregious acts, while Pakistan has continuously maintained that the real victims in this scenario are the Kashmiris themselves.³⁰

Native to the land, unable to leave, and unwilling to continuously engage with the settler colonial violence increasingly happening within Kashmir, Muslim Kashmiris are forced to confront the reality where they have no say. In addition to this, a critical question Muslim Kashmiris must face in the near future is how they would fit into Indian society coming from such a specifically Muslim background, as well as how their image can be changed beyond the harmful depictions that are already out in the world.

While the state holds a Muslim majority, the native Hindus, known as Kashmiri Pandits, have increasingly left the area, citing safety and security concerns, and have become political refugees scattered throughout India.³¹ Their stories have been used as a form of propaganda against the Muslim Kashmiris, and they often validate the sensational news that evokes harmful

Turkey 23, no. 2 (April 1, 2021): 39–50, 40-41. One of the figures stated in the article was related to riots in Gujarat, which left 2,000 Muslims dead.

²⁹ Werleman, CJ Werleman, "Rising Violence against Muslims in India Under Modi and BJP Rule," 40.

³⁰ Boga, "Locating Counterinsurgency in Media on Kashmir in a Post-Neo-Liberal Framework," 3.

³¹ Mallika Kaur Sarkaria, "Powerful Pawns of the Kashmir Conflict: Kashmiri Pandit Migrants," *Asian & Pacific Migration Journal* (Scalabrini Migration Center) 18, no. 2 (June 2009): 198.

stereotypes, claims, and conclusions that are not backed up with evidence. Kashmir's Pandit population was once thriving, as the region was once a Hindu center and stronghold until the spread of Islam in the 1300s but has steadily decreased since the 1990s due to the ongoing conflicts.³² Many of the Pandits still remaining in Kashmir live in Jammu, which mainly consists of a Hindu demographic.

With all of this in mind, the image of Kashmir evoked around the world is a territory that's bleeding, although Kashmir scores high on all aspects of development, literacy, and a lack of homelessness throughout the land.³³ In the Indian context, Kashmir has become a conflict simply over territory with Pakistan, not ideological differences between those living in Kashmir and the Indian government.³⁴ However, conflating Kashmir's calls for independence and the struggles of its people with just the Indian and Pakistani governments leads to a stronger sense of isolation by Kashmiris themselves, which only continues the process in which they feel they are a group independent of both Indians and Pakistanis.

Nationalist theorists have continuously debated about the impact of media, whether through print or video, on acts of civic resistance. With a highly literate Kashmiri population that exists both within and outside the borders of the autonomous region and an increasing number of Islamophobic attacks and rhetoric in India, Kashmiris have engaged with the global community by increasingly aligning with the Islamic and Arab world. India has been doing the opposite; they have begun to increase their positioning among the Western countries and their allies.³⁵

³² Sakaria, "Powerful Pawns of the Kashmir Conflict: Kashmiri Pandit Migrants," 198.

³³ Bashir Assad, Kashmir: The War of Narratives (Broomall: Global Collective Publishers, 2022), xiv.

³⁴Boga. "Locating Counterinsurgency in Media on Kashmir in a Post-Neo-Liberal Framework." 6.

³⁵ Boga, Boga. "Locating Counterinsurgency in Media on Kashmir in a Post-Neo-Liberal Framework, 5.

In a poll taken in 2010, 66% of Kashmiris in the poll's sample population voted that they would prefer to be independent from India. Another 2-7% said they would prefer to merge with Pakistan, 2-22% said they would want to merge with India. The same conflict that had once embroiled the region in debate during the Partition of India and South Asia has led to calls for secession, and some Kashmiris have taken matters into their own hands, whether it's through violence or peaceful protest against what they deem as an occupying force on their land.

Since the 1990s, an increasing number of Kashmiri youths, specifically young men, have joined organizations deemed as terrorist groups in the eyes of the metropole, feeding into the Islamophobic rhetoric that has been pushed by the pro-Hindu Indian government.³⁷ Violent incidents attributed to these kinds of organizations have been popping up all over India as forms of protest against Kashmir's lack of rights and the desire to have Kashmir either become a part of Pakistan, or its own independent nation.

