

The Advent of 21st Century International Sanctions Amid Human Rights Violations in the Xinjiang Uyghur Autonomous Region

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Abstract. International condemnation of the People's Republic of China's behavior in the Xinjiang Autonomous Region has amplified in recent years, sparking the implementation of sanctions targeting China's economy and government. While these sanctions were created to mitigate China's unethical actions, the effectiveness and potency of such policies remain questionable and thus require examination into the consequences of adopting economic and political sanctions. By contrasting the current circumstance to historical examples of sanctions directed at economic powerhouses, the results deem that current sanctions targeting China are tenuous and ineffective. In addition, the study exhibits that current sanctions are fueling further conflict between China and democratic western countries rather than solving the issue at hand.

Keywords: US-China Relations; Economic Sanctions; Political Sanctions; Foreign Policy.

1. Introduction

Amid a politically hostile era, international sanctions have become a routine solution adopted by nations to combat social and political discrepancies. With the work of the Trump administration, new hostility stirred political conflicts and unstablized situations on a global scale. US-China relation, from all perspectives of global political ecology, perhaps serves at the forefront of conflicts in the 21st Century as democratic western governments desire to counteract the People's Republic of China's (PRC) activities across Asia. At the center stage of this desire lies the Xinjiang Uyghur Autonomous Region (XUAR), a landlocked area in northwestern China sparking contentious debate over the ethicality of the PRC's affairs in the territory. Among these hostilities include political, social, and sports sanctions designated to impede China's control over the region, consequently exacerbating relations between the allies and the PRC and triggering disputes in public forums.

Although the PRC began enacting policies at the onset of the newly established Chinese government, it was not until recently that the Chinese government made strategic, explicit actions to exploit the XUAR [1]. Numerous incidents of purported terrorism were instigated in the 2010s, with a direct attack against civilians in Beijing in October 2013, a massacre in Kunming in March 2014, and an explosive attack in May 2014 [2]. To combat such violence, the PRC implemented "Strike Hard," a campaign designed to strengthen security measures via justifiable detainments, increased surveillance, and more to initiate a so-call "War on Terror" [2]. The counter-act taken by Chinese government worked both inside the hierarchical structure of its domestic official system on one hand, on the other, the actions are been entepreted to be drawing the nerves and concerns of the ignorance or violation to some universal human values. Due to these concerns, the policies adopted by Chinese government are drawing attentions of both American and European countries. Beyond enacting policies to deter violence, China has made substantial efforts to subject the autonomous region to Chinese control, with the creation of two campaign programs, the Great Development of the West, launched in 2000, and the Pairing Assistance Program, expanded in 2010 [2]. According to Millward and Peterson, both programs attempt to develop the XUAR technologically and economically, with the former investing in transportation projects to stimulate economic growth and the former demanding 19 eastern provinces to donate 0.3-0.6% of yearly revenues to aid Xinjiang development [2]. However, while the aforementioned campaigns appear beneficial, foreign nations perceive

China's efforts as immoral, as projects increasing surveillance and technology under the purported claim of modern development bypass the local economy and disregard the opinions of Uyghurs [2].

To combat the PRC's activities in XUAR, western democratic countries, among the likes as the United States, Canada, and most of the European Union (EU), have persisted in displaying their condemnation through means such as congressional acts or the prohibition of Uyghur products. The ramifications of the PRC's activities require a thorough examination of the validity of implemented sanctions, specifically through studying current legislation and scrutinizing studies of the past. Through examining the facts of the past and present, this paper focuses on summarizing scholarly literature on the potential advantages/disadvantages of sanctions, assessing past sanctions of similar circumstances, and illustrating data on the topic at hand to achieve a notable outcome.

2. Past Research on International Sanctions

Before asserting a theory, it is pertinent to review past studies that showcase varying perspectives on the effectiveness of international sanctions. There are two broad categories into which this topic can be classified: firstly, international sanctions are effective at pressuring political leaders into forgoing their unethical behaviors, and secondly, international sanctions—specifically on US-China relations—are ineffective due to cultural disparities and/or economic barriers. The validity of the sanctions is founded on the principle of effectiveness rather than polarized "success" or "failure" due to a spectrum in which the value of sanctions can fall. Rather than deeming sanctions fully successful or a failure, effectiveness assesses the consequences of such policies through a variety of lenses, allowing for a broader claim as opposed to a concrete conclusion.

The first category has been extensively reviewed by scholars advocating for increased sanctions with the hopes of mitigating unethical behavior. Hendrix and Noland support the notion of increased policy responses to combat the PRC's behaviors in the XUAR through a series of noneconomic, economic, and private sector initiatives [3]. Specifically, Hendrix and Noland argue that noneconomic policy responses, such as cooperating with the United Nations' Security and Human Rights Council or launching investigations by the International Labor Organization, can potentially deter the PRC's plans of 'invading' the XUAR [3]. Contact with the United Nations, an objective branch of authority beyond individual member states, can coerce the PRC into acting ethically from the perspectives of pro-sanction members. In conjunction with noneconomic plans, Hendrix and Noland propose that sanctions enacted to "convey disapproval...[and] act as a lever to encourage private firms to more tightly monitor supply chains and increase due diligence" can result in positive consequences that challenge China's increased surveillance and forced labor in the XUAR [3]. While Hendrix and Noland acknowledge that "broad trade sanctions tend to work only when the target is small and weak," they put forth the aforementioned suggestions with the hopes of addressing the dire circumstances in Xinjiang [3].

