



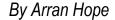
# The JAMESTOWN FOUNDATION

### VOLUME 24 • ISSUE 18 • SEPTEMBER 20, 2024

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#### Beijing's Soft Power Push with African Nations





PRC Foreign Minister Wang Yi addressed the Ninth Ministerial Conference of the Forum on China-Africa Cooperation (FOCAC) in Beijing. (Source: Xinhua)

#### **Executive Summary:**

- The People's Republic of China (PRC) has successfully used its hosting of the Forum on China-Africa Cooperation to burnish its soft power and its credentials to be seen as the leader of the Global South.
- Close political alignment on core issues, including African states affirming support for the PRC's positions on Hong Kong, Xinjiang, Tibet, and unification with Taiwan are indicative of the PRC's diplomatic gains.
- Politics was central to the event, with the promotion of exchanges and cooperation announced between
  the Chinese Communist Party (CCP) and African political parties, between the PRC's Supreme People's
  Court and the Court of Justice of the African Union, and between the Chinese People's Political
  Consultative Conference (CPPCC) and regional organizations, alongside numerous training programs in
  various domains.
- Africa joined a "community of common destiny," which entails a rejection of the Western approach to modernization. The West in general and the United States explicitly were heavily criticized throughout the forum.

The ninth Forum on China-Africa Cooperation (FOCAC) was held in Beijing on September 4–6 (FMPRC, September 5). The theme of the event was "joining hands to advance modernization and together building a high level China-Africa community of common destiny (携手推进现代化,共筑高水平中非命运共同体)" (FMPRC, September 5). The triennial event was co-chaired by Xi Jinping, President of the People's Republic of China (PRC), and President Faye of the Republic of Senegal. Heads of states, governments, and delegations from 53 African countries traveled to Beijing for the Summit and the Ministerial Conference, as did the Chairperson of the African Union Commission. Xi met with at least 40 leaders (Tracking People's Daily, September 7).

Politics was front and center at this year's FOCAC. Marquee announcements were made of financial assistance and business investment totaling Renminbi 360 billion (\$51 billion) and project funding has increased for the first time in seven years, but these were secondary to the political implications that the summit symbolized (The China in Africa Podcast, August 29). The most notable was the "elevation of relations with all African countries with whom the PRC has established diplomatic relations to the "strategic" level and the framing of overall relations as an "all-weather China-Africa community of common destiny for the new era (新时代全天候中非命运共同体)" (FMPRC, September 5). [1] Other significant moments include the deepening of ties with President Cyril Ramaphosa's South Africa and the signing of a memorandum of understanding on the revitalization of the Tanzania-Zambia Railway Authority railway (Global Times, September 4). Beneath these headline announcements were myriad other projects and areas of engagement and a decisive expansion of political alignment.

Three key documents give a clear sense of the PRC's consolidation as a leading country of the Global South, and particularly in Africa. These are Xi's keynote address at FOCAC's opening ceremony, titled "Joining Hands to Advance Modernization and Build a Community of Common Destiny (携手推进现代化,共筑命运共同体)" (FMPRC, September 5); the Beijing Declaration on Jointly Building an All-Weather China-Africa Community with a Shared Future for the New Era (关于共筑新时代全天候中非命运共同体的北京宣言) (FMPRC, September 5); and the Beijing Action Plan of the Forum on China-Africa Cooperation (中非合作论坛—北京行动计划) (2025-2027) (FMPRC, September 5).

#### **PRC Advances Soft Power**

The PRC is not known for its prowess in deploying soft power around the world, but FOCAC indicated that this perception may be outdated. The warmth of feeling on show toward the PRC's African partners was ubiquitous, and apparently well-received. The PRC foreign minister's first visit every year for 34 consecutive years has been to Africa (FMPRC, September 5). This is nothing new, even if it indicates the sustained importance that the PRC has placed on cultivating good relations on the continent. Xi personally has been heavily invested in Africa and has visited five times since 2013 (People's Daily, September 2). In his speech, he reiterated the "principles of sincerity, real results, affinity, and good faith (真实亲诚理念)" that he first articulated in 2013 to describe the relationship (China Diplomacy, accessed September 19). His toast at the opening banquet of the forum began, "no matter if true friends are far or near, they always feel close to each

other (相知无远近,万里尚为邻)," while his keynote speech opened with a poetic reference to the profits of friendship: "Blossoms in spring turn into fruits in the Fall (春华秋实)" (FMPRC, September 5).

There is much that African countries admire in the PRC's development trajectory, its economic growth, and its poverty reduction programs. A desire to learn more about these aspects of the PRC's "model" likely underline the exchanges and cooperation announced between the Chinese Communist Party (CCP) and African political parties, between the PRC's Supreme People's Court and the Court of Justice of the African Union, and between the Chinese People's Political Consultative Conference (CPPCC) and other African countries and regional organizations (FMPRC, September 5).

Part of this soft power push involves accentuating ideological and political alignment between African countries and the PRC. The latter still maintains that it is a developing country, in part to emphasize this alignment. For instance, the Action Plan articulates the belief of both sides that "changes in the world, in the times, and in history are unfolding in an unprecedented manner. The "Global South" represented by the PRC and Africa is thriving and profoundly influencing the course of world history (世界之变、时代之变、历史之变正以前所未有的方式展开. 以中国和非洲为代表的"全球南方"蓬勃发展,深刻影响世界历史进程)" (FMPRC, September 5). There is a firm commitment to the future strength of the relationship, avowing that "the logic of the twists and turns of world historical progress will not change (世界历史曲折前进的大逻辑不会改变)," and "the macro trend of the international community's common destiny will not change (国际社会命运与共的大趋势不会改变)." The PRC side even states that it "would be pleased to see Africa become the world's third-largest economy and the largest manufacturing hub by 2063 (乐见非洲在 2063 年前成为世界第三大经济体和最大制造中心)."

All three documents are shot through with historical grievance—an effective strategy to mobilize support for a shared cause. The Beijing Declaration calls for redress for historical injustices suffered (FMPRC, September 5). A substantial portion of the documents and speeches explicitly and implicitly criticize the United States and the West more broadly. There are references to the PRC and Africa's similar negative historical encounters (相似的历史遭遇) and the fact that the process of Western-style modernization "has brought deep suffering to a large number of developing countries (曾给广大发展中国家带来了深重苦难)." This includes the theft of historical and cultural artefacts that both sides promote returning to their countries of origin. There are also criticisms of the politicization of human rights issues as a means of interfering in the internal affairs of other countries (将人权问题政治化···借人权干涉别国内政) and of drawing lines or constructing exclusive blocs on the basis of ideology. The most explicit critiques focus on the West's use of sanctions and attempts at unilateral decoupling, which are framed as "unilateral coercive measures taken by some developed countries against developing countries that violate their right to sustainable development (侵害其可持续发展权利的单边强制性措施)." The Declaration demands that "the United States and the West put an end to the prolonged sanctions and unjust treatment (要求美西方结束····长期制裁和不公正待遇)" of Eritrea, South Sudan, Sudan, and Zimbabwe.

#### PRC Bids to Cement Leadership of the Global South

Chinese-style modernization is in part predicated on the rejection of what the PRC calls Western-style modernization (see <u>China Brief</u>, May 10). The community of common destiny appears to be reserved for those countries that align with this framing. That most African countries have signed on to this, both bilaterally and in the FOCAC Action Plan therefore entails agreeing to support the PRC's core interests.

The Action Plan makes clear the both the PRC and Africa are content to see the PRC as the leader of the Global South, irrespective of talk about an "equal" and orderly multipolar world. This is evident in the language. The word "appreciate (赞赏)" appears 46 times throughout. In 16 instances, the agent of the verb is "both sides (双方)," in a further six the PRC is the agent, but the remaining 24 uses are in the context of the African side voicing appreciation for the PRC's benevolence. This is on account of the PRC's support during the Covid-19 pandemic, its sharing of scientific and technological achievements, or for getting the African Union into the G20. There is one instance in the text of "a high level of appreciation (高度赞赏)." This is reserved for the African side's admiration of Xi Jinping's speech at the opening ceremony. A similar dynamic is seen with the use of the word "thanks (感谢)," which appears nine times. In one instance, the PRC thanks Africa for supporting its pandemic policies. The other eight involve the African side or the African Union expressing gratitude for PRC assistance. This overt display of gratitude and appreciation is perhaps what Xi believes constitutes "telling a good story of China-Africa friendship and showing the fruitful results of China-Africa cooperation (讲好中非友好故事,展现中非合作的丰硕成果)" (FMPRC, September 5).

The three documents also detail all of the PRC's political priorities for which it seeks support from the wider world. Beyond those already mentioned, these include the One Belt One Road project, the three global initiatives, the promotion of an equal and orderly multipolar world, a new type of international relations, new quality productive forces, inclusive economic globalization, the expansion of Renminbi-denominated settlements, and many more. African countries also reiterate their "firm commitment to the one-China principle" in the Declaration. This includes an unusually lengthy description of what this entails, namely reaffirming that "there is only one China in the world, that Taiwan is an inalienable part of China's territory, that the Government of the PRC is the sole lawful Government representing the whole of China, and that [the African side] firmly supports the PRC Government in all its efforts to realize national reunification (非方重申坚定奉行一个中国原则,重申世界上只有一个中国,台湾是中国领土不可分割的一部分,中华人民共和国政府是代表全中国的唯一合法政府,坚定支持中国政府为实现国家统一所作的一切努力)." To this is appended, "in accordance with international law and the principle of non-interference in internal affairs, the affairs of Hong Kong, Xinjiang, and Tibet are the PRC's internal affairs (按照国际法和不干涉内政原则,香港、新疆、西藏事务是中国内政)."

#### Conclusion

The Action Plan, the Declaration, and Xi Jinping's speech at the opening ceremony all suggest that the PRC is cementing its bid to the leadership of Africa and, by extension, the wider Global South. The readiness of

over 50 countries to voice strong support for the PRC's interests and view of the world is more than just rhetoric. The documents consistently reference the United Nations and other international bodies that are the core of the current global order. As the PRC continues to deepen its engagement with Africa, so it will continue its march through the institutions in its bid to reshape the world in its image.

Arran Hope is the editor of China Brief.

#### **Notes**

[1] With the exception of Eswatini, which does not maintain diplomatic relations with the PRC.

### PRC Expands De Facto Jurisdiction in the Taiwan Strait



3000-ton patrol vessel of Taiwan's Coast Guard Administration. (Source: Wikipedia)

#### **Executive Summary:**

- Beijing has begun to assert greater jurisdiction over the Taiwan Strait, with incursions by People's Republic of China (PRC) government vessels into waters under Taiwan's jurisdiction set to continue or even increase in number.
- The PRC is trying to blur the reality of the division between itself and Taiwan by ignoring the median line in the Taiwan Strait. This projects a perception that there is nothing remarkable or worth concealing about PRC vessels crossing the median line.
- Recent missions have been assigned to provincial-level vessels (such as the Fujian Coast Guard) rather
  than those of the central government or the People's Liberation Army Navy (PLAN). This is done to
  demonstrate that the management of the Taiwan Strait falls under PRC domestic administrative affairs.
- PRC vessels have avoided direct confrontations with Taiwanese law enforcement units, instead focusing
  on executing their own missions. This normalizes the presence of PRC law enforcement activities in the
  strait, aiming to create the perception that PRC management of the Taiwan Strait is a routine matter.

Since July 2024, the People's Republic of China (PRC) has further intensified its maritime incursions into Taiwan's waters. For instance, on July 2, a China Coast Guard (CCG) vessel detained the Taiwanese fishing boat Dajinman 88 (大進滿 88 號) off the coast of Fujian (CNA, July 3). Additionally, on August 17–18, several official vessels, including the Hai Xun 06 (海巡 06) under the PRC Ministry of Transport, conducted the "2024 Taiwan Strait Maritime Patrol and Law Enforcement Action (2024 年台湾海峡海上巡航执法行动)" within the Taiwan Strait, crossing the median line (Xinhua, August 20). As analysts have observed, the PRC has increasingly engaged in gray-zone operations against Taiwan this year (see China Brief, March 29; July 26). The PRC's objectives now extend beyond gray-zone incursions. The aim is to assert greater jurisdiction over the Taiwan Strait.

By unilaterally expanding its jurisdiction, the PRC seeks to enhance its administrative control and governance capabilities over the Taiwan Strait, establish customary practices, and legitimize its jurisdictional actions. Previous gray-zone operations mainly involved PRC harassment of other parties without escalating to formal conflict. Since July 2024, such operations have expanded to include harassment of Kinmen, interference with Taiwanese fishing vessels, and new patrol patterns from PRC official vessels.

