

AN EMERGING CHINA-CENTRIC ORDER

China's Vision for a New World Order in Practice

Edited by Nadège Rolland



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With contributions by
Adam Cathcart, Chris Horton, Malin Oud, Alisée Pornet,
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Long before the Covid-19 outbreak hit China and spread to the rest of the world, Xi Jinping, standing on a podium at the Great Hall of the People in Beijing, heralded the dawn of a “new era” for the Chinese nation that “has stood up, grown rich and become strong, and...now embraces the brilliant prospects of rejuvenation.” This new era, Xi declared, will “see China moving closer to center stage and making greater contributions to mankind.”¹

The extent to which the Covid-19 pandemic has affected global trends and national trajectories cannot yet be fully appreciated. Conjectures abound, with prophecies of a total upending of the world order at one end of the spectrum and forecasts of a steady acceleration of pre-pandemic trends at the other. As we publish this report, the aftereffects of the pandemic on the global economy, and on China’s economic growth in particular, are still unclear. How it will affect China’s geopolitical calculations and global ambitions is also difficult to tell. But the Chinese leadership has given indications of its determination to keep moving forward. Having proclaimed a new era of strength and power for China, it would be difficult for the secretary general of the Chinese Communist Party (CCP) to revert to a low-key posture. Foreign Minister Wang Yi observed, for example, in April 2020: “Human history is a story of mankind wrestling with various diseases and disasters, always emerging stronger and more resilient. Unequivocally, Covid-19 cannot arrest the Chinese people’s determined march toward national rejuvenation.”² In his assessment of the impact of the pandemic on China’s “centenary goals,” Yuan Peng, the president of China Institutes of Contemporary International Relations, contends that China’s “strategic deployment is unrolling methodically,” even though the uncertain and unstable international environment makes it more difficult for the country to seize opportunities.³

As China is stepping out more assertively and decisively than ever since the foundation of the People’s Republic of China, it has become crucial for the rest of the world to grasp as thoroughly as possible the vision China has for itself as a preponderant power on the global stage. The Chinese leadership not only is striving for great-power status but also has embarked on a journey to reshape, alter, and redefine elements of the existing international system to better fit its worldview and interests. It has therefore become imperative to better understand the kind of changes China would like to see occur, as well as the types of mechanisms, institutions, norms, and rules that Beijing would like to see arise as part of this new international system.

With this objective in mind, the National Bureau of Asian Research (NBR), with the generous support of the Carnegie Corporation of New York, launched the project “China’s Vision for a New Regional and Global Order” in early 2019. The project’s first report, published in January 2020, disentangles the strands of thought behind Chinese elite’s vision for a new world order and depicts its emerging features, based on a careful examination of Chinese-language sources. The study concludes that the Chinese elites seem to favor a limited form of Chinese supremacy, vaguely reminiscent of the ancient tributary system, loosely exercised over the “global South” rather

¹ “Socialism with Chinese Characteristics Enters New Era: Xi,” Xinhua, October 18, 2017.

² Wang Yi, “Following Xi Jinping Thought on Diplomacy to Build a Community with a Shared Future for Mankind through International Cooperation Against COVID-19,” Ministry of Foreign Affairs of the People’s Republic of China (PRC), April 19, 2020.

³ Yuan Peng, “Xinguan yiqing yu bainian bianju” [New Coronavirus Pandemic and Once-in-a-Century Changes], *Xiandai guoji guanxi*, no. 5 (2020), http://www.cssn.cn/gjgxx/gj_qqwt/202006/t20200617_5144113.html. The two centenary goals (*liangge yibainian*) refer to objectives set by the leadership for the one hundredth anniversary of the founding of the CCP in 2021 and the centenary of the founding of the PRC in 2049.

than geographically surrounding China, and characteristically neither democratic nor liberal—a “partial, loose, and malleable hegemony.”⁴ This characterization reflects ongoing internal deliberations, most of them elaborated in the abstract, and is not a description of Beijing’s concrete aspirations. At the same time, examining the current debates helps identify some prominent elements that may move from abstract conceptions and theory to practice.

Is this vision for a world order “with Chinese characteristics” starting to translate into reality? Are some of its main features already detectable in the way China manages its relationships and interactions with countries and international institutions, or in the norms Beijing is championing globally? To extract the predominant characteristics of China’s diplomatic practice, one would have to comprehensively examine, compare, and contrast China’s bilateral and multilateral interactions and efforts, all at once and across the board. Instead, we have chosen to consider a few case studies that seemed particularly relevant to illustrate whether and how Beijing is attempting to develop a “partial, loose, and malleable” form of hegemony. The essays collected in this report examine two countries (Cambodia and South Korea), two institutions (the UN Human Rights Council and the 17+1 platform), two norms (right to development and cyber sovereignty), and one functional domain (development assistance). Each essay investigates China’s objectives, describes its favored tools to achieve them, and assesses the effectiveness of its efforts with regard to these objectives.

Besides the seven essays presented in this report, NBR also convened a virtual private roundtable at which experts shared their insights on eight complementary case studies. These covered China’s interactions with Ethiopia (Maria Repnikova), Myanmar (Jason Tower), Serbia (David Shullman), Sri Lanka (Nilanthi Samaranayake), and the Forum on Africa-China Cooperation (Lina Benabdallah) and China’s approach to international law (Thomas Kellogg), industrial standards strategy (Jack Kamensky), and the global information ecosystem (Shanthi Kalathil). Finally, four senior advisers (Harry Harding, Roy Kamphausen, Jennifer Lind, and Andrew Nathan) assisted in directing and reviewing the research efforts throughout the process. The current phase of the project greatly benefited from their intellectual input and guidance, and I am indebted to them for the time they have generously invested and the positive energy they have instilled.

In the opening essay, Chris Horton examines Beijing’s high degree of influence over Hun Sen’s Cambodia in all possible domains. In the last five years, Cambodia has seen a rapid influx of Chinese investment in a variety of economic sectors. Within both the Association of Southeast Asian Nations (ASEAN) and the United Nations, Phnom Penh can be trusted to vote on China’s behalf. Security cooperation has increased, too, which may eventually give the People’s Liberation Army a local footprint from which to project power. Consolidated ties with China strengthen the increasingly authoritarian Hun Sen regime.

Adam Cathcart studies the dynamics between South Korea and China under Xi Jinping. While successive Korean leaders have tried to keep a middle ground between Beijing and Washington, they have also been attracted by the promises of Xi’s Belt and Road Initiative and its potential for a further enmeshment of North Korea into the broader region. China is nurturing ties with Seoul, using both soft influence and intimidation tactics, in an effort to pull South Korea closer into its orbit and weaken the country’s alliance with the United States.

Andréa Worden’s essay examines in detail China’s challenge to the current international human rights framework and to universal values within the UN Human Rights Council. Beijing has become increasingly aggressive in seeking the implementation of its right to development

⁴ Nadège Rolland, “China’s Vision for a New World Order,” National Bureau of Asian Research, NBR Special Report, no. 83, January 2020.

agenda and is making steady progress in gathering support for redefined rights that will allow governments to avoid accountability for human rights abuses. Worden meticulously depicts the long list of coercive methods China uses to obtain greater leverage and increase its discourse power within the institution.

Justyna Szczudlik examines the trajectory of the 17+1 (formerly the 16+1) mechanism, a purportedly multilateral platform created by China in early 2012 to promote cooperation with Central and Eastern European countries. Following Xi's arrival to power and adoption of a more proactive foreign policy orientation, the format has evolved from a primarily economic focus into an instrument that serves Beijing's overarching geopolitical objectives. Szczudlik's essay describes how the platform has become China's main tool to promote and project Chinese norms, values, and standards in Central and Eastern European countries and assesses its successes and failures.

Malin Oud analyzes how the concept of the right to development has been a centerpiece of official Chinese human rights policy for the last three decades and eroded universal human rights standards. She highlights how Beijing's position has shifted from being primarily defensive to undertaking proactive efforts to reshape international human rights norms to better accommodate Chinese interests. The narrative surrounding the concept has also evolved—from characterizing the right to development as different from the Western liberal democratic model to asserting that this concept is superior to it, and from being domestically oriented to universally applicable. China has thereby frontally challenged established international standards and the principles of universality, indivisibility, and rule of law.

Adam Segal considers China's increased proactiveness in shaping the global governance of cyberspace around its preferred concept of cyber sovereignty. Beijing's vision originates from a domestic desire for more tightly controlled information flows and content, enhanced cybersecurity, and increased technological independence and has stark implications for a global internet that will become less open and free. China's recent outreach is not the only reason for a growing international embrace of the concept of cyber sovereignty, however. Based on their own assessments of threats, more governments seem to be willing to accept a higher degree of regulation of the internet, which coincides with Beijing's interests.

Finally, Alisée Pornet describes how China has become a structural actor of change in development finance practices and norms. It has done so by incrementally moving the lines in the existing system rather than attempting to create everything anew or to entirely reshape the global aid architecture. Over the last decade, China has been more proactive in defining the parameters of its international development programs and creating multilateral financial institutions, which culminated with the launch of the Belt and Road Initiative. Its overseas development policies exhibit distinctive characteristics and differ from the existing model of international aid, and their influence has expanded along with China's international footprint.

The seven experts who authored the essays in this report have taken on an extremely thorny assignment. They were asked to identify and uncover the most significant elements of a system—or rather, of a “vision”—that has not yet emerged and whose characteristics are yet to be clearly defined. Their findings help identify the main features of Beijing's preferred arrangements as Chinese influence expands worldwide and across domains.

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China's Engagement with Cambodia: Developing a Strategic Foothold in Southeast Asia

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EXECUTIVE SUMMARY

This essay examines China's efforts to cultivate relations with Cambodia and expand China's footprint in Southeast Asia through economic, political, and security engagement.

MAIN ARGUMENT

After decades of playing multiple patrons off of each other, Cambodia's strongman prime minister Hun Sen has come firmly into China's orbit as Cambodian relations with both the United States and the European Union deteriorate. Although Hun Sen frequently rejects any notion that Cambodia is effectively a vassal state of the People's Republic of China (PRC), his government's actions, as well as the PRC's actions in Cambodia, suggest that Beijing wields a high degree of leverage over this strategically located country. China has become Cambodia's most important economic and political partner and gives Hun Sen, often criticized by the West on human rights and other issues, international standing. Based on developments in bilateral relations over the past five to ten years, China's strategic vision for Cambodia is multifaceted. Economically, Cambodia is a market for technology and a destination for industrial overcapacity and infrastructure projects. Politically, it can be trusted to vote on China's behalf in the United Nations and the Association of Southeast Asian Nations (ASEAN). From a security perspective, Cambodia has the potential to greatly expand the People's Liberation Army's regional footprint and ability to project force. Given these benefits from the relationship, the PRC has made great efforts to ensure the stability of the increasingly authoritarian Hun Sen regime.

POLICY IMPLICATIONS

- Should China's relationship with Hun Sen and Cambodia continue on its current path, the U.S. and Japan will increasingly need to view Cambodia as an ally of the PRC, and potentially a jump-off point for Chinese military operations in the South China Sea and beyond.
- China's growing presence in Cambodia effectively surrounds Vietnam with Chinese military assets or friends and affects the strategic calculus for Thailand, Singapore, Malaysia, and Indonesia, potentially giving Beijing greater sway over ASEAN. Successful Chinese subordination of ASEAN would have ramifications beyond the region.
- While to some degree Hun Sen is subordinating Cambodia's domestic interests to Beijing's strategic interests, a close relationship with China offers the kingdom a more substantial international profile. Many Cambodians, especially those in positions of power and influence, may be receptive to closer ties with their giant neighbor to the north.

Although China and Cambodia have shared cultural and economic ties for centuries, the postwar history between the two countries has been ambivalent. The Chinese Communist Party (CCP) had a tumultuous relationship with King Norodom Sihanouk, who dominated Cambodian politics before the restoration of the Kingdom of Cambodia in 1993. Cold War realpolitik saw Sihanouk alternating between being a strategic ally and an enemy of the CCP. He spent his final years in Beijing, where in the 1970s he had once headed a government-in-exile after being deposed by a coup. He died in China's capital in 2012.

Hun Sen, a former Khmer Rouge officer who defected to Vietnam prior to Hanoi's invasion of Cambodia in 1978, has been the face of Cambodian politics since his installation in 1985 as prime minister of the People's Republic of Kampuchea, the Vietnamese puppet state that followed the horrors of Khmer Rouge rule. Today, the Cambodian People's Party, of which he is also president, holds all the seats in Cambodia's legislature. Hun Sen's consolidation of power in the face of growing opposition has dovetailed with his closer relationship with the CCP and a greater Chinese presence in the kingdom. Over the past decade, the CCP has increasingly engaged Hun Sen's government in three primary areas: economics, politics, and security. These efforts have yielded substantive results aligned with its general goals of increasing both its influence over Phnom Penh and Cambodia's strategic value to Beijing. China is now Cambodia's largest trading partner and biggest investor, it has effectively become an indispensable political patron of an increasingly unpopular Hun Sen, and there are indications that a Cambodian naval base and airstrip might be available for Chinese military use in the event of a conflict in the region.

This essay explores the CCP's engagement with Cambodia in these three areas, the outcomes of its efforts, and where bilateral ties may be headed in the short term.

Economic Engagement

Rapid Influx of Chinese Investment

In 2015 the People's Republic of China (PRC), including both China and Hong Kong, accounted for less than 9% of capital for projects approved in Cambodia. In 2019, PRC capital accounted for nearly 62% of that figure.¹ In 2014, in places such as the capital, Phnom Penh, and the kingdom's only deepwater port, Sihanoukville, the Chinese presence was only just beginning to become noticeable. Back then, China was building a bridge in Phnom Penh next to a Japanese bridge across the Tonlé Sap River, with banners extolling China's friendship with Cambodia in three languages: Chinese, Khmer, and English. A couple of kilometers downstream on Koh Pich, known in English as Diamond Island, built and unbuilt villas and condos were being sold to cash-paying Chinese property investors at the height of Chinese leader Xi Jinping's anticorruption campaign, which many consider to have been at least partially a political purge. The U.S. dollar-denominated properties, which could be purchased in renminbi, were an attractive investment for Chinese who could not afford properties in cities that were popular with China's wealthiest, such as New York, London, Vancouver, and Sydney.

¹ This data comes from the Cambodian Investment Board.

Today, China's presence in Cambodia is ubiquitous. The PRC is Cambodia's largest trading partner and its largest supplier of investment and tourists.² Hun Sen's unwillingness to suspend flights between China and Cambodia in January 2020 when the scope of the coronavirus outbreak was becoming obvious highlighted the Cambodian economy's reliance on Chinese business and leisure travelers. "Please continue our cooperation with China. Do not ban flights from China. Do not ban China's sea transportation, and do not ban Chinese tourists," Hun Sen said to reporters at a press conference. "Do not evacuate Cambodian diplomats from China."³

In Phnom Penh, massive high-end residential towers focused on Chinese buyers are located throughout the city, with one of the major concentrations located around the NagaWorld casino. The casino compound is perhaps the most popular Cambodian destination for Chinese tourists after Angkor Wat, and in 2018 was the world's tenth most profitable casino.⁴ Initially opened on a leased barge in 1995 with a government-issued monopoly on casino gambling in the capital and within a radius of two hundred kilometers, NagaWorld focused on a primarily Southeast Asian clientele. (Cambodians are banned from casino gambling in their own country.)

In 2003, NagaWorld relocated to a prime location just onshore from where the barge had once moored. Its new environs featured embassies (Japan, South Korea, and Australia), the National Assembly, and the National Buddhist Institute. In 2017, Naga2 opened, featuring two large gold towers that are also covered with LED displays that light up the surroundings at night. Naga1 and Naga2 sit on opposite sides of National Assembly Road, but they are connected below ground via Naga CityWalk, a duty-free mall filled with small shops selling luxury brands that is managed by the Chinese state-owned enterprise (SOE) China International Travel Service (CITS). A planned \$3.5 billion Naga3 is scheduled to be completed in 2025, and its five towers will be home to roughly half the total number of rooms that existed in all of Phnom Penh in early 2019. It will be connected to the other two Naga casino facilities via an extension of Naga CityWalk.

Naga CityWalk is not Cambodia's only area of cooperation with CITS. Cayman Island-listed NagaCorp, NagaWorld's parent company, leases passenger jets to CITS venture Bassaka Air, which links PRC destinations, including Changsha, Hangzhou, Macau, Qingdao, and Xi'an, with Phnom Penh and Siem Reap. The latter is home to Angkor Wat, the iconic ancient temple compound that is one of Asia's top tourist destinations and is featured on the Cambodian flag.

Clustered near NagaWorld are several massive development projects, most of which primarily target Chinese property buyers who live and work in Cambodia or are merely seeking to park their money beyond the CCP's reach offshore in U.S. dollar-denominated assets. Many more towers are going up on adjacent Koh Pich, where Chinese construction and engineering SOEs are creating a new skyline in the once low-rise capital. On one side of NagaWorld is Huangshan International Hotel, home to a showroom for a new Chinese development currently in the construction and sales phase. The two towers of the luxury residential project will be home to 670 apartments when they are completed in 2023.⁵

Yet Chinese property development is not only focused on Phnom Penh. Just around the corner from NagaWorld is a showroom for a luxury resort development by Tianjin Union

² "Cambodia, China Might Sign FTA by 2020's End," *VientamPlus*, June 11, 2020; "Investment Trend," Council for the Development of Cambodia, <http://www.cambodiainvestment.gov.kh/why-invest-in-cambodia/investment-environment/investment-trend.html>; and "Number of Chinese Tourists to Cambodia Reaches 2 Million in 10 Months," *Xinhua*, December 17, 2019.

³ Ben Sokhean, "Do Not Ban Flights from China Because of Coronavirus, Says PM," *Khmer Times*, January 3, 2020.

⁴ Daniel Stone, "Cambodia's NagaWorld Breaks Into Global Casino Top Ten," *GamblingCompliance*, March 13, 2019.

⁵ "Huangshan International to Bring Unique Multi-Purpose Development to Cambodia," *Khmer Times*, February 5, 2020.

Development Group in coastal Koh Kong Province. Likewise, Prince Holdings Group, a Chinese company that is one of the biggest property developers in Cambodia, has invested more than \$2 billion in projects in the kingdom since setting up there in 2015. Its projects include apartment buildings, condominiums, hotels, office buildings, and restaurants in cities such as Siem Reap and Sihanoukville, as well as Phnom Penh. It plans on investing another \$6 billion in Cambodia in the coming ten years.⁶ The group's director, Chen Zhi, has been bestowed the honorary nobility title Neak Oknha, which is roughly equivalent to the English term "lord." On the 70th anniversary of the founding of the PRC on October 1, 2019, the company held a watch party for that day's military parade in Beijing. Chen and others sang patriotic songs, which, according to a press release by the company, involved "many falling into hot tears." "Since the establishment of the company," the press release noted, "Prince Real Estate Group has always been following 'The Belt and Road Initiative' policy."⁷

Priority Areas for Investment

Chinese economic activity in Cambodia is apparent not only in the towering buildings and Chinese-language signs all over the capital and other cities. It is also affecting the Mekong River on which the kingdom depends. Chinese SOEs have built all eight of Cambodia's large hydroelectric dams. Among these projects is the controversial Lower Sesan 2 dam. In December 2018 the Lower Sesan 2 dam launched operations on a Mekong tributary in the northeastern province of Stung Treng. Built by China Huaneng Group subsidiary Hydrolancang International Energy, the dam forced the relocation of thousands of villagers. It has disrupted fish migration on the Sesan River as well and is predicted to reduce the Mekong Basin's fish population by 9.3%.⁸ The \$800 million dam, Cambodia's largest, also blocks nutrient-rich silt from entering the Mekong.⁹ Hydrolancang International Energy was slated to build the massive 2,600-megawatt Sambor dam on the Mekong's main stream in impoverished Kratie Province, but in 2020 all mainstream Mekong dam projects were delayed by a ten-year moratorium.¹⁰ The moratorium highlighted that although China has major influence over Hun Sen's government, its influence is not absolute.

In addition to constructing the country's large hydroelectric dams, Chinese SOEs have built most of the fossil fuel plants. Three major airports are also scheduled to be built by Chinese SOEs in Cambodia in the coming years.¹¹ Much of this investment is linked to China's Belt and Road Initiative (BRI). The influx of investment in Cambodia that followed Xi Jinping's announcement of the initiative in 2013 had held steady up until the coronavirus outbreak that began in late 2019. Although how things will play out in 2020 and beyond is unclear at the time of writing, Chinese investment has undoubtedly been a major factor in the reshaping of modern Cambodia. According to Molly Bodurtha, "the Council for the Development of Cambodia, which oversees the issuance of investment incentives to large-scale investors, reports that between 2013, the year the

⁶ Chea Vannak, "Property Developer Opens Headquarters in Koh Pich," *Khmer Times*, July 8, 2019.

⁷ "Prince Group Held Event Themed 'Motherland in My Heart' to Watch Military Parade and Celebrate the Founding Anniversary of Motherland," Prince Real Estate Group, Press Release.

⁸ Guy Ziv et al., "Trading-Off Fish Biodiversity, Food Security and Hydropower in the Mekong River Basin," Proceedings of the National Academy of Sciences of the United States of America, March 5, 2012.

⁹ Thomas Cristofolletti, "Chinese Backed Hydroelectric Dam Robs Cambodian Villagers of Homes and Livelihoods," *Post Magazine*, June 16, 2018.

¹⁰ "Mekong Infrastructure Tracker Dashboard," Stimson Center, <https://www.stimson.org/2020/mekong-infrastructure-tracker-tool/>; and Rebecca Ratcliffe, "Cambodia Scraps Plans for Mekong Hydropower Dams," *Guardian*, March 19, 2020.

¹¹ Author's email interview with Brian Eyler, director of the Southeast Asia Program at the Stimson Center, Washington, D.C., February 3, 2020.

BRI was launched, and the end of 2019, the new registered capital from Chinese firms operating in the investment areas eligible for incentives—notably, not in the casino industry—stood over \$7.5 billion, while fixed asset growth reached over \$1 billion.” She added that “Hong Kong-based firms contributed an additional \$1.7 billion to the total amount of registered capital added during this period and \$272 million in fixed assets coming into Cambodia from Chinese territory.”¹²

Nowhere in Cambodia is the incoming rush of Chinese money and influence more visible than the once-sleepy beach town of Sihanoukville. Sihanoukville was famous for being loosely governed prior to the beginning of the Chinese wave that started in 2015. By 2019, the city, which is located next to nine special economic zones dominated by Chinese businesses, had nearly fallen into anarchy, with an influx in sex trafficking, phone scamming, drug trafficking, and gun violence primarily attributed to Chinese gangs. Major environmental degradation has also become an issue. Area beaches, once very clean, are now strewn with garbage. Flooding has become a major issue after a Chinese developer filled in a local lake that was once vital for drainage during heavy rains.¹³

The town has become a key port city in China’s BRI and is adjacent to Ream Naval Base, which China is upgrading after Cambodia backtracked on plans for the United States to do the work. Chinese construction cranes rise above hulking concrete shells of incomplete buildings, many of which are next to temporary dormitories for the thousands of Chinese construction workers imported for labor. But China’s impact on the city and its economy goes well beyond major construction projects. In 2019 a study by the government of Preah Sihanouk, the province of which Sihanoukville is capital, found that more than 90% of businesses in Sihanoukville were Chinese-owned. Among them were casinos, hotels and resorts, restaurants, and guesthouses.¹⁴ The Chinese ambassador to Cambodia, Wang Wentian, attended the opening of the Sihanoukville Chinese Chamber of Commerce in October.¹⁵

Many of the Chinese businesses in Sihanoukville are export-focused factories in the special economic zones, often in the garment sector. In the city itself, however, Chinese workers have taken most of the jobs and commercial spaces that were once filled by Cambodians, while pushing up the cost of living dramatically. Travel agents, realtors, restaurant managers, money changers, and other positions are now more often than not held by Chinese. Most Cambodians operate on the fringe of the economy as tuk-tuk taxi drivers or construction workers on smaller building projects. Even local sex workers are now facing serious competition from Chinese arrivals.

Construction projects by Chinese companies in the city—including an area with an especially large concentration of projects that is now called Zhongguocheng (Chinatown)—are everywhere, fueled partially by a gold rush in 2019 driven by online gambling. The announcement by the Cambodian government in September 2019 that it would ban online gambling at the beginning of 2020 (allegedly at the behest of Xi) led to an exodus of tens of thousands of Chinese and the closure of countless businesses, as well as the halt of construction on many projects, including casinos. Now the city is in absolute disorder, with garbage and standing water seemingly everywhere one looks and roads barely passable due to damage from constant traffic by heavy vehicles such as

¹² Author’s email interview with Molly Bodurtha, who is a Fulbright fellow in 2019 and 2020 and conducted research on Chinese investment in Cambodia.

¹³ Marissa Carruthers and Sineat Yon, “Is China Money Drowning Sihanoukville, Cambodia? Floods Blamed on Rapid Pace of Development,” *South China Morning Post*, September 2, 2019.

¹⁴ Hin Pisei, “Chinese Own More than 90% of Sihanoukville Businesses, Says Report,” *Phnom Penh Post*, July 2, 2019.

¹⁵ Chhut Bunthoeun, “China Chamber of Commerce Opens in Sihanoukville,” *Khmer Times*, October 15, 2019.

cement mixers and other large trucks.¹⁶ Around 200,000 Chinese citizens left Cambodia, and the local economy that had been built up to support that population caved in.

According to Bodurtha, “in the process of developing and managing Sihanoukville as an investment hub, the Chinese and Cambodian governments turned a blind eye to the legitimate and pressing risk factors in the market...namely, the hundreds of thousands of online gambling operators working under tourist visas.” She observed that “the risks materialized into serious costs: crime rates rose, roads and other infrastructure were torn apart, and inflation, followed by the sudden and massive exodus of short-term investors, dashed the ability of many Cambodian businesses and landlords to stay afloat.”¹⁷

Sihanoukville is but a smaller example of a larger trend. Chinese officials and companies increasingly use access to Cambodian officials in order to do business—be it legal or otherwise—without consideration of the impact on the daily lives of average Cambodians.

Political Engagement

Like the governments of many other countries, including the United States, the CCP is adept at leveraging growing economic ties to achieve its political ends. Prior to the middle of the last decade, Hun Sen and his government felt compelled to placate democracies and international organizations that pushed for increased democracy, press freedom, and protection of human rights in exchange for both trade and aid. China changed all of that. By placing no conditions on economic aid and forging a partnership not beset by criticism of the state of human rights or democratic freedoms in Cambodia, Beijing offered Hun Sen help at a crucial juncture when Cambodia’s free press and popular political opposition threatened his continued rule. By switching patrons, his government was able to crack down on civil society, the free press, and democracy itself, enabling him to maintain power through the 2018 general election.

Full-Spectrum Diplomatic Engagement

A major turning point came on October 13, 2016, during a visit to Phnom Penh by Xi Jinping. According to a press release from China’s Ministry of Foreign Affairs published after the meeting, the two leaders “agreed to consolidate bilateral traditional friendship, vigorously promote comprehensive strategic cooperation and let the two countries continue to be good friends with high-level mutual trust, good partners with all sincerity and a community of common destiny sharing weal and woe.”¹⁸ During the meeting, the two sides agreed to formulate and implement guidelines for cooperation under BRI. It was a major show of face for Hun Sen. Xi not only visited personally but was joined by Wang Huning, Li Zhanshu, and Yang Jiechi. Wang is a development and political thought guru who would be elevated to the elite Politburo Standing Committee in 2017. Li is a Xi confidant who would also join the committee the following year, while Yang was director of the Central Foreign Affairs Commission Office.

¹⁶ Andrew Haffner, “Restoring Sihanoukville,” *Southeast Asia Globe*, January 22, 2020.

¹⁷ Author’s interview with Molly Bodurtha.

¹⁸ “Xi Jinping Holds Talks with Prime Minister Hun Sen of Cambodia,” Ministry of Foreign Affairs of the People’s Republic of China (PRC), Press Release, October 14, 2016, https://www.fmprc.gov.cn/mfa_eng/topics_665678/XJPDJPZMJLJGXGSFWBCXZYDGAJXDJZGJLDRDBCHW/t1406728.shtml.

The two sides agreed to speed up the docking of their development strategies and formulate and implement guidelines on jointly advancing the construction of BRI projects. As part of such cooperation, they will take measures to expand the scale of bilateral trade; strengthen cooperation in production capacity, investment, agriculture, water conservancy, infrastructure construction, energy, telecommunication, industry, marine sector, and other areas; and continuously implement the Sihanoukville Special Economic Zone and other cooperative projects.

From the central government in Beijing down to the provincial level, Chinese officials are constantly visiting their counterparts in Cambodia, building political and economic ties that further cement the bilateral relationship. No other country is as engaged with Cambodia as China. One diplomat from the U.S. State Department, speaking on condition of anonymity, said that in between the occasional trips by U.S. diplomats to visit officials in the 24 provinces outside the capital, numerous delegations from Chinese provinces have made visits. Delegations from the People's Liberation Army are also frequent visitors to Cambodia, and not just to Phnom Penh, he said.

Hun Sen appears to be increasingly reliant on China's support to maintain his legitimacy, or at least control, in Cambodia, and he is far from alone. The Cambodian elite, including his family members, political officials, and even the royal family, are also beholden to China. In September 2019 the Cambodian king, Norodom Sihamoni, and the queen mother, Norodom Monineath Sihanouk, met with Wang Yang, chairman of the Chinese People's Political Consultative Conference National Committee in Beijing, at the Diaoyutai State Guesthouse. The CCP's strict adherence to protocol is well-known, and the fact that the technical head of state of Cambodia was not received by the Chinese head of state, Xi Jinping, who frequently meets with Hun Sen, makes clear Chinese perceptions of who is in charge. Wang conveyed greetings from Xi at the meeting, while also praising the royal family for promoting close relations between China and Cambodia. As noted earlier, the king father Norodom Sihanouk was often close to the CCP and died in Beijing. While Wang is a Politburo Standing Committee member, the lack of other high-ranking officials at the meeting indicates the low importance with which the CCP regards the royal family, underscoring the paramount importance of China's relationship with Hun Sen.

On the state-to-state level, Cambodia's political and economic elite, many of whom are personally insulated, are committed to remaining China's ally, particularly as critical infrastructure projects carried out both by Chinese SOEs and through Chinese official development assistance are underway across the kingdom.¹⁹ According to a press release from the PRC Ministry of Foreign Affairs, Wang said that China "attaches importance to the development of bilateral relations and is willing to take the implementation of the action plan for the community of shared future for China and Cambodia as the central task, work for closer high-level exchanges with Cambodia, promote the Belt and Road initiative, and deepen practical cooperation in various fields."²⁰ Molly Bodurtha argues, however, that "some of these infrastructure projects, such as the Sihanoukville airport, paved the way for predatory and opportunistic actors to enter the Cambodian market—an easy and attractive target given its weak law-enforcement capacity—and engage in businesses that blatantly circumvented local laws and regulations." She acknowledged, however, that despite the short-term economic and environmental costs to Cambodian communities, "it is difficult to argue

¹⁹ Sovinda Po and Christopher B. Primiano, "An 'Ironclad Friend': Explaining Cambodia's Bandwagoning Policy Towards China," *Journal of Current Southeast Asian Affairs* (2020), <https://doi.org/10.1177/1868103420901879>.

²⁰ "Wang Yang Meets with King Norodom Sihamoni and Queen Mother Norodom Monineath Sihanouk of Cambodia," Ministry of Foreign Affairs (PRC), September 27, 2019, https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1702938.shtml.

that infrastructure projects, such as roads, are bad for Cambodian growth and development in the long run.”

Meanwhile, Cambodian elites close to Hun Sen have accumulated astounding levels of wealth, as revealed in a Reuters investigative report published in October 2019. Among the report’s findings was that his “family members and key police, business and political associates have overseas assets worth tens of millions of dollars, and have used their wealth to buy foreign citizenship—a practice Hun Sen has decried as unpatriotic and at times has sought to outlaw.”²¹

The Significance for Press Freedom and Civil Liberties

Since Hun Sen and Xi Jinping’s 2016 meeting, the space for political expression by media outlets and individuals has shrunk dramatically in Cambodia. Hun Sen’s increasing reliance on China for political and economic support has coincided with a growing intolerance for criticism of one of the world’s longest-ruling strongmen. The summit between the two powerful leaders came with a major electoral challenge looming on the horizon for Hun Sen in 2018, and just months after the apparent assassination of a prominent political analyst, Kem Ley, who was a critic of Hun Sen and his government. Kem’s killing took place in broad daylight while he was drinking coffee at a cafe inside a Caltex gas station on July 10, 2016.²² There is widespread belief today that the government, and perhaps even Hun Sen himself, was behind the assassination, and human rights organizations have called for an independent investigation of Kem’s killing, to no avail.²³ Days before his death, Kem had given a radio interview about a Global Witness report detailing the substantial wealth of Hun Sen and his family.²⁴ The funeral procession for Kem, which took place two weeks after his death, attracted tens of thousands of mourners and was widely interpreted as an indirect protest of Hun Sen.²⁵

The last major overt protest that Hun Sen has faced took place in January 2014. Garment workers protesting the army’s use of lethal force in the quashing of a protest for higher wages joined with another group of demonstrators who were protesting the results of the previous election in July 2013.²⁶ The opposition Cambodia National Rescue Party (CNRP) and its supporters claimed the election results were rigged in favor of Hun Sen. The National Election Commission had awarded the CNRP 55 of the 125 seats in the National Assembly. The party, however, believed that it had won 68 seats, which would give it a majority and make CNRP leader Sam Rainsy prime minister.²⁷ The merging in January of opposition protesters and garment workers, the backbone of Cambodia’s export economy, quite likely unnerved Hun Sen, as it signaled the emergence of a coalition of protesters with different gripes finding common ground to challenge his authority. Unsurprisingly, the demonstration was met with a harsh response. Under the watchful eye of police and soldiers, the protesters were beaten, many of them severely, and driven away by unidentified men with metal pipes and other crude weapons, all of whom had red armbands. As the men cleared the

²¹ Clare Baldwin and Andrew Marshall, “Khmer Riche: How Relatives and Allies of Cambodia’s Leader Amassed Wealth Overseas,” Reuters, October 16, 2019.

²² “Cambodian Activist Kem Ley Shot Dead in Phnom Penh,” BBC News, July 10, 2016.

²³ Julia Wallace and Neou Vannarin, “A Life Sentence in Cambodia, but Kem Ley’s Murder Is Far From Solved,” *New York Times*, March 23, 2017.

²⁴ Leonie Kijewski, “Kem Ley Murder: Groups Slam Arrest of Activists Seeking New Probe,” *Al Jazeera*, July 11, 2019.

²⁵ “Cambodians Join Funeral Procession for Murdered Government Critic,” Associated Press, July 24, 2016.

²⁶ Thomas Fullter, “Cambodia Cracks Down on Protest with Evictions and Ban on Assembly,” *New York Times*, January 4, 2014.

²⁷ Prak Chan Thul, “Cambodia Election Crisis Deepens as Opposition Rejects Results,” Reuters, August 11, 2013.

square, two Chinese-made Z-9 helicopters, which had been delivered by China in 2013, swooped menacingly over the park, adding to the sense of danger.²⁸

The two helicopters were the first military aircraft that had been sold by China to Cambodia. In 2011, Hun Sen and Zhou Yongkang, a Politburo Standing Committee member, signed 26 memoranda of understanding across different areas, including defense. Among the provisions of the agreements was a \$195.5 million loan from China for the purchase of an unspecified number of Chinese-manufactured helicopters.²⁹ With a massive patronage network extending into China's security apparatus and energy sector, Zhou in 2014 would become the biggest of the so-called tigers taken down during Xi's anticorruption drive, which at the upper levels of the party focused on rival politicians within the CCP.

After the Freedom Park protests, Hun Sen's government targeted CNRP leaders as well as labor activists and, more broadly, civil society. It also focused on eliminating criticism from Cambodia's vibrant media sector. A competitive and often highly critical media environment had developed during the years of patronage by Western governments and international aid organizations that preceded China's arrival as Hun Sen's primary benefactor. Local newspapers and English-language publications such as the *Cambodia Daily* and *Phnom Penh Post* nurtured a generation of Cambodian and foreign journalists seeking to uncover the truth in one of Asia's least transparent and most corrupt countries. Investigative reports exposing corruption were common, although there were certain stories, such as the unclear relationship between Hun Sen and NagaWorld's parent company, NagaCorp, that even the boldest reporters and editors would treat with extra caution.³⁰

The opening salvo in the Hun Sen government's war on media criticism was fired directly at the *Cambodia Daily* and proved fatal to its operation. The newspaper was handed a \$6 million tax bill that its publisher claimed was politically motivated. Unable to pay, the *Cambodia Daily* published its last newspaper in September 2017.³¹ The *Cambodia Daily's* main competitor, the *Phnom Penh Post*, was served a similarly crippling tax bill of \$3.9 million, but the owners sold the paper to a Malaysian businessman, Sivakumar Ganapathy. One of Ganapathy's first acts as owner was to fire editor-in-chief Kimsong Kay after the *Phnom Penh Post* ran a story about the Malaysian company, AsiaPR, including its involvement in covert public relations. The article also highlighted his ties to Hun Sen.³² After Kay's firing, Ganapathy, speaking at a press conference, said that a journalist's job was not to be critical but rather "to be constructive."³³ Under Ganapathy, the *Phnom Penh Post's* editorial stance has become noticeably less critical of both Hun Sen and the growing Chinese presence in the kingdom. The newspaper's Khmer-language sister publication has followed this editorial path as well. Links to some content that predates the sale, such as a photo gallery of Kem Ley's funeral procession, are now returning "page not found" messages, raising concerns that politically sensitive content may have been scrubbed by the current management.

Other outlets have also fallen in the crosshairs of Hun Sen's government. In August 2017 the Cambodian government revoked radio licenses for local stations that broadcast Voice of America

²⁸ This description is based on my own observations, as I was present in the square that day.

²⁹ Aun Pheap, "Cambodia's New Military Helicopters Take Off," *Cambodia Daily*, July 22, 2013.

³⁰ This description is based on my experience as a journalist covering Cambodia since late 2013.

³¹ Richard C. Paddock, "The Cambodia Daily to Close (After Chasing One Last Big Story)," *New York Times*, September 3, 2017.

³² Kinling Lo and Edouard Morton, "New Owner of *Phnom Penh Post* Denies Cambodian Government Launched Crackdown on Independent Press," *South China Morning Post*, May 18, 2018.

³³ Ibid.

or Radio Free Asia. The latter's Cambodian bureau subsequently closed, and in November 2017 two of Radio Free Asia's Cambodian journalists were charged with espionage. Their cases have yet to be resolved. Independent radio station Voice of Democracy was also shut down by the government.³⁴

The Hun Sen government's campaign against Cambodia-based media has created an environment that has become friendlier to, and more like, China. The leading English-language publication in Cambodia is now the *Khmer Times*, which may be linked to Major General Hun Manith, one of Hun Sen's sons, as well as Malaysian-Chinese businessman Chen Lip Keong, the majority shareholder in NagaCorp. The alleged links were exposed via a trove of WhatsApp messages involving multiple parties that was leaked by an anonymous source to the CNRP's Sam Rainsy, who was already in exile.³⁵ In addition to English and Khmer content, the *Khmer Times* publishes in simplified Chinese characters, with articles frequently lauding China's contributions to Cambodia's economic development, and more recently the fight against the coronavirus pandemic. For example, on April 8 the *Khmer Times* republished an article from China's state mouthpiece, Xinhua, entitled "Fighting the epidemic hand-in-hand deepens neighborly feelings between China and ASEAN [Association of Southeast Asian Nations]." Below the headline is a photo of Hun Sen shaking Xi's hand, with Cambodian and Chinese flags in the backdrop.³⁶

A major story in the *Cambodia Daily's* last print edition focused on the 2017 arrest of Kem Sokha, leader of the CNRP, which Cambodia's top court banned in 2017. Following his arrest and subsequent conviction of treason, Kem has remained under some form of state detention or supervision. Other leaders of the party, such as deputy party head Mu Sochua, are currently in exile, while four lower-ranking former members, who were banned from politics for five years, have been arrested this year, along with thirteen activists for allegedly spreading rumors about the coronavirus.³⁷

The Elimination of Political Opposition

The crackdown on media freedoms along with Kem's arrest and the CNRP's banishment set the stage for Hun Sen's Cambodian People's Party to win every seat in the legislature in the 2018 elections. With no media willing to scrutinize Hun Sen and the Cambodian People's Party, and no viable opposition, there was no doubt who would emerge victorious from the election. Most observers believe Hun Sen and his party would have lost the presidency to Kem and the legislature to the CNRP. While Western democracies decried the banning of the CNRP, Kem's arrest, and the election's results, China was apparently pleased, congratulating Cambodia.³⁸ A few months later, after a January 2019 meeting with Xi Jinping in Beijing, Hun Sen announced that China had agreed to provide Cambodia with \$600 million in grant aid over three years.³⁹ While China has historically avoided blatant or overt involvement in democratic processes in other countries, Beijing took a markedly different approach in Cambodia's 2018 election, providing Hun Sen's

³⁴ "Cambodia: Crackdown Crushes Media, Opposition," Human Rights Watch, January 18, 2018.

³⁵ Ben Paviour, "Leaks Link Hun Manith, NagaCorp CEO to Khmer Times," *Cambodia Daily*, March 2, 2017.

³⁶ Mao Pengfei, "Working Together to Fight against the Epidemic Makes China-Asean Neighborhoods Deeper," *Khmer Times*, April 8, 2020.

³⁷ "Cambodia Uses Coronavirus Crisis to Arrest 17 Critics, Rights Group Says," Reuters, March 25, 2020.

³⁸ "Chinese Leaders Send Congratulatory Messages to Cambodia's Hun Sen on Election Victory," *China Daily*, August 16, 2018.

³⁹ "Cambodia Leader Says China to Give \$600 Million in Grant Aid," Associated Press, January 22, 2019.

government with vocal support and the announcement of a major infrastructure project prior to the vote.⁴⁰

Hun Sen has also spoken up for China while participating in Chinese “summit diplomacy,” or in other international forums. In May 2017, for example, he led a Cambodian government delegation to Beijing for the Second Belt and Road Forum for International Cooperation, a major prestige event for Xi’s signature project. Before the forum, Xinhua published excerpts from what it said was a written interview with Hun Sen, in which he praised BRI generally as well as specifically for Cambodia: “The BRI has created huge potential and opportunities for expanding and enhancing regional and international cooperation. It is considered as the new engine of global economic growth.”⁴¹ Regarding China’s investment in Cambodia, Xinhua reported that Hun Sen praised China’s involvement in projects such as the new airport at Siem Reap and a highway linking Phnom Penh with Sihanoukville. He also lauded China’s presence in Sihanoukville: “The Sihanoukville Special Economic Zone is a testament to the fruitful cooperation between the two countries under the BRI.”

On April 14, 2020, Hun Sen addressed a special summit held by ASEAN on Covid-19 via video conference. Although his speech was largely boilerplate diplomat speak, one passage stood out. He stated that “we have to avoid racial discrimination and the attitude of blame game” in handling the pandemic. On its surface, there is nothing in this statement that would suggest he was speaking up for China. Yet Hun Sen said these words just days after the director-general of the World Health Organization, Tedros Adhanom Ghebreyesus, had accused Taiwan’s government of tacitly endorsing racist attacks on him (for which he provided no evidence afterward).⁴² This allegation was vehemently denied by the government of Taiwan, which the CCP claims as part of “one China” under PRC rule.

Additionally, much of the world was blaming Beijing for the pandemic that was spreading with no end in sight, while Chinese diplomats were making efforts to reframe the narrative in terms of China helping the world by buying it time and providing medical assistance. In this context, most of the ASEAN leaders listening to Hun Sen’s speech were likely to view his comment as a defense of China.⁴³

The dramatic deepening of the CCP’s relationship with Hun Sen and the increased intertwining of Cambodia’s fate with Chinese interests are not simply a domestic issue for Cambodians. They also pose a regional issue for other ASEAN member states, as well as for Taiwan, Japan, the United States, and other stakeholders in the region. For Southeast Asian countries, Cambodia can serve as a proxy veto for China at ASEAN meetings when motions that irk Beijing are tabled. Growing military ties also hint at the possibility that China could use Cambodia as a staging base in a regional conflict over local disputes, the South China Sea, or Taiwan, with the latter two scenarios being of extreme importance to the United States and Japan.

⁴⁰ Tom Allard and Prak Chan Thul, “Cambodia’s Hun Sen Has an Important Election Backer: China,” Reuters, July 27, 2018.

⁴¹ Mao Pengfei and Nguon Sovan, “Interview: BRI Creates Huge Potential, Opportunities for International Cooperation: Cambodian PM,” Xinhua, April 24, 2019.

⁴² Samson Ellis, “Taiwan Rejects WHO Claim of Racist Campaign Against Tedros,” Bloomberg, April 9, 2020.

⁴³ “Cambodia’s Hun Sen Shares Six Recommendations to ASEAN Leaders to Fight Covid-19 Pandemic,” Fresh News, April 14, 2020, <http://m.en.freshnewsasia.com/index.php/en/localnews/17818-2020-04-14-04-57-15>.

Security Engagement

Deepening economic and political ties between Beijing and Phnom Penh are naturally yielding closer security ties. Decades after arming and training the Khmer Rouge, the CCP is now the primary supplier of arms to Hun Sen's government. In July 2019, Hun Sen announced that he would spend \$40 million on tens of thousands of Chinese guns to replace outmoded stock in an effort to modernize the Cambodian military. The arms purchase came in addition to the spending of \$290 million in military aid from Beijing on unspecified modernization procurement.⁴⁴

In addition to selling weapons to Cambodia, China has conducted the Golden Dragon joint military exercises with the country since 2016. The 2020 iteration took place in Cambodia's coastal Kampot Province from March 15 through March 31. Upon its conclusion, the participating forces were addressed by the Cambodian defense minister and deputy prime minister, General Tea Banh, and Chinese ambassador to Cambodia, Wang Wentian. According to Chinese state media, 800 soldiers participated in the exercise.⁴⁵ The *Khmer Times*, however, reported that 265 Chinese soldiers and 2,746 Cambodian soldiers took part in Golden Dragon. The newspaper quoted Major General Pen Sokreth Vithyea as saying that Cambodia contributed six helicopters, nine tanks, and twelve armored personnel carriers to the exercises, with China providing six helicopters and nine armored personnel carriers.⁴⁶

Two of the biggest questions regarding military cooperation between Cambodia and China center on the coastal provinces of Preah Sihanouk and Koh Kong. In July 2019 the *Wall Street Journal* reported that the two countries had signed a secret agreement allowing China's military to use Ream Naval Base in Preah Sihanouk, near Sihanoukville. The report, which was denied by both sides, cited "U.S. and allied officials familiar with the matter."⁴⁷

The *Wall Street Journal* report stated that China would have a "dedicated naval staging facility" at Ream, which is one level below a full-on naval base. If that is true, the naval base could be used by China during a conflict in the South China Sea or an invasion of Taiwan or to project Chinese military might further outward, toward Thailand, Malaysia, Singapore, and Indonesia. Just to Preah Sihanouk's east, Vietnam, a longtime regional rival of China, would find itself with yet another Chinese naval presence on its periphery.

Another source of concern for countries in the region, as well as the United States, is the 45,000-hectare Dara Sakor economic zone in Koh Kong Province, roughly 50 kilometers northwest of Ream Naval Base. Leased for 99 years in 2008 by Tianjin Union Development Group, the development includes the aforementioned luxury residential development, as well as an international airport with an airstrip longer than what is required for commercial passenger jets, and long enough for Chinese bombers. Lieutenant Colonel Dave Eastburn, a Pentagon spokesperson, stated that the U.S. government is "concerned that the runway and port facilities at Dara Sakor are being constructed on a scale that would be useful for military purposes and which greatly exceed current and projected infrastructure needs for commercial activity."⁴⁸

⁴⁴ "Cambodia Says to Increase Arms Purchases from China," Reuters, July 29, 2019.

⁴⁵ Mao Pengfei and Zhou Guoqiang, "China-Cambodia 'Dragon Golden 2020' Military Training Wraps Up," China Military Online, March 31, 2020.

⁴⁶ Ben Sokhean, "Golden Dragon Exercise Kicks Off in Kampot," *Khmer Times*, March 15, 2020, <https://www.khmertimeskh.com/701834/golden-dragon-exercise-kicks-off-in-kampot>.

⁴⁷ Jeremy Page, Gordon Lubold, and Rob Taylor, "Deal for Naval Outpost in Cambodia Furthers China's Quest for Military Network," *Wall Street Journal*, July 22, 2019.

⁴⁸ Hannah Beech, "A Jungle Airstrip Stirs Suspicions about China's Plans for Cambodia," *New York Times*, December 22, 2019.

Cambodia's embrace of China's BRI allows plausible deniability for potential military use of superficially commercial investments. In recent years, China seems to be focusing less on light industrial manufacturing, which had been its initial foothold in Cambodia, and more on real estate and resource extraction. "One of the strengths of China's approach to its Belt and Road Initiative has been to use a kind of strategic ambiguity with regard to the economic versus strategic goals of a particular project," Andrew Mertha said. "I would not be surprised if Beijing considers just about all of these projects to be, in some measure, dual-use....Much of the attention has been on Kampong Som [Sihanoukville], but we should not ignore the wide swathes of investments in agriculture, hydropower, mining, and real estate all over the country."⁴⁹

Aside from military cooperation, security ties extend into the realm of law enforcement. In March 2019, with Cambodian discontent toward Chinese activities in Sihanoukville simmering, the two governments launched the "Year of Law Enforcement Cooperation between China and Cambodia" in Beijing. Cambodia's interior minister and deputy prime minister, Sar Kheng, represented the kingdom at the launch ceremony, which was also attended by China's minister of public security, Zhao Kezhi, who is a state councilor as well. According to state media reports, the year was aimed at strengthening cooperation against "cross-border criminal activities."⁵⁰ Chinese criminal activity in Cambodia dwarfs that of Cambodian criminal activity in China. Sihanoukville was undoubtedly a primary target of the cooperation, as it is a hub for Chinese gangs and other actors involved in sex trafficking, drug trafficking, arms dealing, and telecommunications scams.

