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US-TIP Report: As a Political and Economic Instrument of the United States Government

Erwin Temasmico Djayoesman
Paramadina University, Indonesia
Email: erwien_basket@yahoo.com

ABSTRACT

International relations is a discipline that studies the interaction between countries from various perspectives, where political and economic dynamics are interrelated and influence global policy. In this context, the US-TIP Report emerged as a strategic instrument that the United States uses to implement soft-diplomacy through an assessment of countries' efforts to combat trafficking in persons. This study aims to analyze the interaction between economic and political factors in the preparation of the US-TIP Report and examine its implications for the foreign policy of the United States. The novelty of the research lies in the integration of interdisciplinary analysis that combines political economy and foreign policy perspectives in examining the use of this report as a political and economic tool. The method used is a descriptive qualitative approach with case study design, through the collection of primary data from in-depth interviews with experts and secondary data from official documents, annual reports, and related academic literature. The results of the study show that the preparation of the US-TIP Report is greatly influenced by political and economic interests, where this report plays a role in pressuring countries with low capabilities and supporting the United States' allies. In conclusion, the US-TIP Report not only reflects the real conditions in the fight against trafficking in persons, but also serves as a strategic political and economic tool that directs the dynamics of international relations through assessments that are political and economic.

Keywords: political economic; US-TIP report; trafficking in person; international relations

Corresponding Author; Erwin Temasmico Djayoesman
E-mail: erwien_basket@yahoo.com

INTRODUCTION

International relations as one of the disciplines that studies aspects of relations or interactions between nations from various perspectives has various sub-disciplines that specifically talk about economic problems at the international level (Carlsnaes et al., 2021; Susanti & Endayani, 2018). This sub-discipline is known as International Political Economy (*International Political Economy*). This field specifically discusses interaction, *interplay*, *interrelated*, causality, mutual influence between political and economic factors in the scope of international relations. Thus the analysis of international political economy will focus on the existence of interactions, between the 'market' and the 'state', exchange and authority, between *wealth* and *Power* in relations between countries (Murdani, 2015).

In this case, this view is in line with the opinion Knoke, (2019) which states that politics has a crucial role in determining the framework of economic activity by directing economic activities to meet the interests of dominant groups through the use of power in various forms. On the other hand, economic processes are believed to be able to redistribute power and wealth, as well as change power relations between groups, which ultimately affects the political system and forms a new structure of economic relations (Burke & Stephens, 2018; Polanyi, 2018). Thus, the dynamics of international relations in the modern era are seen as the

result of the mutual interaction between politics and economics (Chaudoin et al., 2015).

Therefore, international political economy can be said to be a reciprocal and dynamic relationship between the pursuit of power and wealth in international relations (Maiwan, 2015; Marito & Silalahi, 2024). This implies that international political economy theory is not a pure economic theory but also a theory that discusses politics purely that sees economic dimensions that are politically charged. Furthermore, international political economy serves to elaborate various relationships between economic and political factors, markets, countries in *Settings* international. As is known, since the 16th century where the industrial revolution occurred, the economic aspect of the international system has had a dominant force. The need for raw materials, markets, labor, energy sources, and technology has made its application in international politics even greater (Cohn & Hira, 2020). Especially after World War II, where there was a competition between the liberal-capitalist views of the western bloc and the socialist-communist views of the eastern bloc, which not only competed sharply ideologically and politically, but also the economic direction in attracting the influence of other countries outside the two blocs (Rustam, 2022). Although the problems that arise are economic, they directly affect the international political system.

This research arises from the increasingly complex dynamics of globalization and geopolitical competition, where the interaction between markets and countries has a direct impact on economic stability and international security, so that an in-depth understanding of these mutual relationships is crucial to anticipate and overcome evolving global challenges. Previous research by Perwita & Emile, (2023) shows that the dynamics of interaction between markets and countries have a great influence on the foreign policy of developing countries, while research by Grigoryev & Pavlyushina, (2019) It found that the relationship between wealth and power is a key factor in overhauling the international political system. The novelty of this research lies in the effort to integrate the analysis of the two perspectives by highlighting the strategic role of interaction between the market and the state in the era of globalization and modern geopolitical competition, so that it does not only view economics and politics separately, but as an interrelated unit.

