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and the Belt & Road Initiative**

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## Preface

The beautiful early summer weather of Hangzhou welcomed scholars, professors and graduate students from home and abroad to participate in *The International Symposium on Policing Diplomacy and the Belt and Road Initiative* (B&R) organized by Zhejiang Police College located on the bank of Qianjiang River. As the President of the college, I would like to take this opportunity to say thank you for visiting us and giving your full support to the symposium. The theme of the symposium is policing diplomacy to support China and The Belt and Road Initiative. According to Xinhua News in March 2017, “China’s the Belt and Road Initiative was proposed in 2013 by Chinese President Xi Jinping, aims to build a trade and infrastructure network connecting Asia with Europe and Africa. China’s Belt and Road Initiative is more about investment, infrastructure, shared opportunity and interconnectivity for a shared future....” “The Belt and Road (B&R) Initiative brings hope that openness, shared development and cooperation will cross walls and barriers.”

With the implementation of The Belt and Road Initiative, it is essential to build a peaceful and safe B&R. Therefore, we need to do more research on policing diplomacy to strengthen the cooperation with neighboring countries along the specified Belt and Road. This symposium has provided an opportunity for scholars to learn and exchange views from different perspectives.

I am sure this symposium is helpful to improve the scientific research ability in international policing cooperation, and is also far-reaching to further the research on policing diplomacy.

With a history of 67 years in the building, Zhejiang Police College is a higher learning institute that provides academic policing education and professional training to active police officers. In recent years, having made abundant exploration in cultivating talents for policing, we have made great contributions to promoting the internationalization of police education and international policing cooperation.

Zhejiang Province is very prosperous in China. Hangzhou, as the capital of Zhejiang Province gets its laurel of “Heaven on Earth”. In September of 2016, the G20 Summit will be held in Hangzhou. I hope you all will enjoy the beauty of this modern city with its profound historical culture.

Thank you.

*Professor Ding Hong*

President, Zhejiang Police College

Hangzhou, China

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## ***Keynote Speech I***

### **Understanding the Nature of Terrorist Acts: Planning and Response Strategies for Police**

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**[Abstract]** *There is little standardization in how terrorism is defined and prosecuted under law. Adding to this problem is the emergence of a new form of terrorist, individuals existing and operating outside of areas of known conflict. This new form of terrorist actor is not bound by culture or geography and traditional types of terrorism are giving way to new types of fast-paced targeted violence. Classifying the nature of terrorist acts based on the physical actions of the terrorists will be helpful for civilian law enforcement and the military in developing strategies for prevention, mitigation, and response.*

**[Keywords]** *terrorist acts; planning and response strategies; standardization; new form of terrorist*

#### **Introduction**

Much of what is discussed, written, and understood about terrorism is found more often in theoretical and philosophical terms of why terrorism exists with limited consideration regarding the physical nature of the acts. There is no one definition of terrorism, nor is there any standardization in how terrorism and terrorist acts are criminally prosecuted (Drylie, 2015; Majoran, 2015). Adding to any confusion created by a lack of clarity and consensus is that definitions in this regard tend to be “highly politicized” (Stepanova, 2008, p. 5) and are oftentimes used pejoratively (White, 2009), which can and will strain a necessary level of objectivity. According to Marjoran, due to the lack of “a uniform globally accepted definition of terrorism it is impossible to criminally prosecute individuals for the crime of terrorism at the international level” (2015, p. 20). This lack of uniformity makes it all the more difficult in developing response strategies, due in large part to the fact that much of the response to terrorism in western democracies is limited to civilian response strategies and prosecution, two points that will be discussed further in this paper.

Terrorism and terrorist tactics have evolved over time, and more recently, within the later part of the twentieth century and into the twenty-first century, there has been a transformation in how terrorist agendas are pursued. Terrorism is no longer limited by the expanse of oceans, or the rugged terrain of mountainous regions or barren war-torn lands. Previously, terrorism was limited to two fronts: physical locations and broadcast airwaves (Newman & Clarke, 2009). Globalization has launched terrorism to new heights, and eliminated many, if not all, boundaries that previously limited terrorist groups in ability and scope. The vast world of the twentieth century and before is much smaller today due to globalization (Drylie, 2015). For all of the good that this new style of integration has produced, including, but not limited to, global connectivity through social media and other forms of electronic communication, there is a “dark side” (Drylie, 2015, p. 9). In addition to new strategies of warfare and violence, terrorists have made excellent use of social media, often with deadly consequences. “Growth of the Islamic State of Iraq and Syria (ISIS) has had intended, as well as unintended consequences: Force multiplication” (Drylie, 2015, p. 9). For reasons that have yet to be thoroughly analyzed and explained, the reach of ISIS has far

eclipsed physical or military boundaries that previously kept many terrorist groups in check. The internet has helped to propagandize ISIS in ways that were unimaginable as few as five to seven years ago.

Influence and motivation of terrorism is firmly rooted in grievances that may touch upon persecution that is driven by deep-seated hatred due to ethnicity or religion, anarchy, or politically driven agendas (Drylie, 2015). An equally disturbing fact is the lack of traditional borders associated with conflict is generally absent with terrorism that is asymmetrical by design. This lack of symmetry confuses and conflicts with traditional response strategies, which often has positive implications for the terrorist element and, at the same time, continues to mire governments in moving out from under the reactive posture of most incident response systems. In the past, terrorist acts were somewhat predictable with little deviation from the type of attacks that often achieved a maximum effect with minimal capital. The ability of governments to mitigate losses and damages in similar incidents was improved, in some part, due to this level of predictability (Drylie, 2015). Many of the response strategies that were developed and implemented would, and do, act as deterrents and likely displaced terrorist's targeting strategies to softer targets in locations that were, and are, still clearly vulnerable. In this preverbal game of cat-and-mouse, terrorism would again gain an upper hand. The emergence of the *lone wolf* terrorist and the cross-cultural influence in recent acts of terrorism has changed the landscape in the favor of existing terrorist groups, and once again placed governments and those targeted by terrorism in a reactive posture (Drylie, 2015). A new form of terrorism is evolving, and prevention and mitigation is that much more difficult.

The analysis of lone wolf terrorists and the cross-cultural influence seen in recent terrorist attacks across the globe is critical in helping to understand why individuals and groups with no affiliation to or with identified terrorist groups conceptualize, plan, and execute acts of mass murder. However, analysis of this type does not lend itself to immediate responsiveness. The lens of the academic conducting analysis of the causes related to terrorism does not allow for a specific, narrower focus of the terrorist act itself, the analysis tends to be somewhat broad and generalized. Terrorism, in this sense, is seen and viewed as being bound by where the acts occur, which must be reconsidered (Stepanova, 2008) if the response to terrorist acts is expected to move away from the reactive to a more proactive role. Analysis in this sense allows for lengthy consideration, but time is not on the side of those tasked with responding to acts of terror. First responders and law enforcement must react and respond to this new form of terrorism as it is unfolding or in the immediate aftermath. Scholarly analysis and rhetoric provide little in the way of help in dealing with the deadly results of a terrorist attack. To the contrary, analysis can produce a form of paralysis that minimally delays critical decision making.

### **Types of Terrorist Acts**

Terrorist acts easily fit into typologies, which in most legal systems are analogous to criminal acts. According to the National Consortium for the Study of Terrorism and Responses to Terrorism (START), since 1970 there were over 58,000 bombings, more than 15,000 assassinations, and at least 6,000 terrorist-related kidnappings worldwide (2016). However, discussions about terrorism as a crime often come with limitations. Based on how terrorism is perceived, both in terms of "political and popular conceptions" (Conte, 2010, p. 8), making a connection between terrorism and crime is not so simple (Majoran, 2015), yet the actions of the terrorist are illegal, regardless (Norwitz, 2002). Similar to the limitations in defining terrorism, due to lack of a universal standard, terrorism in the eyes of some is revolution in the eyes of others. Empathy and political correctness may prevent legitimate prosecution of

an act(s) as terrorism by relegating the matter to lower courts, or worse, dismissing it as something other than an act of terrorism.

Using typologies to categorize (Collier, et al., 2012) terrorism and related criminal acts is useful as a tool in research and the intelligence function. The authors define typologies “as organized systems of types” (2012, p. 217). It is through this organized process of typing that concepts related to the elements can be formed and refined (Collier, et al., 2012).

The typologies most closely associated with terrorism include the following:

- Armed attacks and assassinations
- Arson
- Bombings
- Cyber attacks
- Hijacking (air, land & sea)
- Kidnapping and hostage taking

The benefit of putting terrorist acts into a typology such as this is the ability to form a conceptual understanding how crime is interrelated as a means toward an end as a part of the overall agenda of a terrorist actor or group. There is a distinction here between terrorism as a criminal act and war. The prosecution of war in most democracies is not bound by the legal constraints found in civil and criminal law. The use of force in war is permissive, with few of the constraints evident in a civilian environment, which limits the use of force by police. Using metaphors associated with war only adds to the confusion. When terrorism is viewed in the context of crime, the response by civilian law enforcement is generally not clouded by war metaphors, and mitigation and response strategies fit into existing practices and procedures. The challenge then is keeping the civilian and military responses separated. One way to accomplish this is look at how terrorist acts start and end. By examining the specific actions associated with a terrorist attack and the attackers allows for better understanding in developing strategies to respond, neutralize the threat, and help with recovery. How a terrorist attack unfolds is as important to understand why it occurred in the first place. Terrorists are people, and people behave in certain ways, frequently in predictable ways. Humans are creatures of habit, and habits are often molded by character and personality. This is human nature. Understanding human nature as it relates to the actions of terrorist actors is critical to gaining a better perspective of what is happening in a terrorist attack, much like a critical analysis of a sporting event or performance. A forensic analysis of a terrorist attack can, and will, yield significant indicators of the nature of the incident as it relates to human behavior.

### **The Nature of Terrorist Attacks<sup>1</sup>**

Recognizing that terrorism is a direct result of human activity and is not attributable to an accident or natural act is the first step in preparing for human caused acts of violence. There are three critical aspects to preparing for the aftermath of a terrorist incident, however large or small. Planning is integral in developing adequate strategies to deal with terrorism, from both a proactive and reactive posture. This is the *who, what, where, when, and how* often associated with the criminal investigation function.

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<sup>1</sup> Drylie, J. J. (2015). *Is Suicide-Terrorism on the Offensive? Understanding the Nature of Terrorist Attacks Using Social Science Research in the Intelligence Function*. 2, 5-28. Reprinted with permission.

As noted, terrorist acts easily fit into typologies, such as bombings, kidnapping, hostage taking, armed attacks or assassinations, even cyber attacks. What is missing is a classification of the *nature* of the terrorist acts. In examining recent types of violent acts committed around the world, it is evident that these acts can be classified based on how the attack is planned and carried out. Using a classification based on action, these acts are static, dynamic, or a hybrid of both. Static acts are incidents that are directed at fixed locations, objects, or people. The attacks on 9/11, the transportation bombings in London on 7/7, or the Rangoon bombing in 1983 were static in nature based on the focus of the attacks on specific locations or modes of transportation. Dynamic acts are fluid in nature, and can involve one or more assailants. These attacks may target one location, but the dynamic nature of the movement of the assailants has all the potential of expanding the initial location into multiple targets or locations. Recent examples would include the shootings in Paris in January 2015 and in Garland, Texas in May of the same year. The Paris attacks left 17 dead and the attack in Garland fortunately was interrupted and both gunmen were killed by police. Hybrid acts involve elements of both static and dynamic. The school shooting in Columbine, Colorado in 1999, the hotel attack in Mumbai, India, which left 174 dead, and in Peshawar, Pakistan in 2014 with 145 dead, including 132 children, were protracted incidents that targeted specific locations, but the attacks continued until the assailants were killed or committed suicide.

Classifying terrorist acts based on the nature of the incident, static, dynamic, or hybrid, allows for better analysis, specifically in developing strategies for first responders. Civilian police and military personnel operate in these environments as a normal course. These professionals can conceptualize a dynamic attack by understanding and respecting what is involved. The attack is intended to be quick with the element of surprise on the side of the attackers. The violence of action by the attackers will cause confusion and chaos, again playing to the needs of the attackers. The attackers in these cases often expect and desire to die for whatever cause they support. They see their actions as rational and surrender is unlikely. These acts are now occurring around the world and they are not the providence of any one group. To react, respond, and neutralize these attacks, first-responders need to develop a clear understanding of how these types of acts unfold.

The police, as practitioners, are not in the business of writing rich descriptive accounts of what occurred in an incident. Police reporting is often very factual and to the point. This is where social science is helpful, and with the benefit of using qualitative research, first-responders can be provided with detailed descriptions of the elements involved in these attacks. Qualitative analysis is inductive by nature (Drylie, 2015), and is beneficial in examining the nature of terrorist attacks by allowing for a broader perspective (Creswell, 1998; Stake, 2003). Qualitative analysis in this regard “is inextricably linked to the collection of information as it relates to a particular type of incident or activity” (Drylie, 2015, p. 17). Evolving terrorist strategies, specifically fast-paced targeted violence is a phenomenon that has not been tested or linked to existing theories (Drylie, 2015) with any degree of specificity. Phenomena such as targeted violence associated with dynamic attacks can be studied using a very basic qualitative strategy: Case study analysis. This author notes that the “spatial and temporal bounds inherent in case study analysis can provide greater insight and understanding of specific dynamics” (Drylie, 2015, p. 19) of the nature of terrorist acts. It is here that the true value of understanding the nature of terrorist acts emerges. This author has demonstrated this in research on a uniquely American phenomenon: Suicide by cop. Using rich, descriptive accounts of what and how these violent incidents play out, this author brings these incidents to life, allowing for the reader to establish a vision of what is transpiring as it happens (2006). The intrinsic value of this research has been demonstrated time and time again in work that the author has

conducted in training police in how to respond to these incidents, and with clinicians trained to work with officers that have been involved directly or vicariously in a suicide by cop incident.

### **The Value of Experience**

Police regularly respond to and investigate crimes, many times violent crimes involving armed individuals. These crimes occur regardless of jurisdiction, and they occur in open and closed societies and play out globally on a daily basis. Police officers and the organizations themselves may react to a situation or crime in progress “based on stereotypical incidents that are rooted in experience and training” (Drylie, 2006, p. 67). It is noted that this form of stereotyping is not to be confused with personal biases or prejudices, but is grounded in the practicalities of police work in dealing with people day-in and day-out (Drylie, 2015).

Police work is often generalized as being *routine* or *mundane*, but this seemingly negative aspect of the job can also be an asset. The routine nature of police work often relates to extensive periods of time where officers interact and observe people under a variety of conditions; normal, strained, and volatile. Whether an officer recognizes or even realizes it, they are capturing and storing information that forms a foundation for immediate recollection, if and when needed. Police officers develop a *sixth sense*, an ability to read things based on an observation, a comment made, or some form of body language that is often overlooked by others. The existence of this heuristic trait can be the difference between life and death. The problem is that police tend not to associate or consider this when the topic of terrorism and terrorist acts is raised, much less in considering how to respond to it. If less time is spent on debating the why related to terrorism and more time dedicated to examining the nature of terrorist acts, from an operational perspective, then police in general can gain a clearer understanding of how these acts unfold. Knowing how something happens is a critical element in developing strategies to neutralize the threat with minimal or no collateral damage.

In developing a classification for the nature of terrorist acts, this author built on previous work related to research and investigations related to the use of force by and against police, specifically in cases involving *suicide-terrorism* (Drylie, 2015). This work, which is a continuation of an earlier analysis of *suicide-by-cop*, long thought to be an American phenomenon, looks closely at the drama of police-involved shootings. What is clearly evident is that there is an abundance of information that can be gleaned from these tragedies, which can be used to construct rich, descriptive narratives that then can be shared with police vis-à-vis training programs. Through these narratives, police can develop necessary experiential skills that help to build a frame of reference that is beneficial when officers find themselves in similar situations. This form of preparedness and training has been taking place in the United States for quite some time; unfortunately, this has been and continues to be in response to the number of *active shooter* incidents, which is a form of targeted violence (Drylie, 2013) that often has similar characteristics.

Early assessments of targeted violence suggested the importance of having an understanding of what or who posed a threat to a particular person, place, or thing is an integral element in threat prevention (Fein & Vossekuil, 1999) and mitigation. Much of the work and literature in this regard originated with the study of school shootings in the United States by the United States Secret Service (Drylie, 2013), and it was through this form of qualitative research that a clearer picture of the dynamics of these incidents emerged. These forms of analysis help to bring about greater understanding by those who are most in need of understanding: First responders.

When a police officer is thrust into a violent scenario, with no option but to react or defend themselves or a third party, the experience leaves an indelible impression, one that is not soon forgotten. Incidents such as this form a frame of reference that serves to assist when similar incidents occur. Just as the athlete builds muscle through physical repetitions, a form of mental muscle memory becomes as much a part of the officer's day-to-day activities. Instinctively, officers react to violence as they were trained, and as they have experienced it. This is how officers should be conditioned to respond to terrorist incidents. From this point, a threat, is a threat, is a threat, regardless of the motivations and intent of the actor. To think or train differently, contrasting civilian crime with terrorist acts, can and will have irreversible consequences.

### **Conclusion and Recommendations**

The lack of any uniformed or standardized legal or operational definition of terrorism is one of the many hurdles that societies worldwide must deal with in order to bring about a more cohesive strategy for combatting terrorism. As important and timely as this is, a lack of uniform policy is not the most immediate threat facing communities today. The emergence of the lone wolf terrorist compounded by a lack of global cohesion in regard to definitional constructs, is adding a new dimension to confronting terrorism.

By classifying terrorist acts based on the nature of the actions involved in committing the act, social scientists can conduct meaningful qualitative analyses of the incidents and then provide much needed expressive descriptions of these incidents. The narratives then become a form of force multiplication, much like the terrorist that relies on media headlines to spread their message and agenda, and police can use this information to train personnel who might otherwise never be exposed directly to a terrorist incident.

The ongoing game of cat-and-mouse between terrorists and first responders oftentimes works to the advantage of the terrorist. This imbalance is compounded when the boundaries often associated with where terrorism occurs on a regular basis is eroded with the introduction of the lone wolf actor. The increased use of targeted violence by established, as well as lone wolf actors, creates unique challenges; challenges that can be met with some level of success. The key to success is knowledge. By establishing a knowledge base that provides rich, detailed descriptions of what occurs in terrorist acts, then first responders have a better chance of evening the playing field, perhaps even tipping the advantage to their favor.

As terrorist acts occur worldwide, social scientists, including undergraduate and graduate students, can prove invaluable by conducting content analysis of these incidents. The insight gained from this analysis can be used to develop accounts of the incident that can then be used to train and improve understanding of the nature of terrorist acts for those most in need of it: The Police.

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## *Keynote Speech II*

### **Using Contemporary Communication Media Modals as Public Information Warning Tools During Emergencies and Disasters in South Australia “Media has Lost Control of the Media!”**

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*[Abstract] Emergency management organizations around the world have increased accountability to provide timely and accurate information to the community in times of disasters or emergencies. The demand for public information coming from emergency management organizations during emergencies has escalated at an alarming rate. This paper gained an overall perspective of what is occurring in the current emergency management environment. It has illustrated the escalating use of OSNs in actual emergencies. For organizations such as the South Australia Police, OSN's have emerged as one of the most valuable tools in communicating to the community in times of emergencies.*

*[Keywords] communication media modals; disasters; emergencies; OSN's*

#### **Introduction**

This research has been motivated by the author's workplace experiences in the areas of corporate communications, and media, whilst performing the role of Deputy State Controller Media – now State Controller Public Information (SCPI) in the State Emergency Centre (SEC). There are detailed responsibilities for the role of the SCPI as outlined in the South Australia *Emergency Management Act 2004*; the South Australia Police *Media Functional Service Plan 2012* (MFSP); and the *State Emergency Management Plan 2012* (SEMP) (Government of South Australia, 2010, June, p. 58).

In succinct terms, and supported in the MFSP (Government of South Australia, 2010, July, p.7), the SCPI has a critical role and responsibility for ensuring that accurate, timely and relevant information is provided to the public during any emergency situation which should occur in South Australia, even though the South Australia Police may not necessarily be the lead control agency. There are also numerous policies, legislative regulations, and at times complex government regulations, directing how and what public information emergency management organizations must, or must not, promulgate and when. This includes the guidelines of the *Freedom of Information Act 1982*, the *Commonwealth Privacy Act 1988*, and in particular in South Australia, the Privacy Principles as contained in *South Australia Cabinet Administrative Instruction No 1 of 1989*. In essence, this broadly means that government organizations have set legislative responsibilities restricting the promulgation of certain information at particular times, for example, releasing the names or photographs of victims prior to relatives being informed.

Mix this level of bureaucracy with the previously-used conventional methods of communication promulgation by emergency services, and at times, it could have appeared that there was an information



vacuum. In fact, many times the media would make complaints as to a lack of information coming from police sources.

It has also become overwhelmingly evident during recent major disasters over the past five years in Australia and overseas, that the community use of more contemporary communications tools has now taken precedence over conventional methods. Facebook, Twitter, Skype, MySpace, LinkedIn, Flickr, wikis, blogs and YouTube have been utilized extensively and successfully by emergency management organizations, the community, and the media to promulgate more timely and accurate information during emergency situations. Queensland Police Service (2010, pp. 1-8) and Riddell, et al. (2011) both confirmed the increased efficacy and timeliness of information promulgated by online social media means. This was supported by the Torrens Resilience Institute (2012).

As a result, the initial research undertaken in this paper examined if the past and current communication media modals used for emergency situations were effective and efficient in South Australia. This included whether there was a need to better coordinate an all agency government responses to public information release during emergencies. However, the research soon morphed into a more refined and relevant area.

Notwithstanding, this involved a more definitive examination on the role of online social networking (OSNs) accounts as contemporary communication tools for promulgating public information to the community during any future disasters or emergency situations. With this more refined research involved the undertaking of a gap analysis of what training, education and information was available to South Australian EM practitioners at the time and in the area of the OSN use. Part of the gap analysis was to review all of the training which had been undertaken by the SCPI since 2005. It was ascertained that there had only been one previous occasion in South Australia where any information sessions had been undertaken on the use of OSNs to EM practitioners. This was conducted in 2012 during a succinct public information seminar. It was restricted to only people in state government organizations who worked in their respective communications areas. Attendees were required to possess a current national 'secret' security clearance. Some broad information was also available through the South Australia Police website as provided by the Commercial and Electronic Crime Branch.

In September 2012, the researcher was invited to present the interim findings of this research as part of a formal key presentation to the National Emergency Services Training Officers' Conference (NESTOC) in Sydney on Monday 8 October 2012. This invitation was accepted and a formal presentation prepared and successfully delivered.

Evaluation comments were received from many of the conference delegates. It appeared that the research had in the main been well received. The training session has since been slightly modified and delivered several times and to a range of audiences between April 2012 and May 2013.

### **Literature Review**

The research unequivocally identified that the use of OSNs during emergencies and other like incidents is here to stay. Certainly, it is a contemporary and still emerging technology for emergency response in this country. Recent documents such as the Victorian Bushfire Royal Commission (2010, pp. 1-22), the Queensland Police Service (2011, pp. 1-10) case study, Torrens Resilience Institute (2011), and the South Australian Fire and Emergency Services Commission (2011, pp. 1-65) Community Emergency Information Warning Systems Survey all indicated that there is a community expectation that EM organizations will provide timely, accurate and consistent messaging in times of risk and emergency.

With this comes the increased use of contemporary means of public information dissemination using OSNs; which have in some ways, diminished the reliance upon the traditional means of public information warnings such as one way internet sites and email. Riddell, Rock, Clothier and London (2011) supported this when they said, “Social media is buttressing a re-conceptualization of disaster response and a transformation of inefficient, bureaucratic structures of communication.”

Nelson, Sigal and Zambrano (2010) also supported this idea and discussed that the increased use of OSNs by EM organizations and the community has created new innovative ways of receiving and distributing enhanced reporting quality of information. This is what the Victorian Bushfire Royal Commission (2010, pp. 1-22) very strongly emphasized in that the community expect quality and timely information in times of emergencies.

Eburn (2012, pp. 52-55), the South Australian Coroner’s (2007, pp. 1-18) inquiry into the Wangary bushfires in South Australia in 2005, and the 2009 Victorian Bushfire Royal Commission (2010, pp. 1-22) quite categorically highlighted the government and EM organizational responsibilities and accountabilities to keep the community informed during emergencies. This directly relates to the administrative law, including government policies and legislative powers, bestowed and binding upon chief executive officers (CEOs) who lead the respective EM control agencies in times of emergencies.

Keeping the community informed by the best means available is a significant issue for EM practitioners, CEOs and volunteers. They must all be mindful when responding to any emergency incident relevant to the community expectations surround public information release.

Without doubt, there must be a consistent approach from areas of the public, community, media, judiciary, internally with EM organizations, and the government to identify, if any, individual or organization that was at fault in any particular incident where a person may have been killed or injured, or assets destroyed. In acknowledging this then it is imperative that EM practitioners are advised to make notes and develop impervious means of decision making as there will always be some form of scrutiny over why certain actions and decisions were made. Former Chief Commissioner of the Victoria Police during the 2009 Victorian bushfires was criticized publicly through the 2009 Victorian Bushfires Royal Commission (2010, pp. 1-22) for not being diligent and making appropriate notations of her actions and decisions.

We have to accept that we are in a technology revolution and the use of the internet and OSNs is not a fad and here to stay. EM organizations must be in the environment and they cannot ignore the influence of these technologies. Riddell, et al. (2011), reports that the current world average for possession and use of mobile telephones is staggering. There are 61 mobile telephones for every 100 people on the planet. In Australia, most people either own or use a mobile telephone; but at least fifty percent have a smartphone. “The growth of mobile use is tracking eight times faster than the PC. By the end of 2013, mobile phones will overtake PCs as the most common Web access device worldwide” (<http://www.bwired.com.au/index>). What this potentially equates to is also a growth in the use of OSNs.

A good example used in the presentation is that of the Queensland Police Service. As at the 1<sup>st</sup> of November 2010, the Queensland Police Service (QPS) had 8000 ‘likes’ (hits) on their organizational Facebook site and 1000 followers on their Twitter site. In late December 2010, heavy rains flooded large portions of Queensland including vast areas of heavy populated inner Brisbane suburbs. In the 24-hour period following the flash flooding on 24 December 2010, the QPS case study reported a dramatic shift in response. Their organizational Facebook page ‘likes’ escalated from 17,000 to over 100,000 and generated over “39 million post impressions equating to 450 post views per second over the peak 24-hour

period” Queensland Police Service (2012, p. 7). It is important to be able to share the results of this type of case studies with fellow EM practitioners across Australia and New Zealand, if not globally.

The key objectives of this research, and subsequent presentations, was to bring all of the issues identified to the attention of as many EM colleagues, managers and trainers as possible. From the research conducted many including Furey (2011), Dufty (2011), Kay (2011), and Ingold (2011) have acknowledged the need for emergency service organizations to be in the OSN environment. There would be few to now doubt that this needs to occur if – it hasn’t already.

However, with this evolves some salient issues which need to be addressed and which are to be part of potentially ongoing further research. The full answers to these issues are just not identified yet but are likely to impact upon the EM response in the future in this field. One example is what do EM organizations do with the explosion in information volume? When there is a two-way exchange of dialogue between the community and EM organizations through such accounts as live blogs and Facebook, how do the organizations deal with the volume of potential misinformation?

Werner (2011, pp. 86-87) identified the potential for an increase in misinformation correlating to the increased use of OSNs. In the community’s eagerness to get information shared on the various OSNs, at times this has not been moderated or verified for authenticity. This can lead to exaggeration of circumstances and actually place individuals, or even entire communities, at fear or at risk of mass panic. It could be argued that this is a very good reason why EM organizations need to retain some of the traditional means of communications.

As has been highlighted throughout this research, there is a genuine belief that the *‘media has lost control of the media’*. What is meant by this comment is that in times prior to the massive influence of OSNs; iPhones, smartphones and electronic tablets the media relied on what emergency service organizations would provide in the form of written, emailed, facsimiled or voiced recorded media releases. Media outlets and EM organizations did have the chance to try and authenticate and moderate public information releases. This was not meant to sanitize, or covertly provide one-sided information, but more to ensure the overall safety and privacy of the community.

What has evolved in current times is that the media and EM organizations are trying to monitor what happens in real time on OSNs to ascertain any type of useful information. For EM organizations, this is then balanced against what they are receiving from their own responders to ascertain what is factual and what may not be. This is just one of the issues facing EM organizations in this dynamic era of OSN community communication. Other issues identified in the research and used in the presentation include that for every new initiative there requires adequate funding, training, resource, facilities, policy, legislation, infrastructure and integrity to go with it. If EM organizations and government do not have the resources, the drive, motivation, and/or initiative to tackle these issues, it could potentially leave them exposed to the plethora of scrutiny currently in our society.

### **Outcomes of this Research**

The introduction to this paper detailed the background of this research project. It has evolved from a very wide scope to a more refined look at the impact of OSNs on EM environment. As stated earlier, the key objectives of this research, and subsequent presentations, was to bring all of the issues identified to the attention of as many EM colleagues, managers and trainers as possible. Has that been achieved? To some extent yes it has, but there is still a long way to go.

What was very interesting during the research is that there remains many in our EM community who do not have a full appreciation of the power and extent of OSNs on EM response and recovery. This is based on the feedback received by the researcher after undertaking a number of presentations directly linked to the research.

Exact numbers of people presented to have not been formally counted, but the presentation on the research has been undertaken in several formats. The original research concept was presented to the Torrens Resilience Institute based in South Australia. An invite was extended to the researcher to promote this research during a forum where several other EM based research programs were being undertaken by other local tertiary institutions. This was followed by a preliminary, or modified, presentation to a range of particular courses over the next several months. The comprehensive and main presentation was conducted to the 2012 NESTOC.

As a side issue, the author of this paper was also requested to give evidence before the 2012 Parliamentary Joint Committee on Law Enforcement where the Commissioner of the South Australia Police was invited to provide evidence before the public hearing for the committee's inquiry into the gathering and use of criminal intelligence across Australia. During this testimony, recorded on Hansard, the researcher referred to some of the research data obtained during the development of this training and presentation, particularly the component on mobile telephone usage.

### **Where To from Here?**

The comprehensive literature review has clearly demonstrated an ongoing and strong emphasis towards the use of OSNs by the community and in turn the EM organizations during disaster, hazard or emergency response situations. What has been established is that EM organizations must be in the OSN space to access and use these contemporary communication media modals. However, they also just need to be a little bit cautious in how they do so.

Some of the underpinning issues which have yet to be resolved include the need to:

- Be mindful of the potential for misinformation; unlawful information; malicious information; and mischievous information being received or promulgated;
- Ensure OSNs are not the only sources of information and do not forget the traditional methods as many will still rely on them, especially if the power or access is restricted to online social networking systems;
- Provide appropriate technical skills are established along with infrastructure and resourcing to maintained the systems you put into place;
- Not use online social network accounts as pure information dissemination platforms for volume information for the sake of it; and
- Maintain a consistent focus throughout any hazard or disaster including during the recovery phase.

In 2013, the South Australia Police (SAPOL) introduced a fully interaction Facebook and Twitter site. Since that time, it has focused on growing the number and reach of the Facebook and Twitter platforms. In 2016, SAPOL Facebook exceeded 362,000 followers, and has continued to grow (the page has 82,000 more followers than the 12 months previously). Images of a police officer playing hopscotch with a little girl at the Adelaide Christmas Pageant became the first post to 'reach' more than one million people via Facebook in just 24 hours.

The organization's popularity through social media has continued to demonstrate enormous reach. During the period 20 October to 26 October 2015, coinciding with the announcement of a joint breakthrough in the Wynarka (Task Force Mallee) investigation which was a murder investigation into the death of a young girl, SAPOL's weekly Facebook 'Post Reach' (the number of users SAPOL content was served to) peaked at 3,122,309. The announcement post alone reached more than 913,000 users. SAPOL's most successful post to date was on 6 January 2016 where the social media site reached an audience of more than 5.1 million users. Of the 10 most widely-viewed posts during the past financial year, five were related to the Task Force Mallee murder investigation. These five posts reached a combined audience in excess of 4 million people. SAPOL provides news for communities outside Adelaide, through a dedicated "news page" for each Local Service Area (LSA). SAPOL also provides webpages specifically dedicated to Traffic Services Branch and Public Transport Safety Branch.

What this clearly shows is that social media is a very powerful tool for policing and in emergency management situations. It is not a fad and is here to stay.

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## **Biography**

Col has been a police officer for over 37 years having worked in the CIB, Major Crime, Special Crime, Anti-Corruption Branch, Western Australia Anti-Corruption Commission, National Crime Authority, South Coast and Adelaide Intelligence Sections, State Protective Security Branch, Kapunda Road Royal Commission, State Intelligence Branch, Corporate Project Development, Policy Management and the Corporate Communication Branch. He is the former SAPOL Head of Intelligence Development, Deputy State Controller Public Information for the State Emergency Centre, and Deputy State Controller Communications.

His areas of expertise are primarily in emergency management, media, communications, investigations, intelligence, counterterrorism, high level strategic policy development, executive leadership training and police history.

As well as being a former Councilor with the City of Onkaparinga, Col has had a long-term commitment to sport and community clubs – including representing South Australia and Australia in the sport of lacrosse at National and World Championships. He is a former Chairperson/Committee Member of numerous Boards of Management.

He has a Masters Degree in Emergency Management, majoring in studies relating to the impact of online social networking on emergency services. He also has a Graduate Diploma in Executive Leadership, a Graduate Certificate in Applied Management, Graduate Certificate in Business Administration, Bachelor of Policing (Investigations), Associate Diploma in Justice Studies, and a current Certificate IV in Training and Assessment.

Col was a former lecturer on Police Ethics to the University of South Australia undergraduate and post-graduate journalism students. He's a panel member for the 'Living Books in Justice Program' and a current member of the Australian Institute of Professional Intelligence Officers and the Society for Applied Research in Memory and Cognition.

In 2013-2014, he was a Visiting Fellow at the Australian Institute of Police Management in Manly, New South Wales. This role included senior leadership training and assessment for police and other emergency management personnel across Australia, New Zealand and other countries. He was fortunate to also facilitate some of these programs with police leaders in Papua New Guinea.



Furthermore, in 2015 Col was one of three international accreditation panel members appointed by the Hong Kong Council for Accreditation of Academic and Vocational Qualifications assessing the Hong Kong Police College Learning Programs at QF Levels 4-5

In the past 12 months, he has been in charge of the Investigational Assurance Section responsible for professional management of the standards of discipline, employee conduct and associated organizational responses in matters of corporate significance that may influence public trust and confidence in SAPOL. In December 2015, Col returned as the Media Manager of SAPOL with the responsibility of corporate, operational and emergency management media management.

## ***Keynote Speech III***

### **Sino-ASEAN Cooperation in Law Enforcement (2011-2016)**

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**[Abstract]** *Functional regionalism in the case of Sino-ASEAN police cooperation is built upon the platform of ASEAN Plus One (China) format. Like the spirit of ASEAN regionalism itself, it is consensual, loose and transparent. Consensus-seeking processes complement the ASEAN way of making decisions based on respect for state sovereignty, and sometimes informal consultation. The arrangement is loose in the sense that Sino-ASEAN cooperative aggregates existing cooperative arrangements. The arrangement is open because major stakeholders are often invited as partners or observers. The research objective and thesis statement of this paper is, therefore, focused on surveying evolving Sino-ASEAN police cooperation and its gradual institutionalization with increasing accent on tackling mutual challenges that can contribute to the functionalist view of regionalism. It does not pretend to be comprehensive, but provides some recent milestone events for analysis. The author utilized mainly primary documents and secondary media sources for compiling and corroborating the survey information and data for this paper. Primary documentation consists of original joint declaration documents, and primary sources from the State Council of China.*

**[Keywords]** *China; ASEAN; police; law enforcement; cooperation; multilateral; functionalism*

#### **Introduction**

From 1997 onwards, China and ASEAN countries have organized twice-yearly ministerial-level gatherings to manage cross-boundary illegal activities and they inked the Memorandum of Understanding on Cooperation in Non-traditional Security Areas” in 2004 and again in 2010 (Xinhua, 2012). Collaboration was targeted at fighting drug proliferation, undocumented migrants, piracy, terror activities, funneling weapons, illegal laundering activities, and global economic/cyber illegal activities (Xinhua, 2012). In terms of experience and knowledge-sharing, from 2004 to 2012, the Chinese Ministry of Public Security staged over 60 training courses and workshops on anti-drug police work, criminology, maritime police work, criminal case studies, exit-and-entry administration, and online criminal investigation and oversaw the visits of 1500 ASEAN police and law enforcement individuals to China (Xinhua, 2012).

From 2006 to 2011, the Chinese Ministry of Public Security created five training courses for 92 ASEAN law enforcement officers to pick up Mandarin language lessons and police work (Xinhua, 2012). In 2011, the Vice-Minister of Public Security at the time, Huang Ming, represented China at the 31st Association of Southeast Asian Nations Chiefs of Police (ASEANAPOL) Conference in Vientiane on Tuesday 31 May 2011, where more than 200 senior law enforcement personnel officers from ASEAN and dialogue participants China, Japan, South Korea, Australia, New Zealand, and the ASEAN Secretariat, ASEANAPOL Secretariat and Interpol gathered (Xinhua, 2011). All those present mutually provided the newest information on their Electronic-ASEANAPOL Database System and highlighted how ASEANAPOL can tackle illegal activities together with Interpol (Xinhua, 2011). The intensified exchanges between ASEAN and Chinese law enforcement personnel continued unabated in the second decade of the 21<sup>st</sup> century and it looks set for sustained strengthening in the second half of the decade

(2016 to 2020). In terms of institutional cooperation, the written Plan of Action between ASEAN and China made public in 2015 included Section 1.7.3 which reads:

*Enhance capacity building efforts between ASEAN and China in the area of combating trafficking in persons and promote cooperation on the exchange of information between concerned agencies in ASEAN Member States and China so as to effectively prevent and combat human trafficking, prosecute offenders and protect victims, including by initiating victim support programmes in order to assist and repatriate victims to the origin countries (ASEAN Secretariat, 2015, p. 4).*

There appears to be at least three significant features of this Plan. First, it not only targets law enforcement aspects, but also reaches out to victims for support and rehabilitation. This ensures better integration of victims back into mainstream society, whether they have fallen prey to human trafficking or terrorism. Rehabilitation for certain criminal activities may also help to identify the source that led them to the criminal activity in the first place. Second, cooperation in prosecuting offenders may help to overcome issues of jurisdictional control and procedural variations between the legal systems of the countries involved. Third, better exchange of information ensures the possibility of planning pre-emptive action or better implementation of measures tailored for a specific situation. After the Plan of Action was initiated, a next logical implementation step was setting up a university or training institute through which China was able to share her experience in law enforcement matters with ASEAN partners. The Yunnan Police College in Kunming became the organizer and site of the inaugural China-ASEAN Law Enforcement Academy. The Academy provides tailored training for ASEAN law enforcement officials with the declaration of closer cooperative intentions arising from the 2015 Plan of Action signed between the two entities. It was a blueprint and manifesto for the work years 2016 to 2020.

### **Brief Literature Review**

For this paper, the author utilized mainly primary documents and secondary media sources for compiling and corroborating the survey information and data. Primary documentation consists of original joint declaration documents, and primary sources from the State Council of China. Secondary sources were selected from major mass media sources in the region like *The Jakarta Post* and *Xinhua* to reflect mainstream mass media views in China and the ASEAN countries. The reconstruction of bilateral exchanges between ASEAN and China was based on selected major milestone events to indicate the gradually-evolving relationship between the two entities. For the analysis in this writing, the author focused on the last five years (2011-2016) as multilateral police cooperation between ASEAN states and China took off and matured. In this period, it is possible to detect gradual institutionalization of ties from seminar-based exchanges to major forums involving specialized stakeholders, official-level dialogues and conferences before setting up colleges for specialized training of police officers.

The evolving platforms of cooperation correlate with the deepening of relationships between ASEAN states and China, along with an intensification of institutionalization of cooperation and level of representation at meetings and dialogues. The idea of individual exchange knitting up states within a region or a community to construct an inter-linked entity or a regional organization/architecture conforms to the functionalist perspective of regionalism. In this context, cooperation between police forces is contributive towards such a model of regionalism. The belief is that cooperation across a wide spectrum of fields including culture, security, social systems, politics and economics can promote a deeper form of integration between countries within a community or a region. Law enforcement, whether in the form of

experience-sharing in daily legal enforcement activities or border patrols, or in the cross-boundary form like human trafficking activities or a mass attack by extremists or terrorists, are all ways to connect people, society and specialists in the police sector to deepen cooperation in confronting common challenges.

Functional regionalism in ASEAN in the case of Sino-ASEAN police cooperation is built upon the platform of ASEAN Plus One (China) format. Like the spirit of ASEAN regionalism itself, it is consensual, loose and transparent. Consensus-based collective decision-making appears to fit better with East Asian political culture and inherent diversities in its ethnic, religious, racial and cultural makeup. Consensus-seeking also complements the ASEAN way of making decisions based on respect for state sovereignty, and sometimes informal consultation. Therefore, the accent is on the process rather than end results. In police work, the process is an incremental lengthy process with China and ASEAN countries embarking on gradual institutionalization of platforms rather than sticking to a regimented schedule of progress. The arrangement is loose in the sense that Sino-ASEAN cooperative aggregates existing cooperative arrangements, in bilateral exchanges between two states, sub-regional cooperation with Mekong-based states and multilateral Sino-ASEAN partnerships. These different levels of exchanges reinforce each other for stronger Sino-ASEAN police ties. Cooperation also begins with the most depoliticized, non-detriment items which are not geopolitical sensitive but require collective (and sometimes) urgent attention. The arrangement is also open because the ASEAN plus One format is located within the rubric of interconnected platforms like ASEAN plus three, and ASEAN plus six, etc. Moreover, in some police cooperation dialogues, forums, meetings, major stakeholders are often invited as partners or observers.

While there are media reports on police cooperation between China and ASEAN, English-language academic literature on ASEAN and China police cooperation at the moment is comparatively less substantial. This may be due to the newness of such multilateral cooperation and the tendency for police cooperation to be overshadowed by macro hard security concerns related to military tensions (especially maritime disputes in recent times). Even police cooperation tends to be overshadowed by security concerns over terrorism. There are also other emerging threats to public security like cyber security and prevention of cyber-crimes (a major topic of discussion between the leaderships of China and the US) that are not as prominently featured in Sino-ASEAN ties. However, even this aspect is slowly changing with greater emphasis by China and ASEAN on preventing telecoms fraud in recent years. The research objective and thesis statement of this paper is therefore focused on surveying evolving Sino-ASEAN police cooperation and its gradual institutionalization with an increasing accent on tackling mutual challenges that can contribute to the functionalist view of regionalism. It does not pretend to be comprehensive but provides some recent milestone events for analysis.