Has China's Engagement with Cambodia Been Successful?

As has been shown in the preceding discussion, China's economic, political, and security ties with Cambodia have become increasingly deep and diverse. What has China achieved through its relationship with Hun Sen and Cambodia?

Territorial claims have become more important to the CCP as China's clout has grown during the past 30 years. Under Xi Jinping's rule, this has become even more true. China has seized or militarized most of the contested islands in the South China Sea, and its posture toward Taiwan has grown increasingly belligerent. Few friends of Beijing have been as helpful in these areas as Hun Sen.

Hun Sen has possibly been most useful to China on the diplomatic level with regard to the disputes in the South China Sea. In July 2012, Cambodia hosted the annual ASEAN meeting in Phnom Penh, serving as chair. With Vietnam and the Philippines embroiled in a dispute with China over their territorial claims, a joint statement to be issued by the conference was blocked by Cambodian foreign minister Hor Namhong. This marked the first time in 45 years that ASEAN had failed to issue a communiqué at such a meeting.⁵¹ In what would appear to be a case of quid pro quo the following September, Cambodian junior minister Aun Pornmoniroth told Reuters that China would give Cambodia more than \$500 million in grants and soft loans, with

⁴⁹ Author's email interview with Andrew Mertha, February 1, 2020.

⁵⁰ "China, Cambodia Launch Year of Law Enforcement Cooperation," Xinhua, March 29, 2019, http://www.xinhuanet.com/english/2019-03/29/c_137934806.htm.

⁵¹ Jane Perlez, "Asian Leaders at Regional Meeting Fail to Resolve Disputes Over South China Sea," *New York Times*, July 12, 2012.

then-premier Wen Jiabao thanking the kingdom for helping maintain good ties between China and ASEAN.⁵²

According to Brian Eyler from the Stimson Center, “Cambodia has consistently served as China’s ace up its sleeve when it comes to the rest of Southeast Asia, through ASEAN or other multilateral mechanisms, to collectively push back on China’s rise in the region.” In the territorial disputes, “Cambodia often plays a dissenting voice against progress on a joint code of conduct and this allows China’s looming presence in the South China Sea to increase year on year much to the protest of countries like the Philippines and Vietnam.”⁵³

Cambodia has been useful to China with respect to other aspects of Beijing’s relations with Southeast Asian states. One of the more obvious examples is the Lancang-Mekong Cooperation Forum.⁵⁴ China established the forum in 2015 as a counterweight to the Laos-based Mekong River Commission, which was founded in 1995 and comprises four members: Laos, Cambodia, Thailand, and Vietnam. China’s dam building on the Lancang has long been a regional geopolitical and environmental issue, and the Lancang-Mekong Cooperation Forum, which is headquartered in a Chinese-financed building in Phnom Penh, serves as a mouthpiece for Beijing’s interests. At the same time, the forum’s Phnom Penh location provides Hun Sen and his government with prestige by forcing other Mekong countries to attend meetings there, even if there is little that they can accomplish vis-à-vis China.⁵⁵

As for China’s efforts to isolate Taiwan, Hun Sen banned the public display of the flag of Taiwan’s government, the Republic of China, in February 2017. He made the announcement at a dinner held by the Cambodian-Chinese Association, during which he reiterated his government’s unswerving support for the PRC’s one-China principle. The flag ban came three years after Hun Sen blocked the Taiwan External Trade Development Council from opening an office in Phnom Penh.⁵⁶

The Hun Sen government’s fealty to China was also on display in February 2020. Hun Sen flew to Beijing to meet with Xi, making him the first foreign leader to visit China’s capital after the coronavirus outbreak began to spread from central China’s Hubei Province. “A friend in need is a friend indeed,” Hun Sen said in Beijing, according to a Xinhua article entitled “Cambodian PM’s special Beijing visit reflects nations’ profound friendship, solidarity.”⁵⁷

The increasingly close relationship between Cambodia and China is not just a product of Chinese investment but also a natural outgrowth of Hun Sen’s worsening ties with the West. China claims that its friendship and assistance, unlike that of the West, comes with no strings attached. However, it would be more accurate to say that there are different strings attached, which do not include democratic freedoms or human rights. As Molly Bodurtha observes, “When Western development partners threaten to withdraw aid or preferential trading status, Beijing has

⁵² “China Gives Cambodia Aid and Thanks for ASEAN Help,” Reuters, September 4, 2012, <https://www.reuters.com/article/us-cambodia-china/china-gives-cambodia-aid-and-thanks-for-asean-help-idUSBRE88306120120904>.

⁵³ Author’s interview with Brian Eyler.

⁵⁴ Lancang is the Chinese name of the upper Mekong, which flows through Tibet and Yunnan Province before flowing between Myanmar and Laos.

⁵⁵ Hannah Beech, “China Limited the Mekong’s Flow. Other Countries Suffered a Drought,” *New York Times*, April 13, 2020.

⁵⁶ Phan Soumy, “Hun Sen Bans Taiwan Flag from Cambodia,” *Cambodia Daily*, February 6, 2017.

⁵⁷ Mao Pengfei and Nguon Sovan, “Spotlight: Cambodian PM’s Special Beijing Visit Reflects Nations’ Profound Friendship, Solidarity,” Xinhua, February 7, 2020.

historically picked up the slack, in exchange for Cambodian support of China's strategic interests in ASEAN votes and other platforms.”⁵⁸

Conclusion

Cambodia increasingly seems to be an integral part of an inchoate regional Pax Sinica. Policymakers are likely to view Cambodia as an extension of Chinese strategic interests, even if those interests, as in the case of the Sambor dam project, occasionally get overridden by domestic concerns. China is engaging Cambodia on such a wide spectrum of different issues and areas, while also providing Hun Sen with strong political, economic, and security support, that it is difficult to imagine that he would have the inclination—or, as Mertha notes, even the option—to hedge against Beijing at this point.⁵⁹

Yet, even though Hun Sen has proved to be a reliable Chinese partner, his support does have its limits, as evidenced by his government's announcement in March 2020 of the ten-year suspension of dam construction on the Mekong River.⁶⁰ The decision to delay the projects appears to have stemmed from the remarkably low levels of the Mekong, which were apparently caused by Chinese dams trapping water upstream.⁶¹

Despite this close partnership, many Cambodians complain about their country effectively having become a colony of or even a part of China. Hun Sen's political priority, however, is to maintain power, and he will continue to have to balance pleasing Beijing with mollifying a Cambodian population that is taking an increasingly unfavorable view of China and its intentions. “Segments of the Cambodian population are increasingly wary of the political, legal, and economic leverage enjoyed by well-connected Chinese investors in Cambodia,” Bodurtha explains.⁶² Although Chinese-driven development has brought money to the Cambodian elite, many of the kingdom's lower class have been displaced from their homes, blocked from employment opportunities that were provided to Chinese laborers, and forced to deal with rapid inflation, all of which has fueled anti-Chinese sentiment.

Nonetheless, Eang Vuthy, executive director of the Phnom Penh-based foreign investment watchdog Equitable Cambodia, observes that “the general public doesn't have a good feeling about Chinese investment in general, but they know that the government has a very close relationship with China.” He explains that “China is a source of political protection and economic protection. Because of current pressure from the international community, it is important that China has the Cambodian government's back; otherwise, it might be difficult for the regime to stay in power.”⁶³

Thus, Cambodia appears to be headed toward an increasingly tight Chinese economic embrace. Hun Sen met with Chinese premier Li Keqiang in January 2019 for preliminary negotiations on a free trade agreement (FTA) between the two countries aimed at increasing bilateral trade to

⁵⁸ Author's interview with Molly Bodurtha.

⁵⁹ Author's email interview with Andrew Mertha.

⁶⁰ Rebecca Ratcliffe, “Cambodia Scraps Plans for Mekong Hydropower Dams,” *Guardian*, March 19, 2020.

⁶¹ Beech, “China Limited the Mekong's Flow.”

⁶² Author's interview with Molly Bodurtha.

⁶³ Author's interview with Eang Vuthy.

\$10 billion by 2023. Negotiations on the FTA were concluded in July 2020, and Hun Sen attended the signing ceremony in Beijing on August 12, 2020.⁶⁴

China has made some efforts to address the concerns of Cambodians, but as CCP engagement with local populations tends to go, they have been stilted at best. In 2019, Xi Jinping called for the building of a “China-Cambodia community of shared future.” Likewise, 2019 was named the “China-Cambodia culture and tourism year.” Despite these nice-sounding initiatives, it seems that China is not doing much to win the hearts and minds of average Cambodians. Elites close to the government and armed forces benefit from Chinese largesse, but, as discussed above, for those living below or near the poverty line, greater engagement from China has increased the cost of living while eroding the charade of democracy that existed before. That democratic charade appears unlikely to return anytime soon.

Instead, given domestic pressures, the Cambodian government is likely to seek to increase its surveillance capacity. Chinese national champions Huawei and ZTE may be poised to play a role in developing the government’s capabilities for monitoring its citizenry. In 2019, Cambodia-based telecommunications providers Smart Axiata and Metfone announced that they will use 5G base stations from Huawei and ZTE, respectively, as they roll out the new standard across the kingdom.⁶⁵

Although the uncertainty that the coronavirus pandemic has introduced globally makes forecasting how Cambodia-China relations will progress in the short term more difficult, some trends seem likely to continue. First, China has found in Hun Sen a willing and dependent partner who is now very strongly in its corner. A major unforeseen event will likely be required for this to change anytime soon. Second, whereas Hun Sen was once able to play multiple countries off each other, he is now likely too reliant on China to seek significantly closer ties with the United States or elsewhere. Third, Hun Sen will not be able to use economic growth to bolster his case for legitimacy. The current coronavirus pandemic has changed 2020 GDP growth predictions from nearly 7% to negative growth.⁶⁶ The World Bank said in May that the kingdom’s economy could shrink from 1% to 2.9%.⁶⁷ This is likely to further challenge Hun Sen’s legitimacy, which in turn could give China leverage over him in exchange for economic support, provided that its own economic issues caused by the coronavirus do not precipitate a crisis for the CCP at home. If that scenario were to play out, Hun Sen could be forced to fend for himself in the face of a dissatisfied and disenfranchised populace.

⁶⁴ May Kunmakara, “PM to Oversee China FTA Signing in August,” *Phnom Penh Post*, July 8, 2020.

⁶⁵ Shaun Turton, “Cambodia 5G Set to Leapfrog ASEAN Rivals with Huawei and ZTE,” *Nikkei Asian Review*, September 5, 2019.

⁶⁶ Sangeetha Amarthalingam, “Kingdom’s GDP Growth to Narrow -1% to -2.9%, World Bank Says,” *Phnom Penh Post*, May 29, 2020.

⁶⁷ Danielle Keeton-Olsen, “World Bank Projects Negative Growth in Cambodia, a First since 1994,” *Voice of Democracy*, May 29, 2020.

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Chinese Strategy and South Korea

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EXECUTIVE SUMMARY

This essay evaluates both the role of South Korea within Xi Jinping's diplomatic strategy and the country's position in Chinese think tank rhetoric.

MAIN ARGUMENT

Chinese strategy toward the Republic of Korea (ROK) has not undergone wholesale transformation under Xi's direction, but it has shown signs of being more assertive. Chinese pressure around the deployment of the Terminal High Altitude Area Defense (THAAD) system was a blunt and coercive instrument. Despite the turbulence over armaments, Beijing has opened up a relatively burgeoning relationship with Seoul, and successive South Korean leaders have expended much energy on cultivating ties with Xi. His signature initiatives—the Belt and Road Initiative (BRI) and the Asian Infrastructure Investment Bank (AIIB)—have received a relatively warm, if somewhat vague, welcome in Seoul. This is in part because South Korean leaders can envision BRI ultimately as a driver for the further enmeshment of North Korea into the region. In many cases, however, the new rhetoric from Chinese leaders and scholars mirrors old intentions, and South Korea will remain a relatively hard target for Chinese influence and intimidation efforts.

POLICY IMPLICATIONS

- Chinese shifts in policy toward South Korea are largely geared toward weakening the U.S.-ROK security alliance. Discussions around the alliance should recognize that it is not purely North Korea that stands to gain from friction between Washington and Seoul.
- South Korea has tried to occupy a middle ground whereby Chinese initiatives such as BRI and AIIB are welcomed but not seen as a means of turning away from the U.S. However, South Korean participation in these frameworks could form the cornerstone of a more vigorous rebalancing of the country's trade and security relationships. China's BRI strategy toward the Korean Peninsula has been more successful in the South than in the ostensible client state of the North.
- South Korea's "middle power" status coexists uneasily with its large trade relationship with China. Bringing South Korea into a coalition of countries that are free of interaction with Huawei would be difficult given the profitable existence of supply chains of technical components between China and the ROK.

The People's Republic of China (PRC) is engaged in a long-term campaign on the Korean Peninsula to undercut and erode the security alliance between the United States and the Republic of Korea (ROK), which it regards as a threat. In April 2014, in a speech in Shanghai, Xi Jinping took aim at the alliance. He stated bluntly that “strengthening and entrenching a military alliance targeted at a third party is not conducive to maintaining common security.”¹ Concurrently, Xi put forward a modified redux of “Asia for the Asians,” calling for a regional security architecture that was described as “a new security mansion which can withstand storms.” As an advanced industrialized democracy and key U.S. ally, South Korea was clearly not going to simply abandon its security relationship with the United States and—to use Xi’s metaphor of a new security architecture—“move in” to China’s proverbial mansion. After all, by 2014, Xi could only draw on about half a dozen years of attempts to explicitly leverage changes in ROK foreign policy.² Yet there was a growing congruence between the two states. China was behaving as a great power attempting to achieve changes in South Korea as a “middle power” amid intensified U.S.-China competition.³

To what extent does China’s policy toward South Korea reflect an attempt to reshape the regional order? How plausible is it that Chinese influence, including attempts to interest South Korea in the Belt and Road Initiative (BRI), will be successful in altering South Korean views of or policy toward the PRC or in expanding fractures in the U.S.-ROK security alliance? How has China’s discourse about South Korea developed under Xi?

Against the background of Xi’s foreign relations discourse, this essay reviews the history of Sino-ROK relations and provides an updated assessment of strategic concerns. It then looks at Xi’s interlocutors—Park Geun-hye, Moon Jae-in, and Donald Trump—in light of Chinese ambitions and assesses South Korean responses to BRI. The next section discusses the blunt but damaging weaponization of Chinese trade and civil society during the Terminal High Altitude Area Defense (THAAD) controversy. The essay then examines PRC think-tank discourse on the Sino-ROK relationship, along with Chinese strategies for attempting to weaken the U.S.-ROK alliance. The conclusion presents a prospectus for future developments in the relationship.

Historical Background

Prior to the formal establishment of diplomatic recognition in 1992, South Korea’s relations with China were explicitly adversarial.⁴ When it came to Chinese military intervention on the peninsula, the Cold War was in reality very hot in the 1950s. Mao Zedong created one extreme when

¹ Xi Jinping, “Jiji shuli Yazhou anquanguan gongchuang anquan hezuo xinjunian” [New Asian Security Concept for New Progress in Security Cooperation] (remarks at the Fourth Summit of the Conference on Interaction and Confidence Building Measures in Asia, Shanghai, May 21, 2014), available at http://www.xinhuanet.com/world/2014-05/21/c_126528981.htm.

² Gilbert Rozman pinpoints 2008 as the “point of no return” at which the Dengist “principle of a split between politics and economics” gave way to “a different agenda prioritizing security...[and] new pressure on Seoul to break with Washington on putting ties to Pyongyang above denuclearization.” Gilbert Rozman, “Sino-ROK Relations on the 75th Anniversary of the End of WWII,” *Asan Forum*, March 19, 2020. See also Jae Ho Chung, “China’s Evolving Views of the Korean-American Alliance, 1953–2012,” *Journal of Contemporary China* 23, no. 87 (2014): 425–42.

³ For further analysis of South Korea as a middle power, see Sung-Mi Kim, “South Korea’s Middle-Power Diplomacy: Changes and Challenges,” Chatham House, Asia Programme, Research Paper, June 2016, <https://www.chathamhouse.org/publication/south-koreas-middle-power-diplomacy-changes-and-challenges>; and Tongfi Kim, “Sino-American Competition as Security Suppliers in the Asia-Pacific,” in *The Changing East Asian Security Landscape: Challenges, Actors and Governance*, ed. Stefan Fröhlich and Howard Loewen (New York: Springer, 2018), 39–59.

⁴ For additional context, see Chung-in Moon, “China’s Rise and the Security Dynamic on the Korean Peninsula,” in *Strategic Adjustment and the Rise of China: Power and Politics in East Asia*, ed. Robert S. Ross and Øystein Tunsjø (Ithaca: Cornell University Press, 2017), 196–230.

in 1951 he sought to eliminate the ROK altogether: Chinese troops invaded and occupied Seoul for two months.⁵ As Mao reluctantly adopted a more “protracted war” approach, China-sponsored guerrilla infiltration into South Korea continued. Chinese troops stayed in North Korea until 1958, and Zhou Enlai formalized a security alliance with the Democratic People’s Republic of Korea (DPRK) in 1961. China thereafter put little effort into leveraging or shifting private views in anti-Communist South Korea. Contacts with trade unions or peace activists in Seoul were minimal, and the high tide of Maoism made virtually no impact at all on the ROK.⁶

With the death of Mao and the rise of Deng Xiaoping, China began to expand its commercial ties with South Korea, building outward from illicit trade and cross-provincial ties that emphasized Shandong Province as a leader, rather than the ethnically more “Koreanized” provinces of Jilin or Liaoning.⁷ Deng’s decision to decouple economic and political imperatives meant that China could profit from trade with South Korea without shaking its security arrangements with the North. Beijing remained critical of the U.S.-ROK security alliance but backed away from demanding changes to it in bilateral exchanges with Washington. It also abandoned Maoist terminology such as “running dogs” or “puppet states,” leaving such rhetoric to North Korea.⁸

Some structural aspects of the Sino-ROK relationship were in flux during the Hu Jintao era, with the six-party talks (2003–9) being the main example. Though not initially a part of the 1994 U.S.–North Korea Agreed Framework, China since then has been more consistently involved in nuclear negotiations.⁹ The PRC’s goals on the Korean Peninsula that emerged out of the early 2000s were, in a sense, reactive and negative. Their spirit has been taken up by Xi Jinping’s formulation of “no war, no chaos, and no nuclear weapons,” with “chaos” being unsavory code for North Korean collapse.¹⁰ The receptivity of the George W. Bush and Roh Moo-hyun administrations to China’s centrality in the six-party talks led to changes in the way that the country presented itself both internationally and domestically, even leading some observers to predict that “China seems poised to continue working towards creation of a more stable and institutionalized security architecture” around Korea.¹¹ Within the PRC, the more active and assertive approach to negotiations regarding the Korean Peninsula was openly acknowledged and encouraged.

South Korea today needs China’s help with addressing any number of difficulties and opportunities relating to North Korea, ranging from talks on nuclear issues to enforcement of sanctions, nettlesome defector issues, or the funneling of South Korean investment capital to PRC-DPRK joint ventures in a bid to further promote the “marketization” of the North Korean economy. Since the North Korean nuclear test in September 2016, the trend has been more toward sanctions than investment. Nonetheless, South Korean firms are still looking to China as a site

⁵ The dates of occupation are January 5, 1951, through around March 15, 1951. Li Qingshan, *Zhiyuanjun yuanChao jishi* [The Chinese People’s Volunteers: A Documentary History of Aiding Korea] (Beijing: Zhonggong dangshi chubanshe, 2008), 213; and Xiaobing Li, *China’s Battle For Korea: The 1951 Spring Offensive* (Bloomington: Indiana University Press, 2014), 56–61.

⁶ Julia Lovell, *Maoism: A Global History* (London: Vintage, 2019), 112; and Robert C. North, “Peking’s Drive for Empire: The New Expansionism,” *Problems of Communism* 9, no. 1 (1960): 23–30.

⁷ Jae Ho Chung, *Between Ally and Partner: Korea-China Relations and the United States* (New York: Columbia University Press, 2007).

⁸ See Hanns Günther Hilpert and Elisabeth Suh, “South Korea: Caught in the Middle or Mediating from the Middle?” in “Facets of the North Korea Conflict: Actors, Problems and Europe’s Interests,” ed. Hanns Günther Hilpert and Oliver Meier, Stiftung Wissenschaft und Politik, SWP Research Paper, no. 12, December 2018, 17–21, https://www.swp-berlin.org/fileadmin/contents/products/research_papers/2018RP12_hlp_mro_ed.pdf.

⁹ Anny Boc and Gudrun Wacker, “China: Between Key Role and Marginalisation,” in Hilpert and Meier, “Facets of the North Korea Conflict,” 27–30.

¹⁰ “Xi Jinping huijian Hanguo zongtong teshi Zheng Yirong” [Xi Jinping Meets with South Korean Presidential Special Envoy Chung Eui-yong], Xinhua, March 12, 2018, http://www.xinhuanet.com/2018-03/12/c_1122526860.htm.

¹¹ Ramon Pacheco Pardo, “China and Northeast Asia’s Regional Security Architecture: The Six-Party Talks as a Case of Chinese Regime-Building?” *East Asia* 29, no. 4 (2012): 337–54.

and vehicle for inter-Korean economic integration, particularly after the site for such integration on the peninsula (in Kaesong) was denigrated and then literally blown up by North Korea in June 2020.¹² However, when pressured by Beijing on the U.S.-ROK alliance, South Korea can end up on the losing end of the exchanges.¹³

As a significant U.S. ally and security partner in Northeast Asia, as well as a huge trading partner with China, South Korea will play an important role as either an impediment to or accelerant of any aspirational Chinese-led regional realignment. Certain traditional Zhongnanhai imperatives continue to hold true in Chinese policy: China is concerned about mitigating perceived harms that might flow from the presence of U.S. troops in South Korea or an enhancement of U.S.-ROK military lethality.¹⁴ Since Xi took power, the United States has indeed augmented and brandished its capability on the peninsula, with the “bloody nose” strike threats in spring 2017 making a particular impression. China has concurrently adopted a more expansive definition of its rights around Korea, been more vocal about its perceived anxieties, and blended South Korea into rhetoric around Xi himself, including such concepts as the “China dream.” Juxtaposed against the familiar U.S.-aligned structures of power and influence around Northeast Asia, the articulation of Chinese foreign policy still does not present a coherent picture of an alternative regional or world order. In part this is because North Korea remains a wild card. But if the United States continues to threaten reducing troops levels or renegotiating the cost-sharing arrangement in an extortionate way, then China’s overtures could begin to sound more attractive to Seoul, and a pathway for more rigorous Chinese revision of the regional order would open up.

For its part, South Korea must be assertive in defending its rights in areas where the PRC is encroaching, such as the maritime boundaries with respect to fishing rights.¹⁵ Outside of territorial issues, wedge issues experienced by other middle powers in their relations with Beijing may look very different from those that are important for South Korea. This means that concerted action against China could have negative consequences for Seoul.¹⁶ One example is the recent controversy over Huawei and 5G. Due to the ROK’s strengths in communications technology, South Korean firms would appear poised to benefit from a more blanket ban on Huawei in Western countries. However, in reality the company is a large purchaser of components from Samsung, whose profitability could suffer if Huawei’s business took a big hit.¹⁷ Other areas of South Korean vulnerability are tourism and student exchange. Under Xi, for example, the PRC has denied visas for ROK citizens traveling to China with American music ensembles.¹⁸

¹² “The Case for Kaesong: Fostering Korean Peace through Economic Ties,” International Crisis Group, Asia Report, no. 300, June 24, 2019, <https://www.crisisgroup.org/asia/north-east-asia/korean-peninsula/300-case-kaesong-fostering-korean-peace-through-economic-ties>. In 2015, there were reportedly 370 South Korean firms operating in China’s Yanbian Korean Autonomous Prefecture. See “S. Korea, China to Construct Joint Industrial Complex near N. Korea,” *Korea Times*, September 26, 2015, https://www.koreatimes.co.kr/www/nation/2020/02/113_187630.html.

¹³ Jae Ho Chung and Jiyeon Kim, “Is South Korea in China’s Orbit? Assessing Seoul’s Perceptions and Policies,” *Asia Policy*, no. 21 (2016): 123–45.

¹⁴ Yan Hongyang, “Chaoxian bandao wenti dui Zhongguo zhoubian anquan de yingxiang ji duice yanjiu” [The Influence of the Korean Peninsula Problem on China’s Regional Security and Research on Countermeasures], *Xuelilun* 33 (2012), <https://www.xzbu.com/4/view-3867290.htm>.

¹⁵ Darcie Draudt, “South Korea’s Crackdown on Illegal Fishing in the Yellow Sea,” *China-US Focus*, November 30, 2016, <https://www.chinausfocus.com/energy-environment/south-korea-crackdown-on-illegal-fishing-in-the-yellow-sea>.

¹⁶ See Roland Paris, “Can Middle Powers Save the Liberal World Order?” Chatham House, Briefing, June 18, 2019, <https://www.chathamhouse.org/publication/can-middle-powers-save-liberal-world-order>.

¹⁷ Ju-min Park and Heekyong Yang, “Huawei Ban Puts South Korea in a Familiar Place: Caught between the U.S. and China,” Reuters, May 28, 2019, <https://uk.reuters.com/article/us-huawei-tech-usa-samsung-analysis/huawei-ban-puts-south-korea-in-a-familiar-place-caught-between-the-u-s-and-china-idUKKCN1SZ0AG>.

¹⁸ Carolyn Thompson, “NY Band Cancels China Tour over Ban of South Korean Members,” Associated Press, October 29, 2019, <https://apnews.com/5e21b7029de7490db0217cb8551fdb85>.

Although South Korea is an important consumer economy, China's economic interests could bow to security imperatives, as seen in the case of THAAD (discussed in more detail later). Xi's newly articulated vision for the PRC rarely deals specifically with South Korea, but Beijing has naturally been interested in projecting influence into the country and taking advantage of waves of anti-American sentiment. The next section of this essay will look at how Xi has sought to do this through his relationships with two South Korean leaders and one U.S. president.

Xi Jinping's South Korean and U.S. Interlocutors

Park Geun-hye

South Korean leaders have a number of reasons for working closely with China. One is China's leverage over Seoul's long-standing existential dilemma: North Korea. For any ROK government desiring to alter the dynamic with the Kim family regime, Beijing is now a vital intermediary.

In January 2013, newly elected South Korean president Park Geun-hye attempted to "reset" relations with Beijing. Her arrival coincided with Xi Jinping's election as general secretary as well as with the growth of aggressive missile and nuclear testing in North Korea.¹⁹ Xi, reportedly annoyed at the lack of respect or attention from Kim Jong-un, appeared open to the ROK's desire to rebalance with China.²⁰ Chinese analysts were not uniformly bullish about prospects for enhanced relations with Seoul. Yang Xiyu, former head of Korean affairs at the PRC Ministry of Foreign Affairs, warned that Park, a conservative and the daughter of an archetypal anti-Communist during the Cold War, would allow South Korea to serve as the basis for a platform of anti-China or anti-Russia deterrence and power projection by the United States.²¹

Despite his occasional warnings, Xi was seen by Park as amenable to warming the relationship.²² From 2013 to 2015 the ROK government underwent multiple visits from and with Xi that would both preclude and utilize his relationship with North Korea.²³ The choice to use China as a strategic card in containing North Korea ultimately had mixed results, most of which were undermined when the two sides had a falling out in 2016 over the Park government's cooperation with the United States on THAAD. However, prior to the controversy around missile defense, the relationship between Park and Xi had developed in 2014 and 2015 to such an extent that some South Korean analysts prognosticated that the "alliance with the United States and communication with China" (*yonmi tongjung*) could become an "alliance with the United States and harmony with China" (*yonmi hwajung*).²⁴

¹⁹ Kim Oi-hyun, "Park Geun-hye Will Send First Special Envoys to China," *Hankyoreh*, January 17, 2013, http://english.hani.co.kr/arti/english_edition/e_international/570129.html.

²⁰ Scott A. Snyder, "A New Opportunity for China-South Korea Relations under Park Geun-hye and Xi Jinping?" Council on Foreign Relations, Asia Unbound, January 20, 2013, <https://www.cfr.org/blog/new-opportunity-china-south-korea-relations-under-park-geun-hye-and-xi-jinping>; and Cheng Xiaohu, "China's Northeast Asia Policy in the Xi Jinping Era," *SERI Quarterly* 6, no. 2 (2013): 22-29.

²¹ Sunny Lee, "China Asks Whom South Korea-U.S. Alliance Targets," *Korea Times*, December 31, 2012, <http://m.koreatimes.co.kr/pages/article.asp?newsIdx=128083>.

²² Ji Mingkui, "Park Geun-hye's China Visit Brings Hope," China Internet Information Center, June 28, 2013, http://www.china.org.cn/opinion/2013-06/28/content_29258324_2.htm.

²³ Scott Snyder, "China Snubs North Korea with Leaders' Visit to South Korea," *Guardian*, July 3, 2014, <https://www.theguardian.com/world/2014/jul/03/china-snubs-north-korea-with-leaders-visit-to-south-korea>.

²⁴ Park Jin, "Korea between the United States and China: How Does Hedging Work?" *Joint U.S.-Korea Academic Studies* 2015 26 (2015): 59-75, http://www.keia.org/sites/default/files/publications/kei_jointus-korea_2015_final_lowres.pdf; and Ji Haebom, "'Yeonmihwajung' eul halyeomyeon" [What If South Korea Were to "Ally with the U.S. and Harmonize with China?"], *Chosun ilbo*, September 6, 2012, http://news.chosun.com/site/data/html_dir/2012/09/06/2012090601091.html.

Xi's personal touch was clear three years into his leadership when he achieved a much-heralded marker in Sino-ROK relations, framed around his own role as a diplomatic helmsman. Among the global leaders invited to sit atop Tiananmen Square during the Victory Day parade on September 3, 2015, Park sat alongside Xi. On the surface, this was seen as a snub to North Korea, arriving as it did on the heels of an August 2015 mini-crisis along the Demilitarized Zone (DMZ) for which Pyongyang appeared to be the responsible party.²⁵ As a nod to leadership from other states, including the absent United States and Japan, Park at least offered preliminary ambiguity about her presence at the parade.²⁶

Perhaps more important than the optics, however, was the underlying work that had been done prior. Park and Xi had engaged in a long lead-up of historical reconciliation. This included cooperation in setting up new monuments to anti-Japanese assassins and Korean nationalist heroes in Harbin, as well as new celebrations of the World War II-era resistance by Korean civilians in Shanghai.²⁷ The broader objective for Park seemed to be to undercut North Korea, although, as Robert Kelly argued, she had to take care not to state so explicitly.²⁸ But analysts who fixated only on the North Korean angle overlooked what China got out of the visit. In addition to Park having brought with her a large delegation of capitalists, Xi used the meeting to state that South Korea's Eurasian Initiative was "in line with the construction of the 'Belt and Road'" and that "China welcomes South Korea's active participation in the construction of the 'Belt and Road' and the work of the Asian Infrastructure Investment Bank [AIIB]."²⁹

Embroiled in scandals over unvetted advisers, bribery, and an inadequate response to the sinking of the *Sewol* (a ferry full of high school students), Park would not serve out her full term as president and was forced to step down in March 2017. Today, a progressive South Korean government looks back at her administration's decisions on China with some regret but remains open to further balancing toward Beijing.³⁰

Moon Jae-in

Following the removal of President Park from office, the subsequent special election resulted in the victory of a remarkably progressive candidate, Moon Jae-in.³¹ President Moon has pursued a far more activist path than his predecessor toward North Korea. He embarked on a drive for peace with North Korea, turning to China as much as his predecessor had done, but with a

²⁵ Julian Ryall, "China Snubs North Korea in Favour of South at Beijing Event," *Telegraph*, September 4, 2015, <http://www.telegraph.co.uk/news/worldnews/asia/northkorea/11845130/China-snubs-North-Korea-in-favour-of-South-at-Beijing-event.html>. In reality, Choe Ryong-hae, sent from North Korea to represent the DPRK and meet with Xi, kept the relationship on track; he did not meet with Park in Beijing.

²⁶ Justin McCurry and Tom Phillips, "Japan Refuses to Take Part in China's 'Victory Day' Event to Mark End of War," *Guardian*, August 24, 2015, <https://www.theguardian.com/world/2015/aug/24/japan-refuses-to-take-part-in-chinas-victory-day-event-to-mark-end-of-war>.

²⁷ Shi Yuanhua, "Chaoxian bandao shili zai Zhongguo de KangRi wangshi" [Past Events of Korean Peninsular Influences in China during the War of Anti-Japanese Resistance], *Guoji xuanqu daobao*, April 25–May 1 2014, 15; Jack Kim, "China's Xi Invites South Korea Joint Effort on Japan's Wartime Past," Reuters, July 4, 2014, <https://www.reuters.com/article/us-southkorea-china-japan/chinas-xi-invites-south-korea-joint-effort-on-japans-wartime-past-idUSKBN0F90MT20140704>; and Steven Denney, "Wreathes, Smoke, and National Interest: April 15 and Commemoration in Asia," *Sino-NK*, April 21, 2017, <https://sinonk.com/2017/04/21/wreathes-smoke-and-national-interest-reflections-on-april-15-and-commemoration-in-asia>.

²⁸ Robert E. Kelly, "Why Park Geun Hye Attended China's World War Two Military Parade," Lowy Institute, Interpreter, September 7, 2015, <https://www.loyyinstitute.org/the-interpreter/why-park-geun-hye-attended-chinas-world-war-two-military-parade>.

²⁹ "Piao Jinhui shuai zuida jingji daibiaotuan fang Hua chuxi Dangzhan yuebing, huijian Xi Jinping" [Park Geun-hye Leads the Largest Economic Delegation to China, Meets Xi Jinping], *Guanchazhe*, September 2, 2015, https://www.guancha.cn/politics/2015_09_02_332811.shtml.

³⁰ Lee Haye-ah, "S. Korea Can Now 'Choose' between U.S., China: Ambassador," *Yonhap*, June 4, 2020, <https://m-en.yna.co.kr/view/AEN20200604000300325?section=news>.

³¹ While President Moon won "the largest margin in Korean election history," this was still only 41% of the total popular vote. See Tim Shorrock, "South Korea's New President Says His Election Completes the 'Candlelight Revolution,'" *Nation*, May 10, 2017, <https://www.thenation.com/article/archive/south-koreas-new-president-says-his-election-completes-the-candlelight-revolution>.

greater inbuilt political constituency interested in reducing dependence on the United States.³² The first major speech of his term that focused on North Korea was given in Berlin in July 2017. President Moon called for the “complete, verifiable, and irreversible denuclearization of the Korean Peninsula,” lauded his predecessors for their commitment to the six-party talks, and, after discussing President Trump’s agreement at more length, noted that he had “reached a consensus with Chinese President Xi Jinping” on the approach to negotiations with North Korea.³³ In June and July 2017, Moon’s language about “economic belts” and Silk Roads, his favorable approach to the AIIB, and his propensity to create inter-Korean rail linkages led Li Duanqiu, writing in the *China Youth Daily*, to argue that Moon had “hopes to connect to the BRI.”³⁴ Li also saw Moon’s Berlin speech as working hand in hand with China’s recommendation to “dual track” (*shuanggui bingxing*) negotiations with the North—a pointed contrast with Japan and the United States, which the PRC Ministry for Foreign Affairs complained were pushing “China responsibility theory” for North Korean misbehavior.

Moreover, in a long *Shijie zhishi* profile of Moon’s career and plans for institutional change in Seoul, the authors noted that the new president wanted a rapid turnover of wartime military control to the ROK as well as greater autonomy from Washington in national security matters. Nonetheless, the Moon administration remains committed to doing so on the basis of or within the structures of the U.S.-ROK security alliance. Chinese analysts have frankly assessed Moon’s difficulties in balancing North Korean threats along with the cost of deploying THAAD and the political tension the missile system brought to the Sino-ROK relationship.³⁵

Moon’s first trip to Beijing in December 2017 unleashed speculation over the possibility for a new friendship with China.³⁶ His four-day visit did not quite deliver: a South Korean journalist traveling with the president was assaulted by Chinese security guards and some of the optics seemed to be intended to belittle South Korea’s stature relative to China.³⁷ While his visit clashed with Xi Jinping’s day of remembrance in Nanking, Moon was able to connect with both the Chinese leader and Ministry of Foreign Affairs diplomats such as Kang Xuanyou to effectively prepare for what would be a blitz of inter-Korean diplomacy (and Sino-DPRK summits) in 2018. At a speech at Beijing University, Moon also showed a propensity to nod to Xi’s tropes like the “China dream” and redeemed Li Duanqiu’s hopes by explicitly suggesting that inter-Korean initiatives could be linked (*guagou*) fruitfully to BRI, alongside ongoing Sino-ROK high-tech economic cooperation.³⁸

There was a great deal of consternation in the United States around what Moon’s election meant for the U.S.-ROK relationship. Some observers even worried about “a potential rift with the United

³² B.R. Myers, “Portrait of the Ally as an Intermediary,” *Sthele Press*, March 23, 2018, <https://sthelepress.com/index.php/2018/03/23/portrait-of-the-ally-as-an-intermediary-b-r-myers>.

³³ Moon Jae-in (remarks at the Körber Global Leaders Dialogue, Berlin, July 6, 2017), <https://www.koerber-stiftung.de/mediathek/koerber-global-leaders-dialogue-with-president-moon-jae-in-in-berlin-1416>.

³⁴ Li Duanqiu, “Wen Zaiyin duiChao zhengce ‘Bolin gouxiang’ ji mianlin de tiaozhan,” [Moon Jae-in’s “Berlin Vision” of North Korea Policy and the Challenges Facing It], *Zhongguo qingnian bao*, July 26, 2017, <https://news.sina.cn/2017-07-26/detail-ifyihrwk2421472.d.html>.

³⁵ See, for example, Dong Xiangrong and An Bo, “Wen Zaiyin: Cong ‘nanmin zhisun’ dao Hanguo zongtong” [Moon Jae-in: From “Child of Refugees” to the President of South Korea], *Shijie zhishi*, May 28, 2017, https://www.sohu.com/a/144368487_825951.

³⁶ See, for example, Charlotte Gao, “Was Moon Jae-in’s China Trip Successful?” *Diplomat*, December 19, 2017, <https://thediplomat.com/2017/12/was-moon-jae-ins-china-trip-successful>.

³⁷ David Volodsko, “Did Beijing Just Give South Korea’s Moon the Cold Shoulder?” *South China Morning Post*, December 24, 2017, <https://www.scmp.com/week-asia/politics/article/2125443/did-beijing-just-give-south-koreas-moon-cold-shoulder>.

³⁸ Nan Boyi, “Wen Zaiyin fangHua: Beida yanjiang tan Chaogai: Zuoluo yingyi heping fangshi tuoshan jiejué” [Moon Jae-in Travels to China; Discusses North Korean Nuclear Issue in a Speech at Beijing University, Says It Must Be Finally Solved through Peaceful and Appropriate Measures], *Pengpai xinwen*, December 15, 2017, https://www.thepaper.cn/newsDetail_forward_1907294.

States over the North's nuclear program."³⁹ However, in part due to North Korea's ongoing mania for missile testing, Moon's presidency and its enhanced diplomatic exchanges with Beijing have not led to structural changes to the U.S.-ROK alliance. Moon has operated as a mediator between North Korea and the United States, trying to alienate neither his alliance partner in Washington nor his interlocutors in the Kim family regime. Likewise, Moon's formulation of Sino-ROK relations as "a firm, mature strategic cooperative partnership that will not be wavered by external factors" did not receive much pushback from a U.S. administration fixed on negotiations with North Korea.⁴⁰

Donald Trump

President Trump stated explicitly his desire to withdraw troops from the Korean Peninsula in 2018.⁴¹ Furthermore, Beijing got what it wanted from the Singapore summit between Trump and Kim Jong-un: a temporary cessation of U.S. joint military maneuvers with South Korea. However, any satisfaction gained was clearly short-lived.⁴² Amid the turnstile of diplomatic and executive branch appointees under Trump, Washington's rhetoric on the future of the U.S. alliance with South Korea has pinwheeled between staunch declarations of continuity and demands to radically alter the payments from a "free-riding" South Korea.⁴³

In facing North Korea's challenge, the Trump administration's "bloody nose" strategy was not entirely innovative, following in part earlier advice offered by Philip Zelikow.⁴⁴ Given the more overtly threatening approach to North Korea and the U.S. president's actions to modify and in some cases completely reorient trade relationships in Asia, obsession over trade deficits, and assertions of unequal cost-sharing and even alliance-milking by South Korea, the smaller state in the alliance logically looks for other solid footing.

The notion that North Korean nuclear weapons could in themselves somehow serve as the primary driver for the withdrawal of U.S. forces from the Korean Peninsula seems far-fetched to Chinese commentators.⁴⁵ Some security academics in China have expressed concern that North Korea's development of nuclear weapons will stimulate pre-emptive strike discussions (described as adjustments to missile "interception posture") by Japan's prime minister Shinzo Abe and his Liberal Democratic Party. Others have warned of the possibility of a de facto Japanese

³⁹ Choe Sang-Hun, "U.S. Antimissile System Goes Live in South Korea," *New York Times*, May 2, 2017, <https://www.nytimes.com/2017/05/02/world/asia/thaad-north-korea-missile-defense-us.html>; and Choe Sang-Hun, "Leaders of South Korea and China Talk, and U.S. Missile Defense Is on the Table," *New York Times*, May 11, 2017.

⁴⁰ "S. Korean President Says Visit to China Sets Foundation for Full-Scale Cooperation," Xinhua, December 18, 2017, http://www.xinhuanet.com/english/2017-12/18/c_136834669.htm.

⁴¹ Donald J. Trump (press conference at the Capella Hotel, Singapore, June 12, 2018), <https://www.whitehouse.gov/briefings-statements/press-conference-president-trump>.

⁴² "Speech at the 18th Shangri-La Dialogue by Gen. Wei Fenghe, State Councilor and Minister of National Defense, PRC," *Global Times*, June 2, 2019, <http://www.globaltimes.cn/content/1152730.shtml>.

⁴³ Shim Key-seok and Park Hyun-young, "Biegun Warns Korea Can't 'Free Ride' on the U.S." *Korea JoongAng Daily*, November 21, 2019, <https://koreajoongangdaily.joins.com/news/article/article.aspx?aid=3070588>. For a first-hand account of Trump's views of the U.S.-ROK alliance and the interplay of economic and security goals there, see Bob Woodward, *Fear: Trump in the White House* (New York: Simon and Schuster, 2018), 223–25.

⁴⁴ Zelikow suggested, "The new administration could develop a credible threat of preventative war; its position under international law would be strong." See Philip D. Zelikow, "The Art of the Global Deal," *American Interest*, December 13, 2016, <https://www.the-american-interest.com/2016/12/13/the-art-of-the-global-deal>.

⁴⁵ For a brief synopsis of this idea, see the comments by Zhao Tong, a senior fellow at the Carnegie Tsinghua Centre for Global Policy, in Evan Osnos, "Why China Won't Pressure North Korea as Much as Trump Wants," *New Yorker*, September 19, 2017, <https://www.newyorker.com/news/news-desk/why-china-isnt-ready-to-put-pressure-on-north-korea>.

alignment with Pyongyang that would leave China on the outside, although the concept today seems almost impossible.⁴⁶

THAAD and the Disruptive Role of North Korea

Only nine months after Park Geun-hye's attendance at the September 2015 Victory Day parade in Beijing, the ROK decided to deploy a high-altitude missile defense system (THAAD). In response, the PRC—this time without personal comment by Xi—unleashed a large propaganda campaign that led to consumer boycotts of South Korean goods.⁴⁷ While the stated purpose of the missile system is to detect and potentially destroy North Korean missiles, scholars, leaders, and ultimately the public in China did not believe that the system was limited to North Korea. The public boycotts resulted in empty Korean-owned shopping malls in such large urban centers as Shenyang and a massive dropoff in Chinese tourist visits to the ROK.

For their part, Chinese security experts were vociferous in their opposition to THAAD and argued that it undermined Beijing's nuclear deterrent. At a September 2016 conference in Seoul on Korean-Chinese relations that was sponsored by the ROK Foreign Ministry, a group of prominent Chinese foreign policy scholars lamented the deterioration of ties with South Korea. They blamed ROK leaders for giving into Washington's pressure and complained about an arms race sparked by Seoul rather than Pyongyang, although privately they acknowledged that the hard line on THAAD had not been subject to sufficient internal debate or scrutiny in Beijing.⁴⁸

The question of security and the Korean Peninsula is of great importance to the Chinese leadership. The THAAD system was to be based in North Gyeongsang, a politically conservative province. Although China's tactical desire to reduce the U.S. military footprint in South Korea is evident, to what extent did the PRC try to manipulate South Korean public opinion in unconventional ways ahead of the deployment of THAAD? There were many domestic fractures in South Korea, including local opposition to the alliance with the United States akin to that in Okinawa.

The boycott of South Korea by Chinese tourists was the most visible way in which China may have tried to influence public opinion, but this tactic is fairly conventional. Boycotts have been at the core of Chinese middle-class nationalism for a long time.⁴⁹ As with anti-Japanese protests in Chinese cities in 2010, the encouragement of the boycotts appeared to be centrally coordinated. More generally, China's tactic in response to THAAD was to bully South Korea economically to advance Chinese security priorities. Interviews with ROK officials indicate a range of attitudes toward these pressure campaigns.⁵⁰ Few would admit to being bullied, but it is likely that Korean officials can empathize with the Southeast Asian countries to which Yang Jiechi's stated at the ASEAN Regional Forum: "There is one basic difference among us—China is a big country

⁴⁶ Su Jiapeng, "Chaoxian Riben yingdui kunqu baotuan qu'an" [Are North Korea and Japan Having to Gang Up and Warm Up in the Face of Mutual Isolation?], *Nanfang zhoumo*, April 3, 2013.

⁴⁷ "Of Missiles and Melons: Defending South Korea," *Economist*, July 30, 2016, <https://www.economist.com/asia/2016/07/30/of-missiles-and-melons>.

⁴⁸ The author attended this conference at the Korean National Diplomatic Academy.

⁴⁹ Donald Allan Jordan, *Chinese Boycotts versus Japanese Bombs: The Failure of China's "Revolutionary Diplomacy," 1931–32* (Ann Arbor: University of Michigan Press, 1991).

⁵⁰ Uri Friedman, "How to Choose Between the U.S. and China? It's Not That Easy," *Atlantic*, July 26, 2019, <https://www.theatlantic.com/politics/archive/2019/07/south-korea-china-united-states-dilemma/594850>.

and you are smaller countries.”⁵¹ It seemed that China’s tactic toward South Korea was largely intended for external audiences. As Leif-Eric Easley put it, “Maintaining the fiction that boycotts against South Korea are grassroots behavior is meant to give Beijing plausible deniability for possible trade rule violations.”⁵²

Chinese Rhetoric and South Korea

Since its announcement in 2013 under the title One Belt, One Road, BRI has been of great interest to South Korean observers.⁵³ The ROK government has clearly decided in public messaging to emphasize the cooperative rather than competitive aspects of the initiative, particularly with respect to infrastructural links between Europe and Asia.⁵⁴ Even conservative South Korean media outlets expressed some excitement over the benefits of oil pipelines from Russia and possible greater continental access.⁵⁵ In June 2017, President Moon Jae-in readily adopted language about the Silk Road in his remarks at the AIIB in Cheju, less than one month after being elected.⁵⁶

More broadly, the strategy around BRI can be associated with the concepts of “soft power” and “public diplomacy.”⁵⁷ The ROK has been the target of a number of cultural initiatives in a bid to, as Min-gyu Lee and Yufan Hao put it, “alleviate South Koreans’ Sinophobia and positively influence their attitude toward China.”⁵⁸ Of course, China’s soft-power discourse exists on a continuum whose business end is force and coercion. South Korea has seen several of the cycles William Callahan has described: PRC diplomatic charm offensives are followed by assertive actions and then revert back to charm offensives.⁵⁹

It is not only because of China’s method of occasionally flashing steel that Chinese ideas of a new global or regional order are not taken as universally true in South Korea. In the ROK, international relations scholars and political scientists maintain much more engagement with Western international relations scholarship. In spite of a boom in student exchanges and language study, there is little evidence that Chinese international relations frameworks are garnering attention as a feasible model in the South Korean academy. The fact that Marxism is still omnipresent in Chinese debates about international relations makes advocacy for Chinese ideas uncomfortable for South Korean scholars in a historically anti-Communist education system.⁶⁰ Despite this barrier, paradoxically BRI has far greater penetration of society and academia in

⁵¹ Odd Arne Westad, “Memo to China: Size Isn’t Everything,” Bloomberg, October 18, 2012, cited in Hoo Tiang Boon, “Hardening the Hard, Softening the Soft: Assertiveness and China’s Regional Strategy,” *Journal of Strategic Studies* 40, no. 5 (2017): 639–62.

⁵² Quoted in Ralph Jennings, “Why It Hurts Less Now as China Punishes South Korea with Tourism Cuts,” *Forbes*, March 4, 2018, <https://www.forbes.com/sites/ralphjennings/2018/03/04/china-keeps-punishing-south-korea-with-tourism-cuts-for-now>.