#### **Increase in PRC Activities in Taiwan Strait**

Harassment of Kinmen, beginning in February, was the first step up in PRC gray-zone activities. Taiwan's outlying islands have experienced increased daily incursions into territorial waters and the expansion where these excursions come from.

Following the "Capsized Chinese Speedboat Incident" near Kinmen on February 14, the Fujian Coast Guard has regularly intruded into the waters under Kinmen's jurisdiction (<u>CNA</u>, February 15; see <u>China Brief</u>, March 29). According to data released by Taiwan's Coast Guard Administration, PRC vessels entered Taiwan's restricted and prohibited waters 30 times between January and June of this year. These activities typically involved one to two fleets of vessels entering Kinmen's waters once per day.

Starting in July, the PRC intensified the frequency and severity of these incursions. Several incidents involved four coast guard vessels simultaneously intruding into Kinmen's waters at four separate locations. Sometimes, multiple incursions take place on the same day. Table 1 presents a chronology of PRC government vessels' activities around Kinmen since February 14, while Figure 1 illustrates the relative positions of the incursions.

The PRC is increasing both the frequency and scope of its activities in the waters surrounding Kinmen, asserting its claims of jurisdiction over these waters more forcefully than in the past. Analysis from Yuyuan Tantian (玉渊谭天), a media outlet under the PRC government's China Media Group (中央广播电视总台), suggests that CCG has divided into smaller units to conduct law enforcement actions after completing their regular patrol routes since June 25. The report interpreted this trend as an expansion of the PRC's law enforcement range and a shift toward "round-the-clock (全天候)" operations (BBC, February 21, 2019; Yuyuan Tantian, June 26).

Table 1: Chronology of Chinese Government Vessels' Activities around Kinmen since February 14

| Date           | Maneuver Type  | Source                              |
|----------------|--|-------------------------------------|
| February<br>19 | A sightseeing boat was inspected by the Fujian CCG (2.8 nautical miles northwest of Niaosha Cape, Kinmen; outside the restricted waters northwest of Kinmen).  | United Daily News,<br>February 20   |
| February<br>20 | China Marine Surveillance Ship 8029 entered the restricted waters.   | <u>Ta Kung Pao</u> ,<br>February 26 |
| February<br>25 | Fujian CCG organized a fleet for law enforcement patrols in the waters near Kinmen.  | CCG, May 16                         |
| February<br>26 | One Chinese marine surveillance ship and four coast guard vessels entered the restricted waters.   | CNA, February 27                    |
| March 15       | One fleet, 14:00-16:00: two CCG Direct Bureau vessels and three Fujian CCG vessels.  | <u>China Times</u> ,<br>March 15    |
| March 16       | One fleet, one time slot, 08:54-10:06: two CCG Direct Bureau vessels and three Fujian CCG vessels.   | <u>CNA</u> , 3/16                   |
| May 3          | One fleet, one time slot.  | Xinhua, May 3                       |
| May 6          | One fleet, one time slot, 15:30-16:37: four Fujian CCG vessels, south of Kinmen.   | ROC CGA, May 6                      |
| May 9          | Two fleets, one time slot: 15:00-16:30: seven Fujian government vessels, southwest of Liaoluo 15:00-16:30: four Fujian CCG vessels, south of Dadan.  | ROC CGA, May 9                      |
| May 14         | Two fleets, one time slot: 15:00-17:09: two Fujian CCG vessels, south of Liaoluo 15:00-17:09: two Fujian CCG vessels, south of Zhaishan.   | ROC CGA, May                        |
| June25         | Two fleets, one time slot: 06:00-08:00: two Fujian CCG vessels, east of Beiding 06:00-08:00: two Fujian CCG vessels, south of Fuxing Islet.  | ROC CGA,<br>June 25                 |
| July 11        | Four fleets, two time slots: 0700-0900: four Fujian CCG vessels, east of Liaoluo, southeast of Liaoluo, south of Zhaishan, south of Fengzui. 1000-1200: four Fujian CCG vessels, east of Liaoluo, southeast of Liaoluo, south of Zhaishan, south of Fengzui. | ROC CGA, July 11                    |
| July 15        | Four fleets, one time slot: 1500-1700: four Fujian CCG vessels, Fuxing Islet, Zhaishan, Liaoluo, south of Beiding Island.  | ROC CGA, July 19                    |
| August 21      | Four fleets, two time slots: 08:50-11:00: four Fujian CCG vessels, Fuxing Islet, Zhaishan, Liaoluo, south of Beiding Island 14:50-17:00: four Fujian CCG vessels, Fuxing Islet, Zhaishan, Liaoluo, south of Beiding Island.                                  | ROC CGA,<br>August 21               |

Fengzui

Prohibited Waters

Restricted Waters

(Source: Author)

Figure 1: Relative Positions of the Incursions

The activities of CCG vessels in these cases have predominantly occurred in the southern waters of Kinmen—the main route between Kinmen and the main island of Taiwan. If the CCG's objective was solely to harass Kinmen, one would expect incursions from all four cardinal directions into Kinmen's waters, potentially leading to standoffs or even conflicts with Taiwan's coast guard. The incidents disclosed by Taiwan's Coast Guard Administration do not support this scenario, however. The involvement of PRC government vessels in a maritime rescue drill on May 9 in these southern waters, in coordination with PRC fishing vessels, indicates a deliberate assertion by the PRC government of its jurisdiction and routine operational presence around Kinmen.

Since July, Taiwanese fishing vessels operating in the Taiwan Strait have frequently been harassed by the CCG. The most prominent incident occurred on July 2, when the Taiwanese fishing vessel Dajinman 88 was apprehended by CCG and forcibly escorted to a PRC port (ROC CGA, July 3). Although this incident took place within the territorial sea baselines declared by the PRC, the Republic of China (ROC) Ministry of Agriculture, which oversees fisheries, stated that this area is a traditional fishing ground where fishermen from both sides of the Strait have historically operated (ROC Ministry of Agriculture, July 3). The shipowner of Dajinman 88 noted that he has made his living in the waters near Kinmen for decades. This

was the first time his vessel had been forcibly detained. In the past, PRC authorities primarily issued warnings to leave the area (<u>CTS News</u>, July 3).

According to reports from Taiwanese media, there have been at least nine incidences of Taiwanese fishing vessels being approached and harassed by the CCG (CNA, July 3; UDN, July 4, July 16; LTN, July 5, July 16, July 18, July 19, July 21). Figure 2 illustrates the locations where Taiwanese fishing vessels have been harassed by the Chinese coast guard. The locations reveal that most of the vessels were harassed by the CCG to the east of Taiwan's fishery protection boundary line. Several of these vessels were even harassed east of the median line of the Taiwan Strait. While there have been instances where Taiwanese fishing vessels were occasionally harassed by PRC government vessels, the frequency and intensity of such incidents have escalated since July.

PRC's Territorial Sea Baseline Median Line rotection Patrol 7/2: Da Jin Man 88 Western Boundary 7/3 Possible Area Kinmen 7/4 Possible Area 7/5 (East side of the median line) 7/10 (East side of the median line) 7/19 (West side of the median line) 7/18 (East side of the median line) 7/13 (East side of the median line) 7/21 (East side of the median line) Territorial Sea Baseline 12nm Territorial Sea-24nm Contiguous Zone-

Figure 2: Locations where the CCG Harassed Taiwanese fishing vessels

(Source: Author)

The case of Dajinman 88 is currently the only known instance of a Taiwanese fishing vessel being forcefully detained. It is unclear if this will remain an isolated incident or if the primary focus of CCG actions in the Taiwan Strait will escalate from harassment to forcible boarding and detention as routine measures.

The frequency of Fujian Coast Guard and other PRC government vessels crossing the median line in the Taiwan Strait has increased since July this year. This is confirmed by tracking Automatic Identification

System (AIS) data from these vessels. CCG vessels often turn off their AIS signals during operations to conceal their activities, a characteristic often highlighted in studies of PRC gray-zone operations (see SeaLight, August 17, 2023). As such, using AIS signals to observe CCG activities might not provide a complete picture of these gray-zone tactics.

According to the Taiwanese news reports referenced above, at least five vessels from the Fujian Coast Guard have harassed Taiwanese fishermen in the Taiwan Strait. [1] From August 17–18, the Hai Xun 06, a 6,600-ton vessel under the Fujian Maritime Safety Administration, conducted the "2024 Taiwan Strait Maritime Patrol and Law Enforcement Action" (Xinhua, August 20). This vessel also carried out similar missions in the Taiwan Strait in April 2023, prior to the PLA's military exercises around Taiwan (Xinhua, April 6, 2023). Figure 3 illustrates the operational areas of the Fujian Coast Guard and Hai Xun 06 from July 1 to August 22. Their AIS tracks confirm that the areas where Taiwanese fishing vessels were harassed coincide with the patrol areas of the PRC government vessels.

Comparing the AIS tracks of the Fujian CCG since July of this year with those from the first half of this year and the whole of 2023 shows that these vessels have crossed the median line in the Taiwan Strait more frequently since July this year. Figures 4 to 8 (in the Appendix) illustrate this, showing the AIS signals of five Fujian CCG vessels.

Figure 3: Operational areas of the Fujian CCG and Hai Xun 06 since July Median Line PRC's Territorial Sea Baseline ROC's Fishery Protection Patrol Western Boundary Kinmen Penghu The Locations Where Taiwanese Fishing Boats Were Harassed by the CCG AIS signals of Haj Xun 06 AIS signals of the Fujian Coast Guard Bureau's vessels (CCG14504, 14508, 14515, 14519, & 14609) Territorial Sea Baseline-12nm Territorial Sea-24nm Contiguous Zone-(Source: Author)

#### **Eroding the Status Quo**

There are three implications for the discernible changes in PRC actions in the Taiwan Strait.

First, the PRC is trying to blur the reality of the division between the PRC and Taiwan by ignoring the median line in the Taiwan Strait. During these operations, PRC vessels have often activated their AIS signals. This is distinct from typical gray-zone harassment tactics, as it signals the PRC's actions to the international community. This projects a belief that there is nothing remarkable or worth concealing about PRC vessels crossing the median line.

Second, missions have been assigned to provincial-level vessels, not those of the central government or the People's Liberation Army Navy (PLAN). This is done to emphasize that the management of the Taiwan Strait falls under PRC domestic administrative affairs. Deploying Fujian CCG or other provincial-level units of Fujian province is a shift from missions conducted in February and March, which saw larger, thousand-ton class CCG vessels from centrally controlled detachments patrolling around Kinmen. In recent months, there also has not been any indication of PLAN involvement in the strait. This shift by the PRC to deliberately assigning the responsibility for security and management of the Taiwan Strait to "Fujian provincial law enforcement units" underlines the PRC narrative that the Taiwan Strait is a domestic matter.

Third, PRC vessels have avoided direct confrontations with Taiwanese law enforcement units, instead focusing on executing their own missions. This is done to highlight that the PRC's management of the Taiwan Strait is a routine matter. Although CCG vessels are frequently intercepted and driven away by Taiwanese Coast Guard vessels when they intrude into Kinmen's waters or cross the Taiwan Strait median line, there have been no intense confrontations between vessels from the two governments. This stands in contrast to the PRC's encounters with vessels from the Philippines elsewhere in the South China Sea. In some cases, CCG vessels harassing Taiwanese fishing boats east of the Taiwan Strait median line withdrew before Taiwanese coast guard vessels arrived. This suggests that PRC government vessels are trying not to engage with Taiwanese official vessels, implying that the PRC intends to normalize the exercise of its jurisdiction in the Taiwan Strait, thereby presenting its law enforcement activities as routine. Avoiding Taiwan's official presence allows the PRC to conduct patrols without resistance.

#### Conclusion

Since July, the PRC has attempted to blur the reality and boundaries of the separation across the Taiwan Strait, emphasize that the management of the Taiwan Strait is a matter of domestic administrative affairs, and normalize the perception that the PRC's management of the Taiwan Strait is a routine matter. These actions imply that Beijing has begun to assert greater jurisdiction over the Taiwan Strait. It is likely that incursions by PRC government vessels into waters under Taiwan's jurisdiction will continue or even increase.

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The views expressed in this article are solely those of the authors and do not represent the positions of the National Defense University, the Ministry of National Defense, or the government of the ROC (Taiwan).

#### **Notes**

[1] These vessels are CCG14504, CCG14508, CCG14515, CCG14519, and CCG14609.

