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## China's Moral Discourse on Human Rights in Xinjiang

**In light of growing international pressure regarding human rights abuses in Xinjiang, will  
China's counter-discourse endure?**



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## China's Moral Discourse on Human Rights in Xinjiang

### Introduction

The Xinjiang Uyghur Autonomous Region, hereinafter Xinjiang, is the largest Chinese province and home to the Uyghur ethnic minority. Situated in the north-west of China, the region is of utmost strategic importance to Beijing due to its borders neighbouring eight countries, its vast reserves of natural resources, and its historical location on the ancient Silk Road (Rogers, 2020, pp. 136-138). Since the Chinese Communist Party (CCP) got hold of Xinjiang in 1949, the local Turkic population was consistently subject to cultural and religious erasure. Such measures included the mass migration of Han Chinese to the region (Rakhima & Satyawati, 2019, p. 1), as well as “Strike Hard” policies sanctioning the use of torture and arbitrary detention to crackdown on alleged terrorist threats and local separatism (Rogers, 2020, p. 137).

In the past, whenever the international community pressured China on the situation of Uyghurs, Beijing used counter-arguments citing national sovereignty, cultural relativism, and security against terrorism to silence criticism (Rogers & Sidhu, 2016, pp. 129-131). Since 2017, however, China's internment campaign of Uyghurs in re-education camps has brought unprecedented attention to the human rights situation in Xinjiang (Szadziewski, 2020, pp. 211-212). Satellite imagery, leaked documents, and reports by human rights groups revealed that China is committing crimes against humanity in its self-proclaimed vocational education and training centres (HRW, 2021b, p. 1). Western states went as far as accusing China of committing genocide (BBC, 2021, para. 16). In 2021, the US, UK, EU, and Canada launched a coordinated pressure campaign and sanctioned China for the first time in thirty years over its treatment of Uyghurs (Wintour, 2021, para. 2).

Considering the unparalleled attention for human rights conditions in Xinjiang, whether China will maintain its previous moral discourse is uncertain. Thus, this thesis aims to offer an updated account of Beijing's approach to international normative standards and pressure stemming from them. Hence the research question: *In light of mounting international pressure regarding human rights abuses in Xinjiang, will China's counter-discourse endure?* Answering this enquiry will reveal China's identity as a norm challenger and entrepreneur within the international human rights regime. It constitutes a central aspect of China's emerging great power status.

Moral discourse entails exchanging information regarding norms and their validity (Risse & Sikkink, 1999, p. 13). The arguments a state makes about a particular norm ultimately constitute its identity. Therefore, this thesis will employ constructivism and the spiral model of norm

socialisation to analyse whether China's arguments about sovereignty and national security will shield it from international pressure regarding Xinjiang. The general expectation is that Beijing will maintain its tried and tested counter-discourse while adjusting it to face current international outrage. The study will conduct a content analysis of China's white papers and declarations during its latest Universal Periodic Review (UPR). The assessment will focus on China's attempts to deny, contest, and reframe international criticism and the issue of human rights in Xinjiang. The thesis will conclude by answering the research question, weighing its contribution to existing knowledge, and offering indications for further study.

## **Literature review**

### *China's socialisation to international human rights norms*

Existing literature has broadly researched China's relationship with the international human rights regime in terms of its socialisation to the liberal human rights norms. Political scientists analysed whether and how China internalised these norms into domestic practice by changing its understanding of appropriate behaviour and its identity, interests, and actions (Risse & Sikkink, 1999, pp. 5, 11). Ikenberry (2008) was the most optimistic about the prospects of the Western order to socialise norm-violating states. He contended that the system was "so expansive and so institutionalised" that China would inevitably become a full-fledged member (p. 37). At the other end, Wan (2001) argued that Beijing applies traditional power politics rather than socialisation in its approach to human rights (p. 126). Tactical learning, the author explained, enables Chinese leadership to avert Western normative pressures (p. 2).

Although some scholars convincingly revealed China's socialisation to international arms control and disarmament conventions through its participation in multilateral security institutions (Johnston, 2014), no voice could argue for China's complete socialisation to international human rights standards. Foot (2000) came the closest to such a positive assessment in explaining that international normative criticism determined China's enmeshment into the human rights regime (p. 273). Similarly, Kent (1999) showed that China has socialised according to international human rights norms even though it conducted parallel operations to reshape them (p. 242). Ahl (2015) concluded that China can internalise international human rights standards, but only in areas where rights are subordinate to the power of the party-state (p. 644). However, the bulk of the literature on the topic detailed the serious challenge China poses to the international human rights mechanisms and its low prospects of socialisation in that regard.

Wachman (2001) concluded that shaming by the international community as a mechanism of socialisation was futile and even counterproductive when applied to China (p. 276). It caused Beijing to play the nationalism card with little chances of enduring change in its human rights record (pp. 257, 276). Other voices argued for China's instrumental approach to human rights, where it seeks the fulfilment of its state interests and subordinates its normative diplomacy to foreign policy goals (Inboden & Chen, 2012; Zhu, 2011). Fleay (2006) identified the causes of China's limited socialisation to be its "dominant identity as a great power", its highly centralised and authoritative domestic structure, and its ability to influence the enforcement of international norms (pp. 54-55). China's rising economic and political leverage on the world stage, as well as the absence of a Western concept of civil society pushing for democratisation within China (Deklerck, 2003, p. 93), means it can resist socialisation according to international human rights standards for a long time.