⁵³ Balbina Hwang, “Northeast Asian Perspectives on China’s Belt Road Initiative: The View from South Korea,” *East Asia* 36, no. 2 (2019): 129–50.

⁵⁴ David Hundt and Sooyoung Kim, “Elite Opinion and the ‘Belt and Road’ Debate in South Korea,” *Pacific Affairs* 92, no. 1 (2019): 27–49.

⁵⁵ See, for example, Hong Ingi, “Jungguk-ui Ildae illo-wa geurandeu seokyo anbo jeollyak” [China’s One Belt, One Road and Its Grand Strategy for Oil Security], *JoongAng ilbo*, December 17, 2015, quoted in *ibid.*, 37.

⁵⁶ Pang Jiaxin and Wang Linggui “Hanguo ‘Xinbei Zhengce’ duijie ‘Yidai Yilu’ changyi: Jiyu yu tiaozhan” [Combining South Korea’s “New Northern Policy” with “Belt and Road”: Opportunities and Challenges], *Shijie zhishi* 4 (2019), <http://oversea.cnki.net/kcms/detail/detail.aspx?QueryID=1&CurRec=14&DbCode=CJFD&dbname=CJFDLAST2020&filename=RDDD201906011>.

⁵⁷ Zhang Qi, “Gonggong wajiao shijiaoxia de Hangguo guojia xingxiang goujian qianxi” [Basic Analysis on the Construction of National Image of South Korea from the Perspective of Public Diplomacy], *Shijie zhishi* 2 (2017): 52–62.

⁵⁸ Min-gyu Lee and Yufan Hao, “China’s Unsuccessful Charm Offensive: How South Koreans Have Viewed the Rise of China Over the Past Decade,” *Journal of Contemporary China* 27, no. 114 (2018): 867–86.

⁵⁹ William A. Callahan, “China’s ‘Asia Dream’: The Belt Road Initiative and the New Regional Order,” *Asian Journal of Comparative Politics* 1, no. 3 (2016): 238–39.

⁶⁰ Nadège Rolland, “China’s Vision for A New World Order,” National Bureau of Asian Research, NBR Special Report, no. 83, January 2020, 30.

South Korea than in North Korea, China's treaty ally, where receptivity to the initiative has been minor to nonexistent.⁶¹

The emergence of BRI was preceded by over a decade of enhanced institutional studies of regional diplomacy (*zhoubian waijiao*) and revival of Republican-era borderland studies (*bianjiangxue*). The newly potent rhetoric on border security and its relation to China's control of ethnic minorities on the PRC's frontiers does not appear to have affected bilateral relations with South Korea. Fortunately for China, South Korea does not intersect with one of the "five poisons from abroad."⁶² While some participating states like Pakistan might allow the Ministry for Public Security to operate in their territory, this does not appear to be the case for the ROK.⁶³ Nevertheless, there are frictions resulting from the involvement of South Korean missionaries with North Korean refugees on Chinese territory, primarily in Jilin and Liaoning Provinces. In some broad-ranging analyses, Chinese scholars have expressly called out South Korea's support of Christian missionaries in China as being cut from the same cloth as Islamic support for Uighur separatism. In short, the combination of stateless Koreans and religion creates a cross-border, ethnic problem on a strategically sensitive frontier, a problem with which the ROK is implicated.⁶⁴

With respect to the harder edge of cultural relations and disinformation campaigns, it does not appear that China is adapting Russian tactics to use social media to influence or create fake groups simulating or directing local protest movements in South Korea against U.S. bases or THAAD.⁶⁵ However, news of potential Chinese social media interference with Taiwan's January 2020 elections caught the attention of opposition parties in South Korea.⁶⁶ In March 2020 the South Korean United Party (the conservative umbrella party) announced that it would pressure Naver and Daum, two large internet portals, to introduce real-name commenting so as to prevent interference from Chinese bots and paid commenters.⁶⁷ However, when "asked directly if Beijing's political interference [is] a threat to South Korean democracy," officials in the ROK government tend to deflect or simply answer in the negative.⁶⁸

As China promotes a new vision of global governance, Chinese think tanks and foreign policy scholars play an important role.⁶⁹ As Callahan notes, Chinese academics can directly influence policymaking "through Politburo collective study sessions where outsiders are invited to give topical presentations to the top leadership."⁷⁰ Part of this is due to the profusion of publications

⁶¹ Adam Cathcart and Christopher Green, "Xi's Belt: China–North Korea Relations," in *Chinese Foreign Policy under Xi*, ed. Hoo Tiang Boon (London: Routledge, 2017), 130–43.

⁶² These are the Tibetan independence movement, the East Turkestan independence movement, Falun Gong, the Chinese democracy movement, and the Taiwan independence movement. See Stephan Blancke, "Tigers, Flies and Crocodiles: Hunting Season for Chinese Intelligence. Chinese Anti-Corruption Campaigns in an Aggressive Foreign Policy," *Zeitschrift für Außen- und Sicherheitspolitik* 11, no. 3 (2018): 343–64.

⁶³ Blancke, "Tigers, Flies and Crocodiles," footnote 19. See also Edward Schwarck, "Intelligence and Informatization: The Rise of the Ministry of Public Security in Intelligence Work in China," *China Journal* 80, no. 1 (2018): 1–23.

⁶⁴ Lei Zhao and Xu Huiying, "Ethnic Issues of China's Neighboring Countries and Their Impact on National Security," *Contemporary International Relations* 27, no. 5 (2017): 69–97.

⁶⁵ Lora Saalman, "Little Grey Men: China and the Ukraine Crisis," *Survival* 58, no. 6 (2016): 135–56.

⁶⁶ "Taiwan Election: Disinformation as a Partisan Issue," Stanford University, Freeman Spogli Institute for International Studies, January 21, 2020, <https://fsi.stanford.edu/news/taiwan-disinformation-partisan-issue>.

⁶⁷ Tae-jun Kang, "Suspensions Grow in South Korea over China's Online Influence Operations," *Diplomat*, March 27, 2020, <https://thediplomat.com/2020/03/suspensions-grow-in-south-korea-over-chinas-online-influence-operations>.

⁶⁸ Matt Schrader, "In Addressing PRC Interference, South Korea Plays Delicate Geopolitical Game," German Marshall Fund of the United States, Alliance for Securing Democracy, June 13, 2019, <https://securingdemocracy.gmfus.org/in-addressing-prc-interference-south-korea-plays-delicate-geopolitical-game>.

⁶⁹ For further discussion, see Xufeng Zhu, "Government Advisors or Public Advocates? Roles of Think Tanks in China from the Perspective of Regional Variations," *China Quarterly*, no. 207 (2011): 668–86.

⁷⁰ Callahan, "China's 'Asia Dream.'"

by Chinese scholars that have depicted China as establishing a beneficial yet amorphous force for cultural synergy that is essentially complementary to the U.S. rules-based order.⁷¹ This “both/and” logic is reinforced at times within South Korean discourse. Park Geun-hye’s approach had validated the harmlessness of this outlook by wrapping it in language about South Korea’s equally amorphous ambitions, an approach that was appreciated by Chinese scholars.⁷²

Xi Jinping’s speech at the Party Congress in October 2017 suggested that he was at the forefront of a massive historical transition. Academics in China followed, advocating that the world move beyond a U.S.-based system that has, they argue, led to a Darwinian abandonment of “justice” for smaller countries, increased terrorism, and heightened the risk of war.⁷³ Chinese scholars have demonstrated that at times such rhetoric is simply old wine in new bottles. For example, in a 2017 essay praising Xi’s aspiration for a “common destiny for humankind,” Liu Jianfei asserted that the actual principle was based on respect for national (i.e., China’s) sovereignty.⁷⁴ Nevertheless, when scholars like Zhang Yunling ambitiously refer to “China’s efforts to construct a new order in northeast Asia,” South Korean strategists have to take notice.⁷⁵

For Chinese strategists like Lü Chao of the Liaoning Academy of Social Sciences, the notion that South Korea would be able to exercise greater autonomy from the United States in the security domain is an attractive one.⁷⁶ On this issue, Chinese analysts are keen to draw out policymakers with academic connections like Moon Chung-in, a key adviser to President Moon and interface with the foreign policy community in Washington, D.C. Moon Chung-in has suggested on multiple occasions that U.S. troops may not actually be needed in South Korea.⁷⁷ Joint conferences already abound where South Korean academics can be exposed to ideas like those of Jin Qiangyi, an ethnically Korean scholar at the PRC’s Yanbian University, who stated bluntly in a 2004 paper: “The strategic goal pursued by the United States in the Northeast Asia region is to control the entire East Asia region.”⁷⁸

Chinese academics who work on security issues have engaged in a relatively spirited debate about the quality of China’s alliance with North Korea. Traditionalists like Li Dunqiu argue for alliance stability, implicitly critiquing any turn toward South Korea.⁷⁹ In opposition, other voices advocate redrawing China’s alliances on the Korean Peninsula and perhaps even abandoning

⁷¹ Yiwei Wang and Xuejun Liu, “Is the Belt and Road Initiative a Chinese Geopolitical Strategy?” *Asian Affairs* 50, no. 2 (2019): 260–67.

⁷² Minghao Zhao, “South Korea’s Middle Power Diplomacy,” Project Syndicate, September 9, 2015, <https://www.project-syndicate.org/commentary/china-south-korea-warming-relations-by-minghao-zhao-2015-09>; and Qian Yong and Seong-hyon Lee, “Chinese Scholarly Perspectives on Contemporary Sino–South Korean Relations,” *Journal of Korean Studies* 21, no. 1 (2016): 265–75.

⁷³ See, for example, Zhang Yunling, “Dui ‘bainian zhi dabianju’ de fen zhe yu sikao” [Analysis and Thoughts on “The Century of Great Change”], *Shandong daxue xuebao*, October 8, 2019, http://www.qstheory.cn/international/2019-10/08/c_1125078720.htm. Zhang commenced his graduate work at the Chinese Academy of Social Sciences (CASS) upon its post–Cultural Revolution reopening in 1978. He went on to become head of the Japan research office at CASS and is concurrently professor of Korean Studies at Shandong University. He has recently produced an edited volume on the “hundred-year struggle” idea. See Zhang Yunling, ed., *Bainian dabianju: Shijie yu Zhongguo* [The Century of Great Change: The World and China] (Beijing: Zhonggong Zhongyang dangxiao chubanshe, 2019).

⁷⁴ Liu Jianfei, “Goujian renlei mingyun gongtongti” [Constructing a Common Destiny for Humankind], *Guangming ribao*, December 2017, https://theory.gmw.cn/2017-12/19/content_27136147.htm. Liu is vice director of the Institute of International Strategic Studies at the Central Party School.

⁷⁵ Zhang Yunling, *On East Asian Regional Cooperation II: Ideality and Reality* (London: Routledge, 2019).

⁷⁶ Lü Chao, “South Korea’s Shift toward Beijing Positive Sign of Independent Diplomacy,” *Global Times*, April 24, 2014, 15. See also, for example, Yang Luhui and Zhao Weining, “HanMei lianmeng shiyuxia de Hanguo zizhuxing yanjiu” [Research on the Spirit of South Korean Self-Reliance in the Light of the U.S.–South Korean Alliance], *Dangdai hanguo* 3 (2019): 3–18.

⁷⁷ Chung-in Moon, “A Real Path to Peace on the Korean Peninsula,” *Foreign Affairs*, April 30, 2018, <https://www.foreignaffairs.com/articles/north-korea/2018-04-30/real-path-peace-korean-peninsula>.

⁷⁸ Jin Qiangyi “MeiRi dongbeiya quyue zhanlue yu Chaoxian bandao wenti” [The U.S. and Japan’s Northeast Asia Regional Strategy and the Korean Peninsula Issue], *Dangdai yatai* 9 (2004): 20–24.

⁷⁹ Li Dunqiu, “Bu neng ‘fangyi’ Chaoxian zhe 65 nian de huoban” [Do Not “Release” This Korean Partner of 65 Years] *Huanqiu shibao*, November 27, 2014, <https://opinion.huanqiu.com/article/9CaKrnJFTcF>.

North Korea, although such perspectives have been curtailed among all but the boldest mainland scholars (e.g., Shen Zhihua) since the wholesale revival of summits between Pyongyang and Beijing in early 2018. In this discourse, South Korea's agency and domestic politics tend to be minimized and the U.S. military capability on the peninsula emphasized.

Nonetheless, for Chinese scholars, even with a relatively friendly president occupying the Blue House, the prospect of a flourishing security relationship with South Korea seems far off. Even when Chinese scholars, or by extension policymakers, complain about North Korea, this criticism almost never yields the corollary of a closer relationship with South Korea. Some Chinese analysts use South Korea as a way of obliquely raising issues that might otherwise be taboo, such as the prospect of a Chinese nuclear umbrella for North Korea, as Central Party School professor Zhang Lian'gui did in 2014.⁸⁰

Conclusion

Is China achieving its overarching objectives beyond the Korean Peninsula—establishing itself as a regional and global leader and earning the ROK's deference and respect for its national interests and political leadership rather than for the United States? China's efforts in South Korea provide a test case to assess its progress in reshaping the world. The results have been inconsistent. If the PRC is able to accelerate the reduction of U.S. power in Northeast Asia and establish itself as an undisputed hegemon in the region, then it may sidestep U.S.-style failings and avoid local nationalism or military overextension. However, if the PRC wants to move the United States out of a position of dominance on the southern Korean Peninsula—or, for that matter, in Japan—then it will have to reckon with the conflict and mirroring inherent in that process as well as with a South Korean elite that has long looked to the United States, rather than China, as a model.

If Xi Jinping foresees a new China-led chapter on the Korean Peninsula, the new era might be labeled under any number of rubrics, be it that of the Belt and Road Initiative or the more historically fraught “Asia for the Asians.” But whatever it is called, a new era would not come about simply by encouraging U.S. forces to leave the region, investing in infrastructure, or maneuvering proxies like North Korea or emerging strategic friends like South Korea to accelerate the United States' retreat. Even assuming a solution to the knotty problems of North Korean nuclear weapons and an inter-Korean federation, under the surface of even the most harmless “win-win” rhetoric lurks a host of Sino-Korean territorial and maritime issues and cultural gaps that have been created and encouraged over decades. The impact of China's crackdown on Hong Kong has yet to be assessed for South Korea, but Beijing cannot be winning many friends in South Korea's vibrant civil society. Looking toward the inevitable transition of power from Moon Jae-in in 2022–23, if the PRC chooses to again use the arsenal of economic threats and boycotts that was employed during the THAAD controversy, South Korean opinion of China would likely fall even more in stock. Chinese hard power has traditionally found its limits and a balance point of sorts on the Korean Peninsula. However grandiose its rhetorical gestures may be, the PRC is going to need to take a long approach to bending South Korea to its will.

⁸⁰ Zhang Lian'gui, “Chaoxian: Hewenti he juya Meiguoren de beihou” [North Korea: Behind the Nuclear Problem and the Americans in Custody], *Shijie zhishi*, October 19, 2014. See also Long Xingchun, “Zhongguo hezhengce, bufang jiang qingchu” [It Doesn't Hurt to Speak Clearly about China's Nuclear Strategy], *Huanqiu shibao*, January 15, 2013, <https://opinion.huanqiu.com/article/9CaKrjYyEYd>.

China at the UN Human Rights Council: Conjuring a “Community of Shared Future for Humankind”?

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EXECUTIVE SUMMARY

This essay examines China's engagement with the UN Human Rights Council (HRC) and the methods and tactics the party-state is using to undermine the current international human rights system and implement its vision of a new world order.

MAIN ARGUMENT

Since 2017, the Chinese government has taken increasingly aggressive steps at the HRC to challenge the current international human rights framework. Its actions signal that the new world order it envisions will not include “so-called” Western universal values, such as individual civil and political rights, but be based on rights that are, in China's view, more germane to the developing world, namely the right to development. Through the use of economic leverage, threats, intimidation, inducements, the mobilization of networks, and skillful manipulation of procedures, China has obtained increasing levels of institutional and discourse power at the HRC and now has the votes and support to implement its affirmative agenda. Its vision for the HRC and new preferred world order are one and the same: a “community of shared future for humankind” with China's norms, values, and discourse at the center; where “win-win cooperation” means that governments can avoid scrutiny and escape accountability for human rights abuses and victims are unable to find redress for their grievances. China is making steady progress in implementing this vision, but not without some pushback.

POLICY IMPLICATIONS

- Without a strong coalition of liberal democracies working together with like-minded countries in different regions, China will eventually take over the HRC and complete its project of redefining rights and reshaping the human rights mechanisms to serve its own interest in implementing an illiberal world order.
- The HRC is a critical venue where the battle between the liberal international order and China's high-tech authoritarianism is being played out. If the U.S. does not rejoin the HRC and vigorously defend human rights and the UN mechanisms, China—and the dystopian “community of shared future” it is creating—will prevail.
- The U.S. and other democracies need an appealing platform for partnerships with countries in the global South, which would take shape both domestically and multilaterally, such as at the HRC. The UN's human rights-based 2030 Agenda for Sustainable Development would be an ideal place to start, and this initiative connects back to the work of the HRC.

In China's vision of a new world order, the ideas and expressions of the Chinese Communist Party (CCP) would become the norm, and the CCP would shape, lead, and control most, if not all, aspects of global governance, including human rights.¹ Although the contours of what this world order might actually look like are not particularly clear, this much is certain: a crucial arena for the CCP is the UN Human Rights Council (HRC)—the key intergovernmental human rights body. The CCP must prevail over the “Western values system” because it is this system that poses a direct challenge both to the CCP's one-party rule at home and to the party's ability to be an unchallenged leader in global governance.² In the same way that China banned discussion of universal values, civil society, democratization, and related concepts at home in 2013, so too would it prefer to see a Human Rights Council—and a new global order—free of the values and ideas underpinning the current liberal international order.³

For the CCP to attain the moral legitimacy, respect, and recognition it needs for leadership of a new world order, it must remove the threat of Western universal human rights and replace that value system with an alternative that will be attractive to the rest of the world, particularly to the developing and emerging countries in the “global South.” An ideological struggle is being waged, and the HRC appears to be the key battleground.⁴

China's envisioned new world order would have no vestiges of the current liberal order. Instead, most of the world would be satisfied with, if not inspired by, Chinese concepts and values, even if the ideas (e.g., “community of shared future for humankind” and “win-win cooperation”) still lacked conceptual clarity.⁵ Fundamental Western values and norms in a China-dominated world order, according to the journalist Tanner Greer, would be “reduced to a parochial tradition peculiar to a smattering of outcast Western nations.”⁶ China's new world order would feature the CCP's distinctive approach to the right to development, placing it above other rights, in contravention to the existing human rights framework. All issues would be worked out through states engaging in dialogue and cooperation, “mutually beneficial cooperation,” mutual respect, and nonconfrontation.⁷ Individuals would no longer be rights holders who could assert claims of human rights violations against their governments, there would be no “human rights defenders,” and governments would have nearly total control over every aspect of life.

In terms of the human rights landscape, the right to development and related economic and social rights would be more than enough in China's preferred world order. The Belt and Road Initiative (BRI) would serve as the main driver for the realization of the right to development and the United Nations' 17 Sustainable Development Goals, which are fundamental to the human rights-based 2030 Agenda for Sustainable Development, and thus would itself become

¹ The use of “China” in this chapter refers to the CCP-led party-state and not the people of China.

² “Document 9: A ChinaFile Translation,” ChinaFile, November 8, 2013, <https://www.chinafile.com/document-9-chinafile-translation>. The CCP rejects the notion that “Western freedom, democracy, and human rights are universal” and claims that the West's value system threatens core socialist values.

³ Ibid.

⁴ Ibid. See also the discussion in Tanner Greer, “China Plans to Win Control of the Global Order,” *Tablet*, May 17, 2020, <https://www.tabletmag.com/sections/news/articles/china-plans-global-order>.

⁵ Nadège Rolland, “China's Vision for a New World Order,” National Bureau of Asian Research, NBR Special Report, no. 83, 36–40, 48–49, <https://www.nbr.org/publication/chinas-vision-for-a-new-world-order>.

⁶ Greer, “China Plans to Win Control.”

⁷ Andréa Worden, “China's Win-Win at the UN Human Rights Council: Just Not for Human Rights,” *Sinopsis*, May 28, 2020, <https://sinopsis.cz/en/worden-win-win>.

a deliverer and enabler of human rights.⁸ This vision would have significant appeal to countries in the global South. The ultimate destination is the “you’ll know it when you see it,” inclusive, interconnected, and economically thriving “community of shared future for humankind,”⁹ which will humbly be led by a beneficent China because the majority of the world would have sought its wisdom and leadership. While the Chinese government frequently reiterates its view that countries have the right to choose their own development path, governments—particularly those in the global South—would come to see on their own that the “China solution” really does work best.¹⁰ In short, China envisions an order in which rights would solely be a matter between states and be focused on development, cooperation, and economic growth, resulting in prosperity, peace, security, and happiness throughout the world.¹¹

This essay will examine the Chinese party-state’s objectives at the HRC, how they have changed over time, and the methods and tactics used to realize the CCP’s goals in the institution. On the basis of this analysis, the essay will assess what world order the CCP envisions emerging to take the place of the declining liberal international order. The first section briefly looks at the relevant history and context of China’s engagement with the HRC. The essay then explores how China is pursuing its goals in the forum.

From Defense to Offense: A Brief Background of China’s Engagement with the HRC

As the People’s Republic of China (PRC) endeavors to redefine human rights and reshape and create new mechanisms that align with its interests and priorities, at least three main objectives come into view. The CCP seeks to (1) intensify efforts to block criticism and avoid accountability for its human rights abuses, (2) amplify and broaden its discourse power (*huayuquan*) so as to “turn China’s words into global words,”¹² and (3) operationalize through expanded institutional power (*zhiduxing quanli*) the CCP’s “new era” human rights agenda.¹³ To gain advantage and further its goals, the CCP uses tactics and methods familiar in other forums. These include threats, intimidation, harassment, and inducements, as well as building partnerships and networks. With its focus on the developing world, China is able to show strength in numbers at the HRC and position itself as a leader and speaker for the interests of the global South.

⁸ Li Yunlong, “Belt and Road Initiative and Realization of the Right to Development,” China Society for Human Rights Studies, July 16, 2018, http://www.chinahumanrights.org/html/2018/MAGAZINES_0716/11504.html; Andréa Worden, “The CCP at the UN: Redefining Development and Rights,” Synopsis, March 17, 2019, <https://sinopsis.cz/en/the-ccp-at-the-un-redefining-development-and-rights>; and “Interview: Building a Community with a Shared Future Matches UN Goals: UN Official,” Xinhua, March 8, 2018, http://www.xinhuanet.com/english/2018-03/08/c_137024688.htm.

⁹ Rolland, “China’s Vision for a New World Order,” 37.

¹⁰ Ibid., 36–37, 49.

¹¹ See, for example, Tom Zwart, “Human Rights as Part of a Community of Shared Future” (paper presented at the China-Europe Human Rights Seminar, Vienna, June 21, 2019), <http://www.chinahumanrights.org/html/special/2019/0626/551.html>.

¹² Sun Jisheng, quoted in Rolland, “China’s Vision for a New World Order,” 46.

¹³ See, for example, Rana Siu Inboden, *China and the International Human Rights Regime: 1982–2017* (forthcoming, 2020); Sonya Sceats with Shaun Breslin, “China and the International Human Rights System,” Chatham House, October 2012, 18; Rolland, “China’s Vision for a New World Order,” 46; Katrin Kinzelbach, “Will China’s Rise Lead to a New Normative Order? An Analysis of China’s Statements on Human Rights at the United Nations (2000–2010),” *Netherlands Quarterly of Human Rights* 30, no. 3 (2012): 299; and Andréa Worden, “The Human Rights Council Advisory Committee: A New Tool in China’s Anti-Human Rights Strategy,” Synopsis, June 8, 2019.

Human Rights with “Chinese Characteristics”

Over the past several years, China has emerged from a relatively backstage and defensive position at the HRC—taking a “hide and bide” approach of watching, learning, and preparing—to assert a bolder and more public posture.¹⁴ While China had begun to promote its human rights agenda after Xi Jinping’s ascendancy in late 2012, the level of activity from the Chinese Mission in Geneva accelerated significantly in 2017.¹⁵ The turning point was Xi’s state visit to Switzerland in early January 2017. The grand, red-carpet occasion of his speech at the UN Office in Geneva—fittingly titled “Work Together to Build a Community of Shared Future for Mankind”—appeared to set things in motion.¹⁶ A flurry of activity followed, particularly with respect to affirmative agenda-setting.¹⁷ Renee Xia, director of the NGO Chinese Human Rights Defenders (CHRD), described China as beginning to take a more “systematic, strategic, and meticulous approach” at the HRC in 2017.¹⁸ China’s plan to expand its power and influence received an unexpected boost when the United States withdrew from the HRC in June 2018, creating a vacuum that China was well-positioned to fill.¹⁹

The post–World War II international human rights framework, anchored in the human rights provisions in the UN Charter and the foundational Universal Declaration of Human Rights, takes as its starting point that human rights are rights inherent to all human beings, who “are born free and equal in dignity and rights.”²⁰ These rights and freedoms, which have been further elaborated on in subsequent human rights instruments, include civil, political, economic, social, and cultural rights, ranging from the rights of freedom of expression and belief to the rights to work and obtain an education.²¹ All human rights are “universal, indivisible and interdependent and interrelated” and must be treated “on the same footing, and with the same emphasis.”²² In other words, there is no hierarchy of rights, nor are rights tradable for one another.²³ These long-standing principles and values have been affirmed, reaffirmed, and agreed to in many UN human rights instruments reached by consensus (including China).

China’s concept of human rights with “Chinese characteristics” runs counter to the existing normative framework.²⁴ It prioritizes the rights to development and subsistence over all other rights and implies that development is a precondition for rights. The party-state’s concept is

¹⁴ Author’s interview with Renee Xia, March 12, 2020; and author’s interview with Sophie Richardson, March 21, 2020. See also Sarah M. Brooks, “Feeling for Stones: How China Found Its Footing at the UN’s Human Rights Council,” in *Shifting Power and Human Rights Diplomacy: China*, ed. David Ismail, Karen van der Schaaf, and Stijn Deklerck (Amsterdam: Amnesty International Netherlands, 2020), 49–52.

¹⁵ Titus C. Chen, “A Flamboyant Mandarin in a Declining Liberal Order: China’s Revisionist Agenda in Global Human Rights Institutions,” June 12, 2019, 4, 10, 14, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3403037; and Inboden, *China and the International Human Rights Regime*.

¹⁶ Author’s interview with Renee Xia; and Andréa Worden, “China Pushes ‘Human Rights with Chinese Characteristics’ at the UN,” *China Change*, October 9, 2017, <https://chinachange.org/2017/10/09/china-pushes-human-rights-with-chinese-characteristics-at-the-un>. See also Inboden, *China and the International Human Rights Regime*.

¹⁷ Author’s interview with Renee Xia.

¹⁸ *Ibid.*

¹⁹ Carol Morello, “U.S. Withdraws from UN Human Rights Council over Perceived Bias against Israel,” *Washington Post*, June 19, 2018, https://www.washingtonpost.com/world/national-security/us-expected-to-back-away-from-un-human-rights-council/2018/06/19/a49c2d0c-733c-11e8-b4b7-308400242c2e_story.html; and Kenneth Roth, “How China Threatens Human Rights Worldwide,” *New York Review of Books*, January 14, 2020.

²⁰ Universal Declaration of Human Rights, art. 1.

²¹ United Nations, Human Rights Law, <https://www.un.org/en/sections/universal-declaration/human-rights-law/index.html>.

²² Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights, June 25, 1993, par. 5.

²³ António Guterres “The Highest Aspiration: A Call to Action for Human Rights” (remarks to the UN Human Rights Council, Geneva, February 24, 2020), <https://www.un.org/sg/en/content/sg/speeches/2020-02-24/human-rights-council-remarks-the-highest-aspiration>.

²⁴ Worden, “China Pushes ‘Human Rights with Chinese Characteristics.’”

relativist: each country should choose its own human rights development path based on its unique history, culture, and economic and political conditions, as China has done. China thus prioritizes sovereignty over rights and rejects the fundamental principle that human rights are universal.²⁵ It is important to note that with respect to the right to development and economic-related rights, the performance of the Chinese government, and more critically the Chinese people, has been remarkable in many dimensions. The most striking example, of course, is that more than 700 million people in China have emerged from poverty over the past three decades.²⁶

With the party-state frequently trumpeting the success of its human rights development path in Geneva and at home, it appears to be seeking more control, and respect, at the HRC. Tom Zwart signaled this development in an op-ed for the *China Daily* in late 2017. He wrote that “increasingly, delegations from other UN member states are looking toward the Chinese Mission in Geneva for guidance, coordination and leadership.”²⁷ In the view of Sophie Richardson, Human Rights Watch’s China director, “China’s goal is to make the Human Rights Council look and act like an international version of the National People’s Congress—a political environment in which it is acceptable if there are a couple of symbolic dissenting votes, but all told, it’s China’s show and all countries will vote with it.”²⁸

China’s Opposition to the Creation of the HRC: A Sign of Things to Come

Human Rights Council. The HRC was established in 2006 to replace the ineffective and widely discredited UN Commission on Human Rights.²⁹ The Commission on Human Rights counted some of the worst human rights-abusing countries among its membership, and consequently, due to “power politics” and other factors, proved unable to address the world’s most pressing human rights problems.³⁰ China and the Like-Minded Group (LMG)—a mainly non-Western, cross-regional group of approximately 50 illiberal states—argued that mostly developing countries and non-Western countries were selectively singled out for scrutiny.³¹

After the Tiananmen Massacre in 1989, liberal democracies made a sustained push in the UN Commission on Human Rights to censure China with a country-specific resolution. China successfully defeated these efforts by using many of the same bullying tactics it uses today to avoid criticism and punish its critics, such as economic threats, intimidation, and reprisals.³² At the

²⁵ See, for example, “Document 9: A ChinaFile Translation”; Kinzelbach, “Will China’s Rise Lead to a New Normative Order?”; and Andréa Worden, “The 2019 South-South Human Rights Forum: China Gathers Steam in Its Bid to Redefine the Concept of Human Rights,” *China Change*, February 19, 2020, <https://chinachange.org/2020/02/19/the-2019-south-south-human-rights-forum-china-gathers-steam-in-its-bid-to-redefine-the-concept-of-human-rights>.

²⁶ UN General Assembly, Human Rights Council, “Report of the Working Group on the Universal Periodic Review—China,” A/HRC/40/6, December 26, 2018, par. 10, <https://www.ohchr.org/EN/HRBodies/UPR/Pages/CNindex.aspx>.

²⁷ Tom Zwart, “A New Era for Human Rights across the World,” *China Daily*, November 15, 2017, https://www.chinadaily.com.cn/opinion/2017-11/15/content_34550323.htm.

²⁸ Author’s interview with Sophie Richardson, April 16, 2020.

²⁹ See, for example, Luisa Blanchfield, “The United Nations Human Rights Council: Background and Policy Issues,” Congressional Research Service, CRS Report for Congress, RL 33608, April 20, 2020, <https://fas.org/sqp/crs/row/RL33608.pdf>; and Ted Piccone, “Ten Years Later: The Status of the UN Human Rights Council,” testimony before the Tom Lantos Human Rights Commission, Washington, D.C., May 17, 2016, <https://www.brookings.edu/testimonies/ten-years-later-the-status-of-the-u-n-human-rights-council>.

³⁰ Blanchfield, “United Nations Human Rights Council”; and Piccone, “Ten Years Later.”

³¹ Rana Siu Inboden, “Authoritarian States: Blocking Civil Society Participation in the United Nations,” Robert Strauss Center, February 2019, 1–7; and Amr Essam, “The Like Minded Group (LMG) Speaking Truth to Power,” Universal Rights Group, May 10, 2016, <https://www.universal-rights.org/blog/like-minded-group-lmg-speaking-truth-power>.

³² See, for example, Marina Svensson, “The Chinese Strategy on Human Rights: Co-option, Dialogue and Repression,” in *Political Development and Human Rights in China: Report from Five Seminars at the Danish Centre for Human Rights*, ed. Hatla Thelle (Copenhagen: Danish Centre for Human Rights, 1998), 53, 57; and Ann Kent, *China, the United Nations, and Human Rights: The Limits of Compliance* (Philadelphia: University of Pennsylvania Press, 1999), chap. 2.

same time, China cooperated with the UN Commission on Human Rights in other aspects, for example, by ratifying human rights treaties and contributing to the development of new standards in the economic and social rights sphere.³³

China opposed the creation of a new human rights body (which would eventually become the HRC) that would have a higher status and greater weight than the Commission on Human Rights. After failing to block that effort, Beijing focused on trying to weaken the new body and its ability to scrutinize the human rights records of member states—for example, by advocating for an end to country-specific resolutions.³⁴ Although China failed in this effort as well, it would find other ways to undermine the mandate of the HRC.

The HRC is “responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all,” and it “should address situations of violations of human rights, including gross and systematic violations, and make recommendations thereon.”³⁵ Composed of 47 member states that are nominated by regional groups and elected by the General Assembly to three-year terms, the HRC, including its various mechanisms and special procedures, is for many individuals around the world the only place where they can seek accountability and redress for human rights violations.³⁶ Human Rights Watch’s Geneva director, John Fisher, observed that “if there were no Human Rights Council, then we would be operating in a climate of almost complete impunity, where abusive governments could commit violations with nobody to hold them to account on the world stage.”³⁷ Yet, as with the Commission on Human Rights that preceded it, many of the worst rights-violating states are members of the Human Rights Council, including China. With the exception of a mandatory one-year hiatus after serving two consecutive three-year terms, China has served continuously since 2006.³⁸

A significant innovation of the HRC, the Universal Periodic Review (UPR) was aimed at addressing the criticisms of selectivity and politicization in the Commission on Human Rights.³⁹ The UPR mechanism requires that each UN member state, without exception, undergo a state-led “peer review”⁴⁰ of its human rights record once every five years.⁴¹ China had its third-cycle review in November 2018—a well-resourced display of power, praise, and complete mastery of the UPR procedures. Renee Xia of CHRD observed that it was “political theater” on a scale that no other country could match, and official Chinese media was on hand to report on China’s success. What was supposed to address the politicization of the former Commission on Human Rights has

³³ State Council Information Office of the People’s Republic of China (PRC), *The Right to Development: China’s Philosophy, Practice, and Contribution* (Beijing, December 2016), <http://www.scio.gov.cn/zfbps/32832/Document/1534707/1534707.htm>.

³⁴ Ted Piccone, “China’s Long Game on Human Rights at the UN,” Brookings Institution, September 2018, 3.

³⁵ UN General Assembly, “Human Rights Council,” Resolution 60/251, adopted March 15, 2006, par. 2, 3.

³⁶ Seats are apportioned based on the United Nations’ regional groups for equitable geographic distribution. African states have thirteen seats; Asia-Pacific states, thirteen seats; Latin America and Caribbean states, eight seats; Western European and other states, seven seats; and Eastern European states, six seats. Office of the UN High Commissioner for Human Rights (OHCHR), “Membership of the Human Rights Council,” <https://www.ohchr.org/EN/hrbodies/hrc/pages/membership.aspx>.

³⁷ Imogen Foulkes, “How the Human Rights Council Works,” SWI, Inside Geneva, podcast, October 6, 2019 (John Fisher, @ 23:25), https://www.swissinfo.ch/eng/podcast_inside-geneva--the-value-of-the-un-human-rights-council/45270712.

³⁸ Morello, “U.S. Withdraws from HRC.” China is currently on a one-year hiatus and is standing for election for the 2021–23 term of the HRC.

³⁹ United Nations, “Human Rights,” <https://www.un.org/en/sections/issues-depth/human-rights>.

⁴⁰ Felice Gaer, “The UN Human Rights Council’s Review of China’s Record: Process and Challenges,” Congressional-Executive Commission on China, January 16, 2009, 3.

⁴¹ OHCHR, “Cycles of the UPR,” <https://www.ohchr.org/EN/HRBodies/UPR/Pages/CyclesUPR.aspx>.

devolved into another venue for “power politics” and displays of discourse power, at least in the case of China and other major countries.⁴²

Special procedures. The special procedures of the Human Rights Council, a mechanism referred to as its “eyes and ears,” are independent human rights experts who are at the forefront of the promotion and defense of rights. There are currently 56 special procedure mandates (44 thematic and 12 country-specific), whose titles include “special rapporteur,” “independent expert,” and “working group.” The mandate holders are generally the first stop for human rights defenders and civil society groups seeking attention and redress for human rights violations.⁴³ China and other members of the LMG exert substantial pressure in order to seek greater control over these experts. The special procedures also frequently issue statements, often jointly, depending on the rights involved.⁴⁴

China and the LMG have argued for restrictive interpretations of the terms of the special procedures’ mandates and their code of conduct and have threatened and intimidated mandate holders.⁴⁵ The mandate on the situation of human rights defenders, in particular, is watched carefully by China and other LMG members, which have tried occasionally—thus far unsuccessfully—to block its renewal.⁴⁶ In the CCP’s view, both now and in a future envisioned world, the independence of the special procedures, and the concomitant challenge they represent to the CCP’s one-party rule, is unacceptable. The Chinese government is more amenable to those special procedures focusing on economic, social, and cultural rights, which it believes will tell “good China stories.” The two most recent mandate holders to visit China were those responsible for extreme poverty and human rights (in 2016) and the enjoyment of all human rights by older persons (in 2019).⁴⁷ Pending requests by many civil and political rights mandate holders to visit China, however, have been disregarded or mired in drawn-out negotiations for years.⁴⁸

In an effort to expand its institutional power, China has diligently worked for many years to position a PRC national to be appointed to the special procedures. In March 2020, China succeeded. Li Yuefen, an expert on South-South cooperation and development finance, is now the

⁴² Andréa Worden, “China Deals Another Blow to the International Human Rights Framework at Its Universal Periodic Review,” *China Change*, November 25, 2018, <https://chinachange.org/2018/11/25/china-deals-another-blow-to-the-international-human-rights-framework-at-its-universal-periodic-review>.

⁴³ OHCHR, “Special Procedures,” <https://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>; and OHCHR, “Briefing Note.”

⁴⁴ For one among many examples of joint statements from relevant special procedures experts on the Uyghur human rights crisis, see OHCHR, “China Urged to Disclose Location of Uyghur Academic Tashpolat Tiyp,” December 26, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25454&LangID=E>.

⁴⁵ Inboden, “Authoritarian States,” 4, 6; “Engaging China on Human Rights: The UN Labyrinth: HRIC Interview with Felice Gaer,” *Human Rights in China/China Rights Forum*, October 29, 2010, <https://www.hrichina.org/en/content/3261>; Sceats and Breslin, “China and the International Human Rights System,” 21; Human Rights Watch, “Keeping the Momentum: A Year in the Life of the UN Human Rights Council,” September 22, 2011, 38–39; Human Rights Watch, *Costs of International Advocacy: China’s Interference in United Nations Human Rights Mechanisms* (New York: Human Rights Watch, 2017), 9–10, 60–72; “Special Procedures Under Attack at UN General Assembly,” *International Service for Human Rights (ISHR)*, November 1, 2013, <https://www.ishr.ch/news/special-procedures-under-attack-un-general-assembly>; Brooks, “Feeling for Stones,” 55, 57; and author’s interviews with Renee Xia and Sophie Richardson.

⁴⁶ Andréa Worden, “As the UN Declaration on Human Rights Defenders Turns 20, China Wages a Multi-Pronged Attack on Rights Defenders,” *China Change*, March 14, 2018, <https://chinachange.org/2018/03/14/as-the-un-declaration-on-human-rights-defenders-turns-20-china-wages-a-multi-pronged-attack-on-rights-defenders>.

⁴⁷ Philip Alston, “End-of-Mission Statement on China,” OHCHR, August 23, 2016, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=20402&LangID=E>; and “End of Mission Statement by the United Nations Independent Expert on the Enjoyment of All Human Rights by Older Persons,” OHCHR, December 3, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25398&LangID=E>. For a discussion of the challenges Alston encountered in connection with his China mission and report, see Human Rights Watch, *Costs of International Advocacy*, 67–69.

⁴⁸ Human Rights Watch, *Costs of International Advocacy*, 61–62; and OHCHR, China webpage, <https://www.ohchr.org/EN/Countries/AsiaRegion/Pages/CNIndex.aspx>.

independent expert on foreign debt and its effects on human rights.⁴⁹ Because China seeks more control over the mechanisms and personnel in the human rights system, it follows that Beijing will likely step up its lobbying efforts to secure more appointments, building on new momentum and insights into the process. The PRC's efforts will be aided by another first: on April 1, 2020, a minister with the Chinese mission was appointed to the five-member HRC Consultative Group, a body that plays a critical gate-keeping function over the vetting and selection of special procedure mandate holders.⁵⁰ China is thus expanding its institutional power at the HRC at a rapid pace and will continue to do so in the absence of an effective coalition of rights-respecting governments able to mount a challenge.

The UN High Commissioner for Human Rights and the Office of the High Commissioner for Human Rights (OHCHR). The high commissioner for human rights is the UN's top human rights official. The position has been described as “a conscience for the world,” and its independence is critically important.⁵¹ China expressed “considerable opposition” to the creation of this position in 1993,⁵² and the Chinese mission expends a great deal of time and energy attempting to control and shape the statements and actions of the High Commissioner and the OHCHR staff with respect to any issue that might relate to China's interests.⁵³ Pressure and intimidation from major powers, including China, contributed to the decision by outspoken former high commissioner Zeid Ra'ad Al Hussein to step down in 2018 after serving only one term in the position.⁵⁴

The OHCHR is overworked, underfunded, and reportedly “overwhelmed.”⁵⁵ It is unclear how many PRC nationals work at the office, but staff appear to be assisting China behind the scenes.⁵⁶ Examples include unexplained and unauthorized language changes in China-related documents approved for release, and the absence of information from certain “sensitive” NGOs in key documentation for China's 2018 UPR.⁵⁷ China, together with the LMG, has consistently advocated for improved “equitable geographical representation” in the staff at the OHCHR, and so more PRC nationals should be expected to join their ranks.⁵⁸

In these examples of China expanding its institutional power by interacting with the OHCHR, the UPR mechanism, and special procedures, its aims become clear. China welcomes—and

⁴⁹ “Appointments to Be Made at the 43rd Session of the Human Rights Council (24 February–20 March 2020),” OHCHR, <https://www.ohchr.org/EN/HRBodies/HRC/SP/Pages/HRC43.aspx>.

⁵⁰ “Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference on April 13, 2020,” Ministry of Foreign Affairs (PRC), April 13, 2020, https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1769241.shtml.

⁵¹ Felice D. Gaer and Christen L. Broeker, eds., *The United Nations High Commissioner for Human Rights: Conscience for the World* (Leiden: Martinus Nijhoff, 2013), 73.

⁵² *Ibid.*, 4.

⁵³ Per the OHCHR website, there are approximately 1,300 people on staff, <https://www.ohchr.org/EN/AboutUs/Pages/WhoWeAre.aspx>. See also ISHR, “UN Sec-Gen: New High Commissioner Should Be Strong, Capable, Independent and Deeply Committed to Human Rights,” March 28, 2018, <https://www.ishr.ch/news/un-sec-gen-new-high-commissioner-should-be-strong-capable-independent-and-deeply-committed>; Human Rights Watch, *Costs of International Advocacy*, 60–75; author's interview with Renee Xia; and author's interview, March 24, 2020.

⁵⁴ Somini Sengupta and Nick Cumming-Bruce, “Zeid Ra'ad al-Hussein, Top Human Rights Official, Won't Seek a Second Term,” *New York Times*, December 20, 2017, <https://www.nytimes.com/2017/12/20/world/un-human-rights-al-hussein.html>; and Zeid Ra'ad Al Hussein, “I Will Not Stay Silent. Our Leaders Are Failing Human Rights,” *New York Times*, May 6, 2019, <https://www.nytimes.com/2019/05/06/opinion/united-nations-human-rights.html>

⁵⁵ Author's interview with Renee Xia; and author's interview, March 24, 2020.

⁵⁶ *Ibid.*

⁵⁷ Author's interview with Renee Xia; author's interview, March 24, 2020; and “Civil Society Deeply Concerned by Removal of Key Stakeholder Information by the UN Office of High Commissioner for Human Rights for Upcoming UPR,” ISHR, Joint Press Statement, November 5, 2018, https://www.ishr.ch/sites/default/files/article/files/joint_press_statement_ohchr_-_china_upr.pdf.

⁵⁸ “China Speaks on Behalf of Like-minded Countries in Calling for the High Commissioner for Human Rights to Heed the Voice of Developing Countries and Advance Human Rights Governance in a Balanced Way,” Permanent Mission of the PRC to the UN Office, February 27, 2020, <http://www.china-un.ch/eng/hom/t1750600.htm>.

creates—opportunities for governments and UN officials to express their praise and gratitude, which bolsters the party-state’s standing both internationally and domestically. At the same time, China adopts a range of tactics to curtail the independence of personnel and positions mandated to monitor and investigate human rights violations, thereby weakening them in the process. To secure the outcomes it seeks, China engages in, among other tactics, harassment, intimidation, and inducements, including all-expense-paid trips to China.⁵⁹ Its goal is to ensure that there is only one unchallenged voice with respect to the party-state’s human rights policies and practices.

The Chinese government’s imposition in July 2020 of a new national security law on Hong Kong, which criminalizes peaceful dissent and purports to have global application, may further constrict the space for monitoring and criticism of China at the HRC. As China rallied praise from 53 other countries at the United Nations for the new law (over 80% of which have BRI ties) and attacked UN independent experts and governments that criticized the law,⁶⁰ the party-state has again demonstrated that its “community of shared future for humankind”—supposedly based on ideas such as “dialogue and consultation, win-win cooperation, exchanges and mutual learning”—will not tolerate any challenge to China’s policies and practices.⁶¹

Building a Human Rights Council with No Criticism and No Accountability

Since China first began engaging with the former Commission on Human Rights in the late 1970s, and particularly after the Tiananmen Massacre in 1989, the government has sought to avoid scrutiny and criticism and punish its critics.⁶² Concerned about reputational damage and questions about its legitimacy after Tiananmen, the CCP used many of the same tactics it employs now to prevent and censor dissent at home and globally. These tactics are based on fear and intimidation, as well as economic inducements (i.e., a system of “rewards and punishments”).⁶³ With China’s growing economic and political power—and involvement in every aspect of the international order—the issues have expanded in scope, and the party-state’s methods have become increasingly aggressive.⁶⁴

China is focused first and foremost on preventing critical speech. When that fails, the government attempts to disrupt, discredit, and punish the speaker and/or their organization or country.⁶⁵ China has effectively created a culture of fear in Geneva in which states, NGOs, UN officials, and experts must choose their battles carefully.⁶⁶ It is a culture in which, for example, senior officials in the OHCHR hesitate to meet with Chinese human rights defenders—who travel

⁵⁹ Author’s interview with Renee Xia; and author’s interview, March 24, 2020.

⁶⁰ Dave Lawler, “The 53 Countries Supporting China’s Crackdown on Hong Kong,” *Axios*, July 3, 2020, <https://www.axios.com/countries-supporting-china-hong-kong-law-0ec9bc6c-3aeb-4af0-8031-aa0f01a46a7c.html>.

⁶¹ “‘Build a Community of Shared Future for Human Beings,’ Written into United Nations Human Rights Council Resolutions for the First Time,” Chinese Mission to the UN Office at Geneva, March 24, 2017, https://www.fmprc.gov.cn/mfa_eng/wjb_663304/zwjg_665342/zwbdt_665378/t1448594.shtml.

⁶² Inboden, *China and the International Human Rights Regime*.

⁶³ Sceats and Breslin, “China and the International Human Rights System,” 5.

⁶⁴ Author’s interview with Renee Xia.

⁶⁵ See Inboden, “Authoritarian States,” 8.

⁶⁶ Author’s interview with Renee Xia.

to Geneva at great risk—for fear of angering China.⁶⁷ The Chinese government’s punishment of the National Basketball Association for a single tweet in support of freedom for Hong Kong by the Houston Rockets general manager exemplifies Chinese tactics.⁶⁸ In China’s preferred new world order, the tweet would never have appeared in the first place: governments, businesses, and the citizenry would know how to behave for the greater good and harmony of the “community of shared future.”

In addition to the threats and intimidation targeting the High Commissioner, OHCHR, and special procedure mandate holders discussed earlier, the following examples illustrate other tactics that China uses to silence criticism and avoid scrutiny at the HRC.⁶⁹

Blocking (and criminalizing) travel to Geneva. The party-state spares no effort to keep activists from traveling to Geneva to share their experiences and information with the UN human rights mechanisms.⁷⁰ Stopping the truth before it is uttered is an efficient tactic for China. A famous example is the tragedy of human rights defender Cao Shunli. In 2013, Cao died at the hands of the Chinese government after she was stopped and detained at the Beijing International Airport en route to Geneva for China’s second-cycle UPR.⁷¹

Using procedural tactics and harassment to silence civil society voices. Chinese diplomats at the HRC make ample use of procedural tactics such as “points of order” to interrupt civil society speakers whose oral statements the party-state views as critical of the Chinese government. Tibetan, Uighur, and Hong Kong voices are particularly targeted.⁷² The PRC is also more actively using “rights of reply,” which give Chinese diplomats more speaking time and enable them to appear more professional.⁷³ In addition, Chinese officials have engaged in intimidation and harassment on UN premises, improperly photographing, filming, and following Chinese activists⁷⁴ and even preventing them from entering UN buildings.⁷⁵

Threatening international NGOs. The Chinese government has also threatened international NGOs that facilitate efforts by Chinese activists to participate in the UN human rights mechanisms.