Contrary to the optimistic visions associated with increased sanctions, Yitan Li and other scholars suggest that economic sanctions are relatively ineffective due to divergent cultures and norms that prohibit the policies from achieving their full effect [4]. Li points out that "Washington and Beijing have two significantly different notions of human rights"; while the US bases its definition on civil liberties, the PRC is based on Confucianism, which lacks the concept of "human rights" [4]. Thus, Li suggests that while the US perceives the international sanctions directed at China to be a 'simple punishment,' China feels insulted rather than coerced [4, 5]. Accordingly, as western countries utilize sanctions as a threatening force, China reciprocates, evidently exacerbating the perpetuating hostility.

Richard Hanania of the Cato Institute follows a similar narrative, but instead of exhibiting the cultural divisions prohibiting the effectiveness of sanctions, he suggests that they are counterproductive economically and humanitarian-wise. Through utilizing the US' sanctions against Syria and Iran as examples, Hanania argues that citizens are collateral damage: that is, instead of the sanction achieving its supposed outcome, blocked financial markets exacerbate the living standards of third parties that suffer from a lack of food or medicine [6]. In Syria, for instance, Hanania claims

that international sanctions have “prevented aid or...suppressed economic activity,” driving significant decreases in vaccination rates and food production [6]. Furthermore, Hanania suggests that since targeted countries “benefit from the current system,” their governments are unlikely to alter their behavior or deplete finances, thus elucidating the ineffective nature of such sanctions [6].

Although the two aforementioned categories are opposite in nature, it can be argued that there is a middle ground regarding the validity and effectiveness of international sanctions. Thus, the theory outlined in this article offers a strong prediction that international sanctions imposed on the PRC are insufficient for solving the issue at hand due to the tenuous nature of such policies. Specifically, the theory suggests that while sanctions can be effective when exerted to a more potent extent, current sanctions enacted on China are insubstantial and weak, resulting in exacerbated political hostility opposed to the intended outcome of mitigating human rights violations in the XUAR.

3. Unsuccessful Sanctions: A Historical Perspective

In order to validate the basis of the theory, this article highlights the Russian Grain Embargo of 1980—a notable example showcasing the ramifications of tenuous sanctions. Announced on January 4, 1980, by President Jimmy Carter, the Russian Grain Embargo was enacted in response to the Soviet invasion of Afghanistan, in which 17 million tons of grain—ordered by the Soviet Union to feed livestock—were prevented from being shipped to the Soviet Union [7]. Not only did President Carter promise to “minimize any adverse impact on the American farmer from this action,” but he was determined that reduced foreign resources would “exert pressure on the U.S.S.R. in this area to convince the Soviet leaders to halt their aggression in Afghanistan” [7]. However, despite the initial high expectations for the success of the embargo, opposition to the sanction rapidly arose following implementation. In fact, Luttrell writes that the Senate Subcommittee on International Finance of the Committee on Banking, Housing, and Urban Affairs congregated to discuss the validity of such sanctions, elucidating legislative hesitancy in response to President Carter's promises [7]. Additionally, Luttrell stated that the American Farm Bureau “while favoring stiff sanctions for the Soviets, expressed doubt during the hearings that the embargo would reduce Russian meat production by more than 3 percent” [7].

The results were more disappointing than the tentative assumptions. Not only did the embargo fail to make a substantial dent in Soviet agriculture supply—only decreasing the Soviet grain supply by “one percent less than pre-embargo forecasts”—but the Soviet Union was supplied resources by other nations [7]. Luttrell's emphasis on the ubiquitous nature of grain and willingness to trade with the Soviet Union showcases the rationale behind the exchange of resources, and it ultimately nullifies the validity of the Russian Grain Embargo [7].

Similarly, sanctions imposed on North Korea reflect the unreliable nature of tenuous sanctions inflicted upon obstinate, communist nations. According to Wright, international sanctions imposed by the U.S., United Nations, and other nations combating the oppressive Kim regime have been “a total failure” despite nearly a century of efforts [8]. In the span of three generations of dictators and four U.S. Presidents, North Korea remains as adamant and armed as ever [8]. Not only has North Korea's military power grown substantially, but their four-year famine supposedly killed millions of civilians, ultimately illustrating the futile sanctions imposed on the obstinate nation [8]. Although current sanctions continue to be added in hopes of diminishing North Korea's threatening international presence, past trends reinforce the notion that international sanctions may only exacerbate human rights violations in the totalitarian regime.

However, despite futile sanctions imposed on North Korea and the former Soviet Union, international sanctions do achieve their intended effect in rare circumstances. For instance, the United Nations General Assembly enacted a resolution calling nations to “sever all diplomatic, military, and economic ties” with South Africa in light of racial injustice in the country [8]. Although the end of the apartheid cannot be fully contributed to the enactment of such sanctions—for political shifts had

a more pronounced effect—South Africa was pressured into releasing Nelson Mandela, albeit thirty years after the first sanctions were imposed.