### **Survey of Sino-ASEAN Cooperation in the Field of Law Enforcement**

The institutionalization of Sino-ASEAN collaboration took off in the middle of the second decade of the 21<sup>st</sup> century. Seminars and workshops were probably the most basic setups in Sino-ASEAN police work cooperation and dialogues. These seminars and workshops transited to platforms that initiated forums for dialoguing and discussing general issues of security to specific police work by specialists and practitioners. The dialogues and forums also identified specific regions of cooperation between China and ASEAN and they were able to add on to existing cooperation already taking place. This includes the Mekong Delta region which connects China's Yunnan province with Cambodia, Vietnam and Thailand.

Geographically, it was conducive to have joint law enforcement patrols, intelligence-sharing and anti-terrorist countermeasures in the porous borders found in this region. The section below surveys some of the major events and activities in Sino-ASEAN cooperation in the arena of police work and law enforcement activities.

### ***Joint Actions in 2012***

The summer of 2012 was abuzz with activities related to Sino-ASEAN cooperation. In May 2012, the law enforcement agencies of China and seven ASEAN states (Thailand, Malaysia, Cambodia, Indonesia and the Philippines) worked together to arrest 482 alleged members of a large phone operated fraud ring, nicknamed the “November 29”. This group was proliferating fraudulent representations on the phone in China and the Southeast Asian region. The coordinated actions by the multi-stakeholders in busting regional syndicates represented a milestone in functional regionalism at the operational level. Besides operational level matters, law enforcement chiefs and senior police officials were also busy at work strengthening ties with each other. China dispatched an official group to the 32nd ASEAN Chiefs of Police Meeting in Naypyidaw in May 2012 while the Sino-ASEAN senior police officers workshop was hosted by Zhejiang in June 2012. Outside operational matters involving field personnel and networking by senior law enforcement officials, China and ASEAN also tried to keep up with the latest developments in police technologies. For this purpose, the 9<sup>th</sup> China-ASEAN Investigation Technology Training Program took place in Beijing from June 2012 to August 2012.

### ***Issues of Law Enforcement and Brief Operational Details***

From 12 September 2014 to 13 September 2014, ASEAN and China got together to cooperate in counter-terrorism and cross-boundary law enforcement issues. This was part of a security conference held in Nanning, China. Global terrorism is a common platform where China and ASEAN have found common interests to tackle. In 2014, a disturbing trend was spotted in issues and events related to terrorism in China. Zhu Lin, Associate Professor from the Institute of China’s Armed Police Forces, commented that persons on the street and tourists/visitors were now targeted for terrorist acts (Xinhua, 2014). In literature on regionalism, it was a form of functionalist cooperation between states and deepened linkages between different Southeast Asian countries and China multilaterally. The Forum took place against the backdrop of increased terror attacks globally and within the East Asian region. Cooperation in the field of terrorism met many of the criteria for reinforcing functional regionalism. Tackling terrorism targeted at the citizens of ASEAN and China is a common good since regional tourism is taking off and people from both regions travel transnationally. From the regional tourism perspective, there is also economic incentive to eradicate terrorism. Anti-terrorism dialogues and discussions are also a non-detriment issue since the involved states commonly agree that it is a scourge that should be stopped. Dialoguing also has the potential to be elevated to information-sharing and, eventually, joint training sessions and operations. The institutionalization is incremental, process-driven with no strict schedule for results, and consensus-building at every step.

Moving from the macro to the specific perspective, 2015 witnessed a specialized forum organized by the police department stakeholders within both ASEAN and China. The First China-ASEAN Police Cooperation Forum funded and organized by the Police Association of China, Department of Public Security of Guangxi and the Police Association of Guangxi took place in Nanning, Guangxi on 12 September 2015 to 13 September 2015. The Forum concentrated on the topics of legal cooperation in the Mekong Delta area, cross-boundary human trafficking, narcotics prevention, phone scams and anti-

terrorism collaboration. On 24 Oct 2015, China and ASEAN adopted a joint statement on law enforcement cooperation along the Mekong River, and Cambodia and Vietnam became observers in this initiative. Sharing intelligence and combined investigations by ASEAN countries with China are also on the table.

In the 36th ASEANAPOL Conference hosted by KL, China and the ASEAN states inked the ASEAN Communication and Coordination Protocol for Crisis Management (ACCPCM) after a decade-long negotiation process. Terrorism was high on the agenda for cooperation between China and the ASEAN states. This was certainly the case on 26 July 2016 when Malaysia was the site of an Islamic State-related terror attack (a nocturnal grenade attack at a pub at KL). China, along with Japan, South Korea, Australia and INTERPOL were dialogue partners at the 36th Conference of the ASEAN Chiefs of Police (ASEANAPOL) hosted at Putrajaya, Malaysia. Such dialogues also acknowledge the fact that terrorism is a common issue that cannot be resolved by a single state in the region. It requires the collective efforts to do so. A good example occurred in July 2015 when Thailand sent 109 non-legal immigrants back to China and these individuals methodically worked towards travelling to Syria and Iraq through Turkey to join radical groups, according to the Chinese authorities (Zhang, 2015).

In this area of terrorism, China's agenda was also clear. It wanted to target the East Turkestan Islamic Movement which the Chinese authorities consider to be a terrorist organization (the United Nations or UN classified the Movement as a terrorist group). The hope is that working with Southeast Asian countries may increase the possibility of capturing some members of this Movement in Southeast Asia and bring them back to China. Thailand and Malaysia have been known to be locations where individuals of Uighur origins are known to have traversed and/or resided. Turkey, Syria and Iran are also locations where such individuals have passed through for terrorist training, indoctrination, and radicalization, etc. The East Turkestan Islamic Movement had previously targeted Xinjiang for their political activism and activities. The Chinese authorities and ASEAN states have been concerned about the possibility of radical groups carrying out infrastructure sabotage and mass killings, both of which could result in serious economic costs. Overall, 2016 was a productive year for police and law enforcement cooperation, both within ASEAN and also with China, as well as other ASEAN partners. The 2015 Plan of Action hints at deeper intensification of collaborative partnership.

### **Conclusion**

In terms of future research directions, it may be useful to see how China's One Belt One Road (OBOR) initiative affects cooperation in law enforcement between China and ASEAN. At the point of this writing, OBOR is still in its early stages of implementation but its impact is very likely to have deep and wide consequences for police cooperation analysis in the near future. China is also comparatively more advanced in discussing issues of cyber security with the US. It may be possible to study future trends in the development of cyber security cooperation between China and the ASEAN countries in this hot topic. The deepening of present and future institutions and platforms for cooperation is also an attempt to multilateralize exchanges. In multilateralizing such exchanges, China and ASEAN are also moving towards a normative rules-based regime with a regional framework architecture. It is an integration into a regional order to curb transnational crime and to accentuate law and order as a common good for all stakeholders in the region. Such cooperation has the potential to expand to other non-ASEAN stakeholders in the region, including the US, India, Russia, Australia, New Zealand, Japan and South Korea.

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## ***Keynote Speech IV***

### **Making Sense with Multiple Perspectives of Trans-National Crime and Security**

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**[Abstract]** *Effective policing requires the ability to see and make sense of complex problems. It requires us to listen, question and understand multi-dimensional challenges, and where necessary, apply legislative powers. Over the last 50 years, the results of policing the great highways of crime has provided a reminder of the limitations of policing strategies. All too often, the lens of distance creates a single dimensional understanding and an appetite for a simplistic quick solution.*

**[Keywords]** *securitization; complexity; identity; police; problem analysis; trans-national crime*

#### **Introduction**

I wonder if somewhere in the translation of ‘One Belt, One Road’ something has been lost. The words suggest a simple concept. But a quick look on any map of the proposed OBOR reveals the scope, scale and complexity of the proposal. In this paper, I would like to draw upon some unconventional perspectives to explore possible law enforcement implications of ‘One Belt, One Road’.

Drawing upon press reports, speeches and discussions in the media, ‘One Belt, One Road’ can be described as China’s westward expansion of transcontinental and intercontinental transport links. During this paper, I would like to discuss some of the challenges of understanding trans-national crime, drawing on the experiences of trying to combat drug trafficking along the Pan-American Highway and heroin trails of Asia. Finally, I would like to bring the discussion back to police education.

#### ***More Than One Belt, More Than One Road***

From my understanding, OBOR involves the development of road, rail and maritime transport links between China and up to sixty countries across Asia, Europe and Africa. When finished, it has the potential to be the single most transformative transport project, since the end of European and American colonization. It has the potential of tilting transport infrastructure from its western centric orientation to a multi-polar orientation.

The scale and scope of this project significantly spreads China’s sphere of interest and investment. Consequently, one of the first questions we can ask – will OBOR inevitably lead to the rapid expansion of Chinese law enforcement interest across the OBOR routes?

#### ***Many Roads, Many Perspectives***

One of first challenges is to recognize from which perspective we are viewing the problem. Being in China, it is very tempting to perceive the situation from a Chinese perspective. But with OBOR touching 60 countries, multiple perspectives will be formed. Some may align with a Chinese perspective of the problem, others will reject the Chinese analysis, others will reject the notion of any problem, and still others may have given it no thought. We like to think everyone thinks likes us, sees what we see, but rarely is this the case.



Whilst thinking on what the law enforcement implications for China in regard to OBOR will be, we need to be open to the voices of others. Last month I was in India, where much of the press was focused on a trade agreement between India and Iran. OBOR was cited by the Indian press, as one of the reasons the agreement, to beat, what some in India perceived, to be their encirclement by OBOR. Listening, understanding and incorporating multiple perspectives of criminal and security threats will be important ongoing considerations.

There will not be one perspective of the criminal threats posed by OBOR. But Chinese law enforcement will be engaged with more partners, who may have different perspectives of the problem. Building and maintaining trust involves agreeing on a shared perspective of the problem. The further the problem is away from China, the more difficult it will be to balance internal (Chinese) views of the problem, with its external partners. Building the capacity of police to understand problems from multiple perspectives will be an important capability of policing in a future influenced by OBOR.

### ***Owning Real and Imagined Problems***

Secretary of State, Colin Powell, is reported to have stated prior to the 2003 US-led invasion of Iraq, “You know that you’re going to be owning this place” (Woodward, 2006, p. 106). The subsequent invasion failed to find the imagined problem of weapons of mass destruction, but they did find the real problem of sectarian violence.

So, one of the first challenges for Chinese law enforcement will be to identify the scope of ownership for new problems created by OBOR, old problems exacerbated by OBOR, and the imagined problems associated with OBOR.

Pictured here is a young Somali man. The covered face, the firearm, and the shipwreck all help us come to the conclusion that he is a pirate. The western Indian Ocean has seen a resurgence in pirating activity, drawing a multi-national military response. China has contributed in this effort, and is considering the establishment of a forward military base in Djibouti (Minot-Scheuermann, 2016).

The long lens of distance reveals the problem of piracy as one of security, to which we have applied a security solution, by sending our naval taskforces. But looking at this photograph, I wonder of the economic and educational opportunities available to this young man? How has the lack of governance, peace, stability, law and order, pushed him into piracy? What are we doing to challenge the preconditions which make piracy an act of last resort?

The UN Assistance Mission in Somalia and the African Union Mission in Somalia are active in developing and delivering assistance programs to Somali law enforcement (UN Website). But owning the problem requires a deeper entanglement in the social, political and economic challenges of many of these countries, to which peace, justice, security and safety – all outcomes of policing – plays a role. These are all challenging and complex goals, requiring the capital and human investment, which is invested in naval resources providing security just over the Indian Ocean horizon.

Post-Cold War peacekeeping has generated a lot of academic consideration about the mismatch between military operations and police operations. In general, the mismatch occurs because police are aligned to people-centric problems, while the military are aligned to enemy-centric problems (Lipowski, 2010). Our understanding of military affairs is built around a complicated understanding of technology, structure and doctrine, while our understanding of social complexity, especially in faraway lands like Somalia, are often far less advanced.

Effective problem identification is always a challenge. Sometime even smart countries get it very wrong. Accepting responsibility, if any, for problems far away is a far more difficult problem. The history of colonization in many places began with the desire to solve seemingly simple problems in faraway places.

### **Where Do Problems Start and Finish?**

The traditional western approach to cocaine and heroin abuse was to see it as a drug supply problem, created in the fields of Afghanistan, Colombia and Thailand, and forced onto our innocent youth. A 2011 study revealed that Australia was still spending 64% of drug policy expenditures on law enforcement activities, in comparison to 34% on demand reduction and harm minimization (Ritter, 2011, p. 9). From this allocation, and other sources, the Australian Federal Police has built its international liaison network of 30 posts, many located in drug source and transit countries. For decades, supply reduction outweighed demand reduction and harmed minimization strategies.

OBOR will improve transport connections of the sixty countries with the largest and richest economies in the world. Should we see the criminal ramifications as starting in those source and transit countries, or do the problems start here in China?

Seeing the drug problem from an internal, victim-oriented perspective has allowed the west to frame their response, beyond a health or law enforcement perspective, but in terms of a war – the war on drugs is now 50 years old. It has been a policy of significant symbolic significance (Ritter, 2011, p. 38) defining national approaches and international relationships.

One of the fundamental questions to consider is whether identified criminal threats are created by OBOR, or are they created by China's growing wealth and prosperity?

### **Does Everything Pose a Threat?**

Securitization was defined by Rens van Muster as the process which issues are elevated to a security threat needing to be dealt with urgently, and in doing so, legitimate the bypassing of public debate and democratic processes (2012). While securitization has today justified the paradigm of the post-911 world, its origins go back another decade to the post-Cold War environment when the security sector extended their focus beyond the traditional security bounds into law enforcement and migration (Fukumi, 2008).

We also have the social dynamic of crime, reported daily and sensationally in our media, much of which shapes the political, policy and policing response. In studying Italian organized crime, Massari argued that our concepts of powerful foreign criminal networks were largely based on journalistic accounts and warned that as long as organized crime is understood as an alien conspiracy dominated by ethnic groups, our understanding of its operational existence remains mystified (2001).

Securitization, an emboldened press, and the ever-growing complexity of our communities may well perpetuate the long held social ethnicization of trans-national crime. How do we stop seeing 'others' as being a threat to our continuity, safety and security? How do we resist the temptation of blaming others?

### **Separating Security from Crime**

The Chinese Supreme Court makes the distinction between security crimes – terrorists, separatists and extremists, and criminals – pirates, drug traffickers, smugglers, money launders, telecommunication fraudsters, internet criminal and human traffickers (People's Supreme Court Monitor, 14 July 2015). While domestically there may be a distinction, when the same challenge is found internationally, there is a strong preference to find a securitization solution. So the response to Somali pirates is largely military;

intelligence agencies chase internet crimes, and human trafficking is again responded to by the military. How we deal with problems within a national context, as opposed to internationally, provides consideration for the broadening of the capacity within law enforcement, so more options are available to deal with trans-national threats, in faraway places, and in complex environments, rather than just naval ships with large guns.

### ***Anticipate the Unexpected***

The two centers of western prosperity, Europe and the United States, are being consumed by the same issue – immigration. The explicit arguments are framed in terms of economic challenge, health and law enforcement. But in the deeper challenge, we find the question of identity.

For Europe, the mass migration of North Africans and now Syrian, Iraqi and Afghan refugees is shaking the political foundations of the Union. While the refugees may have legitimate concerns for their security, or an economic necessity for securing their future, the popular image causing concern is the mass movement of communities on modern transport systems rapidly infiltrating the commons. In the United States, the targets of concern are the 10 million plus Mexican illegal migrants, and now the Muslim migrants. The proposed answer is to build walls – walls at the border and at the airport, to protect those on the inside, from those on the outside. Behind the issues of economic, law enforcement and security, lays the more fundamental question – the question of identity – can France and the United States continue to believe in themselves, when French and English are no longer their dominate languages?

China's nationality laws allow for the naturalization of foreign nationals if they have settled and have legitimate reasons to apply. But few do; less than a 1000 were recorded in the 2000 census. Improved transport links could encourage the mass migration of people from transit countries into China. It is doubtful their numbers will ever challenge the demographic mass as they do in Australia, Europe and the United States, but they will make policing more complex – with greater diversity, misunderstanding, grievance and social disharmony.

So, the question here is, what is the role for police incorporating foreign nationals, and nationalized foreigners, many who hold tightly-coupled connections back to their home countries? Last month in India, a relatively sad murder of a Congolese man on a Sunday night, turned into reprisal attacks in the Congo on the Wednesday night, and a diplomatic incident and a threatened economic boycott on that Thursday. We police, in a global interconnected community and OBOR, could well exacerbate this dynamic for Chinese police.

### ***What Can We Learn from Other Roads – Heroin and Cocaine***

For the west, the two major drug trafficking routes are the heroin trail from Afghanistan into Western Europe and the cocaine trail from Colombia into the United States. These are often described simplistically as a line on the map, perhaps leading to simplistic notions of intervention. Over the last 50 years of the so-called War on Drugs, three things have remained constant. First, Europe and the United States have remained wealthy. Second, source and transit countries have remained politically and socially unstable. Third, despite, at times, massive law enforcement and defense interdiction efforts, there has been a negligible interruption to the ongoing supply of drugs to affluent western markets. Beyond the simple line on the map, drug trafficking is embedded in the social and economic complexity of life along these routes. As populations, trade and connections have expanded, so have the drug trafficking lines on the map.

From a policing perspective, we look at these routes as drug routes. But they are also social highways, drawing people along to the more prosperous destinations. Not only are they roads which connect drug consumers with drug producers, they are roads which connect economic opportunity with economic inequality; they are a bridge between political stability and centuries old communal violence, and they hold the vision of an iPhone against the reality of a farm plough.

Against these ongoing disparities, drug supply strategies have continually failed to change the status quo. The challenge for the Chinese law enforcement is whether they are drawn to the same international interventionist strategies, or whether they look for different approaches to what are now old problems.

### ***Redefining Context – Expeditionary Policing***

China is an active contributor to police peace-keeping missions across the world. China is also exploring bilateral initiatives, such as the placement of police officers into Italy, which extends the reach and concern of its efforts to protect its citizens. China, therefore, seems well-positioned to consider a strategy of using expeditionary policing to secure and support key elements of OBOR against criminal threats. This may be through capacity building, security operations or partnership roles.

Expeditionary policing draws their lineage from expeditionary military forces, who by necessity have a different mindset from traditional warfighting. Expeditionary mindsets are flexible, able to shift in between seemingly contradictory roles, with the ability for strategic intuition (creative insights to make rapid decision-making when required), metacognitive capability (the ability to continually reflect and learn towards improved performance) and adaptability – the ability to draw on past and present to solve current problems and avoid future ones (Shields, 2009).

Each role presents new challenges for Chinese policing, an expanding mandate, into new societies and communities.

### ***The Role of Police Education – From Local to Global Capability***

Police education is built around providing a continuity of capability to our stable environments. Change in our environments happens over time, and because our officers are part of the community, they experience change at the same pace, or maybe slightly advanced as that of the rest of the community.

OBOR potentially has two major change dynamics for policing. First, it will draw Chinese police further into the international theatre, where they will be conducting policing and security operations, to which China has a direct economic interest in resolving. Second, the internal dynamic of China will change with a growing diversity of economic benefits, social lifestyle, nationality, and allegiances. Both outcomes require police to be better decision makers, more capable of independent thought and action, and more understanding of their actions, whether at home or abroad. They are under the scrutiny of an increasingly interconnected, digitized community, capable of turning mistakes into international political crisis in the space of an afternoon.

To better perceive the world, complex adaptive theory provides an approach which can enhance understanding and create solutions to influence favorable outcomes. At the Australian Institute of Police, we have used complexity theory to design programs for police officers being deployed overseas on peace-keeping missions. For those involved in domestic Australian policing, we use adaptive leadership to develop the capacity of officers to better understand the rapid changes in Australia society (with 25% of our population born overseas).

Police education needs to position itself so it can continue to provide the continuity of capability which traditional policing requires, but also be the instigator of innovation, creative thought and

adaptability required for the changes before us. OBOR will be an accelerator and propagator of those changes, and police need to be ready to match its pace and location of change.

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# **“Discourse Security” and Non-Traditional Security Diplomacy**

## **– A Case Study of the Countries Along The Belt and Road**

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**[Abstract]** *“The Belt and Road” initiative has outlined a new blueprint for deepening the global governance, in which the “discourse security” is an indispensably decisive factor. It is both the key to successful securitization and the core content of non-traditional diplomacy. Different non-traditional security theories share different analyzing methods of “discourse security”. All of them demonstrate the general value paradigm of “peace cooperativism” under Chinese discourse context. They also orient the value of Chinese non-traditional security diplomacy. Moreover, the initiative even provides a unique theoretical perspective for the interpretation of “The Belt and Road”.*

**[Keywords]** *discourse construction; non-traditional security diplomacy; “The Belt and Road”; peace cooperativism*

### **Introduction**

China’s peaceful development strategy has dominated China’s participation in global governance. The participating mode is characterized by “peace” and “harmony” (Zhou, 2014). “The New Silk Road Area” formulated by countries along “The Belt and Road” has crossed such continents as Asia, Europe and Africa. It is no doubt that “The New Silk Road Area” will be the most attractive platform both in “new governing space” and “international cooperation” for human development in the 21<sup>st</sup> century. However, since the proposal was put forward, many countries have held such attitudes as inexplicability, suspicion, hesitation, misunderstanding, resistance and even intervention. The main reason why such phenomena exists is that the “conflicts among ‘interstate identity’” contribute to the disharmony, and “discourse construction” is also an inevitable key variate. Therefore, it is of special meaning in the rational utilization of “discourse construction”. It is vital to use “discourse security” to dispel the negative impressions from countries about “The Belt and Road” initiative. “Discourse security” is an important measure to carry out the study of non-traditional security diplomacy, as well as a good strategy for the promotion of “The Belt and Road” initiative.

### **Importance of “Discourse Security” in Non-Traditional Security Diplomacy**

#### ***“Discourse Security” is the Key to Successful Securitization***

Traditional security is centralized by military and political issues. The major way to solve conflicts is to enforce arms and weapons, which often causes riots and unrest of the society. Non-traditional security mainly focuses on issues excluding military and political issues. In the field of non-traditional security, dialogues, negotiations and friendly consultations are the primary ways to resolve conflicts, disputes and disharmony. The main characteristics of non-traditional security are generalized as no threat objectivity, no fear subjectivity, no conflict inter-subjectivity and a state of “superior co-existence” among

inter-subjectivities (Yu, 2005). Buzan and Hansen (2009) hold the viewpoint that security should cover the fields of “objective security”, “subjective security” and “discourse security” (p. 34). In detail, “objective security” mainly refers to “the absence/presence of concrete threats based on ability”; “subjective security” refers to “the feeling of being threatened or not,” and is concerned with the essence of the threat and to what degree the threat threatens; “discourse security” considers that “security issues” are mainly dominated by factors of politics, history and the society and it primarily focuses on whether “security can be defined in subjective terms”. “Discourse security” defines “security” as “a speech act”, which is an “inter-subjective” process among different entities. Therefore, the concept of security mainly demonstrates the interrelation status of different actors; it is a state of non-conflict among inter-subjectivities. In fact, it is just a survival state of “superior co-existence” among different actors.

Securitization theory constructed the appearance and existence of “existential threat” by discourse construction. The founder of securitization theory was Ole Waever, who introduced the “speech act” from the famous English language philosopher John L. Austin (Hu, 2005). Since then, security discourse has been treated as the core research object in the study of securitization. Austin once said “discourse is act” (Yang, 2002). Such thought fully identified the process for discourse to define security was just the same for the act to define security. The process of analyzing security discourse is just the process of analyzing the construction of security issues. In other words, the analyzing process simply distinguishes what is called a threatening discourse and it is also an act to construct what is called a security issue. Securitization is a process that promotes an issue as a security agenda. That is, securitization is a successful discourse. Post-structuralist security studies considered security or peace as a kind of direct discourse, and those researchers even thought of threats as another kind of discourse. The primary explanation was that it was impossible for any substances to survive independently by being isolated from discourse expression (Fang, 2014). Security discourse emphasizes that “security is a kind of self-referring practice” (Yu, 2012). The realization process of “discourse security” is more superior to “subjective security” and “objective security” on the construction of common cognition. From a unique perspective, both on research insight and theoretical innovation, “discourse security” has changed people’s cognition of the relationship between identity and politics, knowledge and power, and state and security. The security of common community is evaluated not from the objective analysis of a common threat, but from the process of special identity construction. From this viewpoint, discourse security analysis has extended the research dimensions of security studies in the scope of post-structuralist security perspectives.

### ***Discourse Security is the Core of Non-Traditional Security Diplomacy***

After the Cold War, in order to deal with those non-traditional threats from all over the world, it became necessary for security studies to carry out non-traditional measures beyond the military and political fields. Under such circumstances, security studies and peace studies became distinguished. To realize the purposes of common security and common peace, it is important to strengthen dialogues, negotiations and consultations among nations. Therefore, the importance of diplomacy is becoming more and more obvious. Security diplomacy is centralized by realizing the target of security in diplomatic affairs (Zhang, 2016). It mainly took the path of threat and deterrence rather than military force to deliver severe consequences of arms to its counter opponents, and its main purpose is to threaten opponents not to trigger conflicts so that the occurrence of arms or wars can be avoided and therefore, the final purpose of realizing peace can be achieved. Non-traditional security diplomacy is centralized by realizing the target of peace in diplomatic affairs (Zhang, 2016), which is different from the purpose of traditional security

diplomacy; it mainly took measures of mutual dialogues, negotiations and consultations to solve disputes and conflicts under the wisdom of all parties. What these parties need to solve is the resource dilemmas covering national, regional, international and global levels. No matter what changes happen on the category and connotation of diplomacy, the essence and distinguished features of diplomacy remains. That is, the realization of security diplomacy is first focused on the theme of security and peace, and then is obtained primarily through peace and non-violence. It resolves differences by finding the common benefits of all parties, and the final purpose is to realize the best benefits for all parties.

A non-traditional security threat is a kind of trans-national, common threat, which requires the mutual efforts of all countries to deal with. Therefore, to maintain non-traditional security, it is important to construct mutual understanding and trust between nations by a special “speech-act”. Such cognitive discourse has a superior practical effect to subjective and objective security, respectively. As scholar Yu (2004) mentioned, non-traditional security emphasized “shared security”, which meant that security could be realized under the notion of “if you are safe, then I am safe”. Such a concept destroyed the idea of traditional security, which was merely established on such presuppositions of “if you are safe, then I am not safe or if you are not safe, then I am safe or neither of us is safe” (Yu, 2004, p. 12). It is clear that the discourse, “shared security,” put forward by the non-traditional security perspective, has important guiding significance for global governance. If we can transcend the “security dilemma” of discourse construction, which was brought out by realist security studies, the perspective of “shared security” is, therefore, enlarged to these levels of “co-survival, co-existence, co-development, co-optimization and co-winning outcomes” (Yu, 2015).

### **Discourse Analysis in Different Non-Traditional Security Theories**

Three important theoretical schools of non-traditional security studies are especially mentioned. They hold different viewpoints on the research of discourse analysis. First is the school of reformists, which is represented by constructivist security studies. As they studied “security discourse”, the “nation” was still the center of research, replacing material factors by conceptual factors. They emphasized such concepts of “collective self-esteem, social structure, common knowledge and identity between actors” (as cited in Buzan and Hansen, 2009, p. 192), which were already beyond the traditional security studies on “material control”. In the inter-construction of the enforcer and social structure, the identity of discourse has become a vital variate in maintaining security. In addition, common knowledge constructed by discourse has also become a catalyst that might influence the evolution of social structure.

Second is the school of centrists, which is represented by the school studies between national centrism and appealing the study of “human security” and “global security”. The major research schools include the Copenhagen school, critical security studies, human security studies and post-colonial security studies. Studies carried out by the school of centrists consistently focused on the referring object of security. The Copenhagen school took the initiative to put forward the theory of “societal security” and “securitization” (as cited in Buzan and Hansen, 2009, p. 213), which helped extend the research of security to the individual and global level. Critical security theory put forward the security concept of “emancipation”, which emphasized that the individual was the final referring object of security studies. Human security studies proposed to combine the security and peace studies, focusing on the entire problems that mankind faces, such as poverty and lower development in the category of international security studies. Post-colonial security studies emphasized the notion of “non-western” (as cited in Buzan and Hansen, 2009, p. 201), which formed different understandings and different discourses on the issue of



security from the perspective of non-western entities. In general, the centrists' non-traditional security theories have greatly enlarged and deepened the category of security studies.

Third is the school of radicals, which is represented by the study of post-structuralist security studies and the feminist security studies. Post-structuralist security studies treated security, or peace, as a kind of discourse, emphasizing that no substance could independently survive without the delivery of discourse (as cited in Buzan and Hansen, 2009, p. 220). That is to say, security is, in fact, a practical activity, in which the referring object of security is constructed and the referring object of security is constantly changeable. In other words, the process of constructing a security object is just the process of creating a "security discourse". Feminist security studies considered that gender was not a fixed biological identity, but instead was constructed by socialized practice (as cited in Buzan and Hansen, 2009, p. 216). Therefore, for feminist researchers, they paid more attention to identifying the construction, treating "female" and "gender" as the referring objects of security (Blanchard, 2003). At the same time, feminist security studies have also brought those "silent security" (Hansen, 2000) problems such as sexual harassment, artificial abortion, domestic violence, children' issues, economy expropriations and anxiety of life to the field of security studies. All in all, the discourse put forward by the radical non-traditional security studies is of special revolutionary significance.

### **“Peace Cooperativism”: A Perspective on Discourse Construction along “The Belt and Road”**

#### ***Ideological Roots of “Peace Cooperativism”***

The conception of “peace cooperativism” has its unique historical and ideological origins in China. The ideological thoughts of “symbiosis theory” (co-existence) and “peace-cooperation theory” (peace cooperativism) can be traced back to ancient China (Yu & Zhang, 2015, p. 8; Yu, 2002, pp. 202-232). At that period of time, the following thoughts were delivered in *The Book of Changes* (Huang, & Zhang, 2010), “Bao He Tai He” (best harmony is achieved by extreme unity) was considered the overall target of security value, “Wan Guo Xian Ning” (the whole world shares the common security) was the ideal of a “shared security” and “Xie He Wan Bang” (all nations are coordinated for greater harmony and security) was the paths to realize security. So, the notion of “peace cooperativism” is a specific theory paradigm in China’s international relationships with other nations. “Peace cooperativism” pursues a kind of “international communicative behavior” which is featured by “human-species value”. Through this way, the “international cooperation” is greatly promoted. The core ideological values of “peace cooperativism” are “human-species survival”, “human-species morality”, and “human-species security” (Yu, 2015). The connotation for security is the “superior co-existence” among common actors. The rational principles for realizing “superior co-existence” are social co-possession, right sharing, peaceful co-existence, and value co-creation (Yu, 2005). And the way to realize security community is the “peace cooperation and co-construction” among the actors. As the main value and target orientation for China’s diplomatic policy, “peace cooperativism” has highlighted the important function of culture identity on national integration and national security, and thus the priority of “inter-subjective identity” on foreign policy making is demonstrated.

### ***Importance of “Peace Cooperativism” on Non-Traditional Security Diplomacy along “The Belt and Road”***

From the perspective of “peace cooperativism”, “The Belt and Road” initiative is a strategic initiative; it is not China’s alone, but a chorus of many involved countries (Xu & Yu, 2015). The full name of “The Belt and Road” is “The Silk Road Economic Belt and 21<sup>st</sup>-Century Maritime Silk Road”. The purpose of “The Belt and Road” initiative was not to make a new start separately, but to maintain a new world situation of connectivity, which is characterized by systematization, networking and humanization. Only by this way can China transcend from “Globalization in China” to “China in Globalization” (Wang, 2015).

“Peace cooperativism” has highlighted the benign construction of “interstate identity”. Identity is the relationship verification between “the Self” and “the Other”. For community members, identity is the Self-identity of their value belonging to a “sense of survival” and value trend of a “sense of security” in realistic circumstances (Yu, Pan, & Wang, 2006, p. 346). “Interstate identity” is a kind of “transnational identity” (including other country’s identity and regional identity). It is a kind of identification of “sense of belonging” between countries, which is formed through the interaction of countries under specific time and space domain. Such feature has made “multidimensional” and “interwoven” the characteristics of the construction of “interstate identity”. The connotation of “The Belt and Road” is meaningful, such as “it a great business to benefit all nations along”, “it is an opportunity to develop maritime cooperative partnerships” and “it is a way to construct an open, inclusive, balanced, beneficial regional economic cooperation framework” (Xu & Yu, 2015) and so on. From the perspective of “peace cooperativism”, the core content involves “one core conception”, “three communities” and “five bonds”. In specific, “one core conception” is “win-win cooperation”. “Three communities” involves “the common community of interest, the common community of responsibility and the common community of destiny”. “Five bonds” contains “policy coordination, facilities connectivity, unimpeded trade, financial integration and people-to-people bonds” (Initiative Offers Road Map for Peace, *Prosperity*, 2015). In order to achieve this splendid dream, all countries involved in “The Belt and Road” should accept an “interstate identity” by means of interstate discourse negotiation and cooperation. Only in this way can we deepen the development of “The Belt and Road”, as well as benefit all the nations along it and even increase the future cooperation possibility with other countries outside the initiative.

As the Chinese President Xi Jinping (2013) mentioned, “the feasibility of “The Belt and Road” lay in the building of inclusive globalization and the reconstruction of historical discourse. The essence of “The Belt and Road” is constructed by the spirit of “peace-cooperation” and it is a new dimension to recognize “interstate identity”. By interstate cooperation and mutual development, it is possible to create a new “co-development, co-sharing and co-win” prospect. As a non-traditional security diplomatic mode, “The Belt and Road” initiative has to enforce dialogues and consultations with countries involved, because the degree in which countries participate in the initiatives will dominate the progress of “The Belt and Road”.

### **Conclusion**

The core conception of the “peace cooperativism” paradigm is the establishment of “the three communities”, which are the common community of interest, the common community of responsibility and the common community of destiny. As for the common community of interest, it is the material basis for the realization of “superior co-existence”; as for the common community of responsibility, it the important guarantee for the realization of interstate identity and for the common community of destiny, it

is the mental support for the final target of “The Belt and Road” and it is certain to become the future common dream of people all around the world. The essence of “The Belt and Road” is based on “peace cooperativism” and it should be expressed in the following discourse context: it is not an unidirectional assistance, but a multi-directional co-development; it is not a kind of alliance involved in confrontation, but a kind of company supported by cooperation. In addition, it is not a kind of utilization deprived from exceptionalism, but a kind of mutual preference delivered by relationalism; moreover, it is even not a kind of enforcement of colonialism, but a kind of co-action of “peace cooperativism” (Xu, & Yu, 2015). Along “The Belt and Road” initiative, the business of non-traditional diplomacy can be well promoted on the condition that the discourse security is put forward to utilization in depth.

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# Studies on International Policing Cooperation in Counter Terrorism in the Implementation of the One Belt and One Road Strategy

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***[Abstract]** The One Belt and One Road Strategy (B & R) has been advocated as an important foreign policy by the new Chinese leadership after careful consideration of the current international situation. This B & R Strategy can also be regarded as a new concept of global collaborative development. In the perspective of “Collaboration, Integration, Cooperation and Substantiality”, building a safe regional and international environment is extraordinarily important for the implementation of the B & R Strategy. Considering the historical changes of regional politics and ethnic religion, the possibility of terrorist threat in implementing the Belt and Road Strategy can be generally predicted. Reviewing international policing cooperation in the past and elaborating the characteristics of the B & R Strategy, four principles of international cooperation in countering terrorism are suggested to reinforce the basic studies as a practical guidance in regional cooperation. In countering terrorism Four in One mode, namely, emergency response, intelligence, investigation and defense are strongly recommended to carry out the B & R policy.*

***[Keywords]** One Belt and One Road; countering terrorism; international policing cooperation*

## **Introduction**

The core connotation of initiative of the Belt and Road Initiatives is positively developing an economic cooperative partnership with countries along the Belt and Road. With the progress of the initiatives, terrorism has become the subject matter of five non-traditional security issues in many countries along the areas of the Belt and Road. To think innovatively, we can meld counter-terrorism with the B & R Strategy. Thus, this article thoroughly introduces the occurrence of the B & R Strategy and its background and then identifies and describes the characteristics of the current situation of terrorism activities, analyzing their basic configurations and development trends. In addition, according to the existing law enforcement cooperation mechanism, this article proposes how to improve and promote counter-terrorism strategies and countering measures of international policing cooperation under the background of the B & R Strategy.

## **Occurrence of B & R Strategy and Its Background**

The strategic road of the One Belt and One Road can be geographically divided into two categories, land and sea. The Land Silk Road includes countries such as China, Pakistan, Bangladesh, India, Myanmar, the new Asia-Europe Continental Bridge and China-Mongolian-Russia Economic Corridor. The Maritime Silk Road refers to cities in key sea ports. The B & R covers a broad area of many countries with 4.4 billion population and involves about \$21 trillion economic volume. They are up to 63% and 29% of the global figures of each kind, respectively. The B & R is a big channel, commercially and culturally,

connecting China with central, southeast, southern, and western Asia, as well as eastern Africa and Europe. Therefore, ensuring the interconnectivity sustainable is critically important for the B & R (Xin, 2014).

Since the “9.11” attack in 2001, the B & R strategy has been gradually developed as Chinese diplomatic policy with neighboring countries. The frequent occurrence of terrorist incidents has always posed a great threat to the safety and stability of countries in the region. So, in the long run, to handle the issue of terrorism effectively is very positive and constructive to the cooperation, the economic development and common safety of regional countries, and the Chinese strategic influence can be reinforced. Consequently, the objectives of the B & R could be reached.

In view of terrorism features, the B & R countries are not only facing extremist religion and new types of terrorism represented by Al Qaeda, but also traditional terrorism derived from ethnic and ideological conflicts in southern Asia countries. These terrorism acts are closely interrelated. Terrorism in eastern, southern and central Asia and with extremist religious groups in Xinjiang Autonomous Region are interrelated with each other geographically in a ring. It can be predicted that in the near future a new round of terrorism and extremism will occur most frequently in the area of central Asia. Frequent terrorist activities will certainly have a negative impact on the regional economy, personnel, and commercial exchange, will endanger regional stability and be very destructive to the development of the B & R. In addition, Uighur terrorists are found in Vietnam and Indonesian and they are attempting to train in south-eastern Asian countries. Meanwhile, for fear that terrorists may use their territories as a route to reach destinations abroad, countries like Ha Shaq Stan may exercise strict visa regulations which might negatively affect personnel and commercial exchange in the development of the B & R in this region.

### **Current Situation of Terrorist Activities**

Terrorist criminalities are the major and direct factors threatening regional safety in the B & R countries. At present, the harm of terrorism to the B & R countries includes domestic harm and harm to embassies, consulates and cooperation projects in the host countries. In terms of domestic harm, terrorists represented by Eastern Turkistan Islamic Force have launched series of attacks on Chinese interests both in Xinjiang Autonomous Region or central Asian countries since the early 1990s (Cao, 2015). There were major negative impacts from the terrorist attack on March 1st, 2014 at Kunming Train Station and subsequent attacks in Guangzhou, Shenyang and Nanyang (Xu, 2014).

Internationally, there are four terrorist forces in the B & R countries, namely, Al Qaeda in southern Asia, Three Forces in central Asia, Extremist Islamic State in the northern Arabian Peninsula and Pirates in the Gulf of Aden. Al Qaeda has come into existence in southern Asia since the end of the Cold War and has gradually developed and finally become an independent branch of Al Qaeda. After the death of Osama bin Laden, the head of Al Qaeda, its influence has been significantly reduced.

Shanghai Cooperation Organization Member States (SCO) unanimously regard Three Forces, namely, Violent Terrorist Force, Extremist Religious Force and Ethnical Separatist Force as the vital threat to regional safety and stability. Due to the long-term lag in economic development, and the peculiar geography and climate in the Golden Crescent, illicit drugs have been a major factor affecting the regional social stability and economic development.

The establishment of the “Islamic State” is directly related to the War Against Terrorism led by the US. It is estimated that there are about 30,000 soldiers (The Washington Times, 2010) in the Islamic State

with thousands of Mujahideen migrating from all over the world (Bentham, 2014). It is reported hundreds of these migrating Mujahideen come from China (Xin Hua, 2014).

Nowadays pirates conduct most of their criminal activities in the Gulf of Aden. Although in recent years, more and more states and regions have dispatched military vessels to safeguard maritime transportation in that area, and on average, the number of people involved in piracy has increased by about 400 hundred annually in Somalia (Zhang, Y., 2011).

In addition, the Lone Wolf terrorist attack and terrorists from the battlefield of the Islamic State have become the great concern of the international community. In general, the B & R countries and regions are faced with terrorist threats of various degrees which has negative impacts on regional and international economic and cultural exchange. The new safety concept of “Common, Integration, Cooperation and Sustainability” provides valuable ideas both in fighting against terrorism and safeguarding the B & R development. For counter-terrorism, we should get all possible resources united in different respects, practice different kinds of cooperation to realize the sustainability in the B & R development and cooperate in countering terrorism.

### **The Present Law Enforcement Cooperation Mechanism in the B & R Region**

#### ***Policing Cooperation between China and Countries in Central Asia***

Xinjiang Autonomous Region, P.R China, a part of central Asia, with its critical location in the Silk Road Economic Zone, is the only geographical connection between eastern Asia, and even western Asia, with Europe. Regional safety is very critical to the security and smooth economic communication in the Silk Road Zone. Meanwhile, this region is also the place where the Three Forces have persistently existed and conducted their terrorist activities for a long time. Only with cooperation in counter-terrorism in central Asia will terrorists have a dim chance to commit crimes and little room to exist in this region.

**Security cooperation in the framework of Shanghai Cooperation Organization.** The Executing Agency Commission has been established and commenced its commission. The Shanghai Convention, designated to counter the Three Forces, was signed by SCO member states in 2001 and local counter-terrorism agencies have been established correspondingly. Legal documents and procedures concerning regional security have been drawn and adopted.

In Nov. 2014, Mr. Meng Jianzhu, secretary of Central Political and Legal Committee, visited Turkey as a special envoy of Chairman Xi Jinping and reached a consensus with Mr. Erdogan, Turkish president on international cooperation in counter-terrorism. This consensus was normally regarded as a new epoch for China to have international and transregional cooperation in counter-terrorism (Chu, 2014).