⁶⁷ Author’s interview with Renee Xia; author’s interview with Sarah Brooks, March 25, 2020; and Human Rights Watch, *Costs of International Advocacy*, 60, 72–75.

⁶⁸ Jordan Greer, “The Daryl Morey Controversy, Explained,” *Sporting News*, October 23, 2019, <https://www.sportingnews.com/us/nba/news/daryl-morey-tweet-controversy-nba-china-explained/togzszxh37fi1mpw177p9bqwi>.

⁶⁹ Due to space constraints, I have not addressed China’s tactics with respect to another key human rights mechanism, the UN treaty bodies, which, although distinct from the Human Rights Council, receive support from the OHCHR. Some members of the treaty body committees, who all serve as independent experts, have also faced pressure, harassment, and inappropriate inducements from China in an effort to influence reviews. See, for example, Human Rights Watch, *Costs of International Advocacy*, 42–46; and “Engaging China on Human Rights.” For general information on the treaty bodies, see <https://www.ohchr.org/EN/HRBodies/Pages/Overview.aspx>.

⁷⁰ See, for example, Human Rights Watch, *Costs of International Advocacy*, 14–16; and “Chinese Authorities Block Two Activists from Attending Training on Human Rights Mechanisms, Disappear One,” Chinese Human Rights Defenders, September 17, 2013, <https://www.nchrd.org/2013/09/chinese-authorities-block-two-activists-from-attending-training-on-un-human-rights-mechanisms-disappear-one>.

⁷¹ See “Cao Shunli,” Chinese Human Rights Defenders, March 1, 2019, <https://www.nchrd.org/2019/03/cao-shunli>; Eva Pils, *Human Rights in China: A Social Practice in the Shadows of Authoritarianism* (Cambridge: Polity Press, 2018), 50–51; and “China: UN Experts Renew Calls for Probe into Death of Cao Shunli,” OHCHR, March 14, 2019, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24331>.

⁷² Sarah M. Brooks, “China: Increasing Engagement with the Human Rights Council Must Be Matched with Respect for Civil Society at Home,” ISHR, July 28, 2015, <https://www.ishr.ch/news/china-increasing-engagement-human-rights-council-must-be-matched-respect-civil-society-home>; and Human Rights Watch, “Keeping the Momentum,” 37.

⁷³ Brooks, “Feeling for Stones,” 57; and author’s interview with Sarah Brooks.

⁷⁴ Human Rights Watch, *Costs of International Advocacy*, 17–21; Sui-Lee Wee and Stephanie Nebehay, “At UN, China Uses Intimidation Tactics to Silence Its Critics,” Reuters, October 6, 2015; and Unrepresented Diplomats Project, “Compromised Space: Bullying and Blocking at the UN Human Rights Mechanisms,” March 2019, 13, 24.

⁷⁵ Andréa Worden, “China Fails in Its Gambit to Use the UN NGO Committee to Silence the Society for Threatened Peoples and Uyghur Activist Dolkun Isa,” China Change, July 10, 2018, <https://chinachange.org/2018/07/10/china-fails-in-its-gambit-to-use-the-un-ngo-committee-to-silence-the-society-for-threatened-peoples-and-uyghur-activist-dolkun-isa>; and “UNPO Vice President Prevented for Second Year in a Row from Participating in UN Indigenous Forum,” Unrepresented Nations and Peoples Organization (UNPO), Press Release, April 17, 2018, <https://unpo.org/article/20750>.

An official UN report on reprisals noted that CHRD “faced serious intimidation and harassment for sharing information” with the United Nations and “conducting trainings for China-based human rights defenders seeking to cooperate with the United Nations.”⁷⁶ Staff from the organization received “repeated anonymous emails in Chinese” during the first half of 2018 threatening “‘severe consequences’...including physical assault and abduction at airports and forcible return to China” if the organization proceeded with its planned trainings.⁷⁷

Weaponizing the UN Committee on NGOs. China and the LMG have used their membership on the UN Committee on NGOs to prevent speech that would reveal inconvenient truths by blocking certain NGOs from obtaining consultative status with the Economic and Social Council—an accreditation that expands the opportunities for civil society organizations to engage with UN mechanisms.⁷⁸ In 2018, China sought to have the Committee on NGOs withdraw the consultative status from an accredited NGO that facilitated the participation of a prominent Uighur human rights activist in a UN forum.⁷⁹ The effort was unsuccessful, but the Chinese delegate issued a public warning that the mission would be “closely following” the NGO’s activities.⁸⁰ Other NGOs were effectively put on notice.

Using intimidation and reprisals against governments. While China mobilizes its friends and partners for praise and support through diplomacy and economic statecraft,⁸¹ it also threatens and punishes critical governments. For example, in 2016 the Chinese party-state threatened governments in connection with a twelve-country joint statement criticizing China’s human rights situation.⁸² In March 2019, China sent a threatening letter to all missions in Geneva, warning them, “in the interest of our bilateral relations and continued multilateral cooperation...not to co-sponsor, participate in or be present at” a side event on the Uighur human rights crisis organized by the United States and several other Western countries.⁸³

While the Chinese government busily tries to prevent or censor critical speech, it floods all possible space at UN human rights forums with its discourse and narratives so that only “good China stories” are told. Continuing to suppress criticism would be vitally important to the CCP in a China-led global order. Indeed, in that “community of shared future,” China’s story would become “the world’s story.”⁸⁴

⁷⁶ “Cooperation with the United Nations, Its Representatives and Mechanisms in the Field of Human Rights,” OHCHR, September 9, 2019, Annex 1, par. 19, <https://www.ohchr.org/EN/Issues/Reprisals/Pages/Reporting.aspx>.

⁷⁷ “Cooperation with the United Nations, Its Representatives and Mechanisms in the Field of Human Rights.”

⁷⁸ See, for example, Inboden, “Authoritarian States,” 8, 13; and Human Rights Watch, *Costs of International Advocacy*, 30.

⁷⁹ Worden, “China Fails in Gambit.”

⁸⁰ Unrepresented Diplomats Project, “Compromised Space,” 4.

⁸¹ Roth, “How China Threatens.” Roth notes as an example the “fawning statements of praise” from Cameroon shortly after China “forgave millions in debt.”

⁸² Human Rights Watch, *Costs of International Advocacy*, 79–81.

⁸³ Author’s interview with Renee Xia; and “UN: China Responds to Rights Review with Threats,” Human Rights Watch, April 1, 2019, <https://www.hrw.org/news/2019/04/01/un-china-responds-rights-review-threats>.

⁸⁴ Guo Jiping, “Zhongguo gushi, shijiede gushi” [China’s Story, the World’s Story], *People’s Daily*, April 29, 2010, cited in David Bandurski, “The Fable of the Master Storyteller,” China Media Project, September 29, 2017, <https://chinamediaproject.org/2017/09/29/the-fable-of-the-master-storyteller>.

China's Strategic Promotion of Its Human Rights Agenda

Amplifying Discourse Power

At the same time that the Chinese government has expanded efforts to shut out dissenting voices at the HRC, it has become more adept and aggressive at exploiting other spaces and openings to promote its narrative. This trend is certain to intensify over time as China involves more “government-organized NGOs” (GONGOs), human rights law professors, and supportive foreigners in its work at the HRC.⁸⁵

Occupying spaces and microphones. During China's UPR in November 2018, the party-state engaged in procedural maneuvers to flood the list of speakers with representatives from friendly countries. It also initially managed to fill the list of NGO speakers with representatives from its GONGOs.⁸⁶ Moreover, the Chinese mission organized a large number of supporters, apparently affiliated with the mission, to line up early for entry into the building in order to occupy as many seats as possible.⁸⁷

Using GONGOs and side events. Chinese GONGOs that have special consultative status (many of which have substantial ties to the CCP) have become increasingly active during the past few years, cohosting side events and delivering statements on the floor of the HRC as NGOs. The China Society for Human Rights Studies is Beijing's key partner in “faux NGO” messaging at HRC sessions. It has been strategically deployed as a purportedly independent voice to spread China's narrative on issues relating to human rights, with a recent focus on the right to development, Xinjiang, counterterrorism, and de-radicalization.⁸⁸ Other GONGOs, such as the China Foundation for Human Rights Development, have recently received accreditation and will no doubt soon be active in Geneva. These side events and other Chinese mission-created events are increasingly accompanied by large displays of images, text, and video telling China's “good human rights stories.”⁸⁹

Utilizing UN officials and documents to advance the CCP's discourse and ideas. During the past several years, particularly after BRI was announced in 2013 and the UN's 2030 Agenda for Sustainable Development was launched in 2015, the party-state has adroitly managed to have senior UN officials, including Secretary-General António Guterres, promote China's foreign policy initiatives using CCP terminology and concepts.⁹⁰ These officials, including PRC nationals, echo the CCP's framing of BRI and the UN's 2030 Agenda as “aligned,” “intrinsically linked,” and aimed at building “a community of shared future for mankind.”⁹¹ CCP concepts and phrases also appear in HRC resolutions and other documents and are now stock language in China's resolutions.⁹² In a May 2020 article, two Chinese human rights law professors wrote that the

⁸⁵ Author's interviews with Renee Xia, Sophie Richardson, and Sarah Brooks.

⁸⁶ “UN: China Responds to Rights Review with Threats”; and author's interview with Renee Xia.

⁸⁷ Author's interview with Renee Xia.

⁸⁸ Chen, “A Flamboyant Mandarin.”

⁸⁹ Author's interview with Renee Xia; author's interview, March 24, 2020; and “UN: China Responds to Rights Review with Threats.” This is not new, but reportedly these propaganda displays have recently become more aggressive and constant.

⁹⁰ Worden, “The CCP at the UN”; and Sinopsis and Jichang Lulu, “United Nations with Chinese Characteristics,” 2018, <https://chinadigitaltimes.net/2018/06/sinopsis-united-nations-with-chinese-characteristics>.

⁹¹ See, for example, António Guterres, “China-Africa Cooperation a Vibrant Partnership for Sustainable Development,” Inter Press Service, September 3, 2018, <http://www.ipsnews.net/2018/09/china-africa-cooperation-vibrant-partnership-sustainable-development>.

⁹² See, for example, UN Human Rights Council, “Promoting Mutually Beneficial Cooperation in the Field of Human Rights,” A/HRC/RES/37/23, adopted March 23, 2018.

appearance of the building of a “community of shared future for mankind” in HRC resolutions “reveals a more confident China with increasing economic and political power in the world and a stronger leadership domestically.”⁹³

Resolutions, Reports, and Home-Based Diplomacy

China’s increased discourse power and deployment of a range of tactics to control messaging at the HRC have been accompanied and enhanced by other expressions of growing institutional power. These methods include the use of “resolution diplomacy” and HRC Advisory Committee reports, which not only increase China’s discourse power but also solidify and operationalize its agenda and ideas at the HRC. China’s “home-based diplomacy” serves a similar role.⁹⁴ The results of the networks and content generated at human rights–related gatherings of representatives from the global South (and the UN) in China feed into the CCP’s strategy and concrete actions in Geneva. As mentioned earlier in the discussion of special procedures, China has succeeded recently in getting two PRC nationals appointed to competitive positions related to the special procedures mechanism.

Some elements of the party-state’s plan for gaining increased control and influence over the HRC and garnering support (ostensible or genuine) for its priorities and vision can be found in China’s resolutions and related HRC Advisory Committee reports. Whether they can be understood, however, is another story. China’s first-ever resolution in the HRC, adopted in June 2017, addressed “the contribution of development to the enjoyment of all human rights” and marked the PRC’s transition from a primarily behind-the-scenes influencer to an assertive norms-shaper and agenda-setter.⁹⁵ This resolution was followed by another in March 2018 on “mutually beneficial cooperation” in the field of human rights.⁹⁶ China tabled another resolution on “mutually beneficial cooperation” in March 2020, which was adopted by the HRC in late June 2020. The European Union called for a vote on the resolution: 23 member states voted in favor, 16 voted against the resolution, and 8 countries abstained. The Czech Republic, on behalf of the EU, stated that “mutually beneficial cooperation” was “a notion which lacks common understanding and recognition, and most importantly, misses the point that the cooperation at the Council should first and foremost aim at respecting, protecting, and fulfilling human rights.”⁹⁷ In March 2018, only the United States (which subsequently withdrew from the HRC in June 2018) voted against China’s “mutually beneficial cooperation” resolution.

A September 2019 China-backed resolution on the right to development created a seemingly redundant development-related mechanism in the HRC, the Expert Mechanism on the Right to Development. The increase in mechanisms and procedures focused on the right to development and multilateral “cooperation” signals China’s growing institutional power and a multifaceted “occupy

⁹³ Sun Meng and Liu Haina, “China and the Special Procedures of the UN Human Rights Council: Is China Cooperative and Can They Work Better with Each Other?” *Human Rights Quarterly* 42, no. 2 (2020): 365.

⁹⁴ Rolland, “China’s Vision for a New World Order,” 47.

⁹⁵ UN Human Rights Council, “The Contribution of Development to the Enjoyment of all Human Rights,” A/HRC/RES/35/21, adopted June 22, 2017, https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/35/21

⁹⁶ Andréa Worden, “With Its Latest Human Rights Resolution, China Continues Its Assault on the UN Human Rights Framework,” *China Change*, April 9, 2018, <https://chinachange.org/2018/04/09/with-its-latest-human-rights-council-resolution-china-continues-its-assault-on-the-un-human-rights-framework>; and Brooks, “Feeling for Stones,” 52–53.

⁹⁷ Petr Gajdusek, @13.25, available at <http://webtv.un.org/search/ahrc43l31rev.1-vote-item3-45th-meeting-43rd-regular-session-human-rights-council/6166308805001/?term=&lan=english&cat=Meetings%2FEvents&page=3>.

and flood” strategy.⁹⁸ Taken together, these resolutions aim to undermine the existing international human rights system by writing individuals as rightsholders out of the picture. The resolutions and reports point to a world in which there will be no international protection or promotion of individuals’ human rights, nor any redress of grievances. Governments will be able to act with impunity. “Rights” will become a matter of economic diplomacy, development, technical assistance, and sharing of best practices between states, which will be handled through mutual respect, dialogue, noninterference, and mutually beneficial cooperation, to use the CCP’s terminology.

In its first two resolutions, China requested that the HRC Advisory Committee conduct studies related to the themes of the resolutions. Both studies were chaired by the PRC member, Liu Xinsheng, and each contained specific proposals that would further embed China’s human rights agenda into the work of the HRC.⁹⁹ The first HRC Advisory Committee report drew heavily on papers from “official” academics and were apparently written in conjunction with the first South-South Human Rights Forum—an example of home-based diplomacy held in Beijing in December 2017.¹⁰⁰ The Russian representative on the HRC Advisory Committee, Michael Lebedev, served as the rapporteur of the first report and was among the foreign guests at the forum. The special rapporteur on the right to development, a recently created position to which China donated \$100,000, was also present and delivered a speech at the opening ceremony.¹⁰¹

Winning Friends and Influencing Countries

China is using its economic and geopolitical weight in UN groupings, regional coalitions, and other constellations (e.g., BRI partners) to further its leadership goal in global human rights governance and more. In addition to the LMG, China’s participation and influence in the BRICS (Brazil, Russia, India, China, and South Africa), Association of Southeast Asian Nations+3 (ASEAN+3), and Shanghai Cooperation Organisation (SCO), among other groups, are reflected in its increasingly dominant position on the HRC.¹⁰² For example, in 2019 the PRC mobilized BRI and SCO partners to sign onto statements in Geneva and New York praising its counterterrorism and deradicalization measures in Xinjiang.¹⁰³ China was easily able to secure more signatures than the predominantly European countries could muster for their statements criticizing China’s policies in Xinjiang.¹⁰⁴

In presenting itself as a developing country that speaks on behalf of the interests of the global South and can deliver whatever is needed (from development assistance to security), China is able—through inducements or threats or a combination both—to marshal votes and support from the large global South groupings, such as the Group of 77+ China (135 states) and the Non-Aligned Movement (120 states), and through the South-South cooperation framework. Indeed, China’s

⁹⁸ Author’s interview with Renee Xia; and author’s interview, March 24, 2020.

⁹⁹ The HRC Advisory Committee reports are “Contribution of Development to the Enjoyment of Human Rights,” A/HRC/50, May 7, 2019; and “Role of Technical Assistance and Capacity-Building in Fostering Mutually Beneficial Cooperation in Promoting and Protecting Human Rights,” A/HRC/43/31, January 17, 2020.

¹⁰⁰ Andréa Worden, “HRC Advisory Committee: A New Tool in China’s Anti-Human Rights Strategy,” *Sinopsis*, August 6, 2019.

¹⁰¹ Worden, “China Deals Another Blow”; and State Council Information Office (PRC), “South-South Human Rights Forum Opens in Beijing,” December 8, 2017, <http://www.scio.gov.cn/32618/Document/1613029/1613029.htm>.

¹⁰² “Backgrounder: ASEAN Plus China, Japan, S. Korea Cooperation Mechanism (10+3),” *Xinhua*, November 2, 2019, http://www.xinhuanet.com/english/2019-11/02/c_138522521.htm; Brooks, “Feeling for Stones,” 49–52; and author’s interview, March 24, 2020.

¹⁰³ Liu Xin and Xie Wenting, “54 Countries Renew Support for China’s Xinjiang Policy,” *Global Times*, October 31, 2019, <https://www.globaltimes.cn/content/1168522.shtml>.

¹⁰⁴ Nick Cumming-Bruce, “China Rebuked by 22 Nations Over Xinjiang Repression,” *New York Times*, July 10, 2018, <https://www.nytimes.com/2019/07/10/world/asia/china-xinjiang-rights.html>.

human rights policy, including the ultimate goal of “building a community of shared future for humanity,” was incorporated into the Beijing Declaration that was adopted by representatives from scores of countries who attended the 2017 South-South Human Rights Forum.¹⁰⁵ China is able to increase its credibility as a leader by speaking on behalf of the large numbers of countries in the Group of 77 and the Non-Aligned Movement. For example, in March 2017, just two months after Xi Jinping’s Geneva speech, then ambassador Ma Zhaoxu delivered a joint statement on behalf of 140 countries titled “Promote and Protect Human Rights, Build a Community of Shared Future for Human Beings.”¹⁰⁶ China thus has no difficulty building a coalition that outnumbers the twenty-odd democracies that are trying in varying degrees to challenge China at the HRC.

Conclusion

The Chinese party-state is succeeding in its efforts to reshape the HRC. Yet, as the EU-led challenge to China’s recent “mutually beneficial cooperation” resolution demonstrates, the game is not over. Nonetheless, through manipulation of procedures and processes, strategic use of its economic and geopolitical clout and partnerships, and aggressive deployment of threats and intimidation—and in the absence of sustained pushback from rights-respecting states—China has been able to proceed in executing its long-term strategy at the HRC. Since 2017, the CCP has moved more swiftly to secure increased institutional and discourse power to promote its agenda and to institutionalize its vision for the HRC, which also signals the CCP’s vision for the world order it seeks to create. In that world, the “Western hegemony” over the interpretation of human rights is a thing of the past, and the Chinese party-state leads through the power of its ideas and model, which many countries, particularly in the global South, happily follow. The endpoint is an undefined, but most certainly glorious and rights-free, China-led community of shared future for humankind.

In late June 2020 a group of 50 UN special procedures issued an unprecedented joint statement criticizing China’s human rights practices and calling for the HRC to hold a special session on the issues raised in the statement and to create an independent monitoring and reporting mechanism on the human rights situation in China. The independent experts also exhorted “the international community to act collectively and decisively to ensure China respects human rights and abides by its international obligations.”¹⁰⁷ UN member states should heed this call from the UN special procedures and redouble their efforts to jointly hold China to account for its human rights abuses in Xinjiang, Tibet, Hong Kong, and throughout China.

The UN experts also implicitly seek to halt China’s efforts to undermine the current international human rights system, and rights-respecting countries should work together with the UN experts and other UN bodies to buttress the human rights mandate of the HRC and the United Nations more broadly. The United States should cooperate with the HRC in addressing its domestic human rights issues and rejoin the HRC in order to reclaim ground lost to China after the United States withdrew in 2018. Ideally, it should be prepared to reassume the leadership role it once had as a champion of universal human rights at the imperfect, but critically important, HRC.

¹⁰⁵ “Full Text of Beijing Declaration Adopted by the First South-South Human Rights Forum,” Xinhua, December 8, 2017, http://www.xinhuanet.com/english/2017-12/08/c_136811775.htm; and Katrin Kinzelbach, “Will China Dare Challenge the UDHR?” *Le Monde diplomatique*, December 10, 2018, <https://mondediplo.com/outsidein/will-china-dare-challenge-the-udhr>.

¹⁰⁶ “‘Build a Community of Shared Future for Human Beings’ Written into United Nations Human Rights Council Resolutions for the First Time.”

¹⁰⁷ “UN Experts Call for Decisive Measures to Protect Fundamental Freedoms in China,” OHCHR, June 26, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26006&LangID=E>.

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China-Led Multilateralism: The Case of the 17+1 Format

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EXECUTIVE SUMMARY

This essay examines China's rationale behind setting up a nominally multilateral cooperation forum with Central and Eastern European (CEE) countries and assesses the implications for Beijing's broader strategic vision.

MAIN ARGUMENT

China's predominant rationale for originally establishing the 16+1 (since April 2019, the 17+1) was economic. Over time, however, the format has taken on political and normative aims. This modification has coincided with the shift in China's strategic vision since Xi Jinping assumed the leadership position in 2012–13. The format was created in April 2012 by the previous Chinese leadership with an economic-oriented focus. During Xi's first term, a conceptual shift occurred in Chinese foreign policy from Deng Xiaoping's approach of "keeping a low profile" (*taoguang yanghui*) toward Xi's own vision of "forging ahead" (*fenfa youwei*) with an aim to make China more visible internationally. This included the promotion and projection of Chinese norms, values, and standards, exemplified by the grandiose Belt and Road Initiative (BRI). This more ambitious foreign policy agenda, and especially BRI, had a visible impact on the 17+1 formula. Yet, despite China's copious activities to advance its economic, political, and normative goals in CEE countries, the results have been largely unsatisfactory. Nonetheless, given that China leads the format, the likelihood of it stepping away is low.

POLICY IMPLICATIONS

- Although China is trying to promote the 17+1 as a China-led multilateral forum, the format is in fact an umbrella over seventeen bilateral dialogues between China and CEE countries. This means that there is no coordination mechanism to establish common ground on selected international issues and jointly work to address them.
- China portrays the 17+1 formula as a useful political tool for projecting power (including through agenda-setting), promoting its values and norms, and safeguarding its core interests. Via the format, Beijing is trying to create a circle of political friends that are indispensable in the China-led process of reforming the global order.
- Although China's extensive attempts in offering CEE countries various enticements have produced few tangible results, the 17+1 still serves as a useful political mechanism for China that might be activated and deactivated (or toned down) when China decides to do so, depending on its current political interests.

The China and Central and Eastern European (CEE) countries cooperation format, known as the 17+1 (until April 2019, the 16+1), was established in April 2012 in Warsaw during an official visit to Poland by then Chinese prime minister Wen Jiabao. Wen participated in a political meeting and economic forum attended by representatives (mostly the heads of governments) from sixteen Central, Eastern, and Southern European countries: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Macedonia, Montenegro, Latvia, Lithuania, Poland, Romania, Serbia, Slovakia, and Slovenia. Although little is known about the preparation of the first 16+1 meeting in Warsaw, the People's Republic of China (PRC) is undoubtedly responsible for initiating the format, which later became the 17+1 when Greece joined in April 2019. A few months after the Warsaw meeting, the Chinese Ministry of Foreign Affairs (MFA) put on its website a document titled "China's Twelve Measures for Promoting Friendly Cooperation with Central and Eastern European Countries" (hereafter called the Twelve Measures).¹ Since then, the Chinese side has promoted the document as the main outcome of the Warsaw meeting and as the 16+1 format agenda. The Twelve Measures are in fact a rewritten speech given by Wen at the economic forum in Warsaw consisting of short- and medium-term economic and noneconomic pledges for the CEE countries.

The aim of this essay is to shed more light on the overall Chinese approach to setting up a multilateral-like (or multilateral with Chinese characteristics) forum through an examination of Chinese interactions with CEE countries in the 17+1 format. The thesis is that China's predominant rationale for establishing the 16+1 in 2012 was economic, while political and normative goals have increasingly been shaped by China and become noticeable over time. Yet, despite China's extensive efforts in offering the CEE partners various enticements, the tangible results for the PRC (and the CEE countries as well) have so far been largely insignificant.

The essay is divided into four main parts. The first section gives an overview of the format by discussing China's role in its inception and explaining what the format really is. The second section is devoted to an analysis of China's goals in setting up the 16+1 format, focusing on economic, political, and normative rationales. The subsequent section considers the tools that the PRC is using to achieve the goals, while the fourth section assesses the effectiveness of China's activities in CEE countries and under the 17+1 format. The essay concludes with an assessment of the possible future of the formula.

Overview of the 17+1 Format

China's Role in the Inception of the Format

The Twelve Measures is the best evidence that the format is China-led. Almost all activities presented in the document had been undertaken by China or took place in the PRC. The paper offers one set of measures for all the other sixteen original member countries without any differentiation among them in terms of development model, level of wealth, or membership in the European Union, among other factors. In other words, all countries were treated as one bloc and, to some extent, China created a new region in Europe. In fact, there is no European region that consists of the other sixteen original (or seventeen current) member countries. The format

¹ "Zhongguo guanyu cujin yu Zhongdongou guojia youhao hezuo de shier xiang jucuo" [China's Twelve Measures for Promoting Friendly Cooperation with Central and Eastern European Countries], Cooperation between China and Central and Eastern European Countries, January 26, 2015, http://www.china-ceec.org/eng/zdogjhz_1/t1410595.htm.

allows China to streamline and facilitate ties with small states that are not powers like Germany and France.² A few months later, critical voices from CEE countries started to emerge, saying that many measures were not attractive, especially for EU members, such as credit lines with requirements for sovereign guarantees. The Chinese MFA has admitted that the other countries were not consulted enough on the Twelve Measures.³

By September 2012 the process of institutionalization of the format on the Chinese side had been launched. China inaugurated the 16+1 secretariat (*mishuchu*). This is a body located within the MFA, with a responsibility to coordinate the work of other Chinese institutions and prepare annual summits.⁴ Under Chinese pressure, the other sixteen countries established national coordinators for contact with the secretariat. The PRC exerted further pressure on countries to select high-level MFA representatives as coordinators.

Since then, the EU and Western member states have expressed concerns about the process. In particular, they have raised questions about the possibility of the institutionalization of the format on the European side, given that it may undermine the EU's China policy. For the EU, the biggest problem was (and still is) the fact that five of the countries are not EU members. This may create a problem with discussions or even decisions among EU and non-EU member states and China about topics that are sole competencies of the EU (such as trade or customs issues). Why China created a platform with EU and non-EU members is still not entirely clear. The original sixteen countries are former socialist states with long-standing diplomatic ties to the PRC. Beyond that ideological reason, all the states are either new EU members or aspiring to membership in the EU. In that sense, the countries are seen by China as political friends and as having different levels of development from Western Europe, which means that they are perceived as still less developed than the "old" EU members. It seems that this is the reason that the PRC generally perceives CEE countries as developing.

In 2012 the sixteen European countries did not have a clear picture of what the 16+1 would be. When the second 16+1 summit was held in Bucharest in November 2013, it became clear that the Warsaw meeting was not an ad hoc event, but the launching ceremony of a new China-led cooperation format. The Bucharest summit differed significantly from the Warsaw meeting. The Bucharest Guidelines for Cooperation between China and Central and Eastern European Countries were adopted as a joint document and as a completely different file from the Twelve Measures. The guidelines also include references to the EU—stating, for example, that "China-CEEC cooperation is in concord with China-EU comprehensive strategic partnership" and will be conducted in accordance with EU laws and regulations.⁵ Moreover, the CEE countries were asked to revise the first draft and add their own elements. In that sense, the Bucharest Guidelines are not a purely Chinese-led document. Since the Bucharest summit, the guidelines have been the main product of the summits, adopted every year. The draft is also sent to Brussels for EU officials to screen whether the content is in line with EU regulations.

² See the discussion of normative and propaganda tools as well as Anastas Vangelis's explanation of symbolic power. Anastas Vangelis, "Global China and Symbolic Power: The Case of 16+1 Cooperation," *Journal of Contemporary China* 27, no. 113 (2018): 647–87.

³ Personal communication with Chinese MFA official, Beijing, September 2012.

⁴ "Zhongguo-Zhongdongou guojia hezuo mishuchu jianjie" [Introduction of China-Central and Eastern European Secretariat], Cooperation between China and Central and Eastern European Countries, <http://www.china-ceec.org>.

⁵ "The Bucharest Guidelines for Cooperation between China and Central and Eastern European Countries," November 27, 2013.

What the Format Really Is

Despite these developments many observers, mostly from Western European countries, have continued to see the 17+1 as a multilateral forum set up to undermine the EU's cohesiveness. China, for its part, promotes the 17+1 as a multilateral format as well. From the Chinese perspective, it should play a similar role as other China-led forums like the Community of Latin American and Caribbean States and the Forum on China-Africa Cooperation to formulate a common stance on various issues, including political ones. China's intent seems to be to develop an instrument to manage foreign relations on a regional scale and create a circle of political friends. The 17+1 format is also portrayed as a Chinese contribution to international relations and a new feature or mode of international cooperation.⁶ But the question is whether this widespread feeling—that it is a multilateral format—is real.

Multilateralism means that the members of an organization share common ground on selected international issues and are jointly working to address them. Robert Keohane argues that multilateralism is “the practice of coordinating national policies in groups of three or more states, through ad hoc arrangements or by means of institutions. Multilateral institutions, by implication, take the form of international regimes or bureaucratic organizations.”⁷ John Ruggie likewise claims that multilateralism means “coordinating relations among three or more states in accordance with certain principles” that order their relations. Multilateralism represents a “generic institutional form” and implies institutional arrangements that “define and stabilize property rights of states, manage coordination problems and resolve collaboration problems.”⁸ It is also believed that multilateral forums should be institutionalized, with a structure, program of activities, and goals to be achieved, among other elements.

The 17+1 does not appear to qualify as a multilateral forum under this definition. First of all, it is not a full-fledged institution. The format is loosely institutionalized and coordinated only by China and does not have any formal structure, personnel, or budget. The secretariat functions only on the Chinese side. Even the myriad coordination mechanisms are not institutions per se. Chinese experts openly admit that these mechanisms do not function well as they are not properly managed.⁹ What is more, the main product of the summits (the guidelines) is not a detailed action plan but in fact a box of various tools and a list of interests that are important for different countries. In practice, during negotiation with the Chinese side (physically in the Chinese MFA building in Beijing), the CEE states always endeavor to add to the document their own political slogans or own problems to be solved. It is also difficult to argue that cooperation between all members is based on the same rules and principles. It is especially challenging dealing with China, which often uses the same expressions nominally but with a different understanding.¹⁰

The next argument is that the format unequivocally is based on bilateralism. Chinese experts openly admit that the foundation of the format is bilateral relations.¹¹ This means that it is not a

⁶ Liu Zuokui, “Da bianju xia de Zhongguo-Zhongdongou guojia hezuo” [China–Central and Eastern Europe Cooperation under the Great Change of Global Order], *China International Studies*, no. 2 (2020).

⁷ Robert O. Keohane, “Multilateralism: An Agenda for Research,” *International Journal* 45, no. 4 (1990): 731–64.

⁸ John Gerard Ruggie, “Multilateralism: The Anatomy of an Institution,” *International Organization* 46, no. 3 (1992): 561–98.

⁹ Liu Zuokui, “Xila fu neng Zhongguo—Zhongdongou guojia hezuo” [Greece Energizes China–Central and Eastern European Countries Cooperation], China Social Science Network, September 5, 2019.

¹⁰ See more: Justyna Szczudlik, “Tell China's Stories Well: Implications for the Western Narrative,” Polish Institute of International Affairs (PISM), Policy Paper, September 2018.

¹¹ Huang Ping and Liu Zuokui, “The Cooperation between China and Central and Eastern European Countries (16+1): 2012–2017,” China-CEE Institute, November 2018.

format in which all members are working out joint positions on particular, mainly political, issues. Rather than being a multilateral organization that promotes a Chinese vision, the 17+1 only serves as a forum for pursuing bilateral ties. Thus, it should be perceived as comprising seventeen bilateral dialogues with China. In that sense, China's agenda-setting power (including the potential of the format to modify the international order) proves to be rather weak. Dominik Mierzejewski and Bartosz Kowalski argue that China uses the 17+1 formula mostly for building a net of bilateral strategic partnerships.¹²

The 17+1 also exhibits a China-centric character, which implies an asymmetry between the PRC and the CEE members. This asymmetry is visible when one takes into account Chinese initiatives such as drafting the Twelve Measures, setting up the secretariat, and offering drafts of guidelines. These examples show that the CEE countries are reactive partners responding to Chinese proposals rather than equal partners working out new solutions together.

The non-multilateral character of the format stems also from its flexibility, which is determined by China as well. The best example is cooperation with the Visegrád Group (V4) countries (which include Poland, the Czech Republic, Slovakia, and Hungary). A Chinese expert from the Chinese Academy of Social Sciences, Liu Zuokui, who deals extensively with CEE countries, argued in 2016 that Chinese “decision-makers take a very pragmatic view and show less eagerness to promote dialogue between China and the V4. The Visegrád Group is not well represented in the Chinese media. Chinese entrepreneurs do not regard the V4 as a useful platform for the promotion of their trade activities.”¹³ Recently, the situation has changed, mostly due to rising U.S.-China tensions and a new wave of harsh criticism of both China and the 17+1 format from the EU. As a result, Chinese experts have changed their approach, arguing that the CEE states that are participants of the 16+1 might be divided into at least three groups—the Visegrád Group, the Baltic states, and the Balkan states—with different roles for China. The Visegrád Group might be important in terms of trade and investment, the Balkan states mainly in infrastructural projects, and the Baltic states in maritime cooperation and linking Asia with Europe.¹⁴

Since the 2016 Riga summit, Chinese leaders and experts started to underscore that the format is open, suggesting the possibility of enlarging the membership or at least granting other countries an observer status. Until 2019 the format had five observers: Greece, Belarus, Austria, the EU (given that since 2013 the European Commission representative has been invited to the summits), and the European Bank for Reconstruction and Development. A few weeks before the meeting in Sofia in 2018, China suggested, without consulting with the other sixteen countries, inviting Germany and other EU members to attend the summit and to consider CEE-China-Germany cooperation.¹⁵ After the enlargement to the 17+1 in 2019, Chinese experts claim that any country interested may join the format,¹⁶ omitting the fact that all participants should agree on new members beforehand. This commitment was added to the Sofia Guidelines at the CEE countries' request after China's one-sided “invitation” to Germany and other EU members.

¹² Dominik Mierzejewski and Bartosz Kowalski, “Wielowymiarowość polityki Chińskiej Republiki Ludowej w regionie Europy Środkowo-Wschodniej” [Multidimensionality of the People's Republic of China Policy in the Region of Central and Eastern Europe], *Prace Instytutu Europy Środkowej*, no. 7 (2019): 19.

¹³ Liu Zuokui, “How the Chinese Perceive the Visegrad Group,” *Polish Quarterly of International Affairs*, no. 2 (2016).

¹⁴ Huang and Liu, “The Cooperation between China and Central and Eastern European (16+1),” 2.

¹⁵ “Wang Yi huiying Ouzhou dui ‘16+1 hezuo’ de danyou” [Wang Yi Responds to European Concerns about 16+1 Cooperation], *Xinhua*, May 31, 2018.

¹⁶ Liu, “Xila fu neng Zhongguo—Zhongdongou guojia hezuo.”

The best example of the flexibility and openness of the format is its first-ever enlargement to include Greece during the latest summit in Dubrovnik, Croatia, in April 2019. The country officially (in written form) announced its willingness to access the format before the Sofia summit in 2018. There were no enlargement procedures within the 16+1, and probably due to the vehement criticism of the format from Western EU members, the request had not proceeded in Sofia. Under rising concerns about the format voiced by the EU, Chinese authorities suggested that the summit might be postponed to the next year or even held biannually.¹⁷ The situation has since changed due to the U.S.-China trade war and China's need for support from both EU and all CEE countries. Eventually, Greece was accepted a year later, with all countries confirming the decision in the diplomatic notes.¹⁸ The following passage was added to the Dubrovnik Guidelines: "the Participants are willing to conduct consultations at National Coordinators' meetings on procedures for future enlargement."¹⁹

Finally, related to the question of China's role in the 17+1, it is worth mentioning that Chinese leaders and experts view the format as part of the Belt and Road Initiative (BRI). This is despite the fact that BRI was launched over a year after the China-CEE format. BRI should be considered as an umbrella over the 17+1, which is a more specific and targeted platform.²⁰

Chinese Goals

Economic Goals

At the very beginning, China's main goal in setting up the original 16+1 appears to have been promoting and enhancing national economic security.²¹ The format was established by the previous leadership of President Hu Jintao and Prime Minister Wen Jiabao following the global financial crisis in an attempt to accelerate the pace of reform of the PRC's outdated export-led economic model. The process of reforms, such as focusing more on boosting domestic demand and decreasing dependence on external markets, required new and diversified outlet markets to serve as "insurance." Given China's excess manufacturing capacity, during the process of reorienting its economic model toward internal consumption, it was important to secure the existing export markets and find new ones. Bearing in mind that China is the EU's second-largest source of imports, the EU market is crucial for upholding the Chinese export-led system. But economic cooperation between China and Europe was mostly focused on the western part of the EU and to some extent neglected CEE or "new" EU members. The situation changed during the global financial crisis, which seriously hit Western Europe and limited Chinese exports to this market. Central Europe, by contrast, coped quite well with the crisis. The economic problems in the western part of the EU thus paved the way for China to pay more attention to CEE countries (including those beyond the EU).

¹⁷ Noah Barkin, Robin Emmott, and Tsvetelia Tsoleva, "Exclusive: China May Pare Back 'Divisive' Eastern Europe Summits," Reuters, March 12, 2018.

¹⁸ Personal communication with Polish officials, Warsaw, May 2019.

¹⁹ "The Dubrovnik Guidelines for Cooperation between China and Central and Eastern European Countries," Xinhua, April 13, 2019.

²⁰ Zang Shumei, "'Yidai yilu' Beijing xia Zhongguo yu Zhongdongou difang hezuo yi zhong duo cengji hrzuo jizhi tanxi" [China-Central and Eastern Europe Regional Cooperation under the Belt and Road Initiative—Analyses of Multilevel Cooperation Mechanisms], *Social Sciences*, no. 1 (2020).

²¹ Jeremy Garlick, "China's Economic Diplomacy in Central and Eastern Europe: A Case of Offensive Mercantilism?" *Europe-Asia Studies* 71, no. 8 (2019): 1390–1414.

Apart from the need to develop new markets for exports of goods, China was also seeking new markets for its excess manufacturing, construction, and investment capacities. Due to saturation of the Chinese market, the authorities started looking for possibilities to use overcapacity in these sectors outside the PRC. CEE countries seemed to be a good option, taking into account the gap in infrastructural development between “old” and “new” EU member states as well as between the EU and the Balkans. Under these circumstances, the CEE countries were perceived as a prospective market, especially for Chinese overcapacities in steel and concrete.²²

When BRI was announced in 2013, the CEE countries, by default, were added to this initiative. This was clear at the second 16+1 summit in Bucharest, when Prime Minister Li Keqiang underscored investments in these countries in such infrastructural projects as railways, highways, and ports.²³ Assuming that one of the main economic goals of BRI is to improve transportation connectivity for expanding Chinese exports and investment capabilities, CEE countries are important for the PRC in two aspects. First of all, many are important transit countries through which cargo railway connections must pass to connect China with Western Europe. Access to CEE ports is similarly important for better connectivity with the whole of Europe. The second aspect is the underdevelopment of infrastructure in CEE countries, which China can upgrade using its own excess capacities, including its labor force.

Thus, China’s main goal for setting up the 16+1 was domestically oriented—to ensure stability at home by avoiding shutting down businesses and firing employees. This means that the format is, to some extent, a new tool to prevent social problems in China. Taking into account China’s inclination to cooperate with large counterparts, it created the format to deal smoothly with the small countries in the region by having all their leaders in one place once a year.

Political Goals

Whereas the economic reasons have been noticeable since the very beginning, the political and normative goals were not clear at that time and only became apparent later. It seems that the 17+1 now serves as a means to diversify China’s diplomatic portfolio and create a new circle of political friends that includes former socialist partners and countries that are not fully integrated with the West, which means not fully developed yet. The fact that those countries for years had not been seen by China as important has opened a window of opportunity for the PRC to project global strength and contribute to the reform of the global order (or governance). This goal has been especially noticeable since Xi Jinping’s term began. Given the conceptual shift in Chinese foreign policy under Xi, attracting more countries might be useful for the PRC’s interests, such as seeking support for expanding core interests (*hexin liyi*), including development of overseas interests and political initiatives at home. Cooperation with new partners may also be focused on giving credence to the PRC’s new diplomatic activities. Under this remit is the goal of promoting a positive image of China as a peaceful country offering others its copious assistance.²⁴

²² Li Keqiang (speech at the 3rd China-CEE Economic Forum, Beijing, November 26, 2013).

²³ Ibid.

²⁴ This goal corresponds with the normative goals discussed in the next subsection.

The 17+1 is also used to highlight China's agenda-setting power, replacing the old-fashioned image of the country as a norm-follower only. This idea was mentioned for the first time by Xi in 2014 during the Chinese Communist Party Politburo meeting.²⁵

Apart from the aforementioned political goals, which are general and primarily serve as a projection of active diplomacy, China is pursuing at least two more specific aims. The first one could be depicted as an anti-Western approach. In this vein, it is worth analyzing the PRC's diplomatic tradition of cooperation with developing countries. As Bartosz Kowalski argues, "since at least the 1950s, active participation and promotion of South-South cooperation has become an important component of China's foreign relations." In that sense, China is trying to portray itself as a spokesperson of the weak and then, together with these less developed states, to reform the international system created and dominated by Western countries. This is a legacy of the Bandung Conference, and the best example in practice nowadays is the China-led Forum on China-Africa Cooperation.²⁶ This political goal is reflected in the Chinese explanation for why the sixteen CCE countries were chosen as members of the original 16+1 format, which is their common socialist past.²⁷ Kowalski claims that developing countries (referring to the Bandung spirit) have never taken part in the occupation, forced opening, and colonization of China by mostly Western countries such as Great Britain, Germany, France, and the United States since the mid-nineteenth century (the so-called unequal treaties period). In that sense, China's cooperation with developing countries may involve anti-Western sentiment.²⁸

The second targeted goal is to keep the EU consensus about China at a low level. My view is that China's interest is not to divide the EU. China benefits from cooperation with the EU—mostly in the economic domain but also in the political domain—especially when the EU breaks with the United States on issues such as globalization and protectionism, free trade, the Iran nuclear deal, and climate change. The PRC is looking to avoid the emergence of a cohesive EU agenda on China and the strict implementation of the sharper approach adopted in the March 2019 document "EU-China: A Strategic Outlook," in which the PRC is perceived not only as a partner but also as an economic competitor and systemic rival.²⁹ China seeks to prevent the EU from consolidating around a tougher approach and to discourage closer EU cooperation with the United States, in particular by attempting to gain support from select member states.

Normative Goals

The third set of goals is related to the norms, political slogans, and standards promoted by China at the 17+1. China's activities in this domain were not apparent at the very beginning of the format. The fact that China is now ready to promote its norms and values converges with the change of foreign policy mindset since Xi Jinping assumed control of the government. Xi replaced Deng Xiaoping's flagship slogan of "keeping a low profile" with "forging ahead" and announced that China should be a norm- or agenda-setter instead of a follower. In line with its perception of CEE countries as developing countries with an infrastructure bottleneck, China views those

²⁵ "Xi Jinping: Jiakuai shishi ziyou maoyi qu zhanlue jiakuai goujian kaifang xing jingji xin tizhi" [Xi Jinping: Accelerating the Implementation of the Free Trade Area Strategy and Construction of a New Open Economic System], Xinhua, December 8, 2014.

²⁶ Bartosz Kowalski, "China's Foreign Policy towards Central and Eastern Europe," *Cambridge Journal of Eurasian Studies*, no. 1 (2017): 1.

²⁷ "Zhongguo-Zhongdongou guojia hezuo winian: Chengjiu zonghe (yi)" [Five Years of China-CEE Cooperation: Summary of Results (One)], March 1, 2018, <http://www.16plus1-thinktank.com>.

²⁸ Kowalski, "China's Foreign Policy towards Central and Eastern Europe," 6–7.

²⁹ "EU-China: A Strategic Outlook," European Commission and HR/VP Contribution to the European Council, March 12, 2019.

countries that have a socialist past and are not fully integrated yet with the Western institutions as potential targets for normative influence.

One of China's normative goals is apparently related to seeking acceptance from CEE countries for Chinese political slogans as a contribution to the international agenda or even to international relations theory and practice. The best example in the case of the 17+1 is the promotion of BRI, including the Chinese understanding of connectivity, win-win cooperation, and Xi's latest top slogans such as a community of shared destiny for humankind. From a wider perspective, what China is trying to achieve is to gain support for its model—now called the “Chinese solution” (*Zhongguo fangan*). Generally, this slogan seems to be used to express the superiority of Chinese values, norms, and standards. The ancient Chinese idea of *tianxia*, which literally means “all under heaven,” refers to a vision of the world in which China is in the middle (center), while the countries or nations living around it are friendly but dependent on China. This concept is often seen as establishing a kind of Chinese sphere of influence or a “friendship club.” Friends are needed for both economic and political reasons. The Chinese solution is also a vision to promote non-liberal values, such as economic development controlled by the state (state capitalism). These solutions are marketed as more effective than Western values. The aim is to convince both the Chinese people and the public in other countries of the superiority of Chinese leadership based on Chinese values.³⁰

The second normative goal is to convince CEE countries to adopt selected Chinese standards for lending (e.g., projects based on credit), service, and flow control. In the case of CEE countries, China focuses on its own standards, primarily in transportation and information technologies. The PRC is particularly interested in introducing standards for certification procedures in sea and rail transportation, which are now dominated by European companies.³¹

Chinese Tools

Economic Tools

China is using myriad economic tools to develop relations with CCE countries through the 17+1 format. The first tools were presented in the Twelve Measures, which included many economic pledges. The highest-profile was a \$10 billion credit line to inject new investments into the CCE region. The line functions within two China-CEE funds. The funds were established by the Export-Import Bank of China in partnership with other institutional investors from the CEE region and were initially worth \$500 million.³² At the Riga summit in 2016, the creation of an investment fund worth 10 billion euros (ultimately 50 billion euros) was announced. The fund would be managed by a financial holding company established by the Industrial and Commercial Bank of China. The credit line and funds are projected to be used for infrastructural projects. The PRC also eagerly uses its state-owned enterprises to take part in the investments in CEE states, including not only loan-based projects but also acquisitions. The best example is CEFC China Energy, which invested in the Czech Republic in 2015.³³

³⁰ Justyna Szczudlik, “Towards a ‘New Era’ in China’s Great Power Diplomacy,” PISM, Policy Paper, 2018, 5; and Justyna Szczudlik, “Tell China’s Stories Well: Implications for the Western Narrative,” PISM, Policy Paper, 2018, 7–8.

³¹ Jonathan Holslag, *The Silk Road Trap: How China’s Trade Ambitions Challenge Europe* (Cambridge: Polity, 2019).

³² “About Us,” CEE Equity Partners Ltd, <http://www.cee-equity.com>.

³³ Garlick, “China’s Economic Diplomacy,” 1405–6.

According to the Twelve Measures, China pledged to set up economic and technological zones in each country and strengthen financial cooperation through swap agreements and by opening Chinese bank branches. In terms of trade, the PRC promised to boost imports from CEE countries using various means such as dispatching trade and investment missions to Europe. By 2015, total China-CEE trade was projected to increase to \$100 billion.

Since the announcement of BRI and the popularization of the connectivity slogan, China also uses the cargo train connections as an economic means to boost trade (mostly its own exports) and investments in CEE infrastructure. Under the 17+1, the PRC also is trying to launch China-CEE flagship investments. The best example of this is the Belgrade-Budapest railway, announced at the Bucharest summit in 2013. Since the 2016 Riga summit, China has emphasized maritime cooperation projects such as the development of ports (including inland ones), logistics hubs, economic zones, and transportation corridors.

The so-called coordination mechanisms (also known as secretariats or centers) have also been established since the Bucharest summit. The idea was to set up in each country at least one mechanism and therefore to make those countries responsible for developing a specific domain of cooperation. So far, the following mechanisms have been established: an association of chambers of commerce (Poland), a liaison mechanism for investment promotion agencies (Poland), a secretariat for maritime issues (Poland), an association for promotion of agricultural cooperation (Bulgaria), a financial technology coordination center (Lithuania), a center for dialogue and cooperation on energy projects (Romania), a secretariat on logistics cooperation (Latvia), an interbank association (Hungary), a technology transfer center (Slovakia), a small and medium-sized enterprise center (Croatia), and a transportation and infrastructure cooperation union (Serbia).

Another tool that China has used is setting up regular meetings of economic officials. The best-known meeting is the biannual Ningbo Ministerial Conference of China and Central and Eastern European Countries on Promoting Trade and Economic Cooperation. Ningbo is also known as the place for hosting the China-CEEC Expo. In Chengdu, there is also a showroom for products from the CEE countries.

