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COUNTER-TERRORISM STRATEGY WITH CHINESE CHARACTERISTICS

ABSTRACT: In the past years under President Xi Jinping, Chinese foreign policy gradually started to shift into a more proactive and assertive direction. Now it is toeing the line to accept its share as a great power to maintain global security on more than just the economic and business level. One aspect of this could be observed in the field of counter-terrorism. So far, Beijing has put special emphasis on the UN's leading role, and that China's main responsibilities lie primarily at home in Xinjiang, as well as on the importance of economic development in treating the "root causes" of terrorism. Next of these factors is the gradually militarizing Chinese approach through the Shanghai Cooperation Organization, its military modernization, and the provisions of the 2016 Anti-Terrorism Law that finally gives – an albeit vague – definition of terrorism and some framework of future international counter-terrorism cooperation, arguing that at least in theory China hopes to build a counter-terrorism strategy "with Chinese characteristics".

KEYWORDS: China, terrorism, counter-terrorism

INTRODUCTION

As a great power with a growing global footprint, China had taken to pursue a more assertive type of diplomacy under President Xin Jinping, which includes the – albeit reluctant – willingness to shoulder its share of maintaining the security of the international system. It comes under increasing pressure both from home and abroad to prove its capabilities to protect its overseas interests, especially because with the spread of Chinese businesses and citizens there is a growing chance that they would become targets of terrorism, even though so far Beijing had tried to keep its distance from the political turmoil in the Middle East and third countries.

As a rule of thumb, China supports the leading role of the UN in international relations although it rarely takes any major initiatives. Furthermore, even in its propositions the focus is on intelligence sharing, providing financial aid, economic development, and stopping money laundering to terrorist organizations. So far, it had been opposed to the idea of military intervention of any kind. Another key element of the Chinese approach is the importance of the Uyghur discourse between Xinjiang and Beijing: China's actions are shaped by this issue, and undoubtedly, it prioritizes stability at home as opposed to anything the US-led fight on terrorism might strive to achieve in the Middle East or Afghanistan.

This article attempts to explore whether there is a unique approach to counterterrorism with "Chinese characteristics". For that I give a brief introduction on the Chinese understanding and view of international relations and global order, then I will move on to what kind of perceived or real terrorism threat China faces both at home and in the international arena. Afterwards, in order to decide whether there is a distinct Chinese approach to counter-

terrorism, I will summarize the key elements Beijing finds most important to fight terrorism, before going into more details on what exact measures China has recently taken to build up the necessary regional, military and legal capacities to support this struggle. I am going to argue that although China continuously criticizes the Western approach and has a general concept in mind for a different “multi-pronged” approach that is now supported by the new anti-terrorism law as well, it will take years to test in practice whether these vague ideas could achieve more than what the West could show so far. During my research I primarily relied on researches by international and Chinese scholars as well, alongside with various speeches of Chinese officials.

WITH CHINESE CHARACTERISTICS

When we are talking about China and its approach to global affairs – such as counter-terrorism in our case – we have to first understand what the major drives of Chinese foreign policy are. The most outstanding element is China’s hyper-sensitivity to sovereignty, territorial integrity, and non-intervention in other states’ internal affairs. On the one hand, this stems from the “Century of Humiliation” China had suffered starting from the 19th century and which it now hopes to forget through emerging as a great power. On the other hand, domestic stability – social, economic and political alike – is of utter importance for Beijing since it furthers economic growth, which also serves as a legitimizing factor of the Chinese Communist Party’s rule.

In order to maintain this stability China set out to build a foreign policy with Chinese characteristics that is rooted in historical and cultural traditions while it can be also altered in accordance with the changes of the international environment. There is still an ongoing debate among experts on what it means exactly but Zhu describes it as a holistic approach that can coordinate country-specific characteristics within the spirit of common sense and pragmatism, while it still maintains the independence of Chinese foreign policy, and prioritizes Chinese interests.¹ However, as China strives to appear as a “responsible great power” it now has to contribute more to the international order than simply maintaining its own development,² and thus has to prove that it can protect its nationals, businesses, companies, investments, and interests overseas as well. At the same time, it also pledged to try and build a more equality-based, multipolar world that also implies a different level of responsibility on various actors.³ Despite all efforts China is still heavily reliant on imports, mostly in raw materials and energy and so it is essential to maintain a peaceful environment, the security of trade routes, and the trust in the government’s ability to protect Chinese overseas interests. To which there are many threats – insurgencies, civil wars, the generally volatile nature of countries which have major investments in oil, for example, (South Sudan, for example), and in this case, especially in recent years: terrorism.

¹ Zhu, L. “China and International System: Two-Way Socialization under the Logic of Practice”. In Zhao, J. and Chen, Z. (eds), *China and the International Society. China Foreign Affairs Review I*. Singapore: World Century. 2014. 19–54.

² Chen, D. “China Is No International Security Free Rider”. *The Diplomat*, 13 August 2014. <https://thediplomat.com/2014/08/china-is-no-international-security-free-rider/>, Accessed on 23 September 2017.

³ Zhu. “China and International System”. 42.

HOW CHINA VIEWS THE THREAT OF TERRORISM

So far China has been maintaining its non-intervention principle and its opposition and criticism of the Western militarized intervention approach to countering terrorism as a proverbial shield in the hopes that if the country stays out of the actual conflicts in the Middle East or Central Asia then Chinese interests would not be targeted by terrorist attacks. Beijing still somewhat holds out on this hope as it strives to create an alternative foreign policy that can avoid the pitfalls of the Western approach. However, it remains a big question whether it is possible not to attract the attention of terrorist organizations as Chinese interests, companies, citizens etc. spread across the globe. Therefore, Beijing is now far more inclined to invest in protecting its own interests at home and overseas alike.