**Personnel training and exchange.** In 2007, the Central Asia Police Cooperation Training Center was set up at the Xinjiang Police College, Urumqi. Since Xinjiang is often seen as the frontier of countering terrorism because it is adjacent to Central Asia and close to the area in which Three Forces is very interferential. There are many fully experienced trainers and talented teaching staff working in Xinjiang Police College so it's advantageous for Xinjiang Police College to cooperate with central Asia countries in conducting training courses in information sharing and ability development. Joint efforts could be made to secure and stabilize the community. Regional cooperation in personnel training has been making unexpected progress.

### ***Policing Cooperation between China and ASEAN.***

**There is bilateral and multi-lateral law enforcement cooperation in the framework of China and ASEAN.** China AFTA (ASEAN Free Trade Area) is a kind of economic cooperation forum in eastern and southeastern Asia and it plays a significant role in regional economic cooperation. The scope of bilateral and multi-lateral criminal judiciary assistance and extradition has also been extended. Means of law enforcement cooperation has increased. Mechanism of police liaison and mutual entry crime investigation have been practiced and improved. So, a solid foundation has been laid for future policing cooperation.

**A mechanism of law enforcement cooperation between China, Laos, Myanmar and Thailand in Mekong River Basin.** The crime that happened on Oct. 5, 2011 marked a new phase of law enforcement cooperation between China, Laos, Myanmar and Thailand in the Mekong River Basin. This cooperative mechanism is the latest exploration and trial of cooperation in security affairs in the region. As of Dec. 24, 2014, 29 joint patrols along Mekong River have been operated by law enforcement agencies from China, Laos, Myanmar and Thailand (Pan, J., 2014).

### ***Policing Cooperation between China and Europe.***

**Sino-Euro police training program.** In Nov. 2014, a seminar for Sino-Euro law enforcement cooperation and training was organized by the Zhejiang Police College. The seminar covered very broad topics such as counter-terrorism, narcotics control, organized crime, protection of intellectual property, policing management, security management and security management in the community. The Sino-Euro police training program started in 2012. It was the first time that the Ministry of Public Security of P.R. China and the European Union launched a long-term training cooperation program for law enforcement personnel and police officers. The program will last five years.

Criminal judiciary assistance, extradition and cooperation in handling crimes. Criminal judiciary assistance and extradition are important parts in present policing cooperation and a most effective form of cooperation. China has signed extradition and criminal judiciary assistance treaties and agreements with several European countries on joint cooperation to crack down on cross-border crimes. Multi-lateral law enforcement security information sharing, training and regular meeting systems have been established. Since 2013, as many as 200 cases have detected and checked in light of the Sino-Euro criminal judicial assistance and the bilateral and multilateral police cooperation mechanism.

### **International Policing Cooperation against Terrorism in the Situation of the B & R Strategy**

The B & R Strategy is very profound in its connotation. The realization of the B & R Strategy is really a systematic project. The National Counter-Terrorism Office, and the Counter-Terrorism Bureau of the Ministry of Public Security have designed the “Four in One” working principles referring to intelligence, investigation, emergency response and prevention. According to this principle, this writer suggests in counter-terrorism policing cooperation among B & R countries the following procedures should be addressed. Emergency response should be prioritized. Intelligence gathering and analyzing are essential. Investigation should be improved. Precaution can never be devalued.



### ***Strengthening Fundamental Research Oriented by Regional Application to Provide Support for Counter-Terrorism Policing Cooperation***

Regions involved in the B & R Strategy have huge diversities and differences in culture, social development, languages, and ethnic composition. These diversities and differences have brought many obstacles and difficulties to counter-terrorist policing cooperation. However, the existing fundamental research has much room to fill and more systemic, comprehensive and supportive researches are expected. Applied research supportive to international policing cooperation in counter-terrorism is still far from sufficient. First, basic research on cultural background, historical development and national customs and value orientation in B & R countries should be further addressed and promoted. Secondly, systematic research on the national law enforcement systems and the operation modes should also be strengthened.

### ***Quick and Effective Response to Violent Terrorist Attacks is the Key to Counter-Terrorism Policing Cooperation***

In recent years, the ability to cope with sudden terrorist attacks has increased gradually in China, but the ability to cope with sudden terrorist attacks on projects abroad has developed relatively slowly for various reasons. Therefore, from the perspective of counter-terrorist activities for police, first emergency response is fundamentally important. Quick emergency response refers to organizing effective measures to cope with terrorist violent attacks in the first time, try to minimize casualties, prevent the spread of terrorist hazard and the atmosphere of terror as quick as possible and deploy forces to trace and bring the terrorists under siege. So, the writer of this article holds the idea that a counter-terrorist emergency plan for overseas projects should include three aspects, namely, security assessment, contingency plans in advance and defense security.

### ***Strengthening the Guidance of Information Exchange and Cooperation is the Core of Counter-Terrorism Policing Cooperation Mode.***

International policing cooperation is indispensable to the intelligence cooperation. International policing cooperation in counter-terrorism tends to be more dependent on intelligence guidance and cooperation. In the development of the B & R counter-terrorist policing intelligence exchange can be organized into three steps. The first step is to fully rely on Interpol and regional police liaison mechanisms to share information (Xiang, 1998). The second step is to apply bilateral or multi-lateral judicial and mutual agreement mechanisms in police forces to share intelligence. The third step is to improve the country's intelligence work. It is informed that a national center for counter-terrorism intelligence would be established according the Chinese Law of Counter-Terrorism. The national counter-terrorism intelligence center is responsible for intelligence management across different governments and breaking the barrier of the counter-terrorism intelligence information sharing.

Intelligence in subsequence refers to timely management of counter-terrorism intelligence. As for the development of the B & R Strategy, this writer puts forward two suggestions concerning counter-terrorism intelligence. The first one is modern science and technology of big data should be fully appreciated and utilized. The second one is intelligence collected by manpower is irreplaceable.

### ***Strengthening the Cooperative Investigation into Terrorist Crimes is the Foundation of the Counter-Terrorism Policing Cooperation.***

International investigation cooperation refers to the national police agency in charge of international crime and international crime investigation coordinates and cooperates with each other to obtain evidence

of the crime by various ways including joint investigation, cross-border recovery and investigation abroad, etc. (Zhang, J., 2008).

In addition, in case of difficulties in joint investigation it is suggested private detectives be employed to carry out investigations. It is quite certain employment of private detectives in criminal investigation is not permitted by Chinese law.

### ***Prioritizing Prevention is the Core to Terrorism Crime***

Security ability to guard against terror attacks and professional ability to manage projects are equally important for the project of the B & R. In the field of preparation for terrorist attacks, it is essential to make ourselves well prepared at first. Self-protection skills include personal, technological and material techniques. Attention should be focused on a working mechanism, emergency response plans and reserves of human resources and finances. These preparations should be well-designed and operated in the overall planning and overall arrangement of the project in case of need. On the other hand, good public relationships especially with the local law enforcement organs should be built and nourished. In the event of terrorist attacks, the local government should perform absolute judicial sovereignty over the issue. No cross-border cooperation requests are compulsory.

Furthermore, in addition to “four in one” counter-terrorism policing work of better carrying out international policing cooperation in counter-terrorism in the process of the B & R development, it is strongly suggested a B & R project security assessment panel be set up for further improvement of proper assignment of police liaison officers and better training in international policing cooperation.

In summarizing the above-mentioned international policing cooperation, the establishment of an emergency system in advance will ensure that the project can start in a relatively safe environment as planned. Subsequent intelligence will establish and strengthen the counter-terrorism policing cooperation system. Investigation with high efficiency will highlight the characteristics of the policing cooperation in combating crimes. Prevention with great focus is not only the core task of dealing with terrorism crime, but also a long-term policy for creating a safe environment for the B & R projects. Only by promoting and extending international policing cooperation in counter-terrorism step-by-step can a stable international policing cooperation in counter-terrorism be established to satisfy the security need of the projects.

### **Implications and Conclusion**

Through the examination of the introduction of the B & R Strategy and analysis of the basic configuration and development trend of terrorism activities, we see that how to improve and promote counter-terrorism strategies and countermeasures of international policing cooperation under the background of the B & R Strategy can be clarified.

On the basis of this paper, there are still three parts supposed to be studied further:

1. The analysis of the current developing condition of terrorism argument remains to be further deepened.
2. Drawing lessons from the practice of central Asia, the association of south-east Asian nations and Europe, the theories of international cooperation innovation according to the needs of the Chinese “B & R Strategy” in the new period are guaranteed to be explored and finally used to guide or practice.

3. Put forward targeted and operability suggestions and formulation on the international police cooperation in anti-terrorism under the background of the “B & R Strategy”. In addition, these suggestions should depend on plenty of detailed empirical researches with foreign affairs section.

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# **An Analysis of Illegal Immigration Against the Background of the Maritime Silk Road Initiative**

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*[Abstract] China will benefit from the Maritime Silk Road Initiative in many respects, however, the issue of illegal immigration is becoming a growing non-traditional threat that cries for urgent solutions. The situation is getting worse for a variety of reasons, including the gap in economic development between China and other countries along the Maritime Silk Road, an unsound legal system and an ineffective working mechanism. It is foreseeable that as China furthers this initiative, more illegal immigrants will come and stay, and multi-cultural communities will grow in numbers and in scale, which would impose great challenges to immigration administration agencies. Improved immigration policies, strengthened law enforcement and innovative multi-cultural community policing are essential to curb illegal immigration.*

*[Keywords] Maritime Silk Road; illegal immigrants; legal system; working mechanism; multi-cultural community*

## **Introduction**

During the past few years in China, the immigration issue has received increased attention. As China is planning to carry out the Maritime Silk Road Initiative, the immigration issue is brought into the spotlight again. A big part of understanding this issue is to learn what attracts illegal immigrants to come to China and what makes it possible for them to stay. China not only enjoys the benefits brought by the Maritime Silk Road Initiative, but it also suffers from the growing pains of globalization. The door is open to more economic immigrants and cultures are more integrated, all resulting in a potential increase in the illegal immigrant population, which is the major concern of this research. This paper first reveals, from geopolitical, economic and cultural perspectives, the possible relationship between the Maritime Silk Road Initiative and illegal immigration. Second, it discusses the status quo and the causes of illegal immigration into China, with statistics and facts and an analysis on the labor market, immigration legislation and working mechanisms. Based on these findings, this paper predicts the future trends of illegal immigration by a comparative study on the developing trend of Mexican immigrations in the US and an analysis on multicultural communities in China. At the end of this research, this paper also offers tentative measures to deal with China's immigration issue.

## **The Benefits of Maritime Silk Road Initiative and the Illegal Immigrants It Brings**

The idea of developing the Maritime Silk Road in The Belt and Road Initiative reveals China's determination to enhance its sea power, which, from a geopolitical perspective, will strike a balance between China and its ambitious rivals for interests in Asia. It also provides a good opportunity for China to improve its relationship with its ASEAN neighbors and solve long-time disputes over marine resources. As a result, frequent personnel exchanges will take place on the borders between China and these countries, thus triggering the issue of illegal immigration.

The Maritime Silk Road Initiative is part of the national plan to develop the marine economy and achieve China-ASEAN economic cooperation through trade contracts and overseas infrastructure

projects. Under this Initiative, labor resources will flow unrestrictedly for better placement and inevitably result in a labor imbalance in certain areas, from which the issue of illegal immigration is rooted (Lv, 2015).

Chinese culture proves to be attractive to civilizations along the Maritime Silk Road as culture exchanges take place and lead to the growing trust in China among these countries. Such multicultural attraction is shaping the international communities in southeast and southwest China, where immigrants frequently come, including the illegal ones.

It can be concluded that China is sure to benefit greatly from the Maritime Silk Road Initiative, which plays a positive role in facilitating the free flow of resources and labor between China and ASEAN countries and creating a friendly atmosphere for regional development. But the issue of illegal immigration brought by the Initiative cries for urgent solutions, which will be discussed in this thesis.

### **The Status Quo, the Causes and the Developing Trend of Illegal Immigrants in China**

Generally speaking, an illegal immigrant is someone who has migrated to a different country in violation of that country's immigration laws. This thesis defines illegal immigration in China as the situation where immigrants (including stateless persons and residents from Hong Kong, Macao and Taiwan) make illegal entry to China, or immigrants who have overstayed, or will overstay, illegally for more than 3 months after a legal entry to China (Luo, 2012). Illegal immigrants (or undocumented migrants/unauthorized migrants) can be divided into several categories: illegal overstayers with illegal entry, illegal overstayers with legal entry, illegal overstayers with legal entry but under illegal employment, and people with legal entry and residence but under illegal employment, etc.

#### ***The Status Quo of Illegal Immigration in China***

China has been a preferable destination for immigrants from its neighboring countries, due to its fast-developing economy and the opening up policies of recent years. According to the International Immigrants Report issued by the International Organization for Migration on September, 2013, there are 690,000 foreigners (resident aliens) staying or living in China, a 35% increase compared to the situation a decade ago (Li, 2013). With more immigrants flooding into the country, more challenges are presented to the immigration administration departments, among which are the issues of illegal entry, illegal residence, and illegal employment. It is estimated that 36,000 foreigners were arrested for the above three illegal behaviors in 2006, mainly from the Pearl River Delta, Yangtze River Delta, Beijing and Northeast China (Zhuang, 2007). In 2010, 4741 illegal entries were deterred by the border control departments nationwide, with a year-on-year growth of 38.2% (Yan, 2011).

The Pearl River Delta (PRD) is one of the most severely afflicted areas of illegal immigrants, as it enjoys frequent economic exchanges and population flows from the neighboring Southeast Asian countries. New statistics by Chinese immigration police show that in the first half of 2010, 6.15 million entries were made on the border of Guangdong, taking up 30.4% of national entry cases; the permanent foreign resident population in Guangdong province arrived at 57,793 while the temporary foreign resident population surpassed 1.14 million (International Talents, 2009). There were 3179 foreigners arrested by Guangzhou Police for illegal entry, illegal residence and illegal employment, a year-on-year increase of 12.5% (Qi, 2013). Illegal immigrants in this area mostly came from neighboring countries such as Vietnam, the Philippines and Burma, and partly from South African countries. Most of these illegal immigrants were involved in illegal employment or illegal marriages, with the former being the trickiest problem to local police. In Guangzhou, 69% of the immigrants were illegal employees and business

owners without employment permits or foreign expert certificates; they worked in industries such as education (English training), culture (commercial performance), sports, housekeeping and leisure services, according to a local survey (Li, 2009).

### ***The Causes of Illegal Immigration in China***

Illegal immigrants violate the Exit and Entry Administration Law by disturbing the exit and entry order at the borders and causing troubles in the labor markets, schools and medical institutions. Illegal immigrants are often found involved in illegal businesses, stealing, fraud, robbery, prostitution and drug dealing and often become unstable threats to public safety and security. By observing the labor market and studying the immigration laws and working mechanisms, this research proves that illegal immigration in China is rooted in an unsatisfied demand for labors, premature immigration legislation and mechanisms, as well as a failed effort to build more and better international communities.

**Imbalances of regional development.** These are the root causes of illegal immigration. In the context of globalization, goods, capital, labor and other resources flow freely worldwide and reallocate themselves. The free movement of labor leads to population migration. With the telecommunications revolution, the gap of economic development between developed and developing countries is magnified, which is triggering population migration to economically greater developed countries and regions. Once the migration and labor demand of the destination country does not equal each other, illegal immigrants appear.

There are mainly two reasons why China is attracting immigration from surrounding countries: first, China's rapid economic growth in recent years has impressed its neighboring countries as the power house of the world economy. The high economic growth means more jobs and greater demand for labor; second, there is the potential risk of a labor shortage. With the aging of Chinese society, the number of young workers in the work-force between age 20 to age 24 will be reduced by 30% in the coming decade, particularly in the Pearl River Delta region where there is an estimated shortage of 2 million people in the workforce (Zhang, 2016). Many countries and regions around the world, when encountering a labor shortage, have made policies to attract foreign immigrants to mitigate this pressure. This not only saves a country's cost of nurturing a young labor force, but also allows the government to generate more tax revenues. As a result, to compete with the Yangtze River Delta, the Pearl River Delta has targeted labor from China's western provinces and other regions of Asia and sub-Saharan Africa (Koser, 2015). Thus, China's economic attraction and its large labor shortage will result in a growing number of work forces flowing from developing countries to China in search of higher incomes.

But such labor movement does not match the demand of China. Due to China's large population, the emigration from China has outnumbered immigration for a long time. Domestic employment pressure, especially excessive low-end labor, has shaped China's employment policies, which are aimed at encouraging foreign talent immigration while limiting low-end labor immigration. Because of this unbalanced economic development, potential low-end immigrants coming to China have difficulty in getting the legal documents and tend to become illegal immigrants.

**Premature legislation.** Premature immigration legislation is one of the fundamental issues to be considered. Some of the laws and regulations concerning immigration are outdated and fail to cover all illegal deeds that have arisen under the new circumstances. Some of the listed punishments are too slight to achieve any disciplinary or educational effects on the offenders. For instance, in the articles describing the punishments for illegal entry (Articles 71 and 72), illegal residence (Articles 78 and 79) and illegal

employment (Article 80) from the Law of the People's Republic of China on Administration of Entry and Exit of Foreigners implemented in 2013, law offenders are fined a minimum amount of above 1000 RMB and a maximum amount of under 100,000 RMB, and in some cases, with a detention punishment of less than 15 days. This is different from the practices in other countries. In France, individuals committing the above three illegal behaviors will be fined an amount ranging from 3750 Euros to 15000 Euros and may spend 1 to 5 years in jail (Tao, 2007). In Japan, individuals will be fined a maximum of 3 million Yen for illegal employment with custody or a prison sentence as punishment, while in Singapore, a maximum of 25,000 RMB will be fined with other punishments such as caning (Zhang, 2013). By comparison, it is evident that, when punished by law, illegal immigrants in China suffer much less financially and physically than those in other countries. A less harsh punishment can mislead illegal immigrants to believe they can buy themselves out of trouble by offering financial compensation every time they are caught violating the law. In this case, the law will lose its due authority.

**Ineffective mechanism.** Border control departments and exit-entry administration departments are responsible for most illegal immigration cases. It is in urgent need to set up coordinated working mechanisms between and within these departments for better communication and cooperation in preventing illegal immigrants from crossing the borders and investigating cases involving illegal immigrants. In the cases of repatriating illegal immigrants, on the one hand, police departments in charge often find themselves under heavy financial burden as they receive no funding from the government to pay for the costs of deportation; on the other hand, a large number of deported immigrants will always manage to re-cross the border and return in one way or another. A biometric fingerprint system, as in the European Union, the United States and Russia, is helpful in preventing the situation from getting worse. The U.S. is considering improving its repatriating policy by allowing illegal immigrants with certain qualifications to stay (Wang, 2012). Following these examples above, China also needs a set of reasonable and effective mechanisms to deal with illegal immigrants and returnees.

**Incompetent personnel.** Illegal immigration issues in China require linguistic competence and cross-cultural way of thinking to work out professional solutions. When dealing with cases involving illegal immigrants, most of the police officers are inexperienced and lack the communicative competence of foreign languages. According to a survey on the English competence among in-service police officers in Beijing (Xiao, 2015), less than 12% of the 221 respondents (experienced police officers serving more than 10 years) believe they are able to communicate in English, while 41.3% admit they often fail in starting a conversation with foreigners. Such incompetence makes police officers feel uncomfortable in dealing with illegal immigration cases, which, consequently, reduces their working efficiency.

### ***Trends and Predications on the Future of Foreign Illegal Immigration Against the Background of the Maritime Silk Road Initiative***

The Maritime Silk Road Initiative is an important strategic plan to further globalization. With the construction of the Maritime Silk Road, the regional economic development and integration will be realized, and at the same time, risk assessment and prevention should also be taken into consideration. Foreign illegal immigration is one of the non-traditional security risks in the new era, and its development trend must be predicted based on the current situation and causes.

**The rise in the number of illegal immigrants.** Under the Maritime Silk Road Initiative, in-depth exchanges between China and ASEAN countries will take place, which will lead to more integrated resources, as well as a free flow of labor and other resources. As China puts limits on foreign labor policy,

it is foreseeable that there could be an increase in the number of illegal immigrants entering or residing in China.

The illegal immigration issue between China and the countries along the Maritime Silk Road resembles that between the United States and Mexico in the framework of the NAFTA. In 2000, immigration issues between the two countries seemed to be of great significance to their economic prosperity as Mexico pushed for the free flow of people across the United States border in the second phase of the NAFTA agreement. However, the tragedy on 11 September 2001 raised the United State's concerns on border security. This ended up with the Secure Fence Act of 2006, which implemented 700 miles of high security fencing along the Mexican and United States border (Office of the Press Secretary, 2006). Contrary to what one might suppose, the stricter border control policies resulted in a larger number of illegal immigrants entering from Mexico into the United States. According to statistics released in 2011, among the 11.5 million illegal immigrants in the United States, 58% are Mexican nationals (Liu, 2015). We can learn from the U.S. experience that when there is an unbalanced economic development within the regional economic framework, labor flow is inevitable. And when there are strict immigration controls, immigrants will resort to illegal ways to enter and remain in the target country.

Since China's economy came into a new norm in 2014, industrial upgrade and excess capacity reduction have become critical to its economic development. The Maritime Silk Road provides a more open world economic environment for China to transfer advantageous capacity. In recent years, although China's economic GDP has declined, it still remains at a relatively high level compared to countries along the Road with an excess labor force looking for job opportunities. Taking the Philippines for example, in order to increase the country's foreign exchange income, to reverse the domestic low employment rate and ease its political pressure, the Filipino government has been encouraging people to work overseas. Statistics show that there are now more than 2.5 million Filipino domestic workers around the globe (Li & Luo, 2003). Therefore, during the construction of the Road, China's relatively rapid economic growth is bound to attract a large number of immigrants. But as China is protecting its local labor employment rate and related industries, more foreign workers have to choose illegal approaches into China in order to pursue higher incomes.

Another point worth noticing is that since 2005, the number of Mexican illegal immigrants leaving the United States exceeded the number of those entering, largely because of the weakness of the United States domestic job market and the strengthening of border enforcement (Gonzalez-Barrera, 2015). This shows that when the employment market in the target country is weak and the law enforcement is strictly enhanced, some illegal immigrants will automatically leave. In this case, if China aims to double its national income by 2020, its economic growth has to be maintained at a relatively high level, which means illegal immigrants will not leave China unless stricter measures are taken.

**The difficulty in law enforcement in multi-cultural communities.** Both legal and illegal immigrants have difficulty in integrating into another culture, so they prefer to live in a community with a shared culture they are familiar with. Such communities can be called multicultural communities. Since the late 1980s, Korean nationals started to settle down in the Beijing Wangjing area. Gradually, more facilities were built with typical Korean culture within the area, which evolved into a mature international multi-cultural community. The same is true with the African multi-cultural community in Xiaobei Road, Guangzhou, which was formed in the late 1990s, especially after the financial crisis in Southeast Asia in 1997, when a large number of African businessmen moved to Guangzhou from the crisis-stricken area (Li,



Xue, Lyons & Brown, 2008). Under the Maritime Silk Road Initiative, it is believed that more foreign immigrants will live in such multi-cultural communities.

Multi-cultural immigration is certainly breathing new life into China, but it also causes problems for the government and police in law enforcement. First, multi-cultural communities appeal to foreign illegal immigrants with their strong foreign culture. They can integrate quickly into such communities and get themselves employed easily. Second, if police frequently conduct routine checks with the immigrants among the community members and force the illegal ones to leave, the police-community relations will be damaged due to a loss of trust, which means fewer tips, informants and witnesses. Consequently, the effectiveness of community policing would be, to some extent, limited, which in turn, would attract more illegal immigrants to the community. Finally, the children and grandchildren of foreign illegal immigrants living in multi-cultural communities will demand more and better social and public services, which the first generation failed to receive due to their long-term illegal residence status, thus the pressure on police will be even greater.

Meanwhile, the professional working staff in foreign management is insufficient and is faced with increasing stress. The differences between cultures are too prominent to be ignored and too difficult to be worked out merely relying on the current laws and regulations, and the service system. In some international communities where a large number of foreign residents live, police officers in the community have to devote most of their time to foreign services and management. However, the police force lacks professional working staff with proper legal knowledge and law enforcement experience in dealing with immigrants. Most of the police officers and stewards engaged in multi-cultural community policing are not well-prepared, either in terms of their educational backgrounds or their language competence. With the expansion of the diversified international community, the above factors will increase the difficulty of foreign community management.

### **Suggestions for Illegal Immigration Issues**

Based on the causes of illegal immigration presented above and the problems predicted to be brought by the Maritime Silk Road, this thesis offers suggestions on how to improve the current situation of illegal immigration, which involves the five aspects of the labor market, legislation, working mechanisms, law-enforcement personnel, and multi-cultural community, as follows:

#### ***Better Administration of the Labor Market and Labor Agencies***

Refining the labor market and nurturing the industry associations are very important measures for policy makers to realize better governance. Faced with the possibility of growing numbers of illegal foreign migrants being brought to China by the Maritime Silk Road Initiative, human resources and social security departments of different regions should carefully analyze the labor force demands of different industries in order to facilitate the government to make employment-related decisions based on market needs. To cover the shortages on the police forces, industry associations should play a greater role in social administration to make up for the failures on the part of the market and the government and realize better community governance in the future.

The role of labor agencies should be intensified. Human resources and social security departments, public security organizations, industry and commerce administration departments and other concerned agencies should make the best of the working experiences from the past to achieve a harmonious working relationship where social organizations play the major part and government agencies take the role of supervision. To effectively control illegal migration, the issuing of qualifications of the foreign-related

labor agencies should go through strict censorship so as to create a healthy labor market and promote regional economic development.

### ***Comprehensive Legislation***

Laws and regulations for the Exit and Entry Administration should be immigrant-centered and cover every aspect of their life in this country. Specific improvements should be made for illegal immigrant-related issues. For example, tougher punishments should be given to illegal immigrants and the financial penalty should be increased referring to international practices. Some issues that draw international attention should be considered when revising the law, such as the rights of illegal immigrants at the time of punishments and repatriation and the issues of refugees, which should be separately and carefully handled in case they turn into illegal immigrants.

### ***Cooperative Working Mechanism***

The working mechanism within immigration administration departments can be reformed into a more effective one. An information network for police all over the country should be improved to share information and data, which will be based on the Bureau of Entry and Exit Administration of Ministry of Public Security and connect the border defenses and border control departments with local police so that information of immigrants can be effectively researched and passed between all levels of departments concerned. More working mechanisms should be set up to involve more departments of various functions in issues concerned with illegal immigration. The Maritime Silk Road Initiative offers the opportunity for Chinese police to conduct a variety of policing cooperations with ASEAN police on immigration issues as part of the efforts to fight against non-traditional security threats. An information-sharing system and a repatriating system for illegal immigrants can be built between China and its major source countries of immigration. More liaison police officers should be exchanged to promote cooperation in cracking down on other illegal activities related to illegal immigration, including human-trafficking, drug smuggling and terrorism.

### ***Professional Institutions and Law Enforcement Personnel***

Professional institutions that are in charge of immigration issues should be set up and local police stations should be actively involved. Law enforcement personnel should be trained for language capacity and communicative skills, as well as in legislative knowledge and cross-cultural awareness. Police exchanges among countries should be encouraged and strengthened to include activities such as academic visits, technical aids and co-maneuvers, where the law enforcement officers will improve their abilities to handle foreigner-involved issues.

### ***Multi-Cultural Community***

Multi-cultural communities play a vital role in tolerating illegal immigrants. Dynamic control networks should be set up among legal residents and the illegal ones in these communities, based on the ID systems for foreigners, the register-and-check-in system in hotels and information databases in local police stations. Immigrant populations should no longer be managed separately in such communities, together with migrant workers and temporary residents. Legal immigrants should be encouraged to participate in community security to watch and report any crime-related or illegal activities. This is how we should build an intelligence network on illegal immigrants that collects and studies information. Medical services, education opportunities and entertainments should also be provided to residents in the communities, including the illegal ones. Illegal immigrants with certain qualities should be offered a

chance to complete their immigration procedures and be accepted by the communities with a legal identity.

### Conclusion

Illegal immigration in China has profound economic, legal and social roots. There are still room for improvement in terms of market demand analysis, immigration law perfection, and the establishment of related management mechanisms. Under the new situation of the Maritime Silk Road Initiative, illegal foreign migration will see some new trends as the number of illegal migrants grows and more multi-cultural communities bring more difficulties in management. To solve these problems, countermeasures should be taken, such as strengthening labor market management, promoting domestic and international police cooperation mechanisms and improving the multi-cultural community policing, so as to effectively curb illegal migration and boost economic growth along the Maritime Silk Road.

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# **The TPP and TTIP in the Perspective of Overall National Security and the Prospect of “One Belt and One Road”**

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**[Abstract]** *The TPP and TTIP are the dominant strategies of both the Pacific and Atlantic Oceans of the United States; they maintain the world ocean strategy chain led by the U.S., and attempt to drive an empty to the WTO. That also indicates that the competition for the world economy, politics, and military strategy has been transformed by the competition in the market as the main area for the world strategic interests to give priority. This article take the “One Belt and One Road” as the background, and analyzes the TPP and TTIP and their influences on China, and take them as reference to win the next contest of great powers for China.*

**[Keywords]** *TPP; TTIP; overall national security concept; One Belt and One Road*

## **Introduction**

The TPP and TTIP are the strategies of the United States to limit China’s economy. To learn the concept of TPP and TTIP, to understand their intentions is very important to China to figure out the best way to deal with them. The United States wants to be back to Asia and counterweigh China’s strategy of Asia and Europe. To this, China must keep a clear mind of the TPP and TTIP strategies. On one hand, China should speed up the reform to empower itself, and on the other hand, China should make good use of the platform of the WTO and BRICs to get involved in world’s economy. Currently, China has had its own strategy of “One Belt and One Road” (OBOR). How to develop the OBOR and to counter TPP and TTIP is a very large and necessary project for China. This article tries to explain the TPP and TTIP, analyzes the purpose of the United States for pushing these strategies, study China’s reaction to them, and suggest that China develop the OBOR to deal with them.

## **TPP and its Origin**

TPP, the Trans-Pacific Partnership Agreement, also known as the “economic NATO”, came into effect in January 2001. ANZSCEP (Singapore, New Zealand free trade Agreement) was the blueprint and was concluded by Singapore, New Zealand, Chile and Brunei in 2005 by four countries within the framework of APEC for a small, multi-lateral free-trade agreement, signed, and was formerly known as the Asia-Pacific free trade area to promote trade liberalization in the Asia-Pacific region. In October 2002, in Los Cabos, Mexico during the 10th APEC summit, Singapore, New Zealand, and Chile, concluded the FTA (free trade agreement) agreed, and in September 2003 began formal talks with Singapore, and Brunei. In April 2005, they took part in the final round of negotiations, and signed an agreement on July 28, 2005. And in May 2006, the agreement took effect. At the 2009 APEC meeting in Singapore, US

President Barack Obama announced that high-profile America would join the TPP talks (Office of the United States Trade Representative, 2011). In July 2013, Japan formally joined the TPP negotiations, and the TPP negotiations expanded to 12 countries. On October 5, 2015, the Trans-Pacific Strategic Economic Partnership Agreement (TPP) finally made a real breakthrough – the United States, Japan and 10 other Pacific countries agreed on the TPP. At this point, the first free-trade area of the Asia-Pacific officially came into the TPP. The TPP economy accounted for 40% of the global trade volume and accounted for more than thirty percent of the world, launching the United States into the field of global trade by the strategy of “two new” (another is one of the TTIP). Its open extent clearly points to “high standards”, and its content covers trade, investment, finance, science and technology, intellectual property, and many other fields.

### **TTIP and its Origin**

The TTIP, Trans-Atlantic Trade and Investment Partnership Agreement, launched by the United States and the European Union in 2013, focuses on the joint Asian and European Trade and Investment, as well as the Asia-Europe cooperation organization, for the United States and the European Union overall startup of a Trade and Investment Agreement (Diekmann, 2013). Once the negotiation is completed, the agreement will become the world’s largest bilateral trade agreement. TTIP members cover 40% of the world’s economic output and 50% of international trade. The TTIP is essentially the United States, the European Union dominated by the U.S. and Europe’s common values as the core to establish a new world economy, and emerging economies and developing countries, led by China, will be ruled out. Compared to the TPP agreement, the ongoing negotiations, including the European Union, the transatlantic trade and investment partner agreement (TTIP) is worthier of attention. After all, the European Union and the U.S. economy accounts for 60%, global trade in goods accounts for 33%, and trade in services accounts for 42%. When the U.S. and Europe are included in a unified framework, the negative impact to China will be even more significant. Of course, there are differences between Europe and the United States, including the issue of agriculture, labor problems are harder to coordinate, and the European financial trade market has been closely tied to with China in recent years.

### **The Purpose of the United States Pushing TPP**

#### ***The United States’ Return to Asia***

Though the United States is the world’s leading power politically and militarily, it can’t easily return to Asia after all multi-lateral trade mechanism. But under the TPP and TTIP mechanisms, the United States will no doubt dominate the world economy. The TPP and TTIP will present an introduction of the United States into Asia at the center of the trade structure, and provide a counterweight to China’s economic dominant force.

#### ***The United States “Asia-Pacific Rebalancing Strategy”***

To find out in the world today, it is necessary to understand the “Asia-Pacific Rebalancing Strategy” in the United States. The crisis of capitalist accumulation is very heavy. U.S. authorities have changed the strategy of “return to Asia” to the “Asia-Pacific rebalancing strategy”, as they attempt to use “soft power” to transfer crisis to Asia’s strategic formulation without any change in nature.

Now, the main western countries and the strategic group seem to be brewing in the WTO framework, to trade protectionism and to put China’s massive foreign exchange reserves into the WTO framework.

Dominated by the United States, the “Trans-Pacific Partnership (TPP)”, “Transatlantic Trade and Investment Agreement” (TTIP) and the Multilateral Services Agreement (MSA) (the Multilateral Services Agreement refers to the U.S., Japan and European’s global target services shortage of the blank of the rules of the game, so by the world’s largest economy, economic proposals for America, the world’s second largest economy in the European Union to Japan, the world’s third largest economy countries in the development of the world’s first “services” the rules of the game), goes across two oceans, three continents, and covers more than 60% of the total global economy (Elms, 2013). China and other developing countries must prepare a careful, positive response.

### ***The Strategy to Counterweigh China’s Economy in Asia and Europe***

The United States, through the TPP negotiations in the China-ASEAN-FTA (Free Trade Agreement), plays a role of checks and balances, in the China-ASEAN-FTA and surrounding area, in order to weaken the influence of China’s economy in the area, and to ensure that the Eastern Asian geopolitical, economic and security interests are in their favor. On the one hand, the United States will take terms of intellectual property rights, and labor standards for new rules. On the other hand, due to the free trade area having the characteristics of internal opening and external restrictions, in barriers to trade between member states to reduce at the same time, the area economics are barriers, and an increase will produce the effect of trade diversion. The United States actively promotes the TPP and TTIP’s basic strategic target, which is to maintain and expand their territory resources, to build a credit system, and continue to maintain the hegemony of American superpower status. The view that free trade is one of the core values of America, this international promotion between free trade for the United States is a natural thing (Office of the United States Trade Representative, 2011). The WTO bears the function of the part originally, but now the WTO is at an impasse; it is waning since the formation of the TPP and TTIP system, and soon, the WTO will exist in name only.

### ***Economic Blow***

In *The Wealth of Nations*, written by Adam Smith (1776), has emphasized less tax open markets to do nothing. Although the TPP and TTIP markets are open to members, the TPP is claimed to have zero tariffs, but after all trade is between countries, between related cultures, traditions, and macro control (in fact every country wants to acquire more interests so other countries get less). But, after all, there is a big interest in it, so once formed it will reduce demand for our export product of other countries.

Excluded from TTP and TTIP, then China’s trade will be greatly reduced. Due to cost and manufacturing cost, business costs, and tariffs, etc., the prices of Chinese goods have been impossible and the TPP, and TTIP systems in competition of the commodity, which are the United States and other importers, might not import from China (Scollay, 2004). As a result, China’s trade surplus is likely to be discounted. China’s trade surplus, and its foreign exchange is greatly reduced; the foreign exchange reserves will also be greatly reduced, and may even face regular deficit. The reason is that China only needs to import crude oil and iron ore. From then, China may be from the perspective of being the top of the world trade power, may sharply reverse to medium countries for trade, and from the perspective the world’s trade surplus, China may fall back sharply as the world’s trade deficit countries; from the perspective of the world’s foreign exchange reserves, China might significantly fall backward for small country foreign exchange reserves.

### ***The TPP and TTIP Outside Economy and Trade Will Inevitably Spread to the Influence of the Political and Military Field***

The TPP and TTIP are, by no means, a simple mechanism of free trade. Hillary Clinton, in a speech in Hawaii, clearly expressed the strategic thinking of the United States: The United States and European Allies successfully established, in the 20th century, the trans-Atlantic system, and now needed a system across the Pacific Ocean. The United States played a central role in the trans-Atlantic system, and played the same role in the trans-Pacific system. As a result, the TPP and TTIP built the largest free-trade area of the Asia-Pacific, with further differentiation of the Asia-Pacific region; this is one of America's strategic goals. The TPP and TTIP economic core force forms the common sense on the politics and military; manufacturing will be moved out of China (Gao, 2009).

Reading the TPP and TTIP requirements, it is not hard to see the two protocols have exclusive Chinese meaning. The agreement calls for environmental protection tariffs in China that at the present stage are difficult to achieve; hope is against the Chinese GDP to reduce energy consumption; hope that state-owned enterprises, when buying and selling goods and services, must operate in commercial way, is apparently aimed at China's state-owned enterprises. Or the Asia-Pacific region will be divided. The TPP and TTIP entirely in the existing multi-lateral trade pattern in the stove, have a very strong alternative. Now it has multiple in the Asia-Pacific region, including China, multi-lateral trade mechanism, such as Japan, China, South Korea and Asian free-trade area agreement, Asian 10 + 1, 10 + 3, and Asian 10 + 6 framework, etc. (Barfield, 2012); there are many countries that worry that China will play a leading role in Asia's economic and trade cooperation mechanism. And the TPP and TTIP, with the existing economic and trade cooperation mechanism, have a great deal of overlap; this also means that the TPP and TTIP, once successfully established, will have an above trade mechanism and even the APEC mechanism will have a great alternative. Once the TPP and TTIP start running, the other economic and trade mechanisms will be overhead and caving face, and the danger to Asia Pacific will be more differentiation (Elms, & Lim, 2012).

**In terms of goals, the TPP and TTIP is intended to introduce a new generation of trade and investment rules – the rules of building in the Asia-Pacific region and even the future global trade and investment model.** “One Belt and One Road” focuses on building community of common interests, responsibility and fate.

**In terms of principle, the TPP, as a free-trade area, is legally binding, and "One Belt and One Road" is a kind of initiative.** Adopting the principle is voluntary.

**From the view of content, the TPP and TTIP are given priority with new issues to implement for economics and trade, and mainly for the development of multinational companies.** “One Belt and One Road” focuses on “five unobstructed” areas (Roads linked, trade flows, currency circulation, policy to communicate, the heart is same) and “six silk roads” (the ground silk road, the maritime silk road, the air silk road, the energy silk road, and the information silk road).

### **The Prospect of “One Belt and One Road”**

Of course, China has its own agenda and standards – “One Belt and One Road” (One Belt and One Road, hereinafter referred to as OBAOR; or One Belt One Road, hereinafter referred to as OBOR; or Belt and Road, BAR) is the “Silk Road Economic Belt” and the “Marine Silk Road” in the 21st century. It will fully rely on China's and relevant countries' existing multilateral mechanisms, with the help of the existing and effective regional cooperation platform.



Compared with TPP and TTIP, “One Belt and One Road” apparently is more far-reaching, more tolerant, and more global. It is interesting to note that “One Belt and One Road” now appears not to include the United States and Japan. It includes all TPP and TTIP members *except* the United States and Japan. “One Belt and One Road”, compared with TPP and TTIP, contains more noble values and a philosophy of science. It is a higher value, a win-win cooperation, and civilized coexistence (Shu, 2014). The so-called scientific philosophy, that is, everything from the beginning actually respects the diversity of the world. All the way along with the global civilization, from the political system, both the socialist system, there is also a system of capitalism. Looking from the cultural origin, “One Belt and One Road” contains all the Chinese civilizations, Christian civilizations, Islamic civilizations and orthodox civilizations. At the development degree, there are highly developed areas, middle-income areas, and more extensive development areas. “One Belt and One Road” is great, with the hope that under the joint efforts of the countries, with its basis on diversity, will build a win-win cooperation, coexistence and community (Zhang, 2014). Among them, such as an upgrade for the China-ASEAN free-trade area, regional trade partnership, China-EU investment agreement, China, Japan and South Korea free trade area and so on regional arrangements.

***“One Belt and One Road” is Not an Entity and the Mechanism, but the Concept of Cooperation, Development, and Initiative.***

It relies on China’s and relevant countries’ existing multilateral mechanisms, with the help of the existing and effective regional cooperation platforms. “One Belt and One Road” borrows history of the ancient “silk road” symbol, and carries the banner of peaceful development. It actively develops an economic partnership of the countries along with, building a community of common interests, destiny and responsibility, together with mutual political trust, economic integration, and inclusive culture.

***The Range of Areas and Countries that “One Belt and One Road” Initiated is Open.***

Ancient land and sea Silk Road countries, China’s friendly neighbors, can be involved. Central Asia, Russia, South Asia and Southeast Asia are a priority, and the Middle East and east African countries are places where “One Belt and One Road” can rendezvous. And Europe, the Commonwealth of Independent States (CIS) and parts of Africa, in the long run, can also be integrated into the cooperation.

“One Belt and One Road” is of great significance to China as a superpower in responsibility, and can provide us with a larger selection of the room. The next role played by China, in addition to creating their own soft power in China, needs more of a lift, which is to let the whole world know to share China's development by its increase, also also to secure China’s period of strategic opportunities. The US-led TPP and TTIP are very narrow, due to the United States’ belief that the WTO, after globalization, benefited the Chinese the most, so in order not to benefit the Chinese, Mr. Obama put forward the TPP and TPIP at the APEC meeting in 2011 for the first time, which is known as NATO instead of the WTO Doha multilateral negotiations.

## **Conclusion**

For the TPP and TTIP, Americans set a very high standard, but other countries are forced under strong pressure, and this is, obviously, a departure from the open spirit of global trade. China should focus on advancing “One Belt and One Road”, to maintain attack. In the process of building “One Belt and One Road”, China will adhere to the correct view of morality, righteousness, and friendliness, provide help to neighboring countries and other developing countries, and sincerely help speed up the development of

developing countries. China will continue to increase investment in the surrounding area, actively promote peripheral connectivity, and develop a regional infrastructure investment and financing platform. China will not only create an updated version of the Chinese economy through “One Belt and One Road”, but will also want to build an upgrade of its opening to the outside world, continually expanding its mutually beneficial cooperation with countries of the world, especially its neighboring countries. China should constantly enrich and perfect the “One Belt and One Road” concept, idea and planning, brainstorming, wisdom, and jointly compose a new chapter of the Silk Road, the construction of common interests and common destiny, and together create a great happy future.