Pro-Kashmiri terrorism against the state of India has been cultivated abroad as well; members of organizations deemed as militants and Kashmiri-based terrorism have been from not only Kashmir, but Afghanistan and Pakistan as well.³⁸ This has led to further tensions between India and Pakistan because of accusations that the Pakistani government has been involved with terrorism in India. While there can be some basis of truth to these statements, it has devolved into a process fueled by Islamophobia throughout India and its other states, impacting more than just the Kashmiris in the long run.

³⁶ Hogan, *Imagining Kashmir: Emplotment and Colonialism*, 3.

³⁷ Tusharika Deka, "The Generation of Rage in Kashmir," *Commonwealth & Comparative Politics* (2020), 261. This book review is on David Devadas' *The Generation of Rage in Kashmir*; in it, Devadas tracks the increased push towards youth radicalization in Kashmir due to the conditions that everyday Kashmiris are facing, as well as an increased sympathy with other struggling populations (the example of Palestine is used for this argument by Deka).

³⁸ "Kashmir Militant Extremists." Council on Foreign Relations.

Civic Nationalism Within Kashmir

Dilnaz Boga and Rohit Ranjan propose a way of looking at Kashmiri nationalism that is different than what the mainstream media and mass culture depicts it: they argue that this isn't an example of ethnonationalism, which is often assumed in the Kashmiri context, and that it is actually a form of civic nationalism.³⁹ In 2019, India revoked Articles 370 and 35A, which was a controversial move at the time, as it stripped Jammu and Kashmir of its special status that it had been granted upon the Partition of India. Within Jammu and Kashmir, the initial reaction was divided among religious groups, but, with the passing of time, even the Buddhists of Ladakh have been growing discontent with the Indian government's treatment of the region.⁴⁰ However, revoking both articles has created a new problem: it re-establishes the Indian government's control over Kashmir, taking away the Kashmiris right to self-govern in limited capacity. Not only is this a symbolic mode of stripping their power, but it also reinforces the power dynamics between India and Kashmir.

With Article 35A, which stated that those who did not reside in Jammu and Kashmir could not buy land or settle there, taken out of the Indian Constitution, the entire region has seen increasing numbers of settlers coming onto the land and taking properties that belonged to natives. ⁴¹ Ladakh, whose citizens and leadership had come under control of the BJP upon Kashmir losing its special status, has now begun to protest against a future in which outsiders

³⁹ Dilnaz Boga and Rohit Ranjan, "Presenting an Alternative Theoretical Framework on Kashmir in the Context of Print Media: From Ethnonationalism to Civic Nationalism," *Journal for Critical Education Policy Studies* (JCEPS) no. 19 (3): 315.

⁴⁰ Bilal Kuchay, "Ladakh Buddhists Who Hailed India's Kashmir Move Not so Sure Now." Al Jazeera (October 2020).

⁴¹ Devjyot Ghoshal and Alasdair Pal. "Exclusive: India's ruling party to revive plan for Hindu settlements in Kashmir," Reuters (July 12, 2019).

can come and colonize their lands, especially as they too are now a religious minority in India.⁴² Although Buddhists are seen in a better light than their Muslim compatriots, they still are not seen as on the same level ideologically as their Hindu counterparts.

This creates a situation where not only are the Muslims of Kashmir calling for an independent state, but other groups are beginning to join them throughout the state, creating a new form of civic nationalism within the region. While there are many different groups present throughout Jammu and Kashmir, they are beginning to be united through the calls for freedom. Previously, these groups lived independently of each other, but now their calls for independence and more autonomy have led their paths to cross, ultimately uniting them through a form of civic nationalism.