Another subset of literature focused on China's international norm entrepreneurship to explain its limited socialisation. Fleay (2006) argued that the limitation of previous research lies with its inability to recognise that there is a constitutive relationship between China and international human rights norms (pp. 55-57). Differently put, China can promote alternative views of international human rights standards and forward counter-criticism to external normative pressure. In her study of China's human rights statements at the UN, Kinzelbach (2012) revealed that China consistently contests human rights implications, although it accepts the norms themselves (p. 331). China's attempts to redefine human rights prevent national implementation and erode the existing normative order (p. 303). In a later publication, Kinzelbach (2013) concluded that China employs nationalism and sovereignty as counter-discourses, and international compliance mechanisms display limited effectiveness in its case (pp. 172-179). Zhang and Buzan (2015) showcase Chinese efforts to "internalise politics of contestation within the institutions of global human rights governance by shifting the centre of gravity of both the normative debate and the practical application of human rights" (p. 170). The distorting and disempowering influence of China's discourse on international human rights norms poses the risk of global normative backsliding (Chen, 2019, p. 1214).

It is worth mentioning that the literature largely converges upon the main characteristics of Chinese human rights conceptions (Ahl, 2015; Chen, 2019; Cheng, 2018; Deklerck, 2003; Tao, 2015). Since 2018, Beijing has acquired renewed confidence to advance its normative ideas, labelled "human rights with Chinese characteristics", in defiance of established international standards (Chen, 2019, p. 1209). They include the primacy of the principles of sovereignty and non-

interference, the focus on the right to subsistence which determines a sequencing of rights according to the developmentalist approach, the unity of rights and duties, and the importance of the collective (Deklerck, 2003, pp. 79-82). China also adopts a relativist position towards the implementation of human rights standards, arguing that it depends on specific national conditions (Ahl, 2015, p. 649). Beijing's development-first and statist approach opposes the indivisibility and interdependence of human rights and harms the individual-centred foundation of the international normative regime (Chen, 2019, pp. 1204-1205). However, the Chinese threat to conventional human rights raises widespread concern for its domestic misbehaviours, specifically the repression of Uyghurs in Xinjiang (Chen, 2019, pp. 1220-1221).

### *International norms and human rights in Xinjiang*

China's socialisation to international norms in the case of Xinjiang has also been limited despite the mobilisation of international solidarity groups on several occasions. Rogers & Sidhu (2016) detail how after sustained repression in the region since 1945, the issue of human rights in Xinjiang finally got internationalised during the 1990s (pp. 119-121). Uyghur human rights networks, international non-governmental organisations (INGO), international organisations (IO), and states came together to raise awareness on the issue and advocate for the Uyghurs' religious and cultural rights (pp. 121-129). China responded with its usual tactics, invoking sovereignty to ward off external criticism, citing different cultural standards, and arguing that Uyghur solidarity groups pose a national security threat (pp. 129-131). Rogers (2020) delineated how the CCP's view of human rights as subordinated to and dependent on economic development, and its securitisation of Uyghur activism, led to the dire human rights conditions in Xinjiang after 1978 (pp. 140-146). Moreover, Beijing used the rhetoric of the global war on terror to justify its sustained violent crackdown on Uyghurs in the name of security (pp. 146-148). Ultimately, due to the backlash against Uyghurs' separatism and armed resistance, socialisation failed in Xinjiang (Rogers & Sidhu, 2016, p. 133).

Thus, China uses national security as its main counter-discourse against normative pressure linked to repression in Xinjiang. Greitens et al. (2019) argued that the CCP's approach in Xinjiang, namely its focus on collective detention, re-education, and silencing the diaspora, was determined by heightened perceptions of terrorist threat (p. 11). The authors explained that Uyghur contacts with external jihadist groups in 2014-2016 offer a credible justification for China's violent internal security strategy (p. 28). Most scholars, however, believe China used the terrorism argument strategically to crackdown on Uyghurs' religion and separatism. Rogers (2018) explained how China recognised extremist forces in Xinjiang only after the 9/11 attacks, while political violence in

the province has accompanied the Uyghurs' struggle for independence since the Qing dynasty (pp. 488, 493). In a later writing, Rogers (2020) insisted that China exaggerated its concern with terrorism for political reasons, while most Uyghurs calling for independence upheld secularist principles (pp. 147-148). Clarke (2010) concluded that Beijing used an expansive definition of terrorism to broadly criminalise dissent and create the legal and political background to resist any future challenges to state power (pp. 543, 554). Hayes (2020) highlighted how Xinjiang's central role in realising the China Dream via the Belt and Road Initiative (BRI) caused the increased securitisation in the province (pp. 32, 40). Lastly, Lavička (2021) argued that the policy to eradicate religion had been a staple of Chinese internal politics since the 1980s (p. 62). Hence, Beijing used the unfavourable image of Muslims encouraged by the war on terror to securitise Xinjiang and crackdown on its religious practices (p. 62).