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# **Study of Southeast Asia's Maritime Silk Route Security Risks in Constructing the Belt and Road Initiative**

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*[Abstract] The Maritime Silk Route plays an essential role in the sustainable development of China's economy and society, and is one component of the "Belt and Road Initiative" construction. Southeast Asia is a main area in building the Maritime Silk Route. Going back to ancient times, the problems of thoroughfare security once caused the decline of the Maritime Silk Route. We still face severe security issues in building the maritime thoroughfare in the present century, and this is critical for the success of the new Maritime Silk Route. There are both traditional and non-traditional security foundations for the construction of the 21st Century Maritime Silk Route; we need to maintain a good relationship with the U.S., crack down on the existence of terrorism, achieve proper resolution of territorial disputes in the South China Sea, and actively build a non-traditional security cooperation mechanism.*

*[Keywords] Belt and Road Initiative; Southeast Asia; Maritime thoroughfare; terrorism; security*

## **Introduction**

After being officially put forward on October 2013, the proposal for constructing the 21st Century Maritime Silk Road has become a hot research issue. The Southeast Asia's Maritime Silk Road is an important section of the 21st Century Maritime thoroughfare of China. Based on completely grasping the rich connotation of the Maritime Silk Road, we devote ourselves to study the probable security risks when constructing this maritime thoroughfare and explore the countermeasures. The security risks in the process of constructing the Southeast Asia's Maritime Silk Road include the following: the further actions of the US's "Asia-Pacific Re-balance", the Southeast countries' worry and countermeasures; interference of hot-spot security issues along the line, and non-traditional security threats along the thoroughfare. Under these complex conditions, our country should seek rational countermeasures. In this paper, the traditional security problems, especially the threat from some Southeast countries that have territorial disputes with China are analyzed first. Meanwhile, non-traditional security risks including terrorism, piracy threats, as well as separation of nationalities are explored. Finally, some suggestions about how to handle the security risks in constructing Southeast Maritime Silk Road are supplied.

## **Realistic Considerations of the Security Risks in Constructing the New Maritime Silk Thoroughfare**

The construction of the new maritime silk thoroughfare is the result of the development of regional integration. Since the end of World War II, the world three sub-regional integration tide occurred for the first time in the 1950-1960s, and the European economic community was the main symbol. The second wave was in mid- and late 1980s to the 1990s, and the single European market, the North American free trade area, and the Asia-Pacific Economic Cooperation (APEC) was the main sign (Yang, 2007). The third wave occurred at the turn of the century with deep regional cooperation, breaking the narrow sense of "regional economic integration organization in geography together as a basic or border upon" of the traditional mode of cooperation, such as APEC, across interstate economic cooperation organization

appeared, beyond the EU (European Union), and others similar “is limited to the economic development level of countries or regions” integration mode, and even the TPP (TPP Agreement), and other development levels also in strengthening the cooperation between different countries, “cross-regional large regional economic cooperation will become more and more a new growth point”. Therefore, the construction of the new maritime silk route initiative is the inevitable result of the global wave of regional integration.

Shipping in the construction of the maritime silk thoroughfare strategy occupies an extremely important position. In 2013, Chinese foreign trade shipping continued to increase, reaching a total of \$2.572023 trillion, accounting for 62.83% of the total amount of China’s foreign trade (Liang, 2014). The shipping channel problems on China’s trade and economic security, as well as the energy security and national security are very important. Whether it is the ancient sea silk or the new maritime silk thoroughfare, its most strategic basis depends on Southeast Asia. The sea channel security problems led to the decline of the ancient sea silk road, and in the construction of the new maritime silk route, maintaining the southeast Asia sea channel security is still the primary content of the construction of the new maritime silk route, and it can even decide its successful completion. For the example of China’s oil import and export, in 2015, China’s net imports of crude oil were 2015 tons, or 61.3% external dependency. The Strait of Malacca alone is 80% of the oil bearing to Northeast Asia, 80% of China's oil imports by the Strait of Malacca. Therefore, maintaining the Southeast Asia sea channel security is an important guarantee of the construction of the new maritime silk route (Gong, 2015). There are three maritime channels in Southeast Asia. One is via the South China Sea to the Strait of Malacca to the Indian Ocean routes. The second is the Sunda Strait of South China sea to the Indian Ocean ships. The third constitutes the second largest in the world after the Mediterranean Sea lanes from the south China Sea to Sulawesi sea, Makassar Strait, and the Dragon Strait flights to Australia by the South China Sea across the southeast Asia sea passage, the Pacific and Indian oceans have communication, contacting the Asian, African and European maritime traffic crossroads, known as the "far east crossroads", the geographical position is very important. Although the factors affecting the safety of the channel are great, in general, they can be divided into four categories: first, because of national interest, coastal countries attempt to control the freedom of the channel; second, coastal countries are internally unstable; third, coastal countries have external conflicts; fourth, the competition between neighbors for maritime traffic overlap regions. The four types of factors that can lead to conflict in Southeast Asia also exist. However, there are two current urgent needs to solve the problem in Southeast Asia Sea thoroughfare.

### ***Traditional Security Issues***

In the South China Sea, territorial disputes are southeast Asia's sea lanes primary traditional security issues. Until the 1970s, with the exception of Vietnamese authorities having sovereignty behavior of sound in some reefs of the South China Sea, China had no territorial disputes with neighboring countries. After the 1970s, countries led by Vietnam, the Philippines, started eating into our country in the South China Sea reefs, severely infringing upon China’s sovereignty and security. Especially after the end of the Cold War, outside powers gradually stepped into the South China Sea, and the regional security situation has become more complicated. The South China Sea territorial disputes not only have a tendency toward the Association of Southeast Asian Nations and there are signs of internationalization. In 2002, the United States declared that it must control the 22 worldwide important international strategic thoroughfares that include Southeast Asia, Strait of Malacca, the Sunda Strait, Makassar Strait, and the Lombok Strait. If the

United States blocked the Southeast Asia Sea lanes, the basic control of the islands and a peninsula of Southeast Asia, the western Pacific and Indian Ocean plays a decisive role in the future, including control of the Middle East oil strategy route, back and forth. India's *Look East Policy*, Japan's *Southward Policy* and the *Asia Pacific Rebalancing Strategy* of the United States are competing in the South China Sea, and with the already simmering South China Sea waves surging tides from time to time, this will seriously threaten the security of the Southeast Asia sea thoroughfare.

Those countries who have territorial disputes with China, such as Vietnam, the Philippines, Malaysia and Brunei think that occupation of these reefs not only can produce abundant Marine resources, such as, 70% of Malaysia's oil exports from Nansha Waters, but it will also allow direct, or indirect, control of the Strait of Malacca to Japan, from Singapore to Hong Kong, as well as from Guangdong to Manila, even from east Asia to west Asia, Africa and Europe's major sea lanes (Wu, 2010). Therefore, on the one hand, these countries, without consideration, seize reefs and build up arms, and on the other hand, take an active part in the United States-led exercises in the South China Sea. The South China Sea territorial disputes have a trend of momentous upheaval, and the Southeast Asia sea lanes are like waves. The negative effects on the construction of The New Maritime Silk Route are quite serious, because once there is outbreak of military conflict in the South China Sea waters, the sea lanes are at risk of being blocked and cutting off southeast Asia. This is not just about the safety of China's national interests, it is also, to some extent, about determining the success or failure of the construction of the new maritime silk thoroughfare.

### ***Non-Traditional Security Issues***

After the end of the Cold War, with the loss of the traditional security threat to the international community, the September 11, 2001 terrorist attacks and the epidemic of SARS in 2003 marked rages on the world. Non-traditional security issues are increasingly becoming new threats of the international community. On the issue of building a new maritime silk route, piracy and maritime terrorism are the main threats to the Southeast Asia Sea thoroughfare's safety. Piracy has become an international public nuisance because international trade and sea lanes pose a serious security threat. In a world of pirates, there are five large scary waters that include the Strait of Malacca and the entire Southeast Asian Waters. In the resulting joint anti-terror effort, America and Southeast Asia will inevitably impact the thoroughfare's construction. After America's war on terror in Afghanistan and a decisive victory, it announced the beginning of the second phase of the war on terror. The United States will use military means to combat terrorism in Southeast Asia as its top priority. Former U.S. President George Bush called Southeast Asia as the cracking down on a second front in the war on terror. U.S. Naval and Air Force troops have entered and used the southeast Asian countries for more military bases; American and southeast Asian countries often hold bilateral and multilateral military exercises, and the U.S. assist the southeast Asian countries in counter-terrorism operations, strengthening their dominant position in Asia and the Pacific. The United States' "return to southeast Asia", although helps to counter terrorism, will also make the political situation in Southeast Asia become more complex, and increase the likelihood of U.S. military intervention in other Asia-Pacific affairs. But at the same time, with a population of 200 million of the Islamic religious sentiment and political consciousness, to further promote international terrorism in southeast Asia, and the impact to some countries' peace in political and economic situations, and social stability also goes against the stability of the region.

## **Several Suggestions about the Construction of New Marine Silk Thoroughfare and Keeping Security of Southeast Asia Sea Thoroughfare**

Constructing a new maritime silk thoroughfare is the hope that through economic and trade exchanges will promote common development between China and Silk Road surrounding countries, but maritime trade in narrow water or if it is broken on the high seas could have catastrophic consequences, making the security of the sea thoroughfare become one of the first issues of global concern. In Southeast Asia, in both traditional and non-traditional security, once the security situation is out of control, it not only affects the sea lanes safety, but also determines the construction of the new maritime silk route. In order to maintain the Southeast Asia Sea lanes safety and smooth construction of new maritime silk thoroughfare, the following questions should be well dealt with.

### ***Properly Handle the Relations with the United States***

The United States is neither a neighboring country of the maritime silk route, nor is it a claimant to the South China Sea reefs; it is a country outside the region. In the maintenance of Southeast Asia Sea thoroughfare security issues, we need to properly handle the relations with the United States. This is the primary concern of the current international system.

There is a consensus: international relations among the current world countries are unipolar systems, and the United States is the only superpower. Despite China's rapid rise, the BRICs countries have enhanced strength, but the so-called "rule" of China and the United States, the poles of the system, and the comprehensive strength of the two countries does not exist. In terms of hard power, the United States in 2014 had a GDP of \$17.149 trillion, ranked first in the world, and China's per capita GDP in the same year ranked 80th in the world. According to the 2014 power ranking of world military powers, the United States remained the world's leading military power, Russia was second, and China was third; In terms of soft power, according to Professor Yan Xuetong's quantitative study, "China's soft power is up and down in the 1/3 of United States" (Jin & Wang, 2015). This unipolar system has two important influences on China's diplomatic behavior: first, the "checks and balances of the will of the American unipolar power has weakened China; second, the United States has consolidated its position of trying to make it become an "impossible challenge". In this background, no country in the world likes the balance theory use of effective checks and balances strategy to America's unilateralism, mainly due to "the power of the dominant country is too big to be checked and balanced". In accordance with the "free rider" theory and the reality of power asymmetry between China and the United States, other countries are willing to follow the United States, rather than check and balance it, which makes China lack the Allies to check and balance the United States.

In the South China Sea sovereignty dispute, although the policies of the United States "has obvious tendentiousness, favoritism and provocativeness", the United States, Vietnam, the Philippines and other countries of the South China Sea policy have essential differences. The aim of the United States is world hegemony; the South China Sea and Southeast Asia is given priority to maintain the stability of the region. The statement "if the South China Sea thoroughfare was damaged, it would endanger America's economy", argues that the parties to the dispute in a peaceful solution to the sovereignty disputes under international law. These claims in the United States and China's position are not completely opposite. China actively promotes the implementation of the declaration on the conduct of parties of the South China Sea to maintain the stability of the South China Sea. Therefore, our country needs to actively deal with the relations with the United States, to let them understand that as long as they don't harm China's

core interests by force to suppress our country through its own development, and realize a peaceful rise that China is now the international order vindicator, rather than a revolutionary one, we can jointly maintain Southeast Asia sea thoroughfare security, in order to reduce the external resistance of construction of a new maritime silk route.

***Insist on the Autonomy of Traditional Security for Southeast Asia Maritime Thoroughfare***

China has indisputable sovereignty of the reefs within nine sections of the South China Sea. This is based on laws and documents. Before the 1970s, China, Vietnam, the Philippines and other countries did not exist in the South China Sea territorial dispute region, and the international community, including the ASEAN countries, recognized China's sovereignty. In 1968, after the investigation of the United Nations economic commission for Asia and the Far East reported that the South China Sea may contain abundant oil and gas resources, the ensuing oil crisis, and the deepening of world's thirst for oil resources, countries such as Vietnam and the Philippines began eyeing the South China Sea territory in China. The signing of the 1982 United Nations convention on the law seemed to be sound for individual southeast Asian countries, a legal basis for the south China sea territory, and its territorial waters, but some countries put it into practical action, and illegally encroached into our territory in the south China sea, crazily plundering our marine resources.

More seriously was that some Southeast Asian countries using their so-called power balance strategy as an excuse did not hesitate to pull the United States, Japan, India and other countries of South China Sea into these territorial disputes. Now each year, the United States, Vietnam, the Philippines, Thailand, Singapore, Malaysia, and other ASEAN countries, hold various exercises in the South China Sea. One of the main purposes is to control the route of the South China Sea, while Vietnam, the Philippines and its type, with the help of outside powers, try to enforce territorial disputes in China. In the South China Sea, territorial disputes involve only China, Vietnam, the Philippines, Malaysia and Brunei six-party the five problems, but because of outside power collusion with Vietnam and other countries, the South China Sea sovereignty dispute has a tendency to internationalization which will be more complicated. In terms of experience in resolving international conflicts, territorial disputes involving the high political (high politics says) field problem are difficult to win a short period of time, and the complexity of the south China sea territorial dispute determines the problem to be a long-term problem. Shelving disputes, a common development is the international common before the settlement of disputes on temporary measures. From the current situation to see, not all disputing parties tend to shelve the dispute, common development, and not all countries would like to jointly safeguard the stability of the situation in the South China Sea. As U.S. military personnel have claimed: now the problem that we are most worried about is Vietnam, the United States suddenly armed conflict, the United States and China about this when the United States may be forced to roll. It is certain that members of the ASEAN state-owned intensified conflict.

A territory is a prime requisite of a country, it is the foundation of the state existence and development, "territorial security is the necessary premise of national survival and safety". Safeguarding national sovereignty and security must rely on our own defense force, which is decided by an independent foreign policy of China. Our country neither must have an alliance with any country or rely on any power and power group; we cannot count on others to maintain the sovereignty and security of our country. Therefore, we must safeguard national sovereignty and security by strengthening the state power and the use of political, military, diplomatic and other measures to improve the ability to protect from external

threats and challenges. That is to say, solving the problem of political, military and other traditional security must rely on our own strength. Countries such as Vietnam, and the Philippines encroach on the South China Sea reefs, cause serious damage to the national security in our country, and also threaten the safety of the Southeast Asia maritime thoroughfare. The challenges are for South China Sea territorial sovereignty, the existence of our country to strengthen their power in the region, accelerate the construction of the navy, improve military deterrence, containment military aggressiveness in some countries, maintain the stability of the South China Sea, in order to secure the southeast Asia sea lanes.

### ***Build up a Cooperation Mechanism of Non-Traditional Security Issues on the Southeast Asia Sea Thoroughfare***

Globalization is not just the source of international conflict, it is also the source of international security cooperation. Different from traditional security, non-traditional security “transnational, sociality, diverse and interconnected” determines the non-traditional security issues which are not a nation of individual issues, and also the threats of other countries or the common threats of the international community. Piracy and maritime terrorism threats against China and the ASEAN countries, the force of a nation is not China or ASEAN to cope with challenges. As a result, dealing with non-traditional security issues of national security and the whole international society becomes more and more closely related to peace, and security. In view of this, cooperative security becomes the effective way to maintain international security. For example, in order to lift central Asia and the threat of terrorism in northwest China, sponsored by the Shanghai cooperation organization in our country, security has cooperated with the neighboring countries and has obtained the good effect.

Southeast Asia Sea thoroughfare is the key to the construction of a new maritime silk route. Now every day only sixty percent of shipping through the Strait of Malacca is bound for China. Globalization, China’s economic and social sustainability development increasingly relies on the world, to make our country need more to strengthen security cooperation with Southeast Asia, in order to maintain the safety of sea route. However, the security cooperation between China and ASEAN isn’t enough, and that is difficult to address in common security challenges. Our country is the high contracting party in the United Nations Convention on the Law of the Sea, the Illicit Behavior Endangering Maritime Navigation Safety Convention, the Anti-piracy and Armed Hijackers in Asia Cooperation Agreement of the Contracting States. In 2002, China and ASEAN signed a joint declaration about the field of non-traditional security cooperation; cracking down on piracy and maritime terrorism was the main content of the security cooperation.

In view of this, our country needs to strengthen its efforts in the following aspects: first, we should be actively advocating ASEAN countries to build as the Shanghai cooperation organization similar to non-traditional security cooperation mechanisms, strengthen the construction of rigid security mechanisms, and jointly combat security threats to the region’s stability. Second, expand the function of the existing cooperation mechanisms. Mainly to expand “10+1” and “10+3” functions of the cooperation mechanism, mainly from the organization for economic cooperation and gradually expand to security cooperation. Due to the southeast Asia sea thoroughfare’s security is closely tied with the interests of northeast Asia countries such as South Korea and Japan, expanding the “10+1” and “10+ 3” security mechanism construction should both comply with the security interests of northeast Asia countries and also limit the ownership of this region. Besides, the “10+1” and “10+3” cooperation mechanism with the ASEAN, the doubt to China of Japan and South Korea can be reduced. Once again, we should strengthen



the construction of a bilateral security cooperation mechanism. The advantage of a bilateral security cooperation is embodied in purpose, flexibility and convenience. Such as, in 2005, the two countries signed the Navy North Gulf Joint Patrols Agreement in order to maintain the stability of the North Gulf. In the face of increasing non-traditional security threats, we need to strengthen bilateral security cooperation with the Philippines, Malaysia and other countries, jointly maintaining Southeast Asia Sea thoroughfare security, and reduce the resistance of the construction of a new maritime silk route.

### **Implications and Conclusion**

After analyzing and demonstrating in detail, this paper presents the conclusion as follows. The security risks in the process of constructing the maritime thoroughfare are: the further actions of the U.S. Asia-Pacific Re-Balance, Southeast Asia countries' worries and counters, interference of hot-spot security issues along the line, and non-traditional security threats along the line. The probable measures of creatively processing the security problems above are: bring the U.S. and its allies into the construction of the Route and make full preparations to counter it, rationally managing the contradictions and divergences with relative countries, creatively solving the peripheral hot-spot security issues, and cooperating to face the non-traditional security threats.

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# New Crime Trends of Hijirat in China and the Corresponding Countermeasures<sup>\*</sup>

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*[Abstract] Based on Hijirat's historical background, migrations and crime trends in China, as well as currently accessible documents, this paper puts forward and explores the nature and new crime trends of Hijirat, and proposes the strategies of strengthening the legislation combating extremism, enhancing anti-terrorism cooperation and resisting infiltration.*

*[Keywords] Hijirat; new crime trends; strategies*

## **Introduction**

Nowadays, in a complicated world where non-traditional security threats are growing increasingly intense and the scourge of terrorism is more acutely felt, religious extremism has become a part of the ideological basis of violent terrorism. Religious extremist forces and their terrorism activities have become the factors severely threatening international political stability and regional security. In recent years, most of the terror attacks occurring in western and mainland China pursued Hijirat's ideological migration mode publicly in the name of jihad (Xu, 2014). Therefore, this writer explores the nature and new crime trends in China of Hijirat and concludes the paper with corresponding countermeasures.

## **The Nature of Hijirat**

Hijirat bears the meaning of "migration" in Arabic, which experienced three major migrations. Hijirat in China was born from the international migration of Islamic extremist forces. It is essentially a religious extreme organization, which mainly engages in migrating overseas, returning to China for jihad after accepting the preaching of religious extremists and the training of perpetrating violent and terrorist activities, and attempting to achieve "Xinjiang independence" through violent and terrorist means to establish a theocratic state of Islamic caliphate.

Since the 1990s, the Chinese government has adopted a strong and tough attitude and severe crackdown measures on its domestic religious extreme forces. Unable to contend with the powerful national strength, the religious extreme forces have just followed the migrating practice of the Egyptian extreme forces, fled to Pakistan and Afghanistan and joined organizations like al-Qaeda and East Turkistan Islamic Movement to receive their training and financial support, and sent its adherents back to recruit new members for Hijirat. Some religious extremists like Hasan Mahsum and Abdulla Card Amat who absconded to foreign countries successively in 1997, colluded with foreign violent and terrorist organizations, and organized adherents to enter China to recruit for Hijirat. A gang of religious extremists with high school students as leaders clandestinely disseminated the ideology of Hijirat in 1999. Two books, *Experience of Hijirat* and *Preparation of Hijirat* were published overseas in 2006. A suspect of the

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<sup>\*</sup> Hijirat: the so-called jihad migration, made up of professional terrorists from different Islamic states. It is transliterated from Uyghur language with Arabic as the source language.

terrorist attack that hit western China from July 30 to July 31, 2011, once fled to the tribal areas of Pakistan and Afghanistan and received training there before returning to China. A suspect of the Kunming “3.1” Incident in 2014, directly carried out jihad activity near the train station because he was unable to take part in the Hijirat activity overseas.

## **New Crime Trends of Hijirat in China**

### ***Subject of Crime***

The Hijirat organization features complex members and a loose system. In recent years, more and more people from a wide range of fields have participated in Hijirat activities, including students, teachers, self-employed businessmen, farmers and some unemployed people. Without a structured hierarchy and strict regulations, this criminal group relies on its leader’s personal leadership, which absorbs new members mainly by discerning whether they have strong religious beliefs and firm wills. With freedom of action, the members can leave the country to look for jihad organizations by themselves. Some of them even belong to various organizations, taking orders from leader A and leader B of different Hijirat groups at the same time, and meanwhile, they may also organize a Hijirat group themselves.

### ***Criminal Means***

The Hijirat members strengthen extremist religious ideological infiltration through all kinds of media. Hijirat takes advantage of the simple religious faith and religious identity of Muslim people to distort the Koran, incite and rope in new members in the name of religion. Some terrorist-themed videos and religious extremist ideas are distributed and disseminated through websites, microblogs, voice chat rooms, network disks, QQ and other Internet applications, as well as removable storage devices; some gradually establish their religious extremist ideas by means of Tablig; others instill Hijirat thoughts into people’s minds by distorting the content of jihad in the Koran. According to the Intel Center, from 2008 to 2013, videos posted by the East Turkistan Islamic Movement have experienced an increase, with over 20 posted in 2012 and doubling to 40 videos in 2013. There are Uygur, Chinese, Turkish, Arabic, Russian and Kazakh versions etc. (Yan, 2014). The East Turkistan Islamic Movement began to make teaching videos to train terrorists in 2013. Near the border of China, the Kyrgyz frontier force shot dead a gang of militants crossing the boundary illegally from Xinjiang in January 2014. The 4.30 Incident in 2014 was executed by two terrorists deeply influenced by religious extremist ideas, who carried out the jihad activity on the spot after being blocked from crossing the border. The suspect of the 5.29 Incident which took place in a county of Xinjiang in 2014, perpetrated the terrorist attack after being repeatedly exposed to terrorism and violent radio and video broadcasts.

### ***Criminal Behaviors***

Hijirat are intensifying violent behaviors through frenzied assaults. Prophet Muhammad promoted Islam, established a theocratic regime, liberated Mecca by military force and unified the Arabian Peninsula through carrying out Hijirat, which cast to Hijirat activity the jihad color of strengthening power and fighting back home. Religious extremists lay a one-sided emphasis on the non-essential significance of Hijirat on expanding military power, preparing for jihad, and defending and carrying forward the religion. They stress the “armed struggle under the call of religious doctrine and subduing heretics by means of force and jihad”, which incorporates the propose of “taking revenge by religion and meeting violence with violence”. In a western city of China, a Hijirat leader arrested in 2008 declared: “If we failed to leave

the country, we would just kill several wealthy Han people and Uighur people to raise fund for our jihad.” Unable to cross the border and participate in Hijirat, eight suspects of the Kunming 3.1 Incident in 2014 directly carried out jihad activity at the Kunming Train Station and stabbed common people, resulting in 29 deaths and 170 injuries.

### ***Ways of Crime***

Hijirat strengthen their linkage with overseas terrorist groups to receive their guidance and training. In recent years, the Hijirat, uncovered by Chinese police forces, turned out to have direct connection with and followed the commands of an overseas terrorist group –the East Turkistan Islamic Movement. After connecting with the East Turkistan Islamic Movement through the Internet, message, WeChat and microblog, they designed *The Action Plans for Three Decades*; this means, in the first decade, they will obtain passports and go overseas to study the religion and participate in training; in the second decade, their priority is to meet with religious persons from Middle East to unify thinking and gain support; in the third decade, they will concentrate on learning Chinese history, advocating the independence of Xinjiang and vigorously carrying out jihad activities. Musha, suspect of the plane hijacking incident that occurred on June 29, 2012, alleged that he perpetrated such crime to participate in the overseas Hijirat jihad.

### ***Trends of Crime***

Illegal border crossings and on-the-spot jihad activity of the Hijirat is experiencing an acute increase. Currently, Hijirat members in China mainly flee to countries like Afghanistan, Turkey, Syria and Iraq. The strong and tough attitude and severe crackdown measures adopted by police in western China forced the group’s members to seek and to open up exit channels. In addition to trying to leave the country from the west regions, in recent years, they have been trying to enter Thailand, Laos and Burma mainly from the southwest and south China regions, such as Yunnan, Guangxi, Guangdong and other provinces, and then divert to Malaysia, Turkey or Iran, to finally arrive in Syria, Iraq and other countries. Now some are smuggling themselves from Inner Mongolia to Mongolia, then entering Iraq or Turkey or other places to participate in jihad activity.

Since 2012, the East Turkistan Islamic Movement has started selecting jihad teams to participate in the Syrian wars from Turkey, and meanwhile, seeking out persons from the eastern Turkistan group, who will be sent back to China to plan and implement terrorist activities. Since 2014, people befogged by overseas religious extremist ideas have been attempting to slip across the southwestern frontier borders. Once getting blocked during smuggling, they have even carried out terrorist activities on the spot (Dong, 2015). According to a report in the *Global Times* on January 14, 2015, Shanghai Public Security Department uncovered a case that Turks used fabricated passports and organized terrorists to cross national borders.

## **Countermeasures to Crack Down on Hijirat Against these New Trends**

### ***Build Up an Anti-Terrorism Consensus***

We should build up anti-terrorism consensus, making people fully aware of the harmfulness of Hijirat’s criminal activities. The international community should stick to the same anti-terrorism standards and resolutely fight against terrorists no matter what discipline they follow, which countries they target and what means they adopt. Currently, the Hijirat activity is exactly a new strategy of religious extremist forces to adjust their action strategy and means in a new era and stage. Prophet Muhammad developed

and expanded Islam through migration, which is not only widely recognized by the majority of Muslims, but it also helped religious extremists to gradually form a certain ideological guidance and social basis in Hijirat activities. The extremist religious forces take advantage of and distort such logical thinking and religious beliefs to simply draw an analogy between the religious, political and social reality and the specific historical environment and conditions, to advocate the “consistency” between the time and condition of the Hijirat and social realities so as to deceive and trepan Muslim people into the Hijirat activities.

#### ***Continue to Adopt a Tough Attitude and Severe Crackdown Measures***

We must continue to adopt a strong and tough attitude and severe crackdown measures on the domestic religious extremist forces. General Secretary Xi Jinping pointed out that the struggle against terrorism is a matter of national security, related to people’s vital interests and the overall stable reform and development. It is a battle to safeguard national unity, social stability and people’s happiness. Resolute measures must be adopted and severe and high-pressure crackdown measures must be maintained to crush the arrogant terrorists (Jinping Xi, 2014). Therefore, all the important clues, and violent and extremist videos involving Hijirat activities must be strictly controlled and investigated by special teams to dig out the real leaders, to destroy criminal dens and break the network to minimize the group’s survival space and prevent the spread of its forces.

#### ***Improve the Anti-Extremism Legislation***

We must improve anti-extremism legislation. The Criminal Law Amendment (ix) and Anti-Terrorism Act, which have been issued and implemented, are quite significant to guide the handling of violence, terror and religious extremism cases. However, Tianye Hu believes, we should improve the legislation and related systems for fighting against religious extremism, accurately implement the ethnic and religious policies, and restrict religion to private space (2013). There is no freedom of religion in the public sphere. We need to consider adding “leadership and organizational crime of extremist religious organizations”, “leadership and organizational activities of religious extremist crimes” and other charges into the criminal law (Hu, 2013). We should strengthen the legislation to combat extremism on the Internet and so on.

#### ***Strengthen the International Anti-Terrorism Cooperation and Intelligence Exchanges***

We also need to strengthen the international anti-terrorism cooperation and intelligence exchanges. The development of the Hijirat group mainly relies on the command and instigation of the Three Forces overseas, therefore, the international anti-terrorism cooperation and intelligence exchanges need to be strengthened. We should actively promote the construction of secret power and intelligence information gathering, strengthen grassroots work, and tighten the management and control of key personnel. To cut off their contact from the outside, we must strictly safeguard the entry borders, strengthen cooperation with the border sector, and establish long-term cooperation and notification mechanisms to eliminate the illegal entry and exit of Hijirat members.

#### ***Respect the Role of Patriotic Religious People to Strengthen the Positive Guidance of Religious Masses to Resist Religious Extremism***

We must respect the role of patriotic religious people in strengthening the positive guidance of religious masses to meet their normal religious needs and effectively resist the infiltration of religious extremist

ideas. We should widely publicize the harmfulness of Hijirat among broad masses, and encourage people to report, expose and denounce Hijirat organizations, and reward those whose reports are confirmed to be true.

### ***Prevent the Infiltration of Hijirat into Our Education Field***

Last, we need to prevent the infiltration of Hijirat into our education field. Further strengthen the anti-separatist and anti-infiltration battle concerning ideology with a focus on the colleges and universities, educate and guide teenagers to give them a profound understanding of the reactionary and fraudulent nature of Hijirat's criminal activities and Hijirat's religious extremist ideology, and eliminate the social soil that breeds and nurtures religious extremism.

### **Implications and Conclusion**

Thus, Hijirat is an ideology, a crime group and a crime activity. Hijirat in China has evolved from the international Islamic extremists "migration" activities. Hijirat is essentially a religious extremist group, advocating violent terrorist crimes and jihad to split China and establish a theocratic Caliphate. Now, Hijirat in China presents new trends in crime subjects, crime means, criminal behaviors and ways of crimes, which severely impair the implementation of the Belt and Road Initiative. It's an urgent task to punish Hijirat under the new situation.

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# Discoursal Strategies of Police Interrogation

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*[Abstract] The institutional task of police interrogation is to find clues and to collect evidences. Therefore, the goal of police interrogation is to pursue and acquire accurate information about police cases. The process of police interrogation can be regarded as a changeable process in which the interrogators try to improve the accuracy of the information. Various discourse strategies are applied, such as sequential questioning, repeated questioning, interrupting, and meta-discoursal comments to complete the institutional task.*

*[Keywords] discourse strategies; police interrogation; institutional task*

## Introduction

In recent years, there has been an increasing focus on the process of the police interrogation, especially the use of language by police interrogators. The analysis of language use in such communication context is important because pieces of information are gathered as evidence and will be used in court. How language is used within the interrogation room can have serious consequences for the suspect.

Research on institutional interaction develops hand-in-hand with social linguistics, discourse analysis, ethnography of communication, and the rise of pragmatics and discourse analysis. As the interaction is verbal interaction, institutional interaction is also called institutional discourse. In recent years, more and more scholars study in the professional and institutional context of discourse interaction. There are various ways to define institutional discourse, with the consensus that institutional discourse is different from the daily conversation, which occurs in an informal context, such as between family members, and friends, etc. (Huang, & Xie, 2010). Institutional discourse occurs in an institution, or place, under a specific background, and is influenced and constrained by specific institutions, such as the court trial, news interview, medical conversation, classroom discourse, or police interrogation, etc. According to Drew and Heritage (1992), institutional discourse shares the three traits: specific purpose, different degree of constraints, and in the context of specific institutions, there is a corresponding reasoning framework. Police interrogation as a typical type of institutional discourse because it has its distinctive institutional purposes, one of which is to find out the truth and collect the evidence through the application of all kinds of discourse strategies.

## Literature Review

Police interrogation, as a part of institutional discourse, has its own unique discoursal strategies. According to Shuy (1997), coercion is a major problem in police interrogation of suspects. This could come in the form of verbal dominance or control. If suspects are dominated by verbal force without regard for their individual desire or volition, the result is coercion as much as it would be from physical force. (Shuy, 1997, p. 179). Berk-Seligson (2002) contended that from a discourse analytical point of

view, each police interrogator tends to “recycle” the topics of interest to him/her (the crime and the suspect’s involvement). So, all discourse strategies employed by the interrogator are geared towards obtaining a confession from the suspect. Berk-Seligson also (2002) claimed that this approach (recycle) has been referred to, in the language of professional criminal investigators, as the “constant repetition of one theme” which consists of “repeating the same questions or line of questioning over and over again” (p. 140).

According to Liao Meizhen (2003), in China, discursal strategies mean how we choose and make use of the discursal resources to attain our goal. “The key to the strategies of interrogation lies in, among all the potential interrogation forms, which one can most effectively make the interviewee(s) cooperate to the full extent, so that the interviewer could realize his goal” (Liao, 2003, p.295). Huang Ping and Xie Shaowei (2010) discuss the process of police interrogation as a dynamic changeable process of improving accuracy and reducing fuzziness at the same time by the police’s questioning.

### **Discursal Strategies of Police Interrogation**

What the suspects have done indeed is the most important element in accounting for their behavior in the interrogation room, and meanwhile, cultural factors and other extralinguist and linguistic elements also play an important part.

#### ***Sequential Questioning***

Sequential questioning refers to the furthering of questions by the interrogator related to a certain focus, to obtain accurate information. The following excerpt is taken from a murder case that happened in Heilongjiang Province, China (Huang, & Xie, 2010), from which we can see how the interrogator tried to make the suspect state clearly the information.

#### **Excerpt 1:**

**IPO** (Interrogation police officer): When and where did you commit the murder?

**Suspect**: Hequ Street, 2:30 am.

**IPO**: Which day?

**Suspect**: 16th.

**IPO**: February 16th?

**Suspect**: (Nodding).

#### **Excerpt 2:**

**IPO**: Where did it happen?

**Suspect**: The North Ring Road... I don’t remember the exact place...

**IPO**: Is it near the Daoli Bridge?

**Suspect**: Yes.

**IPO**: How far it is from the Bridge?

**Suspect**: About 2 or 3 bus stops.

**IPO**: About 2 stops and on that bridge? On the North Ring Road?

**Suspect**: Yes.

**IPO**: So, it is on Jingyang Street?



**Suspect:** No.

**IPO:** Ok.

**Suspect:** About one or two streets to Jingyang Street?

**IPO:** I see.

The two examples ((Huang, & Xie, 2010, p. 92) show that the interrogator tries to pursue the suspect with questions related to the key information such as time and location of the crime. The suspect almost always plays the role of a passive responder; thus, his answers are usually ambiguous. Therefore, the interrogator has to further the questions to get the exact information he needs. In Excerpt 1 the interrogator asks sequentially three questions for the exact time when the crime is committed – 2:30 am in the early morning of February 16th. In Excerpt 2 the interrogator asks sequentially five questions of the location – a place about 100 or 200 meters to Jingyang Street, about 2 stops away from the bridge. Such repeated questions will surely help obtain the exact information related to the case, and leave no opportunity and space for the suspect to lie.

### ***Repeated Questioning***

**Simple repeated questioning.** Berk-Seligson (2002) contended that from a discourse analytical point of view, each police interrogator tends to “recycle” the topics of interest to him/her (the crime and the suspect’s involvement). So, all discourse strategies employed by the interrogator are geared towards obtaining confession from the suspect.

Simple repeated questioning means repeating the questions without changing the form of the questions. This strategy applies to the situation where the responder of the questions does not provide the answer in time, so the interrogator has to repeat the questions again. This helps the interrogator get the desired information. It also demonstrates that the asker is not satisfied with what the answerer has said, and the asker demands the answerer to respond to the question directly. See the following excerpt (Huang, & Xie, 2010, p. 92).

#### **Excerpt 3:**

**IPO:** Now, tell me how did you assault them?

**Suspect:** Emm...I touched their private part.

**IPO:** You took off their clothes?

**Suspect:** Yes.

**IPO:** What else?

**Suspect:** I took off their pants.

**IPO:** Took off their pants.

**Suspect:** Yeah.

**IPO:** What else?

**Suspect:** I touched their private part with my fingers...

**Formulation.** Formulation is the process where the speaker, or others, repeats what has been said in a turn, or a series of turns, or a whole speech. Or it is a process of wording the unsaid and implied information. The strategy of formulation helps reach agreement over the contents of the discourse, which is key to the whole interrogation. See Excerpt 4 (Huang, & Xie, 2010, p. 92).

**Excerpt 4:****IPO:** What was the doorknob like?**Suspect:** Round, you can twist it.**IPO:** The commonly seen spherical lock?**Suspect:** Yes, it must be.

Here in this excerpt, “The commonly seen spherical lock?” is the rephrased version of the answer “Round, you can twist it”. And the officer’s formulation is confirmed by the suspect (“Yes, it must be.”). The doorknob and the spherical lock are the details in the case.

In addition, formulation in the interrogation helps make the daily language into legal terms, which provides the foundation for the determination of the crime’s nature. For example(Huang, & Xie, 2010, p. 92):

**Excerpt 5:****IPO:** Then what did you do?**Suspect:** I told her to shut up and I tied her up. I wanted to take her.**IPO:** You wanted to rape her, right?**Suspect:** Yes.

The suspect may try to dodge the legal responsibility when describing the case, or he may use daily language like “take her” instead of “rape her” due to his lack of legal knowledge. The interrogator, based on the statement of the suspect, rephrased the crime act, and asked for confirmation. Through formulation the interrogator obtained the exact and useful information about this case.

***Interrupting***

It is commonly recognized that the suspects should be allowed to tell their stories, uninterrupted, before any probing takes place. But in actual interrogation, interrupting is a commonly used strategy. Interrupting refers to the fact that one party breaks the turn when the other party has not finished his speech. The interruption can be used by the police as a control strategy to get the desired information. See Excerpt 6 (Huang, & Xie, 2010, p. 92).

**Excerpt 6:****IPO:** Then, what happened?**Suspect:** Err, then, I left, I▲**IPO:** ▲Now, before you left, what happened? Did you find any bank passbook, or card when you searched through their bags?**Suspect:** Ah, yes, bank cards.**IPO:** Yes, bank cards.

In this excerpt, when the suspect was answering the question, the officer interrupted him (“Now, before you left”) and stopped the turn. Then, the officer introduced what he was interested in – “Did you find any bank passbook, or card when you searched through their bags?” In this way, the officer controlled the discursal interaction and pushed the conversation to a favorable direction.

### ***Meta-Discoursal Questions***

Meta-discoursal comments are used by the dominant interrogator in order to keep the suspect from wandering from the previously established topic and realize the discoursal goals (Farinde, Olajuyigbe, & Matthew, 2015). Some of the realizations of metadiscoursal comments in the discourse studied are discussed below. See Excerpt 7 (Huang, & Xie, 2010, p. 92):

#### **Excerpt 7:**

**IPO:** Will you tell me the truth? I'm asking you again.

**Suspect:** Well...

**IPO:** I'm asking you again. Will you tell me the truth? Yes? (7 secs) Will you tell me the truth?

**Suspect:** Yes.

**IPO:** Yes. Then tell me. Tell me about your drug dealing.

In this excerpt, the interrogator is serious about revealing the truth of the matter. But the suspect wants to avoid answering the question directly. The IPO sharply emphasized his dissatisfaction with the suspect's negative attitude ("I'm asking you again") and re-stated the focus of their discussion. Although meta-discoursal comments/questions are not directly linked to the institutional goal of gaining the exact information of the case; in essence it is the interrogator's discoursal control tool. And it is, more often than not, used in police interrogation to obtain the exact and useful information.

### **Conclusion**

The choice of discoursal strategies is goal-oriented. To realize the goal of communication, participants of discoursal interaction will apply all kinds of strategies. In police interrogation, faced with suspects who are constantly on their guard, especially when the suspects are uncooperative and remain silent all the time, the police have to use a series of discoursal strategies in order to ensure successful communication and obtain accurate information to complete their institutional task.

### **Acknowledgements**

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# China's Belt & Road Initiative and EU-China Relations

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*[Abstract] This new B & R strategy is the most ambitious in China's era of reform. The successful implementation of this grand strategy requires financial, institutional, and policy support, not only from China, but also from all the countries along the route. This paper will, first, look at the strategy itself, analyzing the opportunities and challenges it will meet. It will then explore its potential impact on EU-China relations. While the strategy is aimed at a mutually beneficial relationship between China and the other countries involved, its implementation must take the interests and concerns of those other countries into serious consideration.*

*[Keywords] Belt & Road; China; EU*

## **Introduction**

As the most significant and far-reaching initiative that China has ever put forward, China's grand development strategy – the Silk Road Economic Belt (Belt) and the 21st-Century Maritime Silk Road (Road) – announced by Chinese President Xi Jinping in late 2013, includes five major goals: policy coordination; facilities connectivity; unimpeded trade; financial integration; and people-to-people bonds. It will have a great impact on the future development of China's economy and its relations with many countries – in Asia, Africa, and Europe. In the coming decades, this initiative will transform the landscape of international relations and facilitate an international cooperation frame between China and the countries along the Belt and the Road. The B & R Initiative demonstrates that after decades of adaptation and integration to the international system since the launch of the reform policy at the end of 1970s, the Chinese government is developing a proactive and comprehensive strategy to deal with the changing situation in the world, and is striving for a win-win situation in cooperation with the countries involved in this initiative.

At the heart of the initiative, the idea is to “help promote the economic prosperity of the countries along the Belt and Road and regional economic cooperation, strengthen exchanges and mutual learning between different civilizations, and promote world peace and development” (Chinese government, 2015). This new B & R strategy is the most ambitious in China's era of reform. The successful implementation of this grand strategy requires financial, institutional, and policy support, not only from China, but also from all the countries along the route. In the coming years, huge investment, a vast number of bilateral and multilateral cooperation agreements, and countless policies, on top of hundreds of thousands of meetings and exchanges across borders, will be necessary to facilitate the realization of this strategy. The colossal amount of work involved in this strategy makes it a historical mission for China to take the lead and to coordinate and cooperate closely with the other countries to see its fulfilment.