As India allows more Hindu settlers into Jammu and Kashmir, allowing them the opportunities to settle onto Kashmiri land, this creates more opportunities for conflict between religions and ethnic groups. In the five years since Jammu and Kashmir lost its special status within India, Hindu settlers coming into Kashmir bolster the claims that Kashmir is sacred Hindu land, and that the Kashmiri culture that was built and developed throughout the centuries is not the true indigenous culture to the region. In 2024, as Narendra Modi controversially declared his intent to rerun as Prime Minister of India on a temple that sits on the ruins of a Mughal Mosque, acts of erasure are being justified in the name of reclaiming what is perceived to be indigenous to the land and the Hindu people. 43

⁴² Kuchay, "Ladakh Buddhists Who Hailed India's Kashmir Move Not so Sure Now."

⁴³ Sheikh Saaliq, "A Hindu Temple Built Atop a Razed Mosque in India is Helping Modi Boost His Standing," Associated Press (2024). https://apnews.com/article/india-election-temple-modi-mosque-bjp-15d678e47f869a64993b724f905653b4

Conclusion

In both case studies of Kashmir and Tibet in the contemporary era, these regions are facing external pressures, which, under the parameters of settler colonialism, has been a force that threatens the indigenous peoples' ways of living. With the framework that the Chinese and Indian governments are working within structured events and violence are threatening the way of life prominent in these areas and public and governmental policies have further served to isolate the communities from the metropole. This has served as a form of slow violence against the people who are indigenous to these lands, even if there are claims, especially in the Indian context, that settlers are the ones returning to their ancestral lands.

Tibet and Kashmir have ancient histories, holding sites of historical and religious significance for Buddhism and Hinduism, which has further put them in the crosshairs of conflict during the postcolonial era. These acts of violence have expedited the process of community building in Kashmir and Tibet, giving the people there a reason to feel othered by the occupying governments in peace. Patrick Wolfe's logic of elimination has become a heavy-handed concept, and active attempts to replace or terrorize the local communities have continued to overall exacerbate this process.

In both cases, Tibetan and Kashmiri nationalism has spread beyond the borders of Tibet and Kashmir. Despite limited movement within both territories, exiles and refugees have found solace abroad, and continue to spread the word about what is happening in their homelands. For some Kashmiris, who have been radicalized due to the extreme events witnessed since a young age, they become members of terrorist groups. These young people, fueled by the anger and tragedy they faced throughout their time on Earth as Kashmiris, have then enacted violent,

horrible acts in the name of Kashmiri independence. This has further isolated them from a broader Indian identity that is rooted in Hinduism, especially as Indian media depicts Kashmiri radicals as terrorists.

Freedom for Tibet and Kashmir seems unlikely in the future, considering the governments that are occupying them and the geopolitical spheres they reside in. With three different countries fighting over Kashmir, and one of the world's biggest powers occupying Tibet, it immensely decreases the chances that these territories might eventually become a state that's recognized on the global level. Whether these cultures and communities will lose what makes them distinguished from the occupying governments will remain a question whose answers the world will need to keep an eye on in the future.

However, it is likely that the communities within these territories will continue their methods of resistance, whether it's through violent or nonviolent acts. From Buddhist monks setting themselves on fire or Kashmiri youths throwing rocks at Indian soldiers, risking their lives, these are communities under deep stress. This ultimately creates the conditions in which settler colonialism allows civic nationalism to thrive, as these groups were not deeply bound together before this happened.

Partnerships, Persistence, Potential: The National Guard's Role in Security Cooperation

Major General Janeen L. Birckhead*

Abstract: On April 15, 2024, Major General Janeen L. Birckhead presented a talk to the students at Towson University on partnerships and the National Guard's role in security cooperation. The Towson University Journal of International Affairs was a proud organizer and co-sponsor of this event. What follows is a transcript of her comments, which have been lightly edited for length and readability.

Keywords: International Partnerships, Maryland National Guard, Sister Cities, Bosnia Herzegovina, Estonia, Serbia, Ukraine

Good evening. Thank you for allowing me to join you this evening. This university is a shining light for Baltimore, and I am honored to have been invited to share my insights about International Partnership.