The purpose of this study is to comprehensively analyze the interaction between economic and political factors, focusing on the role of states, markets, and authorities in shaping the international system, as well as examining their implications for global policy. The benefits of this research are expected to make theoretical and practical contributions to the development of international relations and become the basis for policymakers to formulate strategies for managing international political economy dynamics in the modern era.

METHOD

This study uses a descriptive qualitative approach. This approach was chosen to understand international political and economic phenomena in depth, especially how the US-TIP Report is used as a tool for negotiation and political pressure by the United States against other countries.

The research design used is a case study. The case study was chosen because this study specifically examines the US-TIP Report's policies and their impact on international relations and global economic politics.

This study uses two types of data, namely:

1. Primary Data: Interviews with international relations experts, academics, and foreign policy practitioners who have an understanding of human trafficking and U.S.-TIP Report policies.
2. Secondary Data: Official documents, annual US-TIP Report reports, scientific journals, reference books, news articles, and publications from international organizations such as the International Organization for Migration (IOM), the United Nations Office on Drugs and Crime (UNODC), as well as reports from NGOs focused on human trafficking.

The data collection in this study was carried out with several techniques, including:

1. Documentation Study: Data collection from the annual US-TIP Report, related legislation, and academic literature on human trafficking and U.S. foreign policy.
2. *In-depth Interview*: Engage international relations experts, diplomats, and international legal practitioners to understand how the US-TIP Report is used as a foreign policy tool.
3. Media Analysis: Use news from reliable sources such as The Guardian, the New York Times, and academic publications that criticize the US-TIP Report.

Meanwhile, the data analysis techniques used in this study include:

1. Content *Analysis*: This study uses content analysis methods to explore how the US-TIP Report is compiled and how it is used in U.S. foreign policy.
2. Discourse Analysis: To understand how the narratives in the US-TIP Report are structured, as well as how these discourses are used to shape international opinion and policy.
3. Comparative Analysis: Comparing data from different countries classified in the US-TIP Report with their human trafficking policies.

RESULTS AND DISCUSSION

The Link of Trafficking in Persons and Political Economy

Human trafficking is the oldest form of crime in the world, slavery occurred thousands of years ago since prehistoric times and has survived throughout human history as a universal institution. Although, slavery has always been associated with physical and sexual exploitation, the discussion of human trafficking from the point of view of exploitation has a shorter history.

It took 51 years for legal instruments on trafficking in persons to be passed. In 2000, the United Nations Protocol Against Trafficking in Persons or better known as the Palermo Protocol was adopted and entered into force in 2003. It is the only instrument of international law that deals with trafficking in persons as a crime including exploitation. This legal instrument is also the first instrument against crime that balances law enforcement actions with the rights of victims. In this regard, this instrument develops a three-P's approach, namely prevention, prosecution, and protection, all of which must be addressed to combat trafficking in persons. Then within the scope of the regional instrument, it develops according to the development of the pattern and type of crime itself and the focus itself becomes more specific, such as the rights of victims. The issue of forced labor and the relationship between trafficking and migration are widely discussed in international forums. The development of the types of trafficking crimes mentioned above is not only limited to sexual exploitation (prostitution) and forced labor but also includes organ trafficking, terrorism for the benefit of belligerents, or narcotics trafficking such as the case that occurred in Indonesia on April 25, 2010 where a

Filipino citizen in the name of Mary Jane Feloso was caught smuggling narcotics into Indonesia which eventually became a death row inmate but in the end, the Philippine Government conducted dialogue and diplomacy with the Indonesian Government so that the punishment could be suspended to first process the human trafficking case in the Philippines.

Before we discuss the US-TIP Report, we need to know how it relates to human trafficking and political economy. We know that human trafficking practices have been going on since prehistoric times, but we will start from the era of colonialism that slavery practices were commonplace due to the needs of landlords, plantation and fishery entrepreneurs, and perhaps the state had a direct or indirect role (Li, 2017). Indonesia or the Dutch East Indies, which at that time was a colonial territory from the Netherlands, had a long history with slavery, not only domestically but also many Indonesians who were eventually sent abroad such as Suriname to work forcibly in the plantation sector there, we can see that the direct users are large companies but the state as a regulator still gets economic benefits to finance their political interests globally. Trafficking in persons provides great benefits for perpetrators, where traffickers can use victims for a long period of time without health insurance and also proper payment in various ways.

