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A Tale of Three Ports

The Impact of the Belt and Road Initiative on Unrepresented Peoples in Pakistan and China

ABOUT THE UNREPRESENTED NATIONS AND PEOPLES ORGANIZATION

The Unrepresented Nations and Peoples Organization (UNPO) is an international membership-based organization established to empower the voices of unrepresented and marginalized peoples worldwide and to protect their fundamental human rights.

The peoples represented within the UNPO membership are all united by one shared condition: they are denied equal representation in the institutions of national or international governance. As a consequence, their opportunity to participate on the national or international stage is limited, and they struggle to fully realize their rights to civil and political participation and to control their economic, social and cultural development. In many cases, they are subject to the worst forms of violence and repression.

UNPO is a unique presence in the international arena in that it is built and primarily funded by its members. This gives it a strong connection to those suffering the consequences of the exclusion that the organization seeks to address. UNPO is thus able to address issues that often remain hidden because the organisation has the freedom to raise issues that others cannot due to political or funding constraints.

The organization consists of a General Assembly of members, which serves as a deliberative body for decision-making, solidarity and standard setting among unrepresented nations and peoples, and a number of Foundations established to provide secretariat services for the General Assembly and to improve the respect for the rights of unrepresented peoples everywhere through research, education and public campaigns.

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EXECUTIVE SUMMARY & RECOMMENDATIONS

European Union member states should be at the forefront of human rights protection and promotion globally. But with some European countries rolling out the red carpet for Chinese President Xi Jinping, Beijing's ability to convert economic prowess into political leverage may be eroding core European values in favour of trade and business benefits. This report shows why China's Belt and Road Initiative (BRI) is placing an additional burden on unrepresented peoples worldwide – and how European states such as Germany should take immediate steps to avoid being in complicity[1] with human rights violations that may constitute crimes against humanity under international law.

The report draws on information provided by UNPO members, reports from human rights NGOs and desk research[2] of existing academic literature. UNPO found that the Chinese model of developments and investments under BRI framework is exacerbating the plight of unrepresented peoples and weakening democratic mechanisms of governance. In this regard, UNPO identified three key cases of infra-structure developments of sea and land ports that are triggering this trend:

First, in Balochistan, the poorest province in Pakistan despite being the richest in natural resources, Beijing is currently overseeing the expansion of a deep-water sea port in Gwadar. The project is currently being implemented without addressing the pre-existing ethnic conflict in the region, causing the increased alienation and resentment of the local people. Dissent against China's project and presence is often met with harsh violence by the local guarantors of Chinese investments: the Pakistani military. As a result, thousands of bullet-ridden bodies of Baloch people have been found dumped, often with marks of torture and mutilation.

Second, in Xinjiang, China is using high-tech surveillance to arbitrarily detain its Muslim minorities and force them to give up their faith, in what is now the largest arbitrary detention of a single ethnic group since the Second World War. Determined to make Xinjiang the heart of the Belt and Road, China is erasing the identify and cultural heritage of Xinjiang's indigenous people.

Third, in Duisburg, Germany, the largest inland port in the world is now considered China's gateway to Europe. While broad evidence of gross human rights violations in the production and supply emerge, some German companies and governmental institutions continue to facilitate Chinese goods, companies and infrastructure at the heart of its territory.

This arrives in the context of growing manipulation of the United Nations by autocratic states, led by China, who are seeking to weaken mechanisms of accountability for human rights violations in their favour. Coupled with a systematic pattern of bullying and blocking at the UN human rights mechanisms, the space for representatives of marginalized peoples has been further reduced. With a weakened UN, the need for the EU and Germany to step up is even more urgent. This report therefore recommends:

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[1] According to the UN Guiding Principles and other international legal documents, the definition of complicity is "knowingly providing practical assistance or encouragement that has a substantial effect on the commission of a crime." The word "knowingly" means that a company is complicit in human rights violations if it "knows" it is providing "assistance" to an actor, and the "substantial effect" of the assistance results in a human rights violation. Each of these terms – "knowingly," "assistance," and "substantial effect" – is defined broadly under international law.

[2] Field research in both Balochistan and Xinjiang are practically impossible due to Pakistan's and China's severe restrictions on independent investigation.

To the Government of Germany:

- **Impose economic sanctions on governmental and commercial organisations implicated in China's human rights violations and abuses:** Germany should follow the US government's example and enact economic sanctions on all exports of items which have been implicated in Chinese human rights violations against Uighurs and other minorities. This should include blocking technology companies that enable human rights abuses;
- **Urge companies engaged with BRI-related developments to promote human rights due diligence:** in the framework of the UN Guiding Principles on Business and Human Rights, the German government should provide effective guidance to German business enterprises on how to assess actual and potential human rights impacts related to BRI;
- **Cease training programmes to Chinese military:** Germany should immediately cease its practice of providing Chinese soldiers with military training;
- **Impose targeted sanctions on Chinese Officials involved in violations:** Following the US Global Magnitsky Act, Germany should enact the freeze of assets and deny visas to Xinjiang officials; as well as to any other Party official implicated with rights abuses.

To the European Union:

- **Coordinated Asylum Policy:** European governments should coordinate asylum policy across all EU member States by recognising the threat of persecution in Xinjiang and Balochistan;
- **Temporarily withdrawal of GSP+ trade preferences to Pakistan:** in light of potential crimes against humanity committed in Balochistan by the Pakistani authorities, the EU should exercise its leverage through the GSP+ tool and demand Pakistan to immediately cease its systematic persecution of the Baloch people and to hold perpetrators accountable;
- **Requirement of European Union consent:** with China increasingly bypassing the EU's key institutions by seeking to negotiate with individual EU member states, the EU should have the right to veto future Chinese deals;
- **Adoption of binding legislation that obliges companies and investors to carry out human rights due diligence in their supply chains:** the EU should pass cross-sectoral laws requiring companies to identify, prevent, mitigate and account for human rights abuses of their operations, subsidiaries and value chains.

If the European Union and countries like Germany implement these recommendations and pass effective legislation that establishes a mandatory human rights due diligence framework for business, companies and financial institutions engaged with China's Belt and Road Initiative, then China's ability to crackdown on minorities will be contained and potentially reversed. This will convey a strong positive message to the rest of the international community and encourage other states to follow the same steps.

INTRODUCTION

The Belt and Road Initiative (BRI) was launched by Chinese President Xi Xinping in 2013 with the aim to forge a paradigmatic shift in how China relates with the rest of the world. The policy comprises a series of overland 'belts' and a maritime 'road' of shipping lanes, together of which will span across 71 countries, potentially accounting for half of the world's population and a quarter of global GDP[3].

A far-reaching endeavour that will reshape how the world trades – and deals – with China, Xi Jinping's masterplan has raised, since its inception, concerns regarding security, labour rights, reciprocity of access and impact on economic development. BRI also faces accusations that Beijing's ostensibly generous lending programmes amounts to a debt trap for vulnerable countries around the world, fuelling corruption and unleashing autocratic behaviour in fragile democracies. Coupled with such concerns, new elements beyond the global development façade start to emerge as the Chinese initiative unfolds worldwide. In the spotlight, the rights of indigenous and minorities whose homelands play a pivotal role in Beijing's greater plan.

In this context, this report looks at two cases where the rights of unrepresented peoples are being further crushed as China's advances key BRI developments: the expansion of the Gwadar Port, in Pakistan's province of Balochistan, and the Urumqi International Land Port, in China's Xinjiang region. Among other examples, these cases provide ample evidence that China's infra-structure developments in Balochistan and Xinjiang are directly connected to the escalation of ruthless campaigns against these region's native populations; the Uyghurs and the Balochi people.

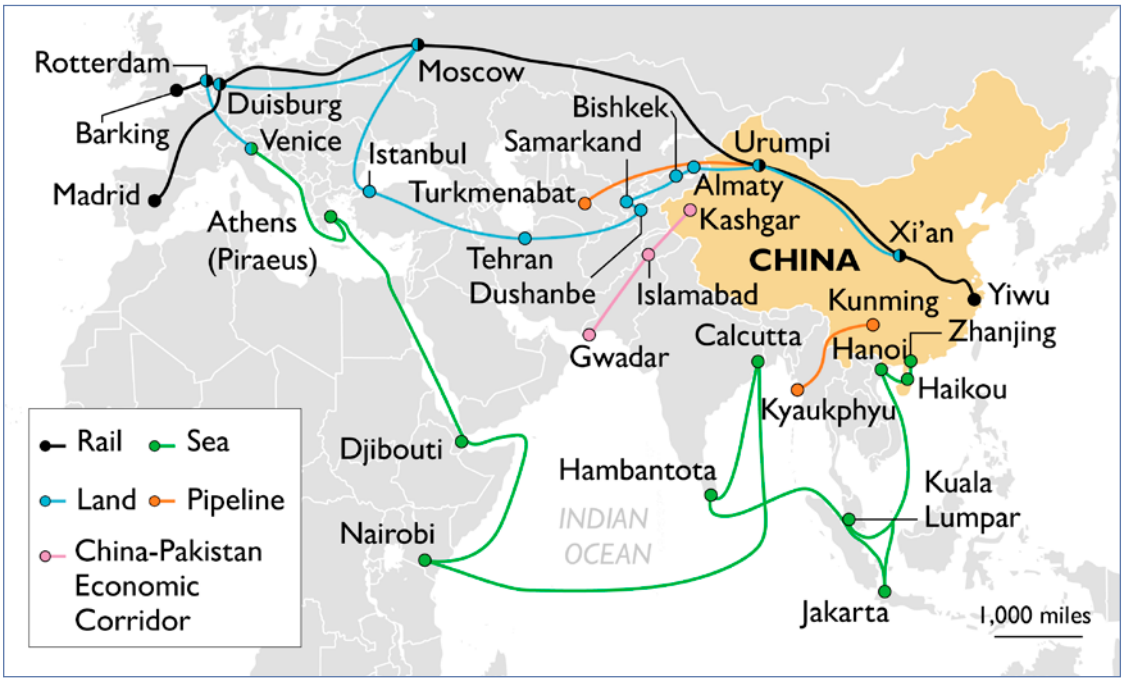
The first chapter looks into the most important development of China-Pakistan Economic Corridor (CPEC): the expansion of the deep-water sea port in Gwadar. Following a deal shrouded in mystery between the Pakistan and Chinese governments, the port was handed over to China without due consideration for the local Baloch people. The project is currently being implemented without addressing the pre-existing conflict in the region, causing the increased alienation and resentment of the local people, who are subject to gross human rights violations perpetrated by Pakistani military.

