

Chapter II: Areas of Greatest Potential Convergence

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The areas of greatest potential transatlantic convergence deal primarily with values both in China and globally: China’s formidably poor human rights record, global competition over the means of governance, China’s coercive diplomatic practices, and China’s influence operations across the globe. This range of behaviors is at work at home and around the world. A transatlantic strategy to deal with China should have these as key pillars, not only because a united response is critical to calling out China and taking action, but also because they provide common ground for agreement among transatlantic allies. These issues go to the heart of what transatlantic nations stand for.

Across the board, the United States and European nations typically align their rhetoric and responses to China’s human rights violations, tending to opt for multilateral statements, legislation, or action, often through the use of international fora like the United Nations (UN) and the European Union (EU). Consistently, in bilateral and multilateral settings, most North American and European countries opt to call out China’s human rights abuses against domestic dissenters, including citizen journalists; in Xinjiang, Hong Kong, and Tibet; and against religious practitioners, and to voice concerns about China’s information, surveillance, and coercive diplomacy apparatus, including its growing digital capabilities. In these areas, there should be ample potential and opportunities for transatlantic partners to design common approaches to protect democratic institutions and human rights. And yet China is routinely able to intimidate transatlantic nations from taking action on these values or even speaking out. The tactics and mechanisms of China’s influence and interference, while long neglected and often difficult for outsiders to grasp due to linguistic and political factors, are similar around the world, making collaboration on resisting and defeating them entirely possible if the transatlantic political will is present. Only with a more concerted and unified transatlantic approach can sanctions or shaming have any impact on Chinese behavior.

Section A: China’s Malign Governance and Human Rights Practices

1. The Challenges

a) The governance debate

One of the foremost challenges to the transatlantic community is how to deal with China’s governance practices that differ so widely from those of the United States and Europe. China sees the world through an ideological lens, where autocracy is in competition with democracy. Its autocratic practices today look different than in previous decades. Instead of directly countering democracy, domestically, the Chinese Communist Party (CCP) has twisted democratic structures into tools of oppression and state control. Ruling politicians are able to gain more power than ever, using domestic elections as justification to impose a regime’s will rather than as an opportunity for the minority to have its say.⁹⁶

Autocracy and democracy are fundamentally incompatible types of political systems, but given this divergence, a key question for the United States and its allies is what policies to follow in the face of this divergence. China today seeks to make a “world safe for autocracy” so that the CCP can continue to rule at home without impingement. Reaching outward, autocratic China has offered alternatives to US-led institutions, aimed at undermining universal values and lending to the CCP’s own survival. Some experts now see an emerging security dilemma posed by this governance challenge wherein China’s “efforts to make the world safer for the CCP ... threaten liberal democracies overseas ... as a consequence of its defensive efforts.”⁹⁷

Internationally, China plays within existing international structures but seeks to undermine them by bending the

96 Griff Witte, “In our age of autocracy, leaders are turning democracy into a tool of oppression,” *Independent*, December 27, 2018, https://www.independent.co.uk/news/long_reads/new-autocrats-leaders-are-turning-democracy-tool-oppression-a8680161.html.

97 Center for Strategic and International Studies, “Are the United States and China in an Ideological Competition?” *Freeman Chair Blog*, December 13, 2019, <https://www.csis.org/blogs/freeman-chair-blog/are-united-states-and-china-ideological-competition>.

rules. For example, China's conduct and mixed compliance within the World Trade Organization (WTO) has been described by some experts as challenging the WTO's underlying norms⁹⁸ and thus undermining organizational credibility. A 2020 US Senate report outlined China's use of international systems to reshape norms and principles, including using these organizations to "institutionalize aspects of its agenda, erode human rights standards, and undermine a free and fair internet."⁹⁹

China also seeks to alleviate domestic economic challenges "through overseas investment and the creation of markets" around the world for Chinese goods.¹⁰⁰ If the CCP's legitimacy depends on its economic strength, then its global ambitions are intrinsically tied to autocracy. The crux of Chinese domestic power is information dominance; accordingly, the CCP manipulates the information space as a way to increase its legitimacy, including by attempting to shape the developing world's views on autocracy and China more generally. This also reinforces Chinese economic markets in the developing world.¹⁰¹ According to the director of the Federal Bureau of Investigation (FBI), Christopher Wray, the United States should view Chinese ambitions as "not just a whole-of-government threat but a whole-of-society threat," reflecting a fear that CCP protections come at the cost of democracy and the US-led international order.¹⁰²

Further, China has deepened its authoritarianism. As a result, it is spending billions of dollars to shape global political perceptions to its advantage.¹⁰³ Indeed, the CCP has more recently outlined the benefits and underpinnings of its socialist system to an external audience.¹⁰⁴ In 2017, Yang Jiechi, at the time state councilor and currently director of the CCP's Central Foreign Affairs Commission Office, said of China: "We should enhance confidence in the path, theories, system and culture of socialism with distinctive

Chinese features, and share our governance experience with other countries."¹⁰⁵ The ideas have also been reflected in Chinese President Xi Jinping's statements, including his address to the 19th National Congress of the CCP in October 2017.¹⁰⁶ This is a significant and interesting development as the CCP looks to communicate the benefits and value of its system.¹⁰⁷

Over the next decade, democracies like the United States and European countries will need to decide which Chinese efforts are acceptable and which undermine democracy and international institutions, and thus must be collectively countered. Regardless of that decision, China's global ambitions remain tied to its autocracy. Under Xi, Chinese governance at home is foundational to China's rise as a world power.¹⁰⁸

b) Chinese human rights violations

Critical to China's governance model is control of its power, people, and information. Alongside the challenge posed by China's governance practices, arguably one of the largest concerns about China's conduct is its record of human rights violations and undermining of other nations' sovereignty. China not only exports abusive human rights practices abroad, the CCP's largest violation is against the Chinese people. While the Universal Declaration of Human Rights states that all people possess "human rights and fundamental freedoms" that governments are bound to secure,¹⁰⁹ in China, the CCP's absolute and totalitarian rule systematically dispossesses Chinese citizens of their rights and curtails widespread freedoms in order to retain power. People in China are subject to extreme scrutiny and surveillance. They are prohibited from practicing the "religion or belief of their choice," expressing opinions, or forming "groups of their choosing without fear" of retribution or arrest, and members of minority groups are subject to mass detention, "political indoctrination, torture, forced abortions

98 Center for Strategic and International Studies, "How Influential is China in the World Trade Organization?" *China Power*, July 31, 2019, updated August 25, 2020, *China Power*, <https://chinapower.csis.org/china-world-trade-organization-wto/>.

99 Democratic Staff Report prepared for the use of the Committee on Foreign Relations, United States Senate, *The New Big Brother: China and Digital Authoritarianism*, July 21, 2020, <https://www.foreign.senate.gov/imo/media/doc/2020%20SFRC%20Minority%20Staff%20Report%20-%20The%20New%20Big%20Brother%20-%20China%20and%20Digital%20Authoritarianism.pdf>.

100 David O. Shullman, "Protect the Party: China's growing influence in the developing world," Brookings Institution, January 22, 2019, <https://www.brookings.edu/articles/protect-the-party-chinas-growing-influence-in-the-developing-world/>.

101 Ibid.

102 Jessica Chen Weiss, "A World Safe for Autocracy?" *Foreign Affairs*, July/August 2019, <https://www.foreignaffairs.com/articles/china/2019-06-11/world-safe-autocracy>.

103 *China's International Influence on Democracy*, US Senate Committee on Foreign Relations, 116th Cong. (2019) (testimony of Christopher Walker, vice president, studies and analysis, National Endowment for Democracy), <https://www.ned.org/chinas-international-influence-on-democracy/>.

104 Alice Ekman, "How Will Europe Handle Conceptual Divergence Between China and the US?" *GlobalAsia* 14 (2) (June 2019), https://www.globalasia.org/v14no2/focus/how-will-europe-handle-conceptual-divergence-between-china-and-the-us_alice-ekman.

105 Yang Jiechi, "Study and Implement General Secretary Xi Jinping's Thought on Diplomacy in a Deep-Going Way and Keep Writing New Chapters of Major-Country Diplomacy with Distinctive Chinese Features," *Xinhua*, July 17, 2017, http://www.xinhuanet.com/english/2017-07/19/c_136456009.htm.

106 "Postscript: Chinese Communist Party Secretary General Xi Jinping's Report to the 19th CCP Congress on 18 October 2017," *Chinese Law & Government* 50 (2018) (1): 87-90, <https://www.tandfonline.com/doi/abs/10.1080/00094609.2018.1445375?journalCode=mclg20>.

107 Ibid.

108 Center for Strategic and International Studies, "Are the?"

109 United Nations, *Universal Declaration of Human Rights*, <https://www.un.org/en/universal-declaration-human-rights/>.

and sterilization, and state-sponsored forced labor.”¹¹⁰ While specific cases of China’s human rights abuses do and should draw particular attention from the international community, the mass scale of curtailment of the Chinese people’s freedoms by the CCP should not be overlooked.

As the United States and European nations grapple with how to address the profound issues surrounding China’s human rights abuses, a complicating factor is the distinct differences in terminology and language used to describe this set of issues. Concepts of foreign policy vary greatly between China and the United States.¹¹¹ The widening gap between conceptual perspectives makes building a common language more difficult, and dialogue harder. This was demonstrated at the 2019 Shangri-La Dialogue where terms like “rules-based international order” versus “a Community of Common Destiny” and “Indo-Pacific” versus “Asia-Pacific” were used differently by US and Chinese officials. These notable differences in language depict variant global visions and make it easier for these nations to talk past each other. Significantly, in this context, “democracy”—the defining feature of governance in Europe and North America, requiring rule by the people for the people through free and fair elections and respect for individual rights—was coopted by Xi in 2019 to describe “China’s people’s democracy [as] a type of whole-process democracy.”¹¹² As Xi and the CCP endeavor to bestow democracy with “Chinese characteristics”¹¹³ rather than besmirch the term democracy completely, the Chinese president’s description of a “socialist democracy” makes it harder for the United States and European nations to conduct forthright dialogue that addresses the shortcomings of China’s systemic oppression. These different meanings and applications of shared language should be considered when the United States and European nations conduct dialogue with China because misrepresentations may extend to the use of the words “rights” and “freedoms,” complicating the picture on human rights.

The Uyghurs in Xinjiang. In 2017, authorities in the Xinjiang region in northwest China enacted regulation enforcing “de-extremification,” which resulted in up to one million Uyghurs, Kazakhs, and other ethnic minorities being sent to internment camps. “Many religious figures, intellectuals, and academics were detained in Xinjiang ... for exercising their rights to freedom of religion and expression.”¹¹⁴ This extreme crackdown on the rights and freedoms of minority Chinese people was preceded by terror attacks in China that the Chinese government attributed to Uyghur extremists. In 2009, ethnic rioting caused two hundred deaths in Xinjiang,¹¹⁵ while a train station attack in Kunming killed at least twenty-nine people and injured 143 people in 2014.¹¹⁶ The Chinese government has used such incidents to justify the rampant impingement on all Uyghurs’ rights. Following the 9/11 attacks on the United States, Beijing claimed that some Uyghur groups turned to terrorism, most notably the separatist East Turkestan Islamic Movement (ETIM)¹¹⁷ which calls for Xinjiang’s separation as “Eastern Turkestan.” The CCP considers these individuals to be “part of a network of Islamic terror, with funding from the Middle East.”¹¹⁸ Nonetheless, longstanding skepticism exists about Beijing’s characterization of the extent of the terrorist threat.¹¹⁹ In fact, in July 2020, the US Government removed ETIM from the US terror list, stating that “there’s no clear evidence that ETIM continues to exist” or pose a risk.¹²⁰

Despite the Chinese government’s claim that it will eventually phase out “transformation-through-education” detention centers in Xinjiang,¹²¹ reports show continued detention of predominantly Muslim ethnic groups. Outside of Xinjiang’s detention facilities, Chinese “authorities subject Turkic Muslims in Xinjiang to extraordinary restrictions on personal life. Authorities have recalled passports throughout the region”¹²² and created checkpoints between towns. “They are subjected to persistent political indoctrination, including compulsory flag-raising ceremonies and political

110 US Department of State, “China’s Disregard for Human Rights,” <https://www.state.gov/chinas-disregard-for-human-rights/>.

111 Ekman, “How Will?”

112 Xinhua, “Xi says China’s democracy is whole-process democracy,” Xinhuanet, November 3, 2019, http://www.xinhuanet.com/english/2019-11/03/c_138525172.htm.

113 Jo Kim, “Exploring China’s New Narrative on Democracy,” *Diplomat*, December 6, 2019, <https://thediplomat.com/2019/12/exploring-chinas-new-narrative-on-democracy/>.

114 Amnesty International, *China 2019*, accessed December 22, 2020, <https://www.amnesty.org/en/countries/asia-and-the-pacific/china/report-china/>.

115 *Economist*, “The riots in Xinjiang: Is China fraying?” July 11, 2009, <https://www.economist.com/briefing/2009/07/09/is-china-fraying>.

116 Ziad Haider, “The Attack in Kunming: Uyghurs and Beijing’s Response,” *Doctrine Blog*, 2014, <http://trumancenter.org/doctrine-blog/the-attack-in-kunming-uyghurs-and-beijings-response/>.

117 Ibid.

118 Chien-peng Chung, “‘China’s ‘War on Terror’: September 11 and Uighur Separatism,” *Foreign Affairs*, 81 (4) (July-August 2002): 8-12, <https://www.jstor.org/stable/20033235?seq=1>.

119 Haider, “The Attack.”

120 “US removes separatist group condemned by China from terror list,” *Deutsche Welle*, July 11, 2020, <https://www.dw.com/en/us-removes-separatist-group-condemned-by-china-from-terror-list/a-55527586>

121 Michel Clarke, “Xinjiang’s ‘Transformation Through Education’ Camps,” Lowy Institute, May 25, 2018, <https://www.loyyinstitute.org/the-interpretor/xinjiangs-transformation-through-education-camps>.

122 Kenneth Roth, *China: Events of 2018*, Human Rights Watch, 2019, <https://www.hrw.org/world-report/2019/country-chapters/china-and-tibet>.

or denunciation meetings. With unprecedented levels of control over religious practices, authorities have effectively outlawed the practice of Islam in the region.”¹²³

The people of Xinjiang are also subject to pervasive state surveillance.¹²⁴ According to the US Department of State, recorded human rights abuses include “coercive population control methods [forced sterilization and abortion, detention, etc.], forced labor, arbitrary detention in internment camps, torture, physical and sexual abuse, mass surveillance, family separation, and repression of cultural and religious expression.”¹²⁵ Many, if not all, of these practices are currently being conducted and mandated by the Chinese state in Xinjiang. Indeed, in January 2021, then-US Secretary of State Michael R. Pompeo declared that China is committing genocide against the Uyghurs and other minorities in Xinjiang, tantamount to crimes against humanity.¹²⁶ The statement followed US President Joseph R. Biden Jr.’s then-campaign describing China’s activities in Xinjiang as “genocide” in August 2020.¹²⁷ US Secretary of State Antony Blinken reaffirmed this view at his confirmation hearing before the Senate Foreign Relations Committee on January 19.¹²⁸ To date, these statements by both the Trump and Biden administrations are the strongest denunciation by any government of China’s actions against the Uyghurs. The term “genocide” has yet to be used by other transatlantic governments.