In the seafood industry in Southeast Asia, the use of forced labor is very prevalent (Bang, 2014), based on a report by the International Organization for Migration (IOM) in 2015 that 7000 people were trafficked in East and Southeast Asia of which 88.4% were trafficked for forced labor outside of domestic work (domestic workers). (Pickering & Powell, 2016). It was also found that many workers or crew members from Myanmar, Cambodia and Laos were victims of debt bondage, confiscation of passports or sea-man books, fake labor offers and also suffered physical torture and were detained for years on ships in international waters. Trafficked fishermen are particularly vulnerable because they do not have access to emergency hotlines or social services at sea. Not only in the middle of the sea, on the beach or on land many children are trafficked to work in fish processing factories and are often unpaid or very underpaid. Those who employ labor traded in Southeast Asia are in some cases part of the supply chains of large and well-known multinational companies, sometimes many state officials involved in the structure of such companies.

Another example is plantation workers from Indonesia in Malaysia, this practice occurs a lot because there is a need for Malaysian entrepreneurs or plantation owners who need cheap labor not only to take care of plantations but also to clear land. Most of these workers are employed illegally, so they are subject to Malaysian law as illegal migrants and this makes them vulnerable to extortion and intimidation from both plantation owners and law enforcement officials in Malaysia (Monique & Puspamawarni, 2020). Plantation owners usually cooperate with recruiters or sponsors at the local level in Indonesia who receive payments from company owners to find workers through illegal channels because it is considered cheaper and easier, the profits obtained by recruiters are very large for one worker who can be recruited.

Workers who build sports facilities for the 2022 World Cup in Qatar, allegedly have committed violations that fall into the category of human trafficking offenses. With huge infrastructure development, Qatar needs around 1.5 million additional migrant workers to accommodate the needs of the construction sector. However, a report from ITUC said that there will be more than 7000 migrant workers dying until the end of 2022 in Qatar if the

migrant worker regulations carried out by Qatar are maintained because in just 3 years, from 2010 to 2013, more than 1200 infrastructure workers from Nepal and India died in Qatar. Of course, this has caused concern for several parties, especially those interested in the humanitarian section. Many protests were carried out by activists and wanted a rerun vote to host the 2022 world cup. Of course, Qatar will lose a lot when the urge to hold a rerunvote is granted by FIFA, because it means that Qatar's opportunity to host the 4-year tournament is lost. As a result of these various insistences, Qatar in 2014 announced that it would replace the kafala system; Although each country then has other regulations related to migrant workers, this kafala system is the parent of labor recruitment. The kafala sponsorship system is a government policy used to regulate, manage, and control temporary labor migrant populations in GCC countries. Kafala requires all temporary workers to have a local sponsor of an official responsible for visas, immigration, and residency status in the country. This system causes many migrant workers to become victims of violations of their rights as workers. However, the replacement process has not yet been carried out, forcing Amnesty International to make many publications related to the depravity of migrant workers ahead of the 2022 World Cup.

US-TIP Report

In 2000 the United States Department of State decided to take substantial action related to combating trafficking in persons in all its forms, so in that year the United States Government issued the Trafficking and Violence Victims Protection Act or known as TVPA 2000 as a form of commitment of the United States Government to be involved in combating the crime of trafficking in persons in the world, and as an anti-trafficking guideline and policy for (1) preventing trafficking, (2) protecting trafficking victims, and (3) prosecuting and punishing traffickers. In this Act, Congress recognizes the prevalence of human trafficking in the United States and around the world, commits to addressing human trafficking, and calls on other countries around the world to do the same to combat the crime of human trafficking. Part of the foreign policy contained in the TVPA is to require the United States Secretary of State to make an annual report to rank each country in their actions and efforts to combat human trafficking by meeting several standards set out in the TVPA (Mollema, 2015; Van Der Vink et al., 2023)).

Furthermore, in 2001 the United States Government through its Department of State published its first trafficking in persons report (US-TIP Report). As mentioned above, this report puts each country in one of three tiers based on the extent to which the country strives and strives to comply with the minimum standards for the elimination of trafficking in persons set forth in section 108 of the United States Government's TVPA Act. The first tier is if the countries are fully compliant with the TVPA minimum standards, the second tier is countries whose governments do not fully comply with the TVPA minimum standards, but show significant efforts to comply with the standards and Indonesia has been in this ranking for more than 10 years, tier 2 watchlist is a collection of countries that do not fully comply with the standards but show efforts to meet the TVPA standards. while the third level is countries whose governments do not fully comply with the TVPA minimum standards and do not show any effort to comply with them (Ford, 2015).