The second chapter explores BRI's developments in the province of Xinjiang, looking in particular at the Urumqi International Land Port. Being positioned at the very heart of the so-called 'Chinese dream', Xinjiang has been the stage of Beijing's cruel campaign against the Muslim Uyghur population. While construction for the land port unfolds, the largest arbitrary detention of a single ethnic group since the Second World War takes place.

The third chapter brings the focus of the debate to the heart of Europe, showing how the German city of Duisburg is proudly becoming China's gateway to the old continent. Although most European countries are, to some extent, tied economically to Beijing, Germany stands out in this regard for two reasons: firstly, because it is China's largest European trading

[3] Kuo, L., & Kommenda, N. (n.d.). What is China's Belt and Road Initiative?. (2018): https://www.theguardian.com/cities/ng-interactive/2018/jul/30/what-china-belt-road-initiative-silk-road-explainer

Map of China Belt and Road Initiative: Morgan Stanley has predicted China's overall expenses over the life of the BRI could reach $1.2–1.3 trillion by 2027, though estimates on total investments vary.



Chinese State Press/The Time

partner; secondly, because its apparent appetite for becoming China's hub in Europe – by facilitating Chinese goods, companies and infrastructure – is in stark contrast with its constitutional obligations[4].

The report culminates with an analysis on the impact of the "sinicization" of international relations. It looks into China's manipulation of the United Nations and questions whether European countries are exporting Beijing's human rights violations through its various engagements with the country. The report concludes that rather than isolated cases, it is possible to identify that BRI-related developments are detrimental to democratic governance and fundamental rights for indigenous communities and minorities.

Given the restricted political space and the limited media coverage of the implications of the Chinese developments in Gwadar, Urumqi and Duisburg, this report aims to build understanding of an existing pattern of oppression with far-reaching consequences for these ethnic minorities. In doing so, UNPO hopes to push the European Union – and Germany in particular – to take immediate action with regards to its relationship with China. If Europe fails to do so, it runs the risk of falling complicit with potential crimes against humanity".

[4] German Basic Law: https://www.tatsachen-ueber-deutschland.de/en/chapter/foreign-policy/protection-human-rights

I. THE DEVELOPMENT OF THE GWADAR PORT IN PAKISTAN AND ITS IMPACT ON THE BALOCHI PEOPLE

The China-Pakistan Economic Corridor (CPEC)

Among all the initiatives that compose BRI, the China-Pakistan Economic Corridor (CPEC) is its most concrete and ambitious project yet. Announced in 2015, it envisages an economic corridor comprised of numerous transportation and energy connections including power stations, ports, dams, transmission lines, roads and fibre optic cables, stretching over 3,000km from China's Xinjiang to Gwadar in Balochistan, on the Southern Makran coast of Pakistan. The project violates international law as its route cuts through the UN-declared disputed territory of Gilgit-Baltistan.

The overall value of the trade corridor has increased from the original US$46 billion to an estimated US$57 billion[5] meaning that investments channelled through CPEC equal to all the foreign direct investment flows into Pakistan since 1970 combined, thus representing a huge step of commitment in the previously labelled 'all weather friendship'[6]. Called the 'crown jewel' of the BRI project and an antecedent experiment for greater related initiatives, CPEC promises to boost the economy of Pakistan and to provide China with a geostrategic outpost on the shores of the Indian Ocean[7].

Beyond the official narrative of the project's promoters, however, the project has faced serious criticism for its lack of transparency on how the distribution of the outcomes of the development will be distributed. Moreover, Pakistan's heavy reliance on continued Chinese investment – China already accounts for 46% of Pakistan's trade deficit[8] has raised fears of a 'debt trap' in the making.

Within CPEC's many developments, the expansion of the Gwadar Port is particularly unsettling for the Baloch people. A historically oppressed minority in the Southern-western province of Pakistan, the Baloch people have long endured gross human rights violations perpetrated by Pakistani security forces. In this already volatile context, CPEC places an additional burden on the region. Marginalized from the decision-making process over their fate of their homeland, the Baloch people see themselves deprived of institutional mechanisms to address their grievances.

South China Morning Post

Map of China-Pakistan Economic Corridor (CPEC), which cuts through the UN-disputed territory of Gilgit-Baltistan.

5 Dawn, 'The Cost of CPEC", (2017): https://www.dawn.com/news/1320028

6 Rakisits, C. (2015). A Path to the Sea: China's Pakistan Plan. World Affairs, 67-74.

7 O. Wolf, S. (2019). The China-Pakistan Economic Corridor of the Belt and Road Initiative: Concept, Context and Assessment. Springer International Publishing.

8 Wintour, P. (2018). 'All Weather Friendship': but is Pakistan relying too heavily on China? The Guardian, August 2018: https://www.theguardian.com/cities/2018/aug/03/all-weather-friendship-but-is-pakistan-relying-too-heavily-on-china

Gilgit-Baltistan: A Special Case

Gilgit-Baltistan is a UN-declared disputed territory, legacy of the Partition conflict over the state of Jammu and Kashmir. Despite having *de facto* control over the territory since 1949, Pakistan has kept to this day the people of Gilgit-Baltistan disenfranchised from legitimate political structures, deprived of constitutional rights and devoid of control over their own resources.

With approximately 72,000 km^2 of territory, Gilgit-Baltistan borders Afghanistan to the north, the Xinjiang province of China to the northeast, Pakistan-administered Kashmir to the south and the Indian administered state of Jammu and Kashmir to the southeast. Following the conflicts over the partition, in 1949, under the Karachi Agreement, Pakistan's Ministry of Kashmir Affairs and Northern Areas (KANA) took full control over Gilgit-Baltistan, in a process that overlooked the voice of the local people of Gilgit-Baltistan. Governed by the Frontier Crimes Regulations, the local population was subject to draconian laws targeting "tribal people", which imposed fines and punishments and denied their freedom of movement, legal representation and right to appeal.

In the early 1970s, the creation of the Northern Areas Advisory Council (NAAC) only reinforced Gilgit-Baltistan's lack of any significant representation in Pakistan's politics. A few decades later, in 2009, the Gilgit-Baltistan Empowerment and Self Governance Order was promulgated by the Pakistani Government. However, the Order created the deceptive "Gilgit-Baltistan Legislative Assembly" (GBLA) which has no effective legislative autonomy, as the real power resides in a council headed by the prime minister of Pakistan.

Under the absence of a representative political system as well as of an independent judiciary in the region, all political power remains in Islamabad, while the people of Gilgit-Baltistan continue to live without basic rights and representation. In 2019, Pakistan introduced the latest set of laws for the region through the Gilgit-Baltistan Order, 2018, which was condemned by locals and opposition parties as 'authoritarian'.

Aware that cutting through the territory of Gilgit-Baltistan for CPEC is illegal under international law, Beijing has pushed Pakistan to make Gilgit-Baltistan its fifth province. However, Pakistani leaders fear that it could damage the state's position over the Kashmir dispute. In 2019, the Supreme Court of Pakistan extended its jurisdiction to Gilgit-Baltistan ruling that "no change can be made" in the status of the territory.

History of the Development and the Current Status of Gwadar

What was once a seemingly innocuous port, being little more than a 'cluster of fishing villages' for most of its history[9], Gwadar is now the epicentre of major transformations under the flag of CPEC, which has triggered the influx of Chinese workforce and the escalation of the area's militarization. Today, Gwadar Port has been labelled the 'second great monument of the Pakistan-China friendship' after the Karakoram highway[10]. Close to the strait of Hormuz and sandwiched between the Middle-East and South Asia, Gwadar's position has long been a place of interest for colonial powers. Today, it provides the primary incentive for Chinese investment in the CPEC scheme and is integral to China's ambition of increasing its geostrategic, economic and political standing in the world.

The current sentiments of the Baloch people towards CPEC's ambitions around the Gwadar port has its roots in the region's troubled history with the Pakistani state. In August 1947, one day after the creation of Pakistan, Balochistan was declared independent by its ruler, the Khan of Khalat. The Pakistani leadership rejected the declaration of independence and annexed the region nine months later. Since then, the prevailing sense in Balochistan is that their province was coerced

[9] Kanwal, G. (2018). Pakistan's Gwadar Port: A new naval base in China's string of pearls in the Indo-Pacific. Centre for Strategic and International Studies Online.

[10] Gwadar Port Authority . (n.d.). (2018): http://www.gwadarport.gov.pk/vision.aspx

by the British and forced to merge with Pakistan[11] As a result, continuous insurgencies against the central government in Pakistan erupted into substantial conflicts in 1948, 1958 and 1962.

Relatively neglected for decades, the initial development of the Gwadar Port took place during the Indo-Pakistan war of 1971, when the port of Karachi was attacked and blockaded, leading Pakistani leaders to look for an additional port on the Makran coast[12]. In 1974, then President Zulfiquar Ali Bhutto offered Gwadar Port to the US government, inviting them to build a naval base there, but the offer was declined by Washington, which opted instead to continue accessing Middle Eastern trade through the Chahbahar Port, roughly 300km further along the coast from Gwadar.