Hong Kong. An article in the Basic Law of Hong Kong’s “mini-constitution,” Article 23, stipulates that the city must enact its own national security law. In 2003, this stipulation prompted mass protests due to concerns about the “loss of freedom of speech and other civil liberties. Under this clause, national security laws must ban seven types of activity: treason, secession, sedition, subversion against the central government, theft of state secrets, the hosting of political activities by foreign political organizations or

bodies, and the establishment of ties between local and foreign political organizations.”¹²⁹

Chinese suppression of “free expression, association, and political participation in Hong Kong worsened considerably in 2018.”¹³⁰ In June 2019, peaceful protests began in Hong Kong against the government’s plans to allow the extradition of people to mainland China, a bill that would undermine judicial independence and endanger dissidents. Protests turned violent, with police firing live bullets into crowds and more than seven thousand people arrested.

On June 30, 2020, China imposed a wide-ranging national security law on Hong Kong that defines four new crimes: separatism, subversion, terrorism, and collusion with external powers. Significantly, this means that anyone who protests against China will be accused of collaborating with foreign governments, putting protesters in Hong Kong at risk of arrest and life imprisonment.¹³¹ The law extends beyond Hong Kong itself; according to Article 38, it also applies to crimes committed outside of Hong Kong, and any foreigner can be accused of threatening Chinese national security.¹³²

Under the “one country, two systems” arrangement, Hong Kong has its own judiciary and a separate legal system from mainland China, including the right to freedom of assembly and freedom of speech.¹³³ Yet, the harsh crackdown and disavowal of those freedoms to the people of Hong Kong has challenged the limited sovereignty of the state.

Tibet. In Tibet, religious freedom, free speech, freedom of movement, and freedom of assembly are extensively restricted by the authorities.¹³⁴ In one particular case in 2018, several hundred Tibetans traveling on Chinese passports to visit the Dalai Lama were threatened by officials in Tibetan areas, forcing them to return home for fear

123 Ibid.

124 Ibid.

125 US Department of State, *The Chinese Communist Party’s Human Rights Abuses in Xinjiang*, <https://www.state.gov/ccpabuses>.

126 Bill Chappell, “Pompeo Accuses China Of Genocide Against Muslim Uighurs In Xinjiang,” NPR, January 19, 2021, <https://www.npr.org/2021/01/19/958468971/pompeo-accuses-china-of-genocide-against-muslim-uighurs-in-xinjiang>.

127 Zachary Basu, “Biden campaign says China’s treatment of Uighur Muslims is ‘genocide,’” *Axios*, August 25, 2020, <https://www.axios.com/biden-campaign-china-uighur-genocide-3ad857a7-abfe-4b16-813d-7f074a8a04ba.html><https://www.axios.com/biden-campaign-china-uighur-genocide-3ad857a7-abfe-4b16-813d-7f074a8a04ba.html>.

128 Deirdre Shesgreen, “‘The world’s on fire’ and other takeaways from Biden’s secretary of state nominee confirmation hearing,” *USA Today*, January 19, 2021, <https://www.usatoday.com/story/news/politics/elections/2021/01/19/biden-nominee-antony-blinken-china-committing-genocide-uyghurs/4215835001/>.

129 Joshua Wong, China is committing human rights abuses in Hong Kong, Al Jazeera, April 18, 2020, <https://www.aljazeera.com/opinions/2020/4/18/china-is-committing-human-rights-abuses-in-hong-kong/>.

130 Roth, *China*.

131 Clémence Dogniez, author, “Europe’s Response to Hong Kong Security Law: Between Condemnation and restraint,” trans. Christian Gibbons, *New Federalist*, August 9, 2020, <https://www.thenewfederalist.eu/europe-s-response-to-hong-kong-security-law-between-condemnation-and?lang=fr>.

132 Ibid.

133 Felix Tam and Clare Jim, “‘One country, two systems’ can continue beyond 2047: Hong Kong leader,” Reuters, January 16, 2020, <https://www.reuters.com/article/us-hongkong-protests/one-country-two-systems-can-continue-beyond-2047-hong-kong-leader-idUSKBN1ZF0NO>.

134 Roth, *China*.

of retribution against them and their family members.¹³⁵ Chinese officials view Tibetan Buddhism and belief in the Dalai Lama as a threat, and thus merely possessing images of the spiritual leader can result in imprisonment and torture.¹³⁶ For the last five years, Freedom House has “ranked Tibet among the worst places in the world for the denial of freedom.”¹³⁷ Perversely, Tibetans have been encouraged to denounce members of their own community to authorities.

An extreme system of public surveillance exists in the region, including extensive security cameras, police checkpoints, and the monitoring of public movements and activities by party officials. China has also “repeatedly violated UN conventions through extensive use of torture against Tibetan political prisoners.”¹³⁸ Tibetans are imprisoned for small acts of expression, including “waving the Tibetan flag, calling for the return of the Dalai Lama, and sending information about events in Tibet abroad,” as well as on “unclear or unspecified charges.” In extreme cases, Tibetans may face the death penalty for charges related to “separatism,” described as “acts intended to divide or damage the Chinese state.”¹³⁹

c) Chinese surveillance tools and techniques

Technologies and tools. The Chinese government’s information control and grip on power is maintained by an intense system of mass surveillance, which is part of a deep-seated CCP belief in thought control. Under Xi, the Chinese government has invested heavily in technology that enables pervasive surveillance of its public, impinging on citizens’ privacy. It is estimated that the government has installed up to 2.7 billion cameras around the country—adding to an existing fifty million cameras with facial recognition—in order to reduce “blind spots” in populated and urban areas.¹⁴⁰

The CCP’s mass surveillance architecture is supported by private technology and Internet companies enabling

the use of “facial recognition, real-name registration systems, and big data” analytics.¹⁴¹ China maintains its “Great Firewall,” which bans a range of platforms and systems developed in the United States and Europe, including Facebook and Twitter. Retaliation by authorities for public use of these platforms is severe. In 2019, Twitter users in China were reportedly threatened and detained for being active on the platform.¹⁴² China maintains its extensive control of cyberspace in the country by executing “malware and denial of service attacks against overseas servers, websites and messaging apps” considered hard to control.¹⁴³ In addition, to maintain strict information flow, the Chinese government collects biometrics, such as DNA and voice samples, to deploy mass surveillance systems across the country. China uses “such biometrics for automated surveillance purposes,” developing “a nationwide reward and punishment system known as the ‘social credit system’” and developing and applying “big data” policing programs aimed at preventing dissent. All of these systems are being deployed without effective privacy protections in law or in practice, and citizens are often unaware that their data is being gathered, or how it is used or stored.”¹⁴⁴

Not only is published content (in speeches, books, and online) monitored to ensure it remains in line with the CCP Central Committee,¹⁴⁵ “[i]n combination with banking data, mobile payment apps, WeChat, Social Credit Score, third-generation national ID card, biometric info[rmation], Great Firewall, mobile phones, televisions, and other surveillance hardware and software” these technologies abolish privacy and enforce control.¹⁴⁶ People so extensively monitored are unable to exercise their freedoms without fear of retribution.

Censorship apparatus. A “war on the truth” is central to the CCP’s survival.¹⁴⁷ The CCP’s propaganda and censorship apparatus keeps its citizens from knowing the extent of its corruption and repression. The security apparatus is made up of at least seven agencies responsible for

135 Edward Wong, “China Said to Detain Returning Tibetan Pilgrims,” *New York Times*, April 7, 2012, <https://www.nytimes.com/2012/04/08/world/asia/china-said-to-detain-returning-tibetan-pilgrims.html>.

136 Free Tibet, “Human Rights in Tibet,” <https://www.freetibet.org/about/human-rights>.

137 Ibid.

138 Ibid.

139 Ibid.

140 Bradley A. Thayer and Lianchao Han, “China’s weapon of mass surveillance is a human rights abuse,” *The Hill*, May 29, 2019, <https://thehill.com/opinion/technology/445726-chinas-weapon-of-mass-surveillance-is-a-human-rights-abuse>.

141 Amnesty International, *China 2019*.

142 Roth, *China*.

143 Amnesty International, *China 2019*.

144 Roth, *China*.

145 Eleanor Albert, Beina Xu, and Lindsay Maizland, *The Chinese Communist Party*, Council on Foreign Relations, <https://www.cfr.org/background/chinese-communist-party>.

146 Thayer and Han, “China’s weapon of mass surveillance.”

147 Dan Blumenthal and Linda Zhang, “China’s Censorship, Propaganda & Disinformation,” Jewish Policy Center, July 9, 2020, <https://www.jewishpolicycenter.org/2020/07/09/chinas-censorship-propaganda-disinformation/>.



Hong Kong protest 2019. Source: Flickr/Jonathan van Smit (<https://creativecommons.org/licenses/by-nc-nd/2.0/>)

restricting information and regulating communications. Moreover, “there are two major Internet censorship programs: the ‘Great Firewall’ and the ‘Golden Shield’ program. Both rapidly censor content ... produced within ... China.”¹⁴⁸ Internationally, China would like to assert “internet sovereignty” (giving countries the right to control domestic Internet space) and “data sovereignty” (data are subject to the laws of the country where they were collected).¹⁴⁹

Chinese censorship covers any content that is deemed to pose a risk to the survival of the CCP, including any coverage critical of the government, open religious practices, and content from the outside world or news sources that are deemed risky, among much else. The CCP cracks down

on news stories deemed to “expose state secrets,”¹⁵⁰ a policy that is loosely defined to enable the government to censor any information it considers harmful to party rule or image. Social media platforms are blocked and monitored to ensure group communication remains controllable, websites and publications are shut down, and journalists, dissidents, and activists are imprisoned for subverting authority.

One of the most notable cases of Chinese censorship is Google’s battle with the Chinese government over censoring the 2010 Nobel Peace Prize being awarded to imprisoned Chinese activist Liu Xiaobo.¹⁵¹ In a more recent case, the CCP has restricted China’s media to censor reporting on an antitrust probe into technology group Alibaba. In December 2020, the CCP’s propaganda apparatus

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ Beina Xu and Eleanor Albert, “Media Censorship in China,” Council on Foreign Relations, last updated February 17, 2017, <https://www.cfr.org/backgrounders/media-censorship-china>.

¹⁵¹ Josh Halliday, “Google’s dropped anti-censorship warning marks quiet defeat in China,” *Guardian*, January 7, 2013, <https://www.theguardian.com/technology/2013/jan/04/google-defeat-china-censorship-battle>; Doug Young, *The Party Line: how the media dictates public opinion in modern China*, (Singapore: John Wiley & Sons, 2013) p. 36.

reportedly directed media outlets to “strictly invoke” the official party line on the investigation into Alibaba and to “not make changes or engage in extended analysis without permission.”¹⁵² The severe directive went on to state “if any company announcements oppose the official stance, do not publish, do not re-post, do not quote foreign media.”¹⁵³ This harsh crackdown is indicative of the sprawling nature of government censorship and the repercussions for any individual, company, or organization in China that goes against the party narrative. Information free of interference does not exist within the virtual walls of China’s “Golden Shield.”

CCP legal rule. In February 2019, Xi emphasized that the Chinese legal system should be under the CCP’s “absolute leadership.”¹⁵⁴ China legalized arbitrary and secret detention, along with an extrajudicial system of detention (*liuzhi*), allowing for “prolonged incommunicado detention and increased risk of torture” for forced “confessions.”¹⁵⁵ Between February and May 2019 alone, the United Nations Working Group on Enforced or Involuntary Disappearances investigated twenty cases of Chinese enforced disappearances.¹⁵⁶ The new regulation “increased the powers of law enforcement and security agencies,”¹⁵⁷ shielding police officers from legal responsibility for damages while carrying out their duties.¹⁵⁸

Treatment of the media. While the Chinese Constitution technically grants the country’s citizens freedom of speech and press, Chinese media regulations are unclear, allowing for crackdowns on news stories that meet the CCP’s vague definitions of “exposing state secrets.” Media outlets in China typically exercise their own monitoring systems to ensure content is compliant with what is politically acceptable. As part of the “Great Firewall,” websites that the CCP deems “potentially dangerous” to its control of information—like Wikipedia, Facebook, Twitter, YouTube,

and select Google services—are completely “blocked or temporarily ‘blacked out’ during periods” of unrest.¹⁵⁹ Such platforms pose a perceived threat to the CCP because they provide citizens with access to outside information, provide external people access to domestic information about China, and enable virtual congregation of citizens that is hard to monitor. The government ban extends beyond platforms to photos and videos viewed as threats to the state, as well as reports on issues “like official corruption, the economy, health and environmental scandals, certain religious groups, and ethnic strife, that officials deem could incite social unrest.”¹⁶⁰

China also has stringent rules in place that clamp down on press freedoms, including requiring foreign journalists to gain authorization before reporting in the country. These permissions are used to prevent journalists from reporting on topics undesirable to the CCP, including corruption, as well as economic and financial developments.¹⁶¹ In March 2020, China ordered US citizens from the *New York Times*, the *Wall Street Journal*, and the *Washington Post* “to return their press cards within ten days, prohibiting them from working in China, Hong Kong, and Macau.”¹⁶² This was the first time China had formally banned journalists from working in Hong Kong.¹⁶³ “Chinese authorities also ordered five US media outlets to provide details about their personnel, operations, and assets in China.”¹⁶⁴ These mechanisms, including visa denial and expulsion, are used to bar media groups for unfavorable coverage.¹⁶⁵ As Laura Rosenberger and Lindsay Gorman pointedly note, the controlling and manipulating practices outlined above that fall under the category of “information warfare” not only “create asymmetries in the information domain” between democratic and autocratic countries—a key problem for democracies lies in the fact that “construing information as a weapon or engaging in information warfare involving

152 Yuan Yang, “Beijing orders Chinese media to censor coverage of Alibaba probe,” *Financial Times*, January 7, 2021, https://www.ft.com/content/62fe82c5-b058-4dd0-bb15-e9428593f078?accessToken=zWAAAXboVhflkc9L_oLFsFhN0NO7FeIChZPweA.MEUCIG69Nc2xDNK6vwJxD25nuwEFJNuYML13WAaw8c8PxEGyAiEAldAjxqZ26Y2XPmDSazopNQW9DeAd-a8B15TAJX6rc0&sharetype=gif?token=1f786523-2f4b-47c4-9a56-bafbe7ec4a11.

153 Ibid.

154 Amnesty International, *China 2019*.

155 US Department of State, *Custom Report Excerpts: China (includes Tibet, Hong Kong, and Macau) – China*, <https://www.state.gov/report/custom/b8f72ab8d2/>.

156 Amnesty International, *China 2019*.

157 Ibid.

158 United Nations Human Rights, Office of the High Commissioner, “China: UN experts gravely concerned by enforced disappearance of three human rights defenders,” March 23, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25735&LangID=E>.