Appendix 1: Comparative Data on Fujian CCG Vessels' AIS Signals

(Source: Author)

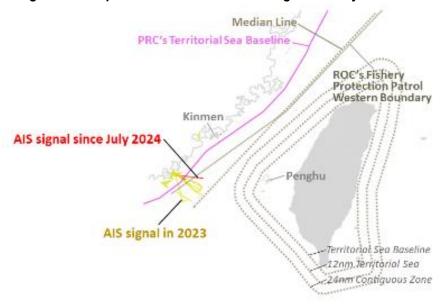


Figure 4: Comparative illustration of AIS signals of Fujian CCG 14504

ROC's Fishery
Protection Patrol
Western Boundary

AlS signal from January to June 2024

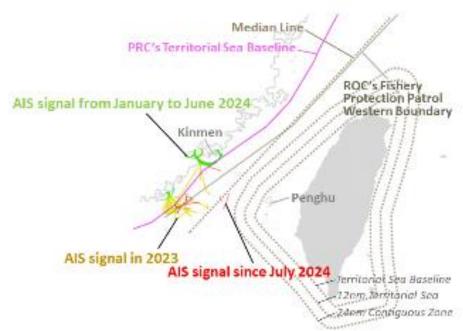
AlS signal since July 2024

Territorial Sea Baseline
12nm, Territorial Sea
24nm Contiguous Zone

Figures 5: Comparative illustration of AIS signals of Fujian CCG 14508

(Source: Author)

(Source: Author)



Figures 6: Comparative illustration of AIS signals of Fujian CCG 14515

AlS signal in 2023

AlS signal since July 2024

Penghu

AlS signal in 2023

AlS signal since July 2024

Peritorial Sea Baseline

12nn, Territorial Sea Baseline

24nm Contiguous Zone

Figures 7: Comparative illustration of AIS signals of Fujian CCG 14519

(Source: Author)

(Source: Author)

AlS signal in 2023

AlS signal from January to June 2024

ROC's Fishery
Protection Patrol
Western Boundary

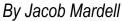
Kinmen

Penghu

AlS signal since July 2024

Figures 8: Comparative illustration of of AIS signals of Fujian CCG 14609

### PRC Partnership Diplomacy in the New Era





PRC President Xi Jinping spoke at the eighth BRICS summit. (Source: CCTV)

#### **Executive Summary:**

- The People's Republic of China (PRC) has an extensive hierarchy of diplomatic relations, with at least 42 unique combinations of adjectives for different partnerships. The PRC has never delineated the hierarchy explicitly, though there is enough available information to determine a loose hierarchy.
- The adjective that carries the most weight is "all-weather (全天侯)" or, in the case of Kazakhstan, "permanent (永久)." The elevation of 30 African nations to an "all-weather community of common destiny" in September indicates the importance the PRC sees in its relations with the continent.
- The PRC continues to avoid traditional alliances, favoring flexible partnerships instead. This approach allows Beijing to foster international cooperation without political entanglements.
- The terms "community of common destiny" and "new era" have grown in importance in recent years and reflect alignment on specific strategic challenges, especially against the United States. The PRC deploys the combination of phrases carefully to individual countries to maximize their strategic value.

In an unprecedented mass promotion, the People's Republic of China (PRC) has elevated 30 African countries in its diplomatic hierarchy (MFA, September 6). The shift was made last week in Beijing at the 9th triennial Forum on China–Africa Cooperation (FOCAC), which 51 African leaders attended. Every nation on the continent now has at least a "strategic partnership" with the PRC, except for Eswatini, which recognizes Taiwan. In his speech at the forum, PRC President Xi Jinping also announced that the national leaders had all agreed to "elevate China-Africa relations [as a whole] to an 'all-weather China-Africa community of common destiny for the new era' (将中非关系提升为新时代全天候中非命运共同体)."

"Partnership diplomacy" plays a central role in PRC foreign policy. Through its partnership network, Beijing seeks to shore up global support by swelling its ranks of various types of partners. There are no direct economic or institutional implications to becoming a "strategic partner" of the PRC, nor are there necessarily material benefits to advancing to the level of "comprehensive strategic partnership." Such promotions can be significant in other ways, however. For partner countries, being officially designated a close partner can provide opportunity for real cooperation.

#### The PRC Prefers Partners, Not Allies

The PRC does not do alliances in the traditional sense, preferring to conduct relations through a variety of partnerships. Beijing began articulating its policy of "partnership, not alliance (结伴不结盟)" before the end of the Cold War, but partnership diplomacy gathered speed in the 1990s. In 1993, the PRC established its first strategic partnership with Brazil (State Council, July 26; MFA, accessed September 16). [1] Beijing saw partnership diplomacy as key to maintaining a flexible, independent foreign policy, providing room to concentrate on development (Gov.cn, December 23, 2014). By eschewing alliances, the PRC could reap the benefits of friendly economic cooperation with everyone while avoiding entanglements. This non-confrontational approach has been incorporated into the PRC's narrative of its "peaceful rise (和平掘起)." A 2011 white paper published by the State Council Information Office on "peaceful development," for example, reiterated a promise to not "form an alliance with any other country" (Gov.cn, September 6, 2011).

As strategic competition with the United States has come into sharper focus, partnership diplomacy has begun to constitute a vector of the PRC's asymmetric response to the United States' value-based alliance system. Chinese Communist Party (CCP) rhetoric explicitly frames the PRC's approach as a contrast to that of the United States (MFA, March 13). While the United States maintains a "cold war mentality (冷战思维)," sowing division to maintain hegemony, Beijing promotes cooperative, non-exclusive partnerships based on the principles of non-interference and mutual respect.

This narrative is a core part of the PRC's value proposition to the Global South. Beijing seeks a values-agnostic "democratization of the international order (国际关系民主化)" and proposes the creation of a harmonious "global community of common destiny (人类命运共同体)" (CPC News, January 14, 2022; Gov.cn, September 26, 2023). [2] These CCP concepts increasingly have been inserted into partnership statements in recent years. This helps build support for Beijing's global leadership and its vision for a new

international order. Partnerships such as that established with South Africa at FOCAC denote relations with countries that Beijing considers firmly onside in its fight against US hegemony (MFA, September 3).

#### 'Strategic' and 'Comprehensive' Partners

The PRC's diplomatic hierarchy is extensive, but it does not cover every country, and there are several states whose relations fall outside the ordered rubric. A 1961 mutual defense treaty with North Korea suggests that Beijing does have one ally. The treaty has never been invoked, however, and it is unclear whether the PRC would abide by it. The United States, meanwhile, is uniquely important to the PRC, yet exists outside of the partnership system. Countries like Cuba are also oddities—leaders from both countries have pledged to support a "China-Cuba community of common destiny" but have not actually established any formal level of partnership, perhaps on Havana's insistence (Xinhua, July 9; see China Brief, July 26).

Flexibility within the partnership system is unsurprising. The different levels have never been clearly delineated in official publications, but context, along with some explanation from PRC officials and academics, is enough to determine a loose hierarchy. Certain adjectives appear to carry consistent meanings, for instance (IISS, October 20, 2023). One of the biggest distinctions is between partnerships that are described as "strategic (战略)" and those that are not. Another important adjective is "comprehensive (全面)." Some partnerships are "comprehensive," yet not "strategic," but generally partnerships progress from "strategic" to "comprehensive strategic." Another common descriptor is "cooperative (合作)." This is sometimes adjoined to both strategic and non-strategic partnerships. All are straightforward in meaning. "Strategic" implies long-term, close cooperation on issues of global importance, while "comprehensive partnerships" encompass all dimensions of cooperation.

There are currently 42 unique combinations of adjectives for different partnerships. This indicates that the descriptors for PRC partnerships with many individual countries are tailor-made. For instance, the United Kingdom is the only country to have a "Global Comprehensive Strategic Partnership for the 21st Century" with the PRC. [3] The adjective that carries the most weight in the hierarchy is "all-weather (全天侯)" or, in the case of Kazakhstan, "permanent (永久)." These both imply very close relations that are expected to remain stable in the long term. Until 2019, only the PRC's relationship with Pakistan was officially described as "all-weather" partnership. In 2019, Kazakhstan was also dubbed "permanent," with the "all-weather" moniker likely avoided to preserve the unique nature of Sino-Pakistan relations. Since then, Beijing has increased its circle of very close friends and has normalized use of the term "all-weather." Additions include Belarus in 2022, Venezuela and Ethiopia in 2023, Uzbekistan and Hungary in 2024, and now Africa as a whole.

#### 'Community of Common Destiny' and the 'New Era'

Two phrases that have emerged more frequently in recent diplomatic statements are "community of common destiny" (hereafter "CCD") and "[...for the] new era." At FOCAC, alongside the continent-level PRC-Africa CCD, Beijing established at least four bilateral CCDs with Nigeria, the Republic of the Congo, Senegal, and

Zimbabwe (FMPRC, September 4 [1] [2]; <u>September 6</u>; <u>MFA</u>, September 4). Not all of these were partnerships "for the new era," however.

Both phrases are established rhetoric under Xi Jinping. The "new era," included in the CCP constitution in 2017, is an assessment that the world has entered a period in which the global balance of power is shifting in the PRC's favor (*China Brief*, November 10, 2017). CCD is also a central concept in Xi Jinping Thought on Diplomacy, the PRC's current foreign policy doctrine. It predates Xi, but has been promoted under his watch and refers to a utopian vision of PRC-led harmony and interconnectedness—a "global village" in which "all human beings are one big family" (<u>The Diplomat</u>, October 25, 2017; <u>Belt and Road Forum</u>, September 2023). While light on detail, the concept is defined in opposition to the status quo of unequal international relations presided over by the United States. CCD is pitched at the global, multilateral, and bilateral levels.

#### Beijing Ramps Up CCD Partnerships

In 2016, the PRC and Laos signed a joint statement, affirming that they "are a CCD with strategic significance (是具有战略意义的命运共同体)" (MFA, May 4, 2016). This was followed in 2019 with a CCD "Action Plan," referred to as the PRC's first bilateral document on building a CCD (though a similar action plan was signed two days prior with Cambodia) (QS Theory, May 1, 2019). The term "community of common destiny with strategic significance" is used to refer to Cambodia, Laos, and Vietnam, which have also established CCDs with the PRC. Pakistan was also an early CCD partner, agreeing to "build a closer China-Pakistan community of common destiny in the new era" in November 2018 (Gov.cn, November 4, 2018).

Beijing stepped up expansion of the CCD concept in 2022. In 2022–2023, the PRC issued joint statements with 11 countries, the language used by the PRC in joint statements with 11 countries to describe 'building' a bilateral CCD closely resembled that used in endorsements of the One Belt One Road (OBOR) initiative (MFA, May 9). From January to September 2024, the PRC established 7 new CCDs, including its first with a European country: Serbia. In total, the PRC has established bilateral CCDs with at least 22 countries. Additional countries have paid lip-service to the CCD concept but have not yet announced joint statements affirming this position. For instance, Xi Jinping has formally proposed the PRC-Vanuatu and PRC-Egypt CCDs, but joint statements are still forthcoming (Bastille Post, July 12). Establishing a CCD with the PRC remains a more exclusive privilege than signing up to OBOR, which is consciously inclusive and open to endorsement from anyone. Joint statements on CCDs effectively function as an endorsement of the PRC's global vision, and do not necessarily entail material benefits in themselves for partner countries. This makes them less clearly beneficial to agree to than signing on to OBOR.

An official commitment to a CCD is not by itself a distinct level of partnership but an additional marker of the nature of a partnership. It symbolizes that the partner country is ideologically aligned with Beijing's global vision, but also that Beijing is invested in positive, long-term relations. As with the various partnership levels, differences in precise language suggest a gradation. For example, a 2024 joint statement with Timor-Leste, not a particularly important country for the PRC, says that the countries agree to "work towards building a China–Timor-Leste community of common destiny" (MFA, July 29). At FOCAC this year, the PRC and Eritrea also agreed to "strive to build a high-level China-Eritrea and China-Africa community of common destiny"

(MFA, September 3). In both cases, the language suggests that these countries are not quite at the level of actually "building" a "community of common destiny" with the PRC.

Russia Leads 'New Era' Partnerships

Beijing has also recently begun establishing partnerships with the descriptor "[...for the] new era." There is some overlap between countries that have established CCDs with the PRC and those that have "new era" partnerships, but fewer countries have the "new era" formulation in their partnership title than those with CCDs. These include Belarus, Mongolia, Kyrgyzstan, the Solomon Islands, Uzbekistan, Hungary, and, most recently, South Africa.