### *Xinjiang and the future of China's socialisation*

Existing literature points to China's limited socialisation to human rights norms. Beijing uses sovereignty, nationalism, and security as counter-discourses against external pressures to improve its human rights record. Since 2018, it has also advanced "human rights with Chinese characteristics" in an attempt to erode the international human rights regime. These developments mean China has no intention of employing liberal normative standards in its treatment of Uyghurs in Xinjiang. A transnational network of human rights advocates has previously assembled in the 1990s and 2009 in light of outbreaks of violence in the province (Rogers & Sidhu, 2016, pp. 120, 132). On those occasions, China used rhetorical counter-arguments, diplomatic and economic threats, and propaganda to silence criticism (Rogers, 2020, pp. 149-151). Since 2017, however, China's internment campaign of Uyghurs in re-education camps has brought unprecedented attention to the human rights situation in Xinjiang (Szadziwski, 2020, pp. 211-212). As the international community launches a new effort to socialise China into the liberal human rights order, new research is needed to assess whether Beijing's discursive tactics are still fit for purpose. Hence, this study asks the question: *In light of mounting international pressure regarding human rights abuses in Xinjiang, will China's counter-discourse endure?*

## **Theoretical framework**

### *Theoretical scope*

The literature review showcased how scholarly opinions vary on whether China will integrate into the liberal international human rights regime or challenge its very core. The assessments based

themselves on different theoretical premises. Ikenberry's (2008) optimist account stemmed from liberal institutionalism, while Wan's (2001) emphasis on China's tactical learning had realist foundations. The rest of the authors used a constructivist perspective to explain China's limited socialisation into the liberal normative system. As this paper's research question is a reinstatement of the latter's scientific efforts applied to a specific region - Xinjiang, in a limited timeframe - since 2017, constructivism as a grand theory serves best to answer it.

Constructivism upholds that ideas and communicative processes, rather than material considerations, shape actors' preferences and political decisions (Risse & Sikkink, 1999, p. 7). States' identities and interests, as well as the international system, are intersubjectively constituted through social interaction and the prevailing global norms (Klotz, 1995, p. 460; Wendt, 1992, p. 398). Concerning international politics, constructivism insists that established norms can socialise norm-violators into changing their behaviour (Kinzelbach, 2012, p. 302). In that regard, Risse and Sikkink's (1999) spiral model of socialisation of international human rights norms into domestic practices is an appropriate medium-range theory for this paper's goals.

The spiral model delineates five phases through which states pass towards their socialisation of international normative standards (Risse & Sikkink, 1999, p. 19). The first phase, repression, occurs when the state abuses human rights and the domestic opposition groups are too weak to resist (p. 22). Hence, they launch boomerang throws to "bypass their state and directly search out international allies to try to bring pressure from outside" (p. 18). Once the norm-violating state is on the international agenda, the second phase unravels - denial. The target state refuses to recognise the validity of international norms and deems the criticism as an illegitimate intervention in its domestic affairs (pp. 22-24). If the external voices are efficient and the target government is vulnerable, phase three - tactical concessions materialises. The state no longer denies the validity of international norms and seeks to make superficial changes to silence criticism (pp. 25-28). Only if the target is pressured from above and from below can the situation evolve to phase four - prescriptive status. States embrace the discourse of human rights when referring to their practices and the institutionalisation of norms into domestic law begins (pp. 29-31). Lastly, phase five is rule-consistent behaviour, where international human rights standards are fully institutionalised, and the rule of law enforces compliance (pp. 31-33).

Several studies have applied the spiral model to China's domestic repression in general (Fleay, 2006; Wachman, 2001) and in Xinjiang in particular (Rogers & Sidhu, 2016). All of them concluded that China is stuck at phase three of the spiral model where it recognises the need to improve its human rights practices but does not demonstrate that human rights norms have gained



prescriptive status in its understanding (Fleay, 2006, p. 53). Moreover, China resists complete socialisation by influencing international human rights norms through counter-criticism and ideological counterattacks (Fleay, 2006, pp. 56, 58).

The original spiral model failed to conceptualise governments' abilities to justify their practices (Jetschke, 2011, p. 8). In their 2013 book, *The Persistent Power of Human Rights: From Commitment to Compliance*, Risse, Ropp, and Sikkink updated the spiral model to include explanations for when states get stuck or experience backlash (Risse & Ropp, 2013, p. 11). The authors recognised the ability of norm-violators to forward counter-discourses and narratives against established human rights norms and their advocates (pp. 15, 21). Jetschke and Liese (2013) explained that convincing justifications or counter-frames reverse the logic of the spiral model (p. 39). Kinzelbach's (2013) research revealed that China's human rights counter-discourse includes its concept of Asian values, the non-interference argument, and calls for state security (pp. 165-168). This normative contestation, combined with sustained repression, prevents the consolidation of human rights groups within China, which blocks its advancement to phase four of the spiral model (p. 172). The refined version of the model, allowing for the conceptualisation of "the interactive construction of the meaning of norms" (Jetschke & Liese, 2013, p. 35), is suited to help answer the research question.

### *Conceptualisation*

This study will analyse whether China's counter-discourse will endure in light of mounting international pressure regarding human rights abuses in Xinjiang. Some concepts need to be clarified to make the purpose of the paper transparent.

Firstly, human rights are the rights inherent to human beings delineated in the Universal Declaration of Human Rights. They are universal, inalienable, indivisible and interdependent (OHCHR, n.d.). The spiral model focused on personal integrity rights (Jetschke & Liese, 2013, p. 28), namely the right to life and the freedom from torture and arbitrary arrest and detention as the core rights that are most likely to be socialised by states (Risse & Sikkink, 1999, p. 2). Similarly, Rakhima & Satyawati (2019) proved that gross human rights violations are underway in Xinjiang political re-education camps, specifically regarding arbitrary detention and torture (p. 9). The centres serve also to erase the culture and religion of Turkic Muslims (HRW, 2021b, p. 25). Thus, this research will also focus on civil and political rights in general, and personal integrity, cultural, and religious rights in particular, when analysing the developments in Xinjiang and China's responses to international criticism.