In 1988, a Belgium firm was awarded a contract to build a small 'mini port' in the area, which was completed in 1992. Around the same time, the notion of constructing a deep-water port at Gwadar was formally considered by the Pakistani government, with the project being approved by the Executive Committee of the National Economic Council in June 1994. In December 1995, the Pakistani government instructed Karachi Port Trust to finance the development of Gwadar, with an additional US$2 billion released for construction in 1996[13]. One year later, 43 major companies submitted Expressions of Interest (EoI) for construction of the initial phase of the Gwadar project, which was eventually awarded to the China harbouring energy company in March 2002.

Phase 1 of the port reportedly cost US$240 million – with only 50 million of this being supplied by Pakistan and the rest, by China – and was completed in December 2005. It has given the port capacity to handle bulk carriers of up to 50,000 DWT (dead weight tonnes) and container ships of up to 25,000. Phase 2 envisages the construction of several additional berths of 300 metres and two piers. In 2006, the government of Pakistan invited offers for the management of the port, with the contract eventually being awarded to Port of Singapore Authority (PSA). However, the company failed to develop the port as agreed, losing control over the operations. In February 2013, an MoU transferring the rights to the Chinese state-run company China Overseas Port Holding Company was signed, granting China 40 year of control over the port[14].

Under Beijing's management, the development of Gwadar extends beyond the commercial capacity of the sea port and also engulfs the surrounding regions and neighbourhoods into its plans. This is expected to follow the 'Port-Park-City' development model which is common in Chinese overseas development projects[15]. It dictates that the development of the port will likely be followed by the construction of a Chinese industrial park which will, in turn, lead to a quasi-Chinese city in another state[16]. The Chinese-Pakistan Investment Corporation (CPIC) has gained approval for construction projects that will establish at international "Dubai-esque" Port City in Gwadar, which includes a new financial district, an airport and a $265 million luxury golf resort. According to the 'Economic Times', CPIC is set to build a US$150 million gated community for the anticipated influx of 500,000 Chinese professionals. Some estimate that by 2048, Chinese citizens will outnumber the Baloch in Gwadar[17].

Gwadar Special Economic Zone

A swathe of 2.282 acre near the port in Gwadar was handed to the China Overseas Port Holding Company in November 2015, as part of a 43-year lease for the development of special economic zone. Constructions began in 2016 and is intended to be completed in 2030. Gwadar Port

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11 Tahir, M. R. (2014). Dispatches From Pakistan. Minneapolis: University of Minnesota Press.
12 Grare, F. (2013). Balochistan: The State Versus the Nation. Carnegie Endowment for International Peace.
13 Ibid
14 Rakisits, C. (2015). A Path to the Sea.: China's Pakistan Plan. World Affairs, 67-74.
15 Pauley, L., & Shad, H. (2018). Gwadar: Emerging Port City or Chinese Colony? The Diplomat: https://thediplomat.com/2018/10/gwadar-emerging-port-city-or-chinese-colony/
16 Ibid
17 Yousafzai, F. (2016). Chinese to Outnumber Baloch natives by 2048. The Nation: https://nation.com.pk/29-Dec-2016/chinese-to-outnumber-baloch-natives-by-2048

Gwadar city aerial view, Old Town. Balochistan, Pakistan.

Anas Abdullah/shutterstock

Authority (GPA) Chairman Dostain Khan Jamaldini said construction of Gwadar Free Zone is underway at cost of $2 billion, where Chinese, Middle East, European and Pakistani investors have planned to establish 300 factories to manufacture different products[18]. It may also include manufacturing zones, logistics hubs, warehouses and display centres.

Business established in the special economic zone will be exempt from Pakistani income, sales and federal taxes for 23 years. Contractors and subcontractors associated with China Overseas Port Holding Company will be exempt from such taxes for 20 years, while a 40-year tax holiday will be granted for imports of equipment, materials, plants and machinery.

Gwadar Port as a Naval Base

Academics have suggested that, beyond merely economic development, geopolitics explain the motive for such massive Chinese involvement in the project[19] Gwadar Port is part of a holistic attempt by China to establish a 'string of pearls' in the Indian Ocean[20], comprised of different port and naval facilities. China has already established Chinese military support bases in Djibouti, Sri Lanka, Bangladesh and Malaysia[21].

The Gwadar Port represents, thus, a vital step in this geostrategic endeavour, as it offers the possibility for the Chinese navy to establish a base in the region. These facilities heighten Chinese integration into the Indian Ocean region in general and provide access to secure refuelling, replenishing and crucial ship-repairs which is increasingly essential as Chinese military have begun to roll out increasingly far flung missions around the world[22] – in 2011,

[18] Gwadar Port to Create 40000 Jobs. (2016). Daily Times: https://dailytimes.com.pk/74836/gwadar-port-to-create-over-40000-job-opportunities/

[19] Small, A. (2015). The China-Pakistan Axis: Asia's new geopolitics. London: Hurst and Company.

[20] Pauley, L., & Shad, H. (2018). Gwadar: Emerging Port City or Chinese Colony? The Diplomat: https://thediplomat.com/2018/10/gwadar-emerging-port-city-or-chinese-colony/

[21] Jacobs, A., & Perlez, J. (2017). U.S. Wary of its New Neighbour in Djibouti: A Chinese Naval Base. The New York Time: https://www.nytimes.com/2017/02/25/world/africa/us-djibouti-chinese-naval-base.html

[22] Rafiq, A. (2017). China's $62 Billion bet on Pakistan. https://www.foreignaffairs.com/articles/china/2017-10-24/chinas-62-billion-bet-pakistan

the evacuation of 35,000 Chinese workers from Libya suggested that China may need a greater support network around the globe. In this context, Gwadar essentially represents a permanent, reliable facility for Chinese ships needing support close to the Middle-East, North Africa or East Africa[23].

Access to maritime operations in the Indian Ocean is also significant in relation to China's ongoing fractious and competitive relationship with India. Located only 107 miles along the Makran coast, Gwadar represents a direct competition with the Chabahar port in Iran, of which is being developed into a maritime hub by India. This is triggering what has been termed a 'new great game' in the Indo-Pacific[24].

In relation to China's period of 40-year control over the port facilities, many fear that the lease could be extended should Pakistan falls into a web of debt trap. Concerns are drawn from the case of Hambantota port, in Sri Lanka, constructed by China in a similar deal surrounding Gwadar. Unable to pay its debt to Beijing and under heavy political pressure, the Sri Lanka government handed over the port and 15,000 acres of land around it to China for 99 years[25].

Access to Resources and Alternative Trade Routes

Driven by voracious economic growth, sustainable importation of raw materials, energy related materials such as oil in particular, poses a serious security issue for China. Having access to the Gwadar Port may be able to alleviate this concern in two main ways: Firstly, Gwadar itself is set to develop a crude oil facility, where oil can be processed at the port and then tunnelled up through the CPEC line, through Northern Pakistan and into China. This will diversify China's oil imports, benefiting their troubled state-owned enterprises, allowing them to overcome the challenges of overcapacity and oversupply by going global[26]. It also means that China will gain a significant amount of its energy supply from a country within which it is waging significant leverage. This is part of a wider trend for China, which has been targeting vulnerable states in the Middle-East and Africa in order to diversify its oil and resource supply while offering them massive loans.

Secondly, the position of Gwadar will allow China to bypass the Malacca Strait. Currently, 80% of Chinese energy imports, as well as most of its trade and raw material from Africa, pass through the Malacca trade route, meaning that the strait represents a crucial life line in the Chinese economy. These waters are known to be controlled by the US and its allies, meaning that in the past, the threat of blockading key access ports for China has been extremely prevalent[27]. Thus, securing access and sovereignty of the Gwadar Port is a key element of strengthening the reliability of Chinese trade routes.

The Impact on the Balochi People

The Baloch people do not identify the CPEC initiative as an opportunity for economic and social improvement, but rather as an instrument of further neglect and oppression. Instead of redressing Baloch decades-old grievances, the Pakistani military has opted to impose state control through force. Worsening an already fragile political environment, CPEC comes to exacerbate the frustrations among a local population whose perceptions of exploitation by the central government, together with authorities' suppression of dissent, have long fuelled an insurgency[28].

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23 Small, A. (2015). The China-Pakistan Axis: Asia's new geopolitics. London: Hurst and Company.

24 Kanwal, G. (2018). Pakistan's Gwadar Port: A new naval base in China's string of pearls in the Indo-Pacific. Centre for Strategic and International Studies Online.

25 Abi-Habib, M. (2018). How China Got Sri Lanka to Cough Up a Port. https://www.nytimes.com/2018/06/25/world/asia/china-sri-lanka-port.html

26 Rafiq, A. (2017). China's $62 Billion bet on Pakistan. https://www.foreignaffairs.com/articles/china/2017-10-24/chinas-62-billion-bet-pakistan

27 Small, A. (2015). The China-Pakistan Axis: Asia's new geopolitics. London: Hurst and Company.

28 International Crisis Group (2018). China-Pakistan Economic Corridor: Opportunities and Risks: https://www.crisisgroup.org/asia/south-asia/pakistan/297-china-pakistan-economic-corridor-opportunities-and-risks

Chinese Business Center, Gwadar.

Anas Abdullah/shutterstock

The grievances of the Balochi against the Pakistani state are substantially justified by the infrastructural mismanagement and the uneven federal allocation of resources by the authorities in Islamabad. Covering around 40% of the country's landmass, Balochistan is the largest of Pakistan's provinces, and yet, with a population of 12 million inhabitants, is the least populated[29]. Although it is rich in energy and mineral resources, it is extremely impoverished and represents the least industrialised area, with simultaneously the lowest literacy rates and the highest levels of multidimensional poverty.