It's a timely, complex topic, and I admire the *Towson University Journal of International Affairs*'s editorial board's work in bringing complicated but important issues to the student body.

Civilian and public partnerships play a crucial role in our country's defense. Partnerships, relationships, and connections are the focus of my thoughts tonight.

It's human nature to love our independence, but it's also human nature to want to connect, to reach out to others. In your dorms, your apartments, your homes – you strike a

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National Defense Service Medal, the NATO Medal, the Overseas Service Ribbon, and the Afghanistan Campaign Medal.

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many prestigious positions prior to her appointment, including as the Commander of the Maryland Army National Guard, the Director of Legislative Affairs for the Maryland National Guard, a Senior Advisor in the Bureau of Trust Funds Administration, and as a Special Agent in Charge for the Defense Security Service. She graduated from Hampton University with a bachelor's in political science through the Reserve Officers Training Corps with military distinction, and went on to earn her master's in management from the University of Maryland. Additionally, she was deployed as the Deputy, Current Operations, Security Partnering, and International Security Assistance Force to Kabul, Afghanistan. Some of Major General Birkhead's military decorations include the Legion of Merit, the

balance with your neighbors. This is the basis of partnerships. So, if you watch your friend's dog for a weekend, you know you can later call on that friend for a favor. If you are hurt or threatened, whether it's a party gone bad, a bike ride gone wrong, a relationship soured... you want to trust that someone will have your back. You hope that their response will be appropriate, helpful – *and not make things worse.* Perhaps, you will be wary about what you will owe for that help!

We all have experience with relationship building like this. Over time, you communicate, you share experiences, you deepen the relationship. Although this is an oversimplified metaphor, it nonetheless applies to how I would like you to think about international relationships, too. Just like your relationships, they involve trust. And just like your own relationships, that trust is developed over time.

With international partnerships, you'll size up the pros and cons – and ultimately, you may conclude that the risks and downsides are more than balanced by the long-term benefits of the relationship. Yes, that's simplistic. But we must analyze the challenges and benefits that exist in international partnerships just as in our own.

Today, I'd like to explore in particular the military's role in international partnerships as part of our nation's use of its instruments of power. Partnerships play an important role in ensuring that Army forces are prepared to execute any mission given to them successfully, but they are only one part of America's overall foreign policy. Our nation weaves diplomatic strategies, military strategies, informational strategies, and economic strategies (DIME) to meet our global goals. No strategy stands alone. DIME is shorthand for a balanced set of strategies – to include those of the Maryland National Guard.

I'd like to start with some of my personal insights from my journey to understand the power of partnership, developed during 30 plus years in uniform. My motivation to join the military initially came from receiving a scholarship for ROTC. In high school, my mother challenged me to compete for a four-year scholarship to become an officer in the U.S. Army and, ultimately, in the Maryland National Guard. Once I was selected for a scholarship, it was hard to turn down such a great opportunity. As a young officer, I focused on developing my own competence and confidence – as did all of my peers. It takes 30 years to grow a General, so here I am 30 years later—the State's 31st Adjutant General.

The Adjutant General has a unique role, leading a joint operating and generating force at the strategic, operational, and tactical levels. The Adjutant General heads the Military

Department and Executive Department for the State, and exercises powers and duties under the Militia Law of Maryland. As the Adjutant General, I am responsible for the combat readiness of 5,000 plus soldiers and airmen who live and work in our local communities.

On a day-to-day basis, each State's National Guard answers to its Governor as its commander-in-chief. The Governor can call the National Guard into a non-federal, "state active duty" role in response to state priorities. However, the National Guard is also subject to federal activation at any time, in which case they would fall under the command of the President of the United States.

The National Guard also partners with one or more foreign countries through the National Guard State Partnership Program. For example, Maryland's partners are Bosnia-Herzegovina and Estonia. In this way, the Maryland National Guard assumes strategic, bilateral relationships with foreign partners.

