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# An Analysis of Biden's Administration Stark Opposite Approaches in Humanitarian Crises

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#### **Abstract**

This paper examines the different approaches of the United States foreign policy towards the Russia-Ukraine and Israel-Palestine conflicts by comparing similar cases in both of the conflicts. The United States, who have been actively criticizing Russia for violating rulesbased order and humanitarian values in the Russia-Ukraine conflict, have not done the same to Israel even though there is mounting pressure for similar allegations. The comparisons are analyzed through cases of the United States' aid towards Ukraine and their criticism towards Russia's international norms violations, Continuing with their military aid to Israel while they are attacking Gaza and staying silent with Israel's violations. We would also see how international institutions that are supposed to prevent such a crisis are unable to do much to stop the crisis, As well as Israel's influences in the US foreign policy-making process, which resulted in persistent pro-Israel foreign policies. By analyzing the United States' actions through the concepts of Humanitarian Diplomacy, Hegemon, and Rules-Based International Order, this paper finds that the United States' national interest's alignment with Ukraine has used humanitarian values and rules-based international order as a political instrument. On the other hand, Israel's great influence in the United States foreign policy process has made them silent in numerous cases of international law violations committed by Israel. United States' concern and alignment towards the Middle East and Eastern European regional hegemon has also played an important piece in their vocal criticisms of Russia's international norms violations and their normative response towards Israel's norms breaches.

## 1. Introduction

Humanitarian issues and the method to resolve it has been intensely talked about after the end of cold war. Recent conflicts between Ukraine-Russia and Israel-Palestine have been smeared with the disturbance of humanitarian efforts. Violations of the International Humanitarian Law (IHL) seem to become a frequent occurrence. Civilians are directly and indirectly affected by the conflict. Medical facilities, public infrastructures, and difficult access to basic daily needs such as food and sanitation are being used as a 'weapon' to win the battle (Mackintosh & Gritten, 2024) (Durbin, 2024). Criticisms, protests, and sanctions are being given to all of the parties that are involved, where the United States government is one of the countries that actively voiced out humanitarian concerns and the violations of war crimes committed by the Russian forces. After the Israel-Palestine conflict erupted, there were also war crimes allegations pointed out by Non-Governmental Organizations (NGOs), international organizations, numerous states, and individuals at the Israeli forces. The allegations grow stronger as Israel continues their strikes toward refugees' safe zones, public infrastructures, aid workers, and activists. Mounting pressure has called on the International Criminal Court (ICC)'s attorney, Karim Khan, to submit an arrest warrant request for Israeli top leaders as well as Hamas (Shamala, 2024). Israel's similar allegations that the U.S. pointed at Russia do not draw the same criticisms from Biden's administration. The U.S. keeps supporting and defending Israel.

The different treatment towards Ukraine and Palestine from the United States raised a question about the international rules-based order that Western countries, including the United States, have advocated. This action creates a question about the real reason and influences that implicate the United States' different treatment towards Ukraine and Palestine in one administration. The U.S. and its allies have been actively voicing out the "Rules-Based International Order," including the values of IHL, and calling the international community to adhere to these rules. However, there have been questions regarding the call to adhere to this set of rules as there is no clear definition and mutual international understanding of the RBIO. The call to adhere to RBIO instead of straight international laws has raised questions about its call, often used as a political instrumentalization (Begiraj, Anastasiadou, & Darnopykh, 2024).

Checking the consistency of a state in their calling for RBIO might be difficult if the cases to compare it are set in a stretched time frame, with different government administrations handling each case. However, in the case of the Ukraine-Russia and Israel-Palestine conflicts, both cases occurred in a close time frame, in one U.S. presidential administration. This makes them proper cases to compare the consistency of the U.S.' foreign policy, especially Joe Biden's administration, in adhering to RBIO and humanitarian values in both of the conflicts. Hence why, this research would raise the question of "Does the U.S. consistently support humanitarian values and Rules-Based Order in both the Ukraine-Russia and Israel-Palestine conflict?". This research seeks to assess the consistency of U.S. foreign policy in upholding the principles of a "Rules-Based International Order" (RBIO) and humanitarian diplomacy in the contexts of the Ukraine-Russia and Israel-Palestine conflicts. Additionally, it aims to explore the underlying reasons for the differing approaches adopted by the U.S. in addressing these two conflicts, shedding light on the motivations and factors that influence its foreign policy decisions.