159 Xu and Albert, “Media Censorship.”

160 Ibid.

161 Ibid.

162 Human Rights Watch, “China: Reverse Ban on American Journalists,” March 17, 2020, <https://www.hrw.org/news/2020/03/17/china-reverse-ban-american-journalists>.

163 *Wall Street Journal*, “China Banishes U.S. Journalists from Wall Street Journal, New York Times and Washington Post,” March 18, 2020, <https://www.wsj.com/articles/china-bans-all-u-s-nationals-working-for-the-wall-street-journal-new-york-times-washington-post-whose-press-credentials-end-in-2020-11584464690>.

164 Human Rights Watch, “China: Reverse Ban.”

165 Ibid.

non-military targets risks undermining the very space democracies seek to protect.¹⁶⁶

2. Transatlantic Convergence and Divergence

China's human rights abuses are a shared concern among European countries and the United States, even if approaches to addressing them can vary. Below are indications of key areas of opportunity for future coordination on this issue.

a) Areas of opportunity

EU coordination. Within Europe, existing coordination among EU member states is an indicator that there is widespread consensus on the need to mitigate human rights abuses and uphold international rights. The EU's European Consensus on Development commits the EU and its member states to implement a rights-based approach (RBA) to development cooperation with other countries, encompassing all human rights.¹⁶⁷ In November 2020, the EU released its Action Plan on Human Rights and Democracy 2020-2024 outlining its priorities and reaffirming its commitment to "further advancing universal values."¹⁶⁸ It is "the only instrument of its kind ... promoting a values-based agenda on the world stage."¹⁶⁹ The action plan focuses on protecting and empowering individuals; building resilient, inclusive, and democratic societies; promoting a global system for human rights and democracy; harnessing new technologies to address challenges; and delivering by cooperation. The measures will be implemented at country, regional, and multilateral levels.¹⁷⁰

Condemnation of the treatment of the Uyghurs. In July 2019, twenty-two countries sent a letter to the president

of the United Nations Human Rights Council (UNHRC) urging an investigation and demanding China end its arbitrary mass detentions and violence against the Uyghur population in Xinjiang. The United States was not a signatory.¹⁷¹ In September 2019, five "human rights organizations published a joint letter to the United Nations (UN) secretary-general urging the UN to step up pressure on China to end the mass detentions in Xinjiang."¹⁷² And in October 2019, twenty-three countries, including the United States and many European countries—except Hungary, Italy, Poland, and Turkey—issued a joint statement to the UN at the Third Committee Dialogue of the Committee for the Elimination of Racial Discrimination.¹⁷³ The statement called on China to "uphold its national laws and international obligations and commitments to respect human rights, including freedom of religion or belief, in Xinjiang and across China."¹⁷⁴

In June 2020, fifty UNHRC current and former special procedures (independent human rights experts) issued an "indictment of China's human rights record and call for urgent action."¹⁷⁵ They specifically referenced human rights abuses in Xinjiang, Tibet, and Hong Kong.¹⁷⁶ They "called for a special session on China, creating a dedicated expert on China, and asked UN agencies and governments to press China to meet its human rights obligations."¹⁷⁷ It remains to be seen whether there will be a response.¹⁷⁸ In September 2020, Chinese authorities attempted to rewrite norms to minimize scrutiny of Chinese misconduct. That same month, a coalition of more than three hundred civil society groups urged the UN in an open letter to "urgently create an independent international mechanism to address the Chinese government's human rights violations."¹⁷⁹ The coalition included organizations from more than sixty countries, echoing the fifty human rights experts' call for Chinese accountability

166 Laura Rosenberger and Lindsay Gorman, "How Democracies Can Win the Information Contest," *Washington Quarterly* 43:2 (2020), 76, DOI: 10.1080/0163660X.2020.1771045.

167 European Commission, *European consensus on development*, https://ec.europa.eu/international-partnerships/european-consensus-development_en.

168 European Council, Council approves conclusions on the EU Action Plan on Human Rights and Democracy 2020-2024, press release, November 19, 2020, <https://www.consilium.europa.eu/en/press/press-releases/2020/11/19/council-approves-conclusions-on-the-eu-action-plan-on-human-rights-and-democracy-2020-2024/>.

169 European Commission, *Human Rights*, https://ec.europa.eu/international-partnerships/topics/human-rights_en.

170 Ibid.

171 Joint letter from twenty-two countries to United Nations Human Rights Council president on human rights conditions in China, July 8, 2019, https://www.hrw.org/sites/default/files/supporting_resources/190708_joint_statement_xinjiang.pdf.

172 Amnesty International, *China 2019*.

173 Permanent Representative of the United Kingdom to the United Nations Karen Pierce, "Joint statement, delivered by the UK Rep to the UN, on Xinjiang at the Third Committee Dialogue of the Committee for the Elimination of Racial Discrimination," October 29, 2019, <https://usun.usmission.gov/joint-statement-delivered-by-uk-rep-to-un-on-xinjiang-at-the-third-committee-dialogue-of-the-committee-for-the-elimination-of-racial-discrimination/>.

174 Ibid.

175 Sophie Richardson, *China's Influence on the Global Human Rights System*, Human Rights Watch, September 14, 2020, <https://www.hrw.org/news/2020/09/14/chinas-influence-global-human-rights-system>.

176 United Nations Human Rights Office of the High Commissioner, "UN experts call for decisive measures to protect fundamental freedoms in China," June 26, 2020, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26006&LangID=E>.

177 Richardson, *China's Influence*.

178 Ibid.

179 Human Rights Watch, "Global Coalition urges UN to Address China's Human Rights Abuses," September 9, 2020, <https://www.hrw.org/news/2020/09/09/global-coalition-urges-un-address-chinas-human-rights-abuses>.



Hong Kong anti-extradition protest, August 18, 2019. Source: Flickr/Studio Incendo (<https://creativecommons.org/licenses/by/2.0/>)

in June. In December 2020, the European Parliament adopted a resolution strongly condemning the Chinese government's system of forced labor and the exploitation of minority groups, including Uyghur, ethnic Kazakh and Kyrgyz, and other Muslim minority groups.¹⁸⁰ The statement urged the Chinese government to “put an immediate end to the practice of arbitrary detention without charge, trial or conviction for criminal offences” of minority communities and called on China to “end the ‘mass incarceration’ of ethnic minorities in camps and detention centres and demand the immediate and unconditional release of those detained.”¹⁸¹ The resolution was not unanimous, revealing perennial divergences among EU nations.

And in January 2021, then-US Secretary of State Michael R. Pompeo accused Beijing of “committing genocide and crimes against humanity in Xinjiang, China, targeting Uyghur

Muslims and members of other ethnic and religious minority groups.”¹⁸² Current US Secretary of State Antony Blinken has upheld this designation in statements made since his confirmation as well.¹⁸³

Hong Kong sanctions. In a July 2020 UNHRC session, fifty-three countries rallied behind China's controversial Hong Kong national security law. The twenty-seven countries that opposed it included Australia, Austria, Belgium, Belize, Canada, Denmark, Estonia, Finland, France, Iceland, Ireland, Germany, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Netherlands, New Zealand, Norway, Palau, Slovakia, Slovenia, Sweden, Switzerland, and the UK. Notably missing from the statement are Hungary, Italy, Poland, and Turkey who abstained from action, not signing onto a statement in support of China either.¹⁸⁴ The United States did not participate as an

180 European Parliament, Human rights breaches in China, Iran and Egypt, press release, December 17, 2020, <https://www.europarl.europa.eu/news/en/press-room/20201211IPR93641/human-rights-breaches-in-china-iran-and-egypt>.

181 Ibid.

182 Chappell, “Pompeo Accuses.”

183 Humeyra Pamuk and David Brunnstrom, “New US secretary of state favors cooperation with China despite genocide of Uighurs,” *Reuters*, January 27, 2021, <https://www.reuters.com/article/us-usa-china-blinken/new-u-s-secretary-of-state-favors-cooperation-with-china-despite-genocide-of-uighurs-idUSKBN29W2RC>.

184 Eleanor Albert, “Which Countries Support the New Hong Kong National Security Law?” *Diplomat*, July 6, 2020, <https://thediplomat.com/2020/07/which-countries-support-the-new-hong-kong-national-security-law/>.

opposing member to China's law given it ended its membership of the UNHRC in 2018. However, the United States has made its opposition clear by unanimously enacting a law to impose sanctions on Chinese "officials responsible for instituting and enforcing" the "security law targeting Hong Kong's autonomy."¹⁸⁵

As members of the EU, France and Germany have led an effort to get the EU to impose measures on China in response to Hong Kong's national security law. The Netherlands, Denmark, and Sweden all joined this EU-focused effort.¹⁸⁶ In December 2020, the EU adopted a regulation to establish a "global human rights sanctions regime." The framework will enable the body to "target individuals, entities and bodies – including state and non-state actors – responsible for, involved in or associated with serious human rights violations and abuses worldwide."¹⁸⁷ The measures will restrict individuals or entities through travel bans and the freezing of funds, and pertain to abuses such as genocide, crimes against humanity, and other serious human rights violations. This EU sanctions list will be updated as nations or the EU's high representative propose individuals and entities for inclusion. Significantly, the regulation will give the European Commission oversight of member states' travel bans, enabling the commission to take EU nations to the Court of Justice of the European Union if they fail to enforce the bans.

b) Nuances and potential challenges

Private industry actors and regulation. In September 2020, Amnesty International found three European companies—France's Morpho, Sweden's Axis Communications, and the Netherlands' Noldus Information Technology—all sold digital surveillance systems to China that were found, in some cases, to have directly been used in China's mass surveillance programs, "with the risk of being used against Uighurs and other predominantly Muslim ethnic groups" throughout China.¹⁸⁸ Nevertheless, France and Sweden, among other EU member states' governments,

have resisted calls to bolster national export regulations to include safeguards for human rights, especially in relation to biometric surveillance technologies.¹⁸⁹ European companies remain key players in the surveillance technology market and have willingly sold products "such as facial recognition technology and network cameras" to China.¹⁹⁰ Amnesty International and other organizations have highlighted shortcomings in the EU's existing Dual-Use Regulation export regulations. The European Commission met on this issue in September 2020, following a proposal to be firmer on surveillance technology exports earlier in 2020. However, it does not appear any changes have been enforced since the September 2020 meeting.¹⁹¹

US international withdrawal. Prior to the Trump presidency, the United States was at the forefront of challenging Chinese human rights abuses internationally. In 2018, the United States withdrew from the UNHRC, claiming that it is ineffective. Despite this criticism, the UN human rights system has been at the forefront of discussions, investigations, and demands with regard to human rights offenders.¹⁹² A weak US position on Chinese human rights abuses makes united opposition and the prospect of making human rights a central pillar in a transatlantic strategy more challenging. Indeed, China attempted to flip the script in 2020, calling out the United States at the UNHRC. China's ambassador to the UN referenced "the death of George Floyd and the shooting of Jacob Blake" as "incidents [that] show the long-standing and deep-seated racism, police brutality and social inequality [in the United States]."¹⁹³ China has recently pointed to the civil unrest in the United States to question moral objectivity in relation to its own human rights abuses. In the absence of US leadership, European allies may be less likely to act in conjunction with the United States and in opposition to China.

Chinese influence. "China's growing global power makes it an exporter of human rights violations,"¹⁹⁴ and as China's power grows, it makes it more politically challenging for other nations to push back. At the UN in 2018, China

185 Catie Edmondson, "Senate Sends Trump a Bill to Punish Chinese Officials Over Hong Kong," *New York Times*, July 2, 2020, updated August 7, 2020, <https://www.nytimes.com/2020/07/02/us/politics/senate-china-hong-kong-sanctions.html>.

186 Robin Emmott, "Sweden joins France, Germany in weighing measures against China over Hong Kong," Reuters, July 13, 2020, <https://nationalpost.com/pmn/news-pmn/crime-pmn/sweden-joins-france-germany-in-weighing-measures-against-china-over-hong-kong>.

187 European Council, EU adopts a global human rights sanctions regime, press release, December 7, 2020, <https://www.consilium.europa.eu/en/press/press-releases/2020/12/07/eu-adopts-a-global-human-rights-sanctions-regime/>.

188 Amnesty International, "EU companies selling surveillance tools to China's human rights abusers," September 21, 2020, <https://www.amnesty.org/en/latest/news/2020/09/eu-surveillance-sales-china-human-rights-abusers/>.

189 Ibid.

190 Ibid.

191 Vincent Manancourt, "EU is selling surveillance tech to China, says rights group," *Politico*, September 21, 2020, <https://www.politico.eu/article/amnesty-international-eu-is-selling-spyware-to-china/>.

192 Ted Piccone, "China's long game on human rights," *Order from Chaos*, September 24, 2018, <https://www.brookings.edu/blog/order-from-chaos/2018/09/24/chinas-long-game-on-human-rights/>.

193 John Ruwitch, "In George Floyd Protests China Sees A Powerful Propaganda Opportunity," NPR, June 3, 2020, <https://www.npr.org/2020/06/03/868566978/in-george-floyd-protests-china-sees-a-powerful-propaganda-opportunity>.

194 Roth, *China*.

“sought to block participation of its critics.”¹⁹⁵ In March 2018, China successfully put forward a UNHRC resolution on an approach touted as “win-win” or “mutually beneficial” cooperation. This approach draws directly from Chinese government propaganda and would require that states “not pursue accountability for serious human rights violations,” rather they would participate in “dialogue.” In China’s resolution, there would be no role for civil society actors in the human rights debate, only government participation, and a minor role for the UN itself.¹⁹⁶

Hungary and Italy. China is a large investor in Hungary and Italy, with Hungary even styling itself as “China’s gateway to Europe.”¹⁹⁷ As a result, these countries have been reluctant to criticize China’s Hong Kong national security law, impose sanctions on Chinese officials, or condemn abuses in Xinjiang. In March 2017, when eleven embassies signed onto a joint letter criticizing China over “credible claims” that lawyers and human rights activists had been tortured while in detention, Hungary did not sign on.¹⁹⁸ In fact, Hungary actually *prevented* the EU from signing on as a bloc and threatened to do so in the future as well. Hungarian Prime Minister Viktor Orbán has previously warned European leaders not to call out China over human rights, as Hungary seeks to promote future investment opportunities with China. Notably, the United States also abstained from signing on to the joint letter.¹⁹⁹

In 2019, Hungary was one of a few countries whose diplomats visited Xinjiang on tightly scripted trips to see “humane” facilities.²⁰⁰ Such actions help feed into Chinese propaganda about the situation in Xinjiang and signal a lack of opposition by key European countries. In Italy, politicians outside of the government majority have been vocal in rejecting Chinese actions in Hong Kong and Xinjiang.