Secondly, mounting international pressure presupposes the mobilisation of a transnational advocacy network (TAN), IOs, and states in support of a cause. A TAN brings together “relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services” (Risse & Sikkink, 1999, p. 18). It is a crucial element during the first phase of the spiral model when the weak domestic opposition seeks external support for its human rights plight. Concerning Xinjiang, the TAN bringing awareness to the Uyghurs’ repression includes the Uyghur American Association (UAA), the World Uyghur Congress (WUC), Amnesty International (AI), and Human Rights Watch (HRW). Other relevant actors are the Organisation of the Islamic Conference (OIC), UN human rights bodies and states like Turkey and the US (Rogers & Sidhu, 2016, pp. 121-129). Since 2017, reports on detention camps in Xinjiang revealed by satellite imagery have garnered global outrage and even more international support for the Uyghurs’ cause (HRW, 2021a).

Thirdly, this paper will use counter-discourse and counter-frame interchangeably to refer to China’s argumentative endeavours to normatively contest the established liberal human rights standards and shield itself from criticism. Frames are devices states use to “represent segments of reality and to mobilise actors” (Jetschke, 2011, p. 43). They do not necessarily contain the whole reality they are meant to delineate (Butler, 2009, p. 9), thus are artificial constructions serving states’ interests. In response to normative pressure, states can use justifications as effective counter-frames, meaning they accept their “responsibility for a particular act that is labeled as “wrongdoing” but reject the evaluation that the act itself was wrong” (p. 36). Kinzelbach (2013) showcased how Beijing successfully framed human rights issues in terms of nationalist sentiment and sovereignty threats to justify its domestic practices and block the spiral model (pp. 172-179). In the case of Xinjiang, China chiefly uses national security as a counter-discourse to convince the national and international audiences of the necessity of its repressive security strategies (Rogers, 2020, pp. 143-146).

### *Theoretical expectation*

This study will use constructivism, the spiral model, and the constitutive relationship between states and international human rights norms to analyse whether China’s arguments about sovereignty, national security, and calls to nationalism will allow it to resist socialisation and continue its repressive practices. As Beijing was previously successful in doing so, one should expect similar results. Nevertheless, this study believes the recent events in Xinjiang and the international attention they attracted are a watershed moment in the relationship between China and the international

human rights regime. Thus, although it expects China to use its tried and tested counter-discourse tactics, it also forecasts some adaptation to the unprecedented amount of pressure Beijing is facing. But regardless of whether China's discursive practices have changed, this research aims to provide a valuable update on the prospects of human rights progress in Xinjiang.

## **Research design**

### *Case selection*

This research constitutes a case study exploring China's argumentative offensive against international human rights and external calls for compliance. Initially, the spiral model has used case studies to reveal the impact of international norms on states' behaviour (Risse and Sikkink, 1999, p. 2). Later, it focused on powerful regimes and their limited compliance with human rights norms (Risse & Ropp, 2013, p. 23). In that regard, China constitutes "a particularly hard case for the power of human rights to triumph over its opponents" (Kinzelbach, 2013, p. 164). At the same time, China mounts a considerable challenge to the international normative order, posing the risk of "global human rights backsliding" (Chen, 2019, p. 1214). Thus, as China poses both a theoretical and practical challenge, an intensive examination of its counter-discourse is the best research design to complement existing scholarship.

This study also addresses the human rights situation in Xinjiang because it is a matter of global relevance. Several IOs, human rights bodies, and states have accused China of committing genocide and crimes against humanity vis-à-vis the Uyghurs (BBC, 2021). Beijing, however, looks less than convinced by international pressure. It will do whatever it takes to achieve its interests in the province and signal the international community the primacy of sovereignty rules (Rogers, 2018, p. 507). A detailed examination of the Chinese counter-discourse on repression in Xinjiang will reveal the prospects of normative reform and alleviation for millions of suffering Uyghurs.

### *Method of data collection and operationalisation*

This paper will chiefly analyse China's human rights statements as comprised in its white papers and replies to the UPR of the Human Rights Council (HRC). Alternatively, it will also consider secondary sources summarising and interpreting publications and relevant official communications by Chinese officials. The focus will be on China's responses regarding normative pressure on the Xinjiang issue. As this paper will address the latest boomerang throw by the Uyghurs, sources published starting with 2017 will be prioritised.

White papers are official publications about a complex issue that comprise a government's take on the matter. For China, white papers on human rights serve as a propaganda tool to justify violations and promote its normative views to the international community and the domestic audience (Rogers, 2020, p. 152; Deklerck, 2003, p. 72). White papers are definitive of the denial phase of the spiral model, as China uses them to forward competing human rights discourses, most often invoking national sovereignty (Wachman, 2001, p. 267). Since 2017, the State Council Information Office of People's Republic of China (SCIO) published six white papers addressing human rights in Xinjiang.

The UPR is "a peer-based assessment of human rights performance where states give policy recommendations to each other, aiming to improve adherence to shared norms" (Ahl, 2015, pp. 644-645). UPRs are highly political processes hence vulnerable to diplomatic manipulation (Chen, 2019, p. 1198). China, in particular, uses them to promote its normative framings as evidence of its *opinio juris*, ultimately challenging the very foundation of international human rights principles (Ahl, 2015, p. 647). The latest UPR, containing China's national report and its replies to recommendations, took place in 2018.