Political and Diplomatic Tools

China uses miscellaneous political instruments. The most visible are annual summits and concurrent economic forums, with the participation of prime ministers. Since the first meeting in Warsaw in 2012, seven summits have taken place: Bucharest, Romania (2013); Belgrade, Serbia (2014); Suzhou, China (2015); Riga, Latvia (2016); Budapest, Hungary (2017); Sofia, Bulgaria (2018); and Dubrovnik, Croatia (2019). The ninth summit was scheduled to take place in Beijing in April 2020 but was postponed due to the coronavirus pandemic. China uses the summits to show off its diplomacy and friendly projection of power. There are also many other ministerial-level meetings within the 17+1.

China is also using the 17+1 meetings to pursue its hosting diplomacy and highlight—mostly for the domestic audience—its global prominence and effective agenda-setting.³⁴ In addition to the summit in Suzhou in 2015 and the now postponed summit in Beijing, other examples include the Ningbo meeting of economic ministers. In January 2020, China announced that Xi Jinping would host the summit originally scheduled in Beijing this year. This means an upgrade of the 17+1

³⁴ Author's personal communication with a Chinese expert, Beijing, January 2020.

format, which is traditionally held at the level of prime minister. The decision has sparked heated discussion in the EU and reinforced doubts that the format itself, and especially the summits, is a political instrument that China is using in a smart way. Yet many European experts view Xi's decision to host the summit as a demonstration of China's power to undermine Chancellor Angela Merkel's idea of hosting the summit known as the 27+1—the 27 EU member states and China—in Leipzig in September (during the German presidency of the Council of the EU). Merkel's mindset is to highlight that the EU and all member states together would be stronger and a real “heavy” counterpart for China, while the 17+1 is irrelevant.³⁵ In June, Germany announced that the Leipzig meeting in September would not take place, and it is still unclear whether it has been postponed or canceled.

The 17+1 also serves as a venue for China to strengthen bilateral ties with CEE countries (both at the central and local levels) through more frequent visits. Examples include upgrading bilateral relations to the strategic partnership level, which means respecting, by default, China's core interests.³⁶ Since the format was launched, strategic partnership declarations have been signed with Poland, the Czech Republic, and Hungary.

Within this bilateral framework, China also applies the tool known as “elite capture,” which means seeking access to politicians and exerting pressure on them to shape a particular country's policy in ways that would be beneficial for China. This includes not only the ruling party but also opposition parties and local authorities. The best example is the Czech Republic and the Chinese company CEFC, which invested heavily in the country via mergers and acquisitions.³⁷ One of the company's advisers has openly admitted in an interview that CEFC's philosophy is to realize China's national interests and establish personal links with a host country's president, premier, opposition parties, and think tanks in order to influence them.³⁸

Although China generally employs positive tools, it sometimes also underpins its agenda by applying coercive instruments such as threats. One example is the threat to the Czech Republic that China would retaliate against Czech companies with operations in China if a senior Czech lawmaker went ahead with a planned visit to Taiwan.³⁹ A similar tool was used against Poland after the arrest in Warsaw of a Chinese citizen (a Huawei employee) accused of spying. China has also made such threats during the pandemic in response to criticism of its response to the outbreak.

Apart from tools of high politics or official diplomacy, the PRC extensively uses measures of so-called parallel or lower-level diplomacy. There are also many other mechanisms within the 17+1 that are not economic or explicitly diplomatic tools. Those mechanisms might be perceived as soft diplomatic instruments, such as the Tourism Agency (Hungary), the 16+1 Union of Governors (Czech Republic), the China-CEEC Think Tank Network (China), the Forestry Cooperation Union (Slovenia), health mechanisms (China), culture mechanisms (Macedonia), veterinary mechanisms (Bosnia), environment mechanisms (Montenegro), smart cities (Romania), and the China-CEEC Global Partnership Center (Bulgaria).

³⁵ Laura Zhou, “Chinese President Xi Jinping to Take Over as Host of ‘17+1’ Summit with European Leaders,” *South China Morning Post*, January 2, 2020.

³⁶ Mierzejewski and Kowalski, “Wielowymiarowość polityki Chińskiej Republiki Ludowej w regionie Europy Środkowo-Wschodniej.”

³⁷ Martin Hala, “CEFC: Economic Diplomacy with Chinese Characteristics. A Mysterious Company Paves the New Silk Road in Eastern Europe and Beyond,” *China Digital Times*, February 8, 2018.

³⁸ “Huaxin jituan Bai Yiming: Wangneng faxian Huaxin wei guojia minzu fuwu de jiazhi” [Bai Yiming: Hope to Realize That Our Value Is to Serve the Nation], *Sina*, January 6, 2018.

³⁹ Raphael Satter and Nick Carrey, “China Threatened to Harm Czech Companies over Taiwan Visit: Letter,” *Reuters*, February 19, 2020.

Other instruments within lower-level diplomacy are the so-called tsunami of meetings.⁴⁰ There are so many meetings within the 17+1 that one may have a problem remembering all of them. It would not be an exaggeration to claim that the meetings are about almost everything. Examples include tourism, culture (e.g., jazz festivals, composer visits, literature translation, opera festivals, library cooperation, and folk arts festivals), think-tank cooperation, journalism, health (e.g., the promotion of traditional Chinese medicine), dance (e.g., summer and winter dance camps), martial arts, and a young leaders' forum. According to the Chinese MFA, 233 events were held under the format in 2012–17.⁴¹

China employs other political tools such as extending invitations for summits or lower-level meetings to countries that are not 17+1 members. In some cases the reason is to show China's openness and commitment to cooperation. Russia and Kazakhstan, for example, have been invited to attend at least one lower-level meeting under the format in this spirit. In the case of the invitation to Germany and other EU members, the goal appears to be to ease the EU's concerns about nontransparent activities of the 17+1.

Normative and Propaganda Tools

Chinese normative and propaganda tools are also copious. Since the creation of the original 16+1, China, in fact, has imposed on member states its own definition or perception of Central and Eastern Europe. This means promoting a vague and fluid understanding of the region that includes the Balkan states and, since 2019, Greece. China's goal is to highlight its agenda-setting power and create its own vision of the region that best serves Chinese interests. In this vein, it is worth referring to the concept of symbolic power, which Anastas Vangeli explains "is mediated through careful wording that obfuscates reality." For China, this means projecting its dominant position in asymmetric relations to shape thinking and behavior through the use of language and through speaking from a particular position.⁴²

The concept of symbolic power tools refers also to Chinese attempts to change the perception of Communism, Marxist ideology, and authoritarian regimes among CEE countries. As former socialist states under Soviet control, these countries, after the transition to liberal democracy and market economics in the 1990s, generally have pursued an anti-Communist approach and are wary of authoritarian states. In the case of these countries' participation in the 17+1, since the very beginning of the format, the socialist past has been invoked by Chinese leaders as a factor that binds the region with China. The PRC argues that its diplomatic ties with this former socialist bloc of countries since 1949 provide a basis for mutual understanding and increase the likelihood of converging interests. As Vangeli observes, the narrative about the socialist past "contributes to upgrading, or shedding a light on, the thinking that for many years since the end of [the] Cold War was marginal or was not visible, thinkable or perceived as legitimate."⁴³

A normative dimension is also demonstrated by China's perception of the sixteen CEE countries as developing countries. As has already been mentioned, this rhetoric is anti-Western. The PRC's

⁴⁰ This expression about meetings, summits, and forums was conveyed to the author by one of the EU officials in Brussels, October 2018.

⁴¹ "Five-year Outcome List of Cooperation between China and Eastern and Eastern Europe," Ministry of Foreign Affairs of the People's Republic of China, November 28, 2018, https://www.fmprc.gov.cn/mfa_eng/wjdt_665385/2649_665393/t1514538.shtml.

⁴² Vangeli, "Global China and Symbolic Power."

⁴³ Ibid., 683–85.

narrative highlights both that CEE countries and China are victims of the hegemonism of other countries and that CCE countries and China have never been colonialist and aggressive powers.

Other normative tools are Chinese political slogans promoted among the CEE countries, including BRI, “community of shared destiny,” and “win-win cooperation.” China is highly interested in introducing those slogans into 17+1 documents, mainly the guidelines. It is also keen on using positive language to create a friendly image of its power projection. During the negotiation of documents (mostly guidelines), China exerts pressure on CEE countries to avoid using language that highlights Chinese practices that are harmful for them. A good example is the language in the Sofia Guidelines about the trade deficit, which was defined as “the need to develop a more balanced economic partnership.”⁴⁴

The Effectiveness of the 17+1

Due to an umbrella-like format, a focus on bilateral relations, and confirmation that it is not a multilateral and full-fledged organization, reliably assessing the effectiveness of the 17+1 is almost impossible. The situation has been even more complicated after the announcement of BRI. Nevertheless, putting aside these issues, it seems that the format is neither effective for China nor promising for CEE countries, especially in the economic domain. However, the 17+1 is still relatively useful for China as a political tool.

Economic Dimension

With respect to the primary goal of enhancing China’s national economic security, the results seem to be disappointing from the Chinese perspective. The only apparent success story is the expanding trade surplus on the Chinese side. In that sense, one may claim that China, to some extent, has found and then secured new markets for its exports. But still the share of CEE states in Chinese trade is very small. As Richard Turcsányi highlights, only about 3% of overall Chinese exports go to these countries, and the target of doubling trade presented by Chinese officials in 2012 has not been met.⁴⁵

The situation with respect to Chinese-led investment is slightly different. China does not seem so far to have been successful in using its excess capacity in manufacturing abroad. Generally, the credit line has not been used by the EU members of the 17+1. Those countries are not interested in credits and loans with conditions about using Chinese labor and companies (which means that the recipient state does not have the chance to create new jobs, transfer technology, or create management modes), high interest rates, and a request for sovereign (state) guarantees that shift the risk onto the recipient country. What is more, these countries have access to rather cheap and easily available EU funds. Moreover, Brussels prefers competitive public tenders instead of investment in a form of nontransparent loans. As a result, Chinese investments in CEE countries that are members of the EU are not credit- or loan-based infrastructural projects. They are mostly mergers and acquisitions (94%) rather than greenfield investments (6%).⁴⁶

⁴⁴ “The Sofia Guidelines for Cooperation between China and Central and Eastern European Countries,” Ministry of Foreign Affairs (PRC), July 9, 2018, www.fmprc.gov.cn.

⁴⁵ Richard Turcsányi, “China and the Frustrated Region: Central and Eastern Europe’s Repeating Troubles with Great Powers,” *China Report* 56 (2020): 60–77.

⁴⁶ Mierzejewski and Kowalski, “Wielowymiarowość polityki Chińskiej Republiki Ludowej w regionie Europy Środkowo-Wschodniej,” 35.

Under these circumstances, Chinese infrastructural and other loan-based investments are being implemented mainly in five non-EU member countries in the Balkans. These are Montenegro (e.g., the European motorway corridor to Serbia), Bosnia and Herzegovina (e.g., the construction of the Pocitelj bridge), Serbia (e.g., the Kostolac thermal power plant, the bridge over the Danube, gold and copper mines, and plans for reconstruction of highways and railways), Macedonia (e.g., highways), and Albania (e.g., motorways and the concession of Tirana International Airport). The offer is to some extent appealing for some non-EU countries because they lack easy access to capital and need financing to solve infrastructure bottlenecks.

China has made some progress in expanding railway cargo connections and its investments in CEE ports. For example, there are several cargo trains between China and CEE countries. On the one hand, the PRC benefits from the trains carrying Chinese products to these countries, while it is extremely difficult to fill them up with European products. As a result, Chinese exports (and CEE imports) are rising. But on the other hand, from a medium-term perspective, the fact that China subsidizes those connections, in a mostly one-way direction, might be costly and lead to the suspension of their operations.⁴⁷

China is trying to invest in CEE ports to have smooth access to the whole European market. The best example of a success story is China Ocean Shipping Company's investment in the Piraeus port in Greece, in which China has a majority stake. However, one should remember that the PRC's interest in Greece's port started many years ago, in 2009, a decade before the country joined the 17+1 and three years before the original 16+1 format emerged. China is also interested in developing other CEE ports such as Rijeka in Croatia and Bar in Montenegro.

However, it should be underscored that few projects have been completed and many are still only in the planning phase. An example is the flagship 17+1 project that is the Budapest-Belgrade railway, which has been delayed by EU scrutiny and the late announcement of public procurement by Hungary. The future of this project is highly uncertain. In May, Romania officially canceled a deal with China to build nuclear reactors in Cernavodă.

A spectacular example of China's failure in CEE countries is the CEFC case. A model example is the CEFC case. The company was chaired by Ye Jianming, who was allegedly linked to the Chinese Communist Party. During two weeks in 2015, CEFC went on a shock-and-awe shopping spree in Prague, buying some prime real estate, a football club, a brewery, and a media conglomerate. CEFC also established its second headquarters (apart from Shanghai) in Prague. Eventually, however, Ye was arrested in China in 2018 on charges of corruption and lost his position as Czech president Miloš Zeman's adviser.

Political Dimension

The 17+1 has possibly produced more tangible results for China in the political than the economic domain. First of all, the fact that the format still exists and functions rather well—summits are held every year and CEE prime ministers generally attend the summits—serves the Chinese goal of being an agenda-setter. The best vindication of the format is its enlargement from sixteen to seventeen CEE countries in April 2019. Chinese experts use this example extensively to highlight the format's usefulness. Ji Wengang, for example, claims that

⁴⁷ Zang, "China-Central and Eastern Europe Regional Cooperation."

the 17+1 has already enhanced China's global influence.⁴⁸ Liu Zuokui emphasizes that Greece has enriched the format, changed the cooperation pattern, and increased the format's power of attracting other new members. Greece being in the format also means a new impetus for BRI, as the country represents an ancient civilization and maritime power located along the historical Silk Road.⁴⁹

Second, China's interest in CEE countries also shows that the PRC has already become a significant political player in the region. Even if economic cooperation is not yet substantial and the 17+1 as such is not a successful format, the fact that the EU (as well as the United States) is very critical of the format and sees China as attempting to divide Europe proves that perception matters.⁵⁰ China is aware of this criticism, as well as the recent shift in perception of it within the seventeen countries.⁵¹

Third, several of China's political friends are in CEE countries. The prime example is Serbia. The current Serbian president, due to the coronavirus pandemic and China's help (including the transport of medical supplies), recently kissed the Chinese flag. He said that "everything on this plane is free-of-charge assistance, a donation from the People's Republic of China. We should thank them with all our hearts, they have proven to be great friends of Serbia and Serbs."⁵² He also said that "European solidarity does not exist, it is a fairy tale on paper," and that "I believe in my brother and friend Xi Jinping and Chinese help. The only country that can help us is China." However, it should be underscored that Serbia has pursued a China-friendly policy for many years (before the 16+1 was established), and thus its current approach might not be seen as solely the result of the PRC's engagement through the 17+1.

Other China-friendly countries are Hungary and Greece. For example, in 2016 both of them blocked the tough first draft of the EU's statement after the Permanent Court of Arbitration hearings in The Hague about the Chinese claims in the South China Sea. Eventually, the EU released a softer statement. Hungary openly supports the Chinese stance in the South China Sea and also calls for granting the PRC market-economy status. The Hungarian prime minister is also known for his remarks that "Central Europe has serious handicaps to overcome in terms of infrastructure; there is still a lot to be done in this area. If the EU cannot provide financial support, we will turn to China."⁵³ This is often cited as an example of Chinese influence operations to limit the EU consensus on China. However, recently there are some slight signals that Hungary is becoming wary. An example is the latest National Security Strategy, which recommends that the country should pay attention to Chinese investment into critical infrastructure and high-tech.

Until around 2018, the Czech Republic presented a positive approach toward China. President Zeman was one of the EU heads of state who attended the military parade in Beijing in 2015 to commemorate the 75th anniversary of the end of World War II in Asia. The parade was snubbed by most Western leaders. Zeman—as has been already mentioned—also appointed a Chinese citizen, Ye Jianming, the former CEO of CEFC, as his official adviser.⁵⁴ Jeremy Garlick argues

⁴⁸ Ji Wengang, "17+ 1 hezuo: Chongfen zhangxian wushi xing" [17+1 Cooperation: A Full Demonstration of Pragmatism], China Social Science Network, September 4, 2019.

⁴⁹ Liu, "Xila fu neng Zhongguo—Zhongdongou guojia hezuo."

⁵⁰ For further discussion, see Aaron Weiss Mitchell, "Central Europe's China Reckoning," *American Interest*, April 23, 2020.

⁵¹ Author's personal contact with Chinese experts dealing with the 17+1, Beijing, January 2020.

⁵² Alex Linder, "Serbian President Kisses Chinese Flag after Experts and Equipment Arriving from China," *Shanghaiist*, March 25, 2020.

⁵³ "Orban: If EU Doesn't Pay, Hungary Will Turn to China," *Budapest Business Journal*, January 11, 2018.

⁵⁴ Kowalski, "China's Foreign Policy towards Central and Eastern Europe," 10–13.

that the case of CEFC shows the problems of China's management and coordination of companies acting overseas on behalf of Chinese foreign economic policy. In this case, Chinese authorities invested huge political capital in a partner who was later charged with corruption in 2018.⁵⁵

In recent years, the PRC has been facing a shift in many CEE countries' stance on relations with China. The Czech Republic is a good example of a country that is becoming rather anti-Chinese and favoring closer ties with Taiwan.⁵⁶ The Czech case suggests that the Chinese elite-capture tool might not work well in the medium term, given shifts in government and public opinion. Change is also visible in Poland, whose approach toward China has become more cautious since 2017. Among the reasons is the country's disappointment about the 17+1 formula being used by China as an excuse to limit bilateral dialogue (such as high-level visits) beyond the format. Other reasons are the poor outcome of the comprehensive strategic partnership (e.g., expanding Poland's trade deficit, which is seen in Warsaw as a political problem in relations with China) and concerns about China's more assertive approach and the diminishing prospects for the country's liberalization. Poland has learned lessons from other countries where China tried to invest in critical infrastructure or keep full control over the investment. Several Baltic states have also signaled their disappointment. For example, Latvia is in the process of rethinking its 17+1 cooperation, focusing on a unified EU voice on China, and the Latvian prime minister did not attend the latest summit in Dubrovnik.⁵⁷ Estonia is also becoming more cautious about China and does not see the 17+1 formula as a substantial format for cooperation.⁵⁸

Normative and Propaganda Dimension

The format also appears to have produced some positive results from the perspective of China's desire to promote its norms and narrative. The fact that the format exists, and even has been enlarged, might be seen as CEE countries' tacit approval or acceptance of the Chinese definition of Central and Eastern Europe.

The PRC might also count as a success that the CEE countries are rather muted about their negative perceptions of cooperating with a Communist country. However, due to Xi Jinping's centralization of power and tightening of the screws on Chinese society, CEE countries have recently become more wary of the authoritarian regime's violations of human rights, especially through the use of new technologies for surveillance (e.g., in the case of Xinjiang).

China has, to some extent, been successful in introducing its own political slogans into the 17+1 documents. The guidelines, in particular, contain Chinese buzzwords and slogans such as BRI, connectivity, and win-win cooperation. Another example discussed above is a nebulous passage about trade deficits. In that sense, the 17+1 serves as another venue where China is trying to exert its normative power. Although European leaders do not use such slogans as a "community of shared destiny," the fact that foreign media, experts, and decision-makers use Chinese expressions like BRI, win-win cooperation, connectivity, and Made in China 2025 shows that Chinese efforts have been rather successful.

⁵⁵ Jeremy Garlick, "China's Principal-Agenda Problem in Czech Republic: The Curious Case of CEFC," *Asia Europe Journal*, September 3, 2019.

⁵⁶ Ivana Karásková, "Czechia and China on a Collision Course," *China Observers*, September 19, 2019.

⁵⁷ Una Aleksandra Bērziņa-Čerenkova, "Latvia: Balancing EU Devotion with a Strong Transatlantic Reliance," in "Europe in the Face of U.S.-China Rivalry," ed. Mario Esteban and Miguel Otero-Iglesias, January 2020, 107–11.

⁵⁸ Personal communication with an Estonian diplomat, Warsaw, February 2020.

But China has also experienced several failures in this domain. First of all, due to pressure from Brussels and CEE countries in the EU, the EU's language has been appearing every year in the guidelines. The latest example of the Dubrovnik Guidelines is significant. Because the 17+1 summit was held just a few days after the EU-China summit, CEE members in the EU forced China to add to the guidelines some agreements that were reached at the EU-China summit, such as the need for a conclusion of the EU-China Comprehensive Agreement on Investment and an agreement on geographic indicators. Since the second summit in 2013, the process of the "EU-ization" of the format has been noticeable. This trend is also visible in language that has been added into the guidelines at the CEE countries' request, such as references to the Three Seas Initiative and the Eastern Partnership. These countries have also been more assertive when it comes to opposing vague Chinese political slogans. For example, the CEE countries did not agree to add to the guidelines the community of shared destiny slogan.

Prospects for the 17+1

The 17+1 has experienced ups and downs. The first summit was portrayed as a signal of China's increasing interest in a region it had neglected. The initiative met with high expectations among the CEE countries, which were counting on more economic cooperation and strengthening political ties due to China's global ascendance. That initial enthusiasm has almost vanished, except for a few countries.

The 17+1 is a good illustration of China's willingness to set up a platform that is outside the existing multilateral institutions but still creates an impression that it is a multilateral grouping. The reality seems to be that the 17+1 is an umbrella over seventeen bilateral dialogues between China and CEE countries rather than a genuinely multilateral format. The history of the format and the results to date testify to the reality that the 17+1 is an example of China-led multilateral bilateralism, as the bilateral dimension is the cornerstone.

When it comes to assessing the results of the 17+1 from the Chinese perspective, there are more political than economic gains. However, the increasingly tough approach of CEE countries toward China, together with the EU's sharpened China policy and Trump's anti-Chinese stance, suggests that the relevance of the format is decreasing, including for achieving political and normative outcomes. The problem with China's coordination within the format is the mounting evidence that the 17+1 is a public relations product rather than an effective multilateral platform.

Under these circumstances, questions remain about the future of the format. It seems that due to the EU's change of approach toward China, disenchantment among CEE countries, and U.S. pressure, as well as the centralization process in China, the relevance of the 17+1 will be decreasing. Nevertheless, even though China is aware of this criticism and the shallow tangible outcomes, the demise of the format does not seem likely as China cannot let itself lose face. Instead, two Chinese approaches are possible.

The first one is to use the 17+1 as a political tool by upgrading or downgrading the format depending on the current Chinese interests. An example of this approach is the summit in Beijing. Before the pandemic forced its postponement, the summit had been upgraded to the head-of-state tier and extensively used by China to highlight its hosting diplomacy and disagreements with Germany ahead of the latter's preparation for the 27+1 meeting in autumn 2020. An example of

China downgrading the format was the consideration it gave to postponing the summit in 2018 due to harsh criticism of China among EU members and Brussels.

A second approach to the 17+1 amid rising tensions is for China to expand its involvement in people-to-people contacts by promoting various lower-level meetings (including contact with political parties, young leaders, and local authorities). It seems plausible that such exchanges could be treated as a long-term investment and targeted to the younger generation, offering various modes of cooperation. This approach would advance Beijing's efforts to promote the image of China as a peaceful and friendly power and highlight the effectiveness of the Chinese political model. The coronavirus pandemic offers a recent example of China successfully contrasting itself with the EU and the United States. In the future, young political elites from CEE countries, convinced of the superiority of the Chinese model and values, could support the PRC in reforming the global order.

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Harmonic Convergence: China and the Right to Development

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EXECUTIVE SUMMARY

This essay examines how China uses the right to development as a normative instrument and strategic tool to advance China's interests and position in relation to human rights, security, and development at the United Nations.

MAIN ARGUMENT

The right to development has been a centerpiece of official Chinese human rights policy ever since China issued its first white paper on human rights in 1991. China has consistently invoked this right to support its position that sovereignty and national conditions trump universal human rights standards and that economic development must come before human rights. In the last decade, China has furthermore made active efforts not only to defend its human rights record against international scrutiny and criticism, but also to shape international human rights norms to better accommodate its position and interests. Beijing aims to break the "Western human rights hegemony" and increasingly dismisses as Western the universal principles and norms that underpin the established international human rights framework. In contrast to China's human rights discourse in the 1990s and early 2000s, China's authoritarian governance model is presented no longer merely as different from but as superior to the Western liberal democratic model. Likewise, Chinese party-state policy is presented not only as encapsulating Chinese values with domestic relevance but as international norms with universal applicability. The right to development discourse lends legitimacy to Beijing's political interests and agenda and provides a convenient vehicle through which China can advance its vision for a "shared future" with "mutually beneficial cooperation" at the United Nations. This is problematic because Beijing's concept of human rights challenges established international standards and the principles of universality, indivisibility, and rule of law.

POLICY IMPLICATIONS

- Democratic backsliding in Europe and the withdrawal of the U.S. from multilateral cooperation and international human rights mechanisms accelerate authoritarian erosion of the international human rights system and undermine efforts by the international community to put pressure on all states to respect and fulfill their obligations.
- Unless governments around the world step up to defend internationally agreed-on human rights norms and protection mechanisms, the current system risks being replaced by an authoritarian paradigm modeled by China.

Ever since China issued its first white paper on human rights in 1991, the government has applied the right to development as a normative instrument and strategic tool to defend and advance its position on human rights and in the UN system more broadly. China's position is based on a traditional statist conception of sovereignty, according to which human rights are a country's "internal affairs" rather than a legitimate concern of the international community.

China has consistently sought to obfuscate and weaken the international system of human rights and has become increasingly active and effective in doing so over the last decade. Prior to the promulgation of the concept of a "community of common destiny," China's efforts to relativize human rights norms were largely defensive and reactive. In recent years, however, China has employed a more proactive strategy promoting the concept of a "shared future" (as "common destiny" is now officially translated in English) at the United Nations. Similar to the right to development, the concept of a shared future is sufficiently vague and banal to sound benign not only to a narrow circle of like-minded countries but also to democratic countries that support the human rights system but are not versed in Chinese officialdom.

This essay examines China's use of the right to development as a key tool in its efforts to shape human rights norms. The first section outlines the Chinese party-state's concept of human rights and how it differs from, and in fact undermines, international human rights law. The following sections then consider the different tools, tactics, and platforms that Beijing has used to advance its development-first approach to human rights. Observing a pattern of obfuscation, domestication, and transmogrification, the essay argues that the international system for protecting human rights that has been established over the past 70 years is being eroded. This is the case not only because of China's growing influence but also due to a number of external factors.

The essay thus concludes that China has become more successful in its endeavor to change international human rights governance in recent years. Yet, in addition to the country's own efforts, this success also has been facilitated by the expansion and dilution of international human rights standards, the West's incoherent and unprincipled engagement with China on human rights, and the convergence of UN norms with Chinese party-state policy.

Human Rights with Chinese Characteristics

The Right to Development: A Brief Diplomatic and Political History

Although the Chinese government claims to have been a major contributor to the conceptualization of the right to development, its main role has consisted of diplomatic and political support rather than substantive formulation of the right.¹ The concept of a right to development was first mentioned by the foreign minister of Senegal in 1966 and then brought forward by the Senegalese jurist Kéba M'Baye in 1972 in the context of a call in the developing world for a new international economic order.² The UN Commission on Human Rights passed its first resolution on the right to development in 1977. However, it would take more than a decade of intense diplomatic debate before the Declaration on the Right to Development was adopted by the UN General Assembly in 1986. The first article of the declaration proclaims: "The right to development is an inalienable human right by virtue of which every human person and all peoples

¹ Wim Muller, "Subsistence, Poverty Alleviation and Right to Development: Between Discourse and Practice," in *Handbook on Human Rights in China*, ed. Sarah Biddulph and Joshua Rosenzweig (Cheltenham: Edward Elgar, 2019).

² Kéba M'Baye later became a judge of the International Court of Justice and a member of the International Olympic Committee.

are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized.”

Yet, 30 years after the adoption of the declaration, there is still no international consensus on the meaning, content, and legal status of this right today. UN special procedures and working groups on the right to development have been established, but due to its breadth, complexity, and many inconsistencies, the right to development has not yet been proclaimed in any legally binding UN instrument.³ One dividing line in the debate is between the global South and North. Another dividing line concerns the question of the subject of the right to development: who are the beneficiaries of this right, and who has the corresponding obligations?⁴ The declaration is generally regarded by international human rights law scholars as meaningless, vague, redundant, and devoid of identifiable parties bearing clear obligations.⁵ For many states that support the right to development, this is precisely the point. Unlike the clearly defined duties to respect, protect, and fulfill individual rights that states assume by ratifying international human rights treaties, the right to development is an aspirational, collective right of “peoples,” with ill-defined state obligations and possibilities to hold states to account. Hence, while the rhetoric of the right to development enjoys broad political support—with China as a key proponent—international law scholars consider it a “jurist’s nightmare.”⁶

The Chinese Party-State’s Concept of Human Rights

The right to development has been a centerpiece of official Chinese human rights policy ever since China issued its first white paper on human rights in 1991.⁷ The Chinese government started formulating an official theory on human rights in the early 1990s in response to the international outcry over its violent crackdown on the public protests around Tiananmen Square in June 1989. The protests created a legitimacy crisis for the Communist party-state, both domestically and in China’s international relations. Domestically, survival of the party became the core policy goal and focus.⁸ Externally, the crisis management response by the Chinese Communist Party (CCP) was to engage in international human rights diplomacy and public relations. The white paper issued in 1991 laid the foundation for a “rhetorical rebuttal of external human rights criticism.”⁹ The concept of human rights, which had until then been dismissed as “bourgeois,” was declared “glorious” and officially endorsed in the white paper.¹⁰ At the same time, the paper stressed that “the issue of human rights falls by and large within the sovereignty of each country,” that “countries differ in their understanding and practice of human rights,” and that in China subsistence is “the foremost human right.”¹¹

³ Hurst Hannum, *Rescuing Human Rights: A Radically Moderate Approach* (Cambridge: Cambridge University Press, 2019), 64.

⁴ Anja Lindroos, *The Right to Development* (Helsinki: Erik Castrén Institute of International Law and Human Rights, 1999), 1.

⁵ Peter Uvin, *Human Rights and Development* (West Hartford: Kumarian Press, 2004), 43.

⁶ Martti Koskeniemi, “Foreword,” in Lindroos, *The Right to Development*.

⁷ State Council Information Office of the People’s Republic of China (PRC), *Human Rights in China* (Beijing, 1991), http://www.chinahumanrights.org/html/2014/WP_0724/36.html.

⁸ Biddulph and Rosenzweig, “Introduction,” in Biddulph and Rosenzweig, *Handbook on Human Rights in China*, 3.

⁹ Katrin Kinzelbach, “Human Rights in Chinese Foreign Policy: A Battle for Global Public Opinion,” in Biddulph and Rosenzweig, *Handbook on Human Rights in China*, 91.

¹⁰ Dong Yunhu and Liu Hainian, “Human Rights in China: The Chinese Perspective” (lecture at London School of Economics, London, February 20, 2008), <http://www.lse.ac.uk/fang-test/TaiwanProgramme/Events/chinaHumanRights/Lecture2008DongandLiu.pdf>. For a detailed account of how official Chinese discourse and research evolved during the 1980s and 1990s, see Liu Hainian, *Sixty Years of the Protection and Development of Human Rights in China*, trans. Bi Xiaoqing (Reading: Paths International, 2015).

¹¹ All white papers, action plans, and other official human rights materials are available in English at <http://www.chinahumanrights.org>.

The right to subsistence (*shengcunquan*) and the right to development have formed the core of official Chinese human rights discourse ever since. The emphasis on subsistence and development has an important ideological and legitimizing purpose for the CCP, which is preoccupied with self-justification of the one-party state.¹² The right to development is invoked to support and provide legitimacy to the party's monopoly on political power. China's different "national and historical conditions" are used to explain why the Chinese people prioritize stability and subsistence over civil, political, economic, social, and cultural rights. These claims are framed as part of a global anti-imperialist, anti-colonialist, and anti-capitalist struggle and position China as a developing country in the global South challenging the hegemony of the global North. This argument is intended to deflect Western criticism of China's domestic human rights record. The historical account in the white paper details a "century of humiliation" under foreign invasion and aggression and asserts that "the Chinese Communist Party and the Chinese government have always placed the task of helping the people get enough to wear and eat on the top of the agenda."

It is a simple truth that...the right to subsistence is the most important of all human rights, without which the other rights are out of the question.... In old China, aggression by imperialism and oppression by feudalism and bureaucratic-capitalism deprived the people of all guarantee for their lives, and an unaccountable number of them perished in war and famine. To solve their human rights problems, the first thing for the Chinese people to do is, for historical reasons, to secure the right to subsistence.¹³

In this historical narrative (which conveniently leaves out the man-made disasters and mass famines resulting from political campaigns under Mao Zedong in the 1950s and 1960s), the Chinese people have been liberated and lifted out of poverty by the party, and therefore their rights can only be defined and granted by the party-state. In accordance with Marxist-Leninist-Maoist principles, "the people" are those who support the party-state, and rights emanate solely from one's membership in the people.¹⁴ The people and the party are thus conflated, and their interests are synonymous.

The idea of "harmony" is furthermore invoked as a Chinese value and tradition and used to support restrictions on disharmonious and dissenting views. Hence, soon after the CCP announced the goal of constructing a "harmonious society" in 2004, Chinese netizens started using the word "harmonization" as slang for censorship. When Xu Xianming, then the principal of China University of Politics and Law, proposed a "right to harmony" as a new Chinese "fourth generation right," the idea drew sarcastic commentary in Chinese social media.¹⁵

Deliberate Obfuscation or Lost in Translation?

In contrast to the notion of human rights as the rights of individuals in relation to the state, "human rights with Chinese characteristics" are a collective aspiration of the people. On this

¹² Muller, "Subsistence, Poverty Alleviation and Right to Development," in Biddulph and Rosenzweig, *Handbook on Human Rights in China*.

¹³ State Council Information Office (PRC), *Human Rights in China*.

¹⁴ Eva Pils, "Human Rights and the Political System," in Biddulph and Rosenzweig, *Handbook on Human Rights in China*, 41; and Biddulph and Rosenzweig, "Introduction," 3. For an exploration of the term "people" as a political concept in China, see Guan Kai, "People's War," trans. Christian Sorace, in *Afterlives of Chinese Communism: Political Concepts from Mao to Xi*, ed. Christian Sorace, Ivan Franceschini, and Nicholas Loubere (Acton: Australia National University Press, 2019); and Yu Hua, *China in Ten Words*, trans. Allan H. Barr (New York: Pantheon Books, 2011).

¹⁵ See Xiao Qiang, "'Harmony Rights' as Human Rights? Xu Xianming et al.," China Digital Times, November 26, 2006, <https://chinadigitaltimes.net/2006/11/harmony-rights-as-human-rights-xu-xianming-et-al/>; and Xu Xianming, "Hexiequan: Disidai renquan" [Harmony Rights: Fourth Generation Rights], *Renquan*, no 2. (2006): 30–32.

understanding, rights are not held by the individual in relation to the state but by the state in relation to other states. Drawing on the concept of negative and positive rights in international human rights law, Wang Xigen, a leading Chinese theorist on the right to development, thus asserts the following:

From the perspective of positive human rights, the right to development aims to improve and innovate the global power structure and governance system to allow countries to fairly share and guarantee the right to development. Changing the unreasonable and unfair old international order and building a new order of politics and economics are the political guarantees for the realization of the right to development. China and other developing countries work tirelessly to create an equal, democratic, and secure external environment for the realization of the right to development. Based on mutual respect and equal consultation, China takes a new country-level engagement by dialogue, not confrontation, and being partners, not allies. From the perspective of negative human rights, we [China] resolutely abandon the Cold War mentality and power politics, oppose all forms of aggression, interference in internal affairs, and terrorism, and promise to never seek hegemony no matter how far we develop, never pose a threat to the development of other countries, nor impose our own development model or path on others. In short, China not only stuck to the bottom line of passively not interfering in the political development right of other countries, but also tried its best to improve the global political climate and governance environment through active actions to realize the development rights of the people of the world.¹⁶

This statist, authoritarian twist on international human rights law as protecting the rights of sovereign states also is reflected in China's claims of a "right to speak" and calls to promote "democracy in international relations" in Hu Jintao's theory of a "harmonious world" and Xi Jinping's vision for a "community of common destiny."¹⁷ Thus, even though China has failed to ratify the International Covenant on Civil and Political Rights and ranks at the bottom of global press freedom and democracy indexes,¹⁸ it defends democracy in interstate relations and the right to speak internationally.¹⁹

The tendency to dilute key international human rights principles of their original meaning and purpose is part of a wider pattern of China obfuscating international norms as they are translated into Chinese concepts and language. Interestingly, as discovered by international human rights law scholar Sun Shiyan in 2006, the Chinese texts of the International Covenant on Civil and Political

¹⁶ Wang Xigen and Wu Fan, "Lun Zhongguo dui 'fazhanquan' de chuanxin fazhan jiqi shijie yiyi: Yi Zhongguo tuidong he youhua yu fazhanzhong guojia de hezuo wei lie" [Analysis of China's Innovative Development of the Right to Development and Its Worldwide Significance—Taking China's Promotion and Optimisation of Cooperation with Developing Countries as an Example], *Socialism Studies*, no. 5, 2019. A negative right permits its holder not to be forced by the state to do something, such as a right not to believe in any religion, or not to join a trade union. A positive right is a right to do something without government interference or a right to have something provided to him/her by the state, such as practicing religion or the right to education. See H. Victor Condé, *A Handbook of International Human Rights Terminology* (Lincoln: University of Nebraska Press, 1999).

¹⁷ Nadège Rolland, "China's Vision for a New World Order," National Bureau of Asian Research, NBR Special Report, no. 83, January 27, 2020, 38, <https://www.nbr.org/publication/chinas-vision-for-a-new-world-order>.

¹⁸ See "Democracy Index 2019," Economist Intelligence Unit, <https://www.eiu.com/topic/democracy-index>; and "China: Even Tighter Control," Reporters Without Borders, <https://rsf.org/en/china>.

¹⁹ See, for example, Björn Jerdén and Viking Bohman, "China's Propaganda Campaign in Sweden, 2018–2019," Swedish Institute of International Affairs, UI Brief, no. 4, April 2019, 3, <https://www.ui.se/globalassets/ui.se-eng/publications/ui-publications/2019/ui-brief-no.-4-2019.pdf>. This kind of "doublethink" also prevails in China's white papers. See, for example, State Council Information Office (PRC), *Democratic Reform in Tibet—Sixty Years On* (Beijing, March 2019), available at <http://www.chinahumanrights.org/html/PR/WP>; and State Council Information Office (PRC), *The Fight Against Terrorism and Extremism and Human Rights Protection in Xinjiang* (Beijing, July 2019), available at <http://www.chinahumanrights.org/html/PR/WP>.

Rights and the International Covenant on Economic, Social and Cultural Rights widely used by the United Nations and in China for more than three decades are not the authentic Chinese texts of these two covenants as published in the UN Treaty Series. The inauthentic texts contain a number of translation mistakes—including terms and concepts like “national origin” and the “political rights of citizens”—that have legal and political consequences in light of the object and purpose of the two covenants.²⁰ Whether these translation mistakes can be attributed to the negligence of the United Nations or are the result of deliberate obfuscation remains shrouded in mystery.²¹

The term used for the “right to food” is another example of how important principles and concepts get lost in Chinese translation. Under international human rights law, the right to food is defined as “the right to have regular, permanent and unrestricted access, either directly or by means of financial purchases, to quantitatively and qualitatively adequate and sufficient food corresponding to the cultural traditions of the people to which the consumer belongs, and which ensure a physical and mental, individual and collective, fulfilling and dignified life free of fear.”²² In the Chinese version of the International Covenant on Economic, Social and Cultural Rights and in China’s reports under this convention, the Chinese term *liangshiquan* is used, which literally means “the right to grain,” rather than the term *shiwuquan*, which arguably would be a more correct and comprehensive translation of the concept of the right to food.²³ Similar to China’s references to a right to “subsistence” (a term that does not exist in international human rights law), these partial and selective Chinese translations and interpretations distort the meaning and purpose of international human rights norms.

Although some of these terminological differences may derive from cultural and linguistic ambiguities, ideology and politics provide a more important explanation for the discrepancies.²⁴ The concept of “rule of law” is a case in point. The Chinese Communist Party’s concept of rule of law—*fazhi* or *yifazhiguo* (governance in accordance with law)—is an instrumental idea of the law as a party-state governance tool that has very little to do with the international human rights principle of rule of law, or the liberal democratic concepts of separation of powers, democracy, accountability, transparency, and justice. In fact, *fazhi* is so far from the concept of rule of law that it should perhaps not be translated as rule of law in English.²⁵

²⁰ Sun Shiyuan, “The International Covenant on Civil and Political Rights: One Covenant, Two Chinese Texts?” *Nordic Journal of International Law* 75, no. 2 (2006): 187–209.

²¹ Sun Shiyuan, “The Problems of the Chinese Texts of the International Human Rights Covenants: A Revisit,” *Chinese Journal of International Law* 15, no. 4 (2016): 773–94; and James D. Seymour and Patrick Yuk-tung Wong, “China and the International Human Rights Covenants,” *Critical Asian Studies* 47, no. 4 (2015): 514–36.

²² “Special Rapporteur on the Right to Food,” UN Human Rights Office of the High Commissioner, <https://www.ohchr.org/en/issues/food/pages/foodindex.aspx>. The core elements of the right to food are defined in “General Comment No. 12,” UN Committee on Economic, Social and Cultural Rights, 1999. This committee monitors the implementation of the International Covenant on Economic, Social and Cultural Rights.

²³ Malin Oud, “Background Report on the Situation of the Right to Food in China, Prepared to Assist the UN Special Rapporteur on the Right to Food for His Mission to China,” December 13, 2010 (report on file with author).

²⁴ As Rolland explains in relation to China’s recent global “discourse offensive,” the Chinese phrase *huayuquan* is inherently ambiguous and can be understood as meaning either discourse rights or discourse power. Rolland, “China’s Vision for a New World Order,” 10.

²⁵ For a discussion of rule of law in China, see Randall Peerenboom, *China’s Long March Toward the Rule of Law* (Cambridge: Cambridge University Press, 2002); Carl F. Minzner, “China’s Turn Against Law,” *American Journal of Comparative Law* 59, no. 4 (2011): 935–84; and Elisa Nesossi, ed., “Interpreting the Rule of Law in Xi Jinping’s China,” in *Made in China Yearbook 2016: Disturbances in Heaven*, ed. Ivan Franceschini, Kevin Lin, and Nicholas Loubere (Acton: Australian National University Press, 2017).

China's Development-First Approach to Human Rights

Human Rights Domestication through Dialogue and Cooperation

After the Tiananmen crisis of 1989, China's external propaganda campaign to win back global public opinion was led by Zhu Muzhi, former director of the New China News Agency (Xinhua) and founding president of China Society for Human Rights Studies (CSHRS), a government-organized NGO established in 1993. CSHRS staff and affiliated scholars at the Chinese Academy of Social Sciences Institute of Law were tasked with developing a new Chinese theory and officially sanctioned view on human rights and encouraged to learn more about human rights so that they could take part in debates in defense of China's position.²⁶ Spearheaded by the State Council Information Office, together with CSHRS, China's propaganda apparatus started producing white papers and dialogues to present "facts" about China's "tremendous progress" to foreigners.²⁷ In addition, the State Council Information Office started issuing annual reports on the human rights situation in the United States.²⁸

Meanwhile, the end of the Cold War set off a surge of global conferences declaring a new universal consensus on issues related to democracy, human rights, and development. The World Conference on Human Rights in Vienna in 1993 officially abolished the ideological division of human rights into civil and political rights, on the one hand, and economic, social, and cultural rights, on the other hand, and declared that human rights are "universal, indivisible, interdependent and interrelated." In the words of Chinese democracy scholar Hu Ping, the concept of human rights had won a great victory, and therefore even those opposing it had to pay lip service to it. The Chinese strategy was thus to "accept the expression 'human rights' but twist its contents."²⁹ Individual rights, civil and political rights, and universality were rejected in the name of the right to development and subsistence, stability, and cultural relativism. According to the statement by the Chinese delegation to the Vienna conference:

For the vast number of developing countries to respect and protect human rights is first and foremost to ensure full realization of the rights to subsistence and development. The argument that human rights is the precondition for development is unfounded. When poverty and lack of adequate food and clothing are commonplace and people's basic needs are not guaranteed, priority should be given to economic development. Otherwise, human rights are completely out of the question.³⁰

Following a brief period of sanctions and UN resolutions, most countries had normalized bilateral relations with China by 1992. Dialogue and mutually beneficial cooperation became "a hallmark of the PRC's approach towards international human rights criticism."³¹ As Katrin Kinzelbach has demonstrated in her detailed research on the topic, the Chinese government

²⁶ Kinzelbach, "Human Rights in Chinese Foreign Policy." For a detailed account of the development of human rights research and diplomacy during this period, see Liu, *Sixty Years of the Protection and Development of Human Rights in China*, 106–14.

²⁷ Philip Shenon, "Conversations: Zhu Muzhi; Want to Sell China's Record on Human Rights? Get Mr. Smooth," *New York Times*, August 28, 1994, <https://www.nytimes.com/1994/08/28/weekinreview/conversations-zhu-muzhi-want-sell-china-s-record-human-rights-get-mr-smooth.html>.

²⁸ The most recent report was issued in March 2020. See "China Issues Report on Human Rights Violations in U.S.," *China Daily*, March 13, 2020, <http://global.chinadaily.com.cn/a/202003/13/WS5e6b41a0a31012821727ef8c.html>.

²⁹ Hu Ping, "Freedom of Speech Is the Foremost Human Right," in *The Chinese Human Rights Reader: Documents and Commentary 1900–2000*, ed. Stephen C. Angle and Marina Svensson (New York: M.E. Sharpe, 2001), 423–35.

³⁰ Liu Huaqiu, "Vienna Conference Statement," in *ibid.*, 392.

³¹ Kinzelbach, "Human Rights in Chinese Foreign Policy," 92.

entered into these dialogues with the specific goal of avoiding resolutions and condemnation for human rights violations at the United Nations.³² From the perspective of the European Union and United States, the paradigm that characterized the West's engagement with China during this period was based on the assumption that China was in transition toward a more open, liberal governance model based on the rule of law. Through dialogue and cooperation, China would be "socialized" into accepting international norms, including ratification of the International Covenant on Civil and Political Rights. Its lack of compliance thus far supposedly had to do with a lack of knowledge and capacity rather than with different ideological beliefs or lack of political will.

Some socialization seemingly did take place. China has ratified six of the nine core UN human rights treaties—concerning women's human rights (Convention on the Elimination of All Forms of Discrimination against Women); racial discrimination (Convention on the Elimination of Racial Discrimination); torture (Convention against Torture); rights of the child (Convention on the Rights of the Child); economic, social, and cultural rights (International Covenant on Economic, Social and Cultural Rights); and the rights of persons with disabilities (Convention on the Rights of Persons with Disabilities)—and has signed but not ratified the International Covenant on Civil and Political Rights. Yet this approach also facilitated China's "domestication" of human rights by channeling concerns into dialogues behind closed doors.³³ Beijing skillfully used the dialogues to deliver "calculated gestures of goodwill," including ongoing promises to ratify the Covenant on Civil and Political Rights.³⁴ Two decades later, China today is further from ratifying the treaty than it was when signing the treaty in 1998.³⁵

Breaking the Western Human Rights Hegemony

Overall, China's foreign policy and engagement with human rights remained largely defensive and low-key throughout the 1990s and early 2000s, in line with Deng Xiaoping's dictum of "keeping a low profile and biding one's time" (*taoguang yanghui*). This changed in 2008. The global financial crisis, as well as the U.S war on terrorism, had profound impacts on international security, human rights, cooperation, and governance. China's "resilient authoritarianism" came to challenge the West's "triumphalist" end-of-history narratives.³⁶ In the words of an article from CSHRS:

The international financial crisis exposed the drawbacks of the capitalist development model and its human rights model, highlighted the advantages of China's development path, and further prompted people to think that what kind of development concept could better promote the harmonious development of the world and universal human rights, and what kind of development path could better enable us to cope with new global challenges and create a better life for mankind.³⁷

³² Katrin Kinzelbach, *The EU's Human Rights Dialogue with China: Quiet Diplomacy and Its Limits* (London: Routledge, 2016).

³³ Biddulph and Rosenzweig, "Introduction," 3.

³⁴ Kinzelbach, "Human Rights in Chinese Foreign Policy," 95.

³⁵ Margaret K. Lewis, "Why China Should Unsign the International Covenant on Civil and Political Rights," *Vanderbilt Journal of Transnational Law* 53, no. 1 (2020), available at <https://ssrn.com/abstract=3375182>.

³⁶ Joseph Fewsmith and Andrew J. Nathan, "Authoritarian Resilience Revisited: Joseph Fewsmith with Response from Andrew J. Nathan," *Journal of Contemporary China* 28, no. 116 (2019): 167–79; and Bilhari Kausikan, "Asia's Different Standard," *Foreign Policy*, Autumn 1993.

³⁷ Ren Danhong, "Establish an International Communication Platform for Human Rights and Promote China's Discourse Power on Human Rights: A Review of Ten Years of Beijing Forum on Human Rights," *Journal of Human Rights* 17, no. 6 (2018): 667.