China had started its anti-terrorism campaign long before the September 11 attacks on the US happened although it had been rather tight-lipped about it. Chinese officials began speaking of terrorist violence in the late 1990s, but their statements were carefully moderated,⁴ while they also highlighted that the threat of terrorism was present in China due to external factors. As Sun puts it “pressured by the terrorists, some nonviolent Xinjiang separatist groups are becoming increasingly radical in their actions”.⁵ While this element of the general narrative remained, after the 9/11 attacks China changed its attitude: officially, after the attacks the Chinese leaders offered their condolences and support for the United States, and expressed their willingness to cooperate against international terrorism.⁶ Meanwhile the government took its chance to reframe its dispute with the Uyghurs to make it part of the global war on terrorism, with special focus on the East Turkestan Islamic Movement (ETIM) and its alleged ties to Al Qaeda. This happened again a little later with the rise of the so called Islamic State (ISIS), to which at some point allegedly more than 300 Uyghurs joined in the Middle East to fight alongside with.

In the past years Beijing had gone out of its way to have the UN and the US State Department list ETIM as an international terrorist organization which eventually happened in 2002. There are several theories and opinions why it was so important for Beijing, and why the United States eventually complied. It is a generally shared opinion that both the USA and China wanted to assure the other’s support for their own counter-terrorism campaigns. However, when the time came China, similarly to many other countries, condemned the invasion of Iraq and gave no indication that it would like to join. Later, China’s nationalistic media started criticizing the US-led war on terror (occasionally to the point of suggesting the Western military intervention in the region was, at least partially, to be blamed for

⁴ Zhou, Z. “Media censorship of terrorism on Chinese soil only feeds the rumours”. South China Morning Post. 15 April 2013. <http://www.scmp.com/comment/insight-opinion/article/1214554/media-censorship-terrorism-chinese-soil-only-feeds-rumours>, Accessed on 23 September 2017.

⁵ Sun, D. “China and the Global Jihad Network”. *Journal of the Middle East and Africa* 1/2. 2010. 196–207. Even just days before 9/11 Xinjiang’s Communist Party secretary stated that the destructive activities of “National separatist” and “religious extremists” would “never affect Xinjiang’s stability”. Cunningham, C. P. “Counter-terrorism in Xinjiang: The ETIM, China and the Uyghurs”. *International Journal on World Peace* 29/3. 2012. 25–26.

⁶ Smith P. J. “China’s Economic and Political Rise: Implications for Global Terrorism and U.S.-China Cooperation”. *Studies in conflict and terrorism* 32. 2009. 627–645.

Islamist terrorism).⁷ Cunningham argues that the Chinese government way overstated its case against ETIM, perhaps in an effort to win support from the international community. It could have been also to equate its own struggles at home with that of the United States', but it is also important to understand that China has serious strategic interests in its Western region. He explains that the Chinese government acted with "ultra-caution" in the face of real or perceived threat of terrorism – which is not so out of the ordinary, although it still does not excuse human rights concerns rooted in the wide array of restrictive measures that were applied mostly in the Xinjiang Uyghur Autonomous Region.⁸

On the international stage one of the most outstanding elements is the emphasis on how the global fight against terrorism should be conducted under UN leadership (thus eliminating a single country's serving its own national interests and intervening in other countries' internal affairs under the auspices of a counter-terrorism intervention). Furthermore, in his speech after the Paris attacks at the 2015 G20 summit Chinese Foreign Minister Wang Yi also emphasised the need of international cooperation against terrorism to adhere to the "basic norms governing the international relations, (should) pool efforts, address both symptoms and root causes, and avoid double standards".⁹ In this latter case, China wants to see an internationally accepted and clear UN-approved definition of terrorism – one that would hopefully include its own issues with Uyghur separatist groups and would finally put an end to Western criticisms as well.¹⁰ The previous year at the UN Security Council's Summit on Terrorism Wang Yi had emphasised the same key points on how China imagines an international cooperation, but it was also obvious that even under UN coordination China would much prefer its contribution not to include military operations at all. Wang Yi said that UN leadership is the key to maintain unity in the international community, but it should also be matched with a multi-pronged approach that aims to treat both the „symptoms” and the „root causes” of terrorism in the fields of politics, security, economics, finances, intelligence and ideology.¹¹

Therefore, if we want to sum up how China sees the UN's role in the fight against terrorism: China makes a "tactical use of the UN in practice, and strategic in rhetoric".¹²

That leads us to another major point of how China views the necessary approach to terrorism, and that is through treating the "root causes" with economic and social development. Of course, it is important to consider that Beijing's understanding of these root causes stems

⁷ Duchatel, M. "Terror Overseas: Understanding China's Evolving Counter-terror strategy". European Council on Foreign Relations. 2016. http://www.ecfr.eu/publications/summary/terror_overseas_understanding_chinas_evolution_counter_terror_strategy7160, Accessed on 23 September 2017.

⁸ Cunningham also points out though, that China started its „Strike hard” campaign in 1996 as a countrywide campaign against crime, but in Xinjiang, it took a turn to be directed specifically at Uyghur separatists ("Counter-terrorism in Xinjiang").

⁹ "Offer Chinese Solutions, Spread Chinese Confidence-Foreign Minister Wang Yi Talks about President Xi Jinping's Attendance at 10th G20 Summit and 23rd APEC Economic Leaders' Meeting". Ministry of Foreign Affairs of the People's Republic of China. 19 November 2015. http://www.fmprc.gov.cn/mfa_eng/zxxx_662805/t1317348.shtml, Accessed on 23 September 2017.