This research will measure China's counter-discourse regarding how its publications deny, contest, and reframe international criticism and the issue of human rights in Xinjiang. Mentions of sovereignty, national security, and national conditions constitute direct operationalisations. Nevertheless, much of China's counter-narrative is to be observed in the context of its immediate statements and actions. The study will ultimately employ open coding, and the analysis of the data sources will be guided by the author's judgement.

#### *Method of data analysis*

This paper will conduct a qualitative content analysis of the data sources to reveal China's normative counter-discourse and its prospects to succeed against mounting international pressure. It will first emphasise the sources' manifest content as Beijing does not shy away from promoting its understanding of human rights. The international community is also quite direct and concise in its recommendations at the HRC that often suggest China is violating international standards. The manifest content will reveal the immediate meaning Beijing puts into its counter-frames.

This method of textual analysis is also fit to unravel the latent content (Halperin & Heath, 2017, p. 356) embedded in Chinese statements. As both white papers and UPRs are political documents, the Chinese government is likely to conceal some of its opinions with formalisms and diplomatic speech, especially when it addresses international accusations. Thorough content

analysis allows a close look at the meanings, motives, and purposes implied by the text (Halperin & Heath, 2017, p. 356). It also is mindful of the context in which the texts are produced, and suited to uncover norms and values (Halperin & Heath, 2017, p. 356).

## **Analysis**

This part of the paper will analyse China's counter-discourse to external normative pressure on Xinjiang. The international community mainly questions Chinese practices regarding re-education camps, the limited access of international observers, the freedom of religion, and the rights of ethnic minorities in the province. After assessing China's responses, the section will reflect on the theoretical hypothesis.

### *Vocational education and training centres or internment camps*

While the Chinese government's repression of Uyghurs and other Turkic Muslims in Xinjiang is not a new phenomenon, the recent and particularly violent crackdown on ethnic minorities provoked an increasingly critical global response (HRW, 2021b, pp. 1-4). Of particular concern are the establishments officially described as vocational education and training centres, which rights activists identify as detention centres where crimes against humanity unfold (Dooley, 2018, para. 4; HRW, 2021b, p. 12). During the 2018 UPR of China, several recommendations called on the Chinese government to close the internment camps in Xinjiang, ensure that they "are in line with international human rights standards", and release the "possibly millions" of Muslims from arbitrary detention (HRC, 2018d, pp. 8, 15). In July 2019, a group of 22 preponderantly Western states forwarded a letter to the HRC and the UN High Commissioner for Human Rights (OHCHR) demanding China ends its mass detention programme in Xinjiang (Putz, 2019, para. 1). The US, Belgium, Canada, and the Netherlands have also defined China's conduct as genocide under international law (HRW, 2021b, p. 2).

Initially, China denied the very existence of the camps and only later used counter-terrorism rhetoric to argue for their educational and training orientation (Dooley, 2018, para. 6). In response to the UPR recommendations, it stated that "there is no such problem as arbitrary detention" in Xinjiang (HRC, 2019b, p. 7). Beijing justified the internment camps as lawful tools fighting terrorist extremism and "seriously protecting" human rights (HRC, 2019b, p. 7). Calls for closing down the so-called educational centres received a warning about interfering in China's sovereignty and internal affairs (HRC, 2019b, p. 3). It is important to note that in its National Report submitted as part of the UPR procedure, China made no mention of the camps in Xinjiang despite the global

outrage they generated. It only referred to successful economic and educational reforms in Xinjiang (HRC, 2018b, p. 16). Nevertheless, during the fortieth session of the HRC, the head of the Chinese delegation - Vice Minister of Foreign Affairs Le Yucheng, extensively talked about the human rights conditions in Xinjiang “using facts and a few keywords with the acronym F-A-C-T” (HRC, 2019a, p. 123). He claimed that China set up vocational education and training centres as part of its anti-terrorism, anti-separatism, and anti-extremism effort (p. 123). He further described the centres as “boarding schools, or campus” used to de-radicalise, educate, and rehabilitate those influenced by extremist ideologies (pp. 123-124). Ultimately, he emphasised that “Xinjiang-related issues concern China’s sovereignty, security, territorial integrity and core interests” (p. 123). Beijing rejected all mentioned recommendations as “baseless or politically motivated” (HRC, 2019a, p. 123).

China has published two white papers directly addressing the re-education camps in Xinjiang: *The Fight Against Terrorism and Extremism and Human Rights Protection in Xinjiang* (SCIO, 2019a) and *Vocational Education and Training in Xinjiang* (SCIO, 2019c). According to them, the camps are part of Xinjiang’s preventive counter-terrorism approach based on its local conditions (SCIO, 2019a, p. 15; SCIO, 2019c, p. 2). Their goal is to preserve social stability and peace in the province by eliminating the sources of terrorism (SCIO, 2019a, p. 17; SCIO, 2019c, p. 1). To that end, the trainees learn Chinese, law, vocational skills, and de-radicalisation (SCIO, 2019a, pp. 17-19; SCIO, 2019c, pp. 5-6). Both papers mentioned that the centres follow the rule of law and thoroughly respect the human rights of their trainees (SCIO, 2019a, p. 19; SCIO, 2019c, pp. 6-7). At the same time, China portrayed the human rights of everyone in Xinjiang as conditional on the fight against terrorism and advocated for a hierarchy of rights with stability and development on top (SCIO, 2019a, pp. 20, 22). It also emphasised Chinese unity by claiming that Uyghurs are not descendants of the Turks and Islam is not their indigenous belief (SCIO, 2019a, pp. 4-7). Regarding international criticism, the white papers cited “double standards on fighting terrorism” (SCIO, 2019a, p. 23) and “ideological prejudice or ulterior motives” that contradict international morality (SCIO, 2019c, p. 11).