China's successful bid to host the Olympic Games in 2008 was of great symbolic importance to Beijing, not least because its first bid in 2000 had been turned down due to human rights concerns. Projecting an image of confidence, economic success, and political stability, the opening ceremony has been described as the Chinese leadership's coming-out show.³⁸

Xi Jinping's ascension to the top leadership position in 2012 conclusively marked "the end of the reform and opening era" and of China's supposed liberal transition.³⁹ Whereas in the 1990s and early 2000s there had been space for some diversity of views within state-run institutions on questions of constitutionalism and rule of law and the legal reforms necessary to comply with international human rights standards, the space for academic freedom and public debate closed down following Xi's assumption of power, and "the totalizing habits of language and thought in China...enjoyed a new lease on life."⁴⁰ An official document circulated in 2013 warned against seven political "perils," including constitutionalism, civil society, and universal values. It also called on party cadres to guard against "infiltration" by outside ideas and to renew their commitment to work "in the ideological sphere."⁴¹ The 18th and 19th Party Congresses in 2012 and 2017 stressed confidence in the Chinese system. Collaboration with Western universities and NGOs came under suspicion, and in 2017 a new law to "regulate and guide" the activities of foreign NGOs in China went into force.⁴² While China had previously mainly been concerned with limiting damage to its reputation and defending its human rights record from "naming and shaming" at the United Nations, it now engaged in efforts to construct a new image for itself and shape international norms.⁴³

Battling over Discourse from Beijing to Geneva

As detailed by researchers at CSHRS, China's fight to break Western human rights hegemony and defend its "right to speak" is a long struggle involving both "deconstruction of the Western human rights discourse" and "construction of China's human rights discourse system":

As Secretary-General Xi Jinping has pointed out, "people who lag behind will be vulnerable to attacks; people who are impoverished will starve; people who do not have a say in matters will be scolded." Through revolution, construction, and reform and opening up, China has successfully achieved national independence and prosperity, and the people's right to subsistence and development have been effectively ensured. Hence, the problems of "being attacked" and "starving" have been solved. However, due to the long period of suppression of China's right to speak by others, the problem of "being scolded" still needs to be resolved; this is particularly evident on the issue of human rights.⁴⁴

³⁸ Lee M. Sands, "The 2008 Olympics Impact on China," *China Business Review*, July 1, 2008, <https://www.chinabusinessreview.com/the-2008-olympics-impact-on-china>.

³⁹ Carl Minzner, *End of an Era: How China's Authoritarian Revival Is Undermining Its Rise* (Oxford: Oxford University Press, 2018); and Pils, "Human Rights and the Political System."

⁴⁰ Geremie R. Barmé, "On New China Newspeak," *China Heritage*, January 9, 2018, <http://chinaheritage.net/journal/on-new-china-newspeak>.

⁴¹ "Document 9: A ChinaFile Translation," ChinaFile, November 8, 2013, <https://www.chinafile.com/document-9-chinafile-translation>.

⁴² The same scholar who had put forward a "right to harmony" a few years earlier led the drafting of this law. See "Draft Law Eases Curbs on Foreign NGOs in Country," *China Daily*, April 26, 2016, https://www.chinadaily.com.cn/china/2016-04/26/content_24840999.htm.

⁴³ Rosemary Foot, *China, the UN, and Human Protection: Beliefs, Power, Image* (Oxford: Oxford University Press, 2020), 340.

⁴⁴ Ren Danhong and Zhang Yonghe, "Lun Zhongguo renquan huayu tixi de jiangou yu guoji huayuquan de zhengquan" [On Constructing China's Human Rights Discourse System and Striving for International Discourse Power], *Xinan zhengfa daxue xuebao*, no. 1 (2019): 64.

Ren Danhong and Zhang Yonghe outline a strategy consisting of “multiple punches” in a “long battle,” involving “strengthened confidence in China’s human rights protection,” “deep intervention in UN human rights institutions and affairs,” and “active human rights agenda-setting.”⁴⁵ One of the key arenas for this discourse battle is the Beijing Human Rights Forum organized annually by CSHRS since 2008. The topics covered have consistently revolved around the right to development and China’s official conception of human rights. The theme of the first forum was “Human Rights and Development: Rethinking Concepts, Models and Approaches,” which, according to the organizers, “reflected the international community’s general concern for accurately understanding the relationship between human rights and development.”⁴⁶

CSHRS maintains both a Chinese and an English website where papers from the forum are published, and some of the papers have also appeared in a series on “Chinese Perspectives on Human Rights and Good Governance,” published by Brill-Nijhoff in the Netherlands. An international academic publishing house provides these papers with an independent academic profile; however, the Chinese scholarship presented in this series is rather indistinguishable from government narratives and positions, with frequent “performative quotation” of Xi and references to party policy.⁴⁷ This scholarship also appears in seminars organized by CSHRS and the China NGO Network for International Exchanges at the UN Human Rights Council in Geneva. The forthcoming fifth volume in the Brill-Nijhoff series has the theme of “Human Rights and the Concept of the Community of a Shared Future for Humankind” and will present “a new path towards the realization of human rights” and reflect “the current reality and extent of human rights thinking with respect to both law and policy in establishment circles in China, and helping to demonstrate the likely direction of official policy in the near future.”⁴⁸

Mobilizing Fellow Travelers and Friends of China

In addition to the Beijing Human Rights Forum organized by CSHRS, the State Council Information Office and the Ministry of Foreign Affairs established the biannual South-South Human Rights Forum in Beijing in 2017. The second South-South Forum was organized on International Human Rights Day in 2019 under the theme of “Diversity of Civilizations and Global Development of Human Rights.”⁴⁹ Themes and participants overlap between the two forums, but similar to the bilateral and multilateral human rights dialogues, the main aim of both is to enlist a wide range of foreign stakeholders in the government’s efforts to spread a positive image of China.⁵⁰ While the South-South Forum primarily targets developing countries, participation from democracies in the West also plays a “significant role in legitimizing an agenda that undermines the very foundation of the global normative order.”⁵¹ A long list of participants from Europe, as well as representatives of international organizations like the Office of the UN High Commissioner for Human Rights and the UN Development Programme, are quoted as if they were endorsing a wide

⁴⁵ Ren and Zhang, “Lun Zhongguo renquan huayu tixi de jiangou yu guoji huayuquan de zhengquan.”

⁴⁶ Ren, “Establish an International Communication Platform for Human Rights,” 667.

⁴⁷ Barmé, “On New China Newspeak.”

⁴⁸ Zhang Wei and Chang Jian, eds., *Human Rights and the Concept of the Community of a Shared Future for Humankind* (Leiden: Brill-Nijhoff, forthcoming, 2020).

⁴⁹ “2019 South-South Human Rights Forum: Promoting Cultural Diversity, Human Rights,” South-South Human Rights Forum, December 11, 2019, http://p.china.org.cn/2019-12/11/content_75503040.htm.

⁵⁰ Kinzelbach, “Human Rights in Chinese Foreign Policy,” 97.

⁵¹ Rolland, “China’s Vision for a New World Order,” 43.

range of Chinese interests and policies, including the successful return of Hong Kong and the fight against terrorism in Xinjiang. In conspicuously fluent party-parole, these “foreign experts” are lined up to provide suitable quotes for official media and conference reports:

Lionel Vairon, CEO of CEC Consulting in Luxembourg and an expert in development strategies, said that the international community should not ignore China’s progress in human rights out of an ideological misunderstanding and prejudice. “In the future, global governance must make a choice between the policy of strong-power hegemony and the path of a community with a shared future for mankind,” he said. “The latter is the wisdom China has contributed to the world.”⁵²

At the Beijing Human Rights Forum in 2016, Tom Zwart, a frequent forum participant and professor at Utrecht University, outlined a “Comprehensive Southern Vision on Human Rights based on the Declaration on the Right to Development,” relying on morality, noninterference, collective rights, and the “yin and yang of rights and duties.”⁵³ Under the banner of “Building a Community of Shared Future for Humanity: New Opportunities for South-South Human Rights Development,” the “Beijing Declaration” was adopted at the South-South Forum in 2017.⁵⁴ The declaration contains nine articles emphasizing sovereignty, national conditions, different (as opposed to universal) values, and the right to subsistence and development—all the while rejecting politicization. In his congratulatory letter to the forum, Xi Jinping called for “respect to developing countries’ will in human rights development.”⁵⁵ At the end of the forum, China’s former vice minister of foreign affairs and permanent representative to the United Nations at Geneva Li Baodong stated that the forum had “helped to enhance China’s soft power and influence...by translating domestic governance philosophies into international consensus.”⁵⁶

Leader of the Developing World

A couple of years into Xi Jinping’s term it became clear even to the more ardent believers in China’s liberal transition that Beijing had no intention of liberalizing, but instead aimed to socialize the West into accepting Chinese norms. The previous foreign policy of biding time and keeping a low profile had been abolished, and China started to promote its governance model internationally. Xi’s speech at the 19th Party Congress in 2017 emphasized that the path to independence and prosperity for the developing world is via socialism with Chinese characteristics. Wang Yi in a speech on “major country diplomacy with Chinese characteristics” further explained that China “can provide a new path for all developing countries to modernization.”⁵⁷ A series of high-profile and symbolic international speeches made by Xi at the World Economic Forum in Davos and the

⁵² See “Nation’s Wisdom Promotes Human Rights Causes,” *China Daily*, December 11, 2019.

⁵³ Tom Zwart, “The Declaration on the Right to Development as a First Step towards a Comprehensive Southern Vision on Human Rights,” in *The Right to Development: Sustainable Development and the Practice of Good Governance*, ed. Wang Xigen (Leiden: Brill-Nijhoff, 2019), 257–70.

⁵⁴ “Full Text of Beijing Declaration Adopted by the First South-South Human Rights Forum,” *China Daily*, December 8, 2017, <http://www.chinadaily.com.cn/a/201712/08/WS5a2aaa68a310eefe3e99ef85.html>. See also Andrea Worden, “The 2019 South-South Human Rights Forum: China Gathers Steam in Its Bid to Redefine the Concept of Human Rights,” *China Change*, February 19, 2020, <https://chinachange.org/2020/02/19/the-2019-south-south-human-rights-forum-china-gathers-steam-in-its-bid-to-redefine-the-concept-of-human-rights>. For an interesting account of how China has gone about adopting conference declarations in the past, see Catherine Shu, “China Tried to Get the World Internet Conference Attendees to Ratify This Ridiculous Draft Declaration,” *TechCrunch*, November 20, 2014, <https://techcrunch.com/2014/11/20/worldinternetconference-declaration>.

⁵⁵ “South-South Human Rights Forum Calls for Protection of People’s Right to Development,” *China Daily*, December 8, 2017, http://www.xinhuanet.com/english/2017-12/08/c_136811509.htm.

⁵⁶ Foot, *China, the UN, and Human Protection*, 344.

⁵⁷ *Ibid.*, 352.

United Nations in Geneva and New York highlighted his vision for a new world order based on the CCP's conception of human rights. Xi emphasized sovereign equality, China's success in lifting 700 million people out of poverty as a "major contribution to the global cause of human rights," the need for respect for cultural diversity, dialogue as the most effective way to bridge differences, and peace and stability as the only way to development and prosperity.⁵⁸

In 2017, China for the first time successfully managed to insert a Chinese party slogan into a UN Human Rights Council resolution. Adopted by the council in March 2017, the concept of "community of common destiny for humankind" (*renlei mingyun gongtongti*, now officially translated into English as "community of shared future") made an appearance in a resolution titled "The Contribution of Development to the Enjoyment of All Human Rights." In June 2020, the council adopted a China-sponsored resolution entitled "Promoting Mutually Beneficial Cooperation in the Field of Human Rights."⁵⁹ The inclusion of "shared future" in an official UN document marked an important victory for China in its battle for international human rights discourse power. In the words of China's mission to the UN: "This is the first time that the concept of 'community of shared future for human beings' is incorporated into the Human Rights Council resolutions, officially making it an important part of the international human rights discourse.... It also demonstrates China's growing influence and ability to set the agenda in international human rights governance."⁶⁰

If the United States posed as "leader of the free world" during the Cold War, China is now posturing as "leader of the developing world." China's claim to global leadership without hegemonic intentions helps explain its aversion to a narrative positioning the United States and China against each other as two first-world rivals engaged in a new Cold War. Relatedly, China favors a North-South to a democracy-authoritarian dichotomy and dismisses any concerns regarding its respect for civil and political rights as a "politicization" of human rights. However, in step with China's rise as an economic superpower and given its complicated relationship with many countries also in the global South, this developing-world, noninterventionist pose is increasingly difficult to maintain. Nonetheless, similar to China's membership in the World Trade Organization, China's status as a developing country has provided an important platform for the country's positioning on human rights and the right to development.⁶¹

China's Concept of the Right to Development Goes Global

China has employed the right to development—this vaguest of concepts in international human rights law—and used it as a vehicle to promote its idea of multilateralism focused on the rights of states, not only with regard to economic development but increasingly also in relation to "political development." In the words of Chinese scholars Wang Xigen and Wu Fan: "The right to development is not only one of the human rights. After more than 30 years of argumentation and

⁵⁸ Rolland, "China's Vision for a New World Order," 37; and Andrea Worden, "China Pushes 'Human Rights with Chinese Characteristics' at the UN," *China Change*, October 9, 2017, <https://chinachange.org/2017/10/09/china-pushes-human-rights-with-chinese-characteristics-at-the-un>.

⁵⁹ In early drafts of these resolutions China pushed for inclusion of a call to "treat human rights globally in a fair and equal manner" and emphasized development as "of foundational significance for the enjoyment of all human rights." The final text, however, softened this language and also inserted a phrase affirming that all human rights are universal, indivisible, interdependent, and interrelated. See Foot, *China, the UN, and Human Protection*, 336–37.

⁶⁰ Biddulph and Rosenzweig, "Introduction," 5.

⁶¹ Ann Kent, "China and the International Multilateral Human Rights System," in Biddulph and Rosenzweig, *Handbook on Human Rights in China*, 68.

practice, the right to development has achieved a breakthrough development. It has gone beyond the specific scope of human rights law and become a general principle of international law that guides various fields of international relations.”⁶²

The fluidity and vagueness of the right to development makes it particularly fitting for a party discourse that “encompasses both leftist and rightist concepts” and “embraces the spectrum of utilitarian shifts made within a totalitarian or rather totalizing system.”⁶³ Written in what Geremie Barmé dubs “New China Newspeak” prose, China’s white papers on human rights draw upon “the Maoist canon, Deng-era gray bureaucratese, Jiang Zemin-Hu Jintao-Xi Jinping engineer-inspired pseudo-science discourse and, since the 1990s, statements and ideas stamped with globalized neoliberal diction.”⁶⁴ The National Human Rights Action Plan of China (2016–2020) sets the following goals:

Upholding socialism with Chinese characteristics, fully implementing the guiding principles of the 18th National Congress of the Communist Party of China (CPC) and the third, fourth and fifth plenary sessions of the 18th CPC Central Committee, following the guidance of Marxism-Leninism, Mao Zedong Thought, Deng Xiaoping Theory, the important thought of the Three Represents, and the Scientific Outlook on Development, implementing the spirit of a series of important speeches made by General Secretary Xi Jinping, following the strategic arrangement of building China into a moderately prosperous society in an all-round way, advancing reform in an all-round way, comprehensively promoting law-based government, and running the Party with strict discipline, and sticking to the innovative, coordinated, green, open and sharing development concept. The Chinese government combines human rights with economic, political, cultural and social progress, ecological protection and Party building, adheres to the people-centered development approach, puts the protection of people’s rights to subsistence and development in the first place, takes the people’s well-being and all-round development as both the starting point and ultimate goal of China’s human rights work, safeguards social fairness and justice, and better guarantees the various rights and interests of the entire population in the great cause of realizing the Chinese Dream of rejuvenation of the Chinese nation.⁶⁵

Via the right to development, Beijing has convinced the United Nations to endorse the idea of “a common destiny of humankind,” a vision that has very little to do with human rights as conceived in the Universal Declaration of Human Rights. This easily detectable “ideological dialect behind the logorrhea of the Chinese party-state” has also begun to appear in other official UN documents and speeches.⁶⁶ There thus seems to have been a convergence of UN norms and Chinese party policy around the concept of the right to development. Beijing’s successful interjection of New China Newspeak into UN human rights resolutions, however, is the result not only of China’s

⁶² Wang and Wu, “Lun Zhongguo dui ‘fazhanquan’ de chuanxin fazhan jiqi shijie yiyi.”

⁶³ Barmé, “On New China Newspeak.”

⁶⁴ Ibid.

⁶⁵ State Council Information Office (PRC), *National Human Rights Action Plan of China (2016–2020)* (Beijing, September 2016), http://english.www.gov.cn/archive/publications/2016/09/29/content_281475454482622.htm.

⁶⁶ Barmé, “On New China Newspeak.” See, for example, “At China’s Belt and Road Forum, UN Chief Guterres Stresses Shared Development Goals,” UN News, May 14, 2017, <https://news.un.org/en/story/2017/05/557262-chinas-belt-and-road-forum-un-chief-guterres-stresses-shared-development-goals>.

increased economic power and diplomatic assertiveness but also of a rather unsavory mix of external factors and international developments that have helped advance the party-state's ideas.⁶⁷

One factor is the proliferation of human rights norms, of which the right to development is a prominent example. Since the entry into force of the two UN human rights covenants on economic, social, cultural, civil, and political rights 50 years ago, international human rights have expanded dramatically. The long list of special procedures (44 in total by 2017) created by the UN Human Rights Council includes both narrow categories and broad thematic issues, such as the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, extreme poverty and human rights, the promotion of a democratic and equitable international order, violence and discrimination based on sexual orientation and gender identity, and the right to development.⁶⁸ Both governments that support and that oppose human rights have utilized the tactic of establishing new mandates or adopting a resolution in the Human Rights Council to expand or detract from existing norms.⁶⁹ There is little evidence that this expansion has resulted in greater human rights protection. Instead, all indications are that it is having a negative impact on the monitoring of human rights by the United Nations, as resources have not been increased to match the growing number of mandates. Furthermore, “rights inflation” risks “undermining the universal legal rights that most states have formally accepted if they are constantly confused with mere aspirations that are neither legally based nor widely accepted.”⁷⁰

A second factor is the “depoliticization” of human rights. In the inclusive discourse and constitutive approach of the United Nations, international human rights principles and standards transcend politics and are universally applicable across all political systems. A depoliticized interpretation of human rights naturally appeals to authoritarian regimes that always insisted human rights should not be “politicized.” However, for many years it also appealed to a wide range of actors engaged in dialogue and cooperation with China who chose to be rather willfully ignorant about the ideology underpinning the Chinese party-state.⁷¹ This ideology was always there in plain sight in official party doctrine, policies, and laws. As Eva Pils argues in an article calling for a “re-politicization” of human rights, such dialogue rested on an idea of the “political neutrality of human rights” that rendered it not only ineffective but also counterproductive.⁷² Going forward, multilateralism and cooperation with China need to be re-politicized in the sense of recognizing that international human rights norms are anchored in liberal democratic values. While “democracy” may be flourishing in Xi’s community of common destiny, liberal constitutionalism is not.⁷³ Otherwise, the proliferation, expansion, technocratization, and depoliticization of human rights risk depleting them of their normative rationale, specificity, and political dimensions to the

⁶⁷ Foot, *China, the UN, and Human Protection*.

⁶⁸ Hannum, *Rescuing Human Rights*, 68.

⁶⁹ The UN General Assembly responded to these concerns in 1986 with guidelines that states and UN organs should take into account when considering adopting new human rights norms. New rights should be of fundamental character, consistent with existing norms, sufficiently precise to give rise to identifiable and practicable rights and obligations, provide realistic and effective implementation machinery, and attract broad international support. See *ibid.*, 57, 78.

⁷⁰ *Ibid.*, 67.

⁷¹ Pils, “Human Rights and the Political System.”

⁷² *Ibid.*

⁷³ I am paraphrasing Mahmood Monshipouri’s observation that while democracy is flourishing all over the world, constitutional liberalism is not. See Mahmood Monshipouri, “Promoting Universal Human Rights: Dilemmas of Integrating Developing Countries,” *Yale Human Rights and Development Law Journal* 4, no. 1 (2001): 25–61.

point where the term “human rights” becomes a metaphor imbued with different meaning and purpose depending on each user’s ideological point of departure.

Finally, if the post–Cold War era saw a rise of rights across development and security discourse, the past few years have been defined by a fallout from the international human rights regime. Democratic backsliding in Europe and the withdrawal of the United States from international human rights mechanisms have accentuated and even legitimized China’s authoritarian challenge to the rights- and rules-based global order.⁷⁴ An effective way for governments in the North, South, East, and West to move past the current sorry state of selective assertions of rights and hypocritical condemnations of violations,⁷⁵ and instead defend the essence, universality, and indivisibility of all human rights, would be to ratify the nine core international human rights treaties protecting economic, social, cultural, civil, and political rights.⁷⁶ To initiate such a positive race to the top, the United States could start by ratifying the Covenant on Economic, Social and Cultural Rights, while China could ratify the Covenant on Civil and Political Rights.

⁷⁴ Kent, “China and the International Multilateral Human Rights System,” 72.

⁷⁵ Hannum, *Rescuing Human Rights*, 58.

⁷⁶ The United States has only ratified three of the nine core treaties: the Covenant on Civil and Political Rights, the Convention on the Elimination of Racial Discrimination, and the Convention against Torture. Since Somalia’s ratification in 2015, the United States is now the only UN member state that is not a party to the Convention on the Rights of the Child. By comparison, China has ratified six of the nine core treaties but has yet to ratify the Covenant on Civil and Political Rights, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the Convention for the Protection of All Persons from Enforced Disappearance.

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China's Vision for Cyber Sovereignty and the Global Governance of Cyberspace

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EXECUTIVE SUMMARY

This essay explores China's vision for the global governance of cyberspace, and the concept of cyber sovereignty in particular, and assesses the impact of Chinese domestic policy and diplomacy on the internet.

MAIN ARGUMENT

In pursuit of tighter controls over information, cybersecurity and technological independence, and international influence, China has become more active in its efforts to shape the global internet. Beijing's efforts to influence the global governance of cyberspace are organized around the concept of cyber (or internet) sovereignty (*wangluo zhuquan*). China's cyber sovereignty efforts have both a domestic and an international component and will result in an internet that will be less open and free. Yet a growing embrace of sovereignty is not primarily the result of Chinese efforts but rather widespread disillusionment with the spread of disinformation, threats to privacy, and concentration of economic and political power by big technology firms—problems that appear to spring from an unregulated or underregulated internet.

POLICY IMPLICATIONS

- Beijing has strong motivations for shaping the global governance of cyberspace, and these are likely to remain fairly consistent and persistent.
- While the idea of cyber sovereignty is attractive to many countries wanting more control over their domestic internet, the apparent efficacy of Chinese regulations and the extended reach and capabilities of Chinese technology firms are more effective tools of Beijing's influence than its diplomacy.
- Given the widespread disenchantment with an unregulated internet, any successful defense of a free and open internet will require not only confronting China but also re-engaging international organizations and broader consensus across liberal democracies about online free speech and privacy.

Under President Xi Jinping, China has become more active in its efforts to shape the global governance of cyberspace. Previously, Beijing was essentially reactive. It built a technical and legal system, generally known as the Great Firewall, to control the flow of information domestically and defended its approach from criticism by liberal democracies, and the United States in particular. Xi, however, has made cybersecurity a national priority and has proclaimed his desire to move China from being a “large internet country” to a “cyber power” (*wangluo qiangguo*).¹ In his and other leaders’ minds, the defense of the Chinese internet increasingly depends on China having a greater role in shaping the global internet.

Chinese efforts to shape the debate on how cyberspace should be governed are organized around the concept of cyber (or internet) sovereignty (*wangluo zhuquan*). As described by Xi at the 2015 World Internet Conference in Wuzhen, cyber sovereignty means respecting each country’s right to choose its own internet development path, its own internet management model, and its own public policies on the internet and to equal participation in international cyberspace governance. He argues that states should refrain from engaging in cyber hegemony, interfering in other countries’ internal affairs, and engaging in, tolerating, or supporting online activities harming the national security of other countries.²

As with other Chinese conceptual contributions to the discussions on global governance, cyber sovereignty comes into clearer view when it is contrasted with the vision held by the United States and its allies. The United States and other like-minded countries have argued that cyberspace should be a free, open, and global platform primarily governed by a bottom-up approach led by technical communities, civil society, and the private sector, known as “multistakeholderism.” In addition, in its early history, the internet was dominated by U.S. technology companies, and American ideas about privacy, free speech, access to information, and the role of regulation became its default operating system. Cyber sovereignty represents a pushback against the attempted universalization of these norms as well as a reassertion of the priority of governments over nonstate actors.

Beijing promotes cyber sovereignty in the pursuit of three objectives. First, Chinese leaders want to maintain tight control over the flow of information within China to ensure domestic stability, regime legitimacy, and the continued rule of the Chinese Communist Party (CCP). In effect, the integrity of the Great Firewall at home cannot be assured by technological upgrading and regulatory evolution alone but also depends on shaping international cyberspace. Second, policymakers want to foster technological autarky and independence from foreign suppliers. As Rogier Creemers notes, cyber sovereignty has a capability component as well as a normative one.³ China must have the material resources to ensure that it can realize sovereignty in an antagonistic environment. Third, policymakers want to shape cyberspace to extend Beijing’s political, military, and economic influence and counter Washington’s advantages in cyberspace. Chinese analysts have consistently argued that China is in a weak position in cyberspace. The United States controls core technologies, dominates international standards, and sets the agenda for discussions about norms of state behavior in cyberspace as well as relations among the state, citizens, and the digital economy. The reorganization of cyberspace around cyber sovereignty might not only curtail U.S.

¹ Rogier Creemers et al., “Lexicon: 网络强国 *Wangluo Qiangguo*: Understanding and Translating a Crucial Slogan and ‘Cyber Superpower’ Ambition,” *New America*, DigiChina, May 31, 2018, <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/lexicon-wangluo-qiangguo>.

² Xi Jinping (remarks at the opening ceremony of the World Internet Conference, Wuzhen, December 16, 2015), https://www.fmprc.gov.cn/mfa_eng/wjdt_665385/zyjh_665391/t1327570.shtml.

³ Rogier Creemers, “China’s Conception of Cyber Sovereignty: Rhetoric and Realization,” SSRN, February 5, 2019, <https://ssrn.com/abstract=3532421>.

advantages but also redirect the economic, intelligence, and political benefits that currently flow to the United States to China.

China's cyber sovereignty efforts have both a domestic and an international component. At home, Beijing has developed a matrix of interlocking cybersecurity strategies, laws, measures, regulations, and standards. Officials not only train visiting delegations in a Chinese model of internet management but position the Cybersecurity Law, the Personal Information Security Specification, and other guidelines as alternatives to European and U.S. efforts to regulate the protection, collection, storage, transfer, and analysis of data. Internationally, Beijing has used diplomatic efforts to enshrine and expand the concept of cyber sovereignty in multilateral organizations and forums. These multilateral efforts are bolstered by the Belt and Road Initiative (BRI) and other tools of commercial diplomacy as well as the global activities of Chinese technology firms.

Cyber sovereignty fits squarely within Beijing's other efforts to shape the world order. It is driven in large part by the desire to ensure that the "international system accommodates the CCP's ambitions for power as well as its anxieties about survival."⁴ While China expects to exert tight control over its domestic internet, the influence it will wield over global cyberspace will be partial and loose, focused primarily on the developing world. Beijing will work to subvert and diminish the idea of a free and open internet, replace it with its own views on cyber sovereignty, and strengthen institutions and processes that accord with a more state-centric view of cyber governance.

The result of these efforts will be a less open and less free internet. China is strengthening the technological capacities of other states looking to block the flow of information while giving them diplomatic and intellectual cover. Yet, even though ideas about exerting greater control over the internet are now more attractive to policymakers from authoritarian, mixed, and liberal democratic states, this embrace of sovereignty is not primarily the result of Chinese efforts. Rather, it is the outcome of broad disillusionment with the spread of disinformation, threats to privacy, and the concentration of economic and political power by big technology firms—problems that appear to spring from an unregulated, or underregulated, internet. Even in the United States, where the constitution protects free speech and it is the private sector that takes the lead in removing content, there is greater political support for monitoring and controlling speech on the internet.⁵

This essay is organized into five parts. First, it describes the emergence and meaning of the idea of cyber sovereignty. Second, it looks at how cyber sovereignty was implemented at home through information controls, cybersecurity regulations, and technological development. The third part of the essay explores China's diplomatic efforts to promote cyber sovereignty at the United Nations and through other international forums. BRI, commercial diplomacy, and technical standards and their relations to the promotion of cyber sovereignty are addressed in part four. The essay concludes with a discussion of policy options.

⁴ Nadège Rolland, "China's Vision for a New World Order," National Bureau of Asian Research (NBR), NBR Special Report, no. 83, January 2020, https://www.nbr.org/wp-content/uploads/pdfs/publications/sr83_chinasvision_jan2020.pdf.

⁵ Andrew Woods and Jack Goldsmith, "Internet Speech Will Never Go Back to Normal," *Atlantic*, April 25, 2020, <https://www.theatlantic.com/ideas/archive/2020/04/what-covid-revealed-about-internet/610549>.

The History of Cyber Sovereignty

Chinese policymakers and analysts have been clear-eyed about the opportunities and challenges of cyberspace almost from the moment when the country established its first permanent connection to the internet in April 1994. The internet was often framed as a double-edged sword, essential to economic growth and good governance but also the source of threats to domestic stability and regime legitimacy.⁶ China's first internet white paper, published in 2010, described the network's "irreplaceable role in accelerating the development of the national economy, pushing forward scientific and technological advancement, and expediting the informational transformation of social services."⁷ At the same time, the dissemination of information that the web would enable was seen as a direct threat to the CCP's control over society. While the white paper declared that "Chinese citizens fully enjoy freedom of speech on the internet," it also prohibited "the spread of information that contains contents subverting state power, undermining national unity, infringing upon national honor and interests, inciting ethnic hatred and secession, advocating heresy, pornography, violence, terror and other information that infringes upon the legitimate rights and interests of others."

China addressed these concerns through what is known as the Great Firewall, the deployment of filtering and censorship technologies as well as domestic laws controlling content and user behavior.⁸ Blacklists block phrases, words, and images. Virtual private networks and other circumvention technologies are interrupted and disrupted.⁹ In extreme cases, the government can remove whole regions from the internet, as happened for ten months after riots in the Xinjiang autonomous region in 2009.¹⁰

China has also blocked many foreign companies from entering the domestic market, and those that do have a presence, such as Apple, are prevented from providing specific services or apps. Chinese web and social media companies are legally responsible for the illicit or harmful activities of their users, and so they employ a huge number of employees to remove content. Chinese citizens must use their national identification numbers to sign up for social media websites, making anonymity difficult. Users who post sensitive materials can often expect a visit from the internet police and forced public loyalty pledges or recantation of comments.¹¹ In addition to these uses of fear and friction, Margaret Roberts argues that the government also "floods" the Chinese internet with approved information, dominating the conversation and distracting users.¹²

At the international level, Beijing argued that cooperation must be based in mutual respect and the recognition of distinct national conditions. The 2010 white paper framed international cooperation in terms of national differences: "National situations and cultural traditions differ among countries, and so concern about internet security also differs. Concerns about internet

⁶ Adam Segal, "Globalization Is a Double Edged Sword: Globalization and Chinese National Security," in *Globalization and National Security*, ed. Jonathan Kirshner (New York: Routledge, 2006), 293–320.

⁷ State Council Information Office of the People's Republic of China (PRC), *The Internet in China* (Beijing, June 2010), http://www.china.org.cn/government/whitepaper/node_7093508.htm.

⁸ James Griffith, *The Great Firewall of China: How to Build and Control an Alternative Version of the Internet* (London: Zed Book, 2019).

⁹ Yuan Yang and Lucy Hornby, "China Disrupts Global Companies' Web Access as Censorship Bites," *Financial Times*, January 16, 2018, <https://www.ft.com/content/80e50a6c-fa8a-11e7-9b32-d7d59aace167>.

¹⁰ Chris Hogg, "China Restores Xinjiang Internet," BBC News, May 14, 2010, <http://news.bbc.co.uk/2/hi/asia-pacific/8682145.stm>.

¹¹ Paul Mozur, "Coronavirus Outrage Spurs China's Internet Police to Action," *New York Times*, March 16, 2020, <https://www.nytimes.com/2020/03/16/business/china-coronavirus-internet-police.html>.

¹² Margaret E. Roberts, *Censored: Distraction and Diversion Inside China's Great Firewall* (Princeton: Princeton University Press, 2018).

security of different countries should be fully respected.” The white paper also declared that “within Chinese territory the internet is under the jurisdiction of Chinese sovereignty. The internet sovereignty of China should be respected and protected.”¹³ When Beijing looked at international developments in cyberspace, it saw itself in a weak position, especially relative to Washington. Chinese analysts noted several sources of American strength, including the domination of hardware and software industries by U.S. companies, the uneven distribution of internet resources, and a governance system that reflected U.S. interests.

Chinese policymakers have long believed that U.S. technology products have backdoors, or built-in weaknesses, that allow the United States to penetrate sensitive networks and gain access to data. While the 2013 revelations by Edward Snowden only validated this belief for an extremely limited number of U.S. products, the leaked information still highlighted the perceived risks of dependence on U.S. technology. U.S. intelligence agencies exploited technology firms through legal measures and covert operations that were possible in part because of close familiarity with U.S. goods. According to a 2012 article in *Outlook Weekly*, 90% of China’s microchips, components, network equipment, communications standards, and protocols, as well as 65% of firewalls, encryption technologies, and ten other types of information security products, relied on imported technology.¹⁴ This dependence meant that “all core technologies are basically in the hands of U.S. companies, and this provides perfect conditions for the U.S. military to carry out cyber warfare and cyber deterrence,” according to an article in the military newspaper *China Defense*.¹⁵ As a result of these concerns, the Chinese government renewed its push to replace foreign software and hardware suppliers with domestic competitors.¹⁶

Beijing was also concerned about the distribution of internet resources and argued that multistakeholderism—a bottom-up approach to governance of the internet led by the private sector—was tilted to U.S. economic and political interests. U.S. technology companies and U.S.-based technical groups dominated the meetings, workshops, and forums that govern cyberspace, and they promoted policies that supported not only a global, open, and free internet but the market position of U.S. firms. Chinese analysts criticized the process through which domain names (web address endings like .com and .org as well as country endings like .cn and .br) were created and distributed.¹⁷ The organization that oversees this process, known as the Internet Assigned Numbers Authority, or IANA, is managed by the Internet Corporation for Assigned Names and Numbers (ICANN), which was incorporated as a private organization under California law in 1998 and operated under a contract with the Department of Commerce until 2016. Other decisions about internet standards and protocols were managed by technical organizations such as the Internet Engineering Task Force, the Internet Architecture Board, the World Wide Web Consortium, and the Internet Society.¹⁸ In place of this multistakeholder

¹³ State Council Information Office (PRC), *The Internet in China*.

¹⁴ See Adam Segal, “The Cyber Trade War,” *Foreign Policy*, October 25, 2012, <https://foreignpolicy.com/2012/10/25/the-cyber-trade-war>.

¹⁵ “Zhuanjia jixi meijun wangluo weishe zhanlue cheng shiji xiaoguo nan yi dacheng” [Expert Analyzes U.S. Military’s Cyber Deterrence Strategy, Says Practical Results Difficult to Achieve], China News Service, January 9, 2012.

¹⁶ Carlos Tejada, “Microsoft, the ‘Guardian Warriors,’ and China’s Cybersecurity Fears,” *Wall Street Journal*, July 29, 2014, <http://blogs.wsj.com/digits/2014/07/29/microsoft-the-guardian-warriors-and-chinas-cybersecurity-fears>.

¹⁷ Chen Yiming, “U.S. Covertly Building ‘Shadow Internet,’” *People’s Daily*, June 15, 2011, trans. by Open Source Center, CPP20110615787005; and Yang Ziyang, “‘Cut Off the Internet’ to Challenge Internet Control Power,” *People’s Daily* (international edition), August 9, 2012, trans. by Open Source Center, CPP20120809702002. Both articles are quoted in Michael D. Swaine, “Chinese Views on Cybersecurity in Foreign Relations,” Hoover Institution, China Leadership Monitor, Fall 2013, no. 42, <http://www.hoover.org/sites/default/files/uploads/documents/CLM42MS.pdf>.

¹⁸ Laura DeNardis, *The Global War for Internet Governance* (New Haven: Yale University Press, 2014).

model of governance, Beijing called for a multilateral process that would value the interests of governments over nonstate actors. The 2010 white paper, for example, called for the expansion of the United Nation's role in cyberspace from managing intrastate conflict to technical measures, stating that "China holds that the role of the UN should be given full scope in international internet administration."

As the scholar Lu Chuanying describes this era of internet governance, "The United States had practically complete control over formulating and managing the internet standards of all international organizations and core industries, and it refused to internationalize relevant functions and management or cede authority to a specialized UN agency to manage."¹⁹ From Beijing's point of view, things were about to go from bad to worse as Washington began promoting what was known as the "internet freedom agenda." Between 2010 and 2011, Secretary of State Hillary Clinton delivered three speeches on internet freedom and asserted that the freedoms of expression, religious belief, and assembly were the same online as they were in the physical world.²⁰ Beijing reacted to these speeches defensively, interpreting them as directed at China's political system. "The United States," said one article in the *People's Daily*, "applies double standards in implementing freedom of information: for those who have different political views or values, it waves a 'freedom fighter's' club and leads a crusade against them."²¹

In response to U.S. efforts to promote an "open, interoperable, secure, and reliable" information infrastructure, Beijing began more assertively promoting cyber sovereignty as an organizing norm for the global governance of cyberspace.²² In September 2011, China and Russia, supported by Tajikistan and Uzbekistan, submitted a letter proposing a draft "international code of conduct for information security" to the UN General Assembly.²³ The code supported a UN process in developing norms and rules for information, calling on states to agree that they will not "use information and communications technologies, including networks, to carry out hostile activities or acts of aggression, pose threats to international peace and security or proliferate information weapons or related technologies." The code also reaffirmed "that policy authority for internet-related public issues is the sovereign right of States, which have rights and responsibilities for international Internet-related public policy issues." The code was resubmitted to the United Nations in 2015 by the Shanghai Cooperation Organisation (SCO).²⁴

In order to give an international platform to its vision of the governance of cyberspace, as well as showcase the growing vitality of its digital economy, China held its first World Internet Conference in Wuzhen, a historic town near Hangzhou, in November 2014. President Xi Jinping sent a prepared statement pledging that China was "ready to work with other countries to deepen international cooperation, respect sovereignty on the internet, uphold cyber security, and jointly

¹⁹ Lu Chuanying "Wangluo kongjian guoji guize tixi yu Zhong Mei xinxing daguo guanxi" [The International Cyberspace Rule-Based System and the China-U.S. New Type of Great-Power Relations], *People's Daily*, Theory Channel, December 2, 2016, <http://theory.people.com.cn/n1/2016/1202/c386965-28920732.html>.

²⁰ Hillary Rodham Clinton, "Remarks on Internet Freedom" (speech at the Newseum, Washington, D.C., January 21, 2010), <https://2009-2017.state.gov/secretary/20092013clinton/rm/2010/01/135519.htm>.

²¹ "Meiguo wangzhan celüe maixia xinde baodian" [Big Points Buried in the U.S. Cyberwar Strategy], *Xinhua*, April 7, 2015.

²² White House, *International Strategy for Cyberspace: Prosperity, Security, and Openness in a Networked World* (Washington, D.C., May 2011), https://obamawhitehouse.archives.gov/sites/default/files/rss_viewer/international_strategy_for_cyberspace.pdf.

²³ "Letter Dated 12 September 2011 from the Permanent Representatives of China, the Russian Federation, Tajikistan and Uzbekistan to the United Nations Addressed to the Secretary-General," A/66/359, <https://undocs.org/A/66/359>.

²⁴ "Letter Dated 9 January 2015 from the Permanent Representatives of China, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan to the United Nations Addressed to the Secretary-General," A/69/723, https://digitallibrary.un.org/record/786846/files/A_69_723-EN.pdf.

build a cyberspace of peace, security, openness” and calling for a “multifaceted, democratic and transparent governance system for the international internet.”²⁵ The Wuzhen Declaration, circulated at the end of the meeting, stated, “We should respect each country’s rights to the development, use and governance of the internet, refrain from abusing resources and technological strengths to violate other countries’ internet sovereignty.”

Perhaps the most coherent official explanation of cyber sovereignty can be found in China’s *International Strategy of Cooperation on Cyberspace*, released in 2017.²⁶ The strategy echoes the language Xi used in his 2015 Wuzhen speech in defining the principle of sovereignty in cyberspace:

Countries should respect each other’s right to choose their own path of cyber development, model of cyber regulation and internet public policies, and participate in international cyberspace governance on an equal footing. No country should pursue cyber hegemony, interfere in other countries’ internal affairs, or engage in, condone or support cyber activities that undermine other countries’ national security.

The strategy goes on in the next two paragraphs to argue that upholding sovereignty in cyberspace “enables countries to build platforms for sound interactions among governments, businesses and social groups”; to reiterate that “national governments are entitled to enact public policies, laws and regulations with no foreign interference”; and to warn that “no country should use ICT [information and communications technology] to interfere in other countries’ internal affairs.”

Throughout this decade-long process of developing concepts, processes, and platforms of cyber sovereignty, Beijing’s objectives have remained relatively steadfast: prevent the flow of information that threatens domestic stability, foster technological independence, and counter U.S. influence. China has, however, become increasingly capable and willing to pursue these goals by shaping the global internet rather than only the internet behind the Great Firewall.

Cyber Sovereignty Starts at Home

Controls on the Flow of Information

The references in the international strategy to “building platforms” and “enacting public policies, laws, and regulations” can easily be seen as acknowledgment of the remarkable amount of activity that has occurred (and is continuing to unfold) under Xi Jinping’s leadership. For years, there was little movement, with authority over cyber policy fragmented among the Ministry of Public Security, State Encryption Bureau, State Secrets Bureau, Ministry of State Security, Ministry of Industry and Information Technology, and People’s Liberation Army. In February 2014, Xi declared that there was “no national security without cybersecurity” and announced that he would chair a central leading group on internet security and informatization, now known as the Central Commission for Cybersecurity and Informatization.²⁷ A new agency, the Cyberspace

²⁵ “Chinese President Xi Jinping Calls for International Cooperation on Cyberspace Security,” *Economic Times*, November 19, 2014, <https://economictimes.indiatimes.com/news/international/world-news/chinese-president-xi-jinping-calls-for-international-cooperation-on-cyberspace-security/articleshow/45205445.cms>.

²⁶ Ministry of Foreign Affairs (PRC), *International Strategy of Cooperation on Cyberspace* (Beijing, March 2017), https://www.fmprc.gov.cn/mfa_eng/wjb_663304/zzjg_663340/jks_665232/kjlc_665236/qtw_665250/t1442390.shtml.

²⁷ “Xi Jinping: China Must Evolve from a Large Internet Nation to a Powerful Internet Nation,” *Xinhua*, February 27, 2014.

Administration of China (CAC), was also established with a mandate that includes controlling online content, bolstering cybersecurity, and developing the digital economy.

The CAC quickly moved to tighten restrictions on the flow of information on the internet and has continued to introduce new censorship technologies and refine policy tools. As more Chinese used narrower, private communication channels such as WeChat, the CAC announced the platform would be more heavily monitored in May 2014.²⁸ In March 2017 the government told Tencent and other platforms to shut down websites they hosted that included discussions on history, international affairs, and the military. Weibo made changes to its platform in November 2018 that allowed government censors to directly tag a post as a rumor, and the CAC issued new guidelines for online services ranging from chat sites to video livestreaming requiring them to keep records of user information, including real names, log-in and log-off times, network source addresses, and types of hardware used.²⁹ In January 2019, Chinese authorities detained and questioned activists who were posting to Twitter, even though the site is restricted in China, and Bing, one of the few internet products from a U.S. company available in China, was blocked even though results were censored.³⁰

Cybersecurity and Technological Independence

In addition to regulations to control information, China has developed a robust governance system consisting of overlapping and interlinked strategies, laws, measures, regulations, and standards focused on critical infrastructure, data storage, security reviews, and the protection of personal data.³¹ Introduced in and taking effect in June 2017, the Cyber Security Law also focuses on what it terms critical information infrastructure, but as with many Chinese regulations, the definition of the concept was left vague. Early documents identified sectors like “public communication and information services, power, traffic, water resources, finance, public service, and e-government” as critical information infrastructure. Subsequent draft regulations became more encompassing, adding media, healthcare, and cloud-computing and big-data providers. The law also created review procedures for transferring certain information out of China if it can “impact national security, damage public interest or is not fully secured” and requires the storage of “personal information” and “important data” inside China.³²

The Cybersecurity Law is the most authoritative law protecting personal information, but Beijing is also in the process of building out a framework for user consent and the collection, storage, processing, and use of personal data.³³ The Personal Information Security Specification came into effect in May 2018 and includes requirements that data must be de-identified before

²⁸ Ian Johnson, “An Online Shift in China Muffles an Open Forum,” *New York Times*, July 4, 2014, <http://www.nytimes.com/2014/07/05/world/asia/an-online-shift-in-china-muffles-an-open-forum.html>.

²⁹ Yuan Yang, “Beijing Now Able to Flag Weibo Posts as ‘Rumour,’” *Financial Times*, November 5, 2018, <https://www.ft.com/content/e21369fe-e0db-11e8-8e70-5e22a430c1ad>; and Yuko Kubota, “China’s Cyber Cop Ups the Pressure to Control Online Speech,” *Wall Street Journal*, November 25, 2018, <https://www.wsj.com/articles/chinas-cyber-cop-ups-the-pressure-to-control-online-speech-1542291470>.

³⁰ Paul Mozur and Karen Weise, “China Appears to Block Microsoft’s Bing as Censorship Intensifies,” *New York Times*, January 23, 2019, <https://www.nytimes.com/2019/01/23/business/china-microsoft-bing.html>; and Paul Mozur, “Twitter Users in China Face Detention and Threats in New Beijing Crackdown,” *New York Times*, January 10, 2019, <https://www.nytimes.com/2019/01/10/business/china-twitter-censorship-online.html>.

³¹ Paul Triolo et al., “China’s Cybersecurity Law One Year On,” *New America, DigiChina*, November 30, 2017, <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/chinas-cybersecurity-law-one-year>.

³² Yuko Kubota, “American Tech Shudders as China Cyber Rules Are Expected to Get Tougher,” *Wall Street Journal*, July 29, 2019, <https://www.wsj.com/articles/chinas-cybersecurity-regulations-rattle-u-s-businesses-11564409177>.

³³ Mingli Shi et al., “Translation: China’s Personal Information Security Specification,” *New America, DigiChina*, February 8, 2019, <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/translation-chinas-personal-information-security-specification>.

sharing, imposes limits on “secondary uses” of data beyond the original purpose, and requires third-party vendors handling data to undergo security assessments.³⁴ Under these guidelines, the Ministry of Industry and Information Technology has called out and fined hundreds of companies for apps and websites that excessively collected private data.

Moving hand in hand with the development of the cybersecurity governance system is an effort to make technologies “secure and controllable” and reduce dependence on foreign suppliers. A draft measure issued by the China Banking Regulatory Commission in September 2014, for example, called for 75% of ICT products used in China’s banking system to be “secure and controllable” by 2019. As originally drafted, the regulation would have required banks to file source code for all software with the Chinese government, submit encryption products to Chinese regulators for testing and certification, and build backdoors into hardware and software. Foreign firms interpreted the guidelines as an attempt to force them out of the Chinese market.³⁵ In 2019 the CCP’s Central Office ordered every government office and public institution to remove all foreign software and hardware within three years.³⁶

Implications

These domestic cybersecurity governance efforts feed into and reinforce cyber sovereignty in at least two ways. First, as noted earlier, capacity and material resources are essential to the exercise of sovereignty. China cannot protect itself from outside interference and negotiate as an equal without a cybersecurity regulatory system that adequately protects the country and fosters technological independence.

Second, Beijing has portrayed its governance system as a potential technical and substantive model for other states. China provides training to officials from the developing world in internet management and cybersecurity. Chinese officials, for example, taught representatives from the ruling Ethiopian People’s Revolutionary Democratic Front how the Chinese government monitors, guides, and manages public opinion, including the organizational setup, technologies used, legislation passed, and relations with the media.³⁷ Officials from Egypt, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, and the United Arab Emirates attended the three-week “Seminar for Senior Media Staff in Arab Countries.”³⁸

In addition, some countries have consciously tried to mirror Chinese regulations in their own laws.³⁹ In 2015, for example, Tanzania passed cybersecurity laws that resembled China’s. Egypt, Laos, Pakistan, Uganda, Vietnam, and Zimbabwe have proposed or passed legislation that mimics the blocking of websites, real name registration, data sharing, and content removal

³⁴ Samm Sacks, “China’s Emerging Data Privacy System and GDPR,” Center for Strategic and International Studies (CSIS), Commentary, March 9, 2020, <https://www.csis.org/analysis/chinas-emerging-data-privacy-system-and-gdpr>.

³⁵ Chinese Banking Regulatory Commission, “Guiding Opinions on Applying Secure and Controllable Information Technologies to Strengthen the Cybersecurity and Informatization Construction of the Banking Industry,” September 3, 2014, http://www.cbrc.gov.cn/govView_EE29BABB27EB4E51A4343517691438F9.html; and Paul Mozur, “New Rules in China Upset Western Tech Companies,” *New York Times*, January 28, 2015, <http://www.nytimes.com/2015/01/29/technology/in-china-new-cybersecurity-rules-perturb-western-tech-companies.html>.

³⁶ Yuan Yang and Nian Liu, “Beijing Orders State Offices to Replace Foreign PCs and Software,” *Financial Times*, December 8, 2019, <https://www.ft.com/content/b55fc6ee-1787-11ea-8d73-6303645ac406>.

³⁷ Yun Sun, “Political Party Training: China’s Ideological Push in Africa?” Brookings Institution, Africa in Focus, July 5, 2016, <https://www.brookings.edu/blog/africa-in-focus/2016/07/05/political-party-training-chinas-ideological-push-in-africa>.