¹⁰ Tiezzi, S. "What Is China's Plan for Fighting Global Terrorism?". *The Diplomat*, 27 November 2015. <https://thediplomat.com/2015/11/what-is-chinas-plan-for-fighting-global-terrorism/>, Accessed on 23 September 2017.

¹¹ "Working Together to Address the New Threat of Terrorism – Statement by Wang Yi At the UN Security Council Summit on Terrorism". Permanent Mission of the People's Republic of China to the United Nations Office. 24 September 2014. <http://www.china-un.ch/eng/zywjyjh/t1196288.htm>, Accessed on 23 September 2017.

¹² Duchatel. "Terror Overseas...". 6.

from its own attempts to curb extremism, separatism and terrorism in Xinjiang. The main idea is that the stability granted by economic development, new job opportunities, and the (forceful) establishment of a national – Chinese – identity would help secure China's territorial integrity, border security, and would secure the energy supply both from Xinjiang and from Central Asia that is essential for the Communist Party to retain its power and control.¹³

CHINA'S TERRORISM PROBLEM – XINJIANG

We do not have the space to list here all the occasions on which China had claimed to be victim of a terrorist attack – usually committed by Uyghur extremists or separatists – but we still need to mention a few that served as a backdrop of China's first anti-terrorism law and the ever more established military capabilities that came with it.

In 2009 there were the Urumqi riots, which were blamed on Uyghur separatists; but then lately, “in contrast to earlier attacks, which had been aimed at government buildings and security forces in Xinjiang, [latter terrorist attacks] occurred in various locations in China, including Beijing, and were aimed at civilians.”¹⁴ In 2013 there was a suicide attack at the Tiananmen Gate; in 2014 at the Kunming train station 31 people were stabbed to death; and there were two explosive attacks in Urumqi. Then November 2015 was a month when it became even clearer that China should be very much concerned with global counter-terrorism efforts as well. One Chinese citizen was shot but survived the Paris attack at the Stade de France; three Chinese were killed in the Radisson Blu hotel attack in Mali; and ISIS announced that a Chinese hostage – Fan Jinghui – was executed, which was later confirmed by China's Foreign Ministry as well.¹⁵ Then in August 2016 a car rammed through the gates of the Chinese embassy in Bishkek, Kyrgyzstan.

President Xi affirmed that “long term stability of the autonomous region is vital to the whole country's reform, development and stability, as well as to national unity, ethnic harmony and national security”,¹⁶ especially as stability in Xinjiang ties in closely with many core interests of Beijing as well as to the success of the Belt and Road Initiative. Xinjiang has significant oil, natural gas, gold, jade, precious metals, coal, cotton and petroleum reserves, China's nuclear test sites are located in the region, not to mention the fact that the new oil and gas pipelines would pass through Xinjiang from Central Asia. Moreover, the region is a key part of the China-Pakistan Corridor, as well as the corridor that is planned to pass through Central Asia as well.

Michael Clarke¹⁷ argues that Beijing is “instrumentalizing terrorism” in the realms of both domestic and foreign policy. While this rhetoric connects Xinjiang and Uyghur separatism to terrorism, and through that to the “global war on terror” (from home) the resulting hard-line

¹³ Simigh, F. “The Islamic State Adds a New Twist to China's Uyghur Problem”. *Defence Review* 144/Special Issue 2. 2016. 198. http://www.honvedelem.hu/container/files/attachments/61773/the_islamic_state_adds_a_new_twist_to_chinas_uyghur_problem.pdf, Accessed on 23 September 2017.

¹⁴ Propper, E. “The Islamic State: The Danger that China Would Rather Not Name”. In Yoram, S. and Einav, O. (eds.), *The Islamic State: How Viable is it?* Tel Aviv: INSS, 2016. 254.

¹⁵ Tiezzi. “What Is China's...?”

¹⁶ “Xi Jinping chaired a meeting of the Politburo to further promote social stability and long-term peace and stability in Xinjiang” (in Chinese). CPC News. 26 May 2014. <http://cpc.people.com.cn/n/2014/0526/c64094-25067153.html>, Accessed on 23 September 2017.

¹⁷ Putz, C. et al. “The Islamic State in Asia”. *The Diplomat*, 17. 2016. <https://thediplomat.com/2016/04/the-islamic-state-in-asia/>

repression of dissent in Xinjiang in turn is also connected with the rise of the Islamic State. Its leader Abu Bakr al-Baghdadi, who called China an “oppressor” of Muslims (at the same level as Israel, India and the USA) in 2014, which was a significant difference compared to how Al Qaeda had refused to do that, and thus had disappointed ETIM extremist groups at the time. Then even Al Qaeda’s al-Zawahiri encouraged TIP (Turkestan Islamic Party) and Uyghurs in his video “Turkestan: Patience and Then Victory”, released in July 2016, to fight “the atheist occupier” of “East Turkestan”, and also urged his followers to wage jihad “in any corner of the world wherever they may be”.¹⁸ Then in March 2017 an ISIS propaganda video¹⁹ provided visual evidence of Uyghurs living and training in the territory of the Caliphate, for the first time.²⁰ Although based on open source information it is rather complicated to assure these claims starting with the number of Uyghurs present in the Middle East, whether they are from China or from other Central Asian countries, or which terrorist organization they are exactly aligned with.