As an operating force at the tactical level, Maryland National Guard servicemembers are subject to activation. Most recently, small teams have been activated to support local authorities in a State Active-Duty status, which has recently involved responding to the COVID-19 pandemic, safeguarding our democracy, supporting overseas deployments, and assisting with the state's response to the recent bridge collapse. The events of recent years have tested our resilience, adaptability, and dedication.

Outside of a State Active-Duty activation, Maryland National Guard units train regularly at the tactical level as a generating force for potential federal activation in response to Global Force Management Allocation Plan requirements for combatant commanders worldwide. And the list of responsibilities goes on and on. The role of the Adjutant General is to balance this myriad of requirements.

The Adjutant General also deals with "capital P" political issues, regularly engaging with local, state, and federal executives and legislators. Navigating politics is challenging, as the Adjutant General must remain apolitical, support the Governor's priorities, and advocate for the best interests of the organization.

I have commanded at every level, deployed, and completed the U.S. Army War College. Over my years of participating in exercises in Germany and Japan as a young officer, I developed a good sense of the value of partnerships. However, my seminal experience with international partners occurred in 2004, when I mobilized to serve as a Leader in the office of Review for the Detention of Enemy Combatants.

Later, in 2011, I deployed to Kabul, Afghanistan, to work as the Deputy Operations

Officer for Security Partnering with ISAF – the International Security Assistance Force. This

experience was an eye opener, wherein I learned about trust. Trust, earned or not, is the basis of partnering.

A little over a year ago, I served in a dual role as Commander of Maryland's Army

National Guard and Deputy Commandant at the Army War College in Pennsylvania. The War

College is a grad school for senior U.S. military officers (selected from the Army, Air Force,

Navy, and Marines – Active, Reserve, and Guard) and for eighty senior foreign military officers.

For a year of studies, U.S. and foreign officers work on academic projects and planning

exercises: they play ball together; their families socialize together; they form bonds that last for

years. Some discover the bonds are there when they find themselves together again in a

multinational training event or deployment. These trusting bonds that I observed at the Army

War College matched what I experienced with the State Partnership Program.

The Maryland National Guard has a long-term relationship with the eastern European countries of Estonia and Bosnia-Herzegovina. Further, I have personal connections with their military leaders – connections that I keep alive with regular contacts and visits to their respective countries, which I have been completing since the early 1990s. For example, in November of 2023 Governor Wes Moore hosted a reception at the Annapolis Government House to celebrate fifty combined years of security cooperation between the Maryland National Guard and Bosnia-Herzegovina and Estonia. The Estonian Ambassador, each country's Minister of Defense, and attachés from both Embassies were present at the reception.

Connections at the international level have major implications. And yet, at their most fundamental level, they are 'human connections.'

I'd like to now spend a few minutes addressing America's dance with international partnerships. The story starts from the earliest days of our nation, but I'll start this one in 1927.

Ninety-seven years ago, Charles Lindbergh was a young U.S. Air Mail pilot and a Captain in the Michigan National Guard in the St Louis area when he became the first to make a non-stop solo flight across the Atlantic Ocean from New York City to Paris. Those were still the early days for air flight. Others tried and were met with airplane crashes or went missing over the Atlantic. But when Lindbergh reached Paris, circling the Eiffel Tower for a little extra flair, he became an instant international celebrity, mobbed by crowds of hundreds of thousands. Some four million showed up to see him a month later in a New York City parade.

He was quickly promoted, skipping several steps to become Colonel in the Army Reserve's Air Corps. Congress awarded him the Medal of Honor and *TIME Magazine* declared him Man of the Year. Over the course of the next decade, he used his fame to promote air mail, assess the nation's aircraft development, conduct recruiting for the US Army Air Corps, design a pilot's watch, create the concept for what others would develop into the first heart-lung machine, inspect the rising power of Nazi Germany's Air Force. In 1940, Lindbergh's fame helped spur the nationwide movement to stay out of the European troubles. He was the face and voice of the isolationist movement – the America First Committee – and was compelling in arguments against the Lend-Lease bill to help England and the proposal of a U.S. neutrality pact with Germany.

