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In a Fortnight

By L.C. Russell Hsiao

PROJECT 048: CHINA'S SECRET AIRCRAFT CARRIER COMMAND?

ccording to information circulated in the Chinese media, during the meeting Abetween Chinese Defense Minister General Liang Guanglie and Japanese Defense Minister Yasukazu Hamada on March 20, wherein General Liang confirmed China's intent to develop aircraft carriers, a mysterious unit was reportedly present at the meeting. The "048 Engineering Command" is purportedly an inter-agency task force within the People's Liberation Army Navy (PLAN) responsible for developing "special large military ships" or aircraft carriers (Stnn.cn, March 22; Nownews, March 21).

"Project 048," as it is referred to in the Chinese media, is reportedly equal in stature with other core units under the umbrella of the PLAN Headquarters, and under the directorship of the PLAN Party Committee. Although the precise status of the unit is unconfirmed through available sources, reports speculate that the joint-command of "Project 048" may be under a PLAN deputy commanding officer, or as high as under the direct command of a PLAN commanding officer. According to Chinese media reports, the name of the project may have been determined based on the Central Military Commission's decision to launch its project to build "special large military ships" back in 2004 in the month of August, which corresponds with the number 04 and 8 (hence Project 048) (Stnn.cn, March 22; Nownews, March 21).

Full preparations for building the aircraft carriers reportedly followed in 2005, which includes the purchase of ship-based test machines and ship-borne landing gears. While domestic carrier power, power distribution system designs were all allegedly completed (Hong Kong Commercial Daily, March 22). A Japanese news report citing unspecified military sources reported that "China will begin construction of two



Vice President Xi Jinping in Mexico

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For comments or questions about China Brief, please contact us at pubs@jamestown.org

1111 16th St. NW, Suite #320 Washington, DC 20036 (202) 483-8888 Tel: Fax: (202) 483-8337

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conventional aircraft carriers this year." Citing the same source the report stated, "production of parts for the electricity control system has already begun in China and plans call for completing the two conventional carriers by around 2015 ... [a] system for operating those carriers will be established by 2020." "[China's] first nuclear-powered flattops would be constructed in 2020 or later" the report added (*Asahi Shimbun*, February 14).

According to Li Ou, deputy-mayor of Siping City in Jilin Province, who wrote a commentary in the *People's Daily* the media organ of the Central Committee of the CCPthe reason behind the timing of General Liang's statement, "China cannot be without an aircraft carrier forever," has to do with the situation along the Taiwan Strait. According to Li, China already possessed the "compressive national strength to construct aircraft carriers" many years ago, and the reason why China denied this capability for so long was due to the tense state of cross-Strait relations. Li said that the central leadership was concerned that the United States would use this known Chinese capability as an excuse to support Taiwan's independence. Now that tensions in the Taiwan Strait have eased, Li wrote that the central leadership no longer has to worry about U.S. interference, and in the event that Taiwan independence forces return, if China has an aircraft carrier then it will be more difficult for the United States to intervene (People's Daily Online, March 25).

According to the Asahi Shimbun: "Construction has already begun on a wharf along Yalong Bay in the Sanya district of Hainan island. The wharf would provide base functions for aircraft carriers as well as include underground storage for ammunition" (Asahi Shimbun, February 14). Information concerning "Project 048" also appeared in the same report, which referred to it as a "special task force for [the] construction of aircraft carriers" (Asahi Shimbun, February 14). The reported unveiling of "Project 048" at the meeting with the Japanese defense minister, whom—along with its Asian neighbors—has been wary of China's military modernization, is another demonstration of China's increased confidence in both regional and global affairs. The outpour of statements from high ranking Chinese military officers in recent months, culminating in Defense Minister Liang's remark, may be "signaling" a major announcement at the upcoming PLAN Naval Review on April 23, which commemorates the 60th anniversary of the PLAN's founding back in 1949 (China Post, March 6).

Mr. L.C. Russell Hsiao is Associate Editor of The Jamestown Foundation's China Brief.

CCPLA: Tightening the CCP's Rule over Law

By Willy Lam

Beijing is beefing up its control apparatus to counter unprecedented challenges to the Chinese Communist Party (CCP) administration this year. Apart from on-going protests in the Greater Tibet Region, the police, state security, People's Armed Police (PAP) and other units are bracing themselves against demonstrations, riots-and other "mass incidents" by tens of millions of unemployed workers and farmers. With the 20th anniversary of the Tiananmen Square crackdown just two months away, the leadership under President Hu Jintao and Premier Wen Jiabao is also devoting more resources to monitoring the activities of dissident intellectuals—including those based in the United States. The Central Commission on Political and Legal Affairs (CCPLA), China's highest-level law-enforcement agency, is masterminding multi-pronged tactics to ensure that the CCP's mandate of heaven will not be torn asunder by destabilizing agents on disparate fronts.

In his Government Work Report to the National People's Congress (NPC) in March, Premier Wen underscored the imperative of the "three guarantees": 1) guaranteeing economic growth, 2) the people's livelihood and 3) socio-political stability. Of these three goals, combating anti-government and other hostile forces could become the most difficult. According to CCPLA Secretary and Politburo Standing Committee member Zhou Yongkang, police, judicial and other law-and-order departments must "seriously pre-empt [troublemakers] and aggressively tackle them so as to guarantee national security." Zhou added that more attention should be paid to improving intelligence gathering, strengthening Beijing's ability to handle emergencies, and, in particular, "boosting the construction of professional [law-enforcement] forces" (People's Daily, March 6; Xinhua News Agency, February 1).

More responsibility than ever will be put on the traditional "tools of the democratic proletarian dictatorship," the People's Liberation Army (PLA), the PAP and the police. Even though the main task of China's 2.4 million-strong soldiers is to protect the country against attacks by hostile foreign forces, the CCP leadership has been augmenting the PLA's role in upholding domestic law and order. While announcing the 14.9 percent budget boost for the PLA this year, NPC spokesman and former Foreign Minister Li Zhaoxing noted that the increased outlays would partly go toward "safeguarding [socio-political] stability and other non-warfare military operations." This suggested that while

fighting destabilizing elements at home is basically the job of the PAP, more soldiers than ever are directly involved in the party's domestic agenda. For example, several tens of thousands of PLA and PAP officers were deployed to Tibet in the first two months of the year. Their principal job is to prevent Tibetans from holding protests and other disruptive actions to mark the 50th anniversary of the failed Tibetan Insurrection in March 1959 (*Straits Times* [Singapore], March 9; *Ming Pao* [Hong Kong], March 10).