4. Analysis of International Sanctions Imposed on the PRC

The People's Republic of China's advancements in the XUAR in the 21st Century, such as the Strike Hard campaign of 2014, serves as the catalyst that initiated economic and political sanctions. According to Millward and Peterson, the United States began enacting its sanctions in late 2019 under the premise that the PRC was violating human rights [2]. In October of that year, the US added eight companies and 20 XUAR government institutions to the Bureau of Industry and Security (BIS) list that implements license requirements on each specific entity [2]. The aforementioned companies are composed of six surveillance companies, one voice recognition firm, and one digital forensics firm that supposedly facilitates the oppression inflicted upon Uyghurs in the XUAR [2]. Less than a year later, BIS added eight more firms, including a textile company, under the same claim as before [2].

Beyond selecting corporations to add to the BIS list, western nations have also opted for sanctions pertaining to political leaders. According to Tucker, the European Council "imposed asset freezes and travel bans" on numerous high-ranking officials of the Chinese Communist Party that specialize in insecurity in the XUAR province [9]. Furthermore, the European Council has enacted sanctions on the Security Bureau of the Xinjiang Production and Construction Corps and other institutions deemed corrupt, with the Canadian government following suit.

Evidently, the aforementioned sanctions have the intended effect of diminishing the PRC's overbearing presence in Xinjiang, but unlike its good-hearted intentions, the results of the imposed sanctions lack validity. Like the Russian Grain Embargo, tenuous policies intended to limit global powerhouses not only fail to accomplish their given purpose, but they fail to make a dent at all. Hendrix and Noland describe this phenomenon best, stating that "what stands out about the China case is not so much the nature and magnitude of the atrocities but the diplomatic, military, and economic heft of the perpetuating government. China is a superpower, with diplomatic ties to every corner of the globe" [10]. In fact, they even conceded that the State Department's prior policies enacted to eradicate genocide in Iraq, Cambodia, and more all pertain to "minor economies," and that "sanctions designed to change human rights practices, such as those targeted at South Africa's apartheid" do not reach the multitude of US-China relations [10]. The PRC's powerful presence on the global stage clearly prevents the U.S. and other western nations dependent on China's economy from enacting massive, targeted policies, but instead encourages them to opt for smaller sanctions—such as creating travel bans for a small handful of political leaders—that are not significantly effective. In fact, Chinese authority in Xinjiang has only strengthened in the past few years, utilizing technological developments—such as creating a high-speed train system that links Xinjiang with Shanghai and other major cities in an effort to control the region.

Beyond tightening control over the region, the Chinese government has responded to international sanctions by hostile reciprocation. Tucker analyzes the disproportionate response in his issue brief, conceding that "while the EU sanctions limit themselves to security officials active in Xinjiang, the Chinese foreign ministry identifies...ten individuals, key staff at the four institutions, their families, and any organizations or companies affiliated with them are barred from either entering the country or "doing business with China" [9]. The disproportionate reciprocation not only showcases China's waves of anger towards the enacted sanctions but elucidates the extent to which the Chinese government is willing to travel to combat foreign policies infringing on 'domestic' matters.

Overall, the sanctions implemented to counteract the PRC's affairs in the XUAR appear to be lackluster or ineffective at best. In fact, it can be argued that current sanctions mirror those enacted by President Carter to combat the Soviet Union's invasion of Afghanistan; both cases involve the U.S. (and other western forces) enacting seemingly effective policies that nonetheless turn out futile. In the Russian Grain Embargo, Russia managed to compensate for its lack of resources by receiving help from its multitude of international relationships, possibly mirroring the future of the XUAR

sanctions imposed on China. Like the Soviet Union, the PRC's economic capabilities and prevailing international presence are advantageous in times of adversity for they provide them with aid from other governments and institutions.

5. Conclusion

In recent years, the PRC's unethical behavior in Xinjiang has attracted a wave of concern from democratic western institutions—most prominently the United States and EU—and thus catalyzed an implicit war built on sanctions. However, not only has this fusion of economic and political sanctions failed to achieve a notable outcome, but it is creating further conflict between global superpowers instead of alleviating unethical actions. Mirroring the Russian Grain Embargo, the current circumstance in the XUAR pertains to the mitigation of human rights, yet the failure to implement strong sanctions that threaten China's economic and political presence has resulted in ineffectiveness. Despite international condemnation, China has managed to retaliate by implementing its own sanctions in addition to continuing to exert tyrannical control in Xinjiang. Evidently, the time and resources wasted on creating tenuous sanctions—such as barring trade with a few companies or enacting visa restrictions for a handful of political leaders—are wasted as they exacerbate tension rather than fulfilling their desired outcome. Overall, although the future remains ambiguous, the Xinjiang conflict reinforces past trends in Russia, North Korea, and beyond, likely predicting the futility of international sanctions imposed on the People's Republic of China.

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