Americans at the time remembered well the devastation of WWI. While the U.S. lost more than 100,000 young men, our delayed entry into the war meant that U.S. fatalities were a tiny percentage of the over five million Allied military personnel that died. Those terrible memories and the compelling rhetoric of this superstar made isolationism increasingly popular – until the Japanese attack on Pearl Harbor deflated the idea. Suddenly, Lindbergh's isolation seemed less appealing, and his affinity for Germany became suspect for many Americans, too.

Instead, the United States now saw the wisdom and value of a more engaged approach to world affairs, one built on trust rather than fear, and partnership rather than isolation.

The tension between looking inward and partnering with others has been a push-pull phenomenon in the US foreign affairs before Lindbergh, and after. His fame in promoting it was a new twist, but the idea was certainly not new. Does America best take care of itself by drawing into itself, and casting off foreign entanglements, or by engaging with other nations who share our interests? This was a constant tension in American politics.

You can hear that tension today in the debates about how much to help Israel with respect to Hamas and Iran, how much weapon support to send to Ukraine's fight against Russia, how much commitment to make to Taiwan to ward off threats from China. Since World War II, when our nation emerged as a global leader; through the Cold War, when our nation helped others to blunt the influence of the USSR; in the Middle East since September 11, 2001, as our nation expended its resources to fight non-state terrorism: throughout seventy-five years full of political debate, the nation skewed toward engagement and collective preparation to protect human life, economic prosperity, and freedom.

The nation's broad-stroke goals and strategies are published by each Administration in the National Security Strategy, or NSS. Invariably, these publications identify our national interests as safeguarding our homeland and our democracy, confronting threats to global stability, and advancing American influence and partnerships. I think you'd find it interesting to pull up the National Security Strategy for several Presidents to see which threads are pulled through and where the emphasis changes. The distinction between one Administration and the next after that is a matter of degree.

Do we seek to extend American influence globally in order to make our nation more secure? Or do we seek international partnerships *to compete with major autocratic powers* that would undermine global stability and diminish our economic security? We live in an era of passionate political intensities, but we probably agree that the role of U.S. government is to protect the American people, preserve our way of life, promote our prosperity, preserve peace through strength, and advance American influence in the world.

Our allies and partners add significantly to our own strengths when we use and apply our powers in combination. So, it is the American way of foreign affairs to be a global leader while expecting others to share responsibility, to pursue cooperation with shared responsibilities and burdens.

The current National Security Strategy recognizes that our overarching priority is to advance America's vital interests: freedom, security, prosperity, and democratic values. The strategy to protect those U.S.-specific interests is to *lead with our values*. This leadership is affected by working with allies and partners and with *all* those who share our interests, Together, we work to pursue increased global cooperation and help each other to fulfill our shared responsibilities.

When we talk about America's strength - our competitive advantage - we include America's network of alliances and partnerships. Mutual responsibility, shared burdens, shared principles, and shared institutions have enabled seventy-five years of stability, prosperity, and growth.

To meet those overarching national goals, there is a National Military Strategy and a Maryland National Guard Strategy, each nested in the higher strategy that guides actions and priorities at every level. Maryland assumes a critical role in training our own Soldiers and

Airmen and deploying them to support current military operations abroad. In addition to the current deployment of members of our Air Wing, however, the Maryland National Guard importantly also plays key roles in international military partnerships, and our capacity to extend influence for these enduring partnerships is notable.

More than participating in any Military exercise, Maryland's contribution to the State Partnership Program (SPP) has provided a larger foreign policy return on investment than any other security cooperation program within the National Guard's catalog. The SPP boasts eightynine partnerships established with 106 partner nations across all six geographic commands. Relative to other programs, SPP is the most cost-effective option, costing less than 1% of the \$6 Billion Security Cooperation budget. Moreover, 20 to 30 percent of all Combatant Command (COCOM) engagements are SPP.