The PAP's role in preserving law and order and hitting out at "anti-party elements" has been enhanced. In his Government Work Report, Premier Wen indicated that Beijing would "boost the construction of PAP units, increase the frequency of deployment, and ramp up their ability to handle emergency events, to fight terrorism and to safeguard social stability." For the first time, PAP Commander Wu Shuangzhan was made a member of the CCPLA earlier this year. Previously, CCPLA members only comprised cadres from the police and state security departments as well as representatives from the courts and the procuratorates. Since January this year, provincial PAP officers have also been inducted into regional-level Committees on Politics and Legal Affairs (Southern Metropolitan News [Guangdong], March 21; Sina.com. cn, March 22; People's Daily, March 6).

After the series of riots and disturbances in Tibet in March last year, Beijing unleashed a so-called "people's warfare" against ethnic "splittists" (China Brief, July 17, 2008). The scale of mobilization was enhanced in the run-up to the Summer Olympic Games. In addition to regular police and PAP units, PLA reservists, myriad vigilante groups as well as neighborhood committees were asked to patrol the streets and report suspicious characters or bomb-like objects to the authorities. In the eight weeks prior to the August Games, about 1 million Beijing residents participated in security-related tasks (Asian Wall Street Journal, August 22, 2008; Asia Times Online [Hong Kong], April 30, 2008). There are indications that the CCPLA and other law-enforcement agencies have turned this tradition into a permanent institution. The Beijing media has reported that at least 600,000 residents in the capital took part in largely voluntary duties to improve safety during the annual sessions of the NPC and the Chinese People's Political Consultative Conference held last month. Personnel involved included vigilante groups, neighborhood committees, as well as security officials employed by enterprises (Beijing Evening Post, March 1; Ming Pao, March 2).

Public security departments in major cities ranging from Shanghai to Guangzhou have also speeded up the installation of surveillance cameras, CCTV and other equipment in places such as airports, railway stations, busstops and busy intersections in urban areas. Guangdong

authorities indicated earlier this year that 1 million surveillance cameras would be established throughout the Pearl River Delta (PRD) region by the end of the year. Due to the upsurge of unemployment in the export-dependent PRD area, Guangdong Police have asked enterprises there to improve security work regarding human resources, facilities and technology. Thus, factories are told to hire sufficient internal security officials, to ensure that doors, gates, fences and locks are in good shape; and to set up sufficient alarms and surveillance cameras. A clear sign of Beijing's worry of the instability that may come, the Guangdong Nanshan branch of the Public Security Bureau formed a group of urban administrative enforcement teams comprising of 1000 policemen, district security guards and militia (Guangdong Province Public Security Net, March 9; Ming Pao, February 14; Nanfang Daily, March 28).

At the same time, the politicization of China's courts has been exacerbated by Chief Judge Wang Shengjun's call for the judiciary to sub-serve the CCP leadership's goals of "ensuring economic growth, ensuring the people's livelihood, and ensuring stability." In a series of speeches last month, Wang, whose official title is president of the Supreme People's Court, demanded that the nation's judges and judicial cadres "attach more importance to [the principle of] party leadership, and to self-consciously accepting supervision [by party authorities]." A former secretary-general of the CCPLA, Wang noted that the courts must "pay more attention to the social effect of adjudication work." He added that the judiciary must as far as possible "defuse contradictions" among socio-economic sectors that had been hard hit by the global financial crisis (Xinhua News Agency, March 17; People's Daily, March 24).

Moreover, CCP authorities have to some extent revived the 1980s-vintage practice of turning demobilized soldiers and police officers into judges and prosecutors. In a recent speech, CCPLA Secretary Zhou indicated that special measures should be taken to solve the problem of the lack of judicial officials particularly in the hinterland regions. Zhou instructed a number of law schools to select demobilized PLA and PAP officers who have high-school diplomas for fast-track training so that they can soon serve as judges and prosecutors in the central and western provinces (Xinhua News Agency, February 1; *Qiushi* [Beijing journal], February 1).

Are the sharpened "tools of proletarian dictatorship" working properly? At least on the surface, the situation in the Greater Tibet Region seems more stable than what it was a year ago. For more than a month last year, tens of thousands of Tibetans staged protests in the Tibet Autonomous Region (TAR) and neighboring provinces

with large concentrations of Tibetans such as Qinghai, Ningxia and Sichuan (China Brief, September 3, 2008). In the past month, while several incidents such as attacks on police stations in Oinghai have been reported, the PAP and police seem to have acquitted themselves well. Over the longer term, however, Beijing's putative goal of seeking reconciliation with Tibetans seems illusory. At a ceremony marking the region's first Serfs' Emancipation Day the hard-line TAR Party Secretary Zhang Qingli resorted to the same harsh rhetoric as before. "Our struggle with the Dalai Lama Clique does not involve questions of nationalities, religion, or human rights," he said. "It is a struggle regarding the maintenance of national sovereignty and territorial integrity." What Zhang did not mention, however, was that most monasteries in Tibet were tightly controlled by police officers who were stationed there on a 24-hour basis (Xinhua News Agency, March 28; New York Times, March 14).

Yet another weak link of China's labyrinthine control mechanism is the fast-deteriorating quality of the police and other law-enforcement agencies, especially those at grassroots levels. Quite a number of relatively minor incidents have developed into law-and-order disasters because of the incompetence—and corruption—of police. Take the mishap in the township of Dongfang, Hainan Island in late March, in which residents from two different villages battled each other for three days in addition to attacking local public security bureaus. The rioting was precipitated when a teenager from one village was beaten up by schoolmates from another village. The latest edition of the official Outlook Weekly news magazine quoted Hainan residents as saying that they had lost trust in lawenforcement officials "because they are corrupt and they offer protection to criminals." Earlier this year, 3,000 heads of grassroots-level police stations had received legal and political training in Beijing on ways and means "to uphold the law in a rational and stable manner—and without using excessive force." Apparently, the new spirit of civilized law enforcement has yet to percolate to different corners of the nation (China News Service, March 30; Outlook Weekly [Beijing], March 29; *People's Daily*, February 27).

Likewise, poor standards and graft-related offenses among judges and prosecutors have dented the ability of the courts and procuratorates to fulfill the vital function of "defusing contradictions within the people." Investigations into the corruption of the former vice-president of the Supreme People's Court, Huang Songyou—the most senior judge to have been incarcerated in recent memory—have dragged on for more than six months. Things now are such that the SPC recently publicized a dozen-odd telephone numbers, which citizens could call to blow the whistle on particularly venal and incompetent judicial cadres (People's Courts

News [Beijing], January 19; China News Service, March 11; *Ming Pao*, March 12). Unless the Hu-Wen leadership is able to ameliorate the dubious qualities of its assorted tools of socio-political control, the indiscriminate application of heavy-handed tactics to snuff out dissent and other challenges to CCP suzerainty could backfire badly.