This paper will, first, look at the strategy itself, analyzing the opportunities and challenges it will meet. It will then explore its potential impact on EU-China relations. While the strategy is aimed at a mutually beneficial relationship between China and the other countries involved, its implementation must take the interests and concerns of those other countries into serious consideration.

## **A Grand Strategy with Great Potential Impact, as well as Challenges**

The design of this grand strategy is very impressive. First, while inspired by the ancient Silk Road, the idea behind this B & R is rather daring. Dating back to as early as the Qin and Han dynasties in Chinese history, the ancient Silk Road was predominantly an economic venture. In comparison, the B & R, with governmental financial support from the newly established funds and banks, including the Silk Road Infrastructure Fund, the Asian Infrastructure Investment Bank, the New Development Bank (NDB), and the Development Bank of the Shanghai Cooperation Organization (SCO), will not only stimulate economic cooperation and trade deals, but, more importantly, it will promote people-to-people contacts, cultural exchanges and ideally foster mutual understanding between China and all the countries along the route. China will need to take into consideration the geographical, political, security, economic, social, and cultural conditions of each country involved in this grand strategy in pursuing connectivity with these countries. Doing so will demand gigantic efforts. Second, while the B & R will help strengthen connectivity between China and the other countries by infrastructure development, institutional building will have a far-reaching impact not only in promoting regional and international trade and economic cooperation, but also in facilitating rule-building in the international system. It will be a learning process for all the countries involved, and no doubt it will take time for the countries involved to understand, accept and digest those new rules that will be made with consensus. The challenges inherent to this process cannot be underestimated. Third, China is undoubtedly designed as the leader behind this grand strategy. China's influence in those countries along the route will further increase, following a growing number of bilateral and multilateral cooperation projects. Such influence will also help enhance China's influence in regional and international affairs. However, other countries may have different interests. A considerable number of countries are suspicious of China's intention of promoting this new initiative. China will need to ensure those countries' concerns can be alleviated and convince them of China's open and inclusive cooperation offer – how this will be achieved in practice is a question that needs to be addressed. Fourth, the implementation of this strategy is part of China's effort to realize the “Chinese Dream” – to build a prosperous society and achieve national rejuvenation. China's further rise in the coming years will bring the country into direct competition with the United States – from political ideology, global governance, to economic growth models. How to manage the “New Type of Great Power Relations” with the US is another challenge for China.

The Europeans are curious about the B & R and eager to ask the following questions: first, what is the nature of this strategy? Is it beneficial to the European countries or not? Second, how many European countries will be affected by China's new strategy, both directly and indirectly? To what degree? And in what ways will these countries be affected? Third, what is the role of the EU in dealing with China's new strategy? How closely will the EU and China coordinate in implementing economic cooperation and trade deals when EU Member States are affected by China's strategy? Fourth, in terms of rule setting, how influential will this strategy be? To what degree will it help China to set rules in the sphere of international economic cooperation? Finally, how will all of this really affect EU Member States? Needless to say, it will take some time to find answers to these questions.

China's B & R is a long-term strategy. Its full impact for the EU and its Member States will only be felt in the coming years if it is developed successfully. In terms of EU-China relations, the following points need to be highlighted. First, for economic cooperation projects that involve EU Member States, China needs to make clear that that close contact with the European institutions will be crucial. Different from any other sovereign player in the world, the EU's role is rather complicated. To be precise, China

needs to deal with the EU and its Member States on two levels. The 16+1 initiative, proposed by China, seems to involve only these sixteen countries. However, it should be noted that the “EU member states participating in the forum had consulted the European Commission in advance, and agreed that any infrastructure deal financed as a result of a broad €10 billion package advertised by China would follow EU rules on public markets and tenders”. Second, mutual respect and equal partnership are important principles. The B & R will stimulate more outward investment from China to the EU, and the successful management of the investment depends, to a large extent, on the understanding of local rules, society and culture. The ongoing economic activities will lead to extensive political, social and cultural contacts, which make it a very comprehensive package of work for both the EU and China. Third, bilateral and multilateral institutional arrangements and the adherence to these arrangements are crucial to the successful implementation of the B & R. Transparency of rules and rule abeyance will help reduce miscommunication and, therefore, avoid misunderstanding in exchanges between all the countries involved in the encompassing bilateral and multilateral framework.

### **Belt & Road to the EU**

The Belt links China with Europe through Central and Western Asia, whereas the Road takes the sea lane to Southeast Asia, South Asia, Africa and arrives in Europe. According to the design, the Belt meets up with the Road in Venice. Before the Road reaches Europe, it needs to pass the Horn of Africa into the Red Sea. The dangerous situation in the Gulf of Aden constitutes a serious risk. The anti-piracy challenge has led to increased cooperation between the EU and China in recent years in the field of non-transitional security. In November 2009, China hosted an international conference on anti-piracy, which was attended by representatives from the EU. EUNAVFOR and PLAN vessels conducted their first-ever joint maritime exercise in March 2011 (Bieńkowski, 2015). The joint naval exercise on counter-piracy was held on 20 March 2014 in the Gulf of Aden, and ‘reflected the successful joint efforts of the Chinese Navy and of EU operation ATALANTA in strengthening maritime security and fighting piracy’ (European External Action Service, 2014). Because of further development of the Road, China is expected to strengthen its cooperation in anti-piracy measures with the EU.

Recently, motivated by the B & R initiative, several railways have connected Chinese and European cities, passing through Kazakhstan, Russia, Belarus and Poland. The *Yuxinou* railway, which began operating in March 2011 between Chongqing, China and Duisburg, Germany, was extended to Antwerp, Belgium in 2012; the *Rongou* railway, which is said to be the fastest route between China and Europe, was launched in April 2013, reaching Lodz, Poland from Chengdu in 12 days; the *Zhengou* railway, which takes 16 days to reach Germany from China (a distance of more than 10,000 kilometers), was put into operation in July 2013 between Zhengzhou and Hamburg; the *Hanxinou* railway, connecting Wuhan, Hubei Province with Lodz, Poland, began operating in April 2014; and, the *Yixinou* railway, which starts at Yiwu, Zhejiang Province and ends in Madrid, Spain (covering a distance of more than 13,000 kilometers), began operating in November 2014. All of these railways are designed for cargo trains transporting goods between China and Europe, and are said to effectively help save cost and time.

By far, more than 1500 trains have successfully traveled between China and Europe, greatly facilitating connectivity across Eurasian continent. In 2015, 815 trains were launched between China and Europe, which was 2.7 times the number of 2014 (Wang, 2016). Ten cities in China are launching trains with European cities along the line as destinations, and more than 12 Chinese and nine European cities are now hubs for these 12,000+ kilometer trans-continental direct trains (Forbes 2016).

To link the Road with the Belt, China has already taken some initiatives to construct a “fast lane” which connects the Greek port of Piraeus with other European countries including Hungary, Serbia, and Macedonia, to stimulate Chinese exports to Europe and European goods exported to China. Upon its completion in the coming two years, the combination of railways and sea-lanes will shorten the transportation time to 7-11 days (Zhang, 2015). In 2010, the Chinese global shipping corporation Cosco made a 500 million euro deal with the Greek government to lease half of the Greek port of Piraeus, just outside of Athens, which has quickly developed into “one of the biggest and fastest-growing ports in the Mediterranean” (Granitsas & Paris, 2014). At the end of 2014, based on another agreement, Cosco planned to invest a further 230 million euro in the Greek port, making Piraeus one of the most modern and biggest freight ports in Europe (Skordas, 2014). Before the new government election in Greece, Cosco’s success in the Greek port was believed to have cleared the way for the implementation of the Road project and served as a catalyst for the Chinese presence in Central and Eastern Europe (Makris, 2014). However, when the new government in Greece came to power at the beginning of 2015, the young Prime Minister Tsipras halted the privatization of the port. Tsipras’s new policy caused concern for the Chinese government, but around the Chinese New Year, when the new Prime Minister was invited on board a Chinese warship visiting Piraeus, he directly addressed China’s concern and stated that “special importance” will be given “to the existing Chinese investments in Greece including the important activities of COSCO at Piraeus Port” (The *TOC*, 2015). In April 2016, Greece formally signed an agreement to sell to Cosco 67% stake in the Port of Piraeus with the price of €368.5 million (\$419.7 million) (Stamouli, 2016). As the gateway between the Middle East and the Balkans and European markets, Piraeus is a unique entry point into the EU. When Chinese Prime Minister Li Keqiang visited Piraeus in June 2014, he called it “the pearl port” of the Mediterranean Sea (Casarini, 2015).

Chinese technology and investment group Cocoon Networks is launching a £500 million (US\$720 million) London-based venture capital fund aimed at investing in UK and European tech startups in 2016 (London and Partners, 2016). Dalian Wanda Group confirmed in February 2016 that it will invest \$3.3 billion by 2024 in EuropaCity, a mega-project near Paris’ Charles de Gaulle airport that will boast a theme park, attractions, cultural exhibitions, retail shops, outdoor sports venues and restaurants over about 200 acres (Tartaglione, 2016). A consortium led by China Railway Group has been awarded a 10 billion yuan (HK\$12.1 billion) contract to build the Hungarian section of a railway linking Budapest with Serbia’s Belgrade. The railway, which will be 350km long when the Serbian portion is included, is scheduled for completion in two years (South China Morning Post, 2015).

### **Impact on EU-China Relations**

As China is situated in East Asia, its neighboring countries are the first group to feel the impact of the New Silk Road strategy, and it seems that the Asian countries are also those that react most actively. The EU did not officially respond to China’s new strategy before the EU-China summit in June 2015; this may be due to the fact that the EU was on the other side of the Eurasia continent, and it took time for the strategy to be implemented and for European countries to feel its impact. However, the lack of reaction from the EU side may have also indicated the following: first, that the EU had doubts about the importance of China’s newly developed grand strategy. EU officials needed to digest the initiative and the policy of the B1R and to understand the impact that it would have for the EU and for EU-China relations. Second, the official dialogues between the EU and China in 2014 did not address the New Silk Road issue specifically. This may have been because China focused more on its neighboring countries as a starting

point in launching certain cooperation projects in the past year. Third, although within China there had been quite a number of seminars and workshops exploring the B & R Strategy, there have been few such events in the EU and its Member States. In other words, there was a low public awareness of China's strategy in the EU.

Nevertheless, as this B & R strategy is being implemented with full strength by the Chinese government, its impact has been gradually felt in Europe. At the 17<sup>th</sup> EU-China summit meeting on 29 June 2015, the two sides started to officially work together to identify synergies between the Juncker Plan and the B & R Initiative. The Juncker Plan, aimed at relaunching Europe's growth and job creation in sectors ranging from innovation to research, education, and transport infrastructure, is in need of a huge amount of investment, which matches, to a certain degree, with the B & R that encourages outward investment. At the High Level EU-China Economic and Trade Dialogue in September 2015, China became the first non-EU country to announce its contribution to the Juncker Plan. The two sides also signed a Memorandum of Understanding on the EU-China Connectivity Platform to enhance synergies between China's B & R initiative and the EU's connectivity initiatives such as the Trans-European Transport Network policy (European Commission, September 28, 2015).

Chinese leaders announced the initiative to launch the Asian Infrastructure Investment Bank (AIIB) in late 2013, by March 2015, AIIB was established with 57 Prospective Founding Members (PFM), among which, 14 are EU member states. At the first annual meeting of the Board of Governors of AIIB on 25 June 2016, President Jin announced that four projects have been approved by the Board of Directors with the loan in total of \$509 million (Xinhua, 25 June 2016). Interestingly enough, AIIB attracted great interest from European countries, many of them joined the China-led financial institution against the will of the United States (Higgins and Sanger, 2015). AIIB "constitutes an important international development, as it reflects a new geopolitical reality and marks a new turn in China's practice of multilateralism" (Renard, 2015).

Another financial cooperation between Europe and China, stimulated by the B & R initiative, is China's membership in the European Bank for Reconstruction and Development (EBRD) – China has become the 67<sup>th</sup> member of EBRD. In this way, the "economies in the EBRD regions will benefit, as China will become an important new source of investment finance for development in the countries where the EBRD is active" (Williams, 2016).

Between the EU and China, the B & R creates more opportunities of cooperation, not only in finance and investment, but also in climate change, sustainable development, trade, education and a wide range of fields. In terms of sustainable urban development, for example, more than 700 twinnings between Chinese and European cities have been established for the purpose of experience sharing and mutual development. Cooperation agreements between 12 cities were signed during the EU-China Urbanization Forum in late 2013 to foster joint projects from low-energy buildings to clean mobility, integrated water and waste treatments to social inclusion and efficient public services. The EU and China have also developed green smart city dialogue and cooperation projects since 2011, which involve 30 Chinese and European cities, 15 from each.

### **Conclusion**

In the years to come, it will be important to follow the further development of China's B & R Initiative, its growing influence and trade links, its dynamically growing outward investment, and its institutional and policy coordination with the EU, which may help create synergies, generate additional and



innovation-driven growth, and the development of sustainable and resilient Chinese and European economies.

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# Strategy on Controlling Illegal Pangolin Trade in Southeast Asia

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**[Abstract]** Along with the process of regional integration, especially the project of ASEAN integration, China's One Belt and One Road strategy, the trend of Illegal Pangolin Trade (IPT) would be more severe in the region. It is urgent to explore the strategy of controlling IPT. This article suggests that the cooperation mechanism on wildlife enforcement in the region should be enhanced, and China should play an important role during implementing the strategy to control IPT.

**[Keywords]** Asian pangolin species; illegal pangolin trade; One Belt and One Road Strategy; international cooperation

## Introduction

### ***Pangolin Consumption has a Long History in East Asia***

Asian Pangolin, a species of anteater, is covered by scales, and there are four species of pangolin living in Southeast Asia (Verissimo, Challender, & Nijman, 2012). Indonesia, Malaysia, Vietnam, Laos, Cambodia, Myanmar, and other states in Southeast Asia are habitats of the Pangolin species. In history, Asian pangolin has been consumed traditionally as food and medical material (United Nations, 2016). In history, the demand for pangolin meat and scales developed the pangolin trade between the range states. According to an article on Chinese traditional medical history, the number of traded pangolin in 1937 from Indonesia to China was 4,000-5,000 heads per annum (Nan, 2015). According to traditional culture in East Asia, the bush meat of pangolin is delicious and its scales are an important medical material. Therefore, pangolin trade appeared long ago. Secondly, IPT took advantage of border trade facilities in the region, and developed into an industrial scale in the region. In the 1980-1990s, the scale of pangolin trade expanded to an unprecedented level. "Between 1980 and 1985, U.S. imported 166,500 pangolin skins, Taiwan and South Korea imported 6,000-10,000 live pangolins and 15.6 tons of pangolin scales from China. In 1992, South Korea also imported 7076 kilograms of pangolin scale from China" (Shibao, Naifa, & Yingmei, 2004).

**Table 1. Asian Pangolin and its Range States**

<b>Asian Pangolin</b>	<b>Species</b>	<b>Range States</b>
Indian pangolin	Manis crassicaudata	Bangladesh, India, Nepal, Pakistan, Sri Lanka, and China
Philippine pangolin	Manis culionensis	Six islands in the Philippines
Sunda pangolin	Manis javanica	Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Singapore, Thailand, and Viet Nam
Chinese pangolin	M. pentadactyla	Bhutan, China, India, Lao PDR, Myanmar, Nepal, Thailand, and Viet Nam

### ***Illegal Pangolin Trade (IPT) is a Severe Problem in Southeast Asia***

In 1975, Asian pangolin was listed in Appendix II by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). All states in the region are members of the convention, and they came to an agreement at the 11th Conference of Parties of CITES that no commercial trade of Asian pangolin would be tolerated since 2000. Therefore, all trade of Asian pangolin, and any pangolin meat, scales, or products in Southeast Asia, are illegal by now. However illegal pangolin trade has low risk and high profits, which has enticed and entices criminal gangs. Intense hunting to supply the illegal pangolin trade has severely depleted the biodiversity of the Asian tropical forest (Newton, Van Thai, Robertson, & Bell, 2008). Consequently, IPT has been and is still severe in the region.

### ***IPT Would be Worse with the Growth of Regional Integration***

According to the media, an estimated 105,410-210,820 pangolins have been victim of illegal trade between 2011 and October 2013 in the area, and the value of IPT has been estimated at US \$150,000,000 (An, 2013). With the development of regional integration and cooperation between China and ASEAN members, the facilities of regional trade and international trade have increased and would increase quickly (Day, et al., 2015). The globalization of economic activities has fundamentally reshaped the relationships between production and trade. China's One Belt and One Road strategy would prompt the trade opportunities between the ranges states of Asian pangolin and China. While the region enjoys the benefit of regional integration and China's One Belt and Road strategy, it also worries about the decline of Asian pangolin's population caused by illegal trade. The cross-border production activities of transnational corporations (TNCs) have not only deepened spatial divisions of labor, but have also complicated our understanding of international trade patterns (Yeung, 2001). It is possible for pangolin gangs or transnational gangs to take advantage of these modern facilities, and hide behind the tremendous amount of legal trade (Emmers, 2003). IPT would not only destroy the biodiversity in the region, but also threaten regional stability and security. It is urgent to evaluate the effectiveness of the current strategy on controlling IPT before exploring a new effective strategy to blow away IPT.

This article first analyzes the current situation of IPT in Southeast Asia and the current strategy of combating IPT in the region after collecting data, and then analyzes the strengths and weaknesses of the current strategy, as well as the threat and opportunity. Thirdly, the strategy to blow away IPT in the region by perfecting cooperation mechanism of combating IPT is set forth and the role China should play in the strategy is discussed.

## **Current Situation of IPT and the Response to IPT in the Region**

### ***Illicit Trade in Pangolin is a Sort of Cross-Border Crime in the Region***

As one part of global illegal wildlife trade, illicit trade in pangolin meat and pangolin scales is also a sort of trans-boundary organized crime. Among its networks, hunters or peasants, low level pitchman, logistics companies and other type of offenders from source states (such as Indonesia, Malaysia, Cambodia, and Laos, etc.) and destination states (Vietnam, and China) are tied together (Wyller, & Sheikh, 2008). In line with other legal or illegal trans-boundary trade, a great amount of pangolin scales, live pangolin and frozen pangolin are trafficked from source states to destination states in the region yearly. Though it is difficult to evaluate the scale of illegal pangolin trade precisely in the region, the data of confiscated pangolin and pangolin products from different states might provide some clues about IPT.

According to World Wise records, there were almost 120,000 live pangolins seized in the world between 2007 and 2015, and most of the confiscation occurred in Southeast Asia (United Nations, 2016).

### ***IPT was Driven by Traditional Culture and Modern Regional Integration***

IPT is not just a simple environmental offense in Southeast Asia, but a complicated social problem involving traditional culture and modern commercial trade. First, pangolin consumption is supported by the persistent and traditional belief that pangolin meat is delicious and its scales are a valuable medicine (Challender & MacMillan, 2014). It's no wonder that western experts do not understand the people in China and Vietnam spending a great deal of money in both pangolin meat and pangolin scale consumption – the cultural gap between the west and the east is apparent. Second, with high speed of urbanization and regional integration, some inhabitants like to display their wealth by consuming imported or smuggled pangolin. For instance, urban Vietnamese are under tremendous social pressure to display their wealth after their sudden increase in disposable income (Sumrall, 2009). It can also be demonstrated by the price of pangolin in the region – the prompting price of pangolin meat or pangolin scales can be traced to the regional trade since 2000 (Zhang, et al., 2015). As for local businessmen, Asian pangolin is nothing but a sort of cargo just as a common good which can be traded for earning profit; it is worth continuing even at the risk of offending the law. Actually, the pangolin scales and pangolin meats trafficked made up a great amount of legal border trade, and those modern facilities designed for legal trade have also been utilized by IPT (Clark, Nguyen Van, & Tran Quang, 2008).

### ***Transnational Gangs Involve Illicit Pangolin Trade in the Region***

Most IPT is committed by transnational gangs. Illegal pangolin trade can be viewed as being structured around multilateral exchanges involving numerous parties such as farmers, agents, retailers and final consumers where supply and demand interact according to classical free-market dynamics (Lin, 2005). The price of pangolin meat and its scales increased dramatically in recent years, which stimulated trans-boundary gangs to commit IPT. According to data from large seizures of pangolin meat or pangolin scales in recent years, transnational gangs have been involved in IPT and committed a substantially large amount of IPT. In March 2008, approximately 24 tons of frozen pangolins originating from Indonesia were seized in Vietnam (Chin, & Pantel, 2009). In August 2013, Vietnam Customs confiscated 6 tons of frozen pangolins from a ship in Haiphong Port, in which the ship came from Indonesia; in May 2015, an Indonesian wildlife agency seized 5 tons of frozen pangolins, 74 heads of live pangolins and 77 kilograms of pangolin scales, and two month later, Indonesia confiscated 1.3 tons of frozen pangolin again. In November 2015, China confiscated 11.5 tons of frozen pangolins in a fishing boat which smuggled pangolin from Indonesia. Although there is not enough evidence to show that all large-scale illegal pangolin trade is committed by transnational gangs, the great amount of cost involving large-scale IPT cannot be handled by individual wildlife criminals, and the complicated criminal techniques are also beyond individual criminals' capacities. Some experts such as customs brokers and Import & Export Service Providers are also involved in illegal pangolin trade, which also contributes to the large-scale illegal pangolin trade. For example, Xiamen Customs uncovered a transnational smuggling pangolin gang in 2008 in which the gang conspired with an Indonesian businesswoman to smuggle 68 tons of frozen pangolin and 0.9 tons of pangolin scales from Indonesia between October 2005 and April 2005. During this large-scale illegal pangolin transaction, an international freight forwarding company made their contribution by providing customs declaring service.

**Table 2. Recent Year Large-Scale Confiscated Asian Pangolin in the Region**

No.	Date	Confiscated State	Original State	Seized Frozen Pangolin (Tons)	Seized Pangolin Scale (Kgs)
1	May 2006	China	Indonesia	4	
2	Mar. 2008	Vietnam	Indonesia	24	
3	Aug. 2013	Vietnam	Indonesia	6	
4	May 2015	Indonesia	Indonesia	5	77
5	Nov. 2015	China	Indonesia	11.5	

### ***Illegal Pangolin Trade is Supported by Criminal Networks in the Region***

Transnational pangolin trade networks support IPT. Just as previously mentioned, illegal pangolin trade is a sort of trans-boundary organized crime in Southeast Asia. Indonesia, Malaysia, Myanmar, Laos and Cambodia are the main supplying states, while Vietnam and China are the primary consuming states. During the process of illegal pangolin trade, there was pangolin and financial flow among the source states, destination states and transit states. As for pangolin flow, pangolin and pangolin products were trafficked from source states (Indonesia, Malaysia, Myanmar, Cambodia, and Laos, etc.), to destination states (Vietnam and China). On the contrary, profits, or financial flow, were from consuming states to supplying states. Illegal pangolin gangs took advantage of regional trade facilities, such as modern traffic equipment or logistics equipment, and financial toolkits to hide in massive legal trade. The peasants or hunters, low level dealers constructed the foundation of IPT networks in the supply states, and the high level of IPT networks include owners of meat packing plants or freezers, logistic managers, and frontier traders both in the supply and consuming states. Though the low level of IPT networks involve a great number of pangolins, the profits they are earning is a small portion in the IPT. As a consequence, the high level among the IPT networks ranks high in enormous profits in the transnational pangolin crime.

### **SWOT Analysis of Current Strategy**

SWOT is a popular analysis tool to develop or amend a strong strategy by analyzing the strength and weakness, as well as the opportunity and threat. Because SWOT analysis can evaluate both internal and external factors of the project or venture before accomplishing a proper strategy, its key purpose is to identify the strength and weakness, and opportunity and threats from the environment. The analysis of Strengths and Weaknesses, and Opportunities and Threats is probably the most common and widely-recognized tool for conducting a strategic marketing audit (Piercy & Giles, 1989). As for exploiting the best strategy to prevent illegal pangolin trade in Southeast Asia, a SWOT analysis also could be utilized to identify the weaknesses and threats to the current strategy or policy applied by the range states to curtail IPT in recent years.

#### ***What is the Strength of the Current IPT Strategy?***

Strengths are considered mostly positive factors which contribute to the goal of strategy. As for the current strategy to combat IPT, the dominating strength may be the common political will to conserve the Asian pangolin species in the region. All of the supply and consuming states are members of CITES, which aims to control international trade in endangered species to protect endangered plants and animals. The Asian pangolin has been listed in Appendix II of the Convention. Consequently, the states in the region that signed this Convention, are obligated to adequately implement and enforce the requirements of the Convention through national legislation. Therefore, all the states in the region have the common political will to prevent illicit trade in Asian pangolins.

**Table 3. Date the States in the Region Joined the CITES Convention**

State	Date of joining CITES	State	Date of joining CITES
Brunei	04/05/1990	Indonesia	28/12/1978
Vietnam	20/01/1994	Malaysia	20/10/1977
Laos	01/03/2004	Philippine	18/08/1981
Myanmar	13/06/1997	Thailand	21/01/1983
Cambodia	04/07/1997	Singapore	30/11/1986

IPT not only violates the convention of CITES, but also violates the domestic regulation of the range states. However, because IPT is usually cross-boundary, there are too many difficulties such as legislation and practical problems that have hindered or degraded the law enforcement agencies' efforts. Without common political will in fighting IPT, there would be little opportunity to win the war in the short term. As for combating the illegal pangolin trade, the states in the region also adopted many significant measures. In 2000, the range states promised a 'zero' trade quota for these species at the 11th Conference of the Parties to CITES in 2000 (Chin & Pantel, 2009). In 2004, ASEAN announced a bold initiative to work together to address the region's rapidly growing illegal trade in CITES-protected species (Lin, 2005). In June 2012, China launched the first conversation with ASEAN Wildlife Enforcement Networks in Nanning, discussing the negative influence of illegal wildlife trade in the region and showed their coordination on the fight against illicit wildlife trade. Actually, the range states have confiscated a lot of illegal pangolins and pangolin products in recent years, which also reveals the political will to prevent illicit cross-boundary trade in Asian pangolin.

### ***Weakness of the Current Strategy is the Lack of a Practical Cooperation Mechanism to Combat IPT***

Weaknesses means the factors which should be avoided while enforcing the strategy. Though the states in the region had signed the convention of CITES and established a wildlife conservation act, the population of Asian pangolin in the region has still declined. It indicates that only when the weakness of the strategy is identified, the population of Asian pangolin will not decline any more in the region.

The weakness of the current strategy in fighting IPT is the lack of a practical cooperative mechanism between the supply and consuming states. Though all the states are members of CITES and established wildlife conservation laws, the effectiveness of wildlife law enforcement can not be satisfied to protect Asian pangolin. Evidently, illicit trade in Asian pangolin is committed by sophisticated gangs crossing the borders, while the law enforcement agencies can only enforce the law within its jurisdiction. Therefore, without precise information from its counterpart in the supply states or transit states, it is difficult for law enforcement agencies in the destination states to identify illegal pangolin in the great amount of cargo they receive each day. For example, Indonesia and Vietnam have confiscated a large amount of Asian pangolin in recent years, and the public media have quoted that the pangolin were destined to China. However, there is no sign that the law enforcement agencies in China received this information. Suppose the intelligence was shared among source states, transit states and destination states under wildlife enforcement coordination mechanism in the region, the trend of illicit trade in Asian pangolin might be stopped. "Lack of precise information and information sharing mechanism" is the factor that most hinders the strategy of combating IPT.

### ***The Most Threats may be Brought by High Speed Regional Integration***

Despite efforts taken by the range states, the illicit trade in Asian pangolin is still severe. With the process of regional integration, transnational crime is booming in Southeast Asia. The link between globalization

and illegal trade in wildlife has been identified (Lawson & Vines, 2014), and the process of regional integration in Southeast Asia also impacts illicit trade of Asian pangolin. Regional integration brought the growth of population and financial flow, and population growth and burgeoning affluence have led to a rising demand for exotic and luxury products, including wildlife products (United Nations Office for Drugs and Crime, 2013). While the ASEAN Economic Community (AEC) aims at a single market with a free flow of goods, capital and skilled labor, illegal transnational trade in drug and wildlife also grew quickly in the region (Day, et al., 2015). Illegal pangolin trade in the region take the form of border trade or regional trade, which are mixed in the great amount of legal border or regional trade. As a consequence, with the increase of regional and international trade in Southeast Asia, the number of cargo trafficked by shipping has increase sharply (Nijman, Zhang, & Shepherd, 2016). According to reports, there was \$5.3 trillion in global trade transiting through Southeast Asian waters, which shows a new threat for wildlife enforcement agencies in the region who want to stop large-scale illegal pangolin trade by shipping. Illegal pangolin trade gangs also utilize the terrestrial facilities which are designed for legal border and regional trade, such as logistic companies, and internet financial services, etc. To some extent, IPT would be worse, or may even lose control, in the regional integration process unless the current combating strategy is enhanced.

#### ***China's Efforts Bring Opportunities to Enhance the Strategy***

As a large power in the region, China signed the CITES convention in 1980 and is just as concerned with illegal pangolin trade as other transnational wildlife crime. Since then, China has made great efforts to protect Asian pangolin as other endangered wildlife species, both at home and abroad. In November 2007, the State Forestry Administration of the PRC established special regulations to enhance wildlife law enforcement for the purpose of protecting pangolin and endangered snake species. In recent years, China also confiscated large amounts of illegal pangolin and pangolin scales smuggled from Indonesia, Malaysia, Vietnam, Myanmar and other states. Furthermore, China set ecological civilization construction as its national policy in 2012, which contains biodiversity protection, and the combat against illicit trade in Asian pangolin species was also included. In November 2002, China and ASEAN made a joint declaration on cooperation in the field of non-traditional security issues (Arase, 2010). China also leads international and regional cooperation in wildlife law enforcement in recent years. Between 2012 and 2015, China took the lead in three global wildlife enforcement special operations with ASEAN-WEN and other states, which were named Cobra, Cobra II and Cobra III. Among the three special Cobra operations, many pangolin seizures were confiscated by China and Southeast Asian states. In addition, the common will of wildlife law enforcement cooperation have accumulated between China and the range states in the region.

#### **Discussion and Conclusion**

Just as the process of regional integration in Southeast Asia, China's One Belt and One Road Strategy would also enhance the commercial relations between the range states for the Asian pangolin and China. The situation of illicit trade in Asian pangolins, as well as other transnational crimes, to some extent, would be worse. And there is no immediate prospect to blow away the illegal pangolin trade in the region in the short term; the population of Asian pangolin would decline more unless the combat strategy is immediately enhanced. The traditional culture of pangolin consumption still influences the people in the region, which still translates into a strong demand for pangolin products in the region; people's capacity for consuming pangolin would be increased along with the development of the regional economy; and



illegal pangolin trade gangs would also benefit from the high speed regional integration. In conclusion, it is possible that illegal pangolin trade could be worse in the future. There are two suggestions to make sure IPT is reduced.

### ***Enhancing Wildlife Law Enforcement Cooperation Would Contribute to Reducing Illegal Pangolin Trade***

As one part of transnational environmental crime, illegal pangolin trade not only destroys the biodiversity in those source states, but also threatens the regional ecological environment. Neither the states or its individuals in the region would be able to avoid the negative influence once the ecological disaster occurred. Conserving Asian pangolin and controlling illegal pangolin trade needs the involvement of all states within the region. The range states of Asian pangolin agreed to a zero quota in pangolin trade in 2000 and made efforts in improving the effectiveness of their wildlife law enforcement. Therefore, based on the already existing common political will, the region should enhance the cooperation mechanism of wildlife law enforcement; for example, share intelligence of illegal trading of pangolin, and train law enforcement officers. It would prompt effectiveness in combating illegal pangolin trade, and protect Asian pangolin, as well as other endangered wildlife species in the region.

### ***China Should Play a Leading Role in the Combat Against Illegal Pangolin Trade***

China has recognized that IPT is still a severe social problem in the region, and the strategy of combating IPT could and should be included in its strategy of One Belt and One Road. Actually, China has tried to do more on fighting transnational wildlife crime both in the region and the world, and leading three Cobra special operations reveal that. China is striving to push forward its One Belt and One Road strategy and its Good Neighbor Project, and wildlife conservation and wildlife law enforcement cooperation is one important part of the national strategy – it would convince the elites in the pangolin range states that China is not a threat, but a friend. It is necessary for the region’s strategy of combating IPT to respect China’s role.

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# Interpreting the Problems of Bilingual Police Interpreters

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**[Abstract]** *In bilingual interrogations, the interpreters play a key role because the interpreted information will become part of evidence used in court, which will to some extent decide the outcome of the trial. But in reality there are problems in of the interpreters and their interpretation. This article mainly addresses the problems such as the qualification of the police-turned-interpreters, their role in the interrogation, and their language proficiency. This paper urges that the government and educational agencies should take steps to respond to these problems to ensure justice in bilingual interrogations.*

**[Keywords]** *bilingualism; police interpreter; problems; criminal justice*

## Introduction

The role of interpreters in legal settings is very important at every stage of the judicial process, especially in the interview room. Since the interpreted information will become part of evidence used in court, where the exact words are used by the interpreters and thus, become the key to the trial. The activity of interpreters and translators in police interviews, interrogations and related law enforcement investigative work has frequently been regarded as problematic due to the qualifications of the interpreters and translators who serve the police. If the interpreter is not a member of police, people may doubt if she/he is qualified for such a highly legal case, and if the interpreter at police interrogation is a family member or friend of the accused, there will be questions of objectivity. This problem also occurs when the interpreter is a member of police, when people challenge their language proficiencies or the faithfulness of the interpretations since the police-turned-interpreter may hold some pre-assumptions and biases.

## Qualification of Current Police Interpreters

Hence, there is the question: Are there any limits on who can be called on to serve as an interpreter in an interview room? Benjamin (1997) noted, "...the role of professional responsibility of the interpreter in any legal setting is the same", "whatever the setting, and most unequivocally in any legal setting, the interpreter must maintain standards of professional performance to allow for the exchange of information without misrepresentation, or interjection of personal bias"(p. 184). To deal with bilingual cases in China, a variety of interpreters are at work, from non-professional interpreters (such as friends and family members of person needing interpreting services), to volunteer interpreters who are sometimes trained for their work, but move their designated role from one to another, to judicial staff with little or no training, but who are called in to interpret simply because they are bilingual. Due to their relationship with their employer or the party for whom they are interpreting, they sometimes violate some of the basic rules of the interpreting profession.

A key issue in what qualifications should be considered necessary for serving as a legal interpreter includes the question of impartiality, together with the issue of conflict of interest. It is without any doubt that in all cultures the interpreter is always warned to follow certain requirements of impartiality whenever there is conflict of interest on their part. For example, in the United Kingdom there is a *Non-English Speakers and the English Legal System: A Handbook to Good Practice for those Working in the*

*Legal System across Language and Culture* (Corsellis, 1995) and the 1996 edition of the *Syllabus for the Diploma in Public Service Interpreting*, both refer to the need for impartiality and the requirement that the interpreter “disclose immediately if the interviewee or immediate family is known or related”. In the U.S.A., wherever states have taken measures to guarantee quality interpreting in the judicial system, they have included the requirement of impartiality on the part of court interpreters. The National Centre for State Courts defines “impartiality and avoidance of conflict of interest” as follows: “Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias. Interpreters shall disclose any real or perceived conflict of interest” (Hewitt, 1995, p. 202).

Nowadays, Chinese police are facing increasingly frequent cross-border investigations, and therefore, bilingual interpreters are in great demand. Yet at present there is no established code to deal with the problems that may happen in bilingual interpreting in China. In daily practice, we will have bilingual police officers, or officers who know a little of the foreign language to do the interpretation, without considering their language proficiencies. Just like its counterpart in the UK and US, which have already created some guidelines for interpreters, little is mentioned about the possibility of bias on the part of police officers when acting as interpreters in China. The fact is, unlike in many European countries, where professional interpreters/translators are required to study the theory and methods of this field at the university level, and higher degrees or certificates in interpreting/translating are commonly available, in China formal education in this field for police officers is not a requirement of employment. Police officers rely on the English they learn in high school or college, or they learn some phrases of other languages foreign to Chinese. Their limited language proficiency is certainly questionable when interpreting formal interrogations. Regrettably, there are no statistics, until now, regarding the number of bilingual police officers who can perform as interpreters.

Therefore, interpreters used by the police at the crime scene or even in the police station are a highly diverse group. But no matter whom the interpreter is during the interrogation of a detainee in a police station, the product of such interrogations, that is, the transcription of what was asked and what was answered will be used as evidence at a trial. It is an open question as to whether lawyers and judges are aware that a chain of interpreters/translators may have been at work in any given case in which a police agency has utilized such assistance in its investigation. And, if they are aware of the multiple instances of interpreting and translating that have been employed along the way, should they stop and question whether all of the links in the chain were professionals? Just as Colin and Morris put it, “engaging unskilled people to provide interpreting services means building a weak link into the legal process” (1996, p. 23).

### **Interpreter Acting as an Interrogator**

We cannot overemphasize the centrality of language to human communication. In fact, the use of language for the expression of one’s feelings, ideas and thoughts is an attribute that humans do not share with any other creature. However, the use of language in human communication encounters is determined by a number of factors. For instance, the power differential between interlocutors, more often than not, determined by their social standing constrains what each interactant contributes or says in interpersonal communication situations. This is more so in a communication encounter that involves unequal interlocutors, e.g., Police-Suspect interrogation. Such communication situations demonstrate the connection between language and power.

Power in discourse has to do with asymmetrical relationships. One group will be able to control the other group. So, power can feature the ability of one person to control and enforce the other. Power also has to do with the ability of one person to assert his/her influence and will on the other. According to Luke (1974) in Wang (2006), the exercise of power shows that one affects or coerces another person in a manner contrary to another person's interest (p. 531).

Shuy (1998) created a set of very useful distinctions between the language of the police interview and that of the police interrogation. According to him, "Interviewers make use of less of their power than do interrogators. An interview probes but does not cross-examine. It inquires but does not challenge. It suggests rather than demands. It uncovers rather than traps. It guides but does not dominate (Shuy, 1998, p. 12). But the following excerpt (Berk-Seligson, 2009) shows that the interpreter is acting as a co-interrogator.

**Officer A** (interrogator): In the walkways? Okay. Ahh...you said...you told **me** you had some beer today. What else did you do...today? Did you just walk around town? What did you do?

**Officer B** (interpreter): *Usted dice.... usted dice, nos dice que estaba tomando cerveza hoy dia? Que mas hizo hoy dia?*

(You say...you say, you tell **us** that you were drinking beer today.  
What else did you do today?)

...

**Officer A** (interrogator): Explain to **me** how you feel.

**Officer B** (interpreter): *Diganos como se.*  
(Tell **us** how you)

...

**Officer A** (interrogator): Now **I**... **I** know you met a lady tonight. A young lady tonight.

**Officer B** (interpreter): *Sabemos que conocio a una muchacha esta noche.*  
(**We** know that you met a girl tonight)

In this excerpt, Office A is trying to establish certain facts concerning the whereabouts of the suspect on the evening of the murder and his activities that night. The suspect has just told him that he spent the previous night sleeping outdoors, in the corridors of an apartment complex. The words high-lighted represent the discrepancies between the source language and target language first-person pronouns. The English rendition Officer B's Spanish utterances are those of the official court interpreter. The interpreter used the first-person plural pronouns 'we', 'us', which indicates that Officer B is not satisfied with simply being an interpreter in this event, he wants to be a member of an interrogating team.

Legal interpreters are expected to follow a set of norms required by their profession, yet in this case, the police officer assigned the role of interpreter ignored the guidelines of legal interpreting. At the same time, he became an active participant in helping the interrogator coerce a confession from the suspect. He, in fact, became an interrogator. This attempt will surely affect the subjectivity of the interrogation. The danger of using the police interpreter is that the suspect or defendant may assume that the person who has been assigned to help him or her understand what the interrogator is asking, is actually trying to help him or her in a broader sense and is taking his or her side (Berk-Seligson, 1990/2002; Morris, 1999). To be a bilingual police officer assigned to the role of interpreter at an interrogation is to give oneself a great advantage as a detective, and that is the enhanced ability to manipulate the detainee.

### **Lack of Proficiency in the Detainee's Language**

The following excerpt (Berk-Seligson, 2009) is from the case of Juan Lopez (suspect), a Mexican man accused of engaging a six-and-a-half-year-old child in sex abuse. This is a typical example that the incompetent police interpreter is incompetent, both in terms of his language proficiency and his role to

play act in his interpretation. There are problems like pidginization, communicative accommodation, negotiation for meaning and code-switching.

**Interrogator:** Today is August 5, 2000. It is, uh, now 5 minutes 'til 7 pm at night, which is 18:55 hours. We are the Lawrenceville City Police Department. My name is detective Carl Ryan. In this room with me is Patrolman Jeffery Baxter, uh, patrolman Baxter is an interpreter for the Lawrenceville City Police Department. Ah, we have a situation here where I've asked Officer Baxter to be a mediator and interpreter with me and Juan, uh, over investigating is a complaint of a six years old girl and uh Juan committing sodomy, uh. Do you know Mary Jane Tyler?

**Lopez:** Know Jane? Yeah, yeah.

**Interrogator:** You know her?

**Lopez:** Yeah.

**Interrogator:** She lives on the dame street as you and your girlfriend? She lives behind you on

**Lopez:** *En la casa* my girlfriend, *si*.

(In the house my girlfriend, yes)

**Interrogator:** Okay, and one day a few days ago you took in your house, is that correct?

**Lopez:** *La girl en* my house.

(The girl in my house)

**Interpreter:** *Si, Mary en su casa?*

(Yes, Mary in your house?)

**Lopez:** *Si*.

(Yes.)

**Interrogator:** Okay, while you were there with her you had her suck your penis.

...

**Interrogator:** Now, how would she know that? How would she know anything about that?

**Interpreter:** *La bamibina comrende cum?*

(The little girl understands cum?)

**Lopez:** No, yo...

(No, I...)

**Interpreter:** *La bambina, la bambina, la bambine dice su cum en, en ellas en boca.*

(The little girl, the little girl, the little girl says your cum in, in them in mouth.)

**Interrogator:** How does she know that?

...

**Lopez:** *Porque, es* looking for the ginea pines in my house y every day is looking for the ginea pines on my house. You understand ginea pines? Something little *asi*, I don't know what you name, but is something in my house. Is very small. And is looking every day in my house?