International military-to-military partnerships play a crucial role in promoting regional stability by enhancing the capabilities of partner nations. Through regular and recurring exchanges, training, and combined exercises, Maryland's military personnel extend the influence of the United States, build relationships and trust, and share both burdens and responsibilities. We learn from one another, and we prepare to coordinate and cooperate against state and non-state threats.

To offer these new learning opportunities to the U.S. and partner nations alike, the U.S. created the State Partnership Program in 1993. Maryland's relationship with Estonia also dates to 1993, making it one of the original partner countries.

The Cold War ended when the USSR split up, thus changing the calculus on the European continent. Estonia, once a republic of the USSR, looked west and worked to become a member of the North Atlantic Treaty Organization (NATO) in 2004. During those interim years,

though, Maryland's National Guard forces established working relationships and developed interoperability of communication and common operational language and expectations. As a result, Estonia later participated in NATO-led military and peacekeeping operations.

Estonia-U.S. relations demonstrated the value of security cooperation based on mutual understanding and trust among partner nations. This trust ultimately benefitted Estonia with regional stability, but also provided the U.S. with the benefit of a shared responsibility in the face of threats to fellow NATO countries. For example, Estonia deployed forces to Afghanistan, working as I did as part of the International Security Assistance Force (ISAF).

The U.S. has also learned from Estonia's well-developed and potent foundation of cyber knowledge and cyber defense. Motivated by cyber-attacks from Russia, Estonia is now a leader among NATO countries, sharing information and strategies from its Cooperative Cyber Defense Center of Excellence. Maryland has two primary cyber units that support federal missions – the 175th Cyber Operations Squadron and the 169th Cyber Protection Team. These units are integrated into the U.S. Cyber Command's mission to defend the nation against malicious foreign cyber actors, and they do so by conducting full-spectrum cyberspace operations to disrupt, degrade, and defeat foreign adversaries that target the US and its allies. Thus, as is demonstrated by Estonian and American cyber defense operations, partnership is most effective when it is centered upon mutual support.

The State Partnership Program (SPP) is an integral component of the National Defense Strategy (NDS) and European NATO policy, contributing to the strategic objectives of the United States. For example, Bosnia-Herzegovina is a nation that rose from the bitter war among regions of the former Yugoslavia. However, since its partnership with Maryland in 2003, Maryland has supported Bosnia-Herzegovina's goal to join NATO. Further, just this month,

members of Maryland's 175th Infantry Battalion focused on one of the country's remaining capabilities gaps as they move closer to the readiness and capability levels NATO requires. These instances exemplify the alignment of objectives, capacity building, and regional engagement that can be attained through persistent partnerships.

Overall, the State Partnership Program's alignment with the National Defense Strategy and European NATO policy enhances its effectiveness in promoting security cooperation, building partner capacity, and contributing to regional stability and security. The SPP has proven to be a valuable tool in advancing broader national security goals. As such, we will continue to stand with Bosnia Herzegovina as it makes strides towards NATO membership.

The aforementioned are far from isolated cases of the benefits of trusting partnerships. As part of the Army's Global Force Management plan, the Maryland National Guard has provided support to every Combatant Command (COCOM) on every continent, including Antarctica.

Though there are countless contributions I could mention, highlighting a few should provide a good perspective.

Firstly, Maryland's combined training events with Estonia are focused in two broad areas: cyber operations and increasing civil-military engagements between sister cities and civilian institutions, like yours. To act upon this focus, Maryland establishes training events with Bosnia-Herzegovina to develop interoperability among their forces, NATO's, and the U.S.' for effective multinational land and air operations. Responding to their needs and their requests, Maryland has offered improvements to their ability to stage and move troops and logistics, airspace management, staff development, and access to airfields and range for training purposes.