Willy Wo-Lap Lam, Ph.D., is a Senior Fellow at The Jamestown Foundation. He has worked in senior editorial positions in international media including Asiaweek newsmagazine, South China Morning Post, and the Asia-Pacific Headquarters of CNN. He is the author of five books on China, including the recently published "Chinese Politics in the Hu Jintao Era: New Leaders, New Challenges." Lam is an Adjunct Professor of China studies at Akita International University, Japan, and at the Chinese University of Hong Kong.

of Constitutional

By Thomas E. Kellogg

Death

Litigation in China?

The

On December 18, 2008, with little fanfare, the Supreme People's Court (SPC) withdrew its 2001 interpretation in the *Qi Yuling* case. The interpretation was one of 27 interpretations invalidated by the SPC on that date. The *Qi Yuling* interpretation was "no longer applied," according to the Court's terse explanation, and was therefore withdrawn.

Known variously as "China's first constitutional case" and as "China's *Marbury v. Madison*," the facts behind the *Qi Yuling* case are nothing short of strange: in 1990, Qi, then a 17-year-old high school student in a village in Shandong Province, had her college entrance exam scores stolen by a classmate, Chen Xiaoqi. Chen then used those scores to apply to college in Qi's name. Qi was led to believe that she had failed the exam, and therefore missed her chance at a college education. Chen, maintaining her false identity, went off to college and found a job working in a local bank [1]. Years later, Qi finally discovered the ruse, and sued.

In court, Qi claimed that her identity had been stolen. But she also claimed that Chen's actions had blocked her constitutional right to education, and that she should be compensated for the infringement of her constitutional rights as well. Unsure of what to do with the novel right to education claim, the provincial court sought guidance from the Supreme People's Court, which issued a somewhat surprising response: it held that, because Qi Yuling's constitutional rights had been violated, she could indeed

claim damages.

Thus instructed, the provincial court found in favor of Qi Yuling on both her identity theft claim and on the right to education claim, awarding Qi damages on both counts.

In case anyone missed the point, then-SPC justice Huang Songyou, in an article published in official house organ *People's Court Daily*, openly stated that the *Qi Yuling* interpretation was meant to trigger explicit use of the Chinese Constitution by the courts. "I believe that the Constitution can be gradually introduced into legal proceedings in China," Huang wrote [2]. Huang also argued that such action was, in his view, consistent with China's current constitutional framework. Only "various misunderstandings" had kept the courts from using the Constitution in years past [3].

As a number of scholars would quickly point out, the SPC's intervention in the *Qi Yuling* case was flawed in a number of ways. Yet what the Court was trying to accomplish was absolutely fundamental. According to the conventional understanding of the Chinese constitutional system, the Chinese constitution is not subject to judicial interpretation or application. There is no separation of powers, and the courts are unable to step in to defend individual rights against state encroachment. Huang Songyou and his compatriots—almost certainly including his fellow Southerner Xiao Yang, the then-Chief Justice of the SPC—were trying to subtly alter that understanding, and bring the courts into the constitutional game.

Sadly, despite the SPC's best efforts to avoid crossing any political lines, the response from above was negative [4].

By contrast, the *Qi Yuling* decision drew strong support from legal academics, many of whom saw the case as a possible stepping stone to meaningful constitutional review. In an interview with the intellectual weekly *Southern Weekend*, prominent public law scholar Jiang Ming'an praised the *Qi Yuling* interpretation. "For decades, our Constitution has been packed away and put on a high shelf," Jiang said. "We have been waiting for decades, and finally we have arrived at this opportunity. ... We scholars should strongly push forward with it" [5].

Jiang Ming'an was by no means alone in his support for *Qi* Yuling. Wang Lei, Jiang's colleague at Beijing University, also highlighted the case's importance. "Courts cannot possibly *but* use the constitution," Wang argued. "The central meaning of the *Qi* Yuling case is that it smashes traditional concepts, and tells us how to judicialize [sic] the constitution under China's current system" [6].

Wang's comments are typical in that he attempted to rationalize the *Qi Yuling* case as part of the existing framework, rather than suggesting that *Qi Yuling* was a break from the past. In Wang's view, *Qi Yuling* merely ushered in a change in understanding, an attempt to get rid of "traditional," impliedly erroneous concepts that had held back constitutional development.

To be sure, certain aspects of the SPC's interpretation would come under criticism from scholars across the political spectrum after 2001. Nonetheless, the key concept of judicial review advanced by the Interpretation continued to enjoy strong support from the academic community. In its report on the invalidation of the *Qi Yuling* interpretation, *Caijing* magazine reported that support for *Qi* among academics was widespread. "There was no lack of legal academics who challenged the appropriateness of direct application of constitutional provisions in that particular case," *Caijing* noted. "But on the question of whether the constitution could serve as a basis for court judgments, scholars without exception answered in the affirmative" (*Caijing*, February 2).

POLITICS IN COMMAND: QI YULING AND THE THREE SUPREMES

Why did the SPC formally withdraw the *Qi Yuling* interpretation? Little is known about the politics behind the Court's move. Although the SPC has been pruning outdated interpretations, it seems unlikely that *Qi Yuling* was fully a part of that process. Other cancelled interpretations had been superceded by new laws and regulations (*Caijing*, February 2, 2009), but progress on *Qi Yuling* had been more or less at a standstill for several years. Moreover, neither the SPC nor the NPC followed the cancellation of the *Qi* interpretation with an alternative plan for constitutional development.

Some observers believe that the decision to revoke *Qi* Yuling is tied to the new judicial reform policy, referred to as the "three supremes," being implemented by SPC President Wang Shengjun. Since taking office in March 2008, Wang has departed from the approach mapped out by his predecessor Xiao Yang. Instead of emphasizing the role of the courts as neutral adjudicators of disputes, he has instead called on judges to consider both the interests of the Communist Party and public opinion (South China Morning Post, October 23, 2008). Taken together, Party interests, public opinion, and legal rules are to constitute the "three supremes" of judicial decision making.

Perhaps the fullest articulation of Chief Justice Wang's views can be found in an article published in the August 2008 edition of the Party theoretical journal *Seeking Truth*. Entitled "Fully Implement the Work of the 17th

Party Congress, Resolutely Carry Out the Work of the People's Courts," the article makes clear that court reform has taken a left turn.

After opening with references to the key role of the courts in preserving social stability and national security, the Chief Justice states that the rule of law is but one of three elements that guide court policy and practice. Elsewhere in his *Seeking Truth* article, Wang notes that a central element of judicial work is the "promotion of social harmony," and suggests that the courts' efficacy on this front be used as an important standard in the evaluation of court work.