Russia was the first country to establish a "new era" partnership with the PRC in June 2019. This is indicative of the term's significance (Xinhua, June 5, 2019). Whereas a CCD indicates deep, long-term alignment, and an intertwining of futures across a range of areas, the "new era" nomenclature is more issue specific. It is a narrower sign of alignment with the PRC's strategic vision and challenge to the status quo. The upgrade of Sino-Russian relations to a partnership befitting a "new era" is connected to another CCP slogan, "great changes unseen in a century (百年未有之大变局)" (see *China Brief*, November 21, 2023). As with the "new era" phrase, this refers to the decline of US hegemony and the arrival of a multipolar world order (People's Daily Online, June 6, 2019). This ideological alignment is the foundation of the Sino-Russian relationship and can be traced from the 1997 Joint-Declaration on a Multipolar World and the Establishment of a New International Order all the way to the current "new era" partnership (<u>UN Digital Library</u>, accessed September 16). By declaring a partnership fit for a "new era," Beijing recognizes a country's alignment with its wider strategic view of international relations.

#### Hungary and Serbia Illustrate Partnerships' Differences

Establishing a CCD indicates support for the PRC's global vision, but more broadly and perhaps less boldly than signing on to the "new era." It also suggests a closer economic and cultural link that is absent from the "new era" designation. The difference is subtle. Hungary established an "All-Weather Comprehensive Strategic Partnership for the New Era," with the PRC in May 2024, but has not established a CCD. Serbia, on the other hand, only has a "Comprehensive Strategic Partnership" with the PRC, but in May 2024 became the first European country to establish a CCD with the PRC.

Making this distinction allows Beijing to treat each of its closest friends in Europe as unique partners but it also reflects a real difference between the Sino-Serbian and Sino-Hungarian relationships. Serbia has stronger links to the PRC than Hungary. The PRC has made several important greenfield investments in Serbia over the past decade and the Export-Import Bank of China has extended billions of dollars in loans for Serbian projects. The country is also engaged with the PRC in tourism and educational exchanges. There is even an emotional tenor to the relationship—a Chinese cultural center recently opened in Belgrade on the site of the PRC embassy that was destroyed during the NATO bombing of Yugoslavia in 1999 (Global Times, May 9). Hungary on the other hand has fewer important economic links with the PRC but is a more important

actor on the international stage. As a member of both the European Union and NATO, it is a key partner to cultivate in the "new era."

#### Conclusion

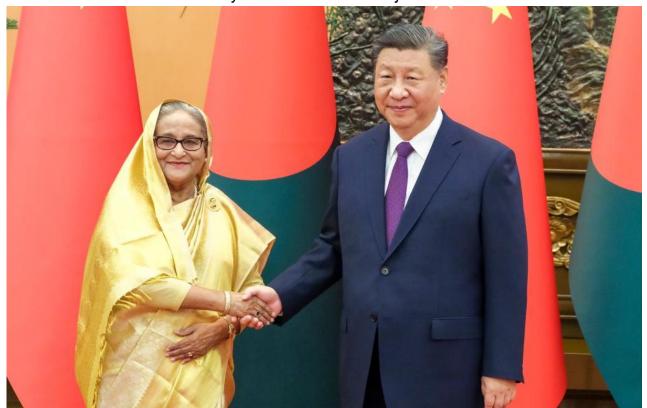
The PRC has a complicated taxonomy for its diplomatic relations with other countries. Two phrases have become important descriptors in recent years, adding nuance to the various levels of "strategic" and "comprehensive" partnerships. These are the concepts of a "community of common destiny" and the "new era." Both are deployed in partnership diplomacy to advance PRC narratives through endorsements from other countries. While CCD signals support for PRC ambitions more broadly, "new era" partners are those who seem more closely aligned with Beijing's desire to fight against US hegemony. As the country's domestic economic troubles and tensions with the West persist, Beijing is increasing its efforts to seek partners in the Global South. Monitoring the evolution of the PRC's partnerships will indicate where its influence is gaining traction, and in which domains that traction is taking hold.

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#### Notes

- [1] As Wang Yi goes on to say in the speech cited, Brazil was not only the PRC's first strategic partner, but also its first comprehensive strategic partner in Latin American and the first Latin American country to surpass the \$100 billion mark in bilateral trade with the PRC.
- [2] The "community of shared future" is Beijing's updated, preferred English translation for "命运共同体." The original official translation was "community of common destiny." Outside of direct quotation of Englishlanguage sources, *China Brief* prefers to stick with the latter, which more closely reflects the Chinese term.
- [3] This was established during the so-called "golden-era" of Sino-British relations presided over by former UK Chancellor George Osborne.
- [4] The exact phrasing in the 2019 joint statement is "changes in the world situation (世界形势变化)."

### PRC Seeking to Boost Ties with Bangladesh After Hasina's Demise



By Khandakar Tahmid Rejwan

PRC President Xi Jinping met with Sheikh Hasina, former Prime Minister of Bangladesh in July 2024. (Source: Xinhua)

### **Executive Summary:**

- The fall of Sheikh Hasina, Prime Minister of Bangladesh, in August has presented an opportunity for Beijing to strengthen ties with the more pro-China Bangladesh Nationalist Party (BNP) and Jamaat-e-Islami Bangladesh (JIB). China aims to solidify its influence in Bangladesh, particularly as it competes with India for regional dominance.
- After Hasina was ousted following the "Monsoon Revolution" protests, the People's Republic of China
  (PRC) swiftly engaged with Bangladesh's new potential political leadership, positioning itself capitalize on
  deeper bilateral relations regardless of political changes in Dhaka.
- The PRC has historic ties to Bangladesh's defense establishment and has provided 72 percent of its
  military equipment. The modernization of Bangladesh's military under the "Forces Goal 2030," there is
  potential for increased arms imports between the two countries.
- The PRC remains the largest trading partner of South Asia's second-largest economy and plays a crucial role in the country's infrastructure projects. It also promotes the use of Renminbi in bilateral trade.

On August 5, 2024, Prime Minister Sheikh Hasina of Bangladesh was forced to step down after student protests became what is now referred to as the "Monsoon Revolution." These demonstrations began shortly after Hasina visited the People's Republic of China (PRC) in early July (MFA, July 10). Since her demise, PRC ambassador to Bangladesh Yao Wen (姚溫) has been quick to launch a diplomatic campaign among the country's political elites (*Global Times*, September 3). Yao, the PRC's top envoy in Dhaka, has met with the Chief Advisor (CA), Dr. Muhammad Yunus, and at least two advisers of the interim government. He expressed Beijing's total commitment to working with Dhaka's new political leadership and enhancing the recently upgraded "Comprehensive Strategic Cooperative Partnership (全面的战略合作伙伴关系)" (*The Business Standard*, August 25; *UNB*, August 25) He has also held discussions with top political figures such as Mirza Fakhrul, secretary general of the Bangladesh Nationalist Party (BNP), and Dr. Shafiqur Rahman, emir of Jamaat-e-Islami Bangladesh (JIB)—two of the largest political parties that competed with Hasina's Awami League (AL). The BNP's foreign policy stance is historically pro-PRC (*Dhaka Tribune*, March 28).

In his discussion with Yao, the BNP's Fakhrul remarked that the PRC has "made it clear that they do not believe in hegemony. They had previously promised to always stand by the people of Bangladesh, considering its geopolitical situation, and they have now reiterated this" (*Dhaka Tribune*, August 21). JIB also sees Beijing as an ally due to its anti-India sentiment and Yao has praised it as a "well-organized party (组织良好的派对)." Rahman thanked the PRC for engaging in Bangladesh's social and economic development. After the meeting, Yao Wen expressed Beijing's desire to work with all the political parties to deepen ties (JIB, September 2; *Global Times*, September 3; News18, September 3).

Beijing's proactiveness in pursuing these actors and reaffirming its commitment to Dhaka irrespective of changes in power signals that it aims to take advantage of the opportunities presented by Hasina's political demise to enhance strategic bilateral ties (<u>UNB</u>, August 25). The PRC hopes it can improve relations with Bangladesh beyond where they stood during Hasina's administration. While Hasina was keen to deepen ties with the PRC, she was always careful not to upset India, preferring to maintain a strategic balance between the two geopolitical rivals (<u>The Indian Express</u>, July 12). The prospects of pro-PRC parties such as the BNP and JIB coming to power in the next election has spurred the PRC to take advantage of this strategic opportunity (<u>Nikkei Asia</u>, August 8).

#### PRC's Reaction to the Events Unfolding the Demise of Sheikh Hasina

Sheikh Hasina was on an official state visit to the PRC when the anti-discrimination protest, which later turned into a popular revolution, was gaining momentum against her policies. Beijing was cautious in commenting on the protests, with Yao asserting a policy of non-interference in Bangladesh's domestic politics but officially wishing for the restoration of peace and stability inside the country (*The Daily Star*, July 18). Despite Hasina's pro-India stance, Beijing was committed to maintaining warm ties with Hasina (*The Daily Star*, October 6, 2020). This year, the PRC congratulated Hasina on winning a controversial 4th term in power (*CGTN*, January 11). Foreign Minister Wang Yi (王毅) also congratulated his former counterpart Hasan Mahmud, writing, "The PRC and Bangladesh have firmly supported each other on issues that bear on each other's core

interests. PRC-Bangladesh relations have made significant progress (中孟在涉及彼此核心利益的问题上坚定支持对方。中孟关系取得重大进展) (Embassy of China in Bangladesh, January 16).

Hasina's July visit was significant. Among the announcements were 21 instruments, including three renewed Memoranda of Understanding (MoUs), seven more projects to elevate the relationship from a "strategic partnership of cooperation" to a "comprehensive strategic cooperative partnership" (*Global Times*, July 10; *Dhaka Tribune*, July 10). Dhaka reiterated its commitment to maintaining the "One-China Policy" (CGTN, July 10). In a meeting with Hasina, PRC President Xi Jinping proclaimed, "China-Bangladesh ties are a shining example of relations among Global South nations (中孟关系是全球南方国家关系的光辉典范)" (CGTN, July 11).

New Delhi was skeptical about this visit and Indian media attempted to downplay its importance (<u>Business Standard</u>, July 13; <u>The Print</u>, July 14). Such claims quickly lost ground, however. Hasina argued that her trip was a significant part of Bangladesh's diplomatic activities and announced that Beijing had committed to granting Dhaka \$2 billion in assistance across a mixture of grants as well as interest-free, concessional, and commercial loans (<u>The Daily Star</u>, July 4; <u>People's Daily Online</u>, July 15).

Despite sharing warm relations with the Hasina regime, the PRC kept channels of communication open with other major political parties in Bangladesh. This has given Beijing a strategic advantage in working with those in power in Dhaka (*Dhaka Tribune*, August 25). Bangladesh's Foreign Adviser to the Interim Government, Touhid Hossain, has apparently vindicated this approach, expressing his optimism that Dhaka-Beijing relations will remain strong (*New Age*, August 14). He noted that public perceptions of the PRC are positive and reaffirmed the government's desire to work together closely (Xinhua, August 15).

#### **Prospects for Stronger Defense Ties**

The PRC has strong defense relations with the Bangladesh Armed Forces (BAF). These date back to 2002, when the two countries signed a defense cooperation pact. The PRC sends more arms and military equipment to Bangladesh than to any other country besides Pakistan, providing 72 percent of its inventory (The Standard, June 10; The Print, April 7, 2023). The BAF has received critical military equipment from Beijing, including Ming-class submarines, F-7BGI interceptors, MBT-2000s, VT-5 light tanks, HQ-7 short-range surface-to-air missiles (SAMs) (SP Land Forces, May 27; The Daily Star, September 28, 2023). The scale of this trade can be attributed to several factors, including low prices, lack of democratic oversight over the acquisitions, and a legacy of the BAF officer corps being familiar with weapons exported from the PRC (ORF, July 18, August 21, 2023).

An ongoing program to modernize the BAF in light of Bangladesh's new geopolitical realities may lead to a sharp rise in arms imports from the PRC. This is part of a broader transition in the BAF to achieve the "Forces Goal 2030" launched by Hasina, an ambitious plan to transform the BAF into a 21st century fighting force (BSS, July 7). Implementation of this plan has been slow, however. For example, the Bangladesh Air Force still lacks modern multirole combat aircraft (MRCA) and long-range SAMs (Dhaka Tribune, February 7, 2018, July 4, 2023). Submarines purchased for the Bangladesh Navy are also obsolete and the Bangladesh Army

requires modern attack helicopters and additional light tank regiments in order to be able to protect the country's territorial integrity. Bangladesh's airspace was recently violated by Myanmar, while India's Defense Minister Rajnath Singh called on his troops to be prepared for war in a speech referencing the unrest in Bangladesh (Prothom Alo, February 4, September 7). The BAF thus is seeking a supplier who can rapidly deliver modern systems at competitive prices. Despite calls to diversify and procure weapons from the West, the BAF may continue to source from the PRC (Asia Times, August 30).