In conclusion, the international community made clear its concern regarding Chinese re-education camps through its critical statements, letter to the HRC, and recommendations in the UPR. China, on the other hand, denied any unlawful activities within its vocational education and training centres. In that sense, its rhetoric echoes the second phase of the spiral model. Beijing chiefly uses anti-terrorism and sovereignty as counter-discourses against external pressure. It also references the importance of local conditions in dictating security measures and the unity of the Chinese culture. Therefore, Beijing recognises the validity of international human rights norms but

denies immediate wrongdoings in Xinjiang. It dismisses international normative pressure as a display of double standards by unfriendly and politically-motivated actors. China's discourse on the internment camps in Xinjiang reveals its concern with external criticism and determination to resist the socialisation of international human rights standards.

*International monitoring: UN special procedures and independent observers*

Concerned with reports of human rights abuses in the re-education camps in Xinjiang, the international community has also made calls for China to allow independent monitoring in the province. During the UPR, several states demanded the free access of UN special procedures bodies and independent observers to Xinjiang (HRC, 2018d, pp. 7-8). In June 2020, 50 UN human rights experts proposed establishing a separate monitoring instrument on China (HRW, 2021b, p. 4). Similar efforts continued in March 2021 when UN representatives requested "unhindered access to the country to conduct fact-finding missions" (OHCHR, 2021, para. 1). China has previously tried to introduce a dismissal procedure of UN normative monitoring and impeded the investigations of experts who managed to enter the country (Chen, 2019, p. 1201).

In its UPR replies, China maintained its position against special procedures visits. It insisted that countries should be allowed to invite monitoring missions independently, according to their national conditions (HRC, 2019b, p. 3). The visitors were also to conduct their work in consultation with the Chinese government and respect its sovereignty (HRC, 2019b, p. 3). Regarding Xinjiang, Beijing maintained that it welcomes and facilitates visits by external journalists and tourists "in accordance with the Chinese law" (HRC, 2019b, p. 3). However, it made clear it views some of the recommendations as "excuses to pressure the Chinese government" and pretexts for interfering in its internal affairs (HRC, 2019b, p. 3). At the fortieth session of the HRC, China emphasised that it had invited hundreds of foreign representatives to Xinjiang and its vocational education and training centres in recent months (HRC, 2019a, p. 123). Le Yucheng also based his facts about Xinjiang on his own visit to the province one month earlier (HRC, 2019a, p. 123).

In the white paper on *Vocational Education and Training in Xinjiang* (SCIO, 2019c), China used field trips by some external journalists to legitimise its local security practices. It claimed that through the visits, "many have realised the truth and understood the urgency, necessity, legitimacy, and rationality of carrying out education and training" (SCIO, 2019c, p. 9). The white paper extensively cited journalist reports from Saudi Arabia, Turkey, Egypt, the US, and Singapore that praised the re-education centres (SCIO, 2019c, pp. 9-10). They claimed that the detained Uyghurs

“seemed very happy” as opposed to the “negative propaganda of the US and other Western countries” (SCIO, 2019c, pp. 9-10).

All in all, judging by the content of its white papers and UPR responses, the Chinese government is very concerned with the sustained international pressure on human rights abuses in Xinjiang. It vehemently seeks to legitimise its anti-terrorism practices and denies any maltreatment of the ethnic minorities. Such rhetoric, however, comes in stark contrast with the stories of Uyghur camp survivors (Haitiwaji & Morgat, 2021; Hill et al., 2021; van den Muijsenberg, 2020). While Beijing uses visits by external journalists to confirm its claims of righteousness, it denies international requests for special procedures mandate holders to gain free access to Xinjiang. China employs national sovereignty as a counter-discourse against such demands. It also invokes its national conditions as dictating its availability for international monitoring. Still, China is most likely to offer tactical concessions as prescribed by the third phase of the spiral model when it comes to the visits of international observers. In 2019, amidst growing backlash on Xinjiang, China invited “waves of diplomats” to visit (Blanchard, 2019, para. 1), albeit under carefully organised circumstances (AFP, 2021, para. 11). Recently, secretary-general Guterres claimed that China and the UN are in talks for a visit “without restrictions” to Xinjiang (The Guardian, 2021, para. 1).

#### *Freedom to manifest religion and culture in Xinjiang*

Human Rights Watch (2021b) has long reported that China is undergoing cultural and religious erasure against Uyghurs in Xinjiang (p. 25). Muslims are not allowed to practice religion in the internment camps and their release is conditional on signing documents agreeing to abandon their belief (HRW, 2021, p. 26). Chinese law also bans religious education, thus endangering faith as an integral part of the life of its citizens (Lavička, 2021, p. 69). During the UPR, China received several recommendations to ensure the freedom of religion and belief of Uyghurs and other Muslims in Xinjiang (HRC, 2018d, p. 15). The international community also called on Beijing to guarantee ethnic minorities the right to manifest their culture (HRC, 2018d, p. 21).

In its reply to the UPR recommendations, China took a new approach to denial. It concisely and confidently accepted the imperative for freedom of religion and belief in Xinjiang and claimed that such measures were “already implemented” (HRC, 2019b, p. 7). The Chinese government insisted that it has always guaranteed religious freedom to all its ethnic minorities (HRC, 2019b, p. 11). In the *truth* section of his speech, Le Yucheng emphasised the extensive efforts of Chinese authorities to safeguard the cultural rights of people in Xinjiang (HRC, 2019a, p. 124). He



underlined that the province has more mosques per local believer than many Muslim countries (HRC, 2019a, p. 124).