³⁸ Adrian Shabbaz, “Freedom of the Net 2018: The Rise of Digital Authoritarianism,” Freedom House, <https://freedomhouse.org/report/freedom-net/2018/rise-digital-authoritarianism>.

³⁹ He Huifeng, “In a Remote Corner of China, Beijing Is Trying to Export Its Model by Training Foreign Officials the Chinese Way,” *South China Morning Post*, July 14, 2018, <https://www.scmp.com/news/china/economy/article/2155203/remote-corner-china-beijing-trying-export-its-model-training>.

that characterize Chinese regulations.⁴⁰ Moreover, there is a general demonstration effect: China now can argue that it, along with Europe and the United States, has a robust governance model for data and security. This model offers an alternative to the balance between individual rights and state authority, privacy and security, and regulation and innovation that liberal democracies emphasize. It also explicitly rejects the idea that the balance offered in the other governance models is universal.

The Diplomacy of Cyber Sovereignty

China's efforts to promote cyber sovereignty as an organizing principle of internet governance have focused on the United Nations as well as other multilateral and regional forums. In fact, China has consistently argued for the need to elevate the United Nation's role in internet governance, with the hope of turning the organization into the main body for regulating cyberspace and diminishing the sway of ICANN, the Internet Engineering Task Force, and other organizations that make up the multistakeholder process. In August 2017, for example, Chinese diplomats released a position paper on the United Nation's role in internet governance. "China will continue to support the UN as the main channel of safeguarding international cybersecurity, establishing order and developing international rules for cyberspace," the paper reportedly stated.⁴¹ A multilateral approach located at the United Nations has two benefits for Beijing. First, it prioritizes the interests of governments over those of technology companies and civil society groups. Second, it would allow China to mobilize the votes of developing countries, many of which would also like to control the internet and the free flow of information.

At the United Nations, China has become a progressively more active contributor to the Group of Government Experts on Developments in the Field of Information and Telecommunications in the Context of International Security.⁴² The United Nations first began considering issues of cybersecurity after Russia submitted in 1998 a draft resolution to the First Committee of the UN General Assembly (Disarmament and International Security Committee). The First Committee established the first group of cyber experts in 2004, and the group has convened five times since.

In June 2013, for the first time the Group of Government Experts issued a consensus report. China, Russia, the United States, and representatives from twelve other nations agreed that "international law, and in particular, the Charter of the United Nations, is applicable" to cyberspace. The report also stated that "State sovereignty and the international norms and principles that flow from it apply to States' conduct."⁴³ U.S. officials used the consensus to argue that by agreeing to the UN Charter, the signers were also accepting the Geneva Conventions and the applicability of the Laws of Armed Conflict to cyberspace.

Chinese officials, however, came away from the Group of Government Experts meeting stressing the importance of the UN Charter and sovereignty. In December 2013, Lu Wei, who was

⁴⁰ Jessica Chen Weiss, "Understanding and Rolling Back Digital Authoritarianism," *War on the Rocks*, February 17, 2020, <https://warontherocks.com/2020/02/understanding-and-rolling-back-digital-authoritarianism>.

⁴¹ Colum Lynch and Elias Groll, "As U.S. Retreats from World Organizations, China Steps In to the Fill the Void," *Foreign Policy*, October 6, 2017, <https://foreignpolicy.com/2017/10/06/as-u-s-retreats-from-world-organizations-china-steps-in-the-fill-the-void>.

⁴² Adam Segal, "Chinese Cyber Diplomacy in a New Era of Uncertainty," Hoover Institution, Aegis Paper Series, no. 1703, June 2, 2017, https://www.hoover.org/sites/default/files/research/docs/segal_chinese_cyber_diplomacy.pdf.

⁴³ UN Group of Government Experts, "Report of the Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security," June 24, 2013, <https://www.unidir.org/files/medias/pdfs/developments-in-the-field-of-information-and-telecommunications-in-the-context-of-international-security-2012-2013-a-68-98-eng-0-518.pdf>.

then the head of China's State Internet Information Office and would eventually become the head of the CAC, spoke at the Second China–South Korea Internet Roundtable. Lu argued that just as the 17th century saw the extension of national sovereignty over parts of the sea and the 20th century over airspace, the 21st century would be defined by national sovereignty being extended to cyberspace. While information services could cross borders, Lu said, “cyberspace cannot live without sovereignty.”⁴⁴

In the 2015 consensus report from the UN Group of Government Experts, China signed off on a set of norms of responsible behavior in cyberspace promoted by the United States, including the norms of state responsibility and duty to assist as well as that states should not intentionally damage or impair other states' critical infrastructure or target their computer emergency response teams during peacetime. In addition, Beijing, in coordination with Moscow, worked to protect and expand the sovereignty norm. Like the 2013 report, the final report in 2015 stated that “State sovereignty and international norms and principles that flow from sovereignty apply to the conduct by States of ICT-related activities and to their jurisdiction over ICT infrastructure within their territory.”⁴⁵ The 2015 report, however, included an additional section—“How International Law Applies to the Use of ICTs”—that further develops these ideas, noting that “States must observe, among other principles of international law, state sovereignty, sovereign equality, the settlement of disputes by peaceful means and non-intervention in the internal affairs of other States.”

Beijing also uses cyber sovereignty to reinforce its regional position and to bolster its leadership role in regional and developing country groupings. In 2009 the members of the SCO signed an agreement defining areas of cooperation in information security, which included creating a system for the joint monitoring of cyber threats, developing provisions in international law to limit “the spread and use of information weapons threatening defense capacity, national security and public safety,” combatting cybercrime and the use of ICTs for terrorism, and joint training and exercises.⁴⁶ As noted earlier, both the 2011 original submission and the 2015 update to the draft international code of conduct for information security to the UN General Assembly submitted by the SCO stress the sovereign rights of states and identify sovereignty as the defining principle of international law.⁴⁷

Similarly, statements from BRICS (Brazil, Russia, India, China, and South Africa) meetings have highlighted sovereignty as a main principle of international law and the group's support for an open multilateral process that includes all states and recognizes all states' needs and interests. The 2017 Xiamen Declaration, for example, stressed “the paramount importance of the principles of international law enshrined in the Charter of the United Nations, particularly the state sovereignty, the political independence, territorial integrity and sovereign equality of states, non-interference in internal affairs of other states, and respect for human rights and fundamental freedoms.”⁴⁸ Until 2018, however, the group also had stated that it would work to promote an open, secure, non-fragmented global internet.

⁴⁴ Adam Segal, “Cyberspace Cannot Live without Sovereignty, Says Lu Wei,” Council on Foreign Relations, Asia Unbound, December 10, 2013, <http://blogs.cfr.org/asia/2013/12/10/cyberspace-cannot-live-without-sovereignty-says-lu-wei>.

⁴⁵ UN Group of Government Experts, “Developments in the Field of Information and Telecommunications in the Context of International Security,” July 22, 2015, <https://undocs.org/A/70/174>.

⁴⁶ See the Agreement among the Governments of the SCO Member States on Cooperation in the Field of Ensuring International Information Security, available at <http://eng.sectsc.org/load/207508>.

⁴⁷ UN General Assembly, “International Code of Conduct for Information Security,” A/66/359, September 14, 2011; and “Letter Dated 9 January 2015 from the Permanent Representatives of China, Kazakhstan, Kyrgyzstan, the Russian Federation, Tajikistan and Uzbekistan Addressed to the Secretary-General.”

⁴⁸ Full text of the BRICS Leaders Xiamen Declaration is available from Xinhua, September 4, 2017, http://www.xinhuanet.com/english/2017-09/04/c_136583396_2.htm.

Chinese leaders have continued to use the World Internet Conference in Wuzhen as a platform. Over time, however, the prestige of the meeting has declined. Xi Jinping delivered his speech in person in 2015 but has since only sent congratulatory letters. Wuzhen's high point might have been 2017 when Apple CEO Tim Cook, Cisco CEO Chuck Robbins, and Google CEO Sundar Pichai all spoke. Since then, foreign technology companies have sent country heads.⁴⁹ While representatives from 76 countries and regions attended the conference in 2018, most of the heads of government that have attended are from small states or the SCO. The United States and other Western governments have sent representatives from the embassies in Beijing.

The messaging at the World Internet Conference has also shifted. Whereas cyber sovereignty dominated the earlier meetings, Chinese officials have recently elevated another concept in Xi's 2015 speech: "building a community of shared destiny in cyberspace."⁵⁰ This positive-sum concept dovetails with sovereignty, stressing the equality of all state actors, and includes issues like bridging the digital divide, promoting e-commerce, and facilitating the cross-border flow of data.

BRI, Commercial Diplomacy, and Technical Standards

There is little overt promotion of cyber sovereignty through BRI and Chinese commercial diplomacy. Chinese officials are more likely to speak of mutual benefit, win-win cooperation, and a community with a shared future in cyberspace. Still, these efforts to shape the global governance of cyberspace are adjacent to and supportive of cyber sovereignty. That is, these efforts promote Beijing's model of internet management to China's BRI partners and strengthen their capacity to exercise control over their own cyberspace.

Chinese companies have been active in building the Digital Silk Road in BRI countries and investing in cross-border optical cables, transcontinental submarine optical cable projects, and spatial (satellite) communication.⁵¹ The large-scale investment in hardware is being followed up with increasing investment in e-commerce, cloud services, financial technology (fintech), and big data. This investment is being driven by bottom-up and top-down forces. Chinese companies are searching for new markets and customers, while the government is providing support in pursuit of economic, strategic, and political goals.

Beijing has provided credit lines to Chinese companies as well as credit to BRI partners. The Mercator Institute estimates that China has made \$7 billion in loans and investments on cables and telecommunications networks, over \$10 billion on e-commerce and mobile payments systems, and more on research and data centers.⁵² China's Export-Import Bank financed 85% of the China-Pakistan Fiber-Optic Project, for example, and loaned to Nigeria the full cost of a Huawei-built 5G network.⁵³ ZTE and Huawei, leaders in 5G, are significant contributors to BRI.

⁴⁹ Josh Horwitz, "Tim Cook and Sundar Pichai's Surprise Remarks at China's 'Open Internet' Conference," *Quartz*, December 4, 2017, <https://qz.com/1145637/2017-world-internet-conference-tim-cook-and-sundar-pichais-surprise-remarks>; and Cissy Zhou, "Google and Facebook Stay Away but Smaller U.S. Firms Scout for Business at China's World Internet Conference," *South China Morning Post*, October 20, 2019, <https://www.scmp.com/economy/china-economy/article/3033783/google-and-facebook-stay-away-smaller-us-firms-scout-business>.

⁵⁰ Xi Jinping (remarks at the opening ceremony of the Second World Internet Conference).

⁵¹ National Development and Reform Commission, Ministry of Foreign Affairs, and Ministry of Commerce (PRC), *Vision and Actions on Jointly Building Silk Road Economic Belt and 21st-Century Maritime Silk Road* (Beijing: Foreign Languages Press, 2015), available at <http://vancouver.china-consulate.org/eng/topic/obor>.

⁵² "Networking the Belt and Road: The Future Is Digital," Mercator Institute for China Studies, August 28, 2019, <https://www.merics.org/en/bri-tracker/networking-the-belt-and-road>.

⁵³ Andrew Kitson and Kenny Liew, "China Doubles Down on Its Digital Silk Road," CSIS, Reconnecting Asia Program, November 14, 2019, <https://reconnectingasia.csis.org/analysis/entries/china-doubles-down-its-digital-silk-road>.

Huawei equipment is now behind two-thirds of the commercially launched 5G networks outside China, although these networks may combine products from several suppliers. ZTE operates in over 50 of the 64 countries on the routes of BRI.⁵⁴ The two companies also operate training centers in 9 African countries.⁵⁵

While Chinese companies often export these technologies to liberal democracies, their sales to developing countries put technologies in the hands of governments lacking their own capabilities, strengthening control over information.⁵⁶ Along with the hardware, Chinese firms also pass on training and techniques. The on-the-ground presence of Chinese firms gives them influence over decisions on how tightly controlled the internet is in partner countries. According to reporting by the *Wall Street Journal* and Associated Press, embedded Huawei technicians helped Ugandan and Zambian security forces intercept encrypted communications and use cell data to track opponents.⁵⁷

Beijing is also expending significant effort to shape global standards in emerging technologies, especially 5G, artificial intelligence (AI), and the Internet of Things, believing they convey market and political influence. For example, as Jeffrey Ding, Paul Triolo, and Samm Sacks note, the New Generation Artificial Intelligence Development Plan has a large focus on standards-setting not only for technological interoperability but also for safety procedures and ethical norms of deploying AI-enabled systems.⁵⁸ These norms could justify uses of AI that prioritize collective over individual rights and national stability over the rights of free expression and assembly. In addition, Chinese technology companies have become more active and effective participants in international standards-setting forums. In the 3rd Generation Partnership Program, an international coalition of seven standards organizations working on 5G, representatives from Chinese companies and institutions reportedly have 10 of 57 chair and vice-chair positions.⁵⁹ ZTE, Huawei, Hikvision, and Dahua have submitted all the surveillance standards—twenty since 2016—to the International Telecommunication Union.⁶⁰

As with BRI, cyber sovereignty is rarely explicitly referenced in international standards-setting forums. China and Chinese companies have strong economic reasons to shape the technical standards for emerging technologies that have nothing to do with cyber sovereignty. Still, the effort to develop “discourse power” echoes two of the central drives of cyber sovereignty: Beijing’s desire to have more influence over the governance of cyberspace and to assert the predominance of states in processes traditionally driven by the private sector.

⁵⁴ Rita Liao, “Huawei Says Two-Thirds of 5G Networks Outside of China Use Its Gear,” TechCrunch, June 25, 2019, <https://techcrunch.com/2019/06/25/huawei-wins-5g-contracts>.

⁵⁵ “China’s Mighty Telecom Footprint in Africa,” New Security Learning, February, 11, 2011, <http://www.newsecuritylearning.com/index.php/archive/75-chinas-mighty-telecom-footprint-in-africa>; and “‘Going Global’ in the Growth Markets: Chinese Investments in Telecommunications in Africa,” Centre for Chinese Studies, Stellenbosch University, April 2012.

⁵⁶ Steven Feldstein, “The Global Expansion of AI Surveillance,” Carnegie Endowment for International Peace, Working Paper, September 17, 2019, <https://carnegieendowment.org/2019/09/17/global-expansion-of-ai-surveillance-pub-79847>.

⁵⁷ Joe Parkinson, Nicholas Bariyo, and Josh Chin, “Huawei Technicians Helped African Governments Spy on Political Opponents,” *Wall Street Journal*, August 15, 2019, <https://www.wsj.com/articles/huawei-technicians-helped-african-governments-spy-on-political-opponents-11565793017>.

⁵⁸ Jeffrey Ding, Paul Triolo, and Samm Sacks, “Chinese Interests Take a Big Seat at the AI Governance Table,” New America, June 28, 2018, <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/chinese-interests-take-big-seat-ai-governance-table>.

⁵⁹ Newley Purnell and Stu Woo, “China’s Huawei Is Determined to Lead the Way on 5G Despite U.S. Concerns,” *Wall Street Journal*, March 30, 2018, <https://www.wsj.com/articles/washington-woes-aside-huawei-is-determined-to-lead-the-way-on-5g-1522402201>.

⁶⁰ Anna Gross and Madhumita Murgia, “China Shows Its Dominance in Surveillance Technology,” *Financial Times*, December 26, 2019, <https://www.ft.com/content/b34d8ff8-21b4-11ea-92da-f0c92e957a96>.

The Lure of Cyber Sovereignty

China has made steady progress in achieving its goals in cyberspace and is likely to continue doing so. While domestic cybersecurity remains a significant vulnerability, the development of new cybersecurity institutions, laws, and guidelines and the rising technological competitiveness of Chinese technology firms increase the capability component of cyber sovereignty. Chinese firms are clearly important technology partners along BRI routes and in Eastern Europe, and they have a greater role in international standards organizations. Beijing has also been relatively successful, along with Russia, in strengthening the role of the United Nations in cyberspace governance. In the end, Beijing's influence over cyberspace governance will be partial and loose.

While Beijing remains committed to achieving cyber sovereignty, China's messaging around it has become less insistent and prominent for two reasons. First, in opposition to the Trump administration's promotion of its America-first strategy, Chinese leaders are positioning their country as a responsible global power. Downplaying cyber sovereignty allows Beijing to increase its standing by avoiding direct confrontation while highlighting China's dynamic high-tech sector and broadcasting positive-sum concepts such as building a community of shared destiny in cyberspace.

Second, China does not need to push cyber sovereignty so hard because its central tenet—states have the right to control the internet—is now so widely accepted. Little of this acceptance is the result of Chinese efforts. To be sure, states worried about domestic stability and regime legitimacy can look to Beijing to sell technology, share technical expertise, and provide diplomatic and political coverage. And China's support will help these countries control the flow of information more effectively, with the end result being a less free and less open internet.

However, many policymakers are now amenable to the call for greater regulation and controls on the internet because of their own experiences over the last decade rather than because of Chinese diplomatic efforts. There has been a widespread disillusionment with the laissez-faire approach to internet regulation and the multistakeholder model of cyberspace governance.⁶¹ Governments around the world, of all different regime types, view the internet as a threat to privacy, equality, local culture, truth, and good governance. In effect, they are worried about threats to their sovereignty and are looking for new tools to control the flow of information and check the power of big technology firms. According to Freedom House, in 2018 “at least 17 countries approved or proposed laws that would restrict online media in the name of fighting ‘fake news’ and online manipulation.”⁶² Under Germany's Network Enforcement Act, social media companies face fines up to 50 million euros if they do not remove “obviously illegal” hate speech and other postings within 24 hours of receiving a notification. Singapore requires social media platforms to carry warnings on posts deemed false by the government and remove comments that are incompatible with the “public interest.” In the United States, legislators from both sides of the aisle are looking to rewrite or revoke Section 230 of the 1996 Communications Decency Act, which largely freed certain internet companies from liability for third-party content.

In addition, European policymakers have increasingly spoken of the need for digital sovereignty to break the dominance of U.S. and Chinese technology companies. Chancellor Angela Merkel,

⁶¹ Karen Kornbluh, “The Internet's Lost Promise,” *Foreign Affairs*, September/October 2018, <https://www.foreignaffairs.com/articles/world/2018-08-14/internets-lost-promise>.

⁶² Shabbaz, “Freedom of the Net 2018.”

for example, has supported the idea of a cloud-computing initiative, developed with France and called Gaia-X, which would allow European companies to store their data in Europe.⁶³ European Commission president Ursula von der Leyen has said that “it is not too late to achieve technological sovereignty in some critical technology areas.”⁶⁴

Policy Options

Washington should focus on combatting Chinese efforts to promote cyber sovereignty through the United Nations and other international organizations. This would require re-engagement with international organizations as well as more creative thinking about the multistakeholder model. U.S. policymakers should shift from simply defending the private sector–led model to offering a positive vision that provides developing countries with realistic alternatives to working solely through the United Nations. The State Department should move forward as quickly as possible with plans to create a Bureau of Cyberspace Security and Emerging Technologies headed by a Senate-confirmed assistant secretary of state, who would report to the secretary of state or deputy secretary of state.

The United States will also want to ensure that alternatives to Chinese technology are widely available. In the competition over 5G, the United States should offer countries alternatives to Huawei that can compete on price and efficiency. Through the U.S. International Development Finance Corporation, the U.S. government should provide loans or loan guarantees for telecommunications equipment in developing economies.⁶⁵ It also should work with allied governments to improve their cybersecurity, developing shared standards for inspecting and deploying 5G equipment, similar to the joint statement issued by 30 countries in Prague in May 2019.⁶⁶

In addition, the Department of Commerce should work with major trading partners to promote the secure and free flow of data and the development of common technology standards. Washington and its partners should look for common principles on privacy that would allow for the secure, privacy-protected flow of data in the near term, with a longer-term goal of developing new multilateral agreements.

The growing acceptance of cyber sovereignty poses a real policy dilemma for U.S. policymakers separate from Chinese efforts. It is difficult to protect the idea of an open, free, and global internet when the United States is itself considering data localization, online content moderation, and regulation of technology companies. While Washington might stress that these processes occur transparently and through the rule of law, to third countries facing similar pressures, they do not look starkly different from Chinese calls for cyber sovereignty. Any U.S. effort to curtail the spread of cyber sovereignty first requires a domestic consensus on how the internet should be regulated, which does not look likely in the current environment of political polarization.

⁶³ Guy Chazan, “Angela Merkel Urges EU to Seize Control of Data from U.S. Tech Titans,” *Financial Times*, November 12, 2019, <https://www.ft.com/content/956ccaa6-0537-11ea-9afa-d9e2401fa7ca>.

⁶⁴ Mark Scott, “What’s Diving Europe’s New Aggressive Stance on Tech,” *Politico*, October 27, 2019, <https://www.politico.eu/article/europe-digital-technological-sovereignty-facebook-google-amazon-ursula-von-der-leyen>.

⁶⁵ Adam Segal, “The Right Way to Deal with Huawei,” *Foreign Affairs*, June 11, 2019, <https://www.foreignaffairs.com/articles/china/2019-07-11/right-way-deal-huawei>.

⁶⁶ Lenka Ponikelska, “Countries Seek United 5G Security Approach amid Huawei Concerns,” *Bloomberg*, May 3, 2019, <http://bloomberg.com/news/articles/2019-05-03/countries-seek-united-5g-security-approach-amid-huawei-concerns>.

Every Step Makes a Footprint: China's Aid and Development as Incremental Policies

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NOTE: The Chinese proverb in the title refers to an idea of progressive evolution. The saying that every step leaves its print means that actions lead to realization, underlining the importance of the process in achieving a goal.

EXECUTIVE SUMMARY

This essay lays out the underpinnings of China's development and aid policies and analyzes how China's new assertiveness in this field could challenge and redefine the international system of development finance.

MAIN ARGUMENT

China has become a structural actor within the development finance system and narrative, with donors trying to find common ground for cooperation and, in the meantime, influence China's aid and practices. China's development policies could pave the way for increasing the country's influence on the international stage without simultaneously advocating for a renewed level playing field in development finance. China's aid and development policies, far from being part of a clearly formulated grand strategy for change on a bigger scale, are mainly incremental and operating within the international system, and partly thanks to it.

POLICY IMPLICATIONS

- The recent paradigm shift in foreign policy and development finance, culminating in the Belt and Road Initiative (BRI), attests to the new place that China enjoys within the international development ecosystem. China is not becoming a parallel actor of the donor community. Instead, it aims at becoming a structural actor within the system by developing new actors and tactics that level the playing field.
- Beijing is redefining its role in the international development ecosystem by restructuring its architecture for aid and development assistance and promoting domestic development models at an international level, such as BRI. This narrative is now upscaled through various new policies, in some ways framing the choice presented by Chinese aid and development policies as an alternative between a Washington Consensus and a Beijing Consensus.
- Non-Chinese multilateral and bilateral donors could gain some influence by cooperating with Chinese actors under specific circumstances. In order to achieve more pragmatic and positive cooperation, however, there needs to be a better understanding of China's aid and development policies and how they depart from established best practices.

Since the launch of the Belt and Road Initiative (BRI), China's aid and development policies have become more visible and in some cases controversial. Whereas China's posture had historically mostly been based on assistance and cooperation, its overseas development policies and investments are nowadays blurring lines between aid and development, between development finance and economic cooperation, and sometimes between global strategy and specific projects. Furthermore, these Chinese policies, in both aid and development finance, at times frame bigger stakes than the investment projects themselves. The new scale and pace of policies with multiple objectives and outcomes (political, economic, and developmental) could imply that China would be an emerging aid and development actor—which it is not—and a strategist in aid allocation to achieve a global purpose—which could be true, as with other development actors.

Are Chinese aid and development policies reshaping a new world order? This essay argues that the country's policies could pave the way for increasing China's influence on the international stage without simultaneously advocating for a renewed level playing field in development finance. Furthermore, the essay argues that China's aid and development policies, far from being part of a clearly formulated grand strategy for change, are mainly incremental and operating within the international system, and partly thanks to it.

Although China has always been an active international lender and donor, its aid and development policies have been marked relatively recently by a new assertiveness brought about by BRI. The incremental mutation of the country's political objectives supports the thesis that Chinese aid and development policies are tactical and not primarily strategic. The objectives of these tactics are multiple and are not necessarily related to a grand strategy to build a new world order in the field of development finance. What seems to be key, though, is that China is taking incremental small steps, slowly shaping the system from within. The impact of Chinese aid and development policies can be represented in terms of three spheres of influence:

- The first sphere is China's engagement with the aid and development finance system by trying to add Chinese characteristics to existing standards. Because the Chinese government created its policies outside the international standards set by the Organisation for Economic Co-operation and Development (OECD), China's aid and development finance is often depicted as a puzzle.¹ Beijing is accused of flirting with development finance limits and market-driven logics, even if recent evolutions in aid policies are pledging official development assistance (ODA) and economic cooperation mixed with development finance.
- The second sphere encompasses actions by China to become a structural actor by increasing financial flows and upscaling existing opportunities. Today, Beijing is redefining its role in the international development ecosystem by restructuring its architecture for aid and development assistance and promoting domestic development models at an international level, such as BRI.
- The third sphere is the influence that China will have on international norms for the financing of public goods using multilateral development institutions, especially regarding debt, concessional financial terms, and more broadly financial and environmental sustainability. Precisely related to this evolution, Chinese authors such as Justin Yifu Lin and Yan Wang argue that China has an ambition to go "beyond aid," striving for a structural transformation of development cooperation, including trade, aid, and investment for development objectives. This ambition, they contend, is also shared by some Western actors. On this account, China is not trying to completely reshape the global architecture of aid but is coping with, and in some

¹ Celia Halton, "China's Secret Aid Empire Uncovered," BBC News, October 11, 2017.

ways advocating for, this architecture, while injecting into it additional Chinese values since the 2010s.

Given these three spheres of influence, what are the implications of China's aid and development policies, for both Chinese and international actors? The main implication of these policies is what they articulate about China's interest in tackling global goods issues. In their tactical form, Chinese aid and development policies are still evolving. Non-Chinese multilateral and bilateral donors could gain some influence by cooperating with Chinese actors under certain circumstances. In order to achieve more pragmatic and positive cooperation, however, there needs to be a better understanding of China's aid and development policies and how they depart from established best practices. Financial, social, and environmental sustainability issues need to be common goals for Chinese actors and the donor community. The outcomes of China's contribution to the global aid and development architecture will center on these crucial issues of sustainability.

The first section of this essay deciphers the historical and political evolution of Chinese aid and development policies. The subsequent section then identifies actors, practices, and underpinnings of Chinese development flows. The concluding section debates the relatively new assertiveness of Chinese aid and development policies and draws implications for the international development system and actors to achieve sustainable development goals.

The First Sphere: An Atypical Actor between Aid and Development

As of today, China's aid and development policies are far from forming a disruptive strategy aiming at creating a new development ecosystem. Chinese policies have evolved gradually and incrementally since the 1950s, from the Non-Aligned Movement until BRI. From the beginning, China has tried to set an alternative—but not necessarily disruptive—definition of aid and development outside the OECD. However, Beijing remains an atypical actor. It is still receiving ODA financing,² even as it builds a donor narrative for itself on its own development path. This narrative is now upscaled through various new policies, in some ways framing the choice presented by Chinese aid and development policies as an alternative between a Washington Consensus and a Beijing Consensus.

A Black Box in a Black Box? Differences between China and the International Development System

Chinese aid and development policies are mostly atypical because how China defines aid differs from the international system. Defining the volume, value, and implementation of bilateral policies is challenging to the extent that they involve different practices. However, defining Chinese aid becomes even more difficult because it involves different paradigms, in particular the dual position of China being both a recipient and a donor of aid. Since the beginning of the People's Republic of China (PRC), Chinese governments have formulated aid policies outside of

² By the OECD regulations and the World Bank's methodology, China is still a developing country and an ODA recipient. Between 1980 and 2016, China received over \$40 billion of bilateral foreign aid from the international community. The World Bank has an ongoing and prospective portfolio in China, mainly implementing environmental and climate change projects in the country, as do other multilateral and bilateral donors.

international standards—i.e., the OECD Development Assistance Committee (DAC).³ Beijing still does not follow these standards, which makes any comparison difficult. Consequently, Chinese white papers do not refer to the notion of ODA. The OECD considers Chinese concessional loans to be “associated finance” and does not consider them to be aid.⁴ Still, the dialogue is ongoing between the PRC and its international peers in aid development. Since 2007, China has been a key partner of the OECD, including since 2009 around substantial discussions with the DAC board—a body that comprises the main official development assistance donors—through the China-DAC Study Group.

Chinese aid policy and development finance do not have the same definition nor analytic parameters. These policies are still often—and wrongly—introduced as part of a unique political and economic framework. What one considers as Chinese aid policy would actually be a very limited portion of overall Chinese financial flows involved in development cooperation. Coexistence between the two—and China’s own blurred communications, as well as internal difficulties in monitoring financial flows—feeds this misunderstanding. Concerning foreign aid strictly, the white paper on foreign aid released by the PRC in 2014 defines three forms of foreign aid (grants, interest-free loans, and concessional loans) and identifies eight types of aid projects.⁵ According to Deborah Brautigam, China also includes in its definition of aid external assistance in military, sport, and institution facilities as well as loans in support of some joint-venture investments by Chinese companies (like other official financing in OECD countries).⁶ Other documents could be more relevant to understanding the perimeter of Chinese aid policy. Some documents from the PRC Ministry of Commerce and from the newly created China International Development Cooperation Agency (CIDCA) describe in their own way the aid administration framework.⁷ Chinese aid and development policies are part of the same narrative of Chinese assistance, but are different tools. In many ways, the implicit Chinese definition of development finance is more closely linked with economic cooperation than with ODA financing, as the subsequent section on international development finance will argue.

The Doctrine and Theory behind China’s Aid Policy

Since the establishment of the PRC, aid policy has always been a key component of Chinese diplomacy. Drawing on its nonaligned history and economic development experience as an emerging country in the global South, China has formed its own development doctrine.

³ The DAC defines ODA as “flows provided by official agencies...concessional (i.e., grants and soft loans) and administered with the promotion of the economic development and welfare of developing countries as the main objective.” See “Official Development Assistance (ODA),” OECD, April 2019, <http://www.oecd.org/dac/stats/What-is-ODA.pdf>.

⁴ According to the OECD, associated finance refers to the combination of ODA, whether grants or loans, with any other funding to form financial packages. Associated financing packages are subject to the same criteria of concessionality, developmental relevance, and recipient country eligibility as “tied aid credits.” Regarding the purely aid component of Chinese international finance, since it is tied and subject to procurement restrictions, it is deemed less effective than other forms of aid because tied aid has a lower value for money.

⁵ Grants finance technical assistance, projects, humanitarian aid, the supply of goods and materials, training, volunteers, and medical teams; interest-free loans finance public infrastructure projects to improve living conditions; and concessional loans primarily finance medium- and large-scale infrastructure projects. The Chinese state budget funds grants and interest-free loans. The types of aid projects are aid-in-kind, turnkey projects, capacity training, medical assistance, disaster relief, international volunteers, and debt cancellation.

⁶ Deborah Brautigam, “Aid with Chinese Characteristics: Chinese Foreign Aid and Development Finance Meet the OECD-DAC Aid Regime,” *Journal of International Development* 23, no. 5 (2011): 752–64.

⁷ The “Measures on Budget Management of Foreign Aid” released in 1998 listed activities included in the annual budget for external assistance: costs of turnkey projects, general and military goods and cash, expenses for trainees from recipient countries and salaries of experts sent to recipient countries, interest subsidies for concessional loans, rebates for some specific expenses for Chinese firms involved in foreign aid-financed joint investment and cooperation projects, and fees and administrative expenses for firms implementing aid projects.

China's history of nonalignment and cooperation has shaped its aid policy. Between 1949 and 1960, China developed “socialist solidarities” and “horizontal aid” in the context of the Bandung Conference. The eight key principles of Chinese aid set out in 1964 by Prime Minister Zhou Enlai during a visit to Ghana—one of the stops during a fourteen-country tour between Asia and Africa—are still shaping China’s current official aid doctrine. In particular, China still advocates for noninterference in other states’ internal affairs and strongly emphasizes—at least rhetorically—the need for win-win partnerships.⁸ China’s aid policy remains based on “mutual respect, equality, keeping promises, developing mutual benefits and win-win.” China’s cooperation officially attaches no political strings, aside from recognizing the “one China” principle.⁹

According to Li Xiaoyun, between 1950 and 1973, 0.99% of China’s annual GNP was allocated to aid.¹⁰ During the 1980s, the amount of grants decreased while loans increased. These changes in tools did not affect the political dynamic (but would affect the economic dynamic of debt management, as will be argued later in this essay). During the 2000s, budget expenditures allocated to aid grew at a compound annual growth rate of 18%, fueled by China’s exceptional nominal annual growth of around 15% and the large current account surpluses that provided the country with a sizeable war chest.

China’s own development success is a very effective tool to promote its economic development model. China uses its own development path as an example by pushing for identification with its model and promoting itself indirectly as a leader for developing countries. Of course, this model reflects China’s own economic trajectory and recipe for growth; building interconnectedness through transportation infrastructure and trade are the baseline for the Chinese narrative of aid cooperation. This model involves, for instance, the creation of special economic zones, the development of infrastructure, and the improvement of connectivity. Justin Yifu Lin calls it “development economics 3.0”—an approach that focuses on what developing countries have and areas in which they can do well based on “their latent comparative advantage.”¹¹ Recalling Lao Tzu’s famous saying “give a man a fish and you feed him for a day, teach him how to fish and you feed him for life,” China builds development pathways by promoting “learning by doing.”

China’s aid and development policies are tools of “South identification” within a broader cooperation policy. Through its financing, China outlines and amplifies the creation of a global South, even if a recent shift to China/North assistance has occurred with BRI.¹² Officially, and according to the 2011 State Council white paper, Chinese foreign aid “falls into the category of South-South cooperation” and is a form of “mutual help between developing countries.” Building on the heritage of Bandung, China defines its aid as “horizontal aid” between like-minded countries, as opposed to what is conceived as a Western top-down approach. The 2006 white paper

⁸ These eight principles promote (1) equality and mutual benefit, (2) respect for sovereignty with no conditions, (3) interest-free or low-interest loans, (4) self-reliance and independent economic development rather than dependence on China, (5) less investment with quicker results, (6) provision of materials and equipment (i.e., tied aid), (7) technical assistance to master technology, and (8) standard transfer.

⁹ State Council Information Office of the People’s Republic of China (PRC), *China’s Foreign Aid* (Beijing, July 2014), <http://en.people.cn/n/2014/0710/c90883-8753777.html>.

¹⁰ Li Xiaoyun, “China’s Foreign Aid to Africa,” College of Humanities and Development, China Agricultural University, 2009.

¹¹ Lin develops the idea of different stages of development policy theories as development economics 1.0, 2.0, and 3.0. See Justin Yifu Lin, *New Structural Economics: A Framework for Rethinking Development* (Washington, D.C.: World Bank Publications, 2012).

¹² This concept recalls the first principle of Zhou Enlai, saying “China never regards such aid as a kind of unilateral alms but as something mutual.” See Scott Kennedy, *Global Governance and China: The Dragon’s Learning Curve* (London: Routledge, 2017). To that extent, the global South could refer to that “something mutual,” building a successful source of identity for developing countries. As a heritage of the Bandung Conference, it encapsulates a common criticism against colonialism and imperialism and more broadly the world system. China often presents itself as a structural actor of the global South. Nevertheless, under BRI the participation of Italy—the first G-7 country to take part in the initiative in March 2019—and other developed countries has no relevance to this North/South dichotomy.

on Africa policy also underlines the importance of like-minded cooperation, listing “learning from each other and seeking common development” as a key component. The 2014 white paper reiterates a similar position in support of South-South cooperation as a distinct category from North-South cooperation.¹³

Chinese aid and development policies are mainly bilateral, but multilateral development cooperation is integral to understanding Chinese policies. Multilateral components of China’s aid policy also shape the Chinese conception of the global South. Although this essay mostly focuses on China’s bilateral aid policy, it is important to recognize that Beijing belongs to major multilateral development institutions (shown especially by the 2014 white paper). The Republic of China was a founding member of the World Bank and the International Monetary Fund (IMF) at the Bretton Woods Conference of 1944, and continues to play an important role in these organizations.¹⁴ China is also a member of several other multilateral institutions, such as the Asian Development Bank, the African Development Bank, the New Development Bank (within the BRICS grouping of Brazil, Russia, India, China, and South Africa), and the Asian Infrastructure Investment Bank (AIIB). Chinese diplomats run major UN desks for development, such as the Food and Agriculture Organization. According to Naohiro Kitano, in 2015 China’s multilateral aid funding reached 27% of total Chinese aid (in the sense of ODA), mostly through financial contributions to AIIB’s capital.¹⁵ On average, 15% of Chinese aid is dedicated to multilateral institutions. This is comparable to U.S. contributions but way below French contributions, which were 39% between 2011 and 2015. The DAC average has been around 30% since the 1970s.¹⁶ Institutionally speaking, the People’s Bank of China manages Chinese contributions to multilateral funds.

A Paradigm Shift?

China’s aid policy reflects a paradigm shift, based on Xi Jinping’s *fenfa you wei* foreign policy, which demonstrates China’s increasing presence on the international stage.¹⁷ As for any Chinese policy, old and new Chinese Communist Party concepts have shaped and continue to shape the PRC’s narrative about aid policy. Today, “community of common destiny,” “ecological civilization,” “the right to development,” and “shared future for humankind” are articulated alongside traditional concepts such as noninterference, win-win partnerships, and South-South cooperation. Yet, even if China claims that its aid is unconditional, aid and development flows are de facto conditional because their financials are tied (as is the case for other development actors, such as Japan). Aid, for example, is tied to economic conditions such as the “Chinese element” procurement rule or political conditions regarding the recognition of Taiwan. In addition, new actors came in line to embody China’s new assertiveness in international development theory.

¹³ State Council Information Office (PRC), *China’s Foreign Aid* (2014). According to Justin Lin and Yan Wang, “China’s approach in South-South Development Cooperation differs from the international aid literature of established donors.” Lin, *New Structural Economics*, 6.

¹⁴ China had been a member of the IMF and the World Bank from the time they started operations in 1946. However, when the PRC was established in 1949, China’s representation on the boards of these institutions effectively migrated with the Nationalist government to Taipei. Peter Bottelier, “China and the World Bank: How a Partnership Was Built,” Stanford Center for International Development, Working Paper, no. 277, April 2006.

¹⁵ See Naohiro Kitano, “China’s Foreign Aid: Entering a New Stage,” *Asia-Pacific Review* 25, no. 1 (2018): 90–111; and Naohiro Kitano, “Estimating China’s Foreign Aid: 2017–2018 Preliminary Figures,” JICA Research Institute, September 27, 2019, https://www.jica.go.jp/jica-ri/publication/other/175nbg000018z3zd-att/20190926_01.pdf.

¹⁶ Based on French Agency for Development (AFD) calculations from OECD data.

¹⁷ In January 2014, Xi Jinping announced in a famous speech that China should be more “proactive” on the international stage, ending Deng Xiaoping’s foreign policy dictum that the country should hide its strength and bide its time.

Since March 2017 and following Xi's promise at the 2015 UN summit, the Center for International Knowledge on Development (CIKD) has been helping the State Council define China's aid policy and development theory within and outside China. Attached to the State Council's Development Research Center, CIKD links China's development pathways and international development cooperation, based on new structural economics assessments and successes. It also coordinates research based on sustainable development goals.¹⁸

Recent evolutions in Chinese development policy reflect a paradigm shift in China's foreign policy due to its increasing presence on the international stage. This paradigm shift occurred in three main steps. The first step was the publication of comprehensive official but parceled documents. China published two white papers, in 2011 and 2014, to present its foreign aid system. The 2011 white paper outlines five key components: unremittingly helping recipient countries build up their self-development capacity; imposing no political conditions; adhering to equality, mutual benefit, and common development; remaining realistic while striving for the best; and keeping pace with the times and paying attention to reform and innovation.¹⁹ The 2014 white paper developed an internationalized approach to aid policy, one that was more multilateral and visibly addressed poverty reduction and social welfare.²⁰ But still no aggregate and transparent data related to Chinese aid exists. Some information is presented in these white papers, but they are neither annual nor comprehensive, making comparisons difficult.²¹

A second step was the creation of multilateral financial institutions, illustrated by the creation of the BRICS-related New Development Bank and the Beijing-based AIIB in 2014. Operational since 2016, the AIIB has more than one hundred approved members and tries to operate with the best standards of a multilateral development bank. China, however, owns more than 25% of the voting shares, giving it a de facto veto privilege. Even so, the AIIB has been a very cooperative actor with an exponential engagement curve, mainly based on co-financing projects with other multilateral actors—a major part of its portfolio. The AIIB is still developing its internal procedures and strategies but so far appears to be more transparent than is the case with bilateral financing by Chinese actors. For example, the bank publishes its board decisions and procurement information on its website. Following a proposal by Denmark and the United Kingdom, the DAC decided in 2017 to include the AIIB in the list of eligible ODA institutions.²²

The third and most important step in the evolution of China's development policy is BRI. Based on international connectivity and trade, BRI is in fact a transnational development finance initiative. Yet it is a commercially driven policy rather than an aid policy per se, despite including some components that qualify as grants and project aid. The Silk Road Fund is not a development fund but a state-owned fund that provides venture capital investment. The development of BRI and the enhancement of Chinese aid development are linked to Xi Jinping's revision of Chinese foreign policy, abandoning Deng Xiaoping's strategy for China to "hide its light" before assuming a more

¹⁸ "China's Progress Report on Implementation of the 2030 Agenda for Sustainable Development," Center for International Knowledge on Development, 2019.

¹⁹ State Council Information Office (PRC), *China's Foreign Aid* (Beijing, April 2011), http://english.www.gov.cn/archive/white_paper/2014/09/09/content_281474986284620.htm.

²⁰ During the three years, China actively elaborated its principles, positions, and policies at a series of international conferences, including the UN High-Level Meeting on the Millennium Development Goals, UN Conference on Sustainable Development, UN Development Cooperation Forum, UN Conference on the Least Developed Countries, High-Level UN Conference on South-South Cooperation, G-20 Summit, WTO's Aid for Trade Global Review, and High-Level Forum on Aid Effectiveness.

²¹ Brautigam, "Aid with Chinese Characteristics."

²² "Annex 2: List of ODA-Eligible International Organisations," OECD, July 2017, <https://www.oecd.org/dac/stats/annex2.htm>.

assertive presence on the international stage. The initiative distinguishes itself more by its scale and deliberate visibility than by any radical change in diplomatic approach on the ground. Based on China's new structural economics, BRI focuses on creating a global strategic infrastructure and trade network connecting China and its partners, but it covers many other sectors, including health, education, technology, culture, and aerospace.²³

From the start, China's aid and development policies have incrementally paved a way for political and economic influence. The recent paradigm shift in foreign policy and development finance, culminating in BRI, attests to the new place that China enjoys within the international development ecosystem. China is not becoming a parallel actor of the donor community. Instead, it aims at becoming a structural actor by developing new actors and tactics that level the playing field.

The Second Sphere: China as a Structural Actor in the International Development System

Based on related Chinese instruments of both aid and development—in this case exceeding many definitions of ODA flow (such as that of the OECD)—China has recently surpassed the World Bank and the IMF as the leading creditor for developing and emerging countries, even though its volume of lending has remained relatively stable relative to GDP.²⁴ According to sources such as AidData, Chinese public funding allocated overseas in 2014 surpassed equivalent U.S. funding.²⁵ Thus, China is becoming a structural actor within its ecosystem by increasing financial flows and upscaling opportunistic situations, such as existing projects. China's surge is having a structural impact also because other actors are redefining their strategies regarding Chinese policies (as the discussion of the third sphere of influence will show). Through its new investments, policies, and projects under BRI, Beijing is redefining its role as a dedicated actor in order to better fit into the international development ecosystem. In particular, it is redefining the development architecture, shifting instruments between aid and development, and finally advocating for a model “beyond aid,” which has blurred the existing lines between aid, development, and commercial investment.

Structural Operators for a Global Actor?

In order to become a structural actor in aid and development finance, Beijing aims to clarify what is often presented as the Chinese aid puzzle. China does not yet have a foreign aid law but only has a set of measures edited by the Ministry of Commerce and, more recently, the CIDCA (which is supposed to design a foreign law in the coming months or years).²⁶ Many actors contribute to the definition of foreign aid. The Central Committee of the Communist Party defines the foreign aid policy, but several actors come in line to implement it. The Ministry of Foreign Affairs plays an advisory role in foreign aid. The Ministry of Finance prepares the budget (allocating

²³ BRI has the following main components: synergize connectivity of development policies and strategies, deepen project cooperation for infrastructure connectivity, expand industrial investment, enhance trade connectivity, invest more in people's livelihood, and deepen people-to-people exchange.

²⁴ Sebastian Horn, Carmen M. Reinhart, and Christoph Trebesch, “China's Overseas Lending,” National Bureau of Economic Research, Working Paper, no. 26050, July 2019 (rev. May 2020).

²⁵ “China's Global Development Footprint,” AidData, <https://www.aiddata.org/china-official-finance>.

²⁶ Author's discussions with Marina Rudyak, who outlines in her dissertation research that in 1997 the Export-Import Bank of China requested a foreign aid law to coordinate and limit risk.

aid financing envelopes between different ministries and state operators), authorizes grants to multilateral organizations (delegated to the People's Bank of China), manages debt cancellation and restructuring (working closely with financial actors and banks), and approves annual aid plans. The Export-Import Bank of China (Exim Bank of China) provides concessional loans. Between twelve and twenty other ministries and agencies play active roles in foreign cooperation policy, including the National Development and Reform Commission, as do Chinese provinces. In the field, economic and commercial attachés at Chinese embassies are tasked with overseeing and coordinating aid.

Created in 2018 and related to the State Council, the CIDCA aims to formulate and coordinate aid policy, articulate BRI aid projects (especially focusing on instruments such as grants and zero-interest loans), and supervise aid-project evaluation.²⁷ Nevertheless, the implementation of foreign aid and development finance remains the prerogative of the Ministry of Commerce and policy banks. In terms of implementation and instruction, the Ministry of Commerce is still the central institution for foreign aid.²⁸ A quick look at its budget, which remains quite unique, confirms this.²⁹ In other DAC countries, the Ministry of Foreign Affairs oversees strategic aid programs, sometimes alongside the Ministry of Finance. Xi Jinping has emphasized the need for effectiveness and optimization of the Chinese public aid architecture, which would be the CIDCA's implicit mission. Before the creation of the CIDCA, these numerous actors did not properly coordinate.

Other operational actors are also involved in development finance and economic cooperation. This multiplication of actors could create a complete cooperation toolset or further blur the lines between aid policy and economic cooperation. The Exim Bank of China deploys the Chinese concessional envelope in the form of loans. Although the China Development Bank's mandate is mainly domestic, this policy bank is also entrusted with issuing loans outside China that could be considered as development finance through commercial terms and sometimes, as an exception, under the market rates close to concessional loans (for example, in Sri Lanka or Pakistan). However, its chief instrument remains exports and is commercially driven. In terms of their respective balance sheets, the China Development Bank has become the world's leading development bank, and the Exim Bank of China has become the largest export bank. In 2017, the former's total assets were \$2,361 billion and the latter's were \$529 billion. State-owned enterprises and provinces also play a role in these financial flows. They appear to be collateral aid and development-finance actors, as SOEs tend to be the main contractors of BRI projects with financing from the policy banks (such as the Exim Bank of China and the China Development Bank, as their financials are tied), decentralized cooperation with provinces (for example, Sichuan with Europe, or Shaanxi with Africa), or other "multi-bilateral" funds (i.e., funds created between China and other multilateral

²⁷ On October 31, 2019, the CIDCA issued a draft of "Measures for the Use of Foreign Aid Logo" for public consultation, including medical equipment and medical teams, projects funded by the UN Fund for South-South Cooperation, and projects funded through concessional loans. This is analyzed in Marina Rudyak, "CIDCA Issues Draft of 'Measures for the Use of Foreign Aid Logo,'" ChinaAidBlog, April 11, 2019, <http://china-aid-blog.com/2019/11/04/cidca-issues-draft-of-measures-for-the-use-of-chinese-aid-logo>.

²⁸ The Ministry of Commerce's Department for International Trade and Economic Affairs (DITEA) manages the project implementation, especially regarding development finance, through three different desks: economic cooperation, exchange center, and training. After the CIDCA's approval and the reception of a feasibility study, DITEA supervises and manages the project instructions.

²⁹ A recent article by the Brookings Institution showed that the CIDCA's budget was equivalent to 1% of the Ministry of Commerce's overseas economic cooperation in 2019. See Yun Sun, "One Year On, the Role of the China International Development Cooperation Administration Remains Cloudy," Brookings Institution, April 30, 2019, <https://www.brookings.edu/blog/africa-in-focus/2019/04/30/one-year-on-the-role-of-the-china-international-development-cooperation-administration-remains-cloudy>.

institutions). Yet other semi-public and private actors like the Alibaba Foundation, Huawei, and Xiaomi should not be underestimated.

Becoming a Structural Development Actor: From Aid to Development Finance?

China provides government-to-government aid as any classic bilateral donor. However, it seldom liaises on the ground with other donors, both on aid projects and on development finance projects.³⁰ Given that China stresses the principle of noninterference in recipients' policies—though, as discussed earlier, some official political conditionality such as acknowledgment of the one-China policy remains—its aid is structured as pure budget support without specific expected official outcomes, allowing the recipient government to choose how to use the aid. Discussions of aid projects or development finance projects often take place during high-level summits, such as the Forum on China-Africa Cooperation, illustrating the Chinese approach of multi-bilateralism, and often with the creation of related funds.