However, despite Xi Jinping’s more pro-active and assertive approach to China’s foreign policy, Beijing is still reluctant to leave behind its non-interventionist attitude. Although in recent years it has stepped up its approach to and involvement in UN peacekeeping operations and in international counter-piracy operations in the Gulf of Aden, in the field of terrorism China is still reluctant to up the ante and participate in the international coalition against terrorism outside of its own borders. Except that, as Smith explains it, even though Beijing tries to stay away from military and political intervention in third countries, even its “business is business” approach cannot protect it from becoming a target of violence. In 2008 nine Chinese oil workers were kidnapped in Southern Kordofan State of Sudan, because the kidnappers, believed to be members of the local militia, claimed that the reason behind their action was that they wanted “Chinese companies to leave the region immediately because they work with the government”.²¹

On the one hand, Smith argues,²² China could hope so far to avoid making itself a similar target as the West, since “China’s foreign policy and global reach is far less “transformational””. Beijing, being only interested in the business side of relations, is also appealing and less threatening, especially as it has always promoted “win-win” cooperation and a mutually beneficial development. However, the argument goes, China’s rise is as much a result of globalisation as terrorism is a reaction to that phenomenon. It is obvious that globalisation created “winners”, such as China, and some that were left behind, and this latter group of countries or individuals could resent the rise of the countries such as China, especially if they feel forced into an inferior status in their own or the global markets.

With China’s growing energy dependency and thus growing interests and investments in the Middle East, the question is ever more pressing: how to penetrate these usually third-

¹⁸ Clarke, M. “After ISIS Threat, China May Have to Get off Sidelines in Middle East”. *Foreign Policy*. 3 March 2017. <http://foreignpolicy.com/2017/03/03/after-isis-threat-china-may-have-to-get-off-sidelines-in-middle-east/>, Accessed on 23 September 2017.

¹⁹ Clarke. “After ISIS Threat...”; “ISIL video threatens China with 'rivers of bloodshed’”. *Al Jazeera*. 1 March 2017. <http://www.aljazeera.com/news/2017/03/isil-video-threatens-china-rivers-bloodshed-170301103927503.html>, Accessed on 23 September 2017.

²⁰ Blanchard, B. “Syria says up to 5,000 Chinese Uyghurs fighting in militant groups”. *Reuters*. 11 May 2017. <https://www.reuters.com/article/uk-mideast-crisis-syria-china/syria-says-up-to-5000-chinese-uyghurs-fighting-in-militant-groups-idUSKBN1840UP>, Accessed on 23 September 2017.

²¹ Smith. “China’s Economic and Political Rise...”. 629.

²² Smith. “China’s Economic and Political Rise...”. 631.

world countries if even Beijing's business-is-business policy might not be enough to avoid making its citizens and companies a (not-yet-primary) target of terrorism. This question is further complicated if we consider that these countries are often unable to deal effectively with their own security threats, thus China might have to start measuring in its willingness how much it could push the limits of its own strictly business oriented foreign policy.

CHINESE RESPONSE TO THE THREAT OF TERRORISM

China, as a member of the UN Security Council and as a country with growing need to appear as a "responsible great power", is an active player in the UN, but it is still true that it rarely takes any kind of major initiatives. It is due to part of its own insecurities and lack of proper operational experience in the field of military, proper equipment, as well as the lack of determination to completely leave behind its non-intervention foreign policy principle. Furthermore, as we saw it earlier, all China's actions are primarily shaped by its Xinjiang dispute, which Beijing also wants to avoid becoming an internationalized issue. China rather prefers to solve its terrorism issues at home – now let us take a closer look at how it plans to do so.

ECONOMIC AND SOCIAL DEVELOPMENT

As it had been pointed out several times, next to calling for the UN's directing role, China often emphasizes the importance of resolving the "root causes" parallel with treating the symptoms of violence and terrorism. Beijing believes that with sufficient development the minorities will prosper, show less resistance – as it happened at the start of reform and opening up policy, when hoping for future personal enrichment people accepted for the time unequal development in China – and will have no reason to want to separate from the government and country that brought them into well-being. All in all, minorities should be "more integrated into the fortunes – both economic and political – of China."²³

On this account, and in hopes to lessen the developmental and wealth gap between its coastal and inner, Western regions, Beijing initiated a Great Western Development Strategy where enterprises were encouraged to "Go West", start investments, and bring manufacturing into the inner regions of the country. There were also new infrastructure projects, not separately from the BRI where two corridors would pass through Xinjinag, not to mention the oil and gas pipelines that connect the region with Central Asia.

Of course, due to the major influx of Han Chinese and their more favoured position compared to the Uyghurs even with similar level of education, and due to the religious and cultural restrictions, the Uyghurs feel their very identity threatened through the government-imposed restrictions on the education of imams, religious activities, wear of hijabs, and the campaigns against religious education. Clarke²⁴ argues that these could be reasons provided by Beijing itself, which worked as "push factors" along with the "pervasive security state" in

²³ Cunningham. "Counter-terrorism in Xinjiang...". 17.; Chunshan, M. "China's Communist Party: 3 Successes and 3 Challenges". *The Diplomat*, 28 October 2017. <https://thediplomat.com/2017/10/chinas-communist-party-3-successes-and-3-challenges/>, Accessed on 29 October 2017.

²⁴ Clarke, M. „Does China have itself to blame for the trans-nationalisation of Uyghur terrorism?". East Asia Forum. 30 March 2017. <http://www.eastasiaforum.org/2017/03/30/does-china-have-itself-to-blame-for-the-trans-nationalisation-of-uyghur-terrorism/>, Accessed on 23 September 2017.

Xinjiang that drove ETIM and TIP to gain foothold in the Middle East alongside Al Qaeda, the Al Nusra Front, or even ISIS.