As the Maryland National Guard works hand in hand with its partner nations and within the Defense Department's larger State Partnership Program, the promise of continued future

international partnership is apparent. This promise includes the benefit of mutual understanding and respect and the opportunity to build upon shared interests and shared burdens. Further, this promise is demonstrated even beyond the military environment. For example, diplomatic expansion has permitted Maryland and Estonia to establish eight "sister cities" (respectively: Annapolis and Tallinn, Salisbury and Tartu, Cumberland and Viljandi, Bel Air and Narva, Ocean City and Pärnu, Charles County and Jõgeva County, Oakland and Valga, Westminster and Paide). Events and exchanges between these sister cities are run by their respective city councils or volunteer groups. Past exchanges have explored future commerce relationships, such as those which are pursued through the Maryland-Bosnia-Herzogovina Council, which was established most recently in November to create economic opportunity and partnership. Also, this Fall the Annapolis Film Festival will partner with the Sarajevo International Film Festival – one of the largest film festivals held in Europe. As you can see, the partnerships grown out of military-tomilitary or military-to-civilian opportunities extend well beyond the scope of military engagement, even expanding to produce mutual diplomatic, informational, and economic benefits.

Within this discussion of partnership strategy, however, it is important to mention also the influence of civilian actors. Never forget that U.S. military priorities, missions, and resourcing are set by civilian leaders. They set the goals, shape the strategies, and ensure that military actions meet legal and ethical standards. They influence the scope and conduct of military operations, including rules of engagement and treatment of civilians and prisoners of war.

Further, we must not underestimate the extent to which government decisions on use of force, troop deployments, and duration of military engagements are influenced by citizen attitudes as well.

From this discussion, then, we can derive a multitude of lessons regarding the nature of international partnerships. To demonstrate and apply these lessons, we might return to my original oversimplified metaphor that compared state partnerships to your own friendships and personal relationships. Recall that I mentioned trust, costs, and having your partner's back, as these principles tend to guide the trajectory of all meaningful cooperative partnerships. Long-term engagements are also required to produce meaningful results, as is a willingness to tailor activities to *the other partner's* needs in addressing *their* security challenges. Relatedly, clear communication channels and regular coordination meetings are vital to the functionality of these tailored activities. Finally, a level of flexibility and adaptability is needed to allow the partnership to remain relevant. As such, a flexible partner must maintain consciousness of the changing security environments and evolving partner needs in order to then adjust priorities accordingly.

In the event that the previous lessons are carefully considered, the state partnerships that will result, such as those attained through programs like the State Partnership Program (SPP), will be extensively and mutually beneficial. Included in these benefits is the potential for enhanced security cooperation and closer military-to-military relationships. Capacity-building is also a beneficial outcome, as partnerships help support nations in building their military capabilities. Interoperability allows partners to collaborate effectively, while the enhancement of cultural understanding promotes mutual trust and respect between the partners. Partnerships for Humanitarian Assistance and Disaster Response (HA/DR) are beneficial in that these relationships facilitate timely assistance to affected populations and support disaster relief efforts. Finally, state partnerships generate diplomatic benefits that strengthen bilateral relationships between the United States and partner nations.

As we conclude our discussion with presentation of some benefits of partnership, it is worth acknowledging that the National Guard has a wealth of resources at its disposal to foster productive relationships with domestic, foreign, and community partners. Through the deployment of available initiatives, the National Guard, including the Maryland National Guard, is taking a leadership role in strategic cooperation with the SPP program. We are conducting Joint Training Exercises that encourage military collaboration, trust-building, and interoperability, along with public diplomacy and cultural exchange activities that promote people-to-people connections and a better understanding between the National Guard and foreign partners.

In today's era of strategic competition, it is imperative that we utilize all available tools of national power in multifaceted ways to stay ahead of our competitors. As a critical component of our nation's defense infrastructure, the National Guard similarly strives to adapt alongside our competitors, though its role still must be clearly defined and redefined as needed during this adaptation process. We remain steadfast in our dedication to bridging the gap between our communities and the frontline defenders of the nation.

With that in mind, I urge you to be engaged citizens. We need you to be wise about the tension revolving about <u>how</u> and <u>how much</u> engagement is right for the United States. It is my opinion that our future is tied to the promise of international partnerships, and it is my hope that you will consider and apply this promise in your own civic engagement.

Good luck to you with your future endeavors and thank you for listening.