Methodologically, this report is made using information from U.S. embassies,

government officials, local and international non-governmental organizations (NGOs), published reports, news articles, academic studies, consultations with authorities and organizations in every region of the world, and information submitted to tipreport@state. This email address provides a means by which organizations and individuals can share information with the Department of State throughout the year about the government's progress in tackling human trafficking. U.S. diplomatic posts and domestic agencies report on the situation of human trafficking and government actions to combat human trafficking based on thorough research that includes meetings with various government officials, representatives of local and international NGOs, officials of international organizations, journalists, academics, and information from survivors (Farrell et al., 2017; Meriläinen & Vos, 2015).

As for tier placement, this placement is not based on the magnitude of the trafficking problem in a country but on the extent to which the government's efforts to meet the TVPA's minimum standards for the elimination of trafficking in persons, which are generally and should be consistent with the Palermo Protocol. While Tier 1 is the highest ranking, it does not mean that a country does not have a human trafficking problem or is taking enough action to address such crimes. Instead, Tier 1 ratings indicate that the government has made efforts to address the issue and meet the TVPA's minimum standards. To maintain a Tier 1 rating, the government needs to show meaningful progress each year in the fight against human trafficking. For every country at any level, the report also provides recommendations that the government should take to maintain its level (for tier 1) or also increase its level (for tier 2 and beyond).

To better understand what aspects of the TVPA are standard in section 108 are (a) the government of the country must prohibit all forms of trafficking in persons and punish the act of trafficking in such persons, (b) for any act of sex trafficking involving violence, fraud, coercion, or the victim is a child who cannot give consent to such acts, or trafficking by means of rape or kidnapping or which causes death, The government shall establish penalties commensurate with the most severe penalties, (c) For any major form of trafficking in persons, the government shall establish penalties severe enough to prevent and sufficient to demonstrate that the violation is heinous, and (d) The government shall make serious and sustained efforts to eliminate the severe/severe forms of trafficking (Coleman, 2016). This action does not only apply to the perpetrators who are citizens of the country, but must also be carried out by the perpetrators who are non-citizens who commit acts in the country, however, communication to the government of the perpetrator country must be carried out, usually this communication will be carried out through the representative or embassy of the country of the perpetrator.

Political Instruments of the Economy

Like the universal legal instrument issued by the United Nations, it is mainly related to human rights enforcement issues in the form of protocols or conventions, but it is not mandatory to be adopted or ratified by all countries, in the sense that each country is free to determine whether they will adopt or ratify the instrument into the country's domestic legal instrument (Shatat, 2019). The issue of sovereignty is an issue used to consider whether or not the state will adopt or ratify the instrument, because sovereignty is a matter of authority, the right to regulate and govern, norms have been internationalized but enforcement authority is handed over, almost entirely to a sovereign state – a few exceptions for genocide, crimes

against humanity, and war crimes (Makum Mbaku, 2018).

The initiative to create universal instruments usually comes from activists or non-governmental organizations (NGOs) or non-state actors who want to bring about changes in the world, then they will carry out a series of advocacy activities so that the legal instruments can be adopted or ratified at the national level, but the decision remains with state actors by using the issue of sovereignty as a tool to consider whether to The adoption of the universal instrument will have political and economic influence.

The annual report on human trafficking issued by the United States Government (US-TIP Report) is interesting to study because this instrument is used by the United States Government as one of the foreign policy instruments of the United States Government, including as a tool used for the political and economic interests of the United States against other countries. As mentioned in the previous section of this article, the legal umbrella for combating human trafficking is the Palermo Protocol, and every country and NGO agrees that the crime of trafficking in persons is a serious transnational crime. Since 2000, the United States has been a leader in the fight against human trafficking crimes in the world, so the publication of this annual report on human trafficking is a commitment of the United States Government to this issue.