Nevertheless, China's aid policy has evolved and now favors loans rather than grants, with the exception of some grant pockets. This shift in instruments could hinder counterparts fiscally and macroeconomically if at a macro level the financed projects do not fulfill financial needs or at a micro level they are not based on effective investment plans and expected revenue outcomes. This is especially true given that China has often built privileged relations with financially risky countries and seems to abide by more flexible financial sustainability rules. Like other donors, however, China tailors its concessional lending terms to the recipient country's level of development.³¹

Following this shift between aid and development finance, China matches its funding with the recipient country's financing needs and its own investment priorities. With respect to aid policy, China is an important player but with a different strategic position in various sectors. Since 2000, it has been one of the five largest humanitarian providers among non-DAC countries,³² and it is one of the first contributors to the UN blue helmet budget. Most parts of grants and zero-interest loans are dedicated to social projects. China also develops its governance aid program—"human resources aid projects," according to Beijing—which includes training for public officers of third countries, scholarships for university, and study tours. Given that China has stressed the principle of noninterference in recipients' policies, the program states that it should grant its aid as pure budget support, allowing the recipient government to choose what to use the aid for.³³

On a development finance base, through concessional loans, but mostly through commercial and market-driven finance, China's flows mainly target energy and infrastructure projects, where China has both experience and contractors. In the development finance sector, China's comparative advantage is its rapid implementation. Related in part to the absence or low level of social and environmental due diligence and rapid feasibility studies, as well as less stringent financial sustainability assessments, China's more competitive pricing remains unverified. Chinese pricing actually seems to be similar to that of other donors, namely DAC ones in terms of interest rates and maturity, even though it remains difficult to assess pricing conditions as China does not report to the DAC.

³⁰ Bilateral donors usually articulate their investments through informal meetings at the World Bank.

³¹ AFD research by author.

³² Becky Carter, "A Literature Review on China's Aid," Knowledge, Evidence and Learning for Development Programme (K4D), September 2017.

³³ Axel Dreher and Andreas Fuchs, "Rogue Aid? An Empirical Analysis of China's Aid Allocation," *Canadian Journal of Economics* 48, no. 3 (2015): 988–1023.

Preconceived Ideas of Chinese Aid or Market-Driven Realities of Development Finance?

According to Deborah Brautigam, Chinese aid policy has its myths, mythologies, misunderstandings, and blurred lines.³⁴ These blurred lines, whether they are implicit or explicit, also have the effect of creating a distorted vision of Chinese aid. Resource-backed loans, debt diplomacy, and increasing development finance flows could be considered as preconceived ideas of China's aid, while they are actually market-driven realities of development finance. It does not mean that these ideas are not relevant, but it can sometimes blur and mix different stakes from different tools or different aspects of Chinese policies. Misunderstandings regarding aid instruments, development finance, economic cooperation, and Chinese foreign investments provide a base for such preconceived ideas on Chinese aid, while it relates actually to market realities rather than aid dynamics, especially when it comes to resource-backed loans, debt-trap diplomacy, or Chinese financial characteristics.

Resource-backed loans are one preconceived idea about Chinese aid that is actually more related to economic outcomes than aid dynamics. Such loans refer to a model for which China has often been criticized: the “Angola model,” a model related to debt-for-nature swaps. Indeed, resource-backed loans are loans that are partially or fully repaid through resources, mostly used for large projects. This kind of guarantee replaces financial assets that counterparts do not have. In the 1980s the United States or multilateral funds such as the Global Environment Facility also used these kinds of loans to secure repayment with commodities exports.³⁵ The assumption that Chinese resource-backed loans are aid is misguided for several reasons, and they are not accounted for as ODA by the DAC. Commercial market rates and bilateral business support are their main drivers, often happening within China to bypass the flaws of judicial infrastructure. A recent Rhodium Group study concluded that “resource-backed loans are not an element of leverage for Beijing, and in fact do not necessarily represent a strong guarantee against repayment problems.”³⁶ The authors develop the interesting case of Ukraine, showing that “despite China's size and growing international economic clout, its leverage in some of these cases remains quite limited, even in disputes with much smaller countries.”

China's debt-trap diplomacy is another preconceived idea about Chinese aid. Debt-trap diplomacy is often considered as the “masterplan” of Chinese authorities, but it could actually be considered as a collateral effect of prior low economic assessment of investment projects linked to the relative youth of some Chinese investment actors. Regarding recent developments, China's main channel of financing has indeed turned into debt instruments, both aid-based and commercially driven. Consequently, China's share in numerous countries' exterior debt has increased among other creditors. Outstanding debt to China held by other countries (including loans and commercial credit) in 1998 was low but rose to more than \$1,600 billion, or nearly 2% of global GDP, by 2018.³⁷ While most donors finance projects through concessional loans, China's lending practices mix aid, development finance, and commercial rates, leading some analysts to

³⁴ Brautigam depicts seven myths related to Chinese aid policy—for example, “Chinese aid is huge” (Myth 4) and “Chinese aid is mainly used to win access to resources” (Myth 5). See Deborah Brautigam, “China in Africa: Seven Myths,” Elcano Royal Institute for International and Strategic Studies, February 8, 2011, https://www.files.ethz.ch/isn/142931/E_ARI23-2011_Brautigam_China-Africa_Seven_Myths.pdf.

³⁵ Brautigam targeted in her study Angola, Equatorial Guinea, the Democratic Republic of the Congo, Brazil, and Russia, as examples.

³⁶ Agatha Kratz, Allen Feng, and Logan Wright, “New Data on the ‘Debt Trap’ Question,” Rhodium Group, April 29, 2019, <https://rhg.com/research/new-data-on-the-debt-trap-question>.

³⁷ Horn, Reinhart, and Trebesch, “China's Overseas Lending.”

talk about China's debt-trap diplomacy scheme.³⁸ Beijing has been accused of luring developing or underdeveloped countries to borrow money for Chinese-built infrastructure projects and later controlling them by seizing assets. To that extent, the Rhodium Group explored potential broad patterns of outcomes in over 40 cases of China's external debt renegotiations, failing to come up with serious elements in support of the debt-trap diplomacy narrative. The study concludes that debt renegotiations and distress among borrowing countries are common, asset seizures are rare, and that, despite its economic weight, China's advantages and leverage in negotiations are still rather limited. According to this study, even if debt sustainability is a subject of concern and criticism, evidence is lacking to support the debt-trap diplomacy narrative. This does not mean that China's financial flows are not risky for its counterparts, but no evidence shows that such lending practices are part of a broader plan of debt-trap diplomacy.³⁹

The last preconceived idea about Chinese aid is that China has a comparative financial advantage (in terms of internal cash overflow, faster disbursement, and better rates). The Chinese government has recently called for more effectiveness in its aid and development finance, saying that "China must act more wisely when giving money to foreign countries by optimizing the strategic layout."⁴⁰ Su Ge, president of the China Institute of International Studies, also pledged to reduce the "wasteful use" of Chinese funds.⁴¹ Some in China have had even harsher words for the ambitions of China's support to foreign countries as well as for BRI more broadly. Sustainability and effectiveness are old jingles. Setting up joint debt alerts, the Ministry of Finance and other government actors have issued new investment guidelines in 2017 and 2018. Thus, Chinese overseas finance has stabilized since 2018, having apparently reached a plateau as part of a general policy of increased risk control, especially on investment by policy banks.⁴² For example, in Latin America, other Chinese financial institutions like commercial banks and funds provided more funding than the China Development Bank and Exim Bank of China together in 2018.⁴³

As argued earlier, China is an atypical but not necessarily disruptive actor. Nevertheless, through the new definitions of aid and development architecture discussed in this section, China's aid and development policies have paved the way for Chinese influence in the third sphere: the financing of public goods in multilateral development institutions.

The Third Sphere: China and the Development of Public Goods

China is not trying to reshape upfront the global architecture of aid. Instead, China is coping with this architecture and, in some ways, advocating for it, while injecting additional Chinese values. Under BRI, many multilateral actors, including UN agencies, have worked with Chinese development actors. The goal of this new position within the multilateral development

³⁸ Deborah Brautigam found that "within 12 months, it generated nearly 2 million search results on Google in 0.52 seconds and was beginning to solidify into a deep historical truth." See Deborah Brautigam, "A Critical Look at Chinese 'Debt-Trap Diplomacy': The Rise of a Meme," *Area Development Policy* 5, no. 1 (2020): 1–14.

³⁹ Kratz, Feng, and Wright, "New Data on the 'Debt Trap' Question."

⁴⁰ Kristin Huang, "China Must Act More Wisely in Giving Out Foreign Aid, Says Xi Jinping," *South China Morning Post*, February 9, 2017, <https://www.scmp.com/news/article/2069414/chinas-president-xi-wants-wiser-approach-foreign-aid-donation>.

⁴¹ Ibid.

⁴² Thomas Melonio et al., "Towards a Sustainable Belt and Road Initiative, Paving the Way for a Common Sustainable Development Finance Framework," AFD, Policy Paper, November 2019.

⁴³ Margaret Myers and Kevin Gallagher, "Scaling Back: Chinese Development Finance in LAC, 2019," Dialogue, China–Latin America Report, March 2020, <https://www.thedialogue.org/wp-content/uploads/2020/03/Chinese-Finance-to-LAC-2019.pdf>.

ecosystem is promoting Chinese characteristics in the governance of public goods, recalling the “Kindleberger trap.”⁴⁴ Thus, for other actors, the priorities of these Chinese tactics should be to articulate shared interests to tackle global goods issues. Financial, social, and environmental sustainability need to be common goals for Chinese aid actors and the donor community. China’s upcoming contribution to the global aid and development architecture relies on these crucial stakes of sustainability.

China and the Development Community

As indicated earlier, China’s aid and development policies remain bilateral for the most part. Nevertheless, in the 2010s, China developed new multilateral discussions through BRI and new aid and development narratives through the promotion of concepts and values heralded by the Chinese government. According to Joseph Nye, China has no intent to reshape the global world order and “is interested not in kicking over the card table but in tilting the table so it can claim a larger share of the winnings.”⁴⁵ China has not reshaped development finance, and moreover appears to follow a cooperative approach while promoting Chinese concepts in multilateral settings. To that extent, China has been engaging new actions in multilateral discussions, especially during the 2015 UN Climate Change Conference. World Health Organization director-general Tedros Adhanom Ghebreyesus gave a speech pledging for a “strategic partnership with China to target vulnerable countries along the Belt and Road and in Africa.”⁴⁶ The first projects were approved last year under the International Fund for Agricultural Development dedicated facility with China.⁴⁷

China has recently engaged in more forward cooperation with multilateral development actors. Six multilateral actors signed memoranda of understanding (MOUs) during the first BRI forum: the European Investment Bank, the European Bank for Reconstruction and Development, the World Bank, the Asian Development Bank, the New Development Bank, and the AIIB. The UN Development Programme signed an MOU with the National Development and Reform Commission in September 2016 to work on behalf of sustainable development goals and BRI. The two sides have released three dedicated reports (the third “Global Governance Report,” the “2017 Report on the Sustainable Development of Chinese Enterprises Overseas,” and “The Economic Development along the Belt and Road 2017”) and appointed the China Development Bank as an implementing partner of the sustainable development goals in BRI. Such collaboration with the UN Development Programme on BRI illustrates that China is not yet a leader but is a structural actor—by both its sheer financial volume and political will—that needs to be involved to tackle climate change and promote implementation of the sustainable development goals.

⁴⁴ See Joseph Nye, “Power and Interdependence with China,” *Washington Quarterly* 43, no. 1 (2020): 7–21. Nye develops this idea by saying that “a Kindleberger Trap is a free rider, or failure by a rising power to contribute to global public goods.”

⁴⁵ *Ibid.*

⁴⁶ Tedros Adhanom Ghebreyesus, “Towards a Health Silk Road” (speech at the Belt and Road Forum for Health Cooperation, Beijing, August 18, 2017), <https://www.who.int/dg/speeches/2017/health-silk-road/en>.

⁴⁷ “First Projects Approved by the China-Ifad South-South and Triangular Cooperation Facility,” UN Office for South-South Cooperation, March 1, 2019, <https://www.unsouthsouth.org/2019/01/30/first-projects-approved-by-the-china-ifad-south-south-and-triangular-cooperation-facility>.

BRI could illustrate the opposition between the Washington Consensus and the Beijing Consensus as development paradigms.⁴⁸ This opposition could be a useful analytical tool. The proponents of the Beijing Consensus allege that China is less willing to build a concurrent world order. Instead, it is attempting to reshape the old one by injecting the global narrative with Chinese concepts while pushing for a better representation of both China and emerging countries in multilateral institutions. The Washington Consensus advocates a neoliberal set of reforms, such as fiscal and monetary discipline, trade and price liberalization, deregulation, the privatization of state-owned enterprises, and the protection of property rights. The Beijing Consensus, by contrast, does not have a precise meaning but “is mainly used to contrast China’s pragmatic, institution-oriented approach with the...policy-oriented-quick-liberalization approach.” According to Justin Yifu Lin and Yan Wang, “having lost confidence in the Washington consensus...with the 2008 recession, developing countries are increasingly looking East for development experiences and ideas: what worked, why and how.”⁴⁹ Within this context, Beijing is fostering new aid actors that cooperate, and yet also compete, with traditional donors. But they are interestingly working together on some aspects, especially global goods.

Climate Change and Biodiversity: A Chinese Kindleberger Theory?

The 2030 Agenda for Sustainable Development and the Paris Agreement represent the most ambitious multilateral goals ever set, requiring around \$90 trillion over the next fifteen years. To that extent, Chinese authorities are multiplying conferences based on the alignment of their funding with sustainable development goals (such as in October 2019 with CIKD), trying to take a leading role.⁵⁰ BRI is often targeted for its negative environmental impacts.⁵¹ The second BRI forum attempted to appear as a political shift, as Xi emphasized the need for “a development-oriented approach [to] see that the vision of sustainable development underpins project selection, implementation, and management.”⁵² On March 23, 2017, Chinese representative at the United Nations, Liu Jieyi, in referencing Xi’s speech in Davos declared: “This is a powerful signal from the Chinese leader to the international community that China will fully and thoroughly implement the Paris Agreement and fulfill its international obligations. We will honor our commitments and take action to produce results.”⁵³ This could relate to what Joseph Nye identified as the Kindleberger

⁴⁸ According to Pieter Bottelier, a “Washington Consensus” refers to the lowest common denominator of policy advice by Washington-based institutions, inherited from the Bretton Woods system, to Latin American countries as of 1989. This term was primarily shaped by John Williamson in 1989. Joshua Cooper Ramo coined the term “Beijing Consensus” in 2004. See Joshua Cooper Ramo, *The Beijing Consensus: Notes on the New Physics of Chinese Power* (London: Foreign Policy Centre, 2004). In a 2016 interview given to the *Diplomat*, Ramo said that the Beijing Consensus would be based on “pioneering a new route towards development that is based on innovation, asymmetry, human-up development, and a focus on the balance of individual rights and responsibilities...[T]he idea of the Beijing Consensus is less that every nation will follow China’s development model, but that it legitimizes the notion of particularity as opposed to the universality of a Washington model.” See Maurits Elen, “Joshua Cooper Ramo on the Beijing Consensus in the Age of Networks,” *Diplomat*, August 10, 2016, <https://thediplomat.com/2016/08/interview-joshua-cooper-ramo>.

⁴⁹ Justin Yifu Lin and Yan Wang, *Going Beyond Aid: Development Cooperation for Structural Transformation* (Cambridge: Cambridge University Press, 2017).

⁵⁰ Gathering several development actors, CIKD organized the Sustainable Development Forum to discuss “the implementation of the 2030 Agenda,” mostly based on a CIKD report on sustainable development goals.

⁵¹ “Decarbonizing the Belt and Road: A Green Finance Roadmap,” Tsinghua University Center for Finance and Development, Vivid Economics, and Climateworks Foundation, September 2019.

⁵² Xi Jinping, “Working Together to Deliver a Brighter Future for Belt and Road Cooperation,” President of the People’s Republic of China, April 26, 2019, https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1658424.shtml.

⁵³ Liu Jieyi, “High Level Event Entitled Climate Change and the Sustainable Development Agenda,” Chinese Ambassador to the United Nations, March 23, 2017, https://www.fmprc.gov.cn/mfa_eng/wjb_663304/zwjg_665342/zwbdt1448378.shtml.

trap rather than the Thucydides trap.⁵⁴ The Thucydides trap refers to the warning by the ancient Greek historian that “cataclysmic war can erupt if an established power (like the United States) becomes too fearful of a rising power (like China),” whereas the Kindleberger trap argues that “the disastrous decade of the 1930s was caused when the U.S. replaced Britain as the largest global power but failed to take on Britain’s role in providing global public goods.” To avoid this Kindleberger trap, the stable operation of the world economic system requires a country to bear public costs. Thus, according to a report from the Council on Foreign Relations, “as the United States seems to be retreating from its international commitment, the international community is turning to China, which has indicated its interest in filling the void left by the United States.”⁵⁵

As it enters a new phase of development, China has laid out a vision for greening its economy, outlined by its five-year plan and the concept of ecological civilization. The new green grammar is also seen in its overseas funding. China has introduced reforms aimed at greening its financial system even if effective outcomes are still in the making on the ground. For example, as a member of the International Development Finance Club, a network of national and subregional development banks focusing on sustainable infrastructure finance, the China Development Bank has emphasized its social and environmental safeguards while providing infrastructure finance. As underlined by Robert Keohane, cooperation always finds its ways.⁵⁶ Bilateral and multilateral actors are now seeking to partner with China in third countries on projects to mitigate climate change and promote biodiversity. They see these projects as an effective means to leverage BRI to support the aims of the Paris Agreement and sustainable development goals.⁵⁷

Several countries have engaged China to further discuss sustainable international finance. Among other points of attention and cooperation, a 2019 report to the European Commission describes the “EU and China shared commitment in global sustainable development, the implementation of Agenda 2030 and the Paris Agreement, which presents opportunities for closer cooperation, including in third countries.”⁵⁸ Some countries have even more systemic agreements, including cooperation in third markets and third countries. Since January 2018, for example, the French and Chinese development agencies have been discussing projects and the eventual signing of an MOU outside BRI. All projects between the French Development Agency and the China Development Bank must be based on counterparty procedures, which require calls for open markets.⁵⁹ The Department for International Development, for instance, has engaged in trilateral cooperation with China since 2008.

⁵⁴ Nye, “The Kindleberger Trap”; and Graham Allison, *Destined for War: Can America and China Escape Thucydides’s Trap?* (Boston: Houghton Mifflin Harcourt, 2017).

⁵⁵ Yanzhong Huang, “The Four Traps China May Fall Into,” Council on Foreign Relations, October 30, 2017, <https://www.cfr.org/blog/four-traps-china-may-fall>.

⁵⁶ Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton: Princeton University Press, 1984).

⁵⁷ Cooperation in third countries should not be mistaken with cooperation in third markets and the related document issued by the National Development and Reform Commission in September 2019. National Development and Reform Commission, “Guidelines and Cases for Third Party Market Cooperation,” September 2019.

⁵⁸ “Joint Communication to the European Parliament, the European Council and the Council: EU-China—A Strategic Outlook,” EU High Representative of the Union for Foreign Affairs and Security Policy, March 12, 2019, <https://ec.europa.eu/commission/sites/beta-political/files/communication-eu-china-a-strategic-outlook.pdf>.

⁵⁹ James Kynge, Lucy Hornby, and Don Weinland, “China Development Banks Expand Links with Foreign Lenders,” *Financial Times*, July 14, 2018, <https://www.ft.com/content/e0a2dd52-85b4-11e8-a29d-73e3d454535d>.

Financial, Social, and Environmental Sustainability

Thus, China's aid and development policies are still evolving and have a learning curve. This presents opportunities for non-Chinese multilateral and bilateral donors to gain some influence by cooperating with Chinese aid and development actors. In order to achieve such positive cooperation, there needs to be a better understanding of China's conception of aid and how it departs from established best practices. Financial, social, and environmental sustainability ought to be common goals for both Chinese actors and the broader donor community. China's future contribution to the global aid and development architecture and outcomes will center on the critical issue of sustainability. Financial sustainability is a key component for the success of both China's aid policies and those of its counterparts. The Center for Global Development recently concluded that 23 countries under BRI could be at risk of taking on unsustainable debt. Concomitant with Chinese authorities' emphasis on increasing the effectiveness of aid, China has been working with the IMF to improve economic sustainability. In April 2018 the IMF and the People's Bank of China inaugurated the China-IMF Capacity Development Center to build up economic institutions and foster human capacity in core areas of IMF expertise. In May 2019 the IMF agreed to a loan to the Congo after China pushes the country's debt payments into the future, marking the first renegotiation of debt as a result of the partnership. The IMF debt sustainability framework also inspired the Chinese Ministry of Finance's publication of a new debt sustainability framework.⁶⁰

Yet, on an international level, China is not a part of multilateral debt coordination efforts, such as the Paris Club or the World Bank's Heavily Indebted Poor Country Initiative. Likewise, on the national level, China's debt sustainability framework is still not compulsory. Environmental sustainability also must be a point of emphasis. In line with the official recognition during the second Belt and Road Forum, China needs to increase its commitments to fighting climate change. Achieving this last target will depend on domestic economic policies, which could emerge prior to any Chinese aid commitments.

Conclusion

China has become a structural actor within the development finance system and narrative, with donors trying to find common ground for cooperation and, in the meantime, to influence China's aid and practices. China is an atypical but not necessarily disruptive actor in terms of its structural impact on the global aid and development architecture. Nevertheless, the emergence of a new consensus, new actors, and new initiatives paves the way for dynamics that could lead China to adopt a broader strategy toward the international development system. However, this will occur more in practice than in theory, as Chinese aid and development policies remain incremental. BRI could be a mirror of this incremental dynamic: the initiative has no definitive borders, and there is no public list of projects presented as applications of BRI, even if some Chinese agencies seem to have one. As long as they continue to be incremental, we might even wonder whether China's aid and development policies could be the last remnant of Deng Xiaoping's strategy of keeping a low profile (*tao guang yang hui*), mixed with the assertiveness of a more proactive policy (*fenfa you wei*).

⁶⁰ A debt sustainability framework aims to prevent states from taking on excessive debt by identifying critical economic variables that can lead them to default.

Conclusion

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Since assuming power in October 2012, Xi Jinping has embarked on an ambitious course to achieve the “great rejuvenation of the Chinese nation.” This agenda hails the “tremendous transformation” of China into a strong country, one that not only is economically successful and politically stable but also enjoys a central position on the global stage, commensurate with its economic and military might.¹ To achieve this objective, China’s strategy rests on three main pillars, according to Men Honghua, a professor at the Central Party School: integrating with the world, transforming itself, and shaping the world.²

The Chinese leadership has not clearly nor openly defined the exact shape it would like to give the world, however. The National Bureau of Asian Research (NBR) launched the project “China’s Vision for a New Regional and Global Order” to investigate this question. Current analyses of China’s strategic vision for its place in the world order only provide partial answers. Some studies have focused on the visible manifestations of China’s rise and its current external actions and behavior, but this line of inquiry can take us only so far. The fact that Beijing has not yet sought major changes in the regional and international status quo does not necessarily mean that it is not interested in eventually doing so. Using theoretical frameworks to make predictions also leads to indeterminate answers. One variant of the realist theory of international relations, for example, contends that a rising power will contest the existing order and seek to substitute its own dominance for that of the existing hegemon, most likely resulting in conflict. But how a rising power behaves will depend on how its leaders perceive threats, define their interests, and envision the world they are trying to create.

So, how do China’s leaders think about these issues? The answers are not obvious or easy to discern. Paying attention to the official Chinese Communist Party (CCP) pronouncements can provide some clues, even though party leaders often deliberately obfuscate or stay ambiguous about their true ultimate goals. Additional insights can be gleaned from a careful study of the discussions occurring within the analytical community surrounding the political elites. Based on a close reading of these statements and writings, the project’s first report reached the following conclusions.³ What the current CCP leadership seems to have in mind, at least in the medium term, is a new, partial system carved out of the existing international order. This system would be hierarchical, with China at the top as well as at the center; it would not be global, but neither would it be merely regional. Indeed, it could eventually expand to include much of the developing, non-Western world. Within the confines of this subsystem, China would not seek total, tight control over or full absorption of other countries, but it would rigorously oppose liberal democratic principles, in all their applications and forms. In sum, Beijing seems to favor the emergence of a “partial, loose, and malleable” form of hegemony, whose defining features would reflect both the character of China’s contemporary political system and ancient Chinese thought and statecraft.

The second phase of the project seeks to observe China’s behavior in a variety of geographic and functional domains in order to discern the extent to which pieces of a new Sinocentric subsystem may already be emerging. The essays presented in this report suggest that, while this system is still very much a work in progress and has not yet taken a definitive shape, some features are already

¹ “Full Text of Xi Jinping’s Report at 19th CPC National Congress,” Xinhua, November 3, 2017, http://www.xinhuanet.com/english/special/2017-11/03/c_136725942.htm.

² Men Honghua, “Dang Zhongyang zhiguo lizheng xin linian xin sixiang xin zhanlue: Yixiang guoji yanjiu yicheng” [New Concepts, Ideas, and Strategies for the CCP Central Committee’s National Governance: An International Research Agenda], Institute of World Economics and Politics, Chinese Academy of Social Sciences, 2017, http://www.iwep.org.cn/cbw/cbw_wzxd/201711/t20171109_3736929.shtml.

³ Nadège Rolland, “China’s Vision for a New World Order,” National Bureau of Asian Research, NBR Special Report, no. 83, January 2020, https://www.nbr.org/wp-content/uploads/pdfs/publications/sr83_chinasvision_jan2020.pdf.

clearly discernible. Although these visible elements can be interpreted in various ways, there are some striking similarities between the ancient tribute system and the way Beijing currently engages with parts of the outside world. These similarities are more than coincidental, as will be shown, but neither do they indicate a rigid mold that shapes every aspect of China's diplomatic praxis. The tribute system was a product of Confucianism: it applied Confucian norms of hierarchy and ritual and ultimately was incarnated in what could be called a "Confucian international order."⁴ Today's China is a Marxist-Leninist state guided not by Confucianism but by the Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era.⁵ The filaments of *tianxia* (everything under heaven) are thus interwoven with the strands of a modern Marxist-Leninist power structure, organization, and ideological system, sometimes to the point that they are indistinguishable from one another. Both have power and domination in common, but the intertwining of their respective strands in a Chinese cultural context creates a pattern that is distinct and unique to China.

Filaments of Tianxia

Despite Beijing's official denial of any intention of hegemony,⁶ China seems to want to dominate what might come to resemble a Sinocentric sphere of influence, in which other countries would tacitly recognize and respect the primacy of its authority and interests. This hierarchical order or subsystem is inspired, in large measure, by the ancient *tianxia* system. This distinct model of international relations existed in much of East Asia for many centuries, persisting, at least in theory, until the demise of the Chinese empire in 1911.

It is not entirely surprising that, when devising a vision for a world in which China has become a major—if not the dominant—power on the global stage, officials and scholars tasked with helping realize the "China dream" would naturally revert to the glorious, albeit selectively edited, memories and legacies of imperial China. After all, China has already risen to regional predominance several times in its history, each time establishing the same kind of hierarchical regional order founded on the premise of China's uncontested rule over "everything under heaven." Thinking of the world in *tianxia* terms is consistent with the Chinese leadership's desire, in line with its overall nationalist agenda, to promote a distinctly Chinese way and promulgate a great national renaissance that will once and for all close the "century of humiliation" chapter in China's history. The *tianxia* system also provides a set of characteristics that have not completely lost their relevance in a contemporary context where a secretary general, not an emperor, sits at China's helm. Considering the People's Republic of China's current diplomatic practice as a direct transplant of the ancient tribute system might seem incongruous. Yet, remarkably, withered traces of its main characteristics can be found in the various case studies in this report.

⁴ Timothy Brook, Michael van Walt van Praag, and Miek Boltjes, "Interpolity Relations and the Tribute System of Ming China," in *Sacred Mandates: Asian International Relations Since Chinggis Khan*, ed. Timothy Brook, Michael van Walt van Praag, and Miek Boltjes (Chicago: University of Chicago Press, 2018), 57–89, 64.

⁵ For a detailed discussion of the evolution of the main themes deployed by Chinese diplomacy, especially since 2012, and their cultural and intellectual roots, see Andrew J. Nathan and Boshu Zhang, "China's Values Diplomacy in the Era of Xi Jinping" (unpublished paper).

⁶ The term "hegemony" has a negative connotation in the Chinese tradition: *badao* (way of the hegemon) implies rule by force, fear, and conquest, whereas *wangdao* (way of the king, sometimes translated as "humane authority") entails a benevolent and morally good kind of authority. See, for example, Yan Xuetong, "Chinese Values vs. Liberalism: What Ideology Will Shape the International Normative Order?" *Chinese Journal of International Politics* 11, no. 1 (2018): 1–22. Instead of hegemony or leadership, China's official narrative prefers to promote terms such as harmony and community.

Although the following description inevitably oversimplifies a complex reality that ebbed and flowed over 25 centuries, the contours of the traditional China-centered hierarchical system, especially during the Ming and Qing dynasties, can at least be shown in broad brushstrokes.⁷ That system was characterized, first, by a significant power asymmetry between China (the biggest, most powerful, and most technologically advanced power) and the smaller, weaker, subordinated states on its periphery. It was premised on the superiority of the Chinese (*hua*) over the non-Chinese (*yi*), but the line between the two was malleable, a “permeable membrane through which Chinese and non-Chinese could pass, depending on the level of charisma (or, in contrast, of border-guarding) demonstrated by Chinese civilization at the time.”⁸ China’s domination was accepted based on a reciprocal recognition of obligations and the mutual delivery of political, economic, and security benefits. Rituals were central to the management of foreign relations, as they provided rules and set expectations. Local rulers signified acceptance of their vassal status through these rituals because doing so helped strengthen their legitimacy and prestige and allowed them to engage in lucrative trade. For his part, the emperor offered his protection and assistance in the event of foreign invasions and natural disasters, while implicitly offering assurance that China would not invade their countries. In return, Chinese emperors also locked in political, economic, and security gains. The visible rituals served as important legitimizing devices that emperors, especially those facing legitimacy deficits, could display to their subjects.⁹ China’s trade exchanges increased. Subordinate states refrained from attacking or banding together against China for fear of relinquishing the advantages they derived from the relationship.

Such a hierarchical order was fundamentally anchored in China’s dominant military and economic power rather than in sheer cultural attraction.¹⁰ The imperial government let the vassals manage their internal and foreign affairs as they wished, as long as they recognized its superiority and accommodated its preferences. In effect, China exercised a loose form of control over them. But it also occasionally forced compliance through military coercion or the threat thereof. Trade, and the direct material benefits derived from it, also offered a powerful incentive for vassal states to remain within the system, as pulling out would have come at great economic cost. Considering the manifest military and economic asymmetry, challenging the system from a position of strength was almost impossible.

Asymmetry within a China-centric structure. In the current context, Beijing also displays a preference for asymmetry within a China-centric structure. This is particularly evident with the multilateral (or rather “pluri-lateral” or “multi-bilateral”) platforms it has created over the last two decades. Justyna Szczudlik makes clear in her essay, for example, that the 17+1 platform is

⁷ John K. Fairbank introduced the concept of the tribute system to describe the pattern of interaction between China and its neighbors down to the late nineteenth century as a “repertoire of means available to the rulers of the Chinese empire in their relations with non-Chinese...along a spectrum that runs from one extreme of military conquest and administrative assimilation to another extreme of complete nonintercourse and avoidance of contact.” See John K. Fairbank, *The Chinese World Order: Traditional China’s Foreign Relations* (Cambridge: Harvard University Press, 1968), 12. Takeshi Hamashita considers this system as a regional trading system in which China was the hegemonic power. See, for example, Takeshi Hamashita, *China, East Asia and the Global Economy: Regional and Historical Perspectives* (New York: Routledge, 2008), chap. 2. Timothy Brook, Michael van Walt van Praag, and Miek Boltjes understand it as an important element of intra-Asian relations, which did not, however, subsume other dynamics, particularly economic relations, national interests, and military power. See Brook, van Walt van Praag, and Boltjes, “Interpolity Relations and the Tribute System of Ming China.” See also Zhao Suisheng, “Rethinking the Chinese World Order: The Imperial Cycle and the Rise of China,” *Journal of Contemporary China* 24, no. 96 (2015): 961–82; Justine Colognesi, “Le système tributaire chinois sous les dynasties Ming et Qing (1368–1911): Une illustration historique de la hiérarchie dans les relations internationales” [The Chinese Tributary System during the Ming and Qing Dynasties (1368–1911): A Historical Illustration of Hierarchy in International Relations], *Université Catholique de Louvain, Note d’analyse*, no. 22, June 2012; and René Servolse, “La conception de l’ordre mondial dans la Chine impériale” [Imperial China’s World Order Conception], *Revue française de science politique* 3 (1973): 550–69.

⁸ Brook, van Walt van Praag, and Boltjes, “Interpolity Relations and the Tribute System of Ming China,” 59.

⁹ *Ibid.*, 70.

¹⁰ *Ibid.*, 61.

designed as a structure in which China is the dominant player and the central hub, to which all the other, smaller members are connected. Similar arrangements are evident in other diplomatic forums, such as the Forum on China-Africa Cooperation, which was established in 2000, as well as the China-Arab States Cooperation Forum, the Forum of China and the Community of Latin America and Caribbean States, and the Forum for Economic and Trade Cooperation between China and Portuguese-speaking Countries (Forum Macao).¹¹

China's preferred position at the center is evident in the six economic corridors included within the Belt and Road Initiative (BRI), which all start from China and radiate outward, forming a hub-and-spoke shape.¹² Xi Jinping's elevation of "periphery diplomacy" to a top priority in the early days of his tenure also points to an envisioned hierarchy between China and its smaller neighbors.¹³ Some neighbors already symbolically acknowledge their lower position in the hierarchy. Myanmar, for example, labels its bilateral relationship with Beijing *pauk phaw* (big-young brother, or siblings from the same womb).¹⁴

Finally, China's predilection for an asymmetric, China-centric system can be seen in its legal preferences, which may have an impact on the future legal order Beijing would like to see emerge. As Gregory Shaffer and Henry Gao note, China tends to show a fondness for "soft law (set forth in memoranda of understanding) and informal state-to-state and private negotiation" rather than formal law to resolve disputes. Such negotiations are done "in the shadow of China's increased economic clout and thus of power asymmetries."¹⁵

Political, economic, and security gains. The reciprocal political, economic, and security benefits that the suzerain and vassal states were supposed to gain from their relationship within the ancient tribute system may have found their contemporary equivalent in the "win-win" and "mutually beneficial" cooperation tropes that punctuate any contemporary Chinese official's diplomatic speech. As was true in ancient times, the various benefits that a subservient state can today reap from its relationship with China may serve either as incentives to perpetuate the relationship or as leverage to force compliance. Sometimes, compliance can take the form of the absence of action or criticism, based on a cost calculation on the part of the weaker state.

Close association and interdependence with China can help strengthen the legitimacy of local rulers and protect them from external threats, as Chris Horton demonstrates in his case study of Cambodia. In the shadow of his powerful patron, Hun Sen can find shelter from international bashing even as he crushes media freedoms and political opposition at home. In exchange, he helps strengthen China's security by backing its territorial claims. When Hun Sen visits Beijing, he basks in Xi's embrace, but also dutifully praises the Chinese leader's management (most recently, of the Covid-19 pandemic), thereby simultaneously reinforcing their respective standing in the eyes of their own populations. Similar forms of mutual gains can be observed in the relationship between Myanmar and China. Myanmar has sought protection from international condemnation at the International Court of Justice and tightening economic sanctions imposed by Western

¹¹ Thanks to Lina Benabdallah for pointing to the China-centric nature of these forums during the NBR workshop on May 6, 2020.

¹² Nadège Rolland, *China's Eurasian Century? Political and Strategic Implications of the Belt and Road Initiative* (Seattle: NBR, 2017).

¹³ Jacob Stokes, "China's Periphery Diplomacy: Implications for Peace and Security in Asia," United States Institute of Peace, Special Report, no. 467, May 2020, <https://www.usip.org/publications/2020/05/chinas-periphery-diplomacy-implications-peace-and-security-asia>.

¹⁴ Bertil Lintner, "The People's Republic of China and Burma: Not Only Pauk-Phaw," Project 2049 Institute, May 9, 2017, <https://project2049.net/2017/05/09/the-peoples-republic-of-china-and-burma-not-only-pauk-phaw>.

¹⁵ Gregory C. Shaffer and Henry S. Gao, "A New Chinese Economic Order?" *Journal of International Economic Law* (forthcoming, 2020): <https://doi.org/10.1093/jiel/jgaa013>.

capitals, while China's southwestern provinces have become increasingly dependent on Myanmar for trade and energy supplies.¹⁶

Finally, China-centric pluri-lateral platforms can be used to prevent the formation of coalitions against China, not only among the weaker members but in their relations with external powers. As Szczudlik notes, the 17+1 platform presents China with a soft underbelly of friends that can block consensus in the European Union on matters related to China.

Use of force and coercion. Over two thousand years, successive Chinese states have repeatedly exercised coercive power and engaged in expansionism against their neighbors, through either direct or gradual incorporation.¹⁷ Chinese emperors addressed the dissonance between the practices of power politics and the moral requirements of Confucian culture with rhetorical devices, justifying the use of force by the need to fulfill their sacred mandate to preserve and maintain peace.¹⁸ A similar incongruence between words and deeds is seen today in China's actions in the South China Sea, which the official rhetoric presents as a "deep commitment to maintain peace and stability,"¹⁹ or in its decision to enforce a highly restrictive national security law in the name of Hong Kong's "lasting security, stability and prosperity."²⁰ Even though the official CCP narrative portrays China as a peaceful and benevolent great power, instances of economic coercion against noncompliant countries abound. Recent examples include China's informal sanctions and boycott against South Korea, as described by Adam Cathcart in his essay for this report. Punishment such as intimidation and reprisals can also target individuals or groups rather than states, as Andréa Worden examines in detail in her case study.

Today, as in the past, the reluctance to use military force against smaller neighbors may not depend so much on the leadership's magnanimity or cultural or moral boundaries, but on the limitations of the logistical and material capabilities of the People's Liberation Army (PLA). From the Han to the early Qing Dynasty at the turn of the eighteenth century, no Chinese military expedition was able to spend more than 90 days in the Central Asian steppes because of logistical limitations.²¹ The PLA did not enter Xinjiang until October 1949 and then extended its control over the region. It remains to be seen whether the Chinese leadership will be ready to use military force on a more regular basis as the PLA's power-projection capabilities develop and expand. As Horton notes, growing Sino-Cambodian military cooperation includes the development of a Chinese "dedicated naval staging facility" at Ream near Sihanoukville, which may be the precursor to a future permanent Chinese military presence in the area. Similar arrangements elsewhere in BRI countries may also indicate future Chinese military engagements in theaters beyond the South China Sea.

Rites and codes. Distinguishing traces of rituals in the way China conducts its diplomacy today may seem far-fetched. Foreign delegations visiting Xi Jinping obviously do not kneel and touch the ground with their foreheads in submission, nor does the secretary general offer them bolts of fine silk or a Chinese calendar in return for their kowtowing. Rituals involved more than an

¹⁶ Jennifer Staats and Jason Tower, "Xi Jinping's Visit to Myanmar: What Are the Implications?" United States Institute of Peace, January 23, 2020, <https://www.usip.org/publications/2020/01/xi-jinpings-visit-myanmar-what-are-implications>.

¹⁷ Geoff Wade, ed., *Asian Expansions: The Historical Experiences of Polity Expansion in Asia* (New York: Routledge, 2015).

¹⁸ Brook, van Walt van Praag, and Boltjes, "Interpolity Relations and the Tribute System of Ming China," 75–81.

¹⁹ See, for example, "China Committed to South China Sea Peace, Stability," Xinhua, March 8, 2018, http://www.xinhuanet.com/english/2018-03/08/c_137025013.htm.

²⁰ "Foreign Ministry Spokesperson Zhao Lijian's Regular Press Conference on July 3, 2020," Ministry of Foreign Affairs of the People's Republic of China (PRC), July 3, 2020, https://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/t1794629.shtml.

²¹ Peter C. Perdue, "Why Do Empires Expand?" in Wade, *Asian Expansions*, 31–51.

elaborately choreographed ceremony, however. They codified the relationship between the vassal and the dominant power, clearly asserting the superiority of the latter over the former.

Today, Chinese concepts and scripted formulations, such as the “community of shared future for humankind” or the “right to subsistence,” play a similar role. As described by Malin Oud in her essay, China’s push for the international acceptance of the concept of the right to development reflects an effort to affirm the superiority of China’s model over the Western liberal democracies. Insertions of such codified language into several UN resolutions in 2017 indicated, from Beijing’s perspective, that the superiority of Chinese concepts had been widely acknowledged.²² Various countries, from Tajikistan to Bolivia to Greece, have already agreed in principle to join hands with China and promote the building of a community. On January 18, 2020, Myanmar became the first to sign a formal joint statement committing to do so.²³

Civilizational absorption. As the “son of heaven,” the Chinese emperor was on top of a hierarchical order that considered others as naturally inferior. But there was also a hierarchy of the others according to their degree of “civilization”—i.e., their degree of assimilation of Confucian moral and political principles. According to that classification, Korea, Japan, and Dai Viet belonged to the higher category and were granted greater privileges.²⁴ Transposed into the contemporary context, and based on the same logic recognizing higher status according to the level of absorption of the current Chinese sociopolitical model, Ethiopia, rather than Korea, would probably now be placed at the top of the civilized category. Sometimes nicknamed the “little China of Africa,” Ethiopia is indeed seen by some Chinese scholars and officials as an “arduous student” of China’s economic governance and state-led model, as Maria Repnikova has noted.²⁵ Whether such eagerness to learn from the China model bestows Ethiopia with more privileges than other countries is not yet clear.

Vassal states sitting at the top of the emperor’s mental hierarchy absorbed and internalized Chinese ideograms, Confucian philosophy, and the imperial examination system. Today, rather than transmitting cultural treasures, China’s extraterritorial influence rests more on an outward extension of its interior domain over a wide range of areas such as law and processes, development and aid, and industrial standards and norms. Worden notes, for example, that China’s goal is to make the UN Human Rights Council “look and act like an international version of the National People’s Congress” and that “in the same way that China banned discussion of universal values, civil society, democratization, and related concepts at home in 2013, so too would it prefer to see a Human Rights Council...free of the values and ideas underpinning the current liberal international order.” Adam Segal describes a similar pattern in his essay on cyber sovereignty when he notes Beijing’s efforts to promote its own version of internet management to BRI partners. Likewise, Alisée Pornet’s essay describes China’s particular approach to aid and development assistance, outside standards of the Organisation for Economic Co-operation and Development (OECD), as already exerting a level of normative influence over the overall conception of international aid.

The emerging Sinicized legal order points in the same direction. The creation of China’s International Commercial Court in 2018, for example, marks the first time Beijing has created

²² “UN Echoes China’s Concept of Building ‘Community of Shared Future for Mankind,’” State Council Information Office (PRC), November 9, 2017, http://english.scio.gov.cn/2017-11/09/content_41867418.htm.

²³ “China, Myanmar Agree to Jointly Build Community with Shared Future,” Xinhua, January 19, 2020, http://www.xinhuanet.com/english/2020-01/19/c_138716266.htm.

²⁴ Brook, van Walt van Praag, and Boltjes, “Interpolity Relations and the Tribute System of Ming China,” 61.

²⁵ Maria Repnikova, NBR workshop, May 6, 2020.

legal institutions for the world, requiring judges to be “able to use at the same time Chinese and English as their work languages” and appointing exclusively Chinese judges to the court.²⁶ The creation of the Belt and Road Initiative Tax Administration Cooperation Mechanism in April 2019 is another illustration of Beijing’s efforts to instill its own rulemaking across an increasingly wide range of domains.²⁷ Finally, the 2018 launch of “China Standards 2035” may lead to an increased internationalization of China’s domestic industrial standards.²⁸

Leninist Strands

Additional discernible characteristics of the emerging order appear to be not so much contemporary emulations of past tributary practices but manifestations of China’s Leninist political system. The multiplicity of actors serving Beijing’s objectives, for example, sets China’s current diplomatic praxis apart. The case studies in this report show that beyond high-level delegations and staff at local embassies, both informal networks built around well-connected individuals and commercial enterprises also play a considerable role in helping expand China’s influence through activities that align with the party-state’s policy. For example, Horton notes that Prince Holdings Group, which operates in Cambodia, publicly claims that it follows the purpose of BRI. As Segal describes, Chinese technology companies participate actively in international standards-setting forums, where they are pushing for greater government controls over cyberspace similar to those applied by Beijing. During the Covid-19 pandemic, Chinese businesses and SOEs have donated test kits, face masks, and other personal protective equipment to Sri Lanka through the Chinese embassy in Colombo as a token of Beijing’s “hearts and minds diplomacy” toward the island nation.²⁹ All these actors, public and nominally private, are supporting China’s diplomatic objectives.

Moreover, some of those involved in these activities are likely connected to the “united front” system, a key element in the CCP’s influence operations targeting foreign individuals, companies, and governments.³⁰ This creative use of a wide variety of actors is sometimes interpreted as reflecting a lack of coordination and a dispersion of efforts that leads to inefficiency. But it can be better understood as providing multiple built-in redundancies, similar to those that enhance aviation security. Not all the actors will produce results, and there is not necessarily a high degree of coordination among them, but in the long run their overall effect is to advance the party-state’s policy in the desired direction.³¹ Leninist tactics of subversion and united front are also reflected in the way Beijing is shaping the legal order. As Porner’s, Worden’s, and Oud’s essays indicate, China

²⁶ Matthew S. Erie, “The China International Commercial Court: Prospects for Dispute Resolution for the ‘Belt and Road Initiative,’” *American Society of International Law* 22, no. 11 (2018), <https://www.asil.org/insights/volume/22/issue/11/china-international-commercial-court-prospects-dispute-resolution-belt>; and Matthew S. Erie, “The New Legal Hubs: The Emergent Landscape of International Commercial Dispute Resolution,” *Virginia Journal of International Law* 59, no. 3 (2020).

²⁷ Zhang Mujun, “BRITACOM: A New Multilateral Tax Administration Cooperation Mechanism under the Belt and Road Initiative,” China, Law and Development, Research Brief, no. 5, July 10, 2019, <https://cld.web.ox.ac.uk/file/430541>.

²⁸ Jack Kamensky, “China’s Participation in International Standards Setting: Benefits and Concerns for U.S. Industry,” *China Business Review*, February 7, 2020, <https://www.chinabusinessreview.com/chinas-participation-in-international-standards-setting-benefits-and-concerns-for-us-industry>.

²⁹ Nilanthi Samaranyake, NBR Workshop, May 6, 2020.

³⁰ Alex Joske, “The Party Speaks for You: Foreign Interference and the Chinese Communist Party’s United Front System,” Australian Strategic Policy Institute, June 9, 2020, <https://www.aspi.org.au/report/party-speaks-you>.

³¹ Shanthi Kalathil, NBR Workshop, May 6, 2020.

“mimics and repurposes” laws, norms, and institutions to very different ends, without upending them or replacing them with new structures.³²

Some of the essays in the report indicate that China’s objectives do not seem to be set or fixed but rather evolve along a continuum as time goes by or as opportunities arise. The party-state seems to be following no identifiable fixed template but rather adopting a pragmatic and incremental approach that tends to always lead to an expansion of China’s presence, accompanied over the long run by a greater degree of Chinese leverage. China may initially focus on economic development or commercial exchanges but end up, several years down the line, having expanded the domains of cooperation, and accordingly having significantly enhanced its presence and influence in ways ranging from education and vocational training, to greater symbiosis with local media and think tanks, and finally to security and military cooperation. This reflects the CCP’s innate preference for control and its desire to exercise unchallenged leadership over North, South, East, and West as its presence is embedded in all aspects of economic, social, cultural, and even personal life.³³

In all, the case studies presented in this report offer a preliminary probe into the creation of a new world order that is still in an early stage, not coherently articulated nor fully formed. The creation process will also be iterative: features that are apparent today might either be reinforced or fade away as time goes by and China’s material power fluctuates. To visualize the Chinese world order depicted throughout this report, one may think of it as a building. Its main architecture is provided by the tianxia system: Sinocentric and hierarchical, dispensing mutual gains, codified rather than institutionalized, and not imposed primarily by the use of force, even though coercion can also be applied. The wiring of the building is provided by Leninist ideas of control and united front tactics.

In the long run, either out of ambition or out of necessity, China may eventually find that it needs an enhanced ability to project power. It could consider using military power to defend its overseas interests and protect the lines of communication that connect far-flung places to China. Eventually, Beijing may end up getting drawn into conflicts in regions where its interests are at stake or be forced to come to the rescue of its more valuable and loyal client states. As China faces such scenarios, the usefulness of the tianxia architecture will show its limitations. Beijing could perhaps then be tempted to fall back into patterns of behavior similar to those of previous regional hegemony such as the United States, Japan, or the Soviet Union, or to those of nineteenth century Western imperialism.³⁴ This would be an ironic outcome considering the origins of the creation of the Chinese party-state.

³² Shaffer and Gao, “A New Chinese Economic Order?”

³³ Katja Drinhausen and Nis Grünberg, “The Party Leads on Everything: China’s Changing Governance in Xi Jinping’s New Era,” Mercator Institute for China Studies, September 24, 2019, <https://merics.org/en/report/party-leads-everything>.

³⁴ For further discussion of some of these scenarios, see Jennifer Lind, “Life in China’s Asia: What Regional Hegemony Would Look Like,” *Foreign Affairs*, March/April 2018, 71–82.



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