## 2. Research Method

The research method that is used in this article is qualitative. According to King, Keohane, and Verba (1994), qualitative research is best suited for a study case that is focused on a particular event, decision, institution, location, issue, or piece of legislation (King, Keohane, & Verba, 1994). This research uses secondary data from books, journal articles, news articles, government documents, as well as other relevant sources. These data are then compiled and analyzed through a conceptual framework, which will be explained in the next section. This paper will use three different concepts as analytical tools to understand more about the US actions towards both the Ukraine-Russia conflict as well as Israel-Palestine conflict. The three concepts are Humanitarian diplomacy, hegemon, and International Rules-Based Order. The three concepts are used as an approach to understanding US action factors from all of the three dimensions.

## 2.1. Humanitarian Diplomacy

In the centuries of bloody conflicts that continue to exist today, the effort to minimize unnecessary casualties through humanism and later humanitarianism started to form. The formation of the United Nations (UN), which aimed to promote peace and security, has made the idea and practice of humanitarianism spread and more easily conducted. Since its founding, the United Nations has been able to endorse international humanitarian-focused treaties and agreements such as the Universal Declaration of Human Rights of 1948, The Geneva Conventions of 1949, the Geneva Convention on the Status of Refugees, etc. (Bogatyreva).

The rise of those treaties was aimed at minimizing the casualties of civilian life and collateral casualties. Centuries of conflicts have found that civilians who are non-combatants have also been affected by the wars, even though they do not participate in one. Thus, the rules of war were agreed to protect the non-combatants. Aside from that, the rise and spread of humanitarianism has also highlighted other supporting movements that are thriving, including non-governmental bodies (NGOs) that are focused on the main idea of humanitarianism.

According to Lauri (2021), the idea of Humanitarianism is based on several principles, namely "neutrality," "independence," "humanity," and "impartiality," which is not only able to be applied to humanitarian crises but also applicable in a wide range of possibilities such as government policies (Lauri, 2021). In the field of international affairs the term "Humanitarian Diplomacy" has risen to describe the concept of diplomacy effort for humanitarian values.

The International Federation of Red Cross and Red Crescent Societies (IFRC) defines Humanitarian diplomacy as "persuading decision makers and opinion leaders to act, at all times, in the interests of vulnerable people, and with full respect for fundamental humanitarian principles" (International Federation of Red Cross and Red Crescent Societies, 2017). Humanitarian diplomacy aims to prevent and minimize people casualties who are affected by conflicts and violence, supporting the victims as well as spreading the norms of International Humanitarian Law (IHL) (Bogatyreva, p. S1351). Elaborating that humanitarian diplomacy may include negotiations in the interests of the person, protection of children, women, and vulnerable groups, and participation of state and non-state organizations in humanitarian action are increasingly politicized. The concept of humanitarian diplomacy is still debated, as several ideas match the theoretical foundations and practices. One of the concepts was discussed by Hazel Smith (2007) who stated there are three "ideal types" of humanitarian diplomacy that can help to understand it further.

The first idea argues that humanitarian diplomacy is an *oxymoron* that contradicts each other. The idea derived from the fact that humanitarian workers and diplomats have different tasks and aims. While humanitarian workers solely aim to restore humanitarian values, diplomats aim for their countries' interests, which sometimes are not in line with humanitarian principles. The second idea is *common sense*, where humanitarian workers also have to be involved in diplomacy to ensure that their humanitarian corridor still exists. The third one is *a necessary evil*, which argues that humanitarian negotiations would take place in a conflict area; they would inevitably have a direct or indirect role to play in political conflict (Minear, Smith, & UN University, 2007).

# 2.2. Hegemon

A hegemon describes a state where a great power becomes so powerful that it dominates all other nations in the system to the point where no nations would be able to fight against it (Mearsheimer, 2001, p. 40). Mearsheimer further discussed that the international system that was mentioned could have two meanings, it is either the entire world or in particular regions. States tend to seek to be a hegemony in the international system, as they always feel greatly insecure about their security. A hegemonic system would mean that no states would be able to defy their interests. To be a hegemon is also the best way to ensure their survival in this anarchic international affairs as no states could threaten them seriously (Mearsheimer, 2001). Hence why, the international system gradually changes from multi-polarity, where numerous great powers pursue hegemon, to bipolarity, where two great powers compete with one another, and unipolarity, where finally one state becomes the hegemony of the international system.