(Because, is looking for the ginea pines in my house. You understand ginea pines?)

Something little like this, I don't know what you name, but is something in my house. Is very small. And is looking every day in my house.)

**Interpreter:** *La bambina mora la, el pine en su alcoba cada dia?*

(The little girl looks at the, the pine in you bedroom each day?)

**Lopez:** *No mi pine. Mi pipi no!* I don't know what you name, I don't know what name. Guinea pines, you understand guinea pines? Guinea pines, *no mi* pines, guinea pines guinea.

(Not my peenay. Not my wee-wee! I don't know what you name, I don't know what name. Guinea pines, you understand guinea pines? Guinea pines, not my pines, guinea pines guinea.)

**Interpreter:** Guinea pines?

**Lopez:** Yeah. *Pos en espanil se llaman cuyos.*

(Yeah. Well in Spanish they're called guinea pigs.)

Pidginization results from the contact between two linguistic groups. According to Muysken (2000), pidgins and creoles represent “a case of drastic language change due to contact, with far-reaching consequences”, and contact pidgins is different from L2 pidgins in that the former “involve a somewhat

symmetrical relationship of often only two ethno-linguistic groups”, while the latter “result from the attempt by different groups to communicate on the basis of an imperfectly mastered dominant language” (pp. 268-269). The Spanish of the officer and English of the suspect show characteristics of L2 pidgins, for example, “*En la casa my girlfriend, si*”, and “*Porque, es looking for the ginea pines in my house y every day is looking for the ginea pines on my house*” are a typical mixture of Spanish and English.

In any situation of native-speaker/non-native speaker interaction, the native speaker makes efforts to understand the non-native when the latter fails to make him/herself sufficiently clear. The non-native, in return, makes adjustments, or self-corrections so as to communicate his/her meaning more adequately. But in the Juan Lopez case, very little negotiation or accommodation is seen in the behavior of the two native English speakers – the police officers. Instead, we can see more one-sided accommodation. The officers hardly make any efforts to hear the suspect’s version of truth. The interpreter is very uncommunicative in the interaction. He remains silent for most of the time. The excerpt shows that the introductory identification of the setting and participants is left without any interpretation. Therefore, Lopez has to interact with the interrogator in his limited English. Some of his interpretation are hesitant and confusing, for example, “*La bambina, la bambina, la bambine dice su cum en, en ellas en boca*”. It seems that his Spanish is not good enough to qualify him as the interpreter. And the most ridiculous thing is that both the suspect and the interpreter have a problem with what “pine” refers to in the conversation. In fact, “pine”, or the mistakenly understood “wee-wee”, is actually the guinea pigs that the suspect’s children raise in their house.

The analysis of Excerpt 2 shows that using a police officer to carry out the interpreting function, especially for the interrogation of persons suspected of crimes, is a dangerous practice which should be avoided especially when the police interpreter lacks the foreign language proficiency. Such danger may lead to coercion and a wrong conviction.

### **Conclusion**

The amended *Criminal Procedure Law* of China, and the *Criminal Procedure Rule by People’s Procuratorate* stipulate the exclusionary rules of evidence, which promises a bright future in the protection of the suspect’s human rights. But in reality, there are all kinds of such infringements in the interrogation room. The previous analyses do not imply that the suspects are completely innocent of the charged crimes, but that people may confess to crimes that they have not committed. One of the possible reasons is police linguistic coercion in interrogations, especially when bilingualism plays an important role in the interrogation. Therefore, in a bilingual context when the suspect is interrogated inadequately in the language spoken by the interrogator, a qualified and appropriate interpreter is required.

Under the background of “the Belt and Road”, Chinese police are involved with more and more trans-national crimes, but bilingual interpreters are in short demand. To respond to the practical needs in daily work, the government and educational agencies should take measures in providing language assistance to address the bilingual cases. Guidance and regulations should be established in the near future to ensure the fluency, comprehension and confidentiality of information. The use of bilingual police officers as interpreters for interrogations should be prohibited except that there might be extreme danger of harm to the civilian interpreters. The interpreter should have received professional education and training in how to act in interrogations before they are assigned to the position.

To be more specific, in the police academies and agencies where student police officers are trained and in-service officers receive further training, the foreign language courses should be an important part

of the qualifications. Language application ability, such as listening, speaking and especially translation should be emphasized instead of the paper-test scores. Police academies may vary in the specific language courses they provide according to reality, such as geographic features instead of holding English class as the universal foreign language course.

Furthermore, we need to enhance the cooperation with law enforcement of other countries both in police work and language communication. Providing foreign police officers with Chinese language courses could be an option. According to the officers from some south Asian countries who were having training sessions in Hubei, China, a Chinese language training course is essential for the cooperation between Chinese police and their foreign counterparts. This could ensure the accuracy of the translation and confidentiality of the information in a bi-lingual interrogation case.

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# **Policing Strategy in the Asian-Pacific Region: From the Perspective of the Cybercrime Developmental Stage**

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**[Abstract]** *Cybercrime possesses the characteristics of objectivity, instrumentality and extensity at different stages. These three characteristics interact and influence with one another, becoming the core of cybersecurity. Internal and external network development environment contribute to the development of stage characteristics of national or regional cybercrimes. Due to the complex geopolitical structure, economic dependency and differences in technological development, the Asia-Pacific region is facing a dangerous and complex network security dilemma, consisting of three intertwined stages of crime network. In this context, as one of the most active regional organizations and the largest network countries in the Asia-Pacific region, ASEAN and China should work together to carry out closer cooperation in international law enforcement and criminal justice on the basis of the existing framework, to build a more comprehensive and systematic system of prevention and control of cybercrime, jointly promoting the long-term stability of the Asia-Pacific region cyberspace.*

**[Keywords]** *cybercrime; developmental stage; Asian-Pacific Region; ASEAN; China; international police cooperation*

## **Introduction**

Along with the acceleration of the process of economic globalization and the coming of the scientific and technical revolution, the internet has become a global network; the world is more connected than ever before. However, this is not always a good thing. In the existing experience, this means that even when there is no war, cyber-attacks can create global epidemic disease or problems produced by the recent financial crisis (Sommer, P. & Sommer, I., 2011). Furthermore, for all its advantages, increased connectivity brings increased risk of theft, fraud, and abuse. As people become more reliant on modern technology, we also become more vulnerable to cyber-attacks such as corporate security breaches, spear phishing, and social media fraud (*U.S. Department of Homeland Security, 2016*). To this end, cybersecurity has become an important issue to test the capacity of government's governance, and combating cybercrime has become a top priority. However, cybersecurity does not just have a cybercrime issue – fighting against cybercrime cannot achieve the maximum impact of the fight. Only seriously understanding the development characteristics of cybercrime and putting forward coping strategies can fundamentally enhance the capacity of the country to fight to achieve enduring peace and stability.

## **Three Stages of the Development of Cybersecurity**

At present, cyberspace is closely related to a country's social and economic benefits, and is regarded as the fifth area following the earth, the sea, the sky and the space. The cybersecurity issue has, therefore, become the litmus test of a national management capacity. In the past few decades, network infrastructure construction has made considerable development in all countries; management concept and governance of cyberspace have also experienced dramatic evolution. However, because of the different economic development levels and different technical development levels, there are significant differences in the concept of network governance and management mode. Under this background, cyberspace politics and

cyberspace ecology of major countries and regions in the world have experienced a complex iterative evolution, which has mainly manifested as a distinctive characteristic of the times in different periods and development characteristics of different countries in the same period. And as a representative of the cyberspace politics and cyberspace ecology, cybercrime has mainly experienced three stages – Criminal Target, Criminal Tool, and Criminal Space (Yu, 2014). They respectively correspond to the three characteristics of objectivity, instrumentality and extensity.

### ***The Characteristic of the First Stage is Objectivity***

In the early stage of network development, the network infrastructure construction level is generally low in all countries; the network is mainly used as a tool for administrative rule (Nye, Jr., 2015, p. 136). The main feature of this stage is that the network itself becomes the criminal target, which mainly is manifested as individuals and individual organizations with high hacker technology commit crimes against the computer system itself and some of the key infrastructures. Kevin Mitnick, known as the world's top hacker, has invaded North American Aerospace Defense Command (NORAD), the communications network system (CNS) of Pacific Telephone Company, the FBI network system, and six other large companies, which led to the United States leading on network security concerns. Prior to this, the United States did not have cybercrime laws, but Mitnick promoted the legislative process of the United States cybercrime law (Zhang, 2016). At this stage, although hacker technology of individual hackers was better than the State power, they were still a minority and did not cause serious damage to people. Therefore, cybercrime has not cause enough attention.

### ***The Characteristic of the Second Stage is Instrumentality***

The network, with its low barrier to entry and permeable social boundaries, has changed its social status and living attributes, and cyberspace has gradually shifted from theory to reality, and replaced the “network” as the object and tool of cybercrimes; the resources necessary to conduct a cyber-attack were commonplace (Brown, 2006, p. 117). In this context, more and more people began to carry out crime with cyberspace's tools attributes. Cybercrimes with tools attributes is a technological shift of the traditional method. Although it falls into the same category of traditional crime essentially, it has already had some characteristics of cybercrime, such as a decentralism of the place of guilt, virtual reality and uncertainty of evidence, and time-and-space separation of the criminal activity, etc.

### ***The Characteristic of the Third Stage is Extensity***

The wide-spreading and sustained penetration of the network on a global scale creates a cyberspace which parallels and is linked closely to the real world, and it creates a new form of cybercrime which originates from the network. In the third stage, cyberspace is an independent legal region that differs from the real world. Crimes could be finished online or offline, and even could interact between online and offline, so as to connect real world and cyberspace.

Cybercrimes experience three stage of development. It does not mean the following stage will replace the previous one, but it means that all stages of development will coexist at the same time. There are two factors which contribute to this phenomenon. First, because of the imbalance of the network infrastructure construction and network technology, the cybercrime development stages are different in all countries. Under the influence of network openness and liquidity, a country's cyberspace is affected so much by other countries' that domestic mainstream cybercrime development stages could not cover all threats from other countries. Therefore, legal regulation and public administration should be considered by the government.

Secondly, influenced by a national level of economic development, the level of education, the level of network infrastructure construction and the level of technology, there are several different stages of cybercrimes between domestic regions. These different forms of cybercrimes are interwoven, so it is difficult to tell one border from another. Furthermore, with the deepening of cybercrime networking, cybercrimes have been characterized along with different historic stages. It means that those cybercrimes that used to be province of the first stage could be transformed into the second stage or third stage while criminal means or criminal forms upgraded.

However, it is not said that these three stages of development of cybercrime will converge in all states. Indeed, the level of economic development and Internet infrastructure construction will ultimately determine which stage the cybercrime will be in the major position in a country. Major network countries are generally transiting from the second stage to the third stage and are represented by China, America and Japan. Their main cybercriminal characteristics are instrumentality and extensity. At the same time, many Southeast Asian countries possess the characteristics of objectivity, and instrumentality have been concentrated at the first stage or the second stage. The main thing is needed that even if two countries are at the same stage of cybercrime, it does not mean that they are in the same stage of cybercrime. Because the mainstream cybercrime stage in any country is actually a mixture characterized by three stages' development characteristics, different combinations of proportions of characteristics shape all countries distinctive features, so the assumption that relying solely on management experience and technology to solve national cybercrime is invalid from the beginning. In other words, international cooperation is the inevitable choice to solve cybercrime.

### **The Cybersecurity Dilemma of the Asian-Pacific Region and ASEAN**

It is becoming more and more obvious that the Asia-Pacific Region is becoming a new global internet growth center since the 2008 financial crisis broke out. The growth rate of internet users was four times faster than the population as a whole in Asia in 2014. By the end of 2015, the number of internet users in the world was over 3 billion, with a year-on-year growth of 9%. The penetration of the internet around the world has reached 42%. The year-on-year growth rate of smartphone users around the world has increased 21%, compared with the same period last year which increased by 31%, while these two numbers respectively in Asian-Pacific Region are 23% and 35% (*We Are Social & IAB*, 2015). As can be seen from the numbers above, the Asia-Pacific Region has become the largest internet market with relative market capacity and power for global influence. However, the cyberspace in Asia-Pacific Region is one of the most complex cyberspaces because of the different internet development levels of these countries. Take internet penetration as an example: the top five countries are, respectively, New Zealand (91%), Australia (89%), South Korea (88%), Japan (86%), and Singapore (81%); while there are still several countries with penetration of less than 10% including East Timor (1%), Myanmar (5%), and Papua New Guinea (6%), and the number of people online in North Korea, according to statistics, is just less than ten thousand – home to only 0.003% of the country's population (Meeker, 2016).

According to the multiple measurements, China has become a well-deserved internet superpower, and the Asia-Pacific region has become the world's most active internet region. However, there is a very outstanding phenomenon that these three phases of development of cybercrime coexist, facing complex, severe, and changeable cybersecurity threats. As a relatively backward international organization in the Asia-Pacific region, cyberspace in ASEAN mainly stays at the first or second phase of cybercrime, and several countries are gradually moving towards the third phase. But, because of the open characteristic of

cyberspace, ASEAN's cyberspace is inevitably affected by the surrounding cyber powers, such as China, Japan, and South Korea, etc., including the third stage infiltration in the form of crime. Therefore, ASEAN, for the common interests of ASEAN and the Asia-Pacific Region, it is necessary to establish some kind of cybersecurity prevention mechanism to promote the regional peace and stability.

However, compared with Europe and America, there is an obvious cybersecurity dilemma in the Asian-Pacific Region which is mainly reflected in the following aspects: First, the national and regional cybersecurity legal system is not perfect. From the view of cybercrime, with the gradual escalation of the stage of cybercrime in various countries, the second and third stages have achieved some form of overlap, and cybercrime has expanded from pure domestic crime to transnational crime. Meanwhile, international cybersecurity threats such as terrorism, cybercrimes based on the Internet, illegal substance diffusion, and the abuse of information and communication technology, exposed the substantive absence of national and regional cybersecurity legal system that has seriously affected public trust in the capacity of the government to manage the cybercrime, as well as the confidence of the cyberspace environment.

Second, there are many contradictions among the regional cooperative organizations. Cybersecurity, because of transnational crime and terrorism, and other forms of international threats, is gaining worldwide recognition, and countries have finally come to reach many cybersecurity agreements by regional cooperation organization, but they still cannot get rid of the influence of geopolitical relations and national security. For example, although ASEAN, Shanghai Cooperation Organization (SCO), and Asia-Pacific Economic Cooperation (APEC) all put fighting against network crimes and protecting cybersecurity into their organization's mission, but their positions are different. ASEAN seeks a comparatively independent safe road map between China and United States. The SCO, with China and Russia as the representatives, stresses "cyberspace sovereignty" and advocates that every country should develop national network strategies under the UN system. APEC, including both China and the United States, chooses a relatively obscure position which places more emphasis on international cooperation (Zhi, 2016). In short, although the three organizations all emphasize the importance of cybersecurity, but in reality, they are strange bedfellows. The issue of how to integrate these three forces tests the wisdom of the leaders.

Third, the cyberspace arms race has become increasingly fierce. With the barriers to accessing cyberspace lower than ever, spatial properties of cybercrime have been further strengthened. At the same time, the convenience, economy and concealment of cybercrimes are universally recognized by criminals from country to country, and this encourages them to compete in an arms race of cyberspace capacity with the government. From this perspective, nations face challenges from two aspects: first, governments, because of geopolitical factors and national security, cannot ignore the power of cyberspace in other countries. It must force the government to continue to upgrade their network defense system. Second, although the national cyberspace power gets ahead of organizations and individuals, and identity technology and security defending technology also temporarily suppress their urge to crime, this is only temporary. With the continuous upgrading of technology competition, part of criminal organizations and criminals will address technological disadvantage and challenge state power, and eventually threaten national security and stability. So, governments, for whatever reasons, should strive to upgrade their network security technology to effectively combat cybercrimes. In addition, desire and fear of technology will seriously affect the government's moral judgments of cyberspace ethics and cyberspace governance, resulting in a new extrajudicial crisis.

## **ASEAN's Efforts to Deal with Cybercrime**

The cybersecurity dilemma of Asia Pacific region is complex and severe. No country is spared from these new cybersecurity threats. Securing cyberspace is not a simple balkanization of the Internet or a "return of the state" (Deibert & Rohozinski, 2010). Among them, ASEAN, as an important part of cybersecurity governance in the region, faces greater challenges. This paper argues that ASEAN needs to face up to its own problems in dealing with cybersecurity, especially in the field of cybercrimes, and then through various forms of international cooperation, resolve the security dilemma caused by the new form of cybercrime, and finally realize national long-term peace and stability. Therefore, this article argues that ASEAN can work hard from the following three aspects.

### ***First, Construct and Perfect a National and Regional Cybersecurity Legal System (CLS)***

CLS is the basis for the international police law enforcement and cooperation. It not only gives countries the right to combat cybercrime and ensure national security, but it also becomes a medium for communication for coordinating police law enforcement cooperation in various countries. On the one hand, it consolidates the core position of the United Nations in cybersecurity management, establishes the guidance principal of the United Nations Charter, and it creates and improves the domestic and regional CLS with the spirit of these relative international laws including the U.N. Convention against Transnational Organized Crime, UN Global Counter-Terrorism Strategy, and Cyber-Crime Convention, etc. On the other hand, CLS is the basis for International Policing Cooperation (IPC). In many countries, IPC is always the main way to combat transnational crime. However, there are no mechanism for dealing with the global flow of cybercrime and the basis of bilateral and multilateral cooperation, which leads to a minority of cybercrime forms such as phone fraud. CLS's system architecture will change the situation, and enhance various countries' basis of cooperation and awareness of cooperation, so as to form a long-term and stable institutional arrangement for combating cybercrime and protecting cybersecurity.

### ***Second, Strengthening Regional Network Security Cooperation at All Levels***

As mentioned above, cybercrime in some ASEAN countries is not entirely endogenic, but a kind of spiral development due to the openness of the network under the background of globalization. And international cooperation is an effective way to cut off all inner contact between the three cybercriminal phases, and strengthen the country's ability to combat cybercrime. Hence, countries should strive for development in the following two aspects. First, under the premise of improving the current regional organization cooperation mode, all countries can construct a regional identity of cybersecurity cooperation and research on co-operations and a new mode of international cooperation by coordinating the contradiction between different international organizations or different countries, such as with China, with China, Japan and South Korea, with SCO, and with APEC. Second, all countries should shelve the sovereignty dispute and the legal and judiciary differences to each other, and strengthen cooperation at all levels. Actually, international cooperation about cybersecurity inevitably involves state sovereignty, but cybersecurity has relationships with regional and global security interests and essentially all countries' national security interests. Therefore, all countries should abandon their assumptions and prejudices, and seek a new balance between sovereignty and security, thus, breaking through the obstacles of international cooperation under the international law and the existing cooperation framework, and finally cutting off the exogenous contact between the three phases of cybersecurity to realize security and stability in the region.

### ***Third, Strengthen the Capability of R&D of Cybersecurity***

The basic premise for combating cybercrime and protecting cyberspace in many countries is iterative evolution of cybersecurity technology; to be exact, to keep the leading position in technological areas. In other words, in order to exert CLS and IPC functions effectively, all the countries must always maintain the leading position of network security technology. Only by making continuous technological breakthroughs, especially getting an overwhelming advantage in the fields of identification technology and network defense, can criminals and criminal organization be frightened. To this end, all countries should strengthen cybersecurity technology R&D cooperation, and finally construct regional technological Skynet.

### **Conclusion**

Objectivity, instrumentality and extensity are not only three cybercriminal characteristics, but they also represent three different modes of cybercrime. These three characteristics interact and influence with one another, and co-construct the cybersecurity environment in the Asia Pacific region. In addition to coping with the upgrade and fusion of domestic cybercrime patterns, countries in this environment have to deal with the imported threat of cybercrime from other countries. No matter which stage of mainstream cybercrime, it is impossible for any country to manage alone in the wave of cybercrime globalization, so the IPC has become the inevitable choice of every country. All countries should join hands to actively maintain and expand the existing cybersecurity cooperation channels, construct bilateral and multilateral cooperation framework of CLS, and finally create a secure, stable, prosperous and organized new order of cybersecurity.

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# **The Role of International Law Enforcement Training in the Promotion of International Police Cooperation in the Context of Belt and Road Initiative**

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*[Abstract] In recent years, in order to train and partner with law enforcement authorities in related countries under the coverage of the Belt and Road Initiative, the Chinese government has invested a great amount of money in the provision of international law enforcement training. This paper analyzes the international law enforcement training program, and in particular, its role in the promotion of international police cooperation.*

*[Keywords] international law enforcement training; international police cooperation; promotion; Belt and Road Initiative*

## **Introduction**

The Belt and Road Initiative is a development strategy and framework, proposed by China, with connectivity and cooperation among countries primarily between the People's Republic of China and the rest of Eurasia as its core objective. This initiative consists of two main components, one is the land-based "Silk Road Economic Belt" (SREB) and the other is the oceangoing "Maritime Silk Road" (MSR). The coverage area of the initiative is primarily Asia and Europe, encompassing approximately 60 countries. Oceania and East Africa are also included.

As the core objective of the initiative is the connectivity and cooperation among related countries, and the interaction between China and related countries has been increasing over the years, the safety of Chinese nationals in these countries, and the nationals of these countries in China, can be critical for the implementation of the initiative, so the international police cooperation between China and the related countries is of great interest to the countries covered by the initiative. Non-traditional issues of terrorism, and transnational organized crime, among others, have been concerns of China and related countries for several years, and the impact of transnational crime, and the threat posed by terrorism has escalated continually in the past years, following the expansion of Chinese economic power to the regions of Southeastern Asia, Southern Asia, the Middle East, Central Asia and Eastern Europe. As the cooperation between law enforcement authorities between different countries plays a significant part in the efforts against the non-traditional security issues, China has been promoting and practically engaged in international police cooperation with almost all the countries in the world, particularly with the countries in the above-mentioned regions, and international law enforcement training (hereafter abbreviated as ILET) has been playing a critical role in its efforts for the strengthening of international police cooperation, which is the theme of this paper.

## **Literature Review**

As fact, there are several main powers in the world that provide or sponsor international law enforcement training for other countries, especially developing countries, in order to improve the law enforcement capabilities of law enforcement authorities and promote cooperation with them. Though the names of such government authorities responsible for such training provided or sponsored by different countries are



different, apart from U.S.'s Department of State, the UK's Department for International Development, Japan's International Cooperation Agency, and the French Development Agency, they share the same or similar mission of functions, just as mentioned by Kromer & Taylor (2004) that "the Department of State of the U.S.A. is responsible for the operation of a network of law enforcement academies...and the Advanced Management Course...is designed to increase the managerial capabilities of the mid-level law enforcement managers from foreign states to combat crime, ..., and facilitate cooperation with US international law enforcement agencies in order to successfully counter transnational criminal elements." Kromer & Taylor also provided detailed description of the overall concept, curriculum, and logistical support of the International Law Enforcement Academy at Roswell, New Mexico in the paper. Ladwig (2007) analyzed the Security Assistance provided by the U.S.A. for its allied countries, and pointed out that "The lack of a standing institutional capacity to provide assistance to the development of foreign police forces is undercutting America's ability to achieve important foreign policy goals." And that "At present, the Departments of Justice, State, Treasury, Transportation, and Defense all conduct some form of foreign police training."

As for the government authority responsible for international law enforcement training sponsored by China, although the Ministry of Commerce is the main body, other ministries, such as the Ministry of Public Security, and the Ministry of Finance, etc. are also involved. Xie (2013) gave quite a general picture of the Chinese foreign aid training in his book *Foreign Aid Training* though ILET was not included. The *White Paper on China Foreign Aid* mentioned that in the efforts made by China for strengthening capacity building of assisted countries, the topics of the seminars covered economics and management, multilateral trade negotiation, politics and diplomacy, public administration, vocational education, and non-governmental organizations.

Different from the general picture drawn in Xie's book and *The White Paper*, some Chinese scholars discussed the specific issues of ILET. Luo, Zhang & Wang (2010) argued that the course design is the core of the ILET. They also put forward some suggestions on the objectives, principles, measures for the course design. Xu, Shi, Shen & Liu (2009) described the details of the organization of two seminars on the topic of marine law enforcement, and proposed some measures for the improvement of organization of such projects, such as establishment of a specific institution in the organizing unit, and improvement of foreign language skills, etc. Guo (2012) summarized the practice of delivering ILET projects on drug enforcement at Yunnan Police College for the countries in Southern and Central Asia, and Africa, introduced the working mechanism, and shared experiences in the organization of ILET projects in the college. Wang (2007) reviewed the application of training methods in ILET projects and advocated the applications of participatory training methods, in a view of improving the effectiveness of teaching activities so that the participants enjoy the lectures and presentations.

### **Conditions for Successful International Police Cooperation**

For one reason or another, international police cooperation does not succeed naturally anywhere anytime, although police authorities in different countries shoulder the same or similar responsibilities as defined by their respective national laws, there are some barriers hindering the international police cooperation in practice all around the world. Apart from the legal, linguistic, and political barriers, there are also some conditions for successful international police cooperation. According to Anthony J. Balzer (1996), there are four conditions: the first one is a perception shared by all of the participating parties of a serious, threatening crime problem; then the involvement of experienced career law enforcement personnel who help define the

problem and propose practical solutions; and the involvement of political officials who formulate, enact, and defend enabling laws and budgetary support; and the last one is regular communication between law enforcement professionals and political officials throughout the whole process.

China has made extensive efforts to meet the above four conditions because she has been in the need of cooperation from law enforcement authorities in related countries, and definitely, it has been also of interest to all the countries. The investment of the Chinese government in the implementation of the international law enforcement training program in the past few years has played a major role in her efforts. And the purpose of such investment is the better protection of Chinese nationals at home and abroad and to assist other countries in joint efforts to detect and control the threat of transnational crimes. Since China has been suffering from the challenges of transnational crime and terrorism, China has to make extensive efforts to train and partner with foreign police authorities. International law enforcement training projects can be quite positive in the efforts to develop successful international police cooperation under the above mentioned four conditions.

### **The International Law Enforcement Training (ILET) Provided by China**

Though ILET by China had been going on in China for many years, the Chinese government did not provide many such opportunities until 2006, after then Chinese President Hu Jintao announced at the High-Level Meeting on Financing for Development at the United Nations Summit in September, 2005, that China would help train 30,000 personnel of various professions for developing countries within the next three years to help relevant countries speed up their human resources development (CPM to the UN 2005).

Despite the fact that the restriction on the disclosure of such information made the number of ILET projects, their foreign participants, and their specific topics remain unknown to the public, we still can get some pieces of information about the ILET program from some papers published in some Chinese journals. As mentioned by Wang & Wang (2007), the police higher education institutions who have been acting as organizers of training projects include: Chinese People's Public Security University, National Police University of China, Center for the Identification of Physical Evidence of the Ministry of Public Security, China People's Armed Police Force Academy, and the four police colleges in the provinces of Shandong, Yunnan, Zhejiang and Xinjiang. Guo (2012) suggested that from 2006 to 2012, more than one thousand law enforcement officers from the Asian countries of Myanmar, Laos, Viet Nam and Nepal, the Philippines, Indonesia, Malaysia, Singapore, Thailand, Cambodia, Brunei, Afghanistan, and other countries in Africa, Oceania were provided training. As for the topics of different ILET projects, Fan (2014) reviewed the topics of Advanced Law Enforcement Management, Marine Law Enforcement, Immigration Control, Criminal Investigation Technologies, Counter Terrorism, Drug Enforcement, and Organized Financial Crimes, etc. when he analyzed the different categories of projects for different ranks of law enforcement officers. Luo, Zhang & Wang (2010) discussed the classification of lectures for different projects, including common lectures on Chinese Culture, the legal system in China, the police system in China and the Chinese practice of international police cooperation; basic special lectures for different projects on qualities of police commanders, police command chain, responsibilities and operation of criminal investigation units in China, etc.; and special lectures for different projects on the operation skills, procedures, and legislations, etc..

Considering the fact that Chinese President Xi Jinping said in September, 2015, at the High-Level Roundtable on South-South Cooperation co-hosted by Beijing and the United Nations (UN) at the UN headquarters in New York, that China would provide 120,000 opportunities and 150,000 scholarships for citizens of other developing countries to receive training and education in the country, and would nurture

500,000 professional technicians for the developing world (FMPRC 2015), it's understandable when the number of foreign participants to such projects has increased by a considerable rate.

### **How ILET Projects Help Develop Successful International Police Cooperation**

While attending such projects, it's essential that the participants and their Chinese colleagues have some shared understanding of the common threats and challenges so they can develop a shared perception of the serious, threatening crime problem. This can be achieved by the sharing of knowledge about specific crimes confronted by respective law enforcement authorities in different countries when they gather together on such occasions. As mentioned above, on the platform of the ILET projects, Chinese law enforcement authorities and practitioners provide information and knowledge on the legal system, law enforcement against various crimes, and operational skills. Not only does such information and knowledge help develop the shared understanding of the common threats and challenges, but it also helps develop trust and cooperation between authorities. As we understand that while sharing the best practice in law enforcement operations, Wang & Dong (2011) were confident that such lectures help enhance the awareness of the foreign police officers of law enforcement standards and procedures in China, so that they may accept and recognize the law enforcement practice in the country, which is essential for the development of trust and cooperation between each other.

For the success of international police cooperation, the participation of law enforcement officers from different countries, and in particular, those high-ranking law enforcement officers, can be more essential, as they can play a positive role in the definition of the problem and proposal of practical solutions. As it's common that law enforcement officers are interested in the solution of crimes, and they can learn from the best practices in different countries. Through discussion on specific crimes, and interaction between the participants and Chinese lecturers who are most always police practitioners, they can develop some common definitions of problems and solutions. That is to say, they can reach some consensus on the issues of common interests. That's why participants take such projects as platforms in which they can find opportunities to develop cooperative relations. This has been proven by the fact that the police authorities of some member states of the ASEAN have provided a great deal of assistance in the investigation of many telecom fraud cases and the arrests of the involved suspects in their respective countries, and the fact that the police/drug enforcement authorities in some neighboring countries of China have achieved a lot more in their war against drug problems. All of these countries are very close to China under the coverage of the Belt and Road Initiative, and the common willingness in international police cooperation between China and those other countries can help overcome most barriers holding back such cooperation though the geographic distance between them can be very long. Consequently, these two of the four conditions can be met by providing ILET projects, or at least some positive factors which contribute to the success of international police cooperation can be formulated.

Though such training projects can't directly involve those political officials who formulate, enact, and defend enabling laws and budgetary support from related countries, or develop some kind of regular communication between law enforcement professionals and political officials throughout the whole process, as these projects are supposed to be organized for law enforcement officers, some achievements still can be made internally or domestically in the respective countries of the participants, or bilaterally/multilaterally across borders when necessary, as the shared perception of crimes among the participants may inspire themselves, especially those experienced high-ranking officers, to facilitate the

involvement of political officials, and develop regular communication between the law enforcement professionals and political officials.

### Conclusion

As Guo (2012) pointed out that the ILET's purpose is to enhance friendship between countries, to improve the law enforcement capacity of competent authorities in the related countries, and to strengthen police cooperation in combating crimes. ILET projects help develop good relationships and friendships between law enforcement officers from different countries under the coverage of the Belt and Road Initiative. It is not just a shared perception of a serious, threatening crime problem, but it also involves some experienced career law enforcement personnel from different countries who help define the problem and propose practical solutions, as well as political officials. Regular communication between law enforcement professionals and political officials can be made possible internally/domestically, or even bilaterally/multilaterally across borders, and the success of international police cooperation can be ensured with the efforts made by the ILET projects, which will consequently provide a secure environment for the implementation of the Belt and Road Initiative.

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# **The Maritime Silk Road and Non-Traditional Threats with Countermeasures – Take the Piracy Problem as an Example**

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**[Abstract]** *The construction of the marine Silk Road has faced many traditional and non-traditional security threats, such as illegal immigration, network crime, drug trafficking and terrorism when it was put forward by General Secretary Xi in 2003. There is a typical case with a long history, wide distribution and great harm – piracy. Pirates often appear in many of the critical locations of the marine Silk Road, such as the Malacca Strait, the Gulf of Aden, and Somalian waters. Their existence is a serious threat to the safety of ships' navigation; they not only could cause incalculable damage to property and personal injury, but they also increase the cost of international trade and imperil the construction of the marine Silk Road. So, we would strengthen the construction of the international legal mechanism, and international cooperation in the police, military and information-sharing. Meanwhile, we would increase economic and educational assistance for the areas where piracy is rampant to solve this problem.*

**[Keywords]** *The marine Silk Road; piracy; threats; countermeasures*

## **Introduction**

The Maritime Silk Road is not the ancient Silk Road in this paper, but the strategic conception proposed by General Secretary Xi in October 2013. The Maritime Silk Road in the 21st century has lined up the ASEAN, South Asia, West Asia, North Africa, Europe and other major economic sector market chains. Moreover, it's the strategic cooperative economic zone in the South China Sea, the Pacific Ocean and India Ocean, in which long-term goals of development is the economic and trade integration between Europe, Asia and Africa. The Maritime Silk Road in the 21st century will connect the 97 cities and ports in the world. These regions include 92.5% of the world's economy and trade, and 97% of the total volume of trade through the Pacific Ocean (Wei, 2014), the Indian Ocean and Atlantic Ocean. At the same time, this region can share the benefits of China's peace and development.

## **The Non-Traditional Security Threats Faced by the Maritime Silk Road**

Although the Maritime Silk Road was put forward for the development of international economy and trade, its growth has not been smooth sailing; it has faced all kinds of challenges and threats. Among them, the non-traditional security threats including drug trafficking, illegal immigration, cybercrimes, economic crime, and terrorism are particularly prominent. All of them have a negative and bad influence on the growth of the Maritime Silk Road and they have seriously interfered with the trade and economic exchanges between countries.

ASEAN, as a bridgehead of the Maritime Silk Road in China's strategy, these cancers have not been eradicated in the "Golden Triangle". Normal trade relations and cooperation have been seriously affected by drug's cultivation and trade. The Mekong massacre is still fresh in our memory, and the renaissance of terrorism has made the trade choice between two countries become more cautious in Southeast Asia. The Middle East is the worst-hit area of terrorism. A variety of terrorist organizations and non-government

armed activities are frequently making the national economy stagnant and international cooperation very difficult. It is very important to prevent network and economic crimes in the cooperation of the European region (Wang, G., 2011, p. 35).

However, there is also a non-traditional security threat, one which has a longer history, a broader scope and more harmful – piracy.

### **Piracy of the Maritime Silk Road and Its Harm**

Piracy is a social phenomenon with a long history. It was accompanied by the emergence of human navigation and maritime trade. As early as 1000 BC, there were pirates in the eastern Mediterranean Sea. But how to determine piracy has still not been standardized. In 1958, the Geneva Convention stipulated that *piracy* on the High Seas was the act of violent robbing of private ship in the public, the illegal detention of persons or property on a ship. In 1982, Article 101 of the United Nations Convention on the Sea stipulated that *piracy* consisted of any of the following acts: (1) Depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed: (a) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (b) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State; (2) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; (3) Any act of inciting or of intentionally facilitating an act described in subparagraph (1) or (2) (Zhang, C. S. 2015, p. 53). The International Chamber of Commerce (ICC) subsidiary of the International Maritime Bureau regarded that all the boarding robbery or violence that occurred at sea, whether occurring on the high seas or territorial waters, as piracy. It also defined *piracy* as any of the acts to board or trying to board any ship to theft or carry out any other crime, and attempting to use or had used violence to achieve the above behaviors. In addition, there are a lot of maritime crimes that have occurred in the sea areas under the jurisdiction of a country, internationally known as armed robbery against ships. Because of the continuous nature of maritime crime, it might occur in the high seas, and then continue in one country's jurisdiction of the sea, but in general the two maritime crimes are collectively called *piracy*.

Since ancient times, pirates have frequently taken place on the route from Africa to Asia. Now pirates are still haunting “the world five terrorist waters” – off the coast of West Africa, the waters near the Somali Peninsula, an area connected to the Suez Canal between The Red Sea connecting the Suez Canal, along the Bay of Bengal, the Strait of Malacca, and the entire Southeast Asian waters. Particularly, the Malacca Strait and the entire Southeast Asian waters are the most horrible regions. Since the 1980s, global piracy activity is more rampant, and piracies are increasing yearly. According to statistics of the International Maritime Bureau's Piracy Reporting Center, in 1994 piracies occurred 90 times, in 1998 they rose to 228, and in 2000, they soared to 469. More than 1/3 of these occurred in the Malacca Strait and the South China Sea. In 2000, there were 252 piracies that happened in the Malacca Strait and the South China Sea, almost 55% of the total. Into the 21st century, the pirate rates remain high in this region, 187 in 2003, accounting for 43% of global piracy (ICC, 2009). Before 2004, there was only one or two piracy incidents that occurred in Somalia, but it soared to 37 in 2005. According to the statistics from the International Maritime Bureau, near the waters off Somalia there were 120 pirate incidents in 2008, more than twice of 2007. Recently, the International Maritime Bureau Piracy Reporting Center issued the 2015 global total of piracy and armed robbery was 246, about the same as 2014, and in terms of the number of hijacked vessels, there is a downward trend (Zhang, X. L., 2010, p. 6).

The report stated a total of 2013 ships were boarded by pirates in 2015, up 11% from a year earlier, 1 ship was attacked, and 27 attacks had been successfully blocked. In terms of personnel, in 2015, 14 crew members were injured, 1 crew member was killed, and 19 crew members were kidnapped; only 9 crew members were kidnapped in 2014. In the last quarter of 2015, there were no hijacked ships and crew members events around the world. In terms of ships, throughout the year, 15 ships were hijacked, less than the 21 ships hijacked in 2014 (Yin min, 2016). The statistics from IMO, the targets of the pirates' attacks were divided among oil tankers (25%), cargo ships (23%), fishing boats (16%), large bulk carriers (13%), coastal ships or yachts (12%), as well as container ships (11%) (Qin ping, 2009). The method of plundering the crews' property turned to plundering the ship's goods, and at the same time, some of the crew members were detained as hostages in exchange for ransom, and then the money was used to buy advanced weapons and other items. This will cause a vicious cycle certainly and lead to the world's shipping to become unsafe. Increasing piracy every year brings a great loss to the whole world; piracy has become one of the world trade ills (Wang, L., 2009, p. 125).

It is considered that before 1996, each year pirate attacks caused a loss of about \$3~4. 5 million, but by 2002, the number quickly rose to \$160 million ~ \$25 billion by IMB. In addition to the losses of the shipping industry, pirate attacks also have impacted ocean insurance and brought a huge economic loss to shipping insurance. For example, in the French oil tanker incident in 2002, pirates poured 90 thousand barrels of oil into the sea making the ships' (that berth in Yemen port) insurance costs increase by three times; in addition, the Port of Aden was closed completely because there was no ship that could afford the insurance (Shi, 2004, p. 30). If piracy continues to be rampant, the additional shipping costs due to the closure of the route will reach several billion dollars.

Our proposed route of the marine Silk Road is through the area that has a few high incidents of piracy, Southeast Asian waters and Aden, Somalia. Security threats and the improvement of economic costs have an immeasurable influence on our international trade and the construction of the Maritime Silk Road. Also, the overflow effect of piracy is a threat to the construction of the marine Silk Road, and to fight against piracy has become an excuse for some countries to achieve their strategic objectives and to interfere in the interests of other countries. In recent years, the United States and Japan have tried to control the important international channel by reason of combating piracy and terrorism. Maintaining the international channel on these grounds, the United States launched the Regional Maritime Safety Initiative in April 2004, with the point of sending Marines and special forces into the Malacca Strait to patrol the channel with high-speed vessels to assist in the fight against terrorism at sea. In May 2005, the US Deputy Secretary of State Robert Zoellick said they would provide military support, training equipment and intelligence for counties along the Malacca Strait to help them to fight against piracy in the area. (Li, 2005, p. 5). The USA uses combating piracy as an excuse to return to the Asia-Pacific by strengthening military exchanges with ASEAN countries. So, they can Control the important place lead to the Asia Pacific oil step by step, and then stick it in the "neck" of China's economy. In recent years Japan also has used "combat piracy" as an excuse, providing funds and technology to ASEAN; they want to require a joint maritime exercise, form a joint maritime patrol and host the International Anti-Piracy Conference to control the Malacca Strait by military presence and force other countries. Some media have disclosed that Japan would like to take the chance of attacking the pirates to expand their military forces, revive militarism and obtain the rights of activities in the Southeast Asian waters. Like other countries, India also believes that the threat of terrorist may cut off the sea traffic, especially in Malacca Strait. So, India has also claimed to have security interests in the Malacca Strait in recent years, and their new "naval



strategy” also emphasizes the maintenance of the “legal interest” from the Persian Gulf to the Malacca Strait.

### **The Coping Approach of China**

China should properly address the pirate problem for the Maritime Silk Road construction.

#### ***Strengthen International Cooperation***

##### **Strengthen the construction of international legal system.**

- To advocate for the signing of the International Anti-Piracy Convention special for anti-piracy besides the United Nations Convention on the Sea and the Stop Endangering Maritime Navigation Safety Convention on Illegal Behavior, expand the definition of the crime of piracy, clearly define the rights and obligations of anti-piracy among countries, clearly define all the countries’ jurisdiction in the inland sea and over the exclusive economic zone of the sea; and clearly state the obligation to cooperate with the anti-piracy operations to provide legal protection of anti-piracy operation (Zhang, J. J., 2009, p. 140).
- To facilitate the exercise of the right of hot pursuit of pirates. The right of hot pursuit: “A state has the right to pursue into the high seas and arrest a foreign vessel which has committed an offense within its waters. The hot pursuit has to commence when the offending vessel is within the national waters, territorial sea or contiguous zone of the pursuing state and must come to an end when the vessel has entered part of its own country or of a third state” (Zhang, X. L., 2010, p. 11). “The pursuit must be uninterrupted and only necessary and reasonable force may be used to effect the seizure and bringing into port of the pursuit ship” (Zhang, X. L., 2010, p. 11). Although the warships have the right to chase piracy in its waters, the boundaries of the right are to other countries within the jurisdiction of the waters, and created a certain convenience for pirate crime, because they can use this restriction to launch an attack near the border and then return inside of the territory quickly. The limitation on the right of hot pursuit becomes a legal obstacle when countries try to combat piracy. In the future, international cooperation in the right of hot pursuit can be extended to other countries’ jurisdiction over the exclusive economic zone, in the premise of respecting the rights of other countries. Foreign warships in the exclusive economic zone in one country to catch pirates should be notified in a timely manner after the event, when the pirates are the people of these countries, and the arrested pirates should be transferred to the nationality of the country.