However, the Italian government has been slow to act, not signing on to the joint statement delivered by the UK’s permanent representative to the UN on Xinjiang, and signing, only a whole year later, the joint statement to the UN at the Third Committee Dialogue for the Elimination of Racial Discrimination.²⁰¹

The Czech Republic and Poland. The Czech Republic has taken a strong stand against Chinese governance issues by actively engaging with Taiwan and Tibet,²⁰² and breaking off a city partnership agreement with China over a stipulation in the One-China policy.²⁰³ However, the Czech stance on China is much weaker when it comes to human rights. In November 2018, a Chinese diplomat visited the Czech Republic to discuss potential trade opportunities. The Czech people have criticized their government in the past for not pressing China on human rights issues during such visits, so this visit included a verbal agreement to meet and discuss these issues at a later date.²⁰⁴

Poland criticized China’s mass detention of the Uyghurs in Xinjiang at the UN in October 2020. However, this criticism came a year later than that by many other European countries, which condemned China’s actions in October 2019.²⁰⁵

Extradition treaties with China and Hong Kong. China has pursued a global campaign to sign extradition agreements with other nations as part of extraterritorial legal and extra-legal arrangements to return Chinese-identified “fugitives” found outside China’s jurisdiction to China for trial or punishment. China has extradition arrangements with fifty-nine countries, with thirty-nine of the agreements ratified by the other nation,²⁰⁶ a campaign that weakens international human rights norms. Notably, Belgium, Bulgaria,

195 Ibid.

196 International Service for Human Rights, “HRC43 | Vote on ‘mutually beneficial cooperation’ resolution highlights divisive nature of Chinese initiative,” June 22, 2020, <https://www.ishr.ch/news/hrc43-vote-mutually-beneficial-cooperation-resolution-highlights-divisive-nature-chinese>.

197 Hungarian Investment Promotion Agency, “Hungary May Be the Gateway for Chinese Investments Into the European Union,” October 21, 2016, <https://hipa.hu/hungary-may-be-the-gateway-for-chinese-investments-into-the-european-union>.

198 Simon Denyer and Emily Rauhala, “Eleven countries signed a letter slamming China for torturing lawyers. The US did not.” *Washington Post*, March 22, 2017, <https://www.washingtonpost.com/news/worldviews/wp/2017/03/22/eleven-countries-signed-a-letter-slamming-china-for-torturing-lawyers-the-u-s-did-not/?noredirect=on>.

199 Ibid.

200 Reuters, “US official denounces ‘choreographed’ visits for European diplomats to China’s Xinjiang region,” *Japan Times*, March 24, 2019, <https://www.japantimes.co.jp/news/2019/03/24/asia-pacific/u-s-official-denounces-choreographed-visits-european-diplomats-chinas-xinjiang-region/>.

201 Otto Lanzavecchia, “Did someone say Hong Kong? China’s crackdown divides Italy,” *Fromiche*, March 7, 2020, <https://formiche.net/2020/07/did-someone-said-hong-kong-china-crackdown-divides-italy/>.

202 Raphael Satter and Nick Carey, “China threatened to harm Czech companies over Taiwan visit: letter,” Reuters, February 19, 2020, <https://www.reuters.com/article/us-china-czech-taiwan/china-threatened-to-harm-czech-companies-over-taiwan-visit-letter-idUSKBN20DOG3>.

203 James M. Dorsey, “Standing up to China: Czech mayor sets a high bar,” *Modern Diplomacy*, December 5, 2019, <https://moderndiplomacy.eu/2019/12/05/standing-up-to-china-czech-mayor-sets-a-high-bar/>.

204 Daniela Lazarová, “Czech-Chinese talks focus on business as well as human rights issues,” Radio Prague International, November 6, 2018, <https://english.radio.cz/czech-chinese-talks-focus-business-well-human-rights-issues-8146675>.

205 Zachary Basu, “More countries join condemnation of China over Xinjiang abuses,” *Axios*, October 8, 2020, <https://www.axios.com/un-statement-china-uyghurs-xinjiang-6b29dbf5-b93c-4c70-bd4c-333e1c23471f.html>.

206 *Global Times*, “China concludes 59 extradition treaties with foreign nations,” October 26, 2020, <https://www.globaltimes.cn/content/1204670.shtml#:~:text=China%20has%20concluded%2059%20extradition,amid%20an%20anti%20corruption%20campaign>.

Cyprus, France, Lithuania, Portugal, Romania, Spain, and most recently Turkey each have extradition agreements in place with China. In 2020, France said it would not ratify its 2017 extradition treaty.²⁰⁷ China has ratified its treaties with Belgium and Cyprus, but neither country has yet ratified on their end,²⁰⁸ while Bulgaria, Lithuania, Portugal, Romania, and Spain's agreements remain in place.²⁰⁹ Spanish authorities, as recently as 2019, worked with Chinese authorities to extradite ninety-four Taiwanese living in Spain as part of China's "Operation Great Wall."²¹⁰ Europe's law enforcement and judicial cooperation with China, with regard to extradition, raises serious concerns about enabling China's subversion of human rights norms. In January 2021, China ratified an extradition treaty with Turkey that Ankara has not yet ratified. If it does, the law could potentially put at risk thousands of Uyghurs living in Turkey.²¹¹

France, Germany, and the United Kingdom. Of all the European nations, France, Germany, and the UK are the most vocal and consistent in their strong opposition to China's human rights abuses and interference in the sovereignty of Hong Kong. All three nations have condemned, independently and at the UN, China's egregious persecution of the Uyghurs and other minorities in Xinjiang. The UK, in part due to its historical ties to Hong Kong, has been more vocal about the impingement by China on the civil liberties of the Hong Kong people. In June 2020, in response to China's imposition of its new national security law on Hong Kong, the UK government pledged to admit three million Hong Kongers with British ties.²¹² The UK is also putting in place a new mechanism for targeted human rights sanctions. In July 2020, the UK, France, and Germany called on China to allow meaningful and unfettered access or "free entry"²¹³ to Xinjiang for independent observers, including the UN High Commissioner for Human Rights.²¹⁴ This was supported by thirty-eight other countries in the UN. All of these actions show positive will to do more to mitigate Chinese human rights abuses, even while more coordinated action is required.

However, trade and investment incentives that European nations receive from China continue to stymie actions against China's human rights practices. For instance, in January 2021, British Prime Minister Boris Johnson defeated a proposed amendment in the House of Commons that would have enabled London's High Court to rule on claims of genocide against potential trading partners, including China. If the amendment had passed, the UK government would have had to consider pulling out of trade deals with the nations involved.²¹⁵ This example shows the tension and trade-off European nations face between potential economic gains from China on the one hand and clear and repudiating criticism of China's human rights practices on the other.

3. Possible Transatlantic Responses

Setting objectives. There is considerable convergence among European nations and the United States about the need to stand up to China and call out its abysmal human rights practices. To that end, the United States and Europe must first agree on a set of key objectives to grapple with China's malign governance and human rights practices. To move from shared concern to collective action, countries must outline a shared understanding of redlines in terms of China's international behavior related to human rights, as well as its efforts to alter rules within international institutions. Objectives with regard to minorities in Xinjiang and Tibet need to be expanded upon to consider what action may be taken to alter the CCP's calculus, to name and shame China if it refuses to allow international scrutiny, and to provide long-term and more extensive support to persecuted peoples. With regard to Hong Kong, transatlantic nations need to increase their vocal support for civil and political freedoms, as well as orchestrate more transnational support, including providing safe haven for civil rights advocates within Hong Kong. Assuming agreement on objectives, a strategic framework must be developed that sets priorities and incorporates trade-offs.

207 Ibid.

208 *Asia Times Financial*, "China ratifies extradition treaties with Cyprus, Belgium," October 27, 2020, [https://www.asiatimesfinancial.com/china-ratifies-extradition-treaties-with-cyprus-belgium#:~:text=China's%20Discipline%20Inspection%20and%20Supervision,of%20Cyprus%20\(agreed%20in%20June](https://www.asiatimesfinancial.com/china-ratifies-extradition-treaties-with-cyprus-belgium#:~:text=China's%20Discipline%20Inspection%20and%20Supervision,of%20Cyprus%20(agreed%20in%20June).

209 Library of Congress, *Laws on Extradition of Citizens*, <https://www.loc.gov/law/help/extradition-of-citizens/chart.php>.

210 Steven Jiang, "94 Taiwanese criminal suspects extradited from Spain to Beijing," CNN, June 7, 2019, <https://www.cnn.com/2019/06/07/asia/taiwan-extradition-beijing-intl/index.html>.

211 Michael Caster, "Turkey should stand up for Uyghurs and refuse to ratify China extradition treaty," *Hong Kong Free Press*, January 6, 2021, <https://hongkongfp.com/2021/01/06/turkey-should-tell-china-no-new-extradition-treaty/>.

212 Mark Landler, "Boris Johnson Pledges to Admit 3 Million From Hong Kong to U.K.," *New York Times*, June 3, 2020, updated June 17, 2020, <https://www.nytimes.com/2020/06/03/world/europe/boris-johnson-uk-hong-kong-china.html>.

213 Reuters staff, "France says wants observers allowed into China's Uighur regions," Reuters, July 21, 2020, <https://www.reuters.com/article/us-france-ina-ighur/france-says-wants-observers-allowed-into-chinas-uighur-regions-idUSKCN24M1Y3>.

214 Permanent Representative of the German Mission to the United Nations Christoph Heusgen, "Joint Statement on the Human Rights Situation in Xinjiang and the Recent Developments in Hong Kong, Delivered by Germany on Behalf of 39 Countries," October 6, 2020, <https://usun.usmission.gov/joint-statement-on-the-human-rights-situation-in-xinjiang-and-the-recent-developments-in-hong-kong-delivered-by-germany-on-behalf-of-39-countries/>.

215 Sylvia Hui, "UK: 'Genocide' clause to China trade deals narrowly defeated," Associated Press, January 19, 2021, <https://apnews.com/article/global-trade-china-courts-asia-pacific-bills-e501c38f6f37fdc8724e9c1661416d03>.

Condemning abuses in Xinjiang. In countless dialogues, both the EU and European nations have criticized China's abuses in Xinjiang and record on freedom of belief and human rights, but have made little actual progress on changing behaviors. On the situation in Xinjiang in particular, the EU and its member states have taken only modest actions, including issuing statements condemning the detention centers and offering haven to a small number of Uyghurs who are able to flee to Europe.²¹⁶ However, it is clear that statements are not enough; they have, so far, done little to deter China's actions or redress the dire situation in which the Uyghurs find themselves. In March 2019, a joint letter²¹⁷ signed by a number of NGOs, including Amnesty International and Human Rights Watch, pushed the EU on the issue of China's human rights violations and urged it to "press China to allow meaningful access to Xinjiang" for UN representatives, secure the release of jailed foreigners, have the European Union External Action Service (EEAS) publish a "frank assessment" of the aforementioned late-2020 human rights dialogue, identify specific human rights issues China must address, and more. Additionally, members of the European Parliament wrote to urge the EU to condemn China's human rights violations at the EU-China summit in September 2020, but the EU failed to do so meaningfully.²¹⁸

Condemning behavior in Hong Kong. In comparison to an extraordinarily short EU declaration,²¹⁹ the United States, Canada, Australia, and the UK released a joint statement on May 28, 2020,²²⁰ condemning China's new national security law vis-à-vis Hong Kong. Such statements by nations help mitigate the shortcomings of organization-wide responses and should continue to be used to publicly shame China about its human rights record. Nevertheless, the EU, along with the United States and the UK, should endeavor to push for organizational statements that make clear a shared consensus among these nations that they will not stand for China's human rights abuses.

Improving EU-China human rights dialogue. Introduced in 1995, the EU-China human rights dialogue in its current form provides a platform that has allowed the Chinese government to push its own agenda and undermine attempts to criticize its human rights violations publicly. Beijing has reduced the number of dialogues it will participate in and refuses to allow participation of third parties and NGOs critical of its government.²²¹ The EU-China leaders' summits, including the latest held in September 2020, have been insufficient in bringing about any real pressure on China with regard to human rights and have instead provided a platform for China to repeat propaganda. The EU has used such occasions to reiterate its "serious concerns about the treatment of ethnic and religious minorities, the situation of human rights defenders, as well as the limitations to freedom of expression and access to information."²²² However, the summit's agenda was dominated by trade and investment concerns.

Delivering on ILO commitments. The most recent development is the negotiation of the EU-China Comprehensive Agreement on Investment (CAI), which is set to replace the twenty-six existing bilateral investment treaties between twenty-seven individual EU member states and China. This proposed legal framework for EU-China investment ties includes provisions on core environmental and labor standards for the two parties to meet. This is significant as more than one hundred thousand Uyghurs and other ethnic minorities in China are kept under the conditions of forced labor following detention in "re-education" camps.²²³ China has continued to come under scrutiny for its poor labor practices, denying citizens their basic rights.²²⁴ While, as part of the CAI, the EU announced that "for the first time, China has also agreed to ambitious provisions on sustainable development, including commitments on forced labour,"²²⁵ the details give far less reason for optimism that this agreement will bring about a sea change in Chinese labor practices. In reality, China has agreed to "undertak[e]

216 David Marques, "The EU, China, and human rights in Xinjiang: Time for a new approach," European Council on Foreign Relations, April 2, 2019, https://ecfr.eu/article/commentary_the_eu_china_and_human_rights_in_xinjiang_time_for_a_new_approac/.

217 Human Rights Watch, "NGOs Urge the EU to Press China on Human Rights: Joint Letter to the EU and EU member states," March 13, 2019, <https://www.hrw.org/news/2019/03/13/ngos-urge-eu-press-china-human-rights>.

218 ANI, "MEPs urge EU to take strong action on China for human rights violation," *Business Standard*, September 18, 2020, https://www.business-standard.com/article/international/meps-urge-eu-to-take-strong-action-on-china-for-human-rights-violation-120091800773_1.html.

219 European Council, Declaration of the High Representative on behalf of the European Union on Hong Kong, press release, May 29, 2020, <https://www.consilium.europa.eu/en/press/press-releases/2020/05/29/declaration-of-the-high-representative-on-behalf-of-the-european-union-on-hong-kong/>.

220 US Department of State, "Joint Statement on Hong Kong," media note, Office of the Spokesperson, May 28, 2020, <https://www.state.gov/joint-statement-on-hong-kong/>.

221 Ibid.

222 European Commission, EU-China Leaders' Meeting: Upholding EU values and interests at the highest level, joint press release by President Michel, President von der Leyen and Chancellor Merkel, September 14, 2020, https://ec.europa.eu/commission/presscorner/detail/en/IP_20_1648.

223 US Department of Labor, *Against Their Will: The Situation in Xinjiang*, Bureau of International Labor, <https://www.dol.gov/agencies/ilab/against-their-will-the-situation-in-xinjiang>.

224 Peter Bengsten, "China's Forced Labor Problem," *Diplomat*, March 21, 2018, <https://thediplomat.com/2018/03/chinas-forced-labor-problem/>.

225 European Commission, EU and China reach agreement in principle on investment, press release, December 30, 2020, https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2541.

commitments in the areas of labour” and “China has also agreed to make continued and sustained efforts to ratify the ILO [International Labour Organisation] fundamental Conventions on forced labour.”²²⁶ Such a commitment is extremely vague and doesn’t actually obligate China to meet labor standards.