The expansion of Gwadar Port is deteriorating the lives of the local Baloch people in multiple ways. Firstly, the promotion of Gwadar as an 'international port' and commercial hub has been accompanied by the heavy militarisation of the Makran coast[30]. The intensification of the presence of the military in Balochistan sets into process a dangerous and violent feedback loop.

Secondly, CPEC is displacing the local population[31], as an enormous influx of foreigners, the majority of which Chinese citizens, are expected to settle in the upcoming years. Whereas the 'special economic zones' are encouraging Chinese citizens to move to Gwadar due to substantial tax breaks, the Baloch people are increasing cleansed out of the area. In light of such abrupt demographic change, Baloch fear this could turn them into a minority in their own province and further inhibit their already fractional political leverage.

Thirdly, CPEC's policy formulation – CPEC's Long-Term Plan (2017-2030) – was formulated by the centre with little input from local Baloch leaders, business or civil society actors[32]. The failure in involving the local community in the democratic decision-making process has only

29 Ibid

30 Small, A. (2015). The China-Pakistan Axis: Asia's new geopolitics. London: Hurst and Company.

31 International Crisis Group (2018). China-Pakistan Economic Corridor: Opportunities and Risks: https://www.crisisgroup.org/asia/south-asia/pakistan/297-china-pakistan-economic-corridor-opportunities-and-risks

32 Ibid

worsened resentment towards the centre. Local dissent, in turn, has been responded by central authorities with heavy security presence, marked by army checkpoints, intimidation and harassment of local residents and crackdowns on anti-CPEC protest. Family members of civil society leaders have also been subject to persecution.

CPEC developments in Balochistan can be understood as part of a steady and uncritical march towards an amorphous 'modernisation' process, where the consequences and politics of rampant capitalism are rarely questioned. The fisher folk of the Makran coast, for whom the hammerhead speared jetty of Gwadar used to provide ample, sheltered waters, are particularly victimised by this process8. The indistinct and ambitious plans of economic modernisation are being prioritised over the lives of the local people, who are unable to integrate into a new economy comprised of 'special economic zones'. The fisher folk are instead forced elsewhere, with numerous reports that they have been subject to public humiliation and abuse at the hands of the Maritime Security Agency and Pakistani Navy in response to their attempt to cast their nets in the waters close to Gwadar port[33].

For CPEC promoters, the Baloch people are essentially understood as an obstacle to be overcome, rather than key stakeholders. In this context, the Pakistani state's heavy handedness has only contributed to radicalise some elements of the Balochi people. As a result, Chinese involvement in the port of Gwadar has placed increasing pressure on the Pakistani government to curb Balochi nationalist claims. While the real threat of terrorism in the region exists – such as the attack in Karachi in March 2019 on a convoy of 22 vehicles carrying Chinese engineers[34] – the Pakistani government has used such episodes as justification to commit collective punishment against the population. As such, the simplistic and misleading portrayal as to what constitutes the Baloch movement for autonomy is used as rationale to not only squash an entire cause, but also to commit human rights abuses against the Balochi people.

Human Rights Violations in Balochistan

Numerous reports from Baloch human rights groups and international NGOs have denounced the violent campaign led by Pakistani military and federal security forces against the Baloch people. Thousands of people have gone missing, while bodies in mass graves uncovered by Amnesty International bear conclusive witness to signs of torture. The infamous 'kill and dump' policy, where dead bodies of political activists are dumped on the side of roads in order to serve as a warning against critics of the government, has targeted critics of the CPEC[35] in particular.

According to the Commission of Inquiry on Enforced Disappearances, an entity established by the Pakistani government, about 5,000 cases of enforced disappearances have been registered since 2014 – most still unresolved. Independent local and international human rights organisations put the numbers much higher. Around 20,000 have reportedly been abducted from Balochistan, out of which more than 2,500 have turned up dead as bullet-riddled dead bodies, bearing signs of extreme torture[36].

Before being elected as Prime Minister, Imran Khan admitted in multiple interviews to acknowledge the involvement of Pakistan's intelligence agencies in enforced disappearances and extrajudicial killings and vowed to resign if he was unable to put an end to the practice and to hold perpetrators accountable.

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[33] Jamali, H. (2014). A Tempest in My Harbour: Gwadar, Balochistan . In M. R. Tahir, Dispatches from Pakistan. Minneapolis: University of Minnesota Press.

[34] ibid

[35] Ibid

[36] BRP activists stage protest against enforced disappearances in Balochistan. (2019). Business Standard. https://www.business-standard.com/article/news-ani/germany-brp-activists-stage-protest-against-enforced-disappearances-in-balochistan-119070800018_1.html

Contrary to central's narrative of war against terrorism, these victims are generally well-educated Balochi individuals, employed as political activists, teachers, students and lawyers who have engaged in peaceful opposition against CPEC. Families of the disappeared are often threatened, harassed and intimidated, especially those who have been more public with their protests and have campaigned openly for justice for their loved ones[37].

The international community remains largely unaware of the plight of ordinary Baloch people due to the fact that Balochistan is kept by Pakistan in an 'information black hole'[38]. The manipulation of media sources is common and journalists are blocked from accessing key sources and witnesses from the area[39]. Those who have attempted to disclose the facts have paid a high price. Since 2008, 34 journalists have been killed in Balochistan[40].

II. THE DEVELOPMENT OF THE URUMQI LAND PORT IN XINJIANG AND ITS IMPACT ON THE UYGHURS

Urumqi International Land port

Since the launch of the 'One Belt, One Road' in 2015, Beijing is overseeing a vast infrastructure transformation in Xinjiang, its largest province. While a significant amount of these investments is being channelled into Kashgar, the most important BRI-related developments in the region is the construction of a land port in Urumqi[41]. With the aim to serve as China's gateway for materials being transported into Europe and the Middle-East, the port endeavours to offer a 'one-stop', 'integrated' service, combining customs clearance, inspection and quarantine, train transportation and freight logistics'[42].

Since construction began in 2015, the port has opened 21 rail routes to 26 cities in 19 European and Central Asian countries, with China-Europe freight trains making over 2,200 journeys departing from Urumqi[43]. Chinese state-run press agency reports that these developments have seen China-Europe train services from Urumqi increasing from an average of one trip per week to three trips per day, allowing for more than 200 items of goods – including daily necessities, clothing, machinery, plumbing and building materials as well as electronic accessories – being transported from the port.

In addition to the development of the port as a 'railway hub' in China's North-western region, China is also determined to develop Urumqi's rapid transport development in expressways and to increase international capacity of its airport. Each of these transport projects are also very close to Urumqi's 'bonded zone' which was launched in 2018. Shortly after launch, the investment in the zone had reached US$430 million[44]. Amid such frenzy to encourage the rapid and comprehensive descent of world business into Xinjiang, China's polices in the region have far-reaching ramifications, affecting the Turkic-speaking Muslim Uighur minority in particular.

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37 Amnesty International Report (2018). https://www.amnesty.org/en/countries/asia-and-the-pacific/pakistan/report-pakistan/

38 Boone, J., & Baloch, K. (2016). Balochistan: Pakistan's information black hole. The Guardian. https://www.theguardian.com/world/2016/feb/04/balochistan-pakistan-information-black-hole

39 Tahir, M. R. (2014). Dispatches From Pakistan. Minneapolis: University of Minnesota Press.

40 Amnesty International Report (2018). https://www.amnesty.org/en/countries/asia-and-the-pacific/pakistan/report-pakistan/

41 Yicai Global. (2017, June 20). Urumqi and Qingdao Will Build China's Second Xinjiang-SE Asia Rail-Sea Transport

42 Xinhua News Agency. (2019, 05 29). Europe bound freight trains from Urumqi total 2,200 since 2016. https://eng.yidaiyilu.gov.cn/qwyw/rdxw/92142.htm.

43 Ibid

44 Ibid

Geopolitical Importance of Xinjiang

The development of the BRI policy in Xinjiang straddles a number of different political imperatives; both geopolitical and internal. By placing Urumqi at the heart of BRI, China hopes to secure its own boundaries, combatting what it perceives to be the "three evils" of terrorism, separatism and fundamentalism[45]. Its intentions are thus cyclical: China secures BRI; BRI secures China. Also, positioning BRI in Xinjiang is part of China's intentions to 'March West', transforming itself as the primary trader with Europe and thus challenging the dominance of current transatlantic trade routes[46].

BRI developments in Xinjiang can also help China to harness its soft power in the region of Central Asia, a key region for Beijing for a number of reasons. Firstly, its geographical position means that it simultaneously serves as a buffer zone between China and Europe and as a gateway for trade. Secondly, China has become increasingly concerned about the cross-border Islamic insurgency, which it believes may inspire its Muslim-minorities into separatism tendencies. As other Turkic nations in the region have succeeded in forming an independent state since the fall of the USSR, China fears that Uyghur-majority Xinjiang could attempt the same outcome. By pulling these countries into debt trap diplomacy pacts and offering them attractive economic policies, China is extending its 'soft power' sphere of influence in the region.

An additional motive for Beijing's move in Xinjiang is to make global players key stakeholders in China's provincial issues. By attracting the international capitalist market to Xinjiang, China encourages foreign investors to worry about securing the goods, services and profits at stake. Looking to earn the sympathy of Western countries for its alleged war against terrorism, China has often framed the Uyghurs as terrorists.

From the perspective of internal politics, the most important facet of BRI is that it can help China to retain, maintain and suppress the Uyghurs in Xinjiang[47]. Moreover, stability in Xinjiang is also key for Beijing when considering other volatile areas of China. The central government fears that if Xinjiang were to succeed in breaking away, it could inspire other historically unstable regions such as Tibet and Taiwan. Therefore, BRI is as much about Beijing's domestic concerns as it is about "grand strategy"[48].