Beijing touched upon the freedom to manifest religion and culture in Xinjiang multiple times throughout its white papers. In the first one published since 2017, titled *Human Rights in Xinjiang - Development and Progress* (SCIO, 2017), China confidently claimed that the cultural heritage of ethnic minorities is protected and they are free to use their languages (p. 8). It also asserted its strong support for the freedom of religious belief, albeit in a less direct manner. It portrayed religious rights as dependent on “protecting the lawful, banning the unlawful, containing the extremist, resisting penetration, and punishing crime” (p. 10). The central and local governments vowed to be protecting “normal religious activities” (p. 10). In another white paper - *Cultural Protection and Development in Xinjiang* (SCIO, 2018), China supported its earlier claims with statistical evidence of the number of religious texts published in Xinjiang and that of institutions that form the province’s heritage protection network (pp. 5-6). The 2019 white paper that focused on *Historical Matters Concerning Xinjiang* used local religion and culture as part of its Chinese unity rhetoric (SCIO, 2019b). China argued that Xinjiang had been an inseparable part of its territory, its ethnic groups - constitutive of the Chinese nation, and its local cultures - elements of the Chinese culture (SCIO, 2019b, pp. 3, 7, 10). Regarding religion, the paper talked about the coexistence of multiple doctrines in Xinjiang and how they all should contribute to China’s development (SCIO, 2019b, pp. 13-15). It also did not fail to link religious extremism with anti-terrorism efforts and condemn the double standards of external critics towards terrorism and human rights (SCIO, 2019b, p. 16). Curiously, throughout its white papers, China often emphasised the unity between the right to believe and the right not to believe (SCIO, 2017, p. 10; SCIO, 2019b, p. 13). Such language speaks to the atheistic character of the CCP (Lavička, 2021, p. 67).

In conclusion, regarding the freedom to manifest religion and culture in Xinjiang, China takes denial to a new level. Beijing not only revokes any violations of the Muslim minority’s rights but also claims that it fully respects and implements their religious and cultural freedoms. However, the Chinese rhetoric did not convince the international community. Non-state stakeholders that were allowed to make comments at the HRC’s fortieth session claimed that China’s response and domestic human rights conditions make “a mockery of the UPR, the UN special procedures and treaty bodies” (HRC, 2019a, p. 127). They refused to take its claims seriously, including those on Uyghurs’ well-being. Concerning counter-frames, China portrays the issue of religious and cultural rights in terms of national unity, anti-terrorism efforts, and local conditions. Thus, it employs its trusted counter-discourses on relativism and security. China's

dismissive and short-sighted argumentative approach signals it is a long way from socialising human rights standards. Although it pays them lip service, the lies it tells about its domestic practices ultimately undermine the entire international normative regime.

### *The rights of ethnic minorities in Xinjiang*

Besides its concern with the reports of mass detention and religious and cultural erasure in Xinjiang, the international community previously pressured China on the broad issue of ethnic minority rights in the province. During the UPR, peer states recommended that China takes “urgent steps” to respect the human rights of ethnic and religious minorities (HRC, 2018d, p. 21). They emphasised the freedom of movement of Uyghurs, the right to peaceful assembly, economic and social development in Xinjiang (HRC, 2018d, pp. 21-22). Finland also demanded that China stops policies like ethnic profiling that do not fall in line with Beijing's international human rights obligations (HRC, 2018d, p. 22). Several UN treaty bodies and special procedures contributed as well through their reports. They mentioned cases of torture, discrimination, and a high rate of unemployment disproportionately affecting ethnic minorities (HRC, 2018a, p. 8). Among other stakeholders, AI expressed concern that China charges Uyghurs with separatism in defiance of their freedom of expression and cultural identity rights (HRC, 2018c, p. 3).

China rejected the recommendations on free movement, peaceful assembly, and the ethnic profiling of ethnic minorities in Xinjiang. It claimed that it legally guarantees all Chinese citizens the right to reside and travel on its territory (HRC, 2019b, p. 11). It also mentioned that its laws and regulations prevent domestic and external violent terrorists from committing crimes, although the recommendation did not mention security considerations (HRC, 2019b, p. 11). Beijing also upheld its previous position on religious matters and claimed that it already ensures the freedom of assembly of its ethnic minorities (HRC, 2019b, p. 11). Thus, it saw no need in taking urgent steps towards their well-being (HRC, 2019b, p. 11). China did not directly answer the accusation of ethnic profiling practices. Instead, it referred to a previous reply invoking respect for its sovereignty and internal affairs (HRC, 2019b, pp. 3, 11). However, China accepted the recommendation on economic and social development in Xinjiang (HRC, 2019b, p. 11). Regarding the comments made by other stakeholders, China is known to have previously manipulated the procedures of the HRC to limit critical voices (Chen, 2019, pp. 1197-2000). Even though some NGOs managed to raise important issues on minority rights in Xinjiang, China has labelled their efforts as “ill-intentioned and groundless” (HRC, 2019a, p. 123).