During the end of the 1800s and early 1900s, we experienced the multipolar system under numerous great powers in Europe. It slims down to a bipolar system with the United States and Soviet Union expanding their nuclear arsenal as deterrence towards each other. Now that the Soviet Union has gone, although it is not a total unipolarity, scholars may argue that the United States become the closest state that is powerful enough that no states would seriously fight against them. Furthermore, the US is not trying to conquer other states, resulting in regional hegemony existing in many parts of the world today. The rise of regional hegemony that is not aligned with other regional hegemonies might pursue shows an issue as it threatens the other regional hegemony's interest and security as well. Hence why, if a potential regional hegemony that might rival another's great power in the region can not be handled by a local great power, another hegemon like the US might come and deal to erase the potential threat (Mearsheimer, 2001, p. 42).

#### 2.3. Rule-Based International Order

The term "Rules-Based International Order" (RBIO) is commonly used by Western leaders who prefer to use the term instead of International Law, especially the US, which would make this concept highly concentrated on the US, which also served well in this research. It is a very flexible term that can be easily used for different purposes for its vagueness. According to Dugard (2023), there are two perspectives on RBIO. The first one, RBIO, is based on principles of international law, valuing the international community, multilateral treaties, as well as customary rules, While the second perspective is still not sure about the compatibility of RBIO and international law, resulting in an undefined nature of the 'rules' in RBIO that has been frequently used by the US (Dugard, 2023). Dugard further points out that in the second perspective, the abstract view of RBIO is prone to political manipulations, double standards, and allowing for special rules in a special case.

### 3. Result and Discussion

In this section, we will now examine the actions made by the US, comparing them to their actions in Ukraine-Russia as well as the Israel-Palestine conflicts. These facts are necessary to determine the consistency of the US in upholding the humanitarian values and RBIO in both of the conflicts. Afterward, we will discuss the possibilities of US actions by finding out the reasons for such actions. We will start this discussion with how the US has supported Ukraine since the start of the conflict in 2022 by providing military and humanitarian aid for the Ukrainian people, even political aid, to some extent, as they have been condemning Russia's actions. From Ukraine, we will move to the Middle East and see how the US supported Israel's attack on Palestinians while staying silent about Israel's war crimes allegations. After that, we will look at the reasoning behind the US's different approaches to both of the conflicts.

## 3.1. US Support for Ukraine

Before the war in Gaza started in October last year, the international community's attention was focused on the Russian-Ukraine conflict, which has been ongoing since 2022. Russia's invasion raises reactions and sanctions from Western countries. Diplomatic isolations, trade sanctions, as well as condemnations were directed towards the Russian Government, especially from the United States. However, even before the invasion started, Biden had made statements about how "Democracies in the world stand up and oppose his aggression and defend the rules-based order" (U.S. Embassy in Ukraine, 2022). After Russia's invasion, Joe Biden issued a statement aimed at Vladimir Putin, saying that he was a 'butcher' and calling for a regime change in Russia. However, it was then clarified by the White House (Al Jazeera, 2022). The US Secretary of State, Anthony Blinken, has also condemned Russia for attacking civilians and their infrastructures, such as schools, hospitals, and residential buildings (Cohen, Atwood, & Herb, 2022).

Along with the Russia-Ukraine conflicts, Biden has been actively reacting to Russian attacks on non-military targets and civilians. In July 2024, Biden condemned Russian missile strikes on Ukraine, which killed at least 38 people and injured 190, including some at Ukraine's biggest children's hospital in Kyiv (McGarvey, 2024). The US support for Ukraine has been unwavering and consistent, with heavy criticisms towards Russia when there is international law violation allegations occurred in their army. Biden has issued a series of economic sanctions to increase the pressure on the Kremlin. Until February 2024, there are more than 500 new sanctions issued by the US to Russia (Wright & Vernon, 2024). The sanctions cover Russia's main card payment system; nearly 100 firms and individuals will face export restrictions; there are also more than 4,00 entities that we will sanction and many more.