Creating an EU sanctions regime. Unlike the United States’ Global Magnitsky Human Rights Accountability Act, the current EU regulation does not feature “corruption” as a criterion for sanctions. In addition, to date, no other transatlantic nation except the United States has declared that China’s treatment of the Uyghurs and other minorities in Xinjiang is “genocide.” Were they to do so it would be significant rhetorically and would have a knock-on effect on legislation and other engagements with China.²²⁷ As the EU implements its human rights sanctions regime, it is critical for targeted sanctions to be enacted in a timely fashion, and for the measures provided in the regulation, such as asset freezes and travel bans, to be put in place on individuals already identified by the United States, the UK, and others who have already implemented their own regulations. The EU should also consider recognizing corruption as a qualifying criterion in its regulation and should additionally use the full breadth of its financial powers to hold human rights abusers to account, including implementing regulations on businesses with potential supply chain exposures to Xinjiang.

Limiting surveillance technology and imports of forced labor products. The EU should also seriously consider drafting stringent legislation that limits exports to China of European technology that could be used for mass surveillance purposes. The EU might institute technology export legislation to place restrictions on private industry transfers and exports in relation to human rights. This legislation would help instill standards and rectify past mistakes made e.g., by Sweden and the Netherlands in the transfer of technology to China that has been used for mass surveillance. In addition, the EU should create a comprehensive list of the types of technology used by China in mass surveillance, including facial recognition technology and networked cameras, that should be used as the basis of a “ban list” on those specific sales to China. Alongside this, the United States and European nations should ban imports from China of key goods manufactured by forced

labor. In 2020, the United States blocked cotton imports from Xinjiang after obtaining information about the use of forced and convict labor to produce it.²²⁸ The EU, the UK, and the United States should conduct similar assessments in other areas of the market and should apply economic pressure if supply chains involve such labor.

Reversing extradition procedures. Finally, China’s Operation Fox Hunt—a state-sanctioned campaign to repatriate Chinese dissidents living in countries like Australia, Canada, New Zealand, the UK, and the United States, which make up the Five Eyes intelligence-sharing alliance—should be carefully monitored by the United States and all European nations. The extradition of members of the Chinese diaspora—often to face criminal charges with opaque proceedings—relies on the cooperation of law enforcement agencies in the United States and Europe. A Swedish court in 2019 refused China’s request to extradite former government official Qiao Jianjun due to human rights concerns.²²⁹ And the US Department of Justice (DOJ) in 2020 charged eight Chinese agents with harassing, stalking, and coercing Chinese nationals living in the United States to return to China as part of Operation Fox Hunt.²³⁰ Continued resilience and monitoring of this operation by the United States and European nations is critical to upholding the human rights of Chinese fleeing retribution from the Chinese state.

4. Major Recommendations

- i. All European nations and the United States should require human rights transparency clauses and a commitment to labor standards in trade, investment, and other economic agreements made with Chinese entities. The EU should also modify the CAI to require a binding commitment (and mechanisms for measuring compliance) from China to the International Labour Organization’s fundamental conventions on forced labor.
- ii. Continue a staunch, multilateral push for independent investigation and fact-finding missions to China to investigate human rights violations, including through the EU and UNHRC.
- iii. Countries with extradition treaties with China or Hong Kong – including, Belgium, Bulgaria, Cyprus, France,

226 Ibid.

227 Dolkun Isa, “Europe said ‘never again.’ Why is it silent on Uighur genocide?,” *Politico*, September 14, 2020, <https://www.politico.eu/article/uighur-genocide-china-why-is-europe-silent/>

228 Rebecca Falconer, “U.S. blocks cotton imports from China’s Xinjiang region over forced labor,” *Axios*, December 3, 2020, https://www.axios.com/us-bans-cotton-imports-xinjiang-china-forced-labor-10edbbf8-1866-480b-84e0-844ecdce640c.html?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosworld&stream=world.

229 William Zheng, “China-US animosity frustrates Beijing’s ‘Fox Hunt’ for overseas fugitives,” *South China Morning Post*, November 28, 2020, <https://www.scmp.com/news/china/diplomacy/article/3111766/china-us-animosity-frustrates-beijings-fox-hunt-overseas>.

230 Abhijnan Rej, “8 Accused by the US of Participating in China’s Operation Fox Hunt,” *Diplomat*, October 29, 2020, <https://thediplomat.com/2020/10/8-accused-by-the-us-of-participating-in-chinas-operation-fox-hunt/>.

Lithuania, Portugal, Romania, Spain, and Turkey – should swiftly negate their treaties under the principle of non-refoulement. No other country should enter into extradition agreements with China. Such agreements should not exist to any country where due process and fair trials are denied, and where torture and disappearances are rampant. The practice of European countries—for example, Spain—of extraditing Taiwanese nationals to mainland China should be immediately discontinued.

- iv. Transatlantic nations should enact stringent legislation to limit exports of European and US technology to China that could be used for mass surveillance purposes. In addition, countries should ban imports from Xinjiang and other parts of China where forced labor is used. The EU should establish a monitoring system to enhance transparency along supply chains and introduce in-depth assessments of salient human rights risks to those working within these chains or affected by a company’s operations. Transatlantic nations should adopt mandatory due diligence legislation to establish civil and legal liability for companies that use material, imports, or work with suppliers where forced labor is a known risk.

Section B: Chinese Diplomacy and Interference Operations Abroad

1. The Challenges

a) Global governance

China’s goals. China seeks to reshape global governance to suit its interests. It phrases this desire in different ways, for example, as fixing “global deficits” in governance.²³¹ On January 2, 2021, Chinese Foreign Minister Wang Yi gave an unusually clear indication of this intention, saying: “We will proactively engage in the reform of global governance.”²³²

Its first goal is to make the world “safe” for the CCP by negating challenges in order to preserve the party’s power at home. This is a defensive move, but with offensive consequences. The second goal is to achieve “the great rejuvenation of the Chinese people” or “national rejuvenation” or simply “the Chinese Dream” by 2049. This is an outward-focused vision of a rising power. In reality, internal and external security in China today is seamless. According to the 2015 State Security Law:

“In national security work, overall arrangements shall be made on internal security and external security; territorial security and citizen security; conventional security and unconventional security; and own security and common security.”²³³

The law continues, importantly, “In maintenance of national security, priority shall be given to prevention.” Since the CCP’s concept of state, or national, security is preemptive and global in nature, removing anticipated threats, not just reacting to existing or perceived ones, means the CCP “must” shape the global governance landscape.²³⁴

In addition, the open human rights and democracy-based vision of the UN world order is asymmetric to China’s system of “people’s democratic dictatorship,” which establishes a closed circle, in reality a hierarchy, of power, ruling out challenge *a priori*. Article 1 of the Chinese Constitution states:

“Leadership by the Communist Party of China is the defining feature of socialism with Chinese characteristics. It is prohibited for any organization or individual to damage the socialist system ... All power in the People’s Republic of China belongs to the people.”²³⁵

Such an arrangement cannot tolerate bottom-up challenges encapsulated, for example (and not coincidentally), by the mechanism of the UNHRC, which allows for citizens to independently review their governments’ human rights progress via the Universal Periodic Review. Cao Shunli, a Chinese lawyer and human rights activist who

231 Xinhua, “Xi Jinping outlines 4-pronged proposal on global governance,” March 27, 2019, http://www.xinhuanet.com/english/2019-03/27/c_137925702.htm.

232 Consulate General of the People’s Republic of China in New York, “State Councilor and Foreign Minister Wang Yi Gives Interview To Xinhua News Agency and China Media Group On International Situation and China’s Diplomacy in 2020,” January 7, 2021, <http://newyork.china-consulate.org/eng/xw/t1844885.htm>.

233 Ministry of National Defense of the People’s Republic of China, *National Security Law of the People’s Republic of China (2015)*, March 3, 2017, http://eng.mod.gov.cn/publications/2017-03/03/content_4774229.htm.

234 Samantha Hoffman and Peter Mattis, “Managing the Power Within: China’s State Security Commission,” *War on the Rocks*, July 18, 2016, <https://warontherocks.com/2016/07/managing-the-power-within-chinas-state-security-commission/>.

235 The National People’s Congress of the People’s Republic of China, *Constitution of the People’s Republic of China*, January 19, 2021, http://www.npc.gov.cn/zgrdw/englishnpc/Constitution/node_2825.htm.

tried to exercise this power, was barred from traveling from Beijing to Geneva in September 2013 and died in custody six months later.²³⁶

The CCP proposes alternatives to the UN-based order, such as a (poorly defined) concept of “community of human destiny,” to “improve and strengthen” global governance. In 2021, eight years after Xi first presented it at the Moscow State Institute of International Relations,²³⁷ this concept remains a vague vision rather than a set of legally defined, or even concrete, proposals. There have been further suggestions of what the vision should fix: “four deficits in global affairs”—governance, trust, peace, and development—as Xi said in Paris in 2019. In 2020, Wang, the Chinese foreign minister, presented five ideas, though they, too, lack specificity.²³⁸ One idea, for example, is to “practice the principle of joint consultation, construction and sharing.” Overall, this vagueness enables the CCP to control interpretations and pursue a strategy of flexible dominance based on hierarchical relationships.

China’s second goal of reshaping global governance, which is offensive in nature, dovetails with the “community of shared human destiny” and involves a multi-decade, civilizational project to revive the power and wealth of dynasties past such as the Tang (618-907) or Ming (1368-1644), but strengthened by twenty-first century economic and technological prowess. The civilizational-political centrality of this vision is shown by three permanent exhibitions at “the ancestral temple of Chinese culture,” the National Museum of China in Beijing’s Tiananmen Square.²³⁹ These are *Ancient China*, *The Road of Rejuvenation*, and *The Road of Rejuvenation: New Era*.²⁴⁰ The latter explores national rejuvenation in the doctrinal “New Era” of Xi.

This goal requires, and the CCP has access to, a cat’s cradle of measures, not just economic but also diplomatic,

propagandistic, and psychological in nature. Key measures are examined below: the power of *story*, or narrative control; practical steps to build influence in *international organizations*; the exercise of *diplomacy* and *coercive diplomacy*; and last, but by no means least, *political influence* and *interference*, including via human actors, disinformation, and espionage. All these—at least partly intangible—factors are part of the CCP’s political warfare toolbox,²⁴¹ a well-honed set of measures and skills long neglected in Western analysis of China, the aim of which is to “win without fighting.” The United States and Europe can do much together in response by defining, facing, and countering these measures on a societal, political, and economic level. However, it will take political will. Kinetic military power will not be enough to defend democracy in the world of the future. Ideas matter.²⁴² Yet it is important to note that China is not neglecting military power. On January 1, 2021, the state updated its National Defense Law to include an innovation that appears to contradict the UN Charter provisions regarding the use of force. The new law inserted the phrase “development interests” four times, presenting the economic concept as grounds for military action.²⁴³ As a summary on the website of China’s Ministry of Defense says, “National Defense is the country’s survival and development security guarantee.” Article 2(4) of the UN Charter generally prohibits states from using force against other states when it is inconsistent with the purposes of the charter. The two big exceptions allowing the use of force, which are consistent with the charter’s purpose, are either (1) when the UN Security Council has authorized it or (2) when a state is subject to an “armed attack” and the right of self-defense is triggered. The negotiations for the charter deliberately ruled out economic coercion being able to trigger this right of self-defense.²⁴⁴

Tell the story. “Tell the China story well,” Xi’s exhortation at a National Propaganda and Ideology Work Conference

236 Didi Kirsten Tatlow, “Family Seeks Independent Autopsy of Activist Who Died in Detention,” *New York Times*, March 28, 2014, <https://sinosphere.blogs.nytimes.com/2014/03/28/family-fights-for-body-of-activist-who-died-in-detention/>.

237 Xi Jinping, “走向人类命运共同体” (Walking Towards a Community of Human Destiny), *Xinhua*, November 24, 2019, http://www.xinhuanet.com/politics/leaders/2019-11/24/c_1125268369.htm.

238 *Xinhua*, “王毅提出改革完善全球治理体系的五点建议” (Wang Yi proposes five points for reform and improvement of global governance), September 25, 2020, http://www.xinhuanet.com/2020-09/25/c_1126537444.htm.

239 National Museum of China, “Message from the Director,” accessed December 21, 2020, http://en.chnmuseum.cn/about_the_nmc_593/message_from_nmc_director_595/201911/t20191122_173222.html.

240 *Ibid.*

241 Kerry K. Gershaneck, *Political Warfare: Strategies for Combating China’s Plan to “Win without Fighting,”* (Marine Corps University Press, 2020). For a summary see Professor Kerry Gershaneck, “To Win Without Fighting: Defining China’s Political Warfare,” *Marine Corps University*, <https://www.usmcu.edu/Outreach/Marine-Corps-University-Press/Expeditions-with-MCUP-digital-journal/To-Win-without-Fighting/>.

242 Didi Kirsten Tatlow, *How “Democratic Security” can Protect Europe from a Rising China*, Policy Brief No. 13, German Council on Foreign Relations, July 2020, https://dgap.org/sites/default/files/article_pdfs/dgap-policy_brief-2020-13-en.pdf.

243 Ministry of National Defense of the People’s Republic of China, *Explaining the Revised National Defense Law in one picture*, December 31, 2020, http://www.mod.gov.cn/regulatory/2020-12/31/content_4876379.htm. For the law, see National People’s Congress of the People’s Republic of China, *National Defense Law of the People’s Republic of China* (revised at the 24th meeting of Standing Committee the 13th National People’s Congress), Baidu Reference, December 26, 2020, https://baike.baidu.com/reference/1759468/8886VNrZTTArNRk_j_ot6A1sjXtJJEJ5AiiNbeUPn5RcT1B13BBT6LqEKa9U4aW5jFFZFnpqjHVYtfcU0zKu9GJJ2PZoPKHdAw7Sa_5EErKV0bc5Fu-T4QTYshrbKOy7PTsk0uSdXKf45s4o.

244 Author’s private correspondence with a military legal specialist, January 7, 2021.

in 2013,²⁴⁵ may sound like a command for parents to do a better job at children’s bedtime. In reality, it is a global propaganda push to seize the narrative high ground, shape “hearts and minds,” persuade the world of the correctness of the CCP’s version of China, or its “story.” This story is contested by many people, including Chinese dissidents at home, exiles, the Uyghurs, Hong Kongers, Taiwanese, Tibetans, Mongolians, Christians, and Falungong and other spiritual or religious practitioners. The full quote from Xi, “Tell the China story well, broadcast well China’s voice,” echoes Mao Zedong in 1955: “Manage the world, make our voice heard everywhere on earth.”²⁴⁶ With its not-inconsiderable profile in European and US media and society, the CCP has done this well.²⁴⁷

However, the COVID-19 pandemic hit China’s image hard in Europe and the United States, a fact recognized by Chinese leaders. In July 2020, Xi directly quoted Mao, saying, reportedly for the first time in official remarks at a Politburo meeting, that due to challenges caused by the coronavirus and pushback from around the world, China had entered a phase of “protracted war.” This is an ideological uptick in how the CCP views its international position. “Many of the challenges we have encountered are of a medium- to long-term nature. We must understand this from the perspective of protracted war,” Xi said.