Energy Resources

Xinjiang is vital to China's energy security[49]. Not only the province is rich in materials such as cotton, but it also houses China's largest oil and gas reserves[50], estimated to be around one third of the country's total[51]. This is specifically important as China has been a net importer of oil since 1993. Xinjiang's oil production, therefore, represent the future of the country's autonomy in terms of demand.

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45 Ooi, S.-M., & Trinkle, K. (2015, March 05). China's New Silk Road and Its Impact on Xinjiang. The Diplomat. https://thediplomat.com/2015/03/chinas-new-silk-road-and-its-impact-on-xinjiang/

46 Tao, X. (2015, October 10). Is This China's Eurasian Century? . The Diplomat. https://thediplomat.com/2015/10/is-this-chinas-eurasian-century/

47 Xing, L. (2018). China's Pursuit of the "One Belt One Road" Initiative: A New World Order with Chinese Characteristics. Basingstoke, Hampshire: Palgrave Macmillan.

48 Tukmadiyeva, M. (2013). Xinjiang in China's Foreign Policy Towards Central Asia. Connections, 12(3), 87-108.

49 Ibid

50 Chung, C.-p. (2002). China's "War on Terror" September 11 and Uighur Separatism. Foreign Affairs, 81(4).

51 Bovingdon, G. (2010). The Uyghurs: Strangers in Their Own Land. New York: Columbia University Press.

Uyghurs outside Id Kah Mosque in Kashgar, western China's Xinjiang region.

Colincookman/flickr

Impact on the Uyghurs and other Ethinic Minorities in Xinjiang

BRI-related developments in Xinjiang are inherently part of China's containment policies in the region. China's growing emphasis on such projects are tied into its increased crackdown on minorities in Xinjiang[52]. Under the apparent benign veil of 'modernisation', BRI uses the impetus of 'leapfrog development' to undermine political autonomy in the region of Xinjiang and encourage, implement and outright force the overall ideal of Uyghur assimilation[53].

Firstly, the tying of the global sphere into Xinjiang has made it more convenient for the security services to reduce the Uyghurs identity as one prone to religious radicalisation and terrorism. Under this pretext, China has paved the way to greater human rights breaches. Secondly, through the "development" orientated mantra of BRI, the Uyghurs are increasingly becoming strangers in their own land, both in political and economic terms. China has systematically reinforced the Islamic feature of the Uyghur movement for self-determination[54], hoping to appeal to the general rise of islamophobia in the West. Since 9/11, Beijing has increasingly framed the Uyghurs within the wider threat of Islamic fundamentalism and terrorism. This was particularly visible during China's heavy-handed reaction to the 2009 riots in Urumqi, after which security forces arrested over 1500 Uyghur men, sentencing 9 of them to death[55].

A UHRP report from 2015 showed that Chinese state's reporting of violence in Xinjiang is grossly inaccurate as Uyghurs killed by police forces are not always reported. In 2013-14, less than one-third of the violent incidents between the police and Uyghurs were recorded and, of these incidents, over two-thirds of those reported were labelled as 'terrorism'[56].

52 Ma, A. (2019, February 23). This map shows the trillion dollar reason why China is oppressing more than a million Muslims. Business Insider.
53 Tukmadiyeva, M. (2013). Xinjiang in China's Foreign Policy Towards Central Asia. Connections, 12(3), 87-108.
54 Bovingdon, G. (2010). The Uyghurs: Strangers in Their Own Land. New York: Columbia University Press.
55 Clarke, M. (2013). Xinjiang and China's Rise in Central Asia. London: Routledge.
56 UHRP. (2015). Legitimising Repression: China's "War on Terror" under Xi Jinping and State Policy in East Turkestan.

BRI has also triggered heightened surveillance presence in Xinjiang[57], making the region the most heavily surveyed in the world. This involves the installation of China's "Skynet" electronic surveillance system in urban areas, the use of facial recognition systems and iris scanners at checkpoints and general public places, the installation of GPS trackers in cars, collection of biometric data for passports and mandatory apps to cleanse smartphones of potentially subversive materials[7]. Many have had their passports and emigration rights denied[58]. Uyghurs are subject to extraordinary interference and have been forced to give blood samples and go through biometric face scans. Hikivision, a security company, markets Uighur ethnicity analytics in their facial recognition technology[59]. The cameras can exclusively search for Uighurs based on their appearance and can record their movements[60].

The purpose of this surveillance is to 'prevent problems before they happen'[61] and is achieved through the Integrated Join Operations Platform (IJOS) built by a state-owned military contractor. The company markets Uighur ethnicity analytics in their facial recognition technology[62]. The cameras can exclusively search for Uighurs based on their appearance and can record their movements.

Mass Detention Centres

At least one million Uyghurs are being arbitrarily held in detention centres in Xinjiang. Analysis procured through examining both government construction contracts and Google Earth satellite imaging has revealed the existence of 'hundreds' of 'prison-like' facilities throughout the region[63]. Dabancheng, one of the largest centres which is situated close to Urumqi, is estimated to hold over 130,000 people alone. The gravity[64] of these findings are intensified further by the fact that China has been utilising its political leverage to deport Uyghurs from partner countries such as Pakistan.

In November 2019, the New York Times published more than 400 pages of leaked internal Chinese documents providing an unprecedented inside look at the crackdown on ethnic minorities in the Xinjiang region. The documents revealed how the demands of top officials, including President Xi Jinping, led to the creation of the indoctrination camps. The leaks also showed that Chinese officials acknowledged that their policies had separated parents from children on an enormous scale.

The camps use 'ideological and manner education' as a means of social engineering and indoctrination. Detainees lives an extremely regimented routine and are constantly scrutinised for their performance in Mandarin and ideology tests – all scores of which are fed into a computerised point system. Detainees who score well can be rewarded with an 'early graduation' or family visits whilst those who perform poorly may have their detentions elongated3. Once people have undergone intensive ideological training, they are often forced to sign work contracts with low pay4. Detainees are also subject to abuse. Survivors of these 're-education camps' have spoken of 'gang-rape, torture and enforced medical experiments'[65].

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57 Richardson, S., & Williamson, H. (2017, May 12). China: One Belt, One Road, Lots of Obligations. Human Rights Watch.

58 Clarke, M. (2019, July 11). Urumqi 2019 and the Road to Xinjiang Re-education Centres. The Diplomat. https://thediplomat.com/2019/07/urumqi-2009-and-the-road-to-xinjiang-re-education-centers/

59 Ibid

60 Hikivision market. Uighur Ethnicity Analytics, now covers up. https://ipvm.com/reports/hikvision-uyghur

61 Secret papers reveal workings of China's Xinjiang detention camps (2019). https://www.aljazeera.com/news/2019/11/secret-papers-reveal-workings-chinas-xinjiang-detention-camps-191125004212642.html

62 Hikivision market. Uighur Ethnicity Analytics, now covers up. https://ipvm.com/reports/hikvision-uyghur

63 Clarke, M. (2019, July 11). Urumqi 2019 and the Road to Xinjiang Re-education Centres. The Diplomat. https://thediplomat.com/2019/07/urumqi-2009-and-the-road-to-xinjiang-re-education-centers/

64 Ibid

65 Prisoners in China's Xinjiang concentration camps subjected to gang rape and medical experiments, former detainee says. (2019). Independent. https://www.independent.co.uk/news/world/asia/china-xinjiang-uighur-muslim-detention-camps-xi-jinping-persecution-a9165896.html

Forced Demographic Change

For several decades, the Chinese government has driven a large resettlement campaign of Han Chinese in traditionally Uyghur-inhabited areas, leading to drastic demographic changes[66]. From 1953 to 1990, the Han Chinese population increased from 0.3 to 5.7 million[67], growing to a further 8.8 million by the time of the 2010 census[68]. Overall, during CCP rule, the proportional number of Uyghurs in Xinjiang has shrunk from 75% to 45%[69]. Under a new demographic fabric, improving the economic situation in Xinjiang is yet another way to encourage the assimilation of the Uyghurs.

However, economic 'modernisation' is merely synonymous with increased exclusion for the Uyghur population in Xinjiang. Not only does the increased Han population completely out compete the Uyghurs when it comes to jobs, usually due to the fact that the jobs themselves are geared towards the culture of Han migrants, but the very existence of a Han (now majority) radically undermines the Uyghur's political infrastructure and can be construed as a form of quasi-gerrymandering in the area.

Any 'development' initiatives which exist in the area are extremely top-down in nature[70] and due to the aforementioned undermining of any Uyghur authority, Uyghurs are completely frozen-out of their operation. A prime example of this is the case of the China-Eurasian Expo. In 2010, officials announced that the Urumqi Foreign Relations and Trade Fair, which began in 1992, would be relaunched as the China-Eurasian Expo. At the China-Eurasian expo of September 2016, several attendees, including foreign dignitaries, diplomats and ministers, were in attendance. Overseas observers at the Expo noted how Uyghur participation have been severely limited to cultural performance rather than being key players in trade, negotiations, policy-making[71].

This usurping of Uyghur's political and economic autonomy results in a general sense of displacement, even when Uyghurs are not physically removed. The UHRP describes this feeling as 'in situ' displacement[72]. The environment of Xinjiang is transforming in rapid ways which do not respect the ancient and unique culture of the Uyghurs. This can be specifically observed in the destruction of ancient cities such as Kashgar, and can result in feelings of 'internalised oppression' where everything in the surrounding environment points to the fact that Uyghurs are no longer welcome in their own home[73].