## 3.3. US Military Aid to Israel and Worsen Humanitarian Crisis

After the conflict in Gaza erupted, the world's attention started to focus on the conditions in Gaza. Since the conflict started, the United States repeatedly defended Israel, which has been pressured by the international community for the humanitarian crisis they caused in Gaza. Biden's administration has stated more than once that a cease-fire agreement of the conflict should be agreed immediately in Gaza (Tondo, 2024). However, the United States also raised a veto towards a cease-fire draft resolution which was raised in the United Nations Security Council (UNSC) (Kelemen, 2024). The White House has also denied the human rights violations allegations by the Israel Defense Force (IDF) towards Palestinian civilians until 29 April, when the United States found that five IDF units had been found violating human rights violations (Kelemen, 2024). However, the violations were committed in Jerusalem and the West Bank, not in Gaza.

The issue of humanitarian corridors and relief issues has been raised by the United States indeed. Previously, the US said that Israel might have breached international law with American weapons in Gaza (Bateman, 2024). For humanitarian purposes as well, Biden has warned Israel not to invade the city of Rafah and stated that is a 'red-line' for Israel (Borger, Joe Biden's 'red line' is an invasion of Rafah. So what happens if Israel attacks?, 2024). However, Israel continues with their invasion anyway, once again committing another massacre of Palestinian refugee camps, and the US still supports it, refuting their previous statement by saying that Israel did not cross Biden's 'red line' (Al Jazeera, 2024) (Silva, Alba, Sanchez, & Williams, 2024). Since the start of the conflict, through reports from insiders and public statements, the US has repeatedly warned Israel to prevent civilian casualties and protect humanitarian workers. Since November 2023, Blinken has warned Israel that humanitarian conditions in Gaza must

improve to have 'partners for peace' (Lee & Trucker, 2023); On April 2024, it was reported that Biden wants Israel to protect civilians and aid workers in Gaza or they would lose US support (Schifrin & Warsi, 2024); On the same month, President Biden's warns Israel of his thinning patience amid humanitarian situation in Gaza (Khan, 2024).

These warnings have no effects on Israel or the US support for Israel. Several weeks after Biden's warnings on Israel to improve humanitarian measures in Gaza, Biden signed \$17 billion wartime assistance to Israel and \$1 billion of humanitarian relief for Gazans while reaffirming his commitment to support Israel's security (Times of Israel, 2024). His actions described the actual reality of the US's stances, which gives huge support for Israel's occupation in Gaza, continuous casualties of civilians and aid workers, as well as worsening humanitarian conditions. At the same time, The US gives a dent to aid Gazans whom Israel attacks. Their support to Israel, however, is not only in the form of 'wartime assistance. The US actions in the Israel-Palestine conflict have been the stark opposite compared with their initiatives in the Ukraine-Russia conflict. In this case, we can see that the US has shown its supportive nature towards Israel, even though there are war crimes allegations which previously the US' condemned when the Russian forces did it.

## 3.4. International Institutions Failure

International norms and laws create legitimacy for those who wield their powers. Without any legitimacy, a hegemon might be able to conquer and do anything it wants, as no states could defy it. However, they would create resistance amongst the international community against their actions (Finnemore, 2009). Under the legitimacy of power, these rejections can be tamed, and a state could try to incorporate its interests under the wrapping of its legitimacy to prevent any rejections pointed at it. The US was heavily involved in the creation of numerous international institutions after World War II to serve and wield the power of its legitimacy. It creates the norm on the basis of common goals to achieve economic welfare, protection of human rights, and maintenance of international order. However, as the hegemon, serving these common appeared to be inconvenient if it oppose their interests (Finnemore, 2009, p. 84). Thus, from time to time, we would find hypocritical behavior shown through US actions.