MILITARIZATION OF THE COUNTER-TERRORISM APPROACH

Since the 1980s national approach – led by the USA – had taken on a militaristic character to counter-terrorism, and even though it is not as intrusive as the US practice, China seems to have already embraced the need to have at least some aspects of its own approach to militarized counter-terrorism. We see this in the joint military exercises in the SCO (the so-called “Peace Missions”),²⁵ and on a bilateral basis with its neighbours, Tajikistan or Pakistan. These joint military exercises could provide the People’s Liberation Army with much needed extensive experience on the ground “in the types of conflicts that Chinese analysts believe are (and will remain) paramount in the twenty-first century, namely local insurgency-type conflicts, terrorism, and transnational crime” that would fit right in with the holistic approach to the modernization of the PLA.²⁶

With the growing ISIS threat to Chinese interests, experts started to argue that the time is close when China will have to get involved in the Middle East turmoil.²⁷ They argue that along with the ever-greater number of Uyghurs that are claimed to fight alongside ISIS in Iraq and Syria²⁸ the solution cannot remain an ever-growing display of force and “anti-terror” rallies in major cities in Xinjiang.²⁹ Therefore the question becomes more and more urgent: how could China respond to this problem abroad as well, and whether it wants to or does not?

The PLA also started its own diplomatic role regarding counter-terrorism: Duchatel quotes that Admiral Sun Jianguo, Deputy Chief of Staff of the PLA, expressed China’s “hopes to carry out intelligence cooperation with France on the issue of fighting terrorism.”³⁰ Furthermore, in February 2016 Chief of General Staff Fang Fenghui proposed the idea of a smaller scale anti-terror alliance of China, Afghanistan, Tajikistan and Pakistan that reflects China’s concerns regarding ISIS’ potential rise in Afghanistan. He also emphasised the flexibility of “smaller groups”³¹ outside the SCO and without Russia, which would, however, concentrate on anti-terror cooperation and trust-building where all involved parties have the same stakes in the fight against terrorism, but do not strive to become a new regional organization like the SCO, or want to become a security organization.

²⁵ In 2014 for example during one of these Peace Missions in Chinese Inner Mongolia 7000 troops retook a city seized by terrorist organization with air power and armoured forces. Duchatel. “Terror Overseas...”. 7.

²⁶ Smith. “China’s Economic and Political Rise...”. 639.; “Xi stresses importance of national security”. China Daily. 15 April 2014. http://www.chinadaily.com.cn/china/2014-04/15/content_17436440.htm, Accessed on 23 September 2017.

²⁷ Clarke. “After isis threat...”; Chunyang, j. “An analysis of the infiltration and expansion of the „islamic state” to china’s periphery” (in chinese). China institutes of contemporary international relations. 30 October 2016. [Http://www.Cicir.Ac.Cn/chinese/article_7757.Html](http://www.Cicir.Ac.Cn/chinese/article_7757.Html), accessed on 23 september 2017.

²⁸ For more on this issue and how it affects China’s possible involvement in the Middle East see: Simigh. “The Islamic State Adds a New Twist...”.

²⁹ “Xinjiang holds oath-taking rally to fight terrorism and tighten security”. Global Times. 17 February 2017. <http://www.globaltimes.cn/content/1033548.shtml>, Accessed on 23 September 2017.

³⁰ Duchatel. “Terror Overseas...”. 9.

³¹ Xingchun, L. “Smaller groups can better tackle terror”. Global Times. 7 April 2016. <http://www.globaltimes.cn/content/977634.shtml>, Accessed on 23 September 2017.

SHANGHAI COOPERATION ORGANIZATION AND CENTRAL ASIA

As Gallo puts it, at its core the Shanghai Cooperation Organization is a “pragmatic convergence of interests”³² that places special emphasis on the security threats of the “three evil forces”. In 2001 Uzbekistan joined China, Russia, Kazakhstan, Kyrgyzstan and Tajikistan (the former Shanghai Five) and signed the Declaration of Shanghai Cooperation Organization. The six signatory parties of the Convention are “firmly convinced that terrorism, separatism and extremism (...) cannot be justified under any circumstances and that the perpetrators of such acts should be prosecuted under law”. According to Nagy³³ it is significant that the organization would list terrorism, separatism and (Islamist) extremism on the same page (in the same paragraph) as if they were on the same level of a security threat to the sovereignty of the member states.

“Central Asian countries have adopted a variety of strict counter-terrorism policies ranging from repressive surveillance measures to more lenient cooperation and control strategies”,³⁴ and these, with further bilateral repatriation agreements were also utilized by China to stop already radicalized Uyghurs from returning from the Afghanistan-Pakistan frontier.³⁵

It is important to point out as well as an interesting detail, that in the changing security environment and with Chinese foreign policy growing more assertive and more aware of its own security issues, not to mention influence, Beijing has made a significant shift in its narrative towards Pakistan on the topic of terrorism. While in 2016 at the BRICS summit in Gao China had blocked India’s initiative to call Pakistan a hub of terrorism, this year, following US president Donald Trump’s denouncement of Pakistan, and after the BRICS summit in Xiamen, it was the first time that China agreed to condemn Pakistan-based terror groups like the Haqqani Network, Lashkar-e-Taiba and Jaish-e-Mohammad. The resulting “BRICS declaration is momentous. It represents China’s capacity to shift its stance from one of perennial defence of Islamabad to one in which it may work towards ending Pakistan’s selective approach to combating terrorism”.³⁶

CHINA’S FIRST ANTI-TERRORISM ACT

Before this legal act, as Sun puts it, China lacked the strong legal basis to cooperate with other countries in counter-terrorism measures, while its paramilitary police also had limited authority for pre-emptive strikes or searching private property, and there had been no spe-

³² Gallo, E. “SCO not NATO’s foe”. East Asia Forum. 24 September 2017. <http://www.eastasiaforum.org/2017/09/24/sco-not-natos-foe/>, Accessed on 25 September 2017.