At first glance, such an approach might not seem all that bad. Placing a premium on social stability might mean, for example, that courts encourage local developers to pay more in compensation for land grabs, or that they nudge local employers to settle up on workers' unpaid wages. But in too many cases, rather than seeking to solve problems, local courts might look to collaborate with local governments to suppress protests and jail apparent troublemakers. All too often, repressive measures may be seen as more cost-effective and less time-consuming than dealing with the problem itself. In other words, the *appearance* of social stability might win out over deep-seated social problems.

More importantly, this new approach could delay much-needed reforms. Instead of taking steps to strengthen judicial independence, Chief Justice Wang's policy strengthens ties between local courts and the local party structure. Wang has signaled that courts will not be evaluated on the basis of their ability to fairly adjudicate difficult cases. Instead, they will be graded—and presumably professionally rewarded or punished—based on how much their work contributes to local stability. As a result, local judges and local officials may see their destinies as crucially linked, and therefore seek to collaborate even more than they have in the past. The implications for judicial independence are obvious.

It is impossible to know what connection, if any, exists between the new populist court reform policy, the revocation of *Qi Yuling*, and the downfall of SPC Vice President Huang Songyou (Huang, an SPC judge at the time of the Qi Yuling interpretation, was promoted to SPC Vice President in 2002.). Huang, the man most closely associated with the 2001 Interpretation, was taken into custody—specifically a form of detention for Party members known as "shuanggui"—in mid-October 2008, and has not been heard from since. According to media reports, Huang was brought down for "abuse of power for personal gain, serious economic irregularities, and degenerate behavior in his personal life" (*Caijing*, October 28, 2008). In particular, Huang was linked to a corruption

scheme involving Guangdong High Court Judge Yang Xiancai (*Caijing*, July 9, 2008).

Where to go from here? China University of Politics and Law scholar and longtime *Caijing* magazine legal advisor Xiao Han has revived a suggestion that has been made by a number of legal scholars over the past three decades: the creation of a Continental European-style constitutional court (*Caijing*, February 2).

According to Xiao, *Qi Yuling's* failure was directly related to the weakness of the court system: it is unable to handle the burden of constitutional adjudication. Xiao lists the lack of judicial independence and low public trust as two important reasons why the courts aren't up to the task. Without meaningful reforms, Xiao concludes, a system of constitutional review of the sort envisaged by *Qi Yuling* would lead to "sweeping chaos" and the "complete disintegration of control."

Instead, Xiao argues in favor of a central constitutional court. Such a court, based in Beijing, would be able to avoid the various parochial influences and other systemic weaknesses that plague local courts across China. It would be able to be both final and authoritative in its pronouncements on constitutional doctrine. And its judges, selected by China's top leadership for fixed terms of several years, would be politically insulated.

Xiao's well-meaning proposal would seem to be politically unfeasible, especially given that other trends are also negative. In late 2008, for example, rumors circulated that the Politburo had agreed that the court system would be funded out of the national budget, thus severing an important tie between local governments and local courts, one that local governments had been exploiting for years. But more recent reports indicate that the proposal for centralized funding has been watered down, and that Beijing will only partially subsidize the judicial system. Provincial and local governments will maintain leverage over local courts.

Writing in these pages roughly one year ago, my colleague Keith Hand and I suggested that the prospects for meaningful constitutional reform were limited (*China Brief*, February 4, 2008). Sadly, this analysis has been bourne out by events of the past year.

Given the somewhat prohibitive environment for topdown reforms, it may be more fruitful for Chinese lawyers, academics, and activists to continue to pursue bottom-up strategies. In particular, lawyers and academics should continue to make rigorous, creative, and useful constitutional arguments to Chinese judges. Lawyers may also want to consider experimenting with greater use of international and comparative law. Thus far, explicit reference to international norms and comparative law in court briefings, while not non-existent, has been rare. While few judges will formally and explicitly respond to such arguments, nonetheless this approach will at least keep constitutionalism alive as a meaningful legal concept until the political winds shift yet again. Constitutional litigation in China has not yet died, but it will need additional care and feeding from its supporters to endure this latest turn of events.

Thomas E. Kellogg is Program Officer and Advisor to the President at the Open Society Institute.

Notes

- 1. Chen's subterfuge was said to be so successful that, when she was discovered, it was not known whether her own husband knew her true identity. James Kynge, *China Shakes the World*, p. 162.
- 2. Huang Songyou, "Judicial Application of the Constitution and its Significance," *People's Court Daily*, August 13, 2001.
- 3. Ibid.
- 4. Kellogg, Courageous Explorers? Education Litigation and Judicial Innovation in China, 20 Harv. Hum. Rts. J. 141, 184-5 (2007).
- 5. "Jiang Ming'an, Jiang Ping, He Weifang, Cai Dingjian: a roundtable discussion on judicialization of the constitution," *Southern Weekend*, August 13, 2001.
- 6. Wang Lei, *Xuanze Xianfa* (To Choose Constitutional Law), Beijing University Press, 2004, p. 47. Emphasis added.

* * *

Chinese Involvement in African Conflict Zones

By David H. Shinn

As China expands its engagement throughout Africa, it increasingly finds itself involved in African conflict zones either by design or accident. This involvement takes essentially three forms: Chinese participation in UN peacekeeping operations, Chinese weapons, especially small arms, which make their way into conflict zones, and kidnapping of Chinese nationals or attacks on Chinese facilities and nationals. In the case of kidnappings and attacks, China is beginning to face some of the same challenges that have confronted western interests for decades.

AFRICAN SECURITY

It is important to put China's African security policy in perspective. China offers a political, economic, and even security alternative to the West for many African countries. Sudan and Zimbabwe, countries ostracized by the West, depend on China for much of their military equipment. Countries such as Angola, Democratic Republic of the Congo and Niger look to Africa as a source of financing free of Western conditions. On human rights issues, China supports African governments and they often support China in the UN Human Rights Council. For its part, China increasingly relies on Africa as a source of strategic materials such as oil, copper, cobalt and tantalum.

Although China is a significant supplier of arms and military equipment to African countries, it has limited military presence besides the assignment of personnel to UN peacekeeping operations, occasional training and exchange programs and the assignment of defense attachés to Chinese embassies. China rarely sends its naval ships to African ports; its last naval visit took place in 2002 [1]. China did recently join the international effort to combat Somali piracy in the Gulf of Aden, and it is pursuing in the Indian Ocean a "string of pearls" strategy that will eventually lead to Africa's east coast [2]. China apparently has no plans at the moment to extend its naval influence to Africa's east coast, but it almost certainly is interested in protecting the sea lanes that bring oil from Sudan and around the Cape from West Africa. In 2000, Chinese naval vessels visited Tanzania and South Africa.