While both conflicts continue, the role of international institutions in their duty to maintain peace and security has been in question. The United Nations, International Court of Justice, and International Criminal Court were believed to be able to maintain international order by settling international disputes through legal and diplomatic efforts. Indeed, there are efforts from the institutions to intervene. However, it is still not fruitful until today. In March 2023, the ICC issued an arrest warrant against Vladimir Putin, who is accused of the war crime of illegal deportation of children from Ukraine (Reuters, 2023). Joe Biden stated that the Russians had committed genocide in this war, and he supported the ICC's decision to issue an arrest warrant for Putin's war crimes as he found it "justified" (Al Jazeera, 2023) (Guadian Staff and Agency, 2023). However, in May 2024, the International Criminal Court (ICC prosecutor Karim Khan processed applications for arrest warrants for top Israeli and Hamas leaders (International Criminal Court, 2024). The US, which has previously supported ICC for their arrest warrant for Vladimir Putin, now rejected the 'outrageous' arrest warrant request from Khan, stating that "there is no equivalence between Israel and Hamas" (Al Jazeera, 2024). Biden's statement was also supported by other US lawmakers which threaten and undermine ICC's role in humanitarian justice. Until this paper is written, 5 months after the request, ICC has still not issued the arrest warrants. The UN faced the same case. Even after a year of conflict, the UN still has not done anything meaningful to stop the crisis. Until 23 October 2024, there are 230 The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) staff killed by Israeli attacks (UN News, 2024). Even after Israel's numerous attacks on aid workers, reporters, and UN staff, who are commonly more protected than civilians, the US still repeatedly raises vetoes towards ceasefire resolutions for this conflict (Al Jazeera, 2024).

#### 3.5. The US' Silence

The US silence in the Palestinian cause and their vocal criticisms towards Russia have shown the US's different treatment towards similar conflicts and humanitarian issues. We can see the US' reasons for such policies through the lenses of geopolitical conditions in the Middle East for their support towards Israel, as well as the geopolitical conditions in Eastern Europe. In Eastern Europe, Russia's invasion of Ukraine has threatened Western Europe, which has close ties with the US. European Union (EU) member states and the

North Atlantic Treaty Organization (NATO) felt once again insecure in their backyard as there was no guarantee that Russia would stop its actions in Ukraine. While in the Middle East, Israel has become the only country the US can rely upon to exert its hegemony and secure its interest in the region.

John J. Mearsheimer argued that the United States has become an offshore balancer to check off aspiring hegemon in other regions (Mearsheimer, 2001, p. 265). Russia's invasion of Ukraine can be seen as an effort to secure its holding in the Eastern European region. Therefore, the US can be seen as supporting Ukraine to stop the rising Russian invasion. On the other hand, the Israel-Palestine conflict can expose Israel's weakness in the region if the US is not actively supporting them, especially Hamas has also been supported by Iran, which has been actively asserting influence in the region. For this reason, we can understand the reason why the US has been actively voicing out against international law violations towards Russia but staying silent towards the same issues in Palestine. US interests in maintaining regional hegemony in those regions are now at stake. On some occasions, we can also see that the US and its politicians are not only staying silent towards Israel but also actively threatening institutions that are trying to enforce international norms.

# 3.6. Influences Spheres in the US Foreign Policy-Making Process

From previous sections, we have learned what the US has done on the Israel-Palestine and Ukraine-Russia conflicts. There are significant differences in their approach regarding similar issues that are happening in both of the conflicts. Firstly, the support for ICC, where the US supported an arrest warrant for Putin but rejected it when it was issued for Netanyahu and other Israel senior leaders. Secondly, The US has consistently criticized Russia for war crimes, but they keep defending Israel for the same allegations. Thirdly, the US has raised sanctions on Russia and delivered packages of humanitarian and military assistance for Ukraine; they have also delivered humanitarian aid for the people of Gaza. However, The US military assistance for Israel is much bigger than their humanitarian aid for Gazans. These three points display that the US actions are not raised to protect humanitarian values under the protection of international law. Instead, they only use it for their interests.

The concept of humanitarian diplomacy as an *oxymoron*, as explained by Hazel Smith, is fitted with this as he explained that humanitarian workers and diplomats have different tasks and aims. Suppose the humanitarian workers' task is solely to uphold humanitarian values impartially to protect the people that affected by conflicts. Diplomats' tasks are, first and foremost, to serve the interests of their states. Sometimes, however, both the interests of the state and humanitarianism are aligned, as we can see in the case of the US's approach to the Ukraine-Russia conflict. The other time, their interest and value of humanitarianism might be on a different path, which is the case of US actions in the Israel-Palestine conflict. These interests might differ depending on the foreign policy-making factors for both Israel and Ukraine, namely the factors of the external environment and interest groups.