The officer corps of the BAF and People's Liberation Army (PLA) enjoy a long-standing relationship. Beijing has also deepened this through technical support and joint exercises. In 2023, for example, the Bangladesh Navy established its first-ever submarine base in Pekua in southeastern Bangladesh, constructed under direct supervision from the PRC, which also provided technical expertise (<u>SCMP</u>, May 12). In May, the BAF and PLA also held their first joint military drills, "Golden Friendship-2024 (金色友谊 - 2024)" (<u>China Military</u>, April 25).

#### Beijing's Influence on Dhaka's Foreign Policy

India sought to curb Beijing's influence during Hasina's reign. In 2017, New Delhi proposed a defense pact with Dhaka, and has pushed Bangladesh to deepen military cooperation between their states since then by providing weapons through Lines of Credit (LoC) (<u>The Business Standard</u>, September 7, 2022). A small strategic victory came when Hasina granted a land transit corridor to India's North Eastern Region (NER) that enhanced rail connectivity and transshipment (<u>The Daily Star</u>, July 4). This alternative connection to the NER would be valuable to India if the PRC were to block the Siliguri Corridor during a military standoff. Under the new interim government, these agreements may be revised or even shelved as they are unpopular and seen as a violation of Bangladesh's sovereignty (<u>Prothom Alo</u>, March 24; <u>The Daily Star</u>, September 1). Stymying New Delhi's ambitions would constitute a strategic victory for Beijing.

The developing geopolitical realities in Myanmar also provide Beijing with the means to influence Dhaka. Bangladesh shares a border with the Chin and Rakhine states of Myanmar. Both of these states are now falling into the hands of pro-PRC Ethnic Armed Organizations (EAOs), specifically the Chin National Army (CNA) and Arakan Army (AA) (DVB, July 7; The Irrawaddy, June 15). Dhaka has no formal or informal ties with these EAOs, but Beijing can help establish one (The Daily Star, July 13). Such a connection is needed because Bangladeshi insurgent groups like the Kuki-Chin National Front (KNF) are based in the Chittagong Hill Tracts (CHT) and are able to receive training in Myanmar and use the country as a safe haven (The Daily Star, April 7). The Rohingya crisis also impacts Bangladesh. As Myanmar's junta loses ground to the AA, especially in the Rohingya-inhabited northern and central areas of Rakhine State, voluntary repatriation of Rohingya refugees in Bangladesh likely depends on the goodwill of the AA (Frontier Myanmar, January 31; The Diplomat, September 6). Beijing could initiate a line of communication between Dhaka and the AA to convince the latter to create a secure environment for said voluntary repatriation. This would increase the PRC's strategic influence on Bangladesh and help to stabilize the country, which has its own benefits.

#### **Growing Economic Clout and Developmental Engagement**

The PRC has been Bangladesh's largest trading partner for nearly a decade. It is also one of the largest investors in the country, in part via the One Belt One Road (OBOR) initiative, which Dhaka joined in 2016 (Global Times, July 8). This has led to the construction of key Bangladeshi megaprojects like Padma Bridge, which was built by China Railway Major Bridge Engineering Group Co (中铁大桥工程集团有限公司) (Global Times, June 26, 2022). The PRC has also helped build several power plants and has been granted land to construct Export Economic Zones (EEZs). At least 1,000 PRC firms operate in Bangladesh, creating about half a million jobs (China Daily, July 8).

Three key issues were already on the table during Hasina's regime. First, according to the recommendation of a joint feasibility study, there was an ongoing discussion about significantly boosting bilateral trade and investment ties by establishing either a Comprehensive Economic Partnership Agreement (CEPA) or a Free Trade Agreement (FTA). A CEPA would widen and deepen cooperation on the standard issues included in a FTA, such as reducing trade and tariff barriers, but could also serve to coordinate efforts in areas like investment, intellectual property rights, regulatory compliance, government procurement, and disputes (The Business Standard, July 4). Second, there is an ongoing duel between Beijing and New Delhi to win contracts for the prized Teesta Barrage Project, which aims to build riverine infrastructure to provide irrigation, generate energy, and prevent flooding in the northern part of Bangladesh. Given the already hostile sentiment between Dhaka and New Delhi on water sharing and river management issues, Beijing might have an upper hand in securing the construction of the project. Foreign Adviser Touhid Hossain affirmed his positive outlook toward handing Beijing the Teesta Project back in May (Asia Times, May 20). Third, the PRC has doubled its effort in Bangladesh to use the Renminbi instead of the US Dollar in settling transactions and granting loans (The Financial Express, January 31). For example, Beijing affirmed the use of Renminbi for bilateral transactions citing fluctuations in the dollar exchange rate, and also persuaded Dhaka to accept \$5 billion of loans in denominated in Renminbi (China Daily, July 8).

The PRC's diplomatic proactiveness in economic and developmental sectors is already gaining traction among Dhaka's transitional advisers. Dr. Yunus has urged Beijing to relocate solar panel factories to Bangladesh to diversify the country's exports and assist the country in its transition to a green economy. In a recent meeting with Yao Wen, Advisor Syeda Rizwana Hassan also discussed sharing hydrological data and working together on water management (UNB, August 11; The Daily Star, August 25).

#### Conclusion

The PRC's approach to Bangladesh is based on opportunistic and pragmatic principles. Beijing seeks to improve its relationships with each of the country's key stakeholders to increase its influence on South Asia's second-largest economy. Following the ousting of pro-India Prime Minister Sheikh Hasina, Beijing is now attempting to improve ties with Dhaka and gain the upper hand in its strategic competition with the United States and its Indo-Pacific partner. Despite sharing warm ties with Sheikh Hasina, her demise has carved out space for Beijing to enhance relations in critical areas like defense, security, geopolitics, economics, and

development. Whoever emerges as the head of the new government, Beijing is likely to have already courted them to extend its presence and influence in the country.

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### An Assessment of the Audit of Volkswagen's Controversial Factory in Xinjiang





Volkswagen Group China's headquarters in Beijing. (Source: Wikipedia)

#### **Executive Summary:**

- A recently leaked copy of the audit of Volkswagen's much-criticized joint-venture factory in Xinjiang
  indicates that claims made by Volkswagen inside the report are misleading or false. These include
  suggestions that the audit applied the SA8000 social accountability standard, followed International Labor
  Organization standards, and was conducted by a firm with experience carrying out social audits.
- The audit shows that the factory organizes staff activities promoting "harmony" of all ethnic groups. Such activities are associated with forced assimilation, which raises severe ethical concerns over Volkswagen's continued presence in the region.
- Liangma Law, a Shenzhen firm with ties to the Chinese Communist Party contracted for the audit, possesses no discernable experience in conducting social audits and does not advertise related services.
   Clive Greenwood, who joined Liangma shortly before the audit to participate in it, has publicly stated that SA8000 audits are worthless in the People's Republic of China.
- Auditors did not ask general staff about forced labor. Interviews with Uyghur and other staff were remotely monitored via live video link, permitting direct state surveillance. Interviewees' anonymity was not preserved. In short, SA8000 guidelines for worker interviews were grossly violated.

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The Xinjiang Uyghur Autonomous Region (XUAR) of the People's Republic of China (PRC) operates the world's largest contemporary system of forced labor, with up to 2.5 million ethnic persons at risk of coerced work through so-called "labor transfers," a form of state-mandated work (<u>Central Asian Survey</u>, 2023; <u>China Brief</u>, February 14). This follows government policies that interned an estimated 1–2 million Uyghurs and other ethnic group members in re-education camps starting in 2017 (<u>ChinaFile</u>, 2022). In 2024, the International Labour Organization (ILO) updated its measurement guidelines, defining "labor transfer schemes" targeting ethnic minorities as a form of state-imposed forced labor (<u>China Brief</u>, April 14).

Since 2013, Germany's Volkswagen Group has operated a joint venture factory in Urumqi, the region's capital, together with Shanghai-based SAIC Motor Corporation (上汽集团). Following criticism over its continued presence in a region witnessing mass arbitrary detention and mass forced labor, in June 2023, Volkswagen promised an independent audit of the factory (*Financial Times*, June 21, 2023). The company did not publish the audit report, however. In a one-page statement published in December 2023, it claimed instead that the audit found "no indication of any human rights violations or wider issues around working conditions" (*Volkswagen*, December 5, 2023).

In August 2024, the advocacy organization Campaign for Uyghurs (CFU) received anonymous mail containing a copy of the full audit report prepared by the Chinese law firm Liangma Law (广东良马律师事务所) (<u>Liangma</u>, accessed August 20). Analysis of the audit report finds that:

- Volkswagen's statements about the audit are misleading or false.
- Liangma's claim that the audit "assessed compliance with the Social Accountability 8000 (SA8000) standard" is contradicted by the report itself.
- Publicly available information suggests that the persons in Liangma's auditing team had no substantial prior expertise in conducting a social audit or an SA8000.
- The audit's methodology and scope are unsuited to meaningfully assess the presence or absence
  of forced labor at the factory.

All entities and persons named in this report received a detailed list of questions about the audit, their roles in it, and their personal backgrounds. None replied except Volkswagen, which told me that it did not want to answer questions. In short, none of them chose to dispute the authenticity of the audit document or the veracity of key arguments made in this report. Shortly before publication of this report, Mr. Greenwood, the audit team's most senior member, removed all references to Liangma from his LinkedIn profile and deleted his biography.

This report discusses Volkswagen's presence in Xinjiang, reviews the authenticity of the leaked Liangma audit document, assesses Liangma's connections to the Chinese Communist Party (CCP), scrutinizes the identities and expertise of the individuals involved in the Liangma audit, and reviews the audit's methodology, validity, and deviations from the SA8000 standard. It is supported by an expert assessment prepared for the

author by Judy Gearhart, a professor at American University (AU), who also peer-reviewed this report (AU, accessed August 20). She served for twelve years as programs director at Social Accountability International (SAI), the entity behind the SA8000 standard, and was involved in developing the SA8000. Professor Gearhart points out that the standard itself was not designed to assess state-imposed forced labor. Experts have testified that factory audits are generally unable to identify this form of coerced work (see, e.g., CECC, April 30).



Figure 1: Clive Greenwood, the only participant in the Liangma audit with any potential sustained expertise related to conducting a corporate audit, comments on LinkedIn that conducting an SA8000 in the PRC is worth "peanuts." (Source: LinkedIn, September 28, 2023).

#### SAIC Volkswagen Joint Venture Linked to Coercive Labor Practices

The XUAR's SAIC Volkswagen joint venture factory was established in 2013 (BBC, November 12, 2020). At the end of 2023, it employed 197 staff, 47 of them ethnic minorities (Associated Press, December 6, 2023). SAIC Volkswagen also operates a test track in the Uyghur region of Turpan. The track was built by the China Railway Engineering Corporation's (CREC; 中国铁工) Fourth Bureau between 2015 and 2019 (CRGL, August 5, 2019). The track's construction was overseen by the so-called Xinjiang Test Track Project (XTTP), a joint entity of SAIC Volkswagen and CREC.

Evidence from company and state media sources shows that the XTTP joined government work teams monitoring Uyghur families, arranging assimilatory "ethnic unity" activities, and facilitating the transfer of Uyghur surplus laborers as part of the well-known forced labor program (<u>CREC</u>, May 21, 2018; <u>CREC Unions</u>, March 9, 2017). CREC reports openly state that the project itself employed transferred Uyghur surplus laborers during the peak of the mass internments in 2017 and 2018 (<u>CTCE</u>, September 19, 2018; <u>CREC</u>, May 10, 2017). PRC media websites published photos showing Uyghur laborers employed by the

project in military drill uniforms (the state uses military drilling to boost the discipline and obedience of transferred Uyghur workers) (<u>CREC</u>, December 25, 2018). In May 2017, right when the mass internments started, the XTTP drastically intensified the surveillance and supervision of employees (<u>CREC</u>, May 10, 2017). The project collected iris scans of employees and passed their information to the security services.

In sum, Volkswagen's presence in Xinjiang is linked to well-documented coercive labor practices, and at least indirectly connected to activities related to surveillance, mass internment, and assimilation (<u>Central Asian Survey</u>, 2023).