³³ Nagy, L. “A Sanghaji Együttműködési Szervezet” (The Shanghai Cooperation Organization). *Felderítő Szemle* 10/3-4. – 11/1. 2011–2012. 5–22. <http://www.knbsz.gov.hu/hu/letoltes/fsz/2011-3-4-2012-1.pdf>, Accessed on 24 March 2014.

³⁴ Smith. “China’s Economic and Political Rise...”. 634.

³⁵ Shah, F. “Costly Corridor. How China and Pakistan Could Remake Asia”. Foreign Affairs. 3 December 2015. <https://www.foreignaffairs.com/articles/asia/2015-12-03/costly-corridor>, Accessed on 5 July 2016.

³⁶ Kumar, A. “China Pressuring Pakistan on Terrorism?” *The Diplomat*, 17 September 2017. <http://thediplomat.com/2017/09/china-pressuring-pakistan-on-terrorism/>, Accessed on 18 September 2017. For more on the security threat on the BRI in Pakistan see: Simigh, F. “Security Challenges on the One Belt, One Road Initiative”. Geopolitika.hu. 20 March 2017. <http://www.geopolitika.hu/en/2017/03/20/security-challenges-of-one-belt-one-road-initiative/>, Accessed on 23 September 2017.

cial force to combat terrorism either.³⁷ According to Liu Yuejin, a senior counter-terrorism official at the Ministry of Public Security, “on the basis of the existing laws, the enactment of a special anti-terrorism law is both an immediate need of fighting terrorism and an international responsibility of our country”.³⁸ He also made it clear that the main goal of the counter-terrorism act was to promote international cooperation. In lieu of that China seeks to increase exchanges with foreign partners in the fields of intelligence sharing, judicial and law enforcement cooperation, and monitoring the financial operations of terrorist organizations. China also aims to modernise its legal system and improve transparency in order to legitimize its existing law-enforcement practices.³⁹ Clarke, on the other hand, points out that this also serves Beijing’s two top priorities, namely the security of the one-party state and the maintained stability of Xinjiang and through the latter the territorial unity of the country.⁴⁰

While the international focus was rather on the new act’s technological provisions (after debate over the first draft, the final version did not contain some of the most controversial demands made for the tech companies),⁴¹ China defended that the act in its latest and final form was the necessary “answer to the latest situation and [China’s] objective needs”. Furthermore, it was in line with other international precedents, and so the criticism of the Chinese act on this basis would be nothing more than another proof of the West’s using double standards against China.⁴² Zhou Zunyou, a counterterrorism expert at Germany’s Max Planck Institute for Foreign and International Criminal Law⁴³ had argued too, that this counter-terrorism law was necessary and timely as the previous experience and various, scattered definitions of terrorism had to be put in a legally binding, cohesive form that would also clearly delineate the competencies and responsibilities of the relevant organizations.

Responding to the debate on the previous two drafts and the following criticism,⁴⁴ the article, which defines what China interprets as “terrorism”, “terrorist organization”,

³⁷ Sun, “China and the Global Jihad Network”. 207.

³⁸ “Take measures to strike and prevent terrorist activities in accordance with the law - Interview with Liu Yuejin, Counter-Terrorism Commissioner of the Ministry of Public Security, on the hot issues of the Anti-Terrorism Law”. Xinhua. 26 February 2016. http://news.xinhuanet.com/politics/2016-02/26/c_1118174553.htm, Accessed on 23 September 2017.

³⁹ Duchatel. “Terror Overseas...”.

⁴⁰ Clarke, M. “Why China’s tough, new terrorism legislation could misfire”. CNN. 30 December 2015. <http://edition.cnn.com/2015/12/29/opinions/china-counter-terrorism-legislation-michael-clarke-opinion/index.html>, Accessed on 23 September 2017.

⁴¹ Although in the final law tech companies are still obliged to set up technical interfaces, and provide decryption or other technical support assistance to public security organs conducting prevention and investigation of terrorist activities in accordance with law (article 84); Tiezzi, S. “China’s New Anti-Terrorism Law”. *The Diplomat*, 29 December 2015. <https://thediplomat.com/2015/12/chinas-new-anti-terrorism-law/>, Accessed on 23 September 2017.

⁴² “Foreign Ministry spokesperson Lu Kang’s Regular Press Conference on December 28, 2015”. Ministry of Foreign Affairs of the People’s Republic of China. http://www.fmprc.gov.cn/mfa_eng/xwfw_665399/s2510_665401/2511_665403/t1328340.shtml, Accessed on 23 September 2017.

⁴³ Zhou, Z. “How China Defines Terrorism”. *The Diplomat*, 13 February 2015. <https://thediplomat.com/2015/02/how-china-defines-terrorism/>, Accessed on 23 September 2017.

⁴⁴ Ping, J. “Three points the “anti-terrorism law (draft)” is missing” (in Chinese). Caixin. 3 December 2014. <http://opinion.caixin.com/2014-12-03/100758386.html>, Accessed on 23 September 2017.

and “terrorist”, was moved from Article 104 to Article 3 at the beginning of the Act. According to Article 3 the Anti-terrorism Act⁴⁵ interprets “terrorism” as

“propositions and actions that create social panic, endanger public safety, violate person and property, or coerce national organs or international organizations, through methods, such as violence, destruction, intimidation, so as to achieve [their political], ideological, or other objectives”.