##### **Carry out international police cooperation, military cooperation, and information sharing.**

- To establish a permanent mechanism for the joint escort, drawing lessons from the experience of the Chinese Navy of Somali escort and the joint law enforcement of the Mekong River. On the basis of respect for coastal state sovereignty, we should exercise jurisdiction in other countries, to some extent, in dangerous waters escorts. It is sufficient basis to exercise the right to escort: first, this is the need to protect the safety of their citizens, the country needs to ensure that its citizens do not suffer illegal infringement. Second, an escort is the request of the exercise of self-defense. Third, the state shall bear certain international legal liability for

the illegal activities occurring within its territory. All countries have the duty to appropriate protection after ship safety. Therefore, the necessity to escort and intervene is a supplement to a country's national security mechanism. Fourth, a joint convoy is more rationality. Because the past foreign merchants are not citizens, coastal state for their protection is not high; what's more, in some dangerous waters such as Somalia, pirates have become a local industry. Even in some countries pirates collude with the local government to plunder together, so if we require the coastal countries to bear the maintenance cost of navigation safety is not reasonable, but sharing the cost by a number of countries as a beneficiary of the ship is reasonable. Certainly, the expansion of the right of escort only in areas that country's inability to control the risk of piracy, such as the Strait of Malacca and Somalia waters, etc. While the expansion should be authorized by the international community or on the basis of his consent, and the right is limited to the fight against piracy. It shall not infringe upon the territorial integrity of the country and shall not interfere in the internal affairs of other countries by the name of the escort.

- Intelligence sharing is one of the important ways to combat piracy. Early in the Ming Dynasty, one of the important reasons for the success of Qi Jiguang in the fight against piracy (Wo Kou) was intelligence. In modern times, intelligence sharing is still important. By sharing information, countries can accurately grasp the activities of piracy and criminal evidence. Finally, through international cooperation, to achieve cross-border operations to combat piracy timely and accurate

**Set up a regional cooperation organization.** Regional region organization can unify strength effectively, and solve the areas' problem quickly and efficiently. We can, on the basis of the Shanghai cooperation organization, put the anti-piracy problem into its cooperation framework because the purpose of the Shanghai cooperation organization is to maintain regional peace, security and stability. Anti-piracy conforms to the requirements, and its experience in counter-terrorism can provide to anti-piracy. Many Southeast Asian countries are observers of the Shanghai Cooperation Organization, and if we cooperate with them, we can solve the problem of piracy and other security issues effectively, and we can enhance the initiative in anti-piracy events in our country (Wei, 2013, p. 7).

#### ***Increase Investment in the Areas of High Incidents of Piracy and Assistance***

Increase investment in local areas and aid to the local education. Piracy is fundamentally out of economic interest. The high rate of pirates are in impoverished areas, and pirates are desperate for survival. If we increase investment in local areas, use the local low labor and raw material prices to develop small processing industries for the local people to provide jobs for fixed incomes, we can believe that the people will choose to be pirates for a profession will become less. The purpose to construct the Maritime Silk Road is to improve countries' economic development, to realize mutual reciprocity and mutual benefit between countries along the route. On the one hand, increasing investment can relieve the pirate problem effectively, and promote the development of the marine Silk Road; on the other hand, it can achieve the purpose of the construction of the marine Silk Road directly. By enhancing the education level, it will improve their cognition of the pirates and lead them to engage in legitimate careers.

Cooperation of the ship recovery mechanism. The fundamental purpose of traditional pirates committing crimes is to obtain economic benefits, and there are two main means to obtain economic

benefits: One is to hijack the ship or goods; the other is to hijack the crew or the ships, and demand a ransom.

Pirates also face the problem of disposal of the stolen goods after they have hijacked them. But because of the existence of “flag of convenience”, many pirates can change the name of the vessel registration again after they obtain it. IMO has passed a resolution that stops the registering of a name for hijacked ships. In the future, we can have unified registration of the ownership of ships to prevent their re-naming. It can be unified by the IMO for the record, one ship has only one unique number, and any change to the number will result in the ownership of the ship being unprotected. Regarding ransoms, a Nairobi report requires countries to ban ship-owners to pay ransoms to pirates for vessels or crews. But sometimes in the case of a hopeless situation, or for humanitarian reasons, owners are often forced to deliver a ransom. Perhaps all countries should carry out a method that freezes the property of the pirate and improves the ability of a rescue; this can fundamentally solve the problem of paying a ransom.

### **Implications and Conclusion**

Through research, we believe a good effect can be obtained by using the above method. Thankfully, piracy is becoming less in the region where it has received widespread attention and launched regional international cooperation. In 2015, according to the International Maritime Bureau reports, there is a downtrend in piracy in Southeast Asia because of the strong measures carried out by the government of Indonesia and Malaysia. But in other parts of Asia, like Vietnam, a total of 27 piracy incidents happened in 2015, more than seven in 2014, and they were theft activities in the port ships. China reported a total of 4 piracy incidents, three of them were the theft of diesel in a large bulk away from Tianjin port. (Hu Xianjin, 2015, p. 33) There were no pirate attacks in Somalia in 2015, due to the international community taking strong actions. But in the south Red Sea, the northern coast of the Gulf of Aden and Somalia, the Arabian sea, Gulf of Oman, and the southern and eastern Somalian coast, there is still a great threat. The International Maritime Bureau warned that ships must continue to remain vigilant through the Gulf of Aden and Indian Ocean. In October last year, the United Nations Security Council adopted a resolution, all nations and regional organizations on the coast of Somalia must cooperate with Somalia to combat piracy and take armed robbery at sea to extend one year. At the same time, the report stated, “Somalia's economy is weak, the possibility of piracy is still high, it may destroy the stability of the state as long as Piracy attacks take place” (Yin, 2016).

It is easy to see that international cooperation is very effective to relieve piracy, but this is just a regional phenomenon, the community still needs to further cooperate, to build a broader mechanism. At the same time, to eradicate piracy, we must develop the economy, strengthen the education and eliminate the source of the pirates. It is believed that we can get rid of the pirate through the unremitting efforts of international community and the construction of the marine Silk Road will also no longer be blocked.

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# Intelligence Policing as a New Paradigm of Security Management

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*[Abstract] Along with the advent of the era of big data and the evolution of the concept of security, big data is increasingly becoming an important factor affecting the public security organs combat effectiveness. Big data has not only directly contributed to intelligence policing technology innovation, but also has led to a profound change in the management of police, thus promoting the transformation and upgrading of the policing model.*

*[Keywords] intelligence policing; security management; paradigm*

## Introduction

Nowadays, with the rapid development of science, technology and the information industry, the era of mass information and data mining as the main features of the big data is changing people's behavior, thinking habits and values. The traditional security concept of "state centered doctrine" is gradually replaced by the non-traditional security concept, which is the core of "human security". In this case, in order to adapt to the Internet, IOT, the intelligent era at the national level and social individual layer in the face of security with the new look, with integrated use of cloud computing, video technology, data mining, intelligent engine of modern science and technology as the characteristic (Zhang, 2014), intelligence policing which integrates the public security business application system has gradually become a new paradigm for safety management.

## Problems Presentation

### *The Transmutation of Safety Value*

Since the twentieth century, especially after World War II, the traditional safety value which had 'state centrism' as its core has been replaced by the non-traditional security concept centered on 'individual security' concerning the threats to the Military. People are in a state of survival anxiety, as well as insecurity of subjectivity. What the value of non-traditional security pursues differs from traditional security in that it puts the national interests into the concept of specific individuals. As non-traditional security increasingly threatens safety and stability, it not only expands the contact surface among people, nature and society, but also strengthens the systematicness of society and increases the social essence and subjective power, which make countries more concerned about the 'safety of humans'. Now that the safety of the country is an aggregation formed by numerous 'safety of humans', numerous 'safety of humans constitutes the national interests' is basic point of value (Yu, Pan, & Wang, 2006). In this sense, thinking highly of the 'safety of humans' distills the value of traditional 'state centrism' safety. Under such background, public security organs have double functions which are safeguarding internal security, as well as the security of humans. The tendency of policing reform should be adjusted to the transformation from 'state centrism' to 'individual security', which involves being concerned more about practical needs such as an individuals' sense of security and satisfaction.

### ***Data Managing in a Time of Change***

As the world began to move towards the age of big data, a dramatic change has been made in humans' ways of thinking and acting, through the full application of data. Humans will reshape their values and will adopt new management models. Data is not only a resource, but also a tool that "shook up the world on all sides, from business and technology to health care, government, education, economy, humanities and other fields of society" (Maier & Cook, 2013). As resources, data about crime rates, crime types and crime features in certain periods of time and regions provide direct guidelines for the policing management in the region. Meanwhile, the local residents' sense of security and satisfaction also serves as a good reference, which turns out to be a valuable asset in the process of wise policing management by affecting the options made in policing management. As a tool, along with the arrival of a new trend of information technology, data is increasingly becoming an important factor affecting the combat effectiveness of public security organs, which has led directly to the intelligence police technological innovation, and profound changes triggering police management, thus promoting policing pattern transformation and upgrading.

### **Intelligence Policing: As a New Paradigm of the Development Context**

#### ***From "Tool Based Policing" to "Service Oriented Policing"***

The police mode is the basic form and operation mechanism of police force construction and police activities under certain social conditions. In different historical periods, different social backgrounds, police behavior has different attributes and emphasis. Overall, the world's policing revolution experienced five stages of development including political police, legitimate police, professional police, reactive policing, service and contingency police (community policing), and there have been a feature of uniforms, specialization, modernization and socialization, which its essence from the "instrumental policing" to "service-oriented policing". "Instrumental policing" focused on playing an important role in the policing model of the political ruling function, in which the public security organ is the national organ of violence. This determines that the public security organs of the police behavior bears the characteristic of national mandatory, administrative, legal and mandatory in one; while "Service Oriented Policing" pays more attention to the social management function of the policing mode. When the public security organ performs the state function, the traditional passive policing pattern has difficulty meeting the needs of the social progress and improvement of the quality of the citizens. The concept of active policing can serve the people better, and serve the economic and social development. From "Tool Oriented Policing" to "Service Oriented Policing", it is not only the result of the change from being passive to being active, but also the inevitable trend of security management.

#### ***From "Policing Management" to "Policing Governance"***

With the shift of focus from control to participation, and the change of the government management concept from social management to social governance, the policing model also presents a "policing management" to "policing governance" change. Police governance from police management is superior to the characteristics of the police management. It is not only better for the inheritance of the policing tradition, but also for the innovation and development of policing reform. From the perspective of power operation, policing management is a top-down style, and policing governance is an interactive process of power operation. From the main body of police activities, police administration is the public security organ as a national violent machine, but the subject of police governance includes social organizations and individuals that are willing to participate in, and therefore, the scope of the main body of police governance is wider.

From the content of police activities, police management emphasizes the duty of public security organs to crack down and punish crimes, and policing governance highlights the continuing interaction of public service responsibilities. Therefore, if police management is a result-oriented, static, and institutionalized control process, then the police governance is a kind of goal-oriented, dynamic and continuous interaction process. As a result of the management of police affairs, intelligence policing pays more attention to the reality of people's social security and government services, and at the same time, by means of massive data and modern technology, adjusts and improves police behavior to provide a more lasting, perfect and more popular service.

### ***From “Police Incremental Improvement” to “Police Without Better Growth”***

Dating back to all previous policing revolutions, whatever policing pattern adjustments it was making, or no matter how the layout planning of police, ultimately, the core and essence is to turn the police reform results into real public security effectiveness. Intelligence policing is the model of information application in the era of big data; it has abandoned the traditional mind-set through enlarging the number of forces to improve policing quality, and through analyzing and processing the huge amounts of data, we know now we can integrate all kinds of police resources, and eventually, promote policing work from labor intensive to technology intensive, from quantity growth to efficiency improvements, thus realizing the police without better growth. As the “golden shield project” was implemented by the ministry of public security in recent years, the public security organs of Zhejiang, Shanxi, and Shandong, etc., began to carry out the wisdom of Intelligence policing. A case in point is the public security organ of Hangzhou, Zhejiang province leading police. They carry out their intelligence information efficiency with the concept by the hands of science and technology, and integrate social resources, and promote further policing system, using the “cloud of police service” platform with an integrated application of PGIS practical application platform, portrait than platforms such as information construction, thus improving the three levels of social security in the norm assessment mechanism, building the “six net”, the “six mechanisms” under the support of three-dimensional public security prevention and control system, and made a “quite little, good order, social stability, the masses satisfied” good effect.

### **Intelligence Policing: The Inevitable Course of Security Governance**

As a new pattern of security governance, the wide application and deep development is a solid step to ensure the transformation and upgrading of policing work, as well as an important way to construct a harmonious relationship between the police and the people. What's more, it is an inevitable course to construct ‘Security China’, ‘Rule of Law in China’ and to accomplish the goal of the great rejuvenation of the Chinese nation. Intelligence policing is called the result and expression of this historical trend under the situation where national security maintenance won't be a zero-sum game, when Big Data projects integrate the isolated and fragmented information while the relationship between the government and the public is no longer absolute authority and absolute obedience. It makes the security governance multi-parties participated, more extensive and assessable.

### ***The Diversity of Intelligence Policing is Conducive to the Integration of Security Management***

Security in the traditional sense focuses on the sovereignty and territorial integrity of the country, thinking of the country as a security provider. Public security organs, as one of the national security, is placed on the high ground to protect national security. This determines the subject of the traditional police work by the public security organs independently, which virtually opened the distance between the public security

organs and the people. Big data is a double-edged sword; on the one hand, it provides a lot of convenience for human life, and on the other hand, it also produces a lot of non-traditional security factors. These non-traditional security factors affect, penetrate, and threaten national security and human security, prompting the public security organs to implement the wisdom of policing models having to consider the safety of people as a living body and the participants of social activities. At the same time, with the general improvement of the quality of citizens and the awakening of citizen consciousness, in addition to the public security organs, the main body of intelligent police affairs also includes government, enterprises, social organizations and individuals who actively participate in the construction of intelligence policing. They play a unique role respectively in the analysis and application of massive data, and play an indelible role. In the multivariate, collaborative network, public security organs as the major functions of the Department, constitute the full integration with the government, enterprises and (an) industry, social organizations and individuals, and jointly safeguard the national security and people's safety.

### ***The intelligence Policing System will Benefit the Sustainable Development of the Security Administration***

The intelligence policing is not a single policing approach, nor the public security organ's sole responsibility. It is a complicated systematic engineering, which involves the public security organs and various industries. Intelligence policing not only includes the body of the intelligence policing/the subject of the intelligence policing's service, but also the deciding system of the intelligence policing/the administration system of the intelligence policing /the supporting system of the intelligence policing and the industry system of the intelligence policing, etc. In order to maximize the effectiveness of the system, the composition of the intelligence policing system and the subsystems have to maintain common governance concepts and intentions, thus improving the social management and service level of public security work.

### ***The Evaluability of Intelligence Policing is Beneficial for the Improvement of the Safety Management***

Unlike previous policing models, intelligence police are based on a mass of police information that is highly gathered, analyzed and on a high application basis. It is from the realistic social life of infinite cell endings perception of massive amounts of data. Through the use of all kinds of algorithm analysis and modeling, the police can dig up all kinds of data contained behind the inherent, inevitable cause and effect, and then read out the probability of a certain event occurring, the scientific forecast of its developing trend to the need of real struggle and security management service (Gao, 2013). Thus, it can be seen that storage, screening and analysis of the data, the application process and the implementation of police throughout the intelligence, as a police system, is necessary to link in order to evaluate the effects of wisdom; of course, it also includes the application and data application again. Through the implementation of the evaluation and application of massive data on intelligence policing, it helps to understand the effectiveness of the overall implementation of intelligence policing, and to grasp the implementation process of the police, in order to better improve the safety management system.

## **Conclusion**

To sum up, compared with the traditional mode of police, intelligence policing is a wise option to adapt to the information age in the national pursuit of traditional security and non-traditional security, and it also represents the direction of the reform of the modern policing model. In the future, a comprehensive use of a variety of modern science and technology means will be used, and everyone will be police combat



participants. Giving full play to the efficiency of all factors of intelligence policing will become the leading role in the future of policing.

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# Study on Network Public Opinion Management in the “Two Micro and One Port” Era

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**[Abstract]** In the “two micro and one port” era, the CPC central committee attaches great importance to public opinion, repeating that the government should listen to the crowd, respond to the people’s will, pool their wisdom, promote scientific development better, and promote social harmony. Based on communication as the research perspective, this paper summarized the network public opinion management of international experience and communication, combined with the public security organ network public opinion strategies, and put forward some ideas of talent cultivation, which is useful for reference in further research.

**[Keywords]** two micro and one port; network public opinion; management; talent-cultivation

## Introduction

In the “Two micro end” era, new media is a double-edged sword to society because of the huge energy. Strengthening the standard management of media and reducing its negative influence is the only way to ensure the healthy development of the new media. The purpose of this article are two aspects. On one hand, politics is infiltrated media by various channels. Due to its special influence, the media affects the focus of attention, there are hot spots in choosing the contents and reporting ways to form public opinion pressure, and it influences government decision-making. On the other hand, the government also controls the media through policy, laws, economics and other means to make the media obey and serve the political propaganda and mobilization.

## Literature Review

### ***The Review of Research Abroad of Network Public Opinion***

Foreign countries began to study network public opinion in the 1990s, mainly focusing on quantitative research and empirical research, and mainly concentrated in the general view. Network public opinion and social democracy is closely related with the research, for example: Stephen in his book, *The Republic of Network*, discusses the network’s negative influence on democracy.

### ***The Review of Domestic Research of Network Public Opinion***

Domestic research contains several aspects: the basic theory, support technology, and application research on network public opinion, and is mainly concentrated in journalism and communication, social psychology, political science, intelligence, public management and so on. There are not so many research papers on network public opinion. The main works are Hu Yong’s “The Rising Cacophony”, Wang Sixin’s “The Free Expression in Network”, Liu Yi’s “Overview of Network Public Opinion Research”, Peng Lan’s “The First Decade of Network Media”, Zhang Jiuzhen’s “Self-discipline Mechanism of Network Information Transmission”, Du Junfei’s “Internet Communication Research in China”, Wu Feng’s “Network Communication – A Perspective of Metaphysical”, Wang Meifang’s “The Public Opinion Supervision and Social Justice”, and so on. In recent years, the research of network public opinion

transmission can be mainly divided into the following aspects: the first is network communication's subject, object and carrier. The second is the network public opinion communication process. The third is the effect of network public opinion communication. The fourth is the connotation of network public opinion. The fifth aspect is the elements of network public opinion. The sixth is the control of network public opinion.

### **The International Exchanges of Network Public Opinion Management**

The U.S., Germany, Britain, Korea, and Singapore take measures suited to their national conditions based on the actual situation. Their network public opinion management measures have their own features, which are of great significance and enlightenment to us.

#### ***Legislation Regulation is the Fundamental Guarantee***

The government should have strict legislation, which makes the network regulatory organization obey the laws, guided by the specialized agencies responsible for implementing them, and pay attention to the ways of law enforcement and efficiency. No matter if it's Germany who has hard measures or the United States who has soft measures, they all have special public opinion management legislation. Generally speaking, the management of public opinion in accordance with law is the international method. In the management of public opinion, it is clear which speech is protected and encouraged, and which is restricted and forbidden. In the management of public opinion people will be clear about their rights and obligations, so that public opinion can develop in a healthy way, which is conducive to the development of the society. Among all kinds of carriers of public opinion, the Internet is the most difficult to control and guide. Therefore, to build a system of rules and manage according to the laws are the most important steps to Internet management. At present, our country has introduced "computer information system safety protection regulations", "Internet security protection technology measures" and other rules and regulations, which enhance Internet management. But at the macroscopic level, we should also integrate relevant regulations, rules and principles, and produce "Internet management law", which is a more authoritative and more statutory, a binding host law (Hu Yong, 2011). From the micro level, we should seriously study new situations and problems in Internet management, from operation and supervision, information protection, illegal strike, and other steps, to establish and develop a complete set of scientific steps and a perfect legal system. The law system can plug up loopholes in management and eliminate management blind areas, in order to further strengthen the effective regulation and the protection of the Internet.

#### ***Technical Support is Necessary Support***

The current crisis of public opinion mainly comes from the emerging media-Internet, which spreads rapidly by all kinds of ports and causes concern. At present, China widely intensified its technical support, grading and filtering the content, and blocking access to relevant information with word sets to strengthen the control of network public opinion. Germany and the United States both use the technology for network management to ensure the health and safety of the Internet. Therefore, we strengthen the management of public opinion, and at the same time, we strengthen the construction of Internet technology. The government focus on the development of technology talents, the construction of technical facilities and the popularity of technical means to expand the coverage of safety technical measures.

#### ***Playing Mainstream Media's Role is an Important Way***

Now the Internet has become an important new field in the struggle of ideology and new public opinion, but the credibility of the mainstream media is deep-rooted. At present, there are more than 150 web sites

approved by the state council information office having the rights to publish news. In China's Internet news system, a central news website is the head, and key news websites are the backbones, and the traditional media and business portal play a positive role that has been formed (Wang, 2007). Therefore, we have to give full play to the role of the mainstream media. "Such as whether any major events that took place at home and abroad, the livelihood of the people or society problems which Internet users pay close attention to, powerful BBS will invite government officials, related experts and the parties do guest interviews. With the voice of the mainstream, the government occupy the BBS with authority and authentic. During online discussion, the government integrates and carding messy information on the BBS to guide public opinion."

### ***Social Participation is an Effective Supplement***

It is not enough to manage public opinion by government alone. We must mobilize social forces to gain public participation and joint construction to create a healthy, civilized and harmonious public opinion environment. Especially in this virtual realm of the Internet, we must vigorously develop a civil society in the field of Internet and volunteer organization, to set up Internet communication, unions, carriers, an Internet bar association, youth association of retainer and unofficial volunteers association of Internet management institutions. And the government should widely cultivate social strengths and actively carry out autonomy and self-discipline in Internet management to realize the interaction to society concertedly (Liu Yi, 2007). At the same time, we should fully use the mainstream media propaganda position, through some influential business websites, radio, publications and other publicity channels to guide industry self-discipline and create a good atmosphere. So, the government departments should strengthen the control and guide the business news website, enhance supervision responsibility, advocate self-discipline, purify network environment, contain the vulgar and network violence and block false and bad information in time to prevent the formation of negative heat caused by the network public opinion out of control. The actions include: first is the strict legislation, regulatory laws to do network, guided by the specialized agencies responsible for implementing, pay attention to the way of law enforcement and efficiency. Second, strict market access, protecting minors through the legislation, "blacklist" system, classification system and technical means to limit the area of network information. Third is to implement network real-name system to prevent taste idle and to be responsible to words; Fourth is to strengthen self-discipline to improve the network suppliers' responsibility and consciousness; Fifth is the Internet illegal information reporting agency. Giving full play to the school, family, non-governmental organizations and other social forces to form supervision mechanism of the legislative branch, government, industry and people" (Peng, 2015).

### ***Filtering Online Information***

To recognize and remove the Internet information and speech, the British government will eliminate extreme and wrong messages as a focal point of their network supervision. Every day the clerks analyze and filter vast amounts of online information. once they find information endangering state security and slandering others" speech, they clear them out in a timely manner, and set up an early warning system in the network, in which the monitoring to the danger signs of upon collection of information, will be submitted to the relevant department (Zhang, J., 2013). The British in new media management operation mechanism is relatively mature; its regulatory behavior is more dependent on market regulation and self-discipline, which are typically supervision and monitoring, and total participation. The "Internet monitor" has been the foundation for the quick and orderly development of the Internet in recent years in Britain. It is led by a government-established, independent, and self-disciplined Internet industry organization. In

1996, the British government and representatives of the network industry and trade organizations signed an agreement, “The R3 Security Network”. This agreement is for the network supervision of industry standards, including “R3”, which represents rating, reporting and responsibility.

## **The Cultivation of Talents in the “Two Micro and One Port” Era**

### ***Make Full Use of New Technology to Network Public Opinion Management***

At present, the Internet not only has become a new type of mass media, but it is also a new important platform for expression of public opinion. Facing complicated sources, varied content, and rapidly-spread online mass public opinion information, we can make full use of Internet technology and the network public opinion information work innovation to enhance the proactivity and control of network public opinion of information work.

First, we should use powerful network intelligent searching technology, timely grasp the development of the online social ideology and find the major or sensitive events to post the first news source. We should use the network information integration technology and intelligent analysis software to connect the Internet newsgroups, email, BBS, blog, flash-mob, podcasts, digger, instant messaging, and mobile phone network application mode together. Depending on this, the government can expand the network public opinion information collection, analyze network public opinion information transmission range and size, forecast the development of network public opinion, and timely present a high level of information, analysis and suggestion (Du, 2009).

Second, we should use the chatting-while-watching function of social networking sites (SNS) and live audio and video software, to focus on the party and the state’s central work of making major decisions and deployments on international and domestic social hot spots, sensitive issues, and key problems in the field of thought propaganda. And we should try to analyze the common issue from a large number of online information outlets and sum up constructive suggestions so that we can strengthen the general situation of network public opinion information service work, and service the pertinence and effectiveness of decision-making.

Third, we should timely find and broadcast new technology to strengthen the positive propaganda and public opinion to guide new experience of practice. For example, relevant government officials, NPC representatives and CPPCC members, use new Internet technology such as blogs, podcasts, and new business to strengthen policy interpretation, answer questions from netizens and listen to suggestions from netizens about network public opinion. After an incident occurs, the relevant departments immediately use the text messaging on mobile phones, mobile phone newspapers, mobile radio and other ways to post accurate information, in order to prevent the spread of gossip and rumors. The government uses multimedia technology and virtual technology to strengthen the advanced network cultural dissemination of network public opinion to promote the construction and management of the entire network culture.

### ***Strengthen the Technical Quality of Management Workers***

The management of the network public opinion has both professional and technical work, which requires that the network public opinion workers have a high technical quality and ability. New Internet technology and its development embodies the characteristics of personal center. “Decentralization” make the network public opinion information source become more and more content, and more and more complex; the number becomes greater, it spreads faster, scope broader and the impact becomes worse. In this case, if we are not familiar with new network technology and new business, we won’t understand the Internet to change

the methods of information transmission, and we will not be able to grasp the rapidly changing network public opinion to change the way of information transmission, nor will we be able to grasp the rapidly changing law of network public opinion information propagation characteristics and transmission. Without the help of Internet technology to network public opinion management or the variety of convenient conditions, we are unable to understand the complex and varied mass public opinion information quickly and accurately in the collection, collate it, analyze it, or report the valuable information of network public opinion. Therefore, studying the new Internet technology hard and handling it are important bases and prerequisites to do a good job of network public opinion information (Li, X. J., 2011).

Network public opinion management departments at all levels should attach great importance to the new Internet technology in promoting the role of public opinion management. They should intensify their efforts to introduce network technology talents and take various measures to strengthen the new technology of network public opinion management staff training, strengthen the network in work assessment, and evaluate job grading appraisal content, new technology, and new business applications actively to learn and apply new technology of network to provide good conditions and atmosphere. Network public opinion information workers should have the consciousness of technical priority, study the basic knowledge of the new technology of the Internet, catch up on the Internet frontier of the development of new technologies, strengthen their Internet research and practical application of the new technology and improve with new Internet technology to carry out the quality and ability of network public opinion management (Tong, 2006).

### ***Improve the Automation Level of Network Public Opinion Management***

Automation of network public opinion management refers to the network public opinion information work by means of advanced network technology and application software, to realize the man-machine depth of information processing and management. Network public opinion management automation is essentially a transformation of traditional public opinion with new Internet technology processes of information work mode (Wu, F., 2004). It does this through transforming and optimizing the existing public opinion management mode and business process, forming a new mode of network public opinion management science. The goal of automation of network public opinion management is to share resources within the system of public opinion information, manage network public opinion information resources, reduce costs of public opinion information work, and enhance the efficiency of network public opinion management work and the quality of the network public opinion information processing.

The key to improve automation is strengthening the construction of the automation of network public opinion information analysis system. Generally speaking, the automation of network public opinion information analysis system generally works by public opinion of planning, public opinion information collection, public opinion, and public opinion information early warning of four links. Planning of the public opinion information link is based on public opinion information work of information demand, and theme set goals to determine the public opinion information collection task; the public opinion information collection link is according to the task of public opinion information planning requirements, from Internet search information gathering all kinds of public opinions, effective filtering and storage. In news commentary, the public opinion search system can also automatically preserve the title of the news, the source, the release time, comment, critics, clicks, and so on. Public opinion information link is reporting on the amount of authority, reviews of public opinion information sources, the parameters such as concentration, identifying the hot topic of a given time period and sensitive topics, in order to collect public opinion information for preprocessing, such as format conversion, data cleaning and data statistics. In

addition, information search systems can obtain public opinion information from web pages and generate a report automatically through a web page link (Wang, M., 2005). After all, an automatic network public opinion information analysis system is a set of machine systems; its working principle and working procedure is set by man, and operated by man.

### **Conclusion**

In short, nowadays the new Internet technology and new business develops fast. We must study hard and populate applications, learn the latest developments of new skills and technology, deeply analyze the spreading forms and rules of new technology and new business, analyze the formation and propagation of network public opinion, and increase the ability to carry out the work of network public opinion management with advanced technology. At the same time, we should strengthen the construction of network public opinion collection and analysis technology, and comprehensively use modern information communication technology and accurately master the channel, scope and development of network public opinion, and study and judge the network public opinion information scientifically, to promote network public opinion management.

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# **An Analysis of the British Police Service and Its Enlightenment on the Reform of China Police Service**

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**[Abstract]** *The Third Plenary Session of the 18th Central Committee of the CPC comprehensively deepens reform, which also gives new direction to the development of our policing. In the reform, we must carefully find out how to change and what to change. By analyzing the four police reforms and achievements of Britain, there is a conclusion of the direction of modern policing development and several enlightenments: The public security must implement the policing reform to achieve a breakthrough; changing thoughts, the introduction of advanced concepts and mechanism; the integration of police resources, and the reduction of costs of police find points.*

**[Keywords]** *reform; enlightenment; policing; thoughts; recourses*

## **Introduction**

The police, as an important part of human society development to a certain stage, has a certain historical continuity, and at the same time, it still has the connection and differences between countries and regions. As the cradle of the police, Britain has a long and rich history of police. There are the differences between Britain and China in national styles, social systems and security situations, and Britain's hundreds of years of experience in policing. In particular, the four-policing revolution, which achieved an obvious effect and achievement, has had some enlightenment to the reform of Chinese policing (Wang, H., 2006). Due to various reasons such as systems, thoughts, and resources, we cannot simply copy the practices of the British. But based on the present situation in our country, we are facing the trends of the 18th Central Committee of the CPC, and China should use the existing conditions and conveniences, analyze British policing, localize experience, synchronize with the world policing, and create Chinese policing reform with Chinese characteristics. Policing reform not only improves the efficiency of our public security work, but it also effectively maintains state security and social stability, and can make our policing keep up with domestic and international situations, promoting the internationalization development of Chinese policing to the political power.

## **Literature Review**

There are so many papers about British policing and Chinese policing reform. Wang Yanji, and Yu Lingyun (2005) in their thesis, 'The Challenge for the Current British Policing and its Countermeasures' states that the substantial contents of a new reform of policing in Britain contain the following: set up standard policing institutions, strengthen the scientific and unity check merit system, carry out a national information model of crimes, change the subject construct of policing activities, and reinforce the handling of new kinds of crimes. The rich experiment is a great inspiration to the reform of policing in China: the focal point of policing reform is to close the common people and strengthen community work; the hard job of policing is to be good at repartee for emergency crimes and mass events; the basis for improving the quality of policing work is to control information NET and carry out the scientific unity check merits system; the key part of keeping an honest and clean policing is to enhance the higher level policemen training. Pang Haiyang



(2011) in ‘Enlightenment of a New Round of Policing Reform in Britain’ states that the main contents of the new policing reform in Britain include: setting up standard policing institutions; strengthening scientific and unified performance appraisals; and actively implementing national criminal intelligence modes; further deepening the construction of community policing activities; changing the main structure; and strengthening of new types of crime disposal. The experience can be provided as inspiration for police reform in China: clear positioning for new functions of public security; and actively implement the national criminal intelligence model; strengthen intelligence-led policing ideas; deepening public security information construction; and deepen the construction of community policing. Cui Lei (2011) in ‘A study on the Reform of Policing Reform in Britain and Its Enlightenment to the Reform of Policing in China’ stated that from the British police reform practice, police reform of China’s public security organs has clear positioning in the new period of their own functions, to introduce the economic theory of police affairs, to strengthen the intelligence-led policing concept, deepen the construction of public security information, promote public security construction of modern policing mechanism, and deepen the construction of community policing, police rich subject structure. Lv Xuemei (2009) in ‘British Police Information Storage System and its Significance’ stated that the British established a relatively perfect system of police information storage, set the service object of police work, fit the data quality, avoided duplication of storage, and stored data as soon as possible and effectively. It is very useful to promote the construction of public security information in our country, by absorbing the excellent kernel of the British police information storage system and perfecting the police information storage. Zhan Wei, and Zhu Yunyun (2006) in ‘Study on the Construction of Public Security Administrative Mode of China Service’ stated that the public security organs complete three major political and social responsibilities in the new historical period, that we must re-position functions, strengthen law enforcement, enhance service awareness, innovate public security administrative mode, and adapt to the complicated and changeable social situation. Therefore, it is an important content of the reform and development of public security administration to build a service-oriented public security administrative model.

### **Achieve the Leap Development of our Policing**

With the development of the socialist market economy, society transferred from closed to open, from static to dynamic management. The existing policing exposed many problems which were not adapted to the new situation and new requirements such as the strained relationship between “article” and “block”, the localization of leadership power, the public security organ’s unclear<sup>th</sup> function, unreasonable internal institutions, and function configuration and so on. As early as the 20<sup>th</sup> Sessions of the National Public Security, China has depicted the grand blueprint of the Chinese characteristics of public security construction, and pointed the way forward. The Central Committee of the Communist Party of China put forward specific requirements to solve the problems of the public security management system. At the same time, it is urgent to address the mechanism problems. The question is: how to realize new development of the public security work. It is important to firmly set up the thought of state police for the public, law enforcement for the people. Policing reform is a more important breakthrough. Regarding this, the British police department’s experience is worthy for us to study for reference. There are many similarities in policing reform thoughts between China and Britain, besides the differences of social systems and ideology. In 1997, Britain’s new government clearly realized it (Wang, Y., & Yu, L., 2005). They promoted the reform in the public sector actively, including legislating laws, renewal thoughts, emphasizing the coordination and cooperation between police departments, between regions, and between local and central,

formulating and unifying policing work standards, paying attention to the efficiency and quality of police work, and the implementation of a performance appraisal method. These methods improved the overall capacity of policing, and also improved the social security capabilities of prevention, control and fighting. In this author's view, the national public security organ shall seriously implement the spirit of the party's 16th National Congress and the Fourth Plenary Session of the 16th and 20th Meeting of Police of Public Security in China. It is necessary to improve the ability of safeguarding state security, the ability to control situations in public security, ability of disposal emergency and ability of economic service and social development. By improving the level of the public security work and the practice of the team, public security organs must put the reform in its right place, which means to firmly establish the concept of intelligence-led police. China should fully understand the guiding role of performance appraisal of the public security work and team building, in order to effectively integrate police resources, strengthen the supervision of law enforcement process, prevent the abuse of power, strengthen education and training, and improve the quality and combat effectiveness of the police.

### **Bring in Advanced Concept and Mechanism**

The first step of reform is to change thoughts, change ideas, and find the shortcomings of the past, and then with sound reason, bold assumptions, caution beg a certificate, become good at drawing lessons, good reference lines, encourage breaking through the inherent mode of thinking, and seek new mechanisms and methods. British police have a mature and rich history, but they still pursue change. Several police reforms have made the British police greatly improved in both social benefit and police efficiency. There are many inherent concepts and practices in our police work. If we keep conservative stereotypes, more means of reform will have temporary solutions and not affect permanent cures. So, this author thinks that in order to learn British police reform, we should first study British police advanced thought.

### ***Bring in the Economic Theory of Police***

Police economic theory is the theory of edge discipline that is closely related to police science, economics and public economics. Strengthening the study of police economic theory is of great significance for the development of the theory of police, in order to guide the practice of police resource optimization, and theoretical support of police reform. The research of the policing and economic characteristics of police, police supply and demand, resource allocation of police, and police cost-benefit, are not the only main problems that have emerged in police practice, but they are also the focus of study of police economic theory (Pang, H., 2011). At present, the study of economic theory of police has started, but it is too scattered, thin, immature and imperfect. This is due to the influence of planned economy; our country's public security or police activities have long been dominated by executive order, and rarely looked at from the perspective of economic law science thinking and arrangement work. This is our country's public security department and there has been a low efficiency and high cost of resource waste for a long time. In the deployment of officers, we sometimes did not consider the cost of police, and therefore increased police burden. So, we must establish the concept of police resources and consciousness in policy decisions and implementation of police, and on the premises of guaranteeing social justice, we should start from police cost, and a cost-benefit analysis, where the most benefit is display to the police, the maintenance of social order is where it's needed the most, by the completion of high efficiency, low cost police work.

### ***Promote the Public Security Concept of the Modern Policing Mechanism***

The modern policing mechanism is a high operating efficiency mode, which enhances the overall efficiency as the goal, and establishes a series of scientific and standardized system of intensive and efficient police. The modern policing mechanism has the basic characteristics of these seven aspects, which include the integration of police resources, policing informatization, standardization, modernization of police equipment, police behavior operation efficiency, policing work socialization, and the police quality of actual combat. Setting up a modern policing mechanism is the reflection of public security organ seriously implementing the party's eighteen embodiments of the great spirit, which benefits promoting comprehensive and rapid development of public security and improves public security work at the service of the economic and social development level. The in-depth study of modern policing mechanism not only is helpful to improve the overall efficiency of police, but it also fully satisfies the people's new demand for public safety to the public security organs. At present, our public security organs established a modern policing mechanism, but it has problems such as concept, system, and organization setup and police configuration. To promote the modern policing mechanism, we should pay attention to several aspects: strengthening the mechanism to implement it, not superficially, promoting the construction of standardization of police, optimizing the performance appraisal, and so on.

### **Focus on Integration of Police Resources and a Reduction of Cost of Police**

Now in Britain, personnel engaged in police work are divided into four categories (Tang, X., 2005). The first, oath police, who are in police uniform, have various law enforcement authorities, and account for the vast majority of its number in the police force. The second, civilian personnel, provide assistance and support for the police, but do not have the police rights, yet they can take part in policing activities. They make up about one third of the number of police, but make up only an equivalent to two-thirds of the oath police. The third group, community policing support officers, do not have the authority of the police, nor do they have professional police training. They just dress in police uniforms in the community when on duty, only in mild cases, and in case of major cases, they timely report to the police. This part of the police force is equal to the community security in our country, and its characteristic is low salary, but they also can meet the requirements of street-level public desire to see the police, to enhance the safety of the public mind. The fourth category is the departments which jointly cope with crime (Cui, L., 2011). In fact, our country does not have civilian police, or others such as security community police support (the equivalent to a British official). The comprehensive control systems (departments) in the UK are mature.

China has a population of 1.4 billion and has 9.60 million square kilometers of land area, but only 1.7 million police. Regarding the number of police to the proportion of the population, the proportion of police in our country is relatively low. According to the idea of modern government management, the development of the society and government agencies should be more streamlined, and fiscal support of the population can be cut. British police reform of the system guarantees, under the premise of the introduction of cost and benefit in the market economy, the concept of the pursuit of maximum value, and more effectively uses the fiscal appropriation request in the police department, to maintain social order, which is a powerful blow to all kinds of illegal and criminal activities. The method of police resource allocation in China, which ignores the costs of police, and pursues an increase formal police with financial support and with law enforcement qualifications, has obvious limitations. Therefore, this author thinks that the reform of public security organs must accept foreign police agencies' methods, including reasonable police resource configuration, making good use of man and money.

### ***Simplify Authority Institutions and Expand Grass-Roots Power***

We are now generally feeling a lack of grassroots police and police quality is not high. However, many of the public security organs have not solved the problems of bloated organs, unused talents, and being “top-heavy”. Police reform, therefore, must streamline and standardize the organization setup; to develop institutional setup, staffing and police officer’s ability standards, we have to minimize the middle level, decorate the police at the grassroots, arrange the police in a line, and integrate police resources. At the same time, the public security organs should deeply recognize the comprehensive control of its huge function in the maintenance of social order to actively promote a comprehensive social security administration, perfecting social resources to participate in maintaining a social order pattern.

### ***Draw Lessons from Foreign Experience and Try to Hire Civil Servants***

In western countries’ police stations, the practice of the employment of civil servants has a long history, and a mature experience. In recent years, the number of civil servants in police authority in the UK has grown rapidly, including fingerprint experts, crime information experts and civilian personnel, and even some police chief assistants. The benefits of employing civil servants are mainly three-fold: first, it saves money. The British police-employed civilian personnel wages are only two-thirds of the formal police. Second, facilitating management, civil servants are not permanent. They only have contracts that renew every 1~2 years, depending on their work performance. Third, a civil servant in the auxiliary police force can eliminate many of the police involved in transactional work carrying out law enforcement, which has eased the current shortage problem, but had increased the number of uniformed street police to improve people’s sense of security (Lv, X., 2009). Therefore, in our country, the public security organs can also hire civil servants. First, put the civil servant in positions that do not need subject qualification of law enforcement such as logistics, back office, or the police public relations department. Second, develop a civil servant hiring standard. We should hire highest quality people with the ability to work their posts as possible. Also, we can adopt the practice of implementing the provincial public security organs, avoiding disorderly employment, randomly assigned labors, or lower the standards of employment. Moreover, the public security organs must be clear in what kinds of jobs can be held by a civilian, and avoid the civil servants’ participation in law enforcement.

### ***Integration of Policing Information Resources***

With the limit finances, talents and experience, police informationization construction must aim to improve law enforcement, service ability, and the ability of prevention control of the public security organs (Zhan & Zhu, 2006). The information construction should build the integration information system of the fight, prevention and control of public security; establish a common mode on which various police can operate on the system platform; set up a system that can provide data from multiple angles; achieve maximum utilization and the sharing of information resources. And at the same time, we should stick to the principle of the public security organ, take the path of socialization, market operation and specialization of ascension of information construction of the police organization. We also should promote requirement analysis, general design, the construction of a security architecture and work mechanism, too make the police informationization construction resource allocation more scientific, cost more reasonable in cost, and more convenient to use.

## Conclusion

The British police have a long history and so many good experiences. Nowadays, China is at a time of deepening reform, just like the Chinese police. The Chinese public security organs should study the advanced experiences of the British police, and in regard to the practical situation of Chinese police, innovate the police mechanism with Chinese characteristics. The police reform will not only make the police work more effective, but will also make people more satisfied, our society safer, and our country more powerful.