The Ukraine-Russia conflict has become a stake for the US and the West to prevent the successful 2014 Crimean invasion by Russia from occurring again. Kuzio (2023) argued that the victory of Ukraine is in line with the US and Western world's interests as Ukraine would destroy Russia's military potential, significantly reducing the threat posed to NATO's eastern flank (Kuzio, 2023). He further pointed out that if Ukraine is defeated, Russia would go further to attack NATO country members in the future. In the same notion, Taiwo (2024) explained that the conflict would ensue in a territorial disintegration with Western Europe. Ukraine's stability is also detrimental to ensuring the stability of the European gas supply (Taiwo, 2024). While the US stake in the Ukraine-Russia conflict is clear, there are still questions about the US's stake in the Israel-Palestine conflict.

The US has shown its unwavering support to Israel since 1949, totaling more than \$115 billion to provide Israel with diplomatic, economic, and military support (Eisenstadt & Pollock, 2012). The US and Israel have been substantially enjoying a partnership by sharing intelligence on terrorism, nuclear proliferation, and Middle Eastern politics. Hoffman (2024), however, argued that Israel is a liability for the US instead of a valuable asset since Israel has undermined the US strategic position in the Middle East and damaged its global image, especially relating to the current ongoing conflict (Hoffman, 2024). However, Israel has a lobby group which spreading its influence on the US internal political scene, which ensures US support for Israel even though The White House is leaking reports of Biden's frustration with Netanyahu on his approach to this conflict.

The external environment as a factor of the decision-making process described by Ereker (2018) can be seen in two dimensions: actor-centered factors and systemic factors (Ereker, 2018, p. 63). Actor-centered factors revolve around the direct reactions coming from other states toward the chosen foreign policy course. Systemic factors can be divided again into structural and non-structural factors. Structural factors attach the states to the international system. In contrast, non-structural factors revolve around changes in big power relations, increases in the bargaining capability of weaker states, and changes in international norms. Interest groups, meanwhile, are the association of people who share similar political views to pressure the government (Ereker, 2018, p. 66). This factor is generally less influential and weaker factor of other factors, but it is more important in the foreign policy-making process of democratic countries. Interest groups generally share religious beliefs, ideological goals, or cultural demands. They are not a part of the policy-making actors, having to rely on the people who are directly involved in the policy-making process to achieve their goals.

American Israel Public Affairs Committee (AIPAC) is one of the most influential Israeli lobby groups that actively approach US politicians to support pro-Israel policies. According to their website, AIPAC defines itself as a national organization that builds bipartisan support to strengthen and expand the US-Israel relationship (American Israel Public Affairs Comittee (AIPAC), n.d.). Gultom and Miftah (2024) found that AIPAC assists Congress by providing information that resulted in the formulation of pro-Israel foreign policy. As an interest group, AIPAC has successfully influenced the US to formulate pro-Israel foreign policies through the politicians who are directly involved in it (Gultom & Miftah, 2024). This influence can be seen in the US' supportive nature of Israel in this war, even under the mounting pressure of the international community.

#### 4. Conclusion

From the pieces of evidence and comparison of how the US handled both of the conflicts, there are different treatment between their actions towards Ukraine-Russia and Israel-Palestine conflicts. The narratives of humanitarian values and RBIO, which the US is so loud of in criticizing Russia, have significantly dwindled when Israel is doing the same. By analyzing the foreign policy process and influence factors, we can see that the narratives of RBIO and humanitarian values that we voice out are not for the sake of those values but because it is aligned with their interest, raising an opportunity to use them as a political instrument. The lack of interventions from international institutions has made it apparent that more reforms are needed if we want to ensure such a crisis will not occur again. The United Nations, aside from Guterres' criticisms towards Israel, is not able to do much as we have always vetoed ceasefire resolutions in the Security Council. Even the world's court, ICI, and ICC are not able to force Israel to stop their violations while numerous US politicians are threatening them. The US actions are dangerous not only for their roles' weight in international affairs as there might raise a growing distrust of the US calls for RBIO, but also to the international trust for international laws, institutions, and other norms that prevent bloody conflicts from raging again. After all, if the RBIO and international institutions are used as a mere political instrument of one country's national interests, no countries would bother to resolve their difference through these means as some countries pull strings behind it.

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