PEACEKEEPING, ANTI-PIRACY AND DE-MINING ASSISTANCE

China began in the early 1990s to send small numbers of personnel to UN peacekeeping operations in Africa. The numbers started to increase significantly in 2001 when China sent more than 200 troops to the Democratic Republic of the Congo (DRC) and soon followed this with other large contingents. In 2007, Major-General Zhao Jingmin became the first Chinese to command a UN peacekeeping operation, MINURSO in the Western Sahara (UN News Service, August 27, 2007). By the end of February 2009, China had 1,745 troops, police and observers assigned to six of the UN's seven peacekeeping operations in Africa. The largest units were in Liberia, Southern Sudan, Darfur and the DRC. About 75 percent of all Chinese peacekeepers serve in Africa. Although China contributes only 3 percent of the UN peacekeeping budget, it has far more peacekeepers in Africa than any other permanent member of the UN Security Council [3].

China has received widespread praise from African leaders, the UN and the United States for its willingness to send peacekeepers to the continent. Bates Gill and Chin-Hao Huang at the Stockholm International Peace Research Institute identified three reasons for China's interest in peacekeeping. First, making a positive contribution to peace and security helps China to project a more benign and "harmonious" image and to balance U.S. and Western influence. Second, the PLA wants to expand its non-combat missions such as peacekeeping, anti-piracy, disaster response and humanitarian relief. Third, the PLA and Chinese security forces can learn important lessons and obtain practical experience that may improve their responsiveness, riot-control capabilities, coordination of military emergency command systems and ability to conduct non-combat missions at home [4].

China deployed early in 2009 two destroyers, including the Wuhan, one of its most sophisticated warships, and a supply ship to help combat Somali piracy in the Gulf of Aden. The ships have about 800 crew and 70 special operations troops (Reuters, January 6, 2009; China Brief, January 22). Some 20 percent of the 1,265 Chinese ships passing through the Gulf of Aden in 2008 came under attack, including the hijacking of a Hong Kong registered tanker (The Associated Press, December 19, 2008; Xinhua News Agency, September 16, 2008). This engagement gives the PLA valuable naval experience far from its shores and permits China to project power in an area that is important to its trade. U.S. Deputy Assistant Secretary of Defense David Sedney praised China's contribution to the anti-piracy effort. He commented that "The work they've done has been highly professional, it's been highly effective, and it's been very well coordinated with the United States and the other navies that are working there" (USA Today, February 28).

China's de-mining assistance has contributed positively to post-conflict situations in Africa. In the past two years, China held de-mining courses for Angola, Mozambique, Chad, Burundi, Guinea-Bissau and Sudan. China donated de-mining equipment to all of the aforementioned countries and Egypt provided Ethiopia with mine eradication funds [5].

ARMS SALES

While Chinese contributions to peacekeeping, anti-piracy and de-mining have been positive for Africa, its arms sales have had negative implications when they become employed in Africa's myriad conflicts. China has provided military equipment to African countries going back to the Algerian revolution in the 1950s and military support for numerous African liberation groups. From 2000-2003, China delivered by value about 13 percent of all arms to Sub-Saharan Africa, the second highest provider after

Russia's 16 percent. From 2004-2007, China's percentage increased to almost 18 percent, although it remained in second place after Germany's 24 percent. During 2004-2007, Chinese deliveries included 240 artillery pieces, 370 APCs and armored cars, 29 minor surface combatants, 10 supersonic combat aircraft and 40 other aircraft [6].

Of greater concern has been the provision over the years of small arms and light weapons (SALW) to Africa. Although the dollar value for any particular country has often been small, since 2000 China has delivered SALW to at least 27 of Africa's 53 countries. The largest recipients have been Egypt, Nigeria, South Africa, Sudan, Tanzania and Côte d'Ivoire [7]. Three of these countries—Sudan, Nigeria and Côte d'Ivoire—have been experiencing internal conflict since 2000. There is a growing concern that China, because its small arms are so inexpensive, is becoming the provider of choice for the generic version of the AK-47 and related assault rifles. Although China sells the weapons to African governments, they are increasingly finding their way into conflict zones [8].

The eastern DRC constitutes one of the longest-running conflicts in Africa. There have been numerous accounts over the years that Chinese small arms have contributed to the killing. Amnesty International reported that Chinese AK-47s were common among soldiers, militia and armed groups operating in the Kivu Provinces and the Ituri District of the DRC where the weapons have been used to commit atrocities. The UN Mission in the DRC investigated the origin of 1,100 weapons collected in Ituri District and determined that 17 percent were of Chinese origin. Amnesty concluded they reached the area from deliveries made to the governments of the DRC, Uganda, Rwanda and Burundi or through third parties outside the region [9].

China's most controversial military sales concern Sudan where there have been two major conflicts—the North-South civil war and the crisis in Darfur. China provided up to 90 percent of the SALW delivered to Sudan between 2004 and 2006. China also helped build three weapons factories outside Khartoum. Chinese small arms became widely used in Darfur and found their way to the conflict in neighboring Chad [10]. Most ammunition used by all parties in Darfur is manufactured in Sudan or in China (UN Security Council report, January 30, 2006). A Darfur rebel group captured from government forces in Darfur Chinese military trucks, one outfitted with a Chinese antiaircraft gun. Sudanese pilots, reportedly trained by China, used Chinese Fantan attack aircraft to conduct operations in Darfur (BBC News, July 14, 2008). China's Special Envoy for Darfur, Liu Guijin, denied that Chinese weapons are fueling the conflict, arguing that China provides only 8 percent of Sudan's total arms imports (*Financial Times*, February 23, 2008).

ATTACKS ON CHINESE

Chinese nationals and installations increasingly find themselves in harm's way as their presence grows, especially in or near conflict zones. The most serious incident occurred in Ethiopia's Somali-inhabited Ogaden region in April 2007. There has been a long-standing conflict between Ethiopian government forces and Somali rebel groups. The Ogaden National Liberation Front (ONLF), after warning foreigners to stay out of the region, attacked a Chinese base camp operated by the Zhongyuan Petroleum Exploration Bureau that was exploring for natural gas. The ONLF killed nine Chinese in the attack on the Ethiopian-guarded facility and captured a number of others who were subsequently released (*Washington Post*, April 26, 2007; *New York Times*, April 25, 2007). China abandoned the project and has not returned.