Protracted War is the title of a 1938 essay by Mao in which he predicted Chinese soldiers could defeat the Imperial Japanese Army if they adopted a long-term view and a three-stage strategy: retreat and defend, build up to a stalemate, and go on the offensive and through to final victory. Tellingly, the well-known phrase has been mentioned for years together with “national rejuvenation,” the “Chinese Dream,” and Xi’s “New Era,” suggesting it is part of the CCP’s vision, and underlining a sense that the party does not see ideological or values convergence with democratic nations as a possibility. Instead, it suggests that like the struggle against Japan, China’s rise will entail the West’s decline.

International organizations. The CCP has worked hard to grow China’s influence within the international system and,

especially, the UN. Technical agencies have been a key target. By 2020, Chinese officials headed or occupied senior management positions in thirty key organizations, including leading four of the UN’s fifteen specialized agencies.²⁴⁸ A bid for a fifth top job—director general of the World Intellectual Property Organization (WIPO)—was blocked in May 2020 by a vote of fifty-five to twenty-eight. An informal coalition of states was concerned that China, a country with well-known IP problems, including state policies aiding systematic, vast, global “grey zone” technology extraction,²⁴⁹ was an unsuitable candidate to lead the world’s IP agency. Had China succeeded, it would have been akin to “appointing the fox to guard the henhouse,” an experienced China commentator said.²⁵⁰ Chinese officials already lead standards-setting, strategically significant agencies such as the International Civil Aviation Organization (ICAO) and the International Telecommunication Union (ITU).

Central to the CCP’s effort to grow China’s influence is how China connects its Belt and Road Initiative (BRI), for which Europe is a geographic endpoint, to the UN’s flagship Sustainable Development Goals (SDGs). UN Secretary-General António Guterres has publicly supported this. At the Second Belt and Road Forum for International Cooperation in Beijing in 2019, Guterres pledged the support of UN country teams, including agencies, funds, and programs, for the BRI, saying “the pillars of the Belt and Road Initiative link to the SDGs.”²⁵¹ With a few exceptions, transatlantic countries have declined to join the BRI, seeing it as a way for China to establish geo-economic and, ultimately, geopolitical and military dominance.

Some of the most public political struggles between China and the US-led transatlantic and democratic nations at the UN have been at the UNHRC and the World Health Organization (WHO). Amid the COVID-19 pandemic, the United States (which left the UNHRC in 2018) announced it was also withdrawing from the WHO, alleging excessive Chinese influence. In particular, the United States objected to the words and actions of WHO Director-General Tedros Adhanom Ghebreyesus, a former Ethiopian foreign minister. In 2017, the year “Dr. Tedros” took the top job, WHO

245 Xi Jinping, “讲好中国故事 传播好中国声音 (*Tell China's story well, broadcast China's voice well*),” Xinhua, August 21, 2013, http://www.xinhuanet.com/zgjx/2013-08/21/c_132648439.htm.

246 Dr Andrew Foxall and Dr John Hemmings, eds., *The Art of Deceit: How China and Russia Use Sharp Power to Subvert the West*, Henry Jackson Society, December 2019, 25, <https://henryjacksonsociety.org/wp-content/uploads/2019/12/HJS-Sharp-Power-Report-FINAL.pdf>; see also Mao Zedong, 毛泽东新闻工作文选 (*Selected Writings on Journalism*) (Beijing: Xinhua Press, 1983), 183.

247 Ibid. See also Didi Kirsten Tatlow, “600 U.S. Groups Linked to Chinese Communist Party Influence Effort with Ambition Beyond Election,” *Newsweek*, October 26, 2020, <https://www.newsweek.com/2020/11/13/exclusive-600-us-groups-linked-chinese-communist-party-influence-effort-ambition-beyond-1541624.html>.

248 US-China Commission, *PRC representation in International Organizations*, last updated April 2020, https://www.uscc.gov/sites/default/files/2020-04/PRC_Representation_in_International_Organizations_April2020.pdf.

249 William C. Hannas and Didi Kirsten Tatlow, eds., *China's Quest for Foreign Technology: Beyond Espionage*, (Routledge, 2021).

250 Frank Ching, “China loses battle for control of another UN specialized agency,” *ejinsight*, *Hong Kong Economic Journal*, March 9, 2020, <https://www.ejinsight.com/eji/article/id/2397843/20200309-china-loses-battle-for-control-of-another-un-specialized-agency>.

251 UN News, “At China’s Belt and Road Forum, Guterres calls for ‘inclusive, sustainable and durable’ development,” April 26, 2019, <https://news.un.org/en/story/2019/04/1037381>.

signed a memorandum of understanding with Beijing to implement the BRI: “This agreement was the starting point for a new kind of WHO-China relationship focusing on global health,”²⁵² it said in a press release, using CCP language for international relations, “a new kind of relationship.”

China has pushed to increase its influence at the WHO since at least 2006, not long after the end of the first SARS virus crisis, when Margaret Chan became director-general. An unpublished report for a German think tank detailed how Chan’s candidacy was supported by Beijing, which in this way monitored and, reportedly, influenced activities at the world body.²⁵³

A key goal for Beijing at the WHO is political, not health: keeping out Taiwan, which it regards as a target for take-over (or “reunification”) by force if necessary. Beijing has blocked Taiwan’s limited, observer-only participation at the World Health Assembly, the governing body of the WHO, since 2016, when a Taiwanese political party, the Democratic Progressive Party led by Taiwanese President Tsai Ing-wen, won national elections there.

The exclusion of Taiwan arguably had disastrous results during the pandemic. The WHO followed Beijing’s lead and—at least publicly—ignored warnings from Taiwanese officials in December 2019 about human-to-human transmission of the SARS-CoV-2 virus. In fact, the WHO did not address the issue until January 21, 2020, tweeting then that there was “at least some human-to-human transmission.” It also reportedly bowed to pressure from China not to declare a global pandemic until March 2020. Although the facts remain unclear, China may have known earlier that the virus was spreading between humans. Patients in the Chinese city of Wuhan were quarantined in December 2019, suggesting at least the suspicion that the disease was infectious; according to some Chinese-language media reports vaccine development began in China on January 4, 2020, suggesting the authorities may have known the disease was transmissible more than two weeks before they acknowledged it publicly.²⁵⁴

To this day, Taiwan, with twenty-four million people, has one of the best COVID-19 management records in the world precisely by *not* trusting the WHO and China. Perhaps uniquely, it has not suffered economic contraction in 2020. The episode vividly demonstrates the global risks created by China’s growing clout in international organizations.

Underlining its push to influence international organizations, China has established effective dominance, with allies such as Cuba and Venezuela, at the UNHRC, where it introduced language that seeks to change global rights protection by introducing vagueness in place of legal principles and replacing clarity with a woolly concept of “relationships” that is hierarchical in nature, according to human rights experts.²⁵⁵ In particular, it has sought to introduce the phrase “mutually beneficial cooperation.” One expert described this as an effort to “embed Xi Jinping’s ideas, discourse, and policy into the work and language of the Council.”²⁵⁶

The Trump administration’s decisions to abandon the UNHRC in 2018, and the WHO, were widely unpopular in Europe. Yet, these actions may also have focused minds. At the most recent UNHRC membership vote in 2020, support for China, which had grown since 2006, fell by forty-one votes, from a 2018 high. Germany has taken on a more active role, speaking out and helping shift votes, demonstrating what allies can achieve when they pull together.²⁵⁷ Biden has, meanwhile, reversed the Trump administration’s decision to leave the WHO.

b) Coercive diplomacy

Intimately tied to China’s growing clout in international organizations is the expansion of Chinese diplomacy as part of a bigger “foreign affairs system” that includes external propaganda (exoprop) and political interference activities.²⁵⁸ “Diplomatic work is a political struggle; you don’t engage in a war of weapons, you engage in a war of words,” Mao told China’s first diplomats,²⁵⁹ and recently that approach is increasingly visible as China sheds its traditional caution and moves center stage in the world.

252 World Health Organization, *Cooperating globally to respond to health crises and disease outbreaks*, <https://www.who.int/china/activities/cooperating-globally-to-respond-to-health-crisis-and-disease-outbreaks>.

253 One of the authors of this Atlantic Council paper attended a briefing. Unfortunately, the report was not published due to its sensitive content.

254 This story ran in several Chinese-language media, including the pro-CCP *Ta Kung Pao*, “中国新冠疫苗临床试验超速全球 临床后上市至少需一年 (China’s novel corona virus vaccine clinical trials have sped up the world, from bedside to market it will take at least a year),” April 17, 2020, <https://web.archive.org/web/20201202121104/http://www.takungpao.com/news/232108/2020/0417/438408.html>.

255 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/>.

256 Ibid.

257 Permanent Mission of the Federal Republic of Germany to the United Nations, “Statement by Ambassador Christoph Heusgen on behalf of 39 Countries in the Third Committee General Debate,” October 6, 2020, <https://new-york-un.diplo.de/un-en/news-corner/201006-heusgen-china/2402648>.

258 Newsroom, “Chinese interference: Anne-Marie Brady’s Full Submission,” May 8, 2019, updated September 2, 2020, <https://www.newsroom.co.nz/anne-marie-bradys-full-submission>.

259 Anne-Marie Brady, “China’s new wolf warrior diplomacy is a Maoist resurrection,” *Sydney Morning Herald*, November 16, 2020, <https://www.smh.com.au/national/china-s-new-wolf-warrior-diplomacy-is-a-maoist-resurrection-20201111-p56dln.html>; also see Xinhua, “Xi urges breaking new ground in major country diplomacy with Chinese characteristics,” Xinhuanet, June 2, 2018, http://www.xinhuanet.com/english/2018-06/24/c_137276269.htm.

Under Xi, the CCP practices what it calls “major country diplomacy with Chinese characteristics.” At a Foreign Affairs Work Conference in 2018, Xi said: “(D)iplomacy represents the will of the state, and the diplomatic power must stay with the CCP Central Committee.”²⁶⁰ By the end of 2019, China had the most diplomatic representations of any country in the world (276), overtaking the United States (273).²⁶¹

Speaking at the opening of the Xi Jinping Thought on Diplomacy Studies Centre in Beijing in July 2020, Wang, China’s foreign minister, described China’s diplomatic goals as bringing “a new international political and economic order to a new historical level, aiming at a community with a shared future for mankind, a new type of international relations, and reform of the global governance system.”²⁶² The sentence may seem like sloganeering, but note its use of the word “new” three times, how it calls for a “new ... order,” a “new type of international relations,” and “reform.” Stating the obvious perhaps, Wang added, “First, Xi Jinping Thought on Diplomacy is an integral component of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era.”

Chinese diplomacy says it implements good neighborliness, benevolence, and “win-win situations” alongside a practice-based Marxist-dialectical analysis of foreign affairs. It spurns what it calls the “traditional realist theory of international relations,” as well as “unilateralism, protectionism and bullyism.”²⁶³

And yet, demonstrably, “bullyism” is increasingly practiced by Chinese diplomats. Also called “coercive diplomacy,” it is not ordinary diplomacy but an attempt to project power, including through the wide use of both real and inauthentic social media accounts, and online automated bot networks. Overall, countries and other targets, including individuals, have struggled to develop an effective toolkit to push back.

One report recorded 152 cases of coercive diplomacy by China affecting twenty-seven countries, as well as the EU, with a sharp escalation since 2018.²⁶⁴ Broadly divided into economic and non-economic measures, they are: trade sanctions, investment restrictions, tourism bans, popular boycotts, arbitrary detention (or hostage-taking), restrictions on official travel, and state-issued threats. The measures seek to “punish undesired behaviour and focus on issues including securing territorial claims, deploying Huawei’s 5G technology, suppressing minorities in Xinjiang, blocking the reception of the Dalai Lama and obscuring the handling of the Covid-19 pandemic,” the report said. Europe, North America, Australia, New Zealand, and East Asia recorded the most instances of coercive diplomacy over the last decade.

Examples in Europe are Sweden (over the detention of the Chinese-born Swede Gui Minhai and other issues including perceived trickery over the true purpose of a China-built scientific research station in Kiruna north of the Arctic Circle)²⁶⁵ and the Czech Republic (over a trip to Taiwan by the president of its Senate). Further afield and of special importance perhaps to the United States, two of its Five Eyes allies have been heavily targeted: Canada (over the detention of Meng Wanzhou, chief financial officer of Huawei Technologies Co., Ltd.) and Australia (for challenging CCP interference in Australia and “demanding an independent investigation into the origins of the COVID-19 pandemic”²⁶⁶).

The focus on smaller countries is unlikely to be a coincidence. “Gather your best forces, annihilate the enemy one by one,” Mao wrote on how to defeat a powerful enemy: first eliminate the real enemy’s smaller allies to ensure a step-by-step victory.²⁶⁷

In 2019, then-Chinese ambassador to Canada, Lu Shaye, described Canadians as “white supremacists” amid a triangular dispute involving the arrest in Canada, on a US warrant, of Meng, the daughter of the founder of Huawei,

260 Xinhua, “Xi urges breaking new ground in major country diplomacy with Chinese characteristics,” Xinhuanet, June 2, 2018, http://www.xinhuanet.com/english/2018-06/24/c_137276269.htm.

261 Bonnie Bley, “The New Geography of Global Diplomacy,” *Foreign Affairs*, November 27, 2019, <https://www.foreignaffairs.com/articles/china/2019-11-27/new-geography-global-diplomacy>.

262 Chinese Foreign Minister Wang Yi, “Study and Implement Xi Jinping Thought on Diplomacy Conscientiously and Break New Ground in Major-Country Diplomacy with Chinese Characteristics,” speech at the inauguration ceremony of the Xi Jinping Thought on Diplomacy Studies Centre in Beijing, July 20, 2020, https://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1799305.shtml.

263 Ibid.

264 Fergus Hanson, Emilia Currey, and Tracey Beattie, *The Chinese Communist Party’s Coercive Diplomacy*, Australian Strategic Policy Institute, September 1, 2020, <https://www.aspi.org.au/report/chinese-communist-partys-coercive-diplomacy>.

265 Sam Olsen, “China is learning how to lose friends and alienate countries,” *What China Wants*, December 14, 2020, <https://whatchinawants.substack.com/p/china-is-learning-how-to-lose-friends..>

266 US Senate Committee on Foreign Relations Majority Report, *The United States and Europe: A Concrete Agenda for Transatlantic Cooperation on China*, November 2020, 57, [https://www.foreign.senate.gov/imo/media/doc/SFRC%20Majority%20China-Europe%20Report%20FINAL%20\(P&G\).pdf](https://www.foreign.senate.gov/imo/media/doc/SFRC%20Majority%20China-Europe%20Report%20FINAL%20(P&G).pdf).