„Terrorist activity” is defined as *„activities that seriously harm society such as organizing, planning, preparing for, or carrying out any of the following conduct so as to cause injuries to persons, major property damage, damage to public facilities, or havoc in public order”.* Then there is an exhaustive list that is also considered terrorist activity: advocacy; organizing, leading, or participating in a terrorist organization; providing information, capital, funding, labour, technology, or any kind of assistance to terrorist organizations, activities or personnel. Despite this exhaustive list, the fifth point of Article 3 also includes “other terrorist activities” that leaves the definition up to interpretation in the future. Article 3 also defines “a terrorist organization” and “a terrorist.” Hence, a terrorist organization refers to a relatively stable criminal group, of at least three members, established for the purpose of carrying out terrorist activities; a terrorist is either a member of a terrorist organization or a person who carries out terrorist activities.⁴⁶

From the final definition of what China understands as terrorism the term “thought” that had been present in the draft versions (as “any thought, speech or activity that...”) was removed. However, as Zhou points out, the term of “advocacy” (主张) that made it into the final definition (Article 3, Point 2) is vague enough to have both “thought” and “speech” included if the Chinese authorities are inclined to interpret it that way. It could be explained as a lack of understanding in legislative terms, that while with the crafting of the draft the legislature might have intended to include the spreading of terrorist propaganda, they failed to understand that it had already been included in the Act under the term terrorist “activity”.⁴⁷

Even after several changes this new Act became a topic of serious criticism from human rights groups, foreign governments, and companies alike for certain provisions, but most importantly because it was still deemed as too vague. Zhou provided a thorough analysis of both the first two drafts of the first Chinese counterterrorism Act,⁴⁸ and of the final Act he notes that even though it had made some obvious advances compared to the earlier drafts, Western media still found it “sweeping” and “tough”.⁴⁹ The final legislation that was drafted with president Xi Jinping’s “overall national security outlook” in mind, while still lacks certain aspects that would make it overly specific and to the point, according to Zhou,

⁴⁵ “People’s Republic of China Anti-Terrorism Law” (in Chinese). Xinhua. 27 December 2015. http://news.xinhuanet.com/politics/2015-12/27/c_128571798.htm; “Counter-Terrorism Law”. China Law Translate. 27 December 2015. <https://www.chinalawtranslate.com/%E5%8F%8D%E6%81%90%E6%80%96%E4%B8%BB%E4%B9%89%E6%B3%95-%EF%BC%882015%EF%BC%89/?lang=en>, Accessed on 23 September 2017.

⁴⁶ Zhou. “How China...”.

⁴⁷ Zhou. “How China...”; Zhou, Z. “China’s Comprehensive Counter-terrorism Law”. *The Diplomat*, 23 January 2016. <https://thediplomat.com/2016/01/chinas-comprehensive-counter-terrorism-law/>, Accessed on 23 September 2017.

⁴⁸ Zhou. “How China...”; Zhou, Z. “China’s Draft Counter-Terrorism Law”. *China Brief* 15/14. 2015. <https://jamestown.org/program/chinas-draft-counter-terrorism-law/#.VbCtKbOqpBc>, Accessed on 23 September 2017.

⁴⁹ Zhou. “China’s Comprehensive...”.

it still could be considered “comprehensive” as its ten chapters deal with a wide variety of counter-terrorism issues.

The Act emphasises the role of prevention in education (Articles 17 and 29),⁵⁰ and for that cause telecommunications operators and internet service providers are obliged to use monitoring systems and suspicious (disclosed terrorist or extremist) content should be reported to public security agencies or to the relevant department (Article 19). Provisions also include a list of safety inspections for transported goods and long-distance travelling passengers, while temporary asset freezing is allowed if money–laundering or financing of terrorism is suspected (article 24).

The new legislation also requires local governments over city level to coordinate their counterterrorism actions with a national agency set up by this new Act, along with the National Counter-Terrorism Intelligence Centre (Article 43). The new Act also restricts the coverage of terrorist attacks and governmental responses.⁵¹ The new Act makes the already practiced restrictions legally enforceable, as it prohibits the detailed report of terrorist attacks that could lead to copycat attacks, and neither is the dissemination of “cruel or inhuman” images allowed (Article 63). Furthermore, only news media, with the approval of the leading institutions on counter-terrorism, would be allowed to publish any potentially revealing information on the response personnel, hostages, or counter-terrorist response itself (Article 63). However, this already severe restriction on sensitive issues could easily backfire on the long term, as Zhou points out in another, earlier article, since the limited information provided only fuels rumours and thus could hinder people’s ability to cooperate with the authorities.⁵²

Liu Yuejin, a senior counter-terrorism official at the Ministry of Public Security, made it clear that one of the main goals of the CT Act was to promote international cooperation.⁵³ Chapter VII allows this expansion in its anti-terror efforts on the basis on international treaties, the principle of equality and mutual benefit. The new intelligence centre, in addition to coordinating between Chinese government bodies, will also coordinate exchange of relevant information, cooperative enforcement, and monitoring of international funds (Article 69) primarily with neighbouring countries and regions. Furthermore, it also lays down the legal ground for the State Council Public Security Department and National Security Department “to assign people to leave the country on anti-terrorism missions” (Article 71). On the other hand, in the next paragraph it is also spelled out that the PLA and the Chinese People’s Armed Police Forces may do the same – under the approval of the Central Military Commission – and the provided approval is granted by the foreign country in question.⁵⁴

⁵⁰ In the case of Article 29 the responsibility of the communities is highlighted to „conduct aid and education of persons incited, coerced or enticed into participating in terrorist or extremist activities or persons who participated in terrorist or extremist activities but where the circumstances were minor and do not constitute a crime.”

⁵¹ Even though, as Tiezzi points out, the media coverage of sensitive issues like terrorism – especially in Xinjiang – were already difficult. She cites the case of a French journalist, whose visa renewal was blocked for criticizing China’s treatment of Uyghurs as part of its anti-terrorism crackdown („China to expel French journalist over Uyghur report”. *Al Jazeera*. 26 December 2015. <http://www.aljazeera.com/news/2015/12/china-expel-french-journalist-uyghur-report-151226141810827.html>, Accessed on 23 September 2017.; Tiezzi. “China’s New Anti-Terrorism Law”.)