China experienced a similar situation in Southern Kordofan, which borders Darfur, where its oil operations protected by Sudan's government have come under attack. In October 2007, the rebel Justice and Equality Movement (JEM) briefly seized Chinese oil facilities at Defra as a warning to China to cease its military and political support for Khartoum (Terrorism Monitor, August 11, 2008). In December 2007, JEM attacked the Heglig oil facility run by the Great Wall Drilling Company. JEM's leader announced, "We are doing these attacks because China is trading petroleum for our blood" (The Associated Press, December 11, 2007). The most serious incident occurred in October 2008 when an unknown group carried out a third attack that resulted in the kidnapping of nine Chinese employees of the China National Petroleum Corporation (CNPC). The rebel group killed four of them while four others were rescued and one remains missing (The Associated Press, October 21, 2008; Xinhua News Agency, October 28, 2008).

The Movement for the Emancipation of the Niger Delta (MEND) in Nigeria has been conducting attacks against the government for years on the grounds that the oil producing areas do not receive a fair share of the revenue. MEND warned Chinese and other foreign nationals to stay out of the Niger Delta (*Washington Post*, May 1, 2006). In recent years, more than a dozen Chinese nationals from a variety of Chinese companies with personnel conducting projects in the region have been kidnapped and eventually released. MEND probably is responsible and likely received a ransom for the release of the Chinese and other foreign nationals (Xinhua News Agency, January 9, 2007; *VOA News*, January 18, 2007; *China Daily*, May 9, 2008).

Tuareg rebels in Niger kidnapped and released several days later a Chinese uranium executive in July 2007 as a warning to China for disregarding the environment and signing an unacceptable agreement with the Niger government. During the same month, rebels attacked an armed convoy heading to a CNPC exploration camp in Niger (Reuters, July 10, 2007; China Brief, October 3, 2007). Returning to the DRC, one Chinese national was killed late in 2008 as a result of conflict near Lubumbashi (China Brief, January Chinese nationals are increasingly experiencing violence in non-conflict areas too. Two Chinese nationals were killed and four injured as striking Chinese workers in Equatorial Guinea faced off against local police (Xinhua News Agency, March 31, 2008). Armed robbers in Dar es Salaam, Tanzania, recently killed a Chinese merchant and wounded another (Xinhua News Agency, March 19, 2009).

Conclusion

Chinese peacekeeping, anti-piracy activity and de-mining engage China in a positive way in current or former African conflict zones. These efforts are generally appreciated by African leaders and the international community. African governments welcome the availability of low cost weapons from China, especially when Western governments are not willing to sell them arms. Together with arms originating in other countries, however, they sometimes exacerbate African conflicts. China tends to take greater business risks than Western countries in Africa, including allowing Chinese business representatives to work in or near conflict zones. As a result, Chinese nationals are beginning to pay a high price for this risk taking.

David Shinn is an adjunct professor in the Elliott School of International Affairs at George Washington University. He served for 37 years in the U.S. Foreign Service, including ambassador to Ethiopia and Burkina Faso. He is working on a book concerning China-Africa relations.

Notes

- 1. David H. Shinn, "Military and Security Relations: China, Africa, and the Rest of the World," in *China into Africa*, ed. Robert I. Rotberg (Washington: Brookings Institution Press, 2008), 180.
- 2. Robert D. Kaplan, "Center Stage for the Twenty-First Century," *Foreign Affairs*, 88, issue 2 (March/April 2009), 16-32.
- 3. For peacekeeping statistics, see www.un.org/Depts/dpko/dpko/contributors/2009/feb09_5.pdf.
- Also see Garth Shelton, "China: Africa's New Peacekeeper," *The China Monitor*, issue 33 (September 2008), 4-5.
- L. See "China's Expanding Peacekeeping Role; Its

Significance and the Policy Implications," SIPRI Policy Brief (February 2009), 4-5. Also see Ian Taylor, "China's Role in Peacekeeping in Africa," The China Monitor, issue 33 (September 2008), 6-8.

- 5. China's National Defense in 2008, white paper available at www.gov.cn/english/official/2009-01/20/content_1210227.htm.
- 6. Richard F. Grimmett, "Conventional Arms Transfers to Developing Nations, 2000-2007," CRS Report for Congress (October 23, 2008), 50 & 61.
- 7. Arthur Waldron (ed.), *China in Africa* (Washington: The Jamestown Foundation, 2008), 102-104.
- 8. Kester Klomegah, "Russia Supplying Legal and Illegal Arms to Africa," (2009), see at http://ipsnews.net/news.asp?idnews=45598; *Reuters*, December 14, 2006; "China's Foreign Policy and 'Soft Power' in South America, Asia, and Africa," U.S. Senate study by the Congressional Research Service (April 2008), 113.
- 9. Amnesty International, "China: Sustaining Conflict and Human Rights Abuses: The Flow of Arms Continues" (2006). Also see Jonathan Holslag, "Friendly Giant? China's Evolving Africa Policy," *BICCS Background Paper* (August 24, 2007), 9.
- 10. Amnesty; Holslag; William D. Hartung, "Deadly Traffic: China's Arms Trade with the Sudan," *Arms and Security Initiative Policy Brief* (August 2008).

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Is a "Win-Win" Relationship in the Cards for China and Mexico?

By William Ratliff

The People's Republic of China (PRC) says it places high priority on making Mexico an important link in its widely publicized "win-win" expansion into Latin America. This was evident during Vice President Xi Jinping's February stop-over in Mexico City. In reality, however, after 37 years of diplomatic ties the relationship remains more hoped-for than realized by China and—in recent years—more feared than utilized by Mexico. What are the prospects now for a "win-win" future for China and Mexico in an unsettled world of financial turmoil?

On his first official visit to Mexico City in December 2003 as China's premier, Wen Jiabao proclaimed Mexico one of China's few "strategic partners" in the Western Hemisphere, a designation that today still has largely economic and energy overtones in the context of the PRC's domestic development [1]. This makes sense because Mexico is the 11th most populous country in the world, with some 110 million potential customers for Chinese products. More important for China in the long term, however, is Mexico's

location: 1) in the "heart" of the Central American/ Caribbean region and 2) sharing a 2,000-mile border with the United States. Mexico's special relationship with the United States includes the North American Free Trade Agreement (NAFTA), which the Chinese hope will open trade doors for them as well as Mexico through business partnerships.

Mexico's links to China are usually in some way related to U.S.-Mexico relations, which today are under stress for several reasons. Much of the widespread violence, which alarmed Xi's delegation [2], is directly or indirectly the result of Mexican drug cartels, servicing mainly U.S. users, which are heavily armed with automatic and assault weapons smuggled in from the United States. In addition to perennial challenges of illegal immigration there is the Obama Administration's step back from George W. Bush's effort to finally abide by NAFTA trucking terms. Yet above all is the spillover into Mexico of the financial collapse in the United States and the ensuing global crisis. Since last year the decline in trade has accelerated, capital investments declined, unemployment risen and crime increased: Mexico's GDP has fallen to one of the lowest in the Hemisphere.