#### The Liangma Law Audit Report

On August 2, the CFU office in Washington, D.C. received an anonymous package containing a copy of the Liangma Law audit report of the SAIC Volkswagen factory in Urumqi. The report was mailed from an unknown address in Germany. CFU then forwarded the report to the author. CFU contacted an entity that was able to confirm that the document sent to CFU was indeed the original audit report that Liangma had prepared for Volkswagen in late 2023.

The audit was conducted by three persons affiliated with Liangma Law whose identities can be independently corroborated: Mr. Simon Choi (蔡汉强), general counsel at Liangma and a lawyer who has held lectureships at different PRC universities; Ms. Wen (Jessica) Xu (徐雯), a corporate law partner and former PRC government employee; and Liangma's Mr. Clive Greenwood, whose background is discussed



Figure 2: Cover page of the leaked Liangma audit report. (Source: Liangma Audit Report)

In March 2024, Ms. Xu posted an article on Liangma Law's Weixin social media website. The bottom of the article features her portrait, which is identical to that posted on the Liangma Law website, and her biography. There, Ms. Xu boasts: "Recently, [Ms. Xu] provided an SA8000 social responsibility audit of the highest international standard for the domestic [i.e., PRC-based] automobile factory of a well-known German car company" (Weixin, March 20). This wording evidently refers to the November 2023 audit of the SAIC Volkswagen factory in Urumqi. Moreover, on a local Shenzhen website, Liangma states that Volkswagen has been among its clients (Now Shenzhen, August 1).

The Liangma audit report is marked "private and confidential." It is dated November 20, 2023, about two weeks before Volkswagen announced the audit's results on December 5. The report contains 37 A4-sized sheets displaying 71 numbered pages containing the main report (p.1–38), three appendices with the full staff questionnaires in English, Chinese, and Uyghur (p.39–69), two illustrations of the SAIC VW shareholder structure and overview of the Xinjiang factory (p.70), and a legal disclaimer (p.71). Page numbers are partially clipped, suggesting that it is a copy or printed scan of the original report.

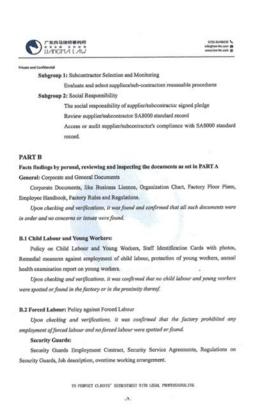
The report contains 13 color photographs depicting an office with the factory's name and logo, employee canteens, kiosks, entertainment facilities, factory halls, trilingual factory signs (in English, Chinese, and Uyghur), notice boards related to union and promotional activities for employees, and settings related to health and safety. Given that such images are not publicly available supports the report's claim that they were taken by the factory photographer on behalf of the Liangma team (p.20).

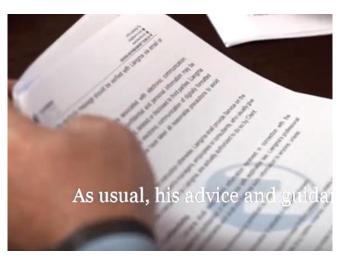
The authenticity of the report is further corroborated by its similarity to other Liangma documents. Edgar Choi, head of the law firm's International Department, operates a YouTube channel advertising Liangma's services. In one video from February 2024, Choi interacts with a client over a Liangma-issued document (YouTube/Law In A Minute, February 8). A comparison with the audit report shows nearly identical page layouts, featuring the Liangma horse logo on the top-left and as a watermark in page centers (in the audit, this excluded the pages showing interview and survey questions).

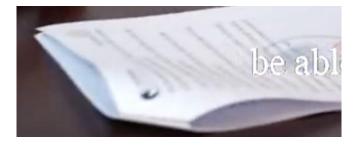


Figure 3: Images of the Urumqi factory depicted in the audit report. (Source: Liangma Audit Report)

The audit report itself suffers from numerous grammatical errors and awkward wording, suggesting that it was written by Liangma's Chinese staff. It also uses three different ways to spell the word "Uyghur" (Uyghur, Uighur, and Uygur). The apparent lack of copy-editing suggests a lack of professionalism and expertise in this area, something that accords with other evidence concerning the practitioners who created the report, as detailed below. The report also contains a strongly worded legal disclaimer that notes that the information contained in the audit should "not [be] relied on" for "any purpose" and should not be "relied upon as professional advice."







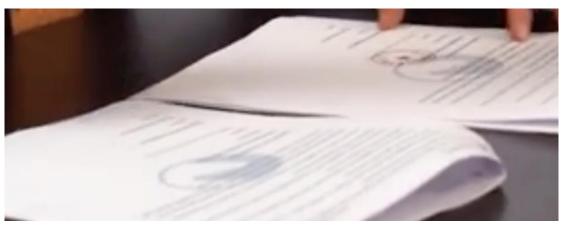


Figure 4: Images of a page of the Liangma audit (top-left) and screenshots from a promotional YouTube video posted by Liangma's Edgar Choi. (Source: YouTube/Law In A Minute)



Figure 5: Comparing Liangma logo. Left: Urumqi factory audit report cover. Right: Liangma report featured in a promotional video. (Source: Liangma Law)

#### Volkswagen, Löning, and Their Presentation of the Liangma Audit

The Liangma audit report suggests that Volkswagen's presentation of how the audit was performed was highly misleading.

In December 2023, Volkswagen stated that it had contracted the Berlin-based consultancy Löning – Human Rights & Responsible Business to "perform an ESG audit" of its Urumqi factory (Volkswagen, December 5, 2023). Löning was founded by Markus Löning, a former member of the German parliament who also served as Germany's human rights commissioner between 2010 and 2013 (Löning, accessed August 12). The Volkswagen statement noted that "the actual audit execution was undertaken by a Shenzhen law firm ... accompanied on site by Löning." In an unsigned statement published by Volkswagen, Markus Löning asserted (Volkswagen, December 5, 2023):

We checked the employment contracts and salary payments of all 197 employees over the last three years, conducted 40 interviews, and were able to freely inspect the factory.

Löning later clarified that only one of its staff, Mr. Christian Ewert, was present on site during the audit, and that "no other team member from Löning participated in, supported, or backed this project" (LinkedIn/Löning, December, 2023). Mr. Ewert had joined Löning in June 2023, just months before the audit (LinkedIn/Löning, June 21, 2023). He previously served on the board of SAI, although it is not clear from publicly available information whether he ever directly oversaw the implementation of an SA8000 audit (SAI, July 2015). Curiously, Ewert's expertise is not mentioned, either by the statements from Volkswagen and Löning or by the Liangma audit.

The Liangma report makes no mention of Löning or Mr. Ewert. Its numerous shortcomings make it doubtful whether Löning influenced the audit's methodology, shaped its strategy, or suggested any corrections or improvements. In his quotes published by Volkswagen, Markus Löning claimed that "we ... conducted 40 interviews" (Volkswagen, December 5, 2023). The Liangma report, however, gives no indication that Mr. Ewert actively participated in any part of the audit. The term "accompanied" used in Volkswagen's statement suggests a passive role. Given that the report does not even mention Mr. Ewert's presence and that Löning's involvement neither addressed methodological gaps nor attempted to correct the report's glaring linguistic errors, Volkswagen's claim that Löning "performed" the audit is misleading.

Neither Mr. Ewert nor Löning responded to detailed questions about their role in the audit.

Immediately after the audit, several senior Löning employees publicly disavowed the audit exercise amid a reported "outrage" among staff (*Financial Times*, December 13, 2023). A comparison of Löning's team page between December 2023 and August 2024 and related LinkedIn profiles suggests that 10 of 24 staff members have since left the firm, including Mr. Ewert (Löning, December 5, 2023, August 3).

#### Liangma Law's Connections to the Chinese Communist Party

Liangma Law has significant ties to the CCP. This fact alone indicates that Uyghurs and other staff at the SAIC Volkswagen factory in Urumqi could not have conveyed sensitive information to the audit team without fearing repercussions.

All law firms in Shenzhen, where Liangma is based, are required by government decree to engage in CCP party-building activities (Shenzhen Lawyers Association [SLA], January 8, 2019). According to records published by the Shenzhen Lawyers Association, multiple Liangma staff members, including leading staff, are members of the CCP or affiliate entities. This includes Ms. Xu, a member of the audit team who also previously worked for a PRC government entity, and Li Liang (李良), Liangma's director and founding partner (SLA, accessed August 20 [1] [2]).

Liangma has hosted several CCP events. In November 2023, just after the audit exercise, the firm hosted a meeting with the CCP Committee of the Shenzhen Lawyer Profession (<u>SLA</u>, November 17, 2023). At the event, Du Peng (杜朋), the secretary of Liangma's CCP Party Branch, was joined by director Li. In 2020, Du Peng received the CCP Committee of the Shenzhen Lawyer Profession's "Outstanding Communist Party Member Award" (<u>Liangma Law</u>, accessed August 20).

In July 2024, Liangma celebrated the CCP's 103rd anniversary, during which employees sang the same patriotic song that Uyghurs detained for re-education have been forced to sing (Weixin/Liangma Law Office, July 2):

On the occasion of the "July 1" Founding Day of the Party, all Liangma Law party members sang the song "Without the Communist Party, There Would Be No New China," expressing their deep affection for the Party and praising the happy life brought by reform and opening up.

The presence of the Party within Liangma Law suggests that any sensitive information could all too easily be shared with the PRC government. As explained in a separate section, Liangma auditors livestreamed interview sessions back to the firm's head office. This would further enable surveillance of the interviewees, reducing the prospects that they would provide uninhibited responses to the auditors' questions.



Figure 6: Liangma Law celebrates the CCP's 103rd anniversary. (Source: Weixin/Liangma Law Office)

#### Liangma and Its Auditors' Lack of Social Audit Expertise

#### Liangma

Volkswagen claimed that the audit was undertaken by "a Shenzhen law firm with extensive experience in social audits and international and Chinese labor law" (Volkswagen, December 5, 2023). However, while Liangma Law appears knowledgeable about PRC labor law, its online presence fails to substantiate Volkswagen's claim about its experience conducting social audits.

The company website presents a wide range of business-related legal services, including corporate compliance, as well as legal services related to PRC labor law. A detailed search on Liangma's website shows that the firm itself does not advertise auditing services, nor does it claim to have any expertise in conducting them. The author searched for evidence related to: [1]

- Social audits (社会审计).
- Services related to ESG (environment, social, and government; 环境、社会和治理审计) or CSR (corporate social responsibility; 社会责任审计).
- "Company audits (企业审计 or 公司审计)."
- "SA8000."
- "Audit (审计)."
- "Social responsibility (社会责任)."
- "Labor standard (劳动标准)."

Liangma is not accredited by SAI to conduct certified SA8000 audits (see <u>SAI</u>, accessed August 20). On November 28, 2023, eight days after preparation of the audit report, Liangma's Edgar Choi posted on his personal LinkedIn that Liangma performs SA8000 audits, but Liangma itself does not advertise this service (<u>LinkedIn/Edgar Choi</u>, November 28, 2023). Liangma did not respond to questions about its auditing expertise or services.

#### Simon Choi and Wen Xu

Only two of the three auditors listed, Mr. Choi and Ms. Xu, signed the report. Their professional background and expertise are listed on the Liangma Law website and another site, Choi & Partners, run by Mr. Choi (See Liangma Law, accessed August 12; Liangma Law, accessed August 5; Choi & Partners, accessed August 20; Choi & Partners, accessed August 20). Choi & Partners and Liangma (established 1997 and 2016, respectively) are overlapping entities. Their office addresses and most staff are identical, and a staff photo on Choi & Partners' "About" page shows the Liangma logo in the background (Choi & Partners, accessed August 20). Their websites do not mention each other.

Details about the evolution and nature of Choi & Partners are almost impossible to corroborate independently. The entity operates a relatively new website, first indexed by Google in February 2024. Searches for Choi & Partners with related keywords yield almost no results. The entity has no discernible social media presence besides a single YouTube video posted by "dana doors," an anonymous account created in December 2023 (YouTube/dana doors, April 25).

Neither Mr. Choi nor Ms. Xu is described as holding any expertise in social audits, corporate audits, ESG, or SA8000, and neither is listed on either website as offering services related to these fields. In frequent LinkedIn posts between March 2017 and November 2021 that also advertised events where he spoke, Mr. Choi presented himself as knowledgeable in financial technology and PRC data security laws, besides holding legal and managerial expertise (<u>LinkedIn/Simon Choi</u>, November 18, 2021). None of these posts or events suggested direct engagement with corporate audits or SA8000.