Cultural Genocide

Beyond the mass detention centres, the treatment of Uighurs by the government brings fears of cultural genocide[74]. Uyghurs arbitrarily detained in the large network of camps are forced to renounce their cultural and religious identity. Uighurs have been held for having a beard or a Muslim name. Moreover, satellite images have showed how Chinese authorities have bulldozed hundreds, possibly thousands of mosques as part of the crackdown campaign on Islam, representing the harshest campaign against faith since the end of the Cultural Revolution, when so-called Red Guards unleashed by Mao Zedong destroyed Muslim religious centres across the country[75].

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66 Bovingdon, G. (2010). The Uyghurs: Strangers in Their Own Land. New York: Columbia University Press.
67 Ibid
68 Xinjiang Autonomous Region Statistical Bureau. (2013). Statistical Yearbook of Xinjiang 2013: Urumqi. China Statistical Publishing Horse.
69 Topps, S. (2004). The Demography of Xinjiang. In S. Starr, Xinjiang: China's Muslim Borderland. New York: M.E. Sharpe.
70 Chan, M. (2011, September 16). Reporting from the far West. Al Jazeera.
71 Ibid
72 Uyghur Human Rights Project. (2017). End of the Road: One Belt, One Road and the Cumulative Economic Marginalisation of the Uyghurs.
73 Ibid
74 'Think of your family': China threatens European citizens over Xinjiang protests. (2019). The Guardian. https://www.theguardian.com/world/2019/oct/17/think-of-your-family-china-threatens-european-citizens-over-xinjiang-protests
75 A Crackdown on Islam Is Spreading Across China. NY Times. https://www.nytimes.com/2019/09/21/world/asia/china-islam-crackdown.html

Intimidation of Uighurs Abroad

The mistreatment of Uyghurs does not stop at the border. Worldwide, Chinese officials are increasingly intimidating and threatening Uighurs in the Diaspora. In Europe, Uyghurs engaged in human rights activities have been told by Chinese officials to 'think of their families' before criticising Beijing publicly[76]. Officials threaten harsh consequences for family members still residing in Xinjiang as well as withholding crucial documents from Chinese embassies and denying visas. Incentive schemes are also in place to encourage compliance with Beijing. These include cash rewards, promises of visas or better treatment for family members if individuals share valuable information.

International Response

In 2018, the United Nations Committee on the Elimination of Racial Discrimination described the provinces as a 'no rights zone' and raised concerns about the 'numerous credible reports' of mass internments of Uighurs and other Muslims. The following month, Michelle Bachelet, the UN High Commissioner for Human Rights, called for investigations into the 'deeply disturbing' allegations against the Chinese government and requested that China acquiesce and support these investigations. An unprecedented 22 countries at the UN issued a joint statement urging China to end its mass arbitrary detention of Uighurs[77].

Some European politicians have been vocal in condemning Chinese officials threatening people in Germany, such as the Member of Bundestag Margarete Bause, who has repeatedly called out human rights abuses in China. In retaliation, Ms Bause had her visa to China for a parliamentary visit later denied by Beijing[78].

The United States has been particularly vocal on the issue and has enacted economic sanctions on China. On 7 October 2019, the U.S. Department of Commerce added 28 Chinese governmental and commercial organisations to the 'Entity List for engaging in or enabling activities contrary to the foreign policy interests of the US'[79]. All exports of items subject to the Export Administration Regulations (EAR) and which have been implicated in Chinese human rights violations against Uighurs have had considerable constraints placed upon them. Additionally, the US Senator Marco Rubio passed the Uyghur Human Rights Policy Act of 2019 in January 2019[80].

The policy forces the government to provide information to protect US citizens and lawful permanent residents (LPR, including Uyghurs) from Chinese government harassment and intimidation whilst on US soil. It also asks that the CEO of the United States Agency for Global Media should submit a report to congressional committees which described the current situation.

In response to international criticism, the Chinese government argues that its domestic affairs and that any foreign intervention compromises sovereignty and the government's right to self-determination as enshrined in the UN's charter[81].

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[76] Think of your family': China threatens European citizens over Xinjiang protests. (2019). The Guardian. https://www.theguardian.com/world/2019/oct/17/think-of-your-family-china-threatens-european-citizens-over-xinjiang-protests

[77] HRW. (2019) Letter to UN. https://www.hrw.org/sites/default/files/supporting_resources/190708_joint_statement_xinjiang.pdf

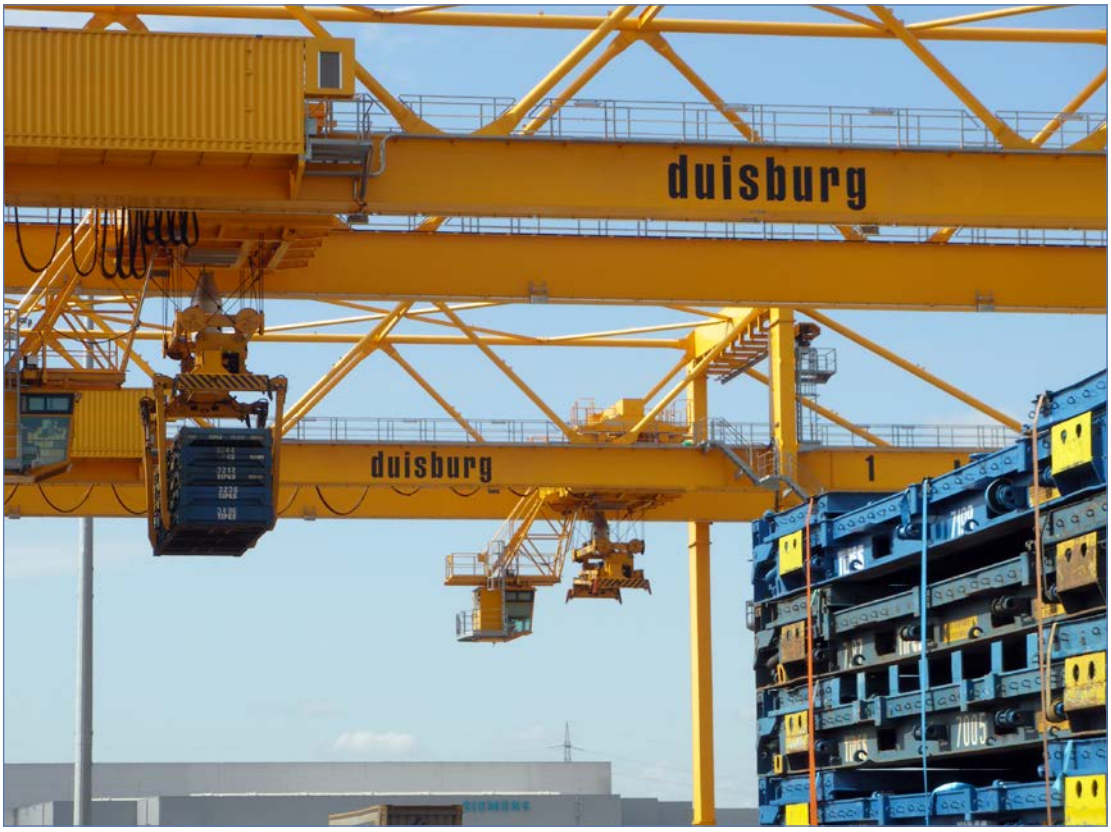
[78] Lau, S. (2019) China denies visas to German lawmakers over their human rights criticism. SMCP. https://www.scmp.com/news/china/diplomacy/article/3023683/china-denies-visas-german-lawmakers-over-their-human-rights

[79] U.S. Department of Commerce Adds 28 Chinese Organizations to its Entity List (2019). https://www.commerce.gov/news/press-releases/2019/10/us-department-commerce-adds-28-chinese-organizations-its-entity-list

[80] Uighur Human Rights Policy Act of 2019 (2019) https://www.rubio.senate.gov/public/index.cfm/2019/1/rubio-menendez-colleagues-introduce-legislation-in-response-to-china-s-human-rights-abuses-of-uyghurs

[81] US, Germany infuriate China by slamming its treatment of Muslim (2019). SCMP. https://www.smh.com.au/world/asia/us-germany-infuriate-china-by-slamming-its-treatment-of-muslims-20190703-p523qi.html

Duisburg Containers – portal-cranes, trains and other vehicles of transportation in Duisport.



Igor_Ps/shutterstock

III. BRI REACHES THE WEST: DUISBURG AS CHINA'S GATEWAY TO EUROPE

The Development of the Duisburg Rail Port

Germany is involved in five railway projects under BRI, linking five of its cities with Chinese centres: Leipzig-Shenyang, Hamburg-Zhengzhou, Hamburg-Harbin, Nuremberg-Chengdu and Duisburg-Chongqing, located in North Rhine-Westphalia (NRW), the most populous and economically prosperous region of Germany's 16 federal states[82]. The NRW region is also the home of the country's Foreign Direct Investment (FDI), accounting for 16% of all Germany-origin exports and over 22% of the country's total imports. Most importantly, Duisburg is home to Duisport, the world's largest inland port. Due to its convenient location, transport links and new investment models that combine logistic operations with manufacturing[83], Duisport has recently attracted international businesses, especially Chinese companies.

Duisburg was once a prospering steel and mining industry, but struggled with a sharp industrial decline in the mid-1960s, which yielded mass unemployment and migration[84]. Following decades of relatively low activity, its fate started to change when it became the first European stop on the Chongqing-Xinjiang-Europe Railway. In this context, the port has received generous Chinese investments, fuelling Duisburg's recent resurgence.

82 Germany: Duisburg – new logistics alternative for Eurasian trade (2019). https://beltandroad.hktdc.com/en/insights/germany-duisburg-new-logistics-alternative-eurasian-trade

83 Ibid

84 The city continues to have an unemployment rate of 12% which is four times higher than the German average.

Since then, China has become the port's primary trading partner, with Chinese companies doubling to 100 in the last five years and the Chinese developer, Stahair planning to build a US$260 million 'China Trade Centre Europe' in one of the business parks.