With the United States sometimes a serious liability, as well as an asset, some Mexicans have long pondered closer cooperation with burgeoning China as a way to counterbalance U.S. influence and help restore some normality, if not prosperity, to the country. At the time of Xi's visit, Chinese leaders reportedly believed Mexicans were thus inclined, and many were, despite important obstacles [3].

Mexico was the last country in the world to support China's entry into the World Trade Organization (WTO) because of deep concern over trade and employment issues, and Mexico has charged China repeatedly with "dumping" within the WTO. The Mexican Secretary of Economy reported during Xi's visit that bilateral trade in late-2008 had reached \$34 billion, but of that Mexican imports accounted for about \$31 billion, reflecting the imbalance that is the source of serious tensions (Press Release, Mexican Secretary of Economy, February 10; Latin American Herald Tribune, March 28). These exports from China to Mexico, and to Mexico's trade partners, have had a serious negative impact on Mexican manufacturing, where employment fell by about one million jobs between its peak in 2000 and this year. According to Enrique Dussel Peters, a Mexican trade expert who specializes in Sino-Mexican relations at the National Autonomous University of Mexico (UNAM), jobs in textile production have fallen by 50 percent to 350,000 (ICIS news.com, February 10). In 2005 one study concluded that 58 percent of clothing sold in Mexico was contraband, a major portion of it from China [4].

While in Mexico, Vice President Xi met with Mexican President Felipe Calderón, congressional leaders, business persons, the local Chinese community and others. Calderón said Mexico can learn much from China in this era of financial crisis, noting that top leaders of the two countries have met 19 times on bilateral and multilateral occasions during the past eight years. He pledged further efforts to expand bilateral pragmatic cooperation (Xinhua News Agency, February 11).

Xi outlined a five-part program for the rapid development of economic and trade cooperation (Xinhua News Agency, February 11). His proposal began with a "strategic perspective" asserting the joint benefits of cooperation in expanding and balancing trade. Both sides should improve legal assurances and efficiency, he said, while removing obstacles to growth, looking particularly to telecommunications, mining, agriculture, fishing, processing and assembly. Xi reiterated points about reforming the international financial system that paralleled those of Hu Jintao at the November 2008 G20 summit. Xi emphasized that China believes business is the main force furthering bilateral and global cooperation.

This all relates to the matter of "winners" and "losers." Lists of Latin American "winners and losers" in economic relations with the PRC almost always place Mexico first among the losers. The simplest rule of thumb is that Latin American "winners" are south of the Panama Canal while "losers" are north of the Canal. The key difference is that South American countries, foremost among them Chile, Peru, Argentina and Brazil, tend to export large quantities of natural resources and agricultural commodities. In contrast, Mexico, and the Central American and Caribbean nations largely lack those resources and depend more on trade in assorted manufactured items [5].

As Johns Hopkins professor Francisco González puts it, "countries whose production structure and exports resemble China's, that is, countries dominated by unskilled labor-intensive manufacturing, will compete for markets and incur losses due to strong Chinese competitiveness." What is more, China and Mexico "compete with a similar export basket of goods for the same market, namely the United States." Mexico's top ten exports, except for oil, all compete with Chinese exports [6]. Mexico is the main Latin American country feeling the "pain" of emerging China and India, according to a recent World Bank study, because "Mexico is the only country" in the Latin America/Caribbean region "whose comparative advantage had been moving in the same direction as ... the two Asian

economies" [7].

In an article titled "Mexico's Trade: Up Against the Great Wall," Mexican analyst Dussel notes factors giving China a strong trade advantage over Mexico, beginning with a long-term view of developing and maintaining manufacturing and trade. This edge is sharpened by a research and development budget that is larger for the single city of Shenzhen than the R&D budget of the entire Mexican government. Also, unlike Mexico, China systematically develops a network of cheap and accessible suppliers that provide necessary components for a product, thus enhancing value-added benefits. China also provides stronger incentives for foreign investors, as well as a hardworking and cheaper labor force [8]. Chinese goals are sought under substantial government supervision through an integrated development program that is missing in Mexico. Even extant bi-national organizations in Mexico have not yet had the will or government/public support to bring all Mexican sectors together to understand and deal with the China phenomenon [9].

China is interested in oil anywhere and Mexico has a lot, mostly sold to the United States. The Chinese company Sinopec in particular has tried to become involved in this oil through the Mexican national company, Pemex, but without success. Blog comments by a journalist who accompanied Xi suggest both surprise and deep frustration among Chinese that Mexico turned them down, though also some satisfaction that the United States is not allowed to be involved either [10]. The result, however, given maturing fields, declining reserves, corruption and stodgy thinking within Pemex, has made this business one of the least efficient in the world.

Xi rarely made public reference to problems in the Sino-Mexican relationship, but several Chinese analysts have discussed them in some detail. In late-2007 CASS analyst Wu Guoping even warned that if bilateral trade differences, from imbalances to Mexican charges of dumping, are not resolved, then trade, economic cooperation and the strategic relationship itself could suffer [11].

The two main ways to improve Mexico's current relationship with China, and thus the bilateral relationship, are greatly expanding Mexican competitiveness and significantly expanding Sino-Mexican joint ventures. During Xi's visit, Mexican Economy Secretary Gerardo Ruiz said that while up to now trade has been the focus of bilateral economic relations, in the future "the key to promoting greater economic integration between Mexico and China is investment" (Press Release, February 10). Several years ago Antonio Ortiz Mena, the director of Mexico's CIDE research center, lamented the negativism that long dominated Mexico's view of China. "China is a threat," he

said, "but it is also an opportunity," particularly as a source of urgently needed capital and collaboration. Mexico has "depended on tariff preferences, not on increasing our productivity or improving our physical infrastructure, our business climate or our conditions for financing" (*Política y Gobierno*, February 9, 2005).

Addressing a luncheon hosted by Chinese and Mexican entrepreneurs, Xi reported that two-way investments have reached almost 500 million dollars, of which 80 percent are Chinese investments in Mexico. He added that Chinese markets have welcomed Mexican electronic and telecommunications products, as well as Tequila and Corona beer, while Mexicans have benefited from cheap but high-quality Chinese products of all sorts (*People's Daily*, February 11 and 26). Chinese leaders insist they want to balance the bilateral trade, but little real movement in that direction has occurred. The simple but tough question, as Chinese Academy of Social Sciences (CASS) Latin Americanist Jiang Shixue says, is "what can Mexico sell to China to reduce the deficit" (S. Jiang, pers. comm.).