Figure 7: Image of the staff at Choi & Partners, with the Liangma logo in the background and on the image. (Source: Choi & Partners)

#### Clive Greenwood

The website of Choi & Partners advertises social accountability compliance services, including SA8000 audits (<a href="Choi & Partners">Choi & Partners</a>, August 8). However, the firm's only team member shown as possessing any potential sustained expertise in company audits or supply chain due diligence is Clive Greenwood. Notably, Mr. Greenwood did not join Liangma until September 2023, immediately before the audit was conducted (LinkedIn/Clive Jameson-Greenwood, accessed August 20).

Mr. Greenwood's enigmatic and in parts highly obscure background is marked by twists, turns, contradictions, and obfuscation. Some entities he claims to have founded or worked for have no active or discernible online or social media presence, and several appear to have either failed or fallen into obscurity. Mr. Greenwood did not respond to a detailed list of questions about his professional background, his role in the audit, and his apparent lack of expertise in conducting social audits.





Figure 8: Social media images of Clive Greenwood's pub, The Drunken Chef. (Source: Facebook/clive.greenwood.7)

According to information posted online, Mr. Greenwood is a British Army veteran who moved to the PRC in 1989. Between 2004 and 2016, he ran a British sports pub in Suzhou called The Drunken Chef (see Facebook/The Drunken Chef, accessed September 16; LinkedIn/Clive Greenwood, accessed September 16; LinkedIn/Clive greenwood, accessed September 16). According to a local report, Mr. Greenwood spent over 16 years in sales and marketing in the PRC before starting the pub (Suzhou Living, September 12, 2012). His first LinkedIn profile states that between 2003 and 2006, he worked as the Asia Sales and Marketing Manager for Northrop Grumman (LinkedIn/Clive Greenwood, accessed August 20). In 2013, he became general manager of Neurostim Systems, a company marketing medical services that was dissolved only two years later (LinkedIn/Clive Greenwood, accessed September 16; Companies House/NEUROSTIM SYSTEMS LIMITED, accessed September 16; Rocket Reach/Clive Greenwood, accessed September 16).

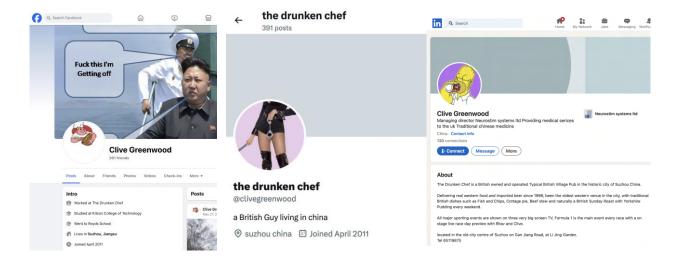


Figure 9: Clive Greenwood's evolving social media profiles between 2011 and 2013. (Sources: Facebook/clive.greenwood.7, X.com/Clive Greenwood, LinkedIn/Clive Greenwood)

Mr. Greenwood's workplaces between 2016, when his pub closed, and 2020 cannot be readily assessed from publicly available sources. In late 2021, he sought to rebrand himself and created a third LinkedIn profile that mentions neither his prior role at the sports pub nor the failed company. In April 2022, Mr. Greenwood advertised legal consulting, project management, and sourcing compliance services on LinkedIn without any other professional affiliation (<u>LinkedIn/Clive Jameson-Greenwood</u>, April 29, 2022).

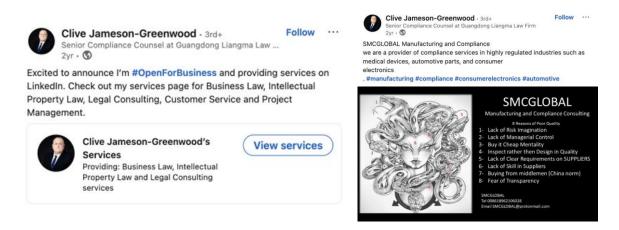


Figure 10: Mr. Greenwood rebrands himself. (Sources: LinkedIn/Clive Jameson-Greenwood, April 29, 2022, April 30, 2022)

Mr. Greenwood's new LinkedIn profile lists his work experience as starting in 2020 as the founder of SMC GLOBAL Manufacturing Consultants. However, he did not publicly mention this entity until 2022 (<u>LinkedIn/Clive Jameson-Greenwood</u>, April 30, 2022). The 2020 founding year is the likely basis for claims on his profile at Choi & Partners that Greenwood "spent the past 4 years advising a number of companies on compliance to ISO 13485, SA8000, EU MDR, and FDA 21 CFR 820" (<u>Choi & Partner</u>, July 25). With the exception of SA8000, these standards pertain to quality control and management, not social auditing or forced labor risk assessments.

The implied claim that Mr. Greenwood has four years of experience with SA8000 audits is most likely misleading. Mr. Greenwood's LinkedIn feed showed the first signs of an active public engagement with ESG and social accountability standards around mid-2023. On November 9, only 6 days after the audit exercise was concluded on November 3, Mr. Greenwood advertised services related to SA8000 for the first time (<u>LinkedIn/Clive Jameson-Greenwood</u>, November 9, 2023). The SA8000 standard is not mentioned on SMC GLOBAL's website, nor on Mr. Greenwood's now-deleted biography or earlier LinkedIn profile.

SMC GLOBAL's website features a decidedly unprofessional layout and textual presentation, and only Mr. Greenwood's first name appears on it (<u>SMC Compliance</u>, accessed August 12). Most of the website's navigation buttons do not work and basic spelling errors are ubiquitous. The website does not appear to have been updated since 2022. On it, Mr. Greenwood advertises compliance risk assessments, quality assurance management, and legal representation for disputes with PRC-based suppliers.



Figure 11: Mr. Greenwood is presented as an expert with Choi & Partners. (Source: Choi & Partners)

According to his LinkedIn posts, Mr. Greenwood joined Liangma Law around October 10, 2023, less than four weeks before the Urumqi factory audit took place (LinkedIn, October 10, 2023). His current (and third) LinkedIn page lists him as Senior Compliance Counsel at Guangdong Liangma Law. However, he is not shown anywhere on Liangma's website. Instead, he is featured as a team member on Choi & Partners' website, albeit with a different title, Chief Compliance Officer, which is also used in the audit report (Choi & Partners, accessed August 20). On a local website, Liangma advertises its services with a digitally-manipulated staff image from Choi & Partners, where Simon Choi's depiction is replaced with that of Clive Greenwood (Now Shenzhen, August 1).

The Choi & Partners website states that Mr. Greenwood possesses in-depth global manufacturing and quality & compliance experience (Choi & Partners, July 25). It provides a highly selective portrayal of his eclectic background. There is no publicly available information to suggest that prior to joining Liangma, Mr. Greenwood ever conducted an SA8000 audit, an ESG assessment, or a social audit with a focus on assessing forced labor risks.

Mr. Greenwood's page on Choi & Partners makes the demonstrably false claim that he was cited by the BBC, CNBC, and the *New York Times*. Mr. Greenwood was cited in the *South China Morning Post* as the "director" of Wilson, Woodman & Greenwood Associates—another obscure entity linked to him with no discernible online presence (<u>SCMP</u>, April 17, 2020). An article in *The Telegraph* describes him as a "British consultant in China" (<u>The Telegraph</u>, April 18, 2020). In both pieces, Mr. Greenwood is said to be occupied with yet another potentially short-lived engagement—shipping medical equipment during the early COVID outbreak.



Figure 12: A digitally altered image replacing Simon Choi with Mr. Greenwood to depict him alongside staff from Choi & Partners. The group is then presented as a Liangma Law team. The depiction of Mr. Greenwood was copied from Choi & Partners (see Figure 11). (Sources: <a href="Choi & Partners">Choi & Partners</a> and <a href="Now Shenzhen">Now Shenzhen</a>)

It is doubtful whether Mr. Greenwood considers SA8000 audits in the PRC to be an effective tool for addressing forced labor risks. Only weeks before joining the Urumqi factory audit, on September 28, 2023, he made a disparaging post on LinkedIn, indicating with a photo of a pile of peanuts that the value of an SA8000 audit in the PRC is essentially worthless (<u>LinkedIn/Clive Jameson-Greenwood</u>, September 28, 2023; see Figure 1). On April 19, 2023, Greenwood indicated that he was fully aware of the risks related to Uyghur forced labor and of the difficulties conducting meaningful due diligence (<u>LinkedIn/Clive Jameson-Greenwood</u>, April 19, 2023):

Risk Assessment, buying from China and the UFLPA [Uyghur Forced Labor Prevention Act] ... The Strategy indicates that, to conduct a forced labor risk assessment, importers must map supply chains for their imported goods and then identify steps at risk of using forced labor ...

To conduct a meaningful and accurate Due Diligence or a [Forced Labor] Risk Assessment, one thing becomes clear, transparency, in China the supply chain is muddy at best, simply getting to the information is festooned with danger, diversions, and road blocks, the guestion must be asked which is, is it actually worth the trouble.

Mr. Greenwood did not sign the audit report and clearly did not copy-edit its contents. It is uncertain whether he played any role in writing or reviewing the final report. It is even less certain whether he believes that this audit possesses any validity.

In short, it appears that Volkswagen, one of the world's largest corporations, chose for its high-stakes audit a largely unknown PRC law firm with a foreign-facing shell-like counterpart, along with an equally unknown Western expert. Both are without demonstrated and sustained prior expertise in SA8000 or social audits focused on assessing forced labor risks. The resulting effort was then billed as an audit performed by Löning, presumably to make it more palatable for a German audience.

#### Assessing the Liangma Audit's Methodology [2]

Compliance with the SA8000 standard

In its introduction, the Liangma audit claims that it "assessed compliance with the SA8000 standard" (p.1). However, on page 19, the report concedes that contrary to what the auditors had expected, the factory did not follow SA8000:

Upon perusal, checking the documents available and verifications with the management, it was confirmed that SA8000 was not the standard practised in the factory; however, with further perusal of other policies, it was confirmed that there was another set of standards corresponding with SA8000 was in place. [...] For the fact that the time limitation of the audit did not allow the auditors to revise the requested document list to accommodate such an unexpected issue, the auditor by and large, opines that SA8000 principles were realised and observed in this audit exercise.

In short, communication between SAIC Volkswagen and Liangma was so inadequate that the auditors were incorrectly expecting to audit an entity that was actively following the SA8000 standard. This contrasts sharply with the fact that SA8000 audits require self-assessments before inspection visits (<u>SAI</u>, May 2016, p.95). Unable to review all SA8000-required documentation, the auditing team thus merely "opines" that the audit followed SA8000 in principle. However, the audit fails to provide a detailed comparison of the factory's allegedly "corresponding" standard with SA8000.

Even the claim that the audit followed SA8000 "in principle" cannot be upheld. The audit failed to assess the compliance of the factory's suppliers, sub-suppliers, and private employment agencies with the SA8000, a required component of SA8000 audits (<u>SAI</u>, May 2016, section 9.10.1). The audit claims to have found no evidence of active discrimination, but the SA8000 guidance requires an evaluation of passive organizational practices that may result in discrimination based on a lack of affirmative action (<u>SAI</u>, May 2016, p.60). The

audit's surveys and interviews omitted sensitive aspects in mandatory SA8000 evaluation categories, such as discrimination for holding "political opinions" (SAI, May 2016, sections 5.1, 5.2).

The audit assessed visible evidence of coerced work, reviewed related company policies and staff contracts for compliance with PRC labor laws, and asked management staff whether they had witnessed coercion, knew of mechanisms to report related incidents, and knew how the factory was working to eliminate forced labor in its supply chain (p.24–5). Notably, the recorded responses entirely omit the question of forced labor in supply chains, suggesting that the interviewees were not comfortable responding to more sensitive questions. The questionnaires for general staff did not contain any direct questions about forced labor risks. The only questions related to forced labor were closed-ended questions about fair compensation and work hours. Professor Gearhart concurs that the audit's review of forced labor "is very poor," noting, among other issues, a lack of corresponding answers by management staff to several of the auditors' forced labor questions (p.24–25).

The audit also omitted multiple additional required evaluation categories listed in SA8000 documentation for forced labor. Per SA8000 Section IV (2), the audit must also evaluate whether:

- Workers are freely able to terminate the work relationship.
- Identity documents are being withheld.
- Workers are forced to bear employment fees or costs.
- The workplace or the entities supplying the labor engage in or support human trafficking.

The SA8000 Performance Indicator Annex and Guidance documents stipulate that audits also must assess whether:

- There are unreasonable restraints on personnel's freedom of movement.
- Workers have access to religious facilities.
- Security measures implemented by the organization do not intimidate or unduly restrict the movement of workers.
- The potential involvement of intermediary private or state-run employment agencies and their recruitment practices results in ethical or forced labor risks.