267 Mao Zedong, “集中优势兵力，各个歼灭敌人” (Gather your best forces, annihilate the enemy one by one), Marxists.org, September 16, 1946, <https://www.marxists.org/chinese/maozedong/marxist.org-chinese-mao-19460916.htm>.

and subsequent retaliation by China which arrested two Canadian citizens, Michael Kovrig and Michael Spavor.²⁶⁸

In January 2020, China's ambassador to Sweden, Gui Congyou, comparing the relationship between Swedish journalists and the Chinese government said, "It's like a 48-kilogram lightweight boxer who provokes a feud with an 86-kilogram heavyweight boxer, who out of kindness and goodwill urges the (smaller) boxer to take care of himself."²⁶⁹ In France, an anonymous article posted on the website of the Chinese Embassy in Paris in 2020 claimed carers in Western nursing homes abandoned their jobs and left residents to die of COVID-19.²⁷⁰ Despite public protests by French politicians the article was not taken down. After a visit by Czech Senate President Milos Vystrcil to Taiwan in August 2020, Wang, China's foreign minister, said Vystrcil would "pay a high price for his shortsighted behaviour."²⁷¹

Chinese state media have called Australia "gum on China's shoe" and Chinese diplomats have issued a list of fourteen grievances which included reining in Australia's independent media and research.²⁷² In November 2020, Zhao Lijian, a key "wolf warrior" diplomat, warned the Five Eyes countries not to meddle in China's core interests "lest those eyes be poked out and blinded."²⁷³

"Wolf warrior" diplomacy (named for its verbal and conceptual aggression, the term is taken from two eponymous, Chinese-made films) revives Cultural Revolution-style messaging, one expert said.²⁷⁴ Even in Germany, Chinese Ambassador Wu Ken, not considered a "wolf warrior," has threatened the auto industry's extensive business in China saying, "If the German government made a decision that led to the exclusion of Huawei from the German market, it will have consequences—the Chinese government will not stand idly by."²⁷⁵

Today, key diplomats such as Chinese Ministry of Foreign Affairs spokespersons Zhao Lijian and Hua Chunying,



Zhao Lijian, deputy director of the Chinese Ministry of Foreign Affairs Information Department and a key "wolf warrior" diplomat. Source: Wikimedia Commons/China News Service (<https://creativecommons.org/licenses/by/3.0/deed.en>)

English-language media such as the party's *Global Times* and its editor Hu Xijin, and overseas state media reporters such as Chen Weihua regularly take to social media and other channels to lash out at criticism of China and accuse

268 Mike Blanchfield, "'White supremacy' a factor in detainees cases, Chinese ambassador charges," CBC, January 9, 2019, <https://www.cbc.ca/news/politics/china-ambassador-white-supremacy-1.4971884>.

269 Associated Press, "Chinese official in hot water after branding Sweden a 'lightweight,'" *Euronews*, January 19, 2020, <https://www.euronews.com/2020/01/19/chinese-official-in-hot-water-after-branding-sweden-lightweight>.

270 John Irish, "Outraged French lawmakers demand answers on 'fake' Chinese embassy accusations," Reuters, April 15, 2020, <https://www.reuters.com/article/us-health-coronavirus-france-china-idUSKCN21X30C>.

271 Euronews, AP, and AFP, "China threatens retaliation after Czech delegation visits Taiwan," August 31, 2020, <https://www.euronews.com/2020/08/31/china-threatens-retaliation-after-czech-delegation-visit-to-taiwan>.

272 Jonathan Kearsley, Eryk Bagshaw, and Anthony Galloway, "'If you make China the enemy, China will be the enemy': Beijing's fresh threat to Australia," *Sydney Morning Herald*, November 18, 2020, <https://www.smh.com.au/world/asia/if-you-make-china-the-enemy-china-will-be-the-enemy-beijing-s-fresh-threat-to-australia-20201118-p56fqs.html>.

273 Xinhua, "外交部发言人就'五眼联盟'涉港声明、中澳关系、美方涉华文件等问题答记者问" (Foreign Ministry Spokesperson answers journalist questions on 'Five Eyes' statement that interferes in Hong Kong, China-Australia relations, U.S. interfering in Chinese documents, and other questions), November 19, 2020, http://www.xinhuanet.com/2020-11/19/c_1126762091.htm.

274 Anne-Marie Brady, "China's new wolf warrior diplomacy is a Maoist resurrection," *Sydney Morning Herald*, November 16, 2020, <https://www.smh.com.au/national/china-s-new-wolf-warrior-diplomacy-is-a-maoist-resurrection-20201116-p56dln.html>.

275 Scott Bicheno, "China threatens Germany over Huawei," *telecoms.com*, December 16, 2019, <https://telecoms.com/501405/china-threatens-germany-over-huawei/>.

non-Chinese critics of racism, in comments amplified by disinformative and propagandistic online behaviors.²⁷⁶ A leading cyber research institute says the CCP's contemporary projection of political power in the information environment is "a high-conflict approach to diplomacy that breaks with international norms, combined with patriotic fervour that can mobilise pro-China nationalistic responses to perceived slights, compounded by the party-state's complete control over Chinese social media platforms."²⁷⁷

So, while globally China has made substantial progress in building economic and diplomatic ties in the Middle East, including in Iraq²⁷⁸ and Iran, in Pakistan, across Africa, and in South America—some of these countries today are among China's supporters in international fora—an upshot of the pandemic and coercive diplomacy is that China's image in the world has deteriorated (see discussion in Chapter I), including in Europe where it was viewed more positively than in the United States.²⁷⁹ In June 2020, the EU High Representative for Foreign Affairs and Security Policy Josep Borrell said that Europe had been "too naïve" in its relations with China. "I said that several times. I think that we have to build a realistic relationship with China in order to defend our values and interests," Borrell said at a press event.²⁸⁰ Despite that, in December 2020, the EU agreed on a potentially far-reaching business deal with China, the CAI, amid significant controversy.

c) Diplomatic interference

"Wolf warrior" diplomacy blends with other activities by the CCP, such as propaganda, disinformation, and interference work by the United Front Work Department (UFWD) and other parts of the party and security state, as well as more familiar, old-school economic and political espionage to create a wide spectrum of difficult-to-deal-with behaviors.

The mechanisms of CCP influence and interference around the world are slowly coming to light as researchers and journalists uncover this hitherto poorly understood area.²⁸¹ Increasingly, analysts use the term "interference," not "influence," to characterize efforts that are in reality "covert, coercive and corrupting"²⁸² in order to distinguish them from legitimate diplomacy practiced by all nations. However, in practice the line between influence and interference is often blurred.

Key here is the CCP's United Front strategy, which is a whole-of-party strategy. The UFWD, a special department directly under the CCP's Central Committee, formally carries out this work through many subsidiary organizations, such as the Overseas Chinese Affairs Office.

"The United Front Work Department (UFWD) is the organisation through which the Party reaches out to many key non-party groups within and outside China in order to achieve important political goals. It also monitors sensitive constituencies and selects representatives from them who they can then incorporate into the political system," wrote Gerry Groot, a foundational researcher of the United Front system.²⁸³

In this "patriotic united front structure" the (nominally non-communist) Chinese People's Political Consultative Conference, with more than six hundred thousand members nationwide, is also key.²⁸⁴ But these organizations do not cover the entire range of work. All CCP members, committees, and organizations are expected to support and carry out United Front work. "The united front is the business of the whole party, the united front is the work of the whole party, the whole party must view it with importance and everyone do it together," the *People's Daily* wrote in May 2015 when United Front regulations were updated,

276 Dr Jacob Wallis et al., *Retweeting through the Great Firewall*, Australian Strategic Policy Institute, June 12, 2020, <https://www.aspi.org.au/report/retweeting-through-great-firewall>.

277 Albert Zhang, Ariel Bogle and Jake Wallis, "Tweet storm shows China aims to project power through provocation," *Strategist*, December 9, 2020, <https://www.aspi.org.au/tweet-storm-shows-china-aims-to-project-power-through-provocation/>.

278 See, for example, Jamil Anderlini, "China's Middle East strategy comes at a cost to the US," *Financial Times*, September 9, 2020, <https://www.ft.com/content/e20ae4b9-bc22-4cb5-aaf6-b67c885c845c>.

279 Laura Silver, Kat Devlin, and Christine Huang, "Unfavorable Views of China Reach Historic Highs in Many Countries," Pew Research Center, October 6, 2020, <https://www.pewresearch.org/global/2020/10/06/unfavorable-views-of-china-reach-historic-highs-in-many-countries/>.

280 European Union External Action Service, "EU-China Strategic Dialogue: Remarks by High Representative/Vice-President Josep Borrell at the press conference," June 9, 2020, https://eeas.europa.eu/delegations/vienna-international-organisations/80639/eu-china-strategic-dialogue-remarks-high-representativevice-president-josep-borrell-press_id.

281 Didi Kirsten Tatlow, "The Chinese Influence Effort Hiding in Plain Sight," *Atlantic*, June 12, 2019, <https://www.theatlantic.com/international/archive/2019/07/chinas-influence-efforts-germany-students/593689/>. See also, Tatlow, "600 U.S. Groups."

282 US Assistant Secretary of State in the Bureau of East Asian and Pacific Affairs, David R. Stillwell, "Covert, Coercive, and Corrupting: Countering the Chinese Communist Party's Malign Influence in Free Societies," speech (virtual) to the Hoover Institution, Stanford University, Asia Society, October 30, 2020, <https://www.state.gov/covert-coercive-and-corrupting-countering-the-chinese-communist-partys-malign-influence-in-free-societies/>.

283 Gerry Groot, *The United Front in an Age of Shared Destiny*, China Story Yearbook, Australian National University, 2014, press-files.anu.edu.au/downloads/press/p328871/pdf/ch03_forum_groot.pdf.

284 Gov.cn, *The Nature of the Chinese People's Political Consultative Conference (CPPCC)*, 2012, http://english1.english.gov.cn/2005-09/02/content_28614.htm.

citing Xi.²⁸⁵ Emphasizing the importance of this, essentially conspirative, work for the party (conspirative as it reaches deep into Chinese, overseas Chinese, and non-Chinese society on behalf the party but under a non-party guise), in January 2021 the CCP updated those 2015 regulations to further “strengthen and improve” United Front work.²⁸⁶

Rooted in the early years of the party’s history, the United Front is a political concept imported from Europe, founded in the Soviet Union by Vladimir Lenin in 1921 and applied in Germany in the 1920s, to weaken and undermine opposition to communist influence. It was deepened by Mao and Zhou Enlai, and today remains a fundamental, overarching strategy of the CCP, as well as a tactic that aims to coopt non-communists through profit, pressure, or both, thereby reducing the number of “enemies” at home and abroad. It is political warfare. Increasingly, the party is working to Sinify United Front work by tying it to the traditional Chinese philosophical concept of *Tianxia*, or “all under heaven,” a dynastic vision of single authority, all-encompassing governance, creating an increasingly complex nexus of contemporary CCP politics and civilizational values.²⁸⁷

Uncovering United Front work, especially overseas, is delicate as it touches on business, social, and political; individual; and group interests built up over decades. The party expects overseas Chinese to remain loyal to the “motherland,” and overseas Chinese are a key (though not the only) target of UFWD work: “As long as the overseas Chinese are united they can play an irreplaceable role in realising the Chinese Dream of national rejuvenation as they are patriotic and rich in capital, talent, resources and business connections,” Xi said.²⁸⁸

Despite this, some observers in the transatlantic space continue to miss, or even question, the importance of United Front work; its activities and inroads into both local and elite power structures, often via business, are underestimated everywhere. In just one marker, the budget for UFWD organizations in China exceeded \$2.6 billion in 2019, outstripping spending by China’s Ministry of Foreign

Affairs.²⁸⁹ Nearly \$600 million (23 percent) was set aside to influence foreigners and overseas Chinese communities, making it highly unlikely the effort is not of real significance to the CCP.²⁹⁰

Overall, the CCP’s United Front work, UFWD departments, and other parts of the party-state that follow similar goals such as the Chinese People’s Association for Friendship with Foreign Countries (CPAFFC), have helped establish or shape interest groups around the world, especially but not just those with ethnic ties to China. These include hometown associations, cultural groups, business chambers, professional associations, and student groups. Chinese diplomats and officials, including those belonging to organizations within the formal UFWD system (such as the Chinese Overseas Exchange Association or the Zhigong Party), liaise—directly or indirectly—with the groups, providing “guidance,” and sometimes organizational support, as well as business and professional opportunities. Some are active in lobbying, including at the EU.²⁹¹ The United Front has built up an extensive Chinese-language media network among the Chinese diaspora in transatlantic countries, with a baseline count of nearly one hundred such online and traditional media outlets across Europe alone, strengthening the Party’s reach in ways that are mostly invisible to non-Chinese.²⁹² These networks are extensive in all transatlantic countries. Many people who are part of these community groups are unaware of their political background, or interests are so merged with daily life that it is hard to say what is political and what is not.

In Germany alone, there are about two hundred and thirty such groups in total, a number made up of several different elements, including the Federation of Chinese Professional Associations in Europe (FCPAE) in Frankfurt, about eighty Chinese Student and Scholar Associations (CSSAs), a network of about three dozen German civil society groups under contract with the CPAFFC to jointly implement BRI projects, and at least ninety-seven of professional guilds for graduated Chinese students staying in Europe.²⁹³ These work to establish business and facilitate knowledge and

285 *People’s Daily*, “统战工作要靠全党共同来做 (United Front work relies on the whole party to do it together),” Tianjin United Front Work Department, May 25, 2015, <http://www.tjtz.org.cn/zt/system/2018/05/17/030008146.shtml>.

286 www.gov.cn, “中共中央印发《中国共产党统一战线工作条例》” (CCP issues CPP United Front Work regulations), January 5, 2021, http://www.gov.cn/zhengce/2021-01/05/content_5577289.htm.

287 *People.cn*, “Explaining Chinese culture, the Central Institute of Socialism proposes the ‘10 Clarities,’” December 2, 2016, <http://politics.people.com.cn/n1/2016/1202/c1027-28921096.html>. There is a small, but growing, body of research on this issue.

288 Groot, *The United Front*.

289 Ryan Fedasiuk, “Putting Money in the Party’s Mouth: How China Mobilizes Funding for United Front Work, Jamestown Foundation,” *China Brief* (20) (16) (September 16, 2020), <https://jamestown.org/program/putting-money-in-the-partys-mouth-how-china-mobilizes-funding-for-united-front-work/>.

290 *Ibid.*

291 Jichang Lulu, *Repurposing Democracy: The European Parliament China Friendship Cluster*, Sinopsis, November 26, 2019, <https://sinopsis.cz/wp-content/uploads/2019/11/ep.pdf>.

292 Didi Kirsten Tatlow, “Tell the Chinese Story Well: China’s Great External Propaganda in Europe,” in Andrew Foxall and John Hemmings (ed.), *The Art of Deceit: How China and Russia Use Sharp Power to Subvert the West*, The Henry Jackson Society, 2019, 25-31, <https://henryjacksonsociety.org/wp-content/uploads/2019/12/HJS-Sharp-Power-Report-FINAL.pdf>.

293 Didi Kirsten Tatlow, *Mapping China-in-Germany*, Sinopsis, October 2, 2019, <https://sinopsis.cz/en/mapping-china-in-germany/>.