The consequence for countries in the third tier is that the governments of countries in Tier 3 may be subject to certain restrictions on foreign aid, where the President may decide not to provide the U.S. government's non-humanitarian, non-trade foreign aid as defined in the TVPA. In addition, the President may decide to withhold funds for government officials or government staff in educational and cultural exchange programs in certain cases. Consistent with the TVPA, the President may also specify to instruct the Executive Directors of the United States of each multilateral development bank and the International Monetary Fund to vote against and use their best efforts to deny loans or other uses of institutional funds to that country for any purpose except for certain humanitarian, trade-related, and development assistance. Alternatively, the President may override the application of the above limitation on the determination that the provision of such assistance to a Tier 3 country that supports the objectives of the TVPA or otherwise is in the national interest of the United States (Kennedy, 2016).

From the above definition, it is clear that the use of this report is as a decision-making tool for the foreign economic policy of the United States towards other countries. Based on the observations of the author, this report has a very strong influence on the governments of other countries because it has very significant implications, especially in bilateral cooperation between the United States and that country, especially law enforcement issues. Many countries ended up lobbying the United States Government to raise their ratings in this report.

As an example of the implications of the economic restrictions imposed by the United States Government against the Government of Thailand in 2015 in the waters of the Aru Islands (Benjina) in Indonesia involving crew members from various countries in Southeast Asia, the most are Myanmar crew members around 258 people who became victims of slavery, the second is Cambodian crew members as many as 58 people, the rest are Laos crew members. In addition, there are also many graves that are also mentioned as victims of slavery in Benjina. Benjina Pusaka Resources (PBR) Company is a Joint-venture company between

an Indonesian company and a Thai fishery company under the Silver-sea flag, where the skipper is a Thai citizen while the crew members are from the countries mentioned above. As an implication of this incident, Thailand's level in the United States human trafficking report has dropped to the third level, thus making the United States Government restrict (Banned) all Thai fishery products exported to the United States, it should be noted that Thai fishery products are marketed in many places in the United States such as Wal-Mart, Sysco, Kroger, Fancy party, Meow Mix and Iams. Not only that, countries in Europe finally followed the action of the United States which restricted fishery products from Thailand so that Thailand's economic income decreased very significantly, in the end the Thai Government asked for the cooperation and cooperation of the Government of Indonesia to solve this case. After the settlement of this case where the Indonesian Government demanded PT PBR to provide restitution to the victims of Myanmar crew members, finally Thailand's level increased, although until today the Thai Government has never prosecuted a company from Thailand Silver-sea.

Despite the above, the TIP Report has received skepticism over its effectiveness in changing policy (Chuang, 2014), with special supervision of the use of sanctions. According to the TVPA, all sanctions can be abolished if necessary to avoid significant adverse effects on vulnerable populations. In 2007, President G.W. Bush sanctioned only 5 of the 15 Tier 3 countries; all of them are already under some form of sanctions that are not related to trafficking(Peterson, 2014). It is also said that the anti-trafficking grants awarded failed to prioritize anti-trafficking assistance to lower-ranked countries and did not target specific needs within the country (United States Government Accountability Office, 2006, 2007). As stated by Egli-Gany et al., (2021) "United States Government agencies do not systematically link the programs they fund to combat human trafficking abroad to the level or deficiencies that are narratively identified per country in the report."

The report is also criticized in the placement methodology of the levels in this report. Although in writing the report, the collection of information and data also involves stakeholders, NGOs, activists and survivors. The TIP report has also received criticism for its ranking. For example, some tier determinate is allegedly political in nature because certain Tier 2 countries "clearly do not meet minimum standards, some of which are not yet threatened by Tier III and the loss of foreign aid that accompanies that status" (Lamont, 2016). As of 2010, India and China have been on the Tier 2 Surveillance List for 6 years but have not been listed as Tier 3 countries. This is also evident with Saudi Arabia and several other Middle Eastern countries that remain as Tier 2 and Tier 3, without the sanctions of the United States. The TIP Report's narrative also does not have a complete description of each country's compliance with minimum standards. The United States Government Accountability Office noted that providing a comprehensive explanation for only 2 of the 24 Tier 1 countries, and 5 of these countries failed to mention full compliance with the prosecution of sex traffickers. For this reason, it is difficult to use the TIP Report to guide anti-trafficking programs wisely (Brunner, 2015; Musto, 2016).