The increased business with China has acted as a catalyst for other investors such as Kuehne & Nagel, an international transport and logistics company that recently established its biggest European hub in Duisburg[85]. As a result, Duisport is quickly becoming Europe's central logistics hub[86].

Current Limitations for Duisport

Although 80% of Chinese trains now make Duisburg their first stop on the continent, the port still far from its full capacity. Currently, only half the trains that return to China carry goods. Due to the food safety scandal in 2008[87], the main Germany product being exported back is powdered milk. Moreover, the port only earns 20% of the fee from empty containers that have returned to China[88]. Another challenge remains transit time across Europe being longer than across Asia, owing to the heavily unionised rail companies. Trains take on average 6 days to travel the 1,300km (800 miles) from Brest on the Polish-Belarusian border to Duisburg, while the 10,000km from Chongqing to Belarus is often completed in 5.5 days[89].

Growing Chinese Influence in Germany

China's primacy in Duisburg's economy mirrors nationwide economic patterns: China is Germany's largest trading partner, superseding the United States since 2017. Likewise, Germany is China's fourth-largest trade partner and its largest technology exporter. Owing to the US' increasing protectionist stance and UK's uncertain Brexit plan, China emerges as more attractive trading partner for Germany. In a survey of 2000 German companies by Commerzebank, China was ranked as a higher quality trading partner than both the UK and the US'.

As both economies become more integrated, some have raised concerns that Germany will become less prone to vocalise criticism towards China. These fears are not unfolded; after Norway awarded Liu Xiaobo – a Chinese human rights activist – the Nobel Peace Prize in 2010, China suspended all bilateral diplomatic and trade relations. Consequently, Norway's almost monopolistic share of salmon exports to China plummeted from 92% to 29% between 2010-2013[90]. The Chinese government views criticism of their regime as a 'gross interference in China's internal affairs and as deliberate provocation'[91] and therefore tends to respond forcefully through a range of political and economic sanctions.

Beijing has also invested in soft power to increase their favourability amongst the German population. There are currently 18 Confucius Institutes in Germany, institutions supposedly aimed at fostering cultural and academic exchange but whose real objectives point to yet another instrument of China to expand its political influence abroad[92]. This is in line with China's Cultural System Reform, launched in 2012, which focuses on culture building to foster

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85 Germany's 'China City': how Duisburg became Xi Jinping's gateway to Europe (2019). The Guardian. https://www.theguardian.com/cities/2018/aug/01/germanys-china-city-duisburg-became-xi-jinping-gateway-europe

86 Chazan, G. World's biggest inland port puts German rustbelt on China's map. (2019). Financial Times. https://www.ft.com/content/58909b2e-56c0-11e9-91f9-b6515a54c5b1

87 Ibid

88 Germany's 'China City': how Duisburg became Xi Jinping's gateway to Europe (2019). The Guardian. https://www.theguardian.com/cities/2018/aug/01/germanys-china-city-duisburg-became-xi-jinping-gateway-europe

89 Ibid

90 German firms find US less reliable than China as trading partner after getting caught between Trump and a hard place to do business (2019). SCMP. https://www.scmp.com/business/banking-finance/article/3012302/caught-between-trump-and-hard-place-do-business-german

91 The EU, China, and human rights in Xinjiang: Time for a new approach. (2019) ECFR. https://www.ecfr.eu/article/commentary_the_eu_china_and_human_rights_in_xinjiang_time_for_a_new_approac#

92 Paradise, J. F. (2009). China and International Harmony: The Role of Confucius Institutes in Bolstering Beijing's Soft Power. Asian Survey , 49(4), 647-669.

Chinese shipping containers in the port of Hamburg, Germany.

Hieronymus Ukke/shutterstock

its interests. The local Duisburg-Essen University houses a Confucius Institute and attracts the largest number of Chinese students in Germany, most of whom study engineering and economic sciences. However, despite the Chinese government's efforts to use soft power[93] to increase their favourability among the German population, only 28%[94] of the German population hold a positive view of China. This reveals the limitations of Beijing's public diplomacy efforts.

German Response

Germany's response to China's growing economic influence has been diverse and contentious as China is both an important trade partner and foreign systemic competitor. In recent years, China has shifted away from purely low-value production and towards high-tech manufacturing. This is driven by the Chinese governments Made in China 2025 industrial policy initiative[95] that aims to develop the Chinese economy away from low value-added manufacturing which has created direct competition for Germany's high-value manufacturing sector, especially in the car industry.

In response, Germany has developed the Industry 4.0 Initiative[96] which aims to improve the country's capability in highly skilled areas such as artificial intelligence. However, some call for a more direct approach to Chinese competition. The country often fails to reciprocate open access to markets as well as it has been accused of intellectual property infringement and to offer unfair state-aid to firms.

93 Nye, J. J. (2004). Soft Power: The Means to Success in World Politics. New York: Public Affairs.

94 Pew Research Global Attitudes Project (2013) https://www.pewresearch.org/global/2013/07/18/chapter-3-attitudes-toward-china/.

95 Germany urged to stand up to China. (2019). Chatham House. https://www.chathamhouse.org/publications/twt/germany-urged-stand-china

96 Implementation of an Industry 4.0 Strategy – The German Plattform Industrie 4.0 (2019). EC. https://ec.europa.eu/digital-single-market/en/blog/implementation-industry-40-strategy-german-plattform-industrie-40

In April 2019, in the context of the EU-China summit, Europe fundamentally rethought its China policies in convergence with the US approach. Originally, the EU resisted modest changes to strengthen its trade defence instruments which scrutinise Chinese investment. However, in light of growing difficulties, European leaders have adopted adopt a new strategy that describes China as an "economic competitor in the pursuit of technological leadership, and a systemic rival promoting alternative models of governance"[97]. This may mark an end to the period of asymmetric openness to China.

The German position on this varies. A more aggressive approach is exemplified by Bundesverband der Deutschen Industrie (BDI), the leading organization of German industry and industry-related businesses, who published a strategy paper[98] urging the German government and the EU Commission to develop more effective economic instruments against foreign competitors, especially China. It argues that only when China conducts credible economic reforms that properly opens its markets to foreign investors should these control instruments be slackened. Furthermore, the paper argues that the 'contest of economic systems' with Beijing's 'state capitalism' requires more long-term strategic planning which may include a more proactive use of EU subsidy laws.

Germany's Ministry of Economics adopted many of the BDI's policy proposals in their draft of the National Industry Strategy 2030. The draft policy paper includes provisions such as: "an overhaul of European competition law to facilitate company mergers when a larger company could better compete in the global market; encouraging German and European companies to take over key technology companies up for purchase; and allowing the government to partially and temporarily nationalize such a company in "exceptional situations," in order to avoid takeovers by foreign investors and the loss of the firms' know-how overseas"[99].

This new industrial strategy aims to facilitate German prosperity in a competitive world that is increasingly divided into three major economic blocs – Europe, Asia and the US. In this context, Germany risks being demoted to passive observer status and not gaining from greater globalisation. In another effect to tighten the reins on Chinese investors, in 2018, the German government agreed to impose stricter rules on non-EU investors in 'security relevant' German companies'[100]. The share threshold at which governments are authorised to intervene in corporate investments was lowered from 25% to 10%[101]. It has been suggested that China is the primary target of this measure.

Alternatively, many German business representatives have criticised this approach and advocate for a more cautious tone especially considering the importance of China as a trading partner. Smaller German companies especially are keen to keep relations positive and only call for further market access. Owing to recent economic weakness and a looming German economic downturn, it is likely that German politicians and businesses will be hesitant to antagonise one of their major markets. This is exacerbated by the trade war between the US and China, which Germany is caught between[102]. This may explain Germany's softening stance over the course of 2019: as the German economy decelerates, its criticisms of China quieten.

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97 Why Europe is getting touch on China (2019). Foreign Affairs. https://www.foreignaffairs.com/articles/china/2019-04-03/why-europe-getting-tough-china

98 BDI: China -Partner and Systemic Competitor. How do we deal with China's State-controlled economy? (2019) https://english.bdi.eu/publication/news/china-partner-and-systemic-competitor/

99 Ibid

100 Are the Gloves Coming Off in China-Germany Economic Relations? (2019). The Diplomat https://thediplomat.com/2019/05/are-the-gloves-coming-off-in-china-germany-economic-relations/

101 Ibid

102 Germany urged to stand up to China (2019). Chatham House. https://www.chathamhouse.org/publications/twt/germany-urged-stand-china

Duplicity in German's Foreign Policy Towards China

Germany's behaviour towards China has been contradictory. On one hand, Angela Merkel's administration has rarely voiced concerns about the potential national security risks posed by Chinese companies, with the most notable example being the recent Huawei scandal[103]. Merkel not only rejected US demands to restrict the company's operations in Germany, but also did not demand a thorough assessment of the influence and pervasiveness of Chinese companies in Germany.

Furthermore, the Chancellor failed to attend the requests of US diplomats to raise human rights issues with China, such as the treatment of its ethnic minorities and the three months of pro-democracy demonstrations in Hong Kong. In a state visit to China in early 2019, Merkel brought along a delegation of business leaders and avoided any reference to politically sensitive subjects[104].

The pro-democracy protests in Hong Kong have also sparked tensions in the relations between the countries[105]. While Merkel has loosely supported the protests in calling for the 'one country, two systems' principle to be respected, she has also condemned the aggressive strategies of many protesters and instead called for 'dialogue'. Accusations of Germany's complicity with the excessive use of force in Hong Kong have also surfaced. Revelations that water cannons manufactured in Germany have been used by the Hong Kong police to suppress peaceful protests have led activist Joshua Wong to call Germany to stop the export of riot control weapons and equipment[106].