The Netherlands delivered protective equipment and medical supplies from Beijing, China to Podgorica, Montenegro, in support to NATO efforts against the COVID-19 global pandemic. United Front actors mobilized to ship protective equipment to stricken European countries as part of China's "Wolf Warrior" diplomacy. Source: NATO



technology extraction back to China, thus demonstrating a key, practical goal of political influence and interference: technology transfer.²⁹⁴

The situation in the United States is similar, suggesting a significant opportunity for transatlantic cooperation in this area. A recent count of groups, based on cross-membership of prominent individuals with formal UFWD organizations in China, high-level access to Chinese leaders that can only be won by "friendly organizations," technology transfer activities coordinated with United Front groups as well as other factors²⁹⁵ produces a figure of about six hundred.²⁹⁶ This figure includes the 265 CSSAs in the United States. Students and scholars are a major target of United Front work.²⁹⁷

Overall, this system marginalizes non-CCP Chinese voices, spreading the party's "China story" at the expense of other, independent and authentic voices, and lived realities. This not easily visible within host countries. An especially troubling issue is that many, if not most, members themselves may not be aware their membership may be used by the

CCP, including by the Ministry of State Security (MSS). The MSS's Twelfth Bureau (of eighteen identified bureaus) "handles MSS contributions to the CCP's united front work system."²⁹⁸ This difficult mixture of innocent and non-innocent manipulates the normal functioning of a democracy where ethnic and other identity politics flourish. Attempts to point out the challenges are typically met with accusations of "racism" within a liberal democratic political environment, rather than an attempt to address the problem itself or acknowledge its uniquely political nature. This is the case in all transatlantic societies, but especially so in the United States.

d) Disinformation campaigns

The COVID-19 pandemic resulted in a surge in disinformation by Chinese diplomats and state media online via social media and in person by "wolf warriors" (discussed above). This included claims that the coronavirus, which caused the pandemic, did not originate in China but in many other locations, from the United States to northern Italy to India

294 Hannas and Tatlow, eds., *China's Quest*.

295 Committee of 100, "President Xi Jinping Commends Committee of 100 Efforts to Strengthen U.S.-China Friendship During Seattle Speech," September 22, 2015, <https://www.committee100.org/events/event-president-xi-jinping-makes-speech-in-seattle-mentions-committee-of-100/>.

296 Tatlow, "600 U.S. Groups."

297 Parliament of Australia, "Submission by Clive Hamilton and Alex Joske," 2017, https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Intelligence_and_Security/Espionage/Interference/Submissions.

298 Peter Mattis and Matthew Brazil, *Chinese Communist Espionage: An Intelligence Primer* (Naval Institute Press, 2019), 56.

to Australia. After initially draining Europe and the United States of personal protective equipment (PPE),²⁹⁹ as the United Front system activated to ship PPE to China in January and February 2020, the Chinese economic state machinery then reversed that process and flooded stricken transatlantic nations with PPE, sometimes presented as aid. This behavior and the still-unresolved origins debate have alerted some Europeans to the risks presented by the CCP. Overall, neither the United States nor the EU are on top of the situation. The EU's East Stratcom Taskforce, set up in 2015 within the EEAS, tracks Chinese disinformation but is restricted in scope being originally set up to monitor Russian behavior.³⁰⁰ In 2020, Borrell, the EU's high representative, and his US counterpart began a bilateral dialogue that involved foreign ministers of the EU countries,³⁰¹ but it remains to be seen to what extent it will deal with urgent issues such as CCP disinformation, coercive diplomacy, United Front interference, and espionage.³⁰² Europe remains behind the United States in mitigating the situation and China wants to keep it that way, hoping to separate Europe from the United States and to keep Europe internally divided.³⁰³ Unsurprisingly, an opinion piece published by CGTN, a Beijing-based English-language news channel operated by a state-controlled media organization, greeted the announcement of new EU-US dialogue on China³⁰⁴ in a downbeat fashion, labeling it as "dead on arrival."³⁰⁵

e) Espionage and trade secret theft

While United Front strategy remains extremely difficult to counter, involving as it does many innocent people, the US Department of Justice's (DOJ's) China Initiative,³⁰⁶ launched in November 2018, directly and openly addresses the issue of systemic economic espionage and trade secret theft by China against the United States. No

parallel effort exists in Europe. The DOJ's goals include, "increased focus on the investigation and prosecution of trade secret theft and economic espionage, to better countering threats posed by Chinese foreign investment and supply chain vulnerabilities."

Associated with the administration of former US President Donald J. Trump, in reality the pushback began in 2014, during then-US President Barack Obama's second term. That year the Federal Bureau of Investigation (FBI) issued a first "Wanted" notice against five China-based officers of Unit 61398 of the Third Department of the People's Liberation Army (PLA) for computer hacking, economic espionage, and other offenses against five US companies and one US trade union. These were the first criminal charges to be filed against known state actors for hacking, according to the FBI.³⁰⁷ The judge in the case, brought in Western Pennsylvania, described it as "21st century burglary."³⁰⁸ Many cases have followed, with FBI Director Christopher Wray saying the bureau opens a China-related case every ten hours.

One such case was charges brought against a New York policeman and US Army reservist in 2020 for acting as an illegal agent of China as well as committing wire fraud, making false statements, and obstructing an official proceeding.³⁰⁹ One of the man's Chinese consulate-based handlers worked for the "China Association for Preservation and Development of Tibetan Culture," a division of the UFWD, according to the charge. "This Department is responsible for, among other things, neutralizing potential opponents of the PRC and co-opting ethnic Chinese individuals living outside the PRC," the charge read. In 2014, a Chinese citizen working for the same association was evicted from a UNHRC meeting in Geneva for intimidating a witness.³¹⁰

299 Congressional Research Service, *COVID-19: China Medical Supply Chains and Broader Trade Issues*, updated December 23, 2020, <https://crsreports.congress.gov/product/pdf/R/R46304>.

300 "EU vs. Disinfo," EU's East Stratcom Task Force, <https://euvsdisinfo.eu/>.

301 European Commission, EU-US: A new transatlantic agenda for global change, press release, December 2, 2020, https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2279.

302 Ibid.

303 Tatlow, *How "Democratic Security."*

304 European Commission, EU-US: A new.

305 Ken Moak, "The EU-U.S. dialogue on China is 'dead on arrival,'" CGTN, October 1, 2020, <https://news.cgtn.com/news/2020-10-01/The-EU-U-S-dialogue-on-China-is-dead-on-arrival--Uem6omzFYc/index.html>.

306 US Department of Justice, The China Initiative: Year-in-Review (2019-20), press release, November 16, 2020, <https://www.justice.gov/opa/pr/china-initiative-year-review-2019-20>.

307 FBI.gov, "Five Chinese Military Hackers Charged," May 19, 2014, <https://www.fbi.gov/news/stories/five-chinese-military-hackers-charged-with-cyber-espionage-against-us>. The targets: Westinghouse Electric Co., US subsidiaries of SolarWorld AG, United States Steel Corp., Allegheny Technologies Inc., the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, and Alcoa Inc.

308 Ibid.

309 US Department of Justice, New York City Police Department Officer Charged with Acting As an Illegal Agent of the People's Republic of China, press release, September 21, 2020, <https://www.justice.gov/opa/pr/new-york-city-police-department-officer-charged-acting-illegal-agent-people-s-republic-china>.

310 Didi Kirsten Tatlow, "U.N. Investigates 'Intimidation' of Activist at Human Rights Council," *Sinosphere*, March 21, 2014, <https://sinosphere.blogs.nytimes.com/2014/03/21/u-n-investigates-intimidation-of-activist-at-human-rights-council/>. See also Didi Kirsten Tatlow, "Chinese Man, Ostensibly From an N.G.O., Is Barred From U.N. Human Rights Hearing," *Sinosphere*, March 24, 2014, <https://sinosphere.blogs.nytimes.com/2014/03/24/chinese-ngo-member-barred-from-united-nations/>.

In 2020, the US Department of State took the rare step of closing China's consulate in Houston, Texas—one of China's five consulates in the United States. According to China experts in the intelligence community, the Houston consulate was involved in a range of illicit behaviors that crossed a line in terms of what could be tolerated from a foreign diplomatic mission. Officials singled out a number of problematic activities by Chinese diplomats.³¹¹ These are worth listing in detail as they represent a typical range of behaviors the CCP engages in:

- i. Involvement in espionage and trade secret theft;
- ii. Guiding military researchers who concealed their affiliation with the People's Liberation Army (PLA) on visa applications and advising them on how to obstruct investigations into this fraud;
- iii. Aiding grant fraud by researchers at a Texas institution by guiding them on what information to collect;
- iv. Serving as a base for "Fox Hunt" teams—agents sent from China to coerce economic fugitives, meaning political rivals of Xi, CCP critics, and refugees—to return to China;
- v. Enabling direct lobbying of state and local officials, and businesspeople, to favor Chinese interests—normal activity except when conducted in a coercive and covert fashion, and to be kept within bounds when carried out by a foreign government; and
- vi. Publicly criticizing Hong Kong pro-democracy activists and supporting nationalistic Chinese counter demonstrators.³¹²

Crucially, these actions do not target only people of Chinese ethnicity, but also top-level scientists, businesspeople, and politicians. All of the above patterns and activities are underway in Europe. In fact, the CCP may be using laxer controls in Europe to conduct espionage activities against the United States by meeting there with agents in order to avoid the FBI's increasingly watchful gaze, according to US Assistant Attorney General for National Security John C. Demers.³¹³

One example is Xu Yanjun, also known as Qu Hui and Zhang Hui, a member of the Jiangsu province MSS, arrested in Brussels in 2018 before being extradited to the United States on charges of economic espionage and stealing trade secrets from US aviation and aerospace companies.³¹⁴

The China Initiative has certainly made progress in managing interference efforts in the United States, yet there is no such initiative in Europe. Arrests are rarely made, prosecutions are rarely launched, and when they are, they often fall apart—apparently for lack of evidence. This despite the fact that Germany's counterintelligence organization, the Bundesamt für Verfassungsschutz, highlighted growing challenges from Chinese espionage and the UFWD. According to its 2019 report, published in 2020:

"The scale of identifiable political and economic espionage has significantly increased, without a reduction in efforts to extract information from military targets. ... In addition, intelligence agents control and direct overseas Chinese communities in Germany. Obedient behavior is secured and strengthened through close institutional ties between Chinese companies, student groups and cultural clubs and institutions, and the ... united front."

2. Concrete Transatlantic Responses

a) Immediate and independent responses in Europe and the United States

- i. Properly fund and prioritize research to assess the challenge. Investigate to what degree politics, civil society, and business have been penetrated by United Front actors and strategies and other forms of CCP interference.
- ii. Publicize this information wherever possible to build democratic security³¹⁵ via strategic communication. Clearly identify core values, and the challenges to these.
- iii. Assess domestic resources, capabilities, and weaknesses. In Europe, the EU's disinformation task force

311 US Department of State, "Briefing With Senior U.S. Government Officials On the Closure of the Chinese Consulate in Houston, Texas," special briefing, Office of the Spokesperson, via teleconference, July 24, 2020, <https://www.state.gov/briefing-with-senior-u-s-government-officials-on-the-closure-of-the-chinese-consulate-in-houston-texas/>.

312 Ibid.

313 Center for Strategic and International Studies, "Online Event: Countering Chinese Espionage," August 12, 2020. video, 1:05:26, https://www.youtube.com/watch?time_continue=1&v=k-b5rQo2P28&feature=emb_logo.

314 US Embassy in Belgium, "Chinese Intelligence Officer Charged with Economic Espionage Involving Theft of Trade Secrets from Leading U.S. Aviation Companies," Department of Justice, Office of Public Affairs, October 10, 2018, <https://be.usembassy.gov/chinese-intelligence-officer-charged-with-economic-espionage-involving-theft-of-trade-secrets-from-leading-u-s-aviation-companies/>.

315 Tatlow, *How "Democratic Security."*

should be immediately expanded to include a full, language and ethnographically fluent team focused on China. This effort should be mirrored in every nation state. National bodies should compare findings and cooperate as many United Front activities are transnational.

- iv. Following on from (i.), identify beneficial ownership of businesses to create clarity around proxies.³¹⁶ Take measures to address this situation where it is duplicitous. Require falsely registered United Front groups to re-register as political actors.
- v. Push the core message: without national security there is no economic security. This is especially important in Europe where threat perception is low.
- vi. Take cybersecurity seriously. This is still not the case in many, if not most, places. This requires funding.
- vii. Malign actors should be “named and shamed.”

- v. Adopt the Taiwan model whereby government departments have “one hour to respond.”³¹⁸
- vi. Require Chinese civil society groups tied to the United Front system to re-register as political actors, in order to ensure transparency. Where appropriate, criminalize and punish malign behaviors.³¹⁹
- vii. Scrutinize money flows in academia, politics, and think tanks to exclude influence and interference. In the United States, the Department of Education is enforcing reporting rules after years of neglect;³²⁰ in Europe this effort is controversial and underfunded, carried out by independent civil society actors. German universities may charge around \$1,000 for a single inquiry over funding sources.³²¹
- viii. Civil society and governments should partner in active strategic messaging and public education, utilizing a full range of open-source and other information, to raise awareness and build democratic security.

b) Responses in the transatlantic space

- i. Reengage across the board with international organizations to challenge and limit Chinese influence and interference. Nature abhors a vacuum—do not permit the CCP to fill it. Engage with allies in Asia, Africa, and elsewhere.
- ii. Deepen and widen the Democratic Order Initiative,³¹⁷ or “D-10” (Democracies 10) alliance, to strengthen political and economic partnerships and supply chains.
- iii. Respond collectively to diplomatic bullying against any partner.
- iv. Create transatlantic rapid response mechanisms to offset Chinese disinformation.

3. Major recommendations

To counter coercive Chinese diplomacy, excessive intelligence gathering, and disinformation practices, the partners should:

- i. Respond collectively to any case of diplomatic bullying of one partner with a “coercion against one is coercion against all” policy;
- ii. Reengage in international organizations to limit Chinese power;
- iii. Create transatlantic rapid-response mechanisms to offset Chinese disinformation; and
- iv. Register Chinese “civil society” groups operating in the transatlantic space to limit intelligence gathering and influence peddling.

³¹⁶ Jerker Hellström, Oscar Almén, and Johan Englund, *Kinesiska bolagsförvärv i Sverige: en kartläggning [Chinese corporate acquisitions in Sweden: a survey]*, Swedish Department of Foreign Affairs, November 27, 2019.

³¹⁷ “Democratic Order Initiative,” Atlantic Council, <https://www.atlanticcouncil.org/programs/scowcroft-center-for-strategy-and-security/global-strategy-initiative/democratic-order-initiative/>.

³¹⁸ French Institute of International Relations, “Conversation on Technological Change and its Implications, with Audrey Tang, Digital Minister, Taiwan,” November 30, 2020, video, 57:20, https://www.youtube.com/watch?v=jSxeEkIXecA&feature=emb_logo.

³¹⁹ See Hannas and Tatlow, eds., *China’s Quest* for more recommendations.

³²⁰ US Department of Education, U.S. Department of Education Uncovers Vast Underreporting of Foreign Gifts and Contracts by Higher Education Institutions, press release, October 20, 2020, <https://www.ed.gov/news/press-releases/us-department-education-uncovers-vast-underreporting-foreign-gifts-and-contracts-higher-education-institutions>.

³²¹ David Missal, *Chinas Geld an deutschen Unis (Chinese Money at German Universities)*, accessed February 28, 2021, <https://unis.davidmissal.de/>.