In its white papers, China continued to portray itself as a country following the rule of law and international human rights standards. Thus, it never admitted to any form of discrimination or repression of its ethnic minorities. On the contrary, it consistently claimed that it respects the political, civic, economic, social, cultural, environmental, and religious rights of all its citizens (SCIO, 2017). Concerning Xinjiang ethnic groups, Beijing insisted that their members “enjoy the same status and the same rights, and must fulfil the same obligations in accordance with the law” (SCIO, 2017, p. 2). China also continued to push its discourse about unity with assimilation connotations. It alleged that “all ethnic groups are masters of Xinjiang” and that they work together as “brothers and sisters” to “safeguard national unification” (SCIO, 2019b, p. 9). The most recent white paper - *Employment and Labour Rights in Xinjiang* (SCIO, 2020), addressed accusations of forced labour in the province. China showcased its people-centred philosophy of development and its impressive growing scale of employment (SCIO, 2020, pp. 2-3). Even though it addressed the relocation of surplus rural labour outside of Xinjiang (SCIO, 2020, p. 3), it stayed silent on the heavy migration of Han Chinese workers in the region. Lastly, the white paper described international critics as “guilty of ideological bias and prejudiced against China” (SCIO, 2020, p. 13). Beijing claimed that international condemnation bases itself on fabricated facts that fail to see “the tremendous efforts Xinjiang has made to protect human rights” (SCIO, 2020, p. 13).

In short, the international community has treated with urgency and increasing concern the human rights of ethnic minorities in Xinjiang. The subsequent normative pressure made Beijing uneasy (Graham-Harisson, 2020, para. 1), hence its ample responses through the UPR and white papers. China persistently denies there is any repression in Xinjiang. It employs security and national unity as counter-discourses and views the western framing of the conditions in Xinjiang as groundless and fabricated. At the same time, Beijing claims to follow its international normative obligations, recognises the validity of human rights norms, and “talks the talk” (Risse & Sikkink, 1999, p. 16) of its liberal peers in multilateral settings like the HRC. Thus, China is stuck somewhere between the second and third phases of the spiral model. It no longer denies the legitimacy of human rights standards and even seeks to portray itself as a complier. Nevertheless, its rhetorical tactical concessions do not translate into a better life for ethnic minorities in Xinjiang. As such, their struggle for international awareness and assistance continues.

### *Theoretical hypothesis*

The analysis of China’s statements in the UPR and white papers ultimately confirms the theoretical hypothesis of this paper. Beijing does indeed use national sovereignty, security against terrorism,

and local conditions in Xinjiang to deflect international normative pressure. It also employs nationalism by calling for ethnic and cultural Chinese unity. Thus, China's discursive practices stayed the same throughout the years, and it shields itself from international pressure on Xinjiang the same way it dealt with external criticism on Tiananmen. This study also confirms that China is stuck between the second and the third phase of the spiral model. Beijing accepts the validity of international human rights norms but denies any wrongdoings despite growing evidence.

Nevertheless, the second and more hopeful part of the hypothesis is also relevant to the results. The Xinjiang issue is a watershed moment in the relationship between China and the international human rights regime insofar that Beijing manifests apparent distress. The sheer number of white papers on the province since 2017 proves China values its reputation and legitimacy on the international scene. While it vehemently accuses its critics of upholding double standards, China is also ready to make tactical concessions like allowing UN visits to Xinjiang. Sustained international pressure coupled with economic sanctions might see Beijing socialising international human rights standards and alleviating the situation of Uyghurs in the province.

## **Conclusion**

The analysis of China's UPR statements and white papers revealed that its counter-discourse against mounting international human rights pressure on Xinjiang endures to the extent that it consistently uses a pre-determined set of counter-arguments. They involve asking for respect for national sovereignty, citing local conditions as determining the implementation of international human rights standards, igniting nationalism by calling for national unity, and invoking the importance of national security against terrorist threats. This approach positions China at the third phase of the spiral model with little chances of socialising international norms into domestic practice. Nevertheless, Beijing's discursive practices fail to legitimise its internal policies to the international community. Western states and IOs called out China's mockery of the HRC's procedures during the UPR and refused to accept its claims on the well-being of Uyghurs. As Beijing faces a coordinated pressure campaign on the international scene, its counter-discourse is not as effective as it once was in silencing external criticism.

China's normative statements in both the white papers and UPR reports were crucial to showcase its increasing uneasiness regarding international scrutiny of its detainment centres and the rights of ethnic minorities. They repeatedly referred to critics' double standards, baseless facts, and ill intentions. Although Beijing continues to deny any wrongdoings in Xinjiang, it indisputably accepts the validity of international human rights norms. As the potential for tactical concessions in

the form of international visits to the province arises, there is hope for the Uyghurs' plight to materialise into better living conditions.

This thesis fulfilled its goal of providing updated insights into China's moral discourse and its ties to international norms. In doing so, it supplemented previous research on the topic by Kinzelbach (2012; 2013), Fleay (2006), and Rogers and Sidhu (2016). The focused content analysis confirmed Beijing's status within the spiral model and shed light on the issue of Uyghurs in Xinjiang. At the same time, the emphasis on China's counter-discourse involuntarily diminished the attention for the actual human rights abuses in the province. A further critical assessment of China's claims escaped the purpose of this paper. Also, China as a rising superpower is a notably hard case for norm socialisation. Hence, the results of this study cannot easily be generalised on a larger scale.

Further research should still consider the constitutive relationship between China as a target state of international normative pressure and international human rights norms. While this paper looked at whether China maintained its counter-discourse on conditions in Xinjiang and its usefulness, future studies should dig deeper on how competing arguments can reshape the international normative order. At the same time, scholars should consider China's discursive strategy in combination with its material power. States that do not enjoy the same resources as Beijing to influence the procedures of the HRC will likely be less successful in advancing comparable counter-frames.

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