The Liangma audit failed to investigate any of these eight aspects. [3] It did not examine how workers entered their work, whether they were sent to the factory through a state-led work program, or whether they could leave work without fearing repercussions. It also failed to assess indicators related to free movement, such as workers' ability to leave the factory or return home. The audit's lack of an assessment of contextual forced labor factors and its failure to conduct the supply chain due diligence required by the SA8000 standard impacts its validity.



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members via the representatives as a whole; iii) collective bargaining was in place and in use as a normal practice. For promoting freedom of association and collective bargaining, the factory had communicated well and efficient with union and its members on every significant intention to change or implement by collective bargaining and democratic consultation. There were no strikes reported in the factory to date and there were no records of strikes found by auditors either:

#### Section C7: Discrimination

Questions: Have you ever witnessed or experienced discrimination based on ethnicity, gender, religion, sexual orientation, or other protected characteristics within the factory or its supply chain? Are there any policies or procedures in place to prevent discrimination and harassment within the workplace? Can you describe any efforts made by the factory to promote diversity and inclusion?

All interviewees confirmed that i) there was never witnessed or experienced any discrimination based on ethnicity, gender, religion, sexual orientation, or other protected characteristics within the factory or its supply chain; ii) for cleaning service, catering, and security guard service, factory used the standard contracts (templates from headquarters) to sign with such service providers. After perusal and inspection, such contracts were signed and there were adequate and protective provisions in such agreements; and iii) factory in fact promoted all ethnic groups were in harmony and social activities among different ethnic groups, ethnic holidays and women day holiday for female staff. It was further noted that there were extra regional holidays for local ethnicities in Xinjiang and all staff enjoyed such special festival holidays. The plant used three languages for directory service and signs (see photo helow).

TO PERFECT CLIENTS' ENTRUSTMENT WITH LEGAL PROFESSIONALISM.

-27.

Figure 13: Audit assessment of discrimination. (Source: Liangma Audit Report)

#### Compliance with ILO standards

The audit also made no valid attempt to assess full compliance with ILO standards. The widely used set of 11 indicators published by the ILO for on-site inspections was not applied. Neither management nor worker questionnaires were designed to assess the two dimensions of the ILO's definition of forced labor: (1) work entered without free and informed consent; (2) the menace of a penalty (coercion) related to entering work, during work, or related to leaving work (ILO, accessed August 20). Contrary to its claim that it "considered" compliance with ILO Convention 105, the audit did not assess the five dimensions of state-imposed labor outlined in that convention (ILO, 1957).

Volkswagen and Löning's claims that the Urumqi factory complies with ILO standards must therefore be considered unproven. Moreover, the audit inadvertently uncovered that, like all other companies in Xinjiang, the SAIC Volkswagen factory promotes ethnic unity activities among ethnic groups to ensure that they are "in harmony" with each other (p.27; Figure 13). This practice is in line with XUAR government mandates. It raises significant concerns over Volkswagen's continued presence in the region, given that its factory aids the state in enforcing its ethnic policies.

#### Staff Interviews and Surveys

According to the audit report, the three auditors "randomly" selected 40 of the factory's 197 staff for interviews. These comprised eight management staff and 32 general staff (p.21–22). Two of the eight management staff (25 percent) and seven of the 32 general staff members (22 percent) selected for the interviews were non-Han. Their precise ethnic designation is not disclosed. A licensed Uyghur translator was available on request, but the audit does not say who appointed this translator.

All interviewees were first subjected to a group briefing in an open space within the factory, an unfortunate decision that ensured that their identities did not remain anonymous. There was no attempt to interview workers off-site for increased confidentiality and anonymity.

The explanation of the interview process contains some decidedly strange language (pp.21–23):

The interviewing table (see below photo) was set to a triangular shape with comfortable seat on each side of the table. Interviewees were not 180 seating opposite to the auditor. Interviewee eyes were not facing sunshine from the windows ... Interview table was set in triangular shaped and there was no direct confrontation between the interviewee and interviewer psychologically. Also, there was a team of senior associates at back office in Liangma Shenzhen office to assist and analyze the interview with livestream.

The interview sessions involved a livestream connection to Liangma's head office. All PRC citizens know that the state has full control over digitally transmitted data. This alone would have compromised confidentiality. In addition, Uyghurs are aware that the state uses Han Chinese citizens to spy on them, most notably in the form of village-based work teams (<u>Central Asian Survey</u>, 2023). The presence of Han Chinese lawyers alone would have been sufficient to prevent Uyghur and other ethnic staff from providing responses that could draw the attention of the state and potentially lead to their detention for re-education.

The primary texts of the questionnaires are well-written, and do not contain the linguistic inaccuracies found throughout the rest of the report. The questionnaires conclude by thanking participants for "taking the time to complete this questionnaire." However, the report suggests that the interactions occurred individually with each informant in an interview setting and, therefore, most likely through verbal communication (such as auditors reading out questions and recording interviewee verbal responses). Liangma prepared questions in English and Chinese and commissioned a Uyghur translation. The English and Chinese versions are consistent. The author's Uyghur research assistant only detected relatively minor and likely inadvertent errors in the Uyghur translation.

Auditors' interactions with management staff differed from their interactions with regular staff. While they used open-ended questions with the former group, only closed-ended questions were used with the latter. This prevented workers from speaking freely and at length about their situation. Predictably, survey result summaries reflect highly superficial and homogenous responses. In most instances, all or nearly all interviewees responded that everything was fine. Where responses deviated slightly, no ethnic breakdown was provided. Additionally, no effort was made to shed light on contextual factors essential for forced labor risk assessments, such as how staff ended up applying for jobs at the factory, if there were any intermediaries or state agencies involved, and if staff were influenced by official policies in their choice of employment.

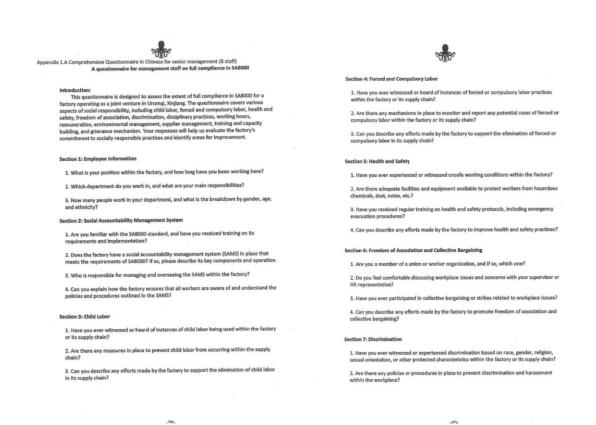


Figure 14a: The audit's complete questionnaire for management staff. (Source: Liangma Audit Report)



Figure 14b: The audit's complete questionnaire for management staff. After Section 14, it concludes on p.43 by thanking the interviewees and assuring the confidentiality of responses (see similar text in Figure 15). (Source: Liangma Audit Report)

Liangma's approach completely ignored SA8000 Guidance for worker interviews, which explicitly mandates a comprehensive focus on broader contextual factors behind forced labor risks (<u>SA8000 Guidance</u>, May, 2016):

As mentioned in other areas of the Guidance, many organisations not directly using forced labour might still support the use of it in other ways, such as hiring temporary workers through subcontractors to work on their premises, contracting out their production, imposing overtime work upon workers without seeking their consent, or limiting workers' freedom of movement after work. The purpose of conducting interviews with workers therefore is not only to learn if there is forced labour on a particular worksite at a particular time, but also to determine whether any labour practice at the facility is non-voluntary by nature ...

Before visiting the facility, it is highly recommended that auditors consult extensively with local trade unions, NGOs, and community groups ... If forced or any form of compulsory labour is a concern, auditors should prioritize this issue when planning the interviews with workers.

There is a possibility that the Liangma audit was designed to avoid endangering ethnic staff by preventing them from giving responses that could lead to repercussions. In doing so, however, it eliminated any potential for meaningfully assessing forced labor risks. This is consistent with Markus Löning's admission to the *Financial Times* that the main basis for the audit was a review of documentation rather than interviews because, he said, "[e]ven if [staff] would be aware of something, they cannot say that in an interview" (*Financial Times*, December 13, 2023).

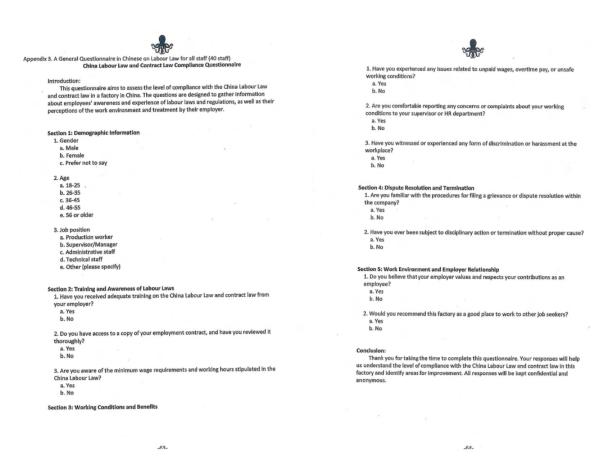


Figure 15. The audit report's complete survey outline on PRC labor law for all surveyed staff. (Source: Liangma Audit Report)

#### Conclusion

Volkswagen used an inexperienced and little-known PRC law firm and a highly obscure Western expert not experienced in social audits or SA8000 to perform a high-stakes audit of its much-criticized joint venture factory in Urumqi. Volkswagen then proceeded to conceal Liangma and Mr. Greenwood's obscure identities, instead foregrounding Löning, a German entity, likely to make it more presentable to a German audience.

Liangma's audit did not conform to the SA8000 standard that it claimed to assess. Shortcomings in the audit's method and implementation mean that it was not able to adequately assess forced labor risks.

Several claims made by Volkswagen about the audit are misleading or false (see Table 1 below). As a result, investors and index providers such as MSCI should avoid including Volkswagen's stock in their ESG portfolios.

Table 1: Assessment of Volkswagen's Claims Regarding the Audit.

| Volkswagen's Claims Regarding the Audit   | Assessment of Each Claim   |
|---|--|
| "Due to the audit scope, Loening has decided to apply the internationally renowned Audit Standard SA8000."  | Misleading or false. Liangma sought to assess SA8000, but no such assessment was ultimately conducted since there was "no time" to adjust the required documentation list. Prof. Gearhart confirms that the Liangma audit fails to conform to SA8000.  |
| "Loening – Human Rights & Responsible<br>Business GmbH has been contracted by<br>Volkswagen to perform an ESG Audit on the<br>aforementioned legal entity"  | The term "perform" is misleading. The audit report does not mention Löning's presence, and Löning's alleged involvement appears to have neither addressed the audit's methodological gaps nor attempted to correct the report's errors.  |
| "The actual audit execution was undertaken by a Shenzhen law firm with extensive experience in social audits and accompanied on site by Loening."   | Misleading or false. Neither Liangma nor Clive Greenwood appear to have had any sustained experience with social audits or the SA8000 prior to November 2023. The fact that Löning accompanied Liangma on site is not corroborated by the audit report.  |
| The audit included "interviews with staff and management employees of the audited legal entity."  | Misleading. General staff were only asked highly decontextualized, closed-ended questions in survey form, in violation of SA8000 guidance on worker interviews.  |
| "No violations of ILO Conventions C029, C111 or C155 could be detected as a result of the audit In sum, the labor practices were in compliance with Chinese law and the standards of the ILO Conventions that the People's Republic of China has ratified." | Misleading or false. The audit was not designed to assess forced labor as defined by the ILO. The ILO's widely used 11 indicators were not fully employed. The audit ignored multiple indicators and categories related to forced labor assessment required by SA8000. It did not assess ILO Convention 105 on state-imposed forced labor that the PRC ratified. |

(Source: Volkswagen, December 5, 2023)

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#### **Notes**

- [1] For reference to PRC audit-related terminology, see for example <a href="www.audit.gov.cn">www.audit.gov.cn</a> and <a href="www.audit.gov.cn">www.audit.gov.cn</a> and <a href="www.sinlaw.pku.edu">www.audit.gov.cn</a> and <a href="www.sinlaw.pku.edu">www.sinlaw.pku.edu</a>.
- [2] In addition to the author's own analysis, this section draws on an expert assessment prepared for the author by Professor Gearhart.
- [3] Auditors asked management staff whether there were difficulties or delays in receiving salaries or benefits, but this question was not put to all staff.