In 2011 COHA (Council on Hemispheric Affair) published an article on its website and criticized the 2011 United States Trafficking in Persons report (US-TIP report), which stated that the credibility of the human trafficking report in assessing other countries needs to be questioned, because the United States itself is included in the report. Rather than relying on a

system created by the United States, the creation of an accredited international body to monitor countries' performance in the fight against trafficking in persons may be better able to provide an objective assessment, including the imposition of sanctions and other forms of punishment should also be monitored by the body.

The problem is that the United States Department of State assesses countries based on United States standards rather than internationally recognized standards. As a result, "many people feel that for the United States to create a rating system, which they can only control to rank all other countries, it is not a helpful way to move forward" and can actually cause more harm than good in the global arena. Critics wonder why it took the State Department roughly eight years to discover that the United States is a source, transit, and destination country for men, women, and children who are targeted by human trafficking, particularly forced labor, prostitution, and forced prostitution. In fact, the United States is one of the top three destination countries for its people to trade with. According to the United Nations, of the estimated 12.3 million people believed to be trafficked worldwide, an estimated 18,000 to 20,000 people are trafficked to the United States each year, and it is estimated that according to the International Labor Organization (ILO) the actual number of people currently in a trafficking situation in the United States is in the hundreds of thousands. Although it is illegal in fifty states to prostitute minors, only forty-five states have enacted certain anti-trafficking laws using different definitions and a series of penalties since 2010. This explains the lack of uniformity among the states of the United States in their commitment to human trafficking.

The criticism also comes at a time when the United States has upgraded Cuba and Malaysia from Tier 3 to Tier 2 on a watchlist, anti-trafficking groups are deeply concerned about the political motivations of the United States that are so evident in the report's rankings (For, 2015)SEO. As mentioned by Melysa Sperber, director of the Alliance to End Slavery and Human Trafficking (Atest) "We were very surprised by this year's (2015) report, which appears to be making blatant political decisions that we consider will have a very detrimental impact on the integrity of the report and progress in the global struggle to end modern slavery".

After 12 years at level 3, Cuba's sudden upgrade to a level 2 watch list came quickly after the reopening of the United States embassy in Havana and the re-establishment of diplomatic relations after half a century of isolation. Last year's (2014) trafficking report contained criticism of Cuba's trafficking record, including allegations of child prostitution and forced labor by the Cuban government. In an interview following the leak of the proposed upgrade, Senator Robert Menendez, a Democrat on the Senate Foreign Relations Committee, said he saw the move as politically motivated. Although the U.S. State Department insists that the increase is based on better cooperation between Washington and Havana in eradicating human trafficking and ensuring better protection for victims, the Cuban government is taking a more open and proactive approach to information sharing and prosecution of traffickers.

Meanwhile, Malaysia was also given an upgrade to the level 2 watch list after one year at level 3. It comes as President Obama works to smooth the way for the Trans-Pacific Partnership, a major U.S.-led free trade deal with Malaysia and 11 other countries across Southeast Asia. Malaysia's increase removes potential barriers to completing a trade deal, as countries at tier 3 are theoretically barred from fast-track trade deals. Over the past year

Malaysia has been accused of widespread forced labor in its electronics industry, an industry used by major global electronics brands such as Samsung, Sony and Apple. Malaysia also faces allegations of forced labor and trade in its palm oil industry.

CONCLUSION

Based on the results and discussions, it is concluded that the preparation of the US-TIP report is greatly influenced by political and economic aspects, which are used by the United States as an instrument of soft-diplomacy to pressure other countries to be in line with their global and domestic interests. The report places countries with low capabilities and authority; such as Russia, Iran, China, North Korea, and Venezuela are ranked the lowest, while allied countries and strategic partners such as Australia, France, the United Kingdom, Taiwan, Singapore, and the Philippines receive the highest rating. This finding supports Donnelly's view that the sovereignty of a country is highly dependent on its level of authority and capability, where a strong state has effective sovereignty while a weak state has limited normative and material sovereignty. Although the report has been criticized for its objectivity, the US-TIP report is still considered useful as a reference for describing the situation and efforts to combat trafficking globally. Thus, this instrument not only reflects the real conditions in the fight against trafficking in persons, but also becomes a strategic political and economic tool in directing the dynamics of international relations through the influence and assessment given to each country.

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