In November 2019, German newspaper Bild reported that 11 Chinese soldiers are to receive training on logistics and press and public relations by the Germany military in 2020[107]. The information led Green party politicians and human rights activists to demand the German defence ministry to cease the training programme immediately.

On the other hand, Germany has taken a stand in some opportunities. German Foreign Minister Heiko Maas has called for greater transparency in Xinjiang when on a visit to Beijing[108]. He stressed that Germany 'cannot accept re-education camps' but failed to clearly elucidate their demands on the Chinese government to increase access. At the UN level, Germany has joined the US during a closed-door United Nations Security Council meeting to slam China for detaining more than one million ethnic Uighurs and other Muslims, accusing Beijing of depriving them of their rights[109].

Germany is also supporting Uyghurs through the Federal Office for Migration and Refugees, which is now reconsidering rejected asylum applications from Xinjiang. Recently, Germany stopped deporting Uyghurs and members of other Muslim minorities to China, following an Interior Ministry response to a Green party information request[110].

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103 Germany nears recession and Chinese factories slow in Trade Way Fallout (2019). NY TImes. https://www.nytimes.com/2019/08/14/business/german-economy.html

104 Germany urged to stand up to China (2019). Chatham House. https://www.chathamhouse.org/publications/twt/germany-urged-stand-china

105 China angered after German foreign minister meets Hong Kong activist Joshua Wong (2019) Channel News Asia. https://www.channelnewsasia.com/news/asia/hong-kong-protests-joshua-wong-china-germany-meeting-11890852

106 Hong Kong activist to Germany: stop selling riot control kit to city. (2019). The Guardian. https://www.theguardian.com/world/2019/sep/11/hong-kong-activist-to-germany-stop-selling-riot-control-kit-to-city

107 Germany should stop aiding Chinese military, Amnesty warns (2019). DW. https://www.dw.com/en/germany-should-stop-aiding-chinese-military-amnesty-warns/a-51283225?maca=en-Twitter-sharing

108 German Foreign Minister Heiko Maas calls for China transparency over Uighur Muslims. (2018). DW. https://www.dw.com/en/german-foreign-minister-heiko-maas-calls-for-china-transparency-over-uighur-muslims/a-46257300

109 Nichols, M. US, Germany infuriate China by slamming its treatment of Muslims (2019). SMH. https://www.smh.com.au/world/asia/us-germany-infuriate-china-by-slamming-its-treatment-of-muslims-20190703-p523qi.html

110 Germany halts Uighur deportations to China (2019). UHRP https://uhrp.org/news/germany-halts-uighur-deportations-china

IV. THE BELT AND ROAD INITIATIVE: ADVANCING TRADE, HINDERING MINORITY RIGHTS

The Sinicization of International Relations

Experts have observed that through the BRI initiative, China is attempting to oversee the 'sinicization' of international relations[111]. Spearheaded by President Xi, BRI is part of his new 'Chinese Dream', which aims at 'pressing ahead with indomitable will' to foster the great rebirth of the Chinese nation and to reassert Chinese power on the global stage[112]. One key element of this dream is the establishment of a new system of global 'norms' in relation to production, of which is set to directly challenge the 'Western-led Bretton Woods' system of international monetary order[113]. Enveloped in this new system is Beijing's alternative system for conflict and dispute resolution. As part of BRI, a Chinese judicial mechanism for dispute resolution has been established and each country joining the system will be asked to accept Beijing's suggestion for international legal legislation.

Moreover, China could be using development projects to increase the popularity of its policies abroad. Specifically targeting many of the 'pariah states' of the Middle-Eastern Islamic sphere, whose historical relations with the West have been troubled, China is hoping to grow a new sphere of influence within its southern neighbours and, by proxy, set into motion the process of normalising some of its policies[114].

China's Manipulation of the United Nations

Despite China being continually singled out for reprisals against human rights defenders, it has huge influence over how the United Nations responds to these accusations. Recently, Beijing successfully advanced a UN Human Rights Council (HRC) resolution on a retrograde approach to human rights accusations that it calls "win-win" or "mutually beneficial" cooperation[115]. This resolution stipulates that states merely have to engage in 'dialogue' rather than pursue accountability for serious human rights violations. Likewise, it has made redundant the role for independent civil society and largely reduced the UN's role in dealing with rights violations – thus further empowering authoritarian governments.

In parallel to its efforts to weaken the UN's ability to condemn and mitigate human rights violations, Beijing has also strategically placed considerable resources in presenting itself as a more dynamic and effective alternative to the US leadership in the UN. The Chinese Communist Party (CCP) has positioned officials in several of the UN's specialised agencies, while the US only leads one. Furthermore, it has used this influence to advance more than 24 memorandums of understandings in support of BRI. Their rising influence weakens the power of the UN.

The Chinese government has also mobilised a consortium of illiberal states to inhibit international criticism of its repression. The Belarus UN ambassador, Valentin Rybako, praised Beijing's respect and protection of rights whilst dealing with counterterrorism and

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111 O. Wolf, S. (2020). The China-Pakistan Economic Corridor of the Belt and Road Initiative: Concept, Context and Assessment. Springer International Publishing .

112 Ibid

113 Ghiasy, R., & Zhou, J. (2017). The Silk Road Economic Belt: considering security implications and EU-China co-operation prospects. Stockholm: Stockholm International Peace Research Institute.

114 Ibid

115 Richardson, S. As China's Grip Tightens, Global Institutions Gasp. Limiting Beijing's Influence Over Accountability and Justice. (2019). HRW. https://www.hrw.org/world-report/2019/essay/chinas-grip-tightens-global-institutions-gasp

deradicalization in Xinjiang during an address to the UN committee[116]. He spoke on behalf of 54 other nations including Pakistan, Russia, Egypt, Bolivia, Democratic Republic of Congo and Serbia[117].

Besides isolated calls of concern from independent experts, the United Nations Secretary-General Antonio Guterres has so far failed to publicly and unequivocally condemn the Chinese government's abusive policies.

China as an Exporter of Human Rights Violations

Given the diversified nature of the Chinese economy and the high volume of trade between China and the rest of the world, the country has become, by extension, an exporter of human rights violations. In the framework of the United Nations Guiding Principles on Business and Human Rights, private companies, institutions and national governments should identify, prevent, mitigate and account for how they address their adverse human rights impacts.

From Balochistan, where the local population have long endured structural under-development and systematic persecution, to Urumqi, where constructions for the land port runs in parallel with the mass internment of Uyghurs, the Chinese model of developments and investments under BRI's framework is directly exacerbating the plight of unrepresented peoples. Through surveillance, militarization, political exclusion, arbitrary detentions and land grabbing, BRI is fuelling cultural assimilation, profound demographic changes and the denying fundamental rights to peoples.

However, international response has been timid and ineffective. As investments and economic interdependence grows, Chinese political leverage often buys the silence of UN member states and neutralizes opposition. Muslim countries, many of which are deeply indebted to China through its BRI lending programmes, have failed to condemn Beijing's appalling criminalization of Islam. On the contrary, the Organisation of Islamic Cooperation[118] passed a resolution in March 2019 commending "the efforts of the People's Republic of China in providing care to its Muslim citizens."

Germany, one of the bastions of Europe's commitment to the rule of law and human rights, faces growing pressure to clarify its position towards China. In this regard, Berlin has so far conveyed contradictory signals meanwhile it opens its ports for Chinese economy to thrive in its territory.

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[116] The EU, China, and human rights in Xinjiang: Time for a new approach (2019). ECFR. https://www.ecfr.eu/article/commentary_the_eu_china_and_human_rights_in_xinjiang_time_for_a_new_approac#

[117] Cumming-Bruce,C. More than 35 countries defend China over mass detention of Uighur Muslims in UN letter (2019). Independent. https://www.independent.co.uk/news/world/asia/china-mass-detentions-uighur-muslims-un-letter-human-rights-a9003281.html

[118] https://www.independent.co.uk/news/world/asia/china-mass-detentions-uighur-muslims-un-letter-human-rights-a9003281.html

V. RECOMMENDATIONS

To the Government of Germany:

- **Impose economic sanctions on governmental and commercial organisations implicated in China's human rights violations and abuses:** Germany should follow the US government's example and enact economic sanctions on all exports of items which have been implicated in Chinese human rights violations against Uighurs and other minorities. This should include blocking technology companies that enable human rights abuses;
- **Urge companies engaged with BRI-related developments to promote human rights due diligence**: in the framework of the UN Guiding Principles on Business and Human Rights, the German government shold provide effective guidance to German business enterprises on how to assess actual and potential human rights impacts related to BRI;
- **Cease training programmes to Chinese military: Germany should immediately cease its practice of proving Chinese soldiers with military training;**
- I**mpose targeted sanctions on Chinese Officials involved in violations:** Following the US Global Magnitsky Act, Germany should enact the freeze of assets and deny visas to Xinjiang officials; as well as to any other Party official implicated with rights abuses.

To the European Union:

- **Coordinated Asylum Policy:** European governments should coordinate asylum policy across all EU member states by recognising the threat of persecution in Xinjiang and Balochistan;
- **Temporarily withdrawal of GSP+ trade preferences to Pakistan:** in light of potential crimes against humanity committed in Balochistan by the Pakistani authorities, the EU should exercise its leverage through the GSP+ tool and demand Pakistan to immediately cease its systematic persecution of the Baloch people and to hold perpetrators accountable;
- **Requirement of European Union consent**: with China increasingly bypassing the EU's key institutions by seeking to negotiate with individual EU member states, the EU should have the right to veto future Chinese deals.

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