During Xi's visit there was much talk on both sides of how China could invest in Mexican factories that would export to Latin America and the United States, though as Minister Ruiz has said, Mexico does not look favorably on Chinese-funded factories that use only Chinese rather than Mexican workers (Xinhua News Agency, Feb. 7; Herald Tribune, March 28). Chinese firms consider business in Mexico desirable, as González says, because it "can provide a platform for exports to the US market" (G. Paz, pers. comm.). Evan Ellis notes Mexico's attractions for China in his encyclopedic new book, namely its close proximity to the United States, some manufacturing skills and "tariff-free access to the U.S. market" under provisions of the NAFTA agreement [12]. Although cooperation could be worked out in many areas, several Chinese car manufacturers are the most aggressive, or as one Canadian paper put it, "China cars get Mexico beachhead" (National Post's Financial Post, January 9).

What are the prospects for a significant improvement in Sino-Mexican relations? Specialist projections cover the waterfront of possibilities.

CASS Latin Americanists Jiang Shixue and Xu Shicheng are convinced that despite commercial problems the two countries will strengthen their "strategic" relationship (S. Jiang, S. Xu, pers. comm.). Mexican analyst Dussel concluded that often tense negotiations on tariffs in late-2008 resulted in building a "closeness and trust" that had previously eluded the two parties, and in late March he expressed "high expectations" that Mexico will devise a long-term and effective response to the China challenge

(E. Dussel, pers. comm.). Kim Wonho, the president of the Latin American Studies Association of (South) Korea, notes that now the two countries "compete with each other in major export markets," but "as China moves ahead toward high tech sectors," their prospects for cooperation will improve (W. Kim, pers. comm.). Guadalupe Paz, coeditor last year of a fine overview of China's relations with Latin America, visited China in March for talks with journalists, diplomats, academics, private sector representatives and Chinese officials. Her impression was that Mexican officials "would like to deepen cooperative efforts with China," but that they tend to be "skeptical" about China's "medium- to long-term intentions" (G. Paz, pers. comm.).

Former Mexican Foreign Minister Jorge Castañeda suspects that "little will change, for better or worse, over the coming years. Every Mexican president travels to China, everyone says the same thing, and everything stays the same" (J. Castañeda, pers. comm.). Luis Rubio, the president of the Center of Research for Development in Mexico City, does not see profundity in the relationship, saying "China has placed its bets elsewhere in South America" (L. Rubio, pers. comm.). Jerry Haar, an international business professor at Florida International University, sees an economic "downward spiral" that may result in "economic nationalism—a euphemism for protectionism" and an increasing Chinese focus on countries closer to home (J. Haar, pers. comm.).

Little wonder prognostications vary. While the need to adapt is particularly great in a period of global unrest, concerns about intentions and consequences are inevitable. Both China and Mexico have strong incentives to find a "win-win" relationship, but the current competitive bilateral conditions are very real and can not be "willed" away. Additional factors figure in as well, ranging from geography and the fact that neither side adequately understands or trusts the other to differences in natural and cultural resources the players can and choose to bring to the table. China's focused successes and economic and human resources pose opportunities and challenges for China, Mexico and others, including the United States, that can only be made "win-win" with constructive goals, patience and informed persistence on all sides.

William Ratliff, Ph.D., is a fellow at Stanford University's Hoover Institution and an adjunct fellow at the Independent Institute.

Notes

1. Until November 2008 four countries (Mexico, Brazil, Cuba and Venezuela) had been designated "strategic

partners," but a policy paper in November 2008 elevated all of Latin America and the Caribbean to the "strategic" level. See China Brief, November 24, 2008.

- 2. See blog of Qin Feng, a journalist with the Hong Kongbased Phoenix TV, who accompanied Xi Jinping on his visit to Mexico, accessed at: http://blog.ifeng.com/article/2158299.html. I am grateful to Wang Zichen at Shandong Economic University for drawing my attention to this source.
- 3. See Qin Feng's blog. Xi made one informal but blunt reference to U.S. arrogance and assertiveness when addressing members of Mexico's Chinese community (*China Brief*, Feb. 20) and while the comments have not been reported officially in China they have circulated informally online (http://www.youtube.com/watch?v=bDHjmJ-9w28) with considerable approval from China's super-nationalists and some others.
- 4. Alma Rosa Cruz Zamorano, China: competencia comercial con México
- y Centroamérica, Comercio Exterior, March 2005, p 287.
- 5. In fact, the "winner-loser" terminology may be misleading since "winners" usually fail to seriously invest profits in improving basic economic, social and educational infrastructure. Thus they do not lay foundations for breaking free from traditional trade patterns or from ageold inequalities and poverty.
- 6. Francisco González, "Latin America in the Economic Equation—Winners and Losers," in Riordan Roett and Guadalupe Paz, editors, *China's Expansion into the Western Hemisphere* (Washington, Brookings Institution Press, 2008), pp. 151, 157; and González, testimony to US House Subcommittee on the Western Hemisphere, June 11, 2008.
- 7. Daniel Lederman, Marcelo Olarreaga, Guillermo Perry, *China's and India's Challenge to Latin America* (Washington, World Bank, 2009), p. 7.
- 8. Enrique Dussel Peters, "Mexico's Trade: Up Against the Great Wall," Center for Latin American Studies, University of California, Berkeley, April 27, 2006. The problems Dussel mentions in 2006 are much the same, indeed often more serious, in 2009.
- 9. Consejo Mexicano de Asuntos Internacionales, *La China del Siglo XXI: Reto y Oportunidad para México*. 2008, passim.
- 10. Qin Feng's blog. The Chinese surprise reflects an ignorance of Mexican history and culture. Citing law from the colonial period, Mexican President Lázaro Cárdenas nationalized all sub-soil wealth in 1938 and since then oil above all products has been out-of-bounds to *any* foreigner.
- 11. Wu Guoping, "Ying zhuyi yanjiu zhong mo maoyi xin bianhua," CASS, Nov. 20, 2007. Also see Qin Feng blog. Two other CASS studies are Xu Shicheng, "Algunas

reflexiones sobre el desarrollo de las relaciones chinomexicanas," *Cuadernos Americanos*, July-Sept, 2007; and Yue Yunxia, "China & Mexico: Comparison of Trade Competitiveness," Nov. 24, 2008, which concludes that although "China outshines Mexico in the overall competitiveness" in the US and EU markets, "instead of actual threaten [sic], China is just a potential restraint to Mexico...."

12. Evan Ellis, *China in Latin America: The Whats and Wherefores* (Lynne Rienner, 2009), Chapter 6.

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