⁵² Zhou. “Media censorship of terrorism...”.

⁵³ Xinhua. “Take measures to strike and prevent terrorist...”.

⁵⁴ Tiezzi. “China’s New Anti-Terrorism Law”.

While Article 71, mentioned above, does set up the field for future overseas operations, Duchatel argues that it does so using a “purposefully vague” language. He claims that “Chinese military officers are evasive regarding the nature of the future missions, but note that the door is open for new approaches that involve them.” Regarding the actual future prospects, however, he considers the possibility that China will continue to do what it already does (joint-missions within the SCO and on a bilateral basis, having its Snow Leopard commandos stationed in Iraq and Afghanistan to protect the Chinese embassy staff) and will just do it better and with more efficiency. Another scenario could be that this Act sets the groundwork for the expansion of China’s participation in UN peacekeeping missions or anti-piracy operations. Whatever China will decide in the future – and some still hope or expect it to turn to actual counter-terrorism operations in the Middle East⁵⁵ - experts agree that if military action will indeed be taken then it should be precisely targeted, limited in time, and supported by the host country – in result there should be no unilateral military interventions.⁵⁶

During the debate on the first and second drafts of the Chinese anti-terrorism Act, Zhou Zunyou summarised what the UN in its Draft Comprehensive Convention on International Terrorism, the EU in its Framework Decision of June 2, 2002 on Combating Terrorism, and the U.S. State Department in its annual country reports on terrorism to the U.S. Congress interprets as terrorism. Then he compared them to what the new Chinese draft Act understands about the core elements of terrorism.⁵⁷ He points out that the EU and UN definitions of terrorism include a rather specific list of what kind of violent acts they consider as terrorist violence. It is only the United States that requires political motivation behind that violence, unlike the other three, and it is also the US definition that considers not merely public or private targets but it finds necessary to include the distinction of the non-combatant status of the targets. Nevertheless, it still is the Chinese definition that is the broadest among the four Zhou compared, and it is also the most open for future interpretation.

It could be argued that the general vagueness of the definition is either due to inexperience in drafting a legal act like this (although Zhou had pointed out that it is only the first comprehensive, not the very first Act in China that touches on the subject of anti-terrorism). On the other hand, this vagueness, as expressed above, leaves many opportunities for future interpretation. While that comes with insecurities regarding the uphold of the rule of law, it could also mean that it would be more flexible for future challenges or new aspects for the security.

CONCLUSION

In order to consider involvement in a situation that a couple years ago China might have considered as either clearly a matter of internal or strictly regional affairs, a clear threat to Chinese national interests has to be involved. Even with the wide spread of these overseas interests in risk-packed zones like Central Asia or the Middle East, China still needs to carefully weigh the pros and cons of a possible intervention of any kind, as it would come

⁵⁵ Lin, C. „ISIS Caliphate meets China’s Silk Road Economic Belt”. rubincenter.org. 22 February 2015. <http://www.rubincenter.org/2015/02/isis-caliphate-meets-chinas-silk-road-economic-belt/>, Accessed on: 23 September 2017.

⁵⁶ Duchatel. “Terror Overseas...”. 7.

⁵⁷ Zhou. “How China Defines Terrorism”.

with breaking with such a fundamental element of China's foreign policy principles as the opposition to intervention in internal affairs. There are already indications in politics and academic debates alike that this move is inevitable if we consider the increasing participation in anti-piracy operations and peacekeeping missions, not to mention the legal framework the new anti-terror Act had laid down in 2016. With regard to the threat posed by ISIS, Chaziza also claims that the ISIS threat is a rare chance where any measure against it could improve China's position within the international community, and Beijing should be less worried about international criticism. Also, Beijing could improve its relations with the Middle East countries as well as with the US.

However, it is also clear that China is rather hesitant to take on such a large and initiative role. It has its own priorities: first and foremost the secured stability in China and in Xinjiang for political and economic reasons alike. In order to help with this China had passed its first anti-terrorism Act at the end of 2015, which finally clarifies what Beijing understands as terrorism. Even though that definition, and, for example, the chapter regarding international cooperation is rather vague, it is still a promising step forward to setting up a comprehensive groundwork for China's counter-terrorism strategy. Then, China's secondary priorities lie in its immediate neighbouring region – Central Asia. There China relies on the Shanghai Cooperation Organization and bilateral agreements, and joint military exercises to ensure stability. Not to mention the fact that both Xinjiang and Central Asia play an important role in China's energy security, and the Belt and Road Initiative.

Rhetorically China puts special emphasis on the importance of treating the root causes through economic and social development under UN leadership, while it also strives to eliminate what it calls the use of “double standards” by the West. For this reason, it prioritizes and endorses its own struggle against Uyghur terrorist groups – mostly ETIM and TIP. However, treating separatism, terrorism and extremism as the “three evils” on the same page and blurring the lines between these three, China may decrease the chances of meaningful cooperation in third countries, as it complicates the proper designation of the threat faced in those countries.⁵⁸

All that said, for the time being China is still rather inclined to take care of its problems first at home, and take advantage of the US taking the brunt of backlash for military intervention in the Middle East and Central Asia. In the meantime it gradually builds up its own military and legal capacities to step up when ultimately it becomes unavoidable. Until then Beijing has time to work out the details of its (inescapably China-centric) counter-terrorism strategy “with Chinese characteristics”.

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⁵⁸ Duchatel. “Terror Overseas...”. 11.

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