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# Opportunities and Challenges Faced by the Belt and Road in the Era of Big Data

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**[Abstract]** *In recent decades, the country's traditional security, economic prosperity and basic living conditions are heavily dependent on basic services that support its society, such as energy, finance, transportation, telecommunications and other key facilities. The rapid development of information and communication technology connects these key elements into an interdependence and complex network, which also constitutes the current cyberspace. Most of the countries along the Belt and Road Initiative are developing countries; the population in these developing countries accounts for about 80% of the world's total population, while the number of Internet users accounts for only 43% of global users. This provides a great development prospect for future cyberspace cooperation. Meanwhile, in the era of big data, the focus of the nation is shifting from competition for capital, land, population, resources and energy to competition for data. This paper introduces some non-traditional security threats and challenges brought about by the Belt and Road from three respects, such as cyberspace security threat and cyber terrorism. Aiming at the imbalance in the development of regional network science and technology, some possible countermeasures are also discussed.*

**[Keywords]** *non-traditional security; the Belt and Road; cyberspace security; cyber terrorism*

## Introduction

With the new application of state-of-the-art technologies such as cloud computing, artificial intelligence and the Internet of Things (IoT), people have collected and processed various data through social networks, E-commerce platforms, wireless sensor and intelligent mobile terminals which offer brand new digital opportunities for the advancement of human civilization. Meanwhile, wearable smart devices, mobile apps, and Virtual Reality (VR) technology are now embedded in societal structures of finance, health, education, and business in many countries throughout the world. Over 3 billion people, over 40% of the world population, have used the Internet in 2016 (Meeker, 2016). According to a report from the International Data Corporation (IDC), it is expected that by 2020, the total amount of global data will reach about 40ZB and it will become a new important driving force that will cover all areas of economic and social development (Moura, 2013, p. 174). Data services are virtual, dynamic, and potentially stateless which has triggered governments' concern and data sovereignty will be considered as the basis for the management and jurisdiction of data and related technologies and facilities (Peterson, 2011). Data sovereignty also becomes a new game space among the major powers after the struggles to control the land, the sky and the thalassocracy. The study of international network security issues has gradually shifted from traditional security to non-traditional security fields. Competition is inevitable, but it does not necessarily lead to conflict.

A report from Google and Temasek Holdings taking ASEAN (the Association of Southeast Asian Nations) as an example, mentioned that the ASEAN cyber market is expected to reach 200 billion dollars

by 2025 and Internet users in this region will grow from the current 260 million to 480 million, with the major sectors being consumer-grade online shopping, second-hand E-commerce, online tourism, web advertising and mobile gaming (Hakim, 2016, p. 81). China's investment will become a major source of funding. Taking China as an example, in 2010 the proportion of China in the entire digital universe of was 10% and will increased to 18% in 2020, and by then China's data scale will exceed the size of the United States, ranking first in the world. Based on this trend, it will become more routine and convenient to move data and store data from 2016 to 2020. This will result in large-scale data fusion and processing, and it could also mean that data storage and application will face some new serious challenges, some of them cross-border or even cross-area (Gantz, 2012). Further, cyberspace security systems are very vulnerable to attacks. Yet, the growing connectivity over an insecure internet multiplies the avenues for an e-attack and the growing dependence on computers increases the harm they can cause. Meanwhile, the Internet is playing an increased significant role in contemporary violent extremism and terrorism, and specialized forums and chat rooms in cyberspace have created virtual spaces to network and to form trustworthy underground markets for illicit drugs, prostitution, and child pornography. The former two parts of this article compose a brief recap introducing some non-traditional cyber threats and challenges from the countries along the Belt and Road, such as cyberspace security and cyberterrorism.

### **Cyberspace Security**

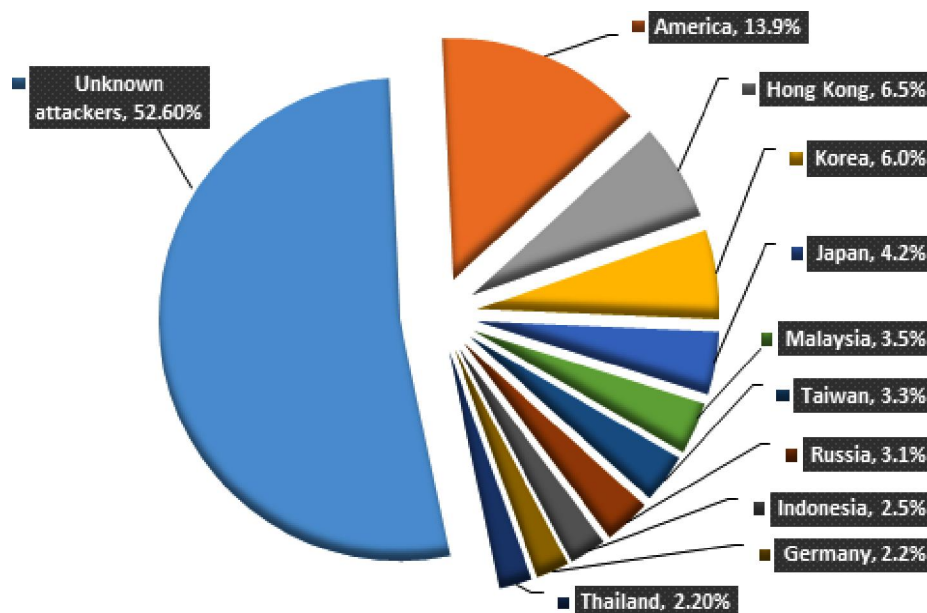
By breaking up data and sending it over multiple routes, the Internet can survive the loss of large parts of the network. It was designed for convenience and reliability, not security. This situation made some of the global digital infrastructure become more fragile. More than nine-tenths of internet traffic travels through undersea fiber cables, and these are dangerously bunched up in a few choke-points. Meanwhile, Internet traffic is directed by just 13 clusters of potentially vulnerable domain-name servers. Other dangers are coming: countries with weakly-governed bands are being connected to fiber cables, potentially creating new havens for cyber-criminals. In the era of big data, the term cyberspace not only means the Internet and related facilities in the traditional sense, but also become a conventional concept to describe anything associated with the network and the diverse Internet culture of telecommunications networks, including the IoT, wireless sensor networks, private cloud networks, as well as the equipment and industry through which the embedded processors, controllers and other facilities constitute an interdependent network set. Data runs the world. Airplanes take off and ships at sea sail based upon weather data, algorithms run global financial marketplaces, and all of this is based upon data. This means governments, military forces and other organizations have to respond immediately to cyber security by dealing with vast amounts of data, and processing and understanding the huge amounts of heterogeneous information in different cyber environments in order to lead to intelligent decision making. In the meantime, organized crime worldwide is now fully engaged in cybercrime as a growth industry. Add to this scenario, the fact that geopolitics has entered the cyber realm using specific tools and tactics as levers to advance strategic political agendas, and both developed countries like the United States or Europe and developing countries along the crucial sections of the Belt and Road get the real sense that global risk and security are taking on entirely new definitions.

It is like a double-edged sword. On the one hand, the U.S. government is leading a secret program called PRISM that collects Internet data and communications from at least nine major Internet companies, even in partner countries and allies, which is the largest government surveillance program of all time (Barton, 2013). On the other hand, the US government accuses Russia of hacking their political campaign

to influence the Presidential Election in 2016 (Schwartz, 2016). The U.S. intelligence community claimed that the Russian government directed the recent hacking action to steal e-mails from US citizens and institutions, including from US political organizations, and disclosure them to interfere with the US election process.

Cyberspace security risks are not just about the government. On October 21, 2016, someone took down numerous popular websites in a massive distributed denial-of-service (DDoS) attack against the domain name provider Dyn, Inc. which made major Internet platforms and services unavailable to large swathes of users in Europe and North America (Agrawal, 2017, p. 137). The attack prevented traffic from reaching Dyn’s customers, who included Amazon, Twitter, CNN, *The Wall Street Journal* and the *New York Times*. DDoS attacks are neither new, nor sophisticated. The attacker sends a massive amount of traffic, causing the victim’s system to slow to a crawl and eventually crash. However, this attack was far more different from the past with a botnet coordinated through a large number of IoT-enabled devices, including surveillance cameras, routers, even smart TVs. They had been infected with Mirai malware, which is designed to overpower the security on an IoT device, allowing it to be controlled remotely. As a result of this attack, about 60 million units of IoT participated in the botnet army, a large-scale networking equipment attack, for the first time in a critical case of enterprise-class attacks.

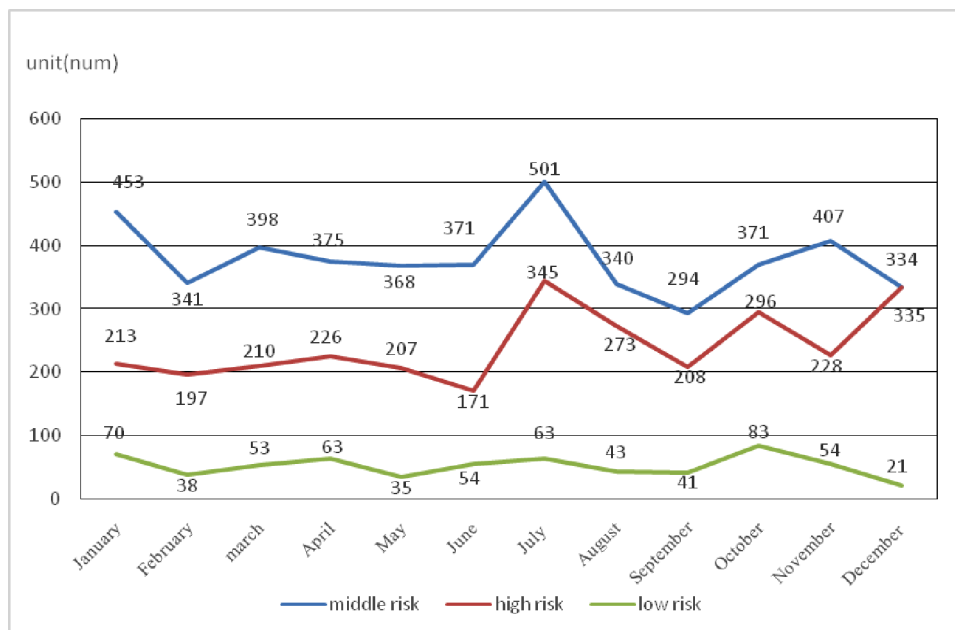
This attack highlights the disparity of the speed at which technology emerges with the speed at which security for the technology is developed. In the era of big data, we have reasons to believe that large-scale exchange and movement of data will break the market barrier and information blockade between developing and developed countries. This is good news for developing countries along the Belt and Road. On the other hand, the big data revolution makes the developed countries such as the United States and Russia have a more comprehensive upgrade of global data monitoring and network attack capabilities, thus greatly enhancing their own data collection, analysis and control capabilities. Meanwhile, this also increases the risk of data sovereignty in other countries. The National Computer Network Emergency Response Technical Team (CNCERT, 2016) illustrates the backdoor program overseas IP address implanted in China in 2015, shown in Figure 1.



**Figure 1. Overseas IP Address Implanted Backdoor Program in China in 2015**



Corresponding with this condition, a security leak is a weakness in the security system that might be exploited to cause loss or harm. Hacker attack problems and security leaks are closely linked to these weaknesses. If there is major security leak, the entire Internet will be faced with a major challenge. For example, an unauthorized party not only accesses, but tampers, with an asset by using some high-risk vulnerability, and the intruder may wish to add spurious transactions to a network system or add records to an existing database. If skilfully done, they are virtually indistinguishable from the real thing. Although the computer vulnerabilities have caused enough risks, backdoor programs may cause greater dangers for cyberspace. A backdoor program may take the form of a hidden part of a program, a separate program, or even a hardware feature. It's a class of active infiltration attacks that use "trapdoor" entry points into the system to bypass security facilities and permit direct access to data (Petersen & Turn, 1967). Although normally surreptitiously installed, in some cases backdoors are deliberately made by their creator (Wysopal, Eng, & Shields, 2010, p. 149). In 2015, newly added hardware and software vulnerabilities are shown to be added monthly, as illustrated in Figure 2 (CNCERT, 2016). Among them, there are 7,185 vulnerabilities available for remote network attacks, and 895 for local attacks.

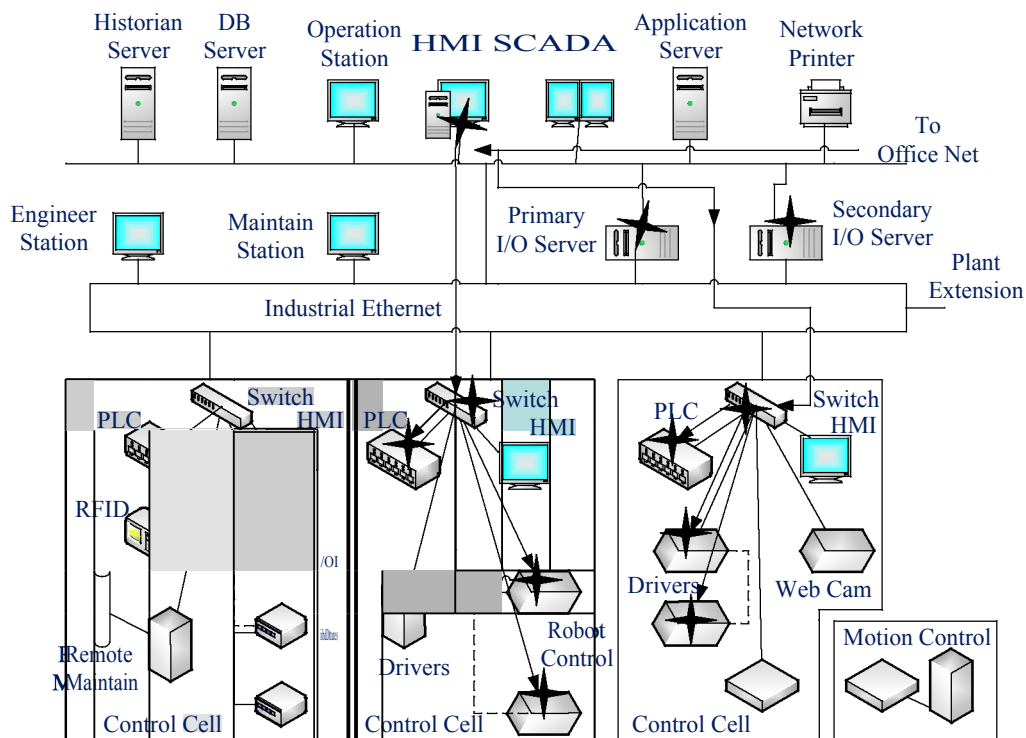


**Figure 2. Newly-Added Vulnerabilities According to the Data Each Month, from CNCERT**

### Cyberterrorism

Cyberterrorism can be defined as the intentional use of computers and networks to cause destruction and harm for personal objectives (Matusitz, 2005, p. 137). Experienced cyber-terrorists who are very skilled in terms of hacking can deal massive damage to government systems, hospital records, and national security programs, often leaving a country in turmoil and in fear of further attacks. The objectives of such terrorists may be political or ideological since this can be seen as a form of terrorism. For those young people who have grown up with the Internet and may dissatisfied with the social status, it's very attractive and easy to cause resonance to accept the instigation from the terrorist organization so-called Islamic State (IS). It has been widely reported in the world's press and is now a source of considerable public and governmental anxiety. Al-Qaeda has utilized the Internet to communicate with supporters, bring in

donations and even to recruit so-called foreign fighters (Rudner, 2017, p. 10). A single free online platform that can be employed for fund-raising, recruitment, information dissemination, and intragroup communications seems likely to be quite an important tool. While at the same time, cyberspace could also turn into a powerful weapon in the hands of people with ulterior motives. Cyberterrorism is treated similarly to traditional terrorism, and then it only includes attacks that threaten property or lives, and can be defined as the leveraging of a target’s computers and information, particularly via the Internet, to cause physical, real-world harm or severe disruption of infrastructure (Campana, 2015). On December 23, 2015, around half of the homes in the Ivano-Frankivsk region in Ukraine (one-third of the country, with a population of around 1.4 million) were left without electricity for a few hours. According to the Ukrainian news media, the cause of the power outage was a “terrorism hacker attack” utilizing a “virus” (Lipovsky, 2016). The possible attack architecture is shown in Figure 3.



**Figure 3. A Possible Attack Architecture in Ukraine Large Scale Power Outage Incident**

1. The infection vector used in these attacks is Microsoft Office files containing malicious macros. The attack scenario is simple: the target gets a spear-phishing email that contains an attachment with a malicious document, and convinces the victim to run the macro in the document. If victims are successfully tricked, they end up infected with Black Energy Lite and run the vicious procedures installer. The malicious program opens the local network port, using the HTTPS protocol to automatically connect to the external network administrator server. Once the connection is successful, it will be hidden to wait for the next command from the attacker.
2. Hackers use BlackEnergy as the backdoor, add SSH back door, and download KillDisk components or delete system files to make the system unbootable. In this case, the KillDisk variant detected in the electricity distribution companies also appears to contain some additional functionality specifically intended to sabotage industrial systems (Antiy, 2016). It

was possible to set a specific time delay after which the destructive payload was activated. Then, apart from the regular KillDisk functionality, it would try to terminate two non-standard processes: komut.exe and sec\_service.exe. The trojan would also overwrite its corresponding executable file on the hard drive with random data in order to make restoration of the system more difficult.

3. Once the attacker gained control of the SCADA system of substation, he gains an operation interface and the operation rights, which is the same with that under control of SCADA operator. The hacker controlled the operation of remote devices and hijacked SCADA system, and issued a power cut instructions, then used KillDisk to destroy the host computer to block the power system recovery and clear the invasion traces. At the same time, the attacker also conducted some offline attack such as DDoS attacks against the customer service center of the substation.

The attack method stated above not only achieves the interactive job on the premises of remote control, but also achieves the command preset, timing trigger and the condition trigger. Such an attack can be conducted even without communicating with the attacker. Compared with the traditional terrorist attacks, you are clueless about who did it or when they will strike again, and this means subtler, more efficient attacks, resulting in greater losses that are more difficult to prevent (Conway, 2016, p. 25).

In recent years, China has been involved in a number of violent terrorist incidents in Xinjiang. Behind the incidents were the terrorist organizations called “East Turkestan Islamic Movement” and “World Uyghur Congress”. One of their aims is to “fuel hatred” and violence between the Han and the Uyghur ethnic groups and cultivate national separatist forces, as well as scheme to split China through “independence” (Qianli, L., 2016, p. 55). Through the Internet and other channels, they remotely incited, controlled, and commanded related violent attacks. Internet conferencing was used for remote deployment planning, Internet videos online were used to promote religious extremism and split-thinking, social networking platforms and instant communication tools were used to brainwash violence terrorists attempting to provoke a series of terrorist attacks in Xinjiang. This has caused serious harm to China’s national security and social stability. How to deal with such problems will become the focus while China carries out cooperation and communication with the relevant countries along the Belt and Road in the future.

### **Implications and Conclusion**

No passport is required in cyberspace, and enemy states are no longer just on the other side of the ocean, but also behind the firewall. The ill-intentioned can mask their identities and locations, impersonate others and con their ways into the buildings that hold the digitized wealth of the big data age, or just simply destroy it. Due to the wide acceptance that cyberspace was born to have open, anonymous, and arbitrary speech and low degrees of regulations, the vast majority of the countries in the world have treated Internet data as shared resources. This means cyberspace may become an outlaw hotbed for hackers and terrorists. Police are constrained by national borders, but criminals can roam freely. The development and promotion of national, regional, and international polices to apply some proper controls to the network and Internet, as well strengthening network and Internet macroscopic supervision is necessary, especially in order to fight cross-border cybercrimes, to prevent the spread of terrorism online, and cleanse it of pornography and cyber criminals. Legislation must give greater attention to the realities of the functions performed by police to increase investigations and crackdowns on cybercrimes. It is gratifying to know

some of countries along the Belt and Road have already taken action. Singapore established the Cyber Security Agency in 2015, which is a national agency overseeing cybersecurity strategy, operation, supervision, outreach, and ecosystem development. Indonesia also represented that they will establish a new agency to strengthen cybersecurity in critical sectors and ensure effective coordination and deployment in their response to cyber threats.

Cyberspace is one of connectivity. Countries are bound by intertwined interests, have high stakes in each other and have formed a community of common destiny in cyberspace. But at the same time, cyberspace has also brought unprecedented challenges. Cybercrime and terrorism have been on the rise. Massive-scale surveillance activities by an individual country have severely infringed on other countries' sovereignty and their citizen's privacy. Cyber-attacks and a militarized tendency in cyberspace can diminish international security and mutual trust. Mankind does not need a new battlefield. The solution of the international network security issues is a political process. Cooperation is beneficial for all the countries in cyberspace, which are interdependent and share common interests, and arguably offer a broader appeal to the international community, thereby limiting safe harbor for cybercrime offenders. On-going or potential culture, religion, and conflicts and the imbalanced development of Internet infrastructure among countries could provide an opportunity for international cooperation. Cooperation is difficult to achieve however, and the aims and policies of the nations will become consistent with each other through policy coordination. Achieving international cooperation will reduce transaction costs and the countries can obtain a larger income by smaller cost. As the same time, the price of betrayal and deception will be much higher. As a result, cooperation will be the best choice for solving the cyberspace sovereignty debate and reducing terrorist activities threats. China actively participates in bilateral or multilateral cooperation, and fosters a new concept of security featuring mutual trust, mutual benefit, equality and coordination. In September 2015, The China-ASEAN Information Harbor Forum was hosted and aims to build a maritime silk road on information that will connect China and the ASEAN nations. China also signed an agreement on cyberspace cooperation and development with Laos (*China Daily*, 2015). It also said it will sign a similar agreement for cooperation with Indonesia later. Cyberspace is a new frontier that deserves our special care. The international community has a shared responsibility to maintain security, stability and prosperity in cyberspace. To this end, we should discard the zero-sum mentality and Cold War ideology, seek our own security through common security and on the basis of full respect for other countries' security, ward off a militarized tendency and arms race in cyberspace. In addition, the principle of state sovereignty also applies to cyberspace. Upholding the principle of sovereignty in cyberspace not only reflects the governments' responsibilities and rights to administer in accordance with law, but also enables countries to build platforms for sound interactions among governments, businesses and social groups.

As President Xi said, the Chinese dream is about the pursuit of peace, happiness and devotion to the world; this is also the main purpose of the Belt and Road Initiative. China has always contributed its part to building and maintaining cyberspace and is committed to working with the rest of the international community to create a peaceful, secure, open and cooperative cyberspace in the new era of big data.

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# **Laws, Regulations and Judicial Cooperation of Aviation Security: A Perspective of the Belt and Road Initiative**

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**[Abstract]** *The aerial interaction between China and countries along the “Belt and Road” has been increasing. Offenses against international civil aviation aircrafts and airports have become serious problems which jeopardize civil aviation safety. Vision and Actions on Jointly Building Belt and Road have put forward the goal of “putting in place a secure and efficient network of land, sea and air passages, expanding and building platforms and mechanisms for comprehensive civil aviation cooperation”, which set higher requirements to guarantee the safety of civil aviation, to perfect the legal system of aviation security, and to enhance the criminal judicial cooperation level.*

**[Keywords]** *the Belt and Road Initiative (“B & R”); aviation security; legal system; criminal judicial cooperation*

## **Introduction**

Chinese President Jinping XI, during his visit to the Central Asian and Southeast Asian countries in September and October 2013, proposed to jointly build the “Silk Road Economic Belt” and “21st-Century Maritime Silk Road” initiatives (Tian, 2015). This is of great significance to close the economic and trade relations between China and neighboring countries of Central Asia, South Asia and Eurasian countries, to deepen regional interaction and cooperation, and to promote the economic prosperity of the countries along the “B & R”. Its core value is to take the initiative to develop economic cooperation with the countries along the “B & R”, and work to build a community of shared interests, destiny and responsibility featuring mutual political trust, economic integration and cultural inclusiveness (Feng, 2014). As an international strategy, the “B & R” will bring not only first-ever opportunities, but also unprecedented risks and challenges. On the other hand, with the continuous development of aviation science and technology, air passenger and cargo transport resources are developing from scarcity to scale, the cover range of which have progressed from rationality to globality. However, the consequent issue is more and more incidents jeopardizing the safety of international civil aviation. Especially after the 9/11 attacks in 2001, various threats to the safety of civil aviation, such as using an aircraft as a weapon, using the Internet to spread rumors and so on, present a trend of diversity. Air transport safety, as an Achilles’ Heel, has become a “bottleneck” factor in the healthy development of international civil air transport and in achieving the goal of “putting in place a secure and efficient network of air passages” in the “B & R” Vision. Therefore, securing the safety of China and countries along the “B & R” is a basic guarantee of realizing the core value of the “B & R”.

## **Threats and Risks that the International Civil Aviation Face in the Perspective of “B & R”**

“B & R” has a wide range and long road, covering a total area of 71 countries in seven regions - including North Asia, Central Asia, East Asia, West Asia, Southeast Asia, Europe and North Africa, which have a total population of about 4.4 billion, covering more than 2,000 ethnic groups and accounting for 63% of the

world's total population (Zhao, et al., 2016). Considering the countries and regions involved, “B & R” is in the areas where the activities of the forces of terrorism, ethnic separatism and religious extremism are rampant, where various conflicts and risks coexist, like the “sword of Damocles”, and where civil aviation safety is facing a great threat. According to the International Civil Aviation Organization’s (ICAO) global Risk Context Statement (RCS), the threats and risks faced by international civil aviation mainly include the following aspects:

- Threats and risks during air flight, which include traditional seizure of aircraft and non-traditional aircraft-based attacks which occurred after the 9/11 attacks
- Threats and risks of air improvised explosive devices (IEDs), which include acts threatening the safety of an aircraft using plastic explosives and other devices
- Threats and risks of Man Portable Air Defense Systems (MANPADS)
- Threats and risks of Vehicle Borne IEDs to ground airports
- Threats and risks of IEDs in air cargo to air flight or ground airports
- Threats and risks of landside IEDs to airports
- Threats and risks brought by disturbing behavior
- Threats and risks of cyber-terrorism
- Threats and risks of biological, chemical, and nuclear (BCN) weapons and related material, (ICAO, 2012).

It is worth noting that, the above threats and risks include not only those traditional acts like the seizure or destruction of an aircraft, but also those emerging acts after the 9/11 attacks like using an aircraft as a weapon, and using BCN weapons and related material. While most of these acts have been defined in the Convention on International Civil Aviation developed by ICAO, terrorists are never tired of showing the diversity of their instruments, along with the developing science and technology and increasing human interaction. Just as the scholar Abeyratne has pointed out: Any interference with air transport will have a significant bearing on the achievement of international civil aviation goals, as the Preamble of the Convention on International Civil Aviation has said, the future development of international civil aviation can greatly help to create and preserve friendship and understanding among the nations and peoples of the world, yet its abuse can become a threat to the general security (Abeyratne, 2010a).

### **Conventions on International Civil Aviation and their Deficiencies**

Considering the above-mentioned increasingly serious threats, the ICAO has led to develop a series of international civil aviation security conventions since the 1960s, aimed at preventing and punishing acts of unlawful interference and disturbing behavior which jeopardize the safety of aviation, while solving legal issues such as offenses, and criminal jurisdiction, etc. among member states. The following Conventions have entered into force and have been ratified and acceded to by China: Convention on Offenses and Certain Other Acts Committed on Board Aircraft (The Tokyo Convention of 1963), Convention for the Suppression of Unlawful Seizure of Aircraft (The Hague Convention of 1970), Convention for the Suppression of Unlawful Acts Against The Safety of Civil Aviation and its Protocol (the Montreal Convention of 1971; the Montreal Protocol of 1988), and the Convention on the Marking of Plastic Explosives for the Purpose of Detection (the Montreal Convention of 1991). In addition to the above, the following Conventions have

not entered into force: Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation and its Protocol (the Beijing Convention of 2010, the Beijing Protocol of 2010), and the Protocol to amend Convention on Offenses and Certain Other Acts Committed on Board Aircraft (the Montreal Protocol of 2014). These conventions are important parts of the international civil aviation security legal framework. On the other hand, since the more than 70 countries covered by the “B & R” strategy are almost all ICAO member states, most of which have ratified and acceded to or endorsed the above-mentioned civil aviation security conventions via domestic legislation, these provisions are the international legal foundations which guarantee the civil aviation safety of China and countries along the “B & R” under the “B & R” strategy. These provisions mainly include the following two aspects:

### ***Provisions on Offenses***

These include offenses against the State party’s penal law in flight (“Tokyo Convention,” 1963), unlawful seizure of aircraft (“Hague Convention,” 1970), and the following acts which constitute an offense: Act of violence against a person on board an aircraft in flight, act of destroying an aircraft in service, act of placing a device or substance in an aircraft in service to threaten aviation safety, act of destroying or damaging air navigation facilities or interfering with their operation, and act of communicating information which he knows to be false (“Montreal Convention,” 1971). Other acts threatening airport safety, such as act of violence against a person at an airport serving international civil aviation, and act of destroying or seriously damaging the facilities of an airport serving international civil aviation or aircraft not in service located thereon or disrupting the services of the airport, are all deemed to be offenses (“Montreal Protocol,” 1988). The shortcomings are that the Beijing Convention developed by ICAO in 2010 is a milestone to responding to the non-traditional threats to international civil aviation (Abeyratne, 2011), but since it has not yet come into force, emerging acts after the 9/11 attacks, such as using an aircraft in service as a weapon, cyber-terrorism threatening the civil aviation safety, and BCN weapons and related material, etc. (“Beijing Convention,” 2010), can only be regulated, *mutatis mutandis*, by the provisions of domestic criminal laws. Furthermore, Abeyratne discovered another deficiency – not all acts that may result in criminal liability are included within its purview...also excluded from the purview of the Beijing Convention is any unlawful act calculated to cancel flights causing economic loss to air carriers (Abeyratne, 2011).

### ***Provisions on Criminal Jurisdiction***

According to above-mentioned conventions, jurisdictions are established in the following circumstances: (1) When the offense is committed against or on board an aircraft registered in that State (“Tokyo Convention,” 1963; “Hague Convention,” 1970; “Montreal Convention,” 1971); (2) When the aircraft on board which the offense is committed lands in its territory with the alleged offender still on board; (3) The State party which does not extradite the alleged offender within the territory of that State; (4) The State party in which the principal place of business or permanent residence of a lessee leasing an aircraft without crew is located (“Hague Convention,” 1970; “Montreal Convention,” 1971); (5) When the offense is committed in the territory of that State (“Montreal Convention,” 1971). It is worth noting that the above three conventions do not exclude any criminal jurisdiction exercised in accordance with national law. Thus, any State may claim their jurisdiction over offenses committed by and against their nationals on the basis of personal jurisdiction, which is confirmed by Article 8 of the Beijing Convention of 2010. It is important to note that the ICAO has committed itself to the modernization of the Tokyo Convention of 1963 and



passed the Montreal Protocol in 2014, which expands the criminal jurisdiction in the Tokyo Convention to aircraft landing States and aircraft operator States (Abeyratne, 2014).

However, the same embarrassment as the Beijing Convention of 2010 faced is that the Montreal Protocol of 2014 has not yet come into force, and some Chinese scholars believe that the response to the protocol is dull and the prospect of its entry into force is gloomy (Zheng, 2015). But considering its positive significance in jurisdiction expansion, the goal could be achieved through national legislation (Nase & Humphrey, 2014).

In addition, with regard to extradition, conventions have confirmed the *aut dedere aut judicare* Principle which is of the nature of universal jurisdiction – State Parties shall bring an offender who committed offenses in that State before their competent authorities for prosecution if it does not extradite that offender (“Hague Convention,” 1970; “Montreal Convention,” 1971). A defect in some scholars’ universal view is that the above-mentioned conventions, including the Tokyo Convention of 1963, do not make mandatory provisions on extradition (Boyle, 1972; Dempsey, 2003; Piera, 2012), which highlights an embarrassing fact that Abeyratne pointed out – most States recognize the granting of political asylum as a right to be determined by the State from which it is requested (Abeyratne, 2010b).

### **Laws on Chinese Civil Aviation Security and their Deficiencies**

The “B & R” Strategy was initiated and promoted by China, which is a way for win-win cooperation that promotes common development and prosperity (NDRRC, 2015). In this context, since the “B & R” Strategy was proposed in 2013, in order to continuously protect the civil aviation flight safety and airport security and regulate civil aviation security work, the National People’s Congress and its Standing Committee, the Civil Aviation Administration of China (CAAC), and the Public Security Bureau of the CAAC, etc. have timely revised and formulated a series of laws and regulations on preventing and punishing acts of unlawful interference and disturbing behavior of civil aviation safety, based on our original civil aviation security legal framework, including Civil Aviation Law of People’s Republic of China, the Criminal Law of the People’s Republic of China, Counterterrorism Law of the People’s Republic of China, Public Security Administration Punishments Law of the People’s Republic of China, and Regulations On Aviation Security of the People’s Republic of China, etc. These include Civil Aviation Law which was later revised by the National People’s Congress in 2015, Rules on the In-flight Security of Public Aviation Passenger Transportation promulgated and implemented by CAAC in 2016 (Rules on the In-flight Security of 2016) and Rules on Aviation Security of Civil Aviation Transportation Airports (Rules on Security of Airports of 2016), etc. These laws, administrative ordinances, and administrative regulations, with effectiveness levels from high to low, jointly constitute China’s civil aviation security legal system. Its content mainly includes two aspects:

#### ***Provisions on Crimes***

These include the crime of aircraft hijacking, the crime of jeopardizing flight safety by means of violence, the crime of destroying the vehicle, the crime of destroying traffic facilities, fabrication and deliberate dissemination of false information, and the crime of negligently endangering public security by using dangerous means (“Criminal Law,” 1997), etc. Some scholars have commented that the provisions on the crimes in the Chinese Civil Aviation Law are direct application or indirect transformation of the provisions on the crimes in the conventions on international civil aviation security (Diao, 2012), which shows that China can consciously abide by and fulfill the conventions on international civil aviation to ensure its

effective implementation (Zhang, 2012). However, there are still problems in the incomplete conversion of international conventions and the lack of definition of emerging acts that could constitute a crime that jeopardizes the safety of civil aviation. For example, the offense of the use of aircraft as a weapon in the Beijing Convention of 2010, is defined in our criminal law based on the definition of aircraft hijacking, which does not match the original legislation intention of aiming at terrorist acts similar to the 9/11 attacks; The offenses established under the Montreal Protocol of 1988 for the destruction of international civil aviation airports are intended to prevent and punish criminal acts that undermine international civil aviation airports (Huang, 2009), while being defined as the crime of destroying traffic facilities in Chinese Criminal Law, which clearly does not match the great subjective culpability and possible serious hazardous consequences of the offender.

### ***Acts of Unlawful Interference and Disturbing Behavior Provisions have not been Perfect***

Secondly, it should be noted that, for many years, provisions in Chinese civil aviation security law for acts of unlawful interference and disturbing behavior have not been perfect, which were only recently defined in CAAC's department rules, with relatively low legal effect. Acts of unlawful interference refer to acts or attempted acts to jeopardize the safety of civil aviation and air transport, which include: (1) unlawful seizure of aircraft or ground aircraft; (2) hostage-taking on board aircraft or on aerodromes; (3) forcible intrusion an aircraft, an airport or an aeronautical facility; (4) introduction on board an aircraft or at an airport of a weapon or hazardous device or material intended for criminal purposes; and (5) communication of false information such as to jeopardize the safety of civil aviation, etc., ("Rules on the In-flight Security," 2016). Disturbing behavior refers to failure to comply with the code of conduct on board an aircraft, or to disobey the instructions of the crew, resulting in disturbing good order and discipline on board ("Rules on the In-flight Security," 2016). It is noteworthy that in August 2016, the CAAC issued the Civil Aviation Law of the People's Republic of China (Exposure Draft) to the public for comments, and Article 151 of which lists fourteen more detailed acts of unlawful interference and disturbing behavior, and Article 200 of which perfects the legal liability (CAAC, 2016). This is the first time in the history of China's civil aviation legislation there has been an amendment, which is conducive to further safeguarding the normal order and basic security of civil aviation transportation of both within China and among States.

### **International Criminal Judicial Cooperation on Civil Aviation Security and its Deficiencies**

Countries along the "B & R" mostly do not border with China. Aviation transportation is, among others, the optimal choice for carrying forward exchanges of economy, trade, energy, culture and persons rapidly and efficiently. When confronting the aforementioned types of threats, states are also enjoying the opportunities of mutual cooperation regarding civil aviation security. As indicated by Visions and Actions on the Belt and Road Initiative, to promote construction of the Initiative, we should take full advantage of the existing bilateral and multilateral cooperation mechanisms, strengthen multi-level and multi-channel communication and consultation, enhance the role of multilateral cooperation mechanisms, and make full use of existing mechanisms such as the Shanghai Cooperation Organization (SCO), ASEAN Plus China (10+1) (NDRC, 2015), which have guiding significance on improving the level of international criminal judicial cooperation between China and countries along the "B & R" in terms of civil aviation security.

Certain Opinions on Provision of Judicial Services and Guarantees for Construction of the Belt and Road Initiative as promulgated by the Supreme People's Court (SPC) in July 2015, summarized: (1) vigorously cracking down criminal activities of three evil forces, i.e., violent and terrorist force, ethnic

division force and religious extremist forces, setting clear boundaries determining whether a crime has been constituted; (2) deepening criminal judicial cooperation and strengthening international judicial assistance among the countries along the “B & R”, and promoting the conclusion of bilateral and multilateral judicial assistance agreements; and (3) accurately applying international treaties and customary practices in accordance with laws to enhance public trust of adjudication (SPC, 2015). Regardless of the absence of concrete measures on international criminal judicial cooperation in the field of civil aviation security under the “B & R” strategy, the above contents exert positive influences on improving the identification of crimes in domestic criminal legislation with respect to non-traditional threatening behaviors, correctly applying international civil aviation treaties, and entering into criminal judicial mutual assistance agreements with more countries along the “B & R”. However, key issues and difficulties that lie in international civil aviation judicial cooperation are the different political systems, religious beliefs and cultural inheritances that impact countries along the “B & R”, which result in various legislations on the identification of crimes, criminal jurisdiction, and extradition of criminals, etc. For instance, regarding the unlawful seizure of aircraft, Russian Criminal Law categorizes it into “crimes involving terrorist activities” (Wang, 2007), while the Chinese Criminal Law classifies it into “crimes of endangering public security” (Wu, 1986). Another example is the typical “Lockerbie Bombing” case reflecting the conflict of jurisdictions in practice of international civil aviation security laws. Due to the lack of jurisdictional agreement between U.S.A and Libya, a dispute over jurisdiction between these two countries arose when the criminals fled back to Libya. Another example is the extradition of political criminals, in view of the absence of mandatory provisions in the International Aviation Security Convention, and a lack of bilateral or multilateral treaties addressing the extradition issue. Hence, in spite of the principle of “prosecution or extradition” set up in the International Convention (Milde, 2016), whether or not to extradite political criminals is still subject to domestic legislations of related countries (Sheng, 2014).

### **Implications and Conclusion**

How are we to consummate international and domestic legislation, enhance international criminal judicial cooperation between countries along the “B & R”, and attain the goal of “jointly establishing a secure and efficient network of land, sea and air passages, expand and build platforms and mechanisms for comprehensive civil aviation cooperation” mentioned in the 2015 Vision and Actions, under the preconditions of lifting the level of aviation threat and risk management? This author drew the following conclusions from the above analyses.

It is necessary to establish a warning mechanism, a preventive mechanism and an intelligent cooperation mechanism against threats and risks of civil aviation security between countries along the “B & R”, by advocating a new security concept concerning “common security” and “shared security” there between (Yu & Zhang, 2015), while actively completing aviation security audits in a mutual way by establishing a mutual assistance mechanism in reliance upon the ICAO, and jointly enhancing the level of evaluating and managing threats and risks against aviation security.

It is also necessary to consummate international conventions and domestic laws with respect to aviation security, which includes actively participating in the modernization process of the International Civil Aviation Security Convention presided over by the ICAO based on the variety of threats and risks possibly arising in inter-state aviation transportation under the “B & R”, and exercising our right of discourse in enacting international conventions; studying legislation intents of international conventions and new legislations, while researching civil aviation laws of countries along the “B & R” and criminal laws and

case laws regarding civil aviation, and understanding provisions on criminal conviction and jurisdiction by ICAO and the countries, so as to consummate domestic criminal and administrative laws and regulations.

In addition, in line with the principle of equality, freedom and non-interference with each other's sovereignty, it is necessary to strengthen criminal judicial cooperation with countries along the "B & R", build up an inter-state criminal judicial cooperation mechanism and consultation mechanism, and reach a consensus on issues such as criminal judicial assistance, and extradition, etc., among those countries. Moreover, in pursuance to the principle of mutual benefit, we should establish a regular cooperation and communication mechanism by exchanging law enforcement officers and legal scholars between "B & R" countries, so as to enhance mutual cognition and understanding of each other's legal structure and legal system.

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# Research on the Construction of the China-ASEAN Comprehensive Security Law Enforcement Cooperation System

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***[Abstract]** ASEAN, having a close relationship with the geopolitics of China, faces highly prosperous economic and trade and the severe challenge of non-traditional security threats. A regional law enforcement cooperation mechanism is the best way to fight against this kind of crime. In 2015, the four countries (China, Laos, Myanmar and Thailand) built the "Law Enforcement and Security Cooperation Mechanism of the Mekong River Basin" (LESCM) on the basis of the Mekong River joint patrol operation, and will be joined by Vietnam and Cambodia. From the viewpoint of the basis of this system, the necessity and the establishment, this paper aims to research the China-ASEAN comprehensive security law enforcement cooperation system (referred to as CCSLECS)' construction, and provide a necessary theoretical basis for later scholars.*

***[Keywords]** China; ASEAN; Mekong River; law enforcement cooperation; One Belt and One Road*

## Introduction

There is a long history of friendly relations between China and ASEAN. Under the double driving of the ASEAN community's construction and the "One Belt and One Road" Cooperation Initiative, we try to vigorously promote a bilateral relationship in politics, economy, culture, environment that is all-dimensional, boasting a wide-ranging and deep cooperation process. To ensure the related process goes forward smoothly, China and ASEAN countries continuously deepen security concept, continue to improve strategic mutual trust, expand mutually-beneficial cooperation, and fully show the solid foundation and strong vitality in law enforcement cooperation between them. Currently, the non-traditional security threats of complicated severe challenges, threatening China and ASEAN regional security order the related process smoothly, the existing cooperation mechanisms have been unable to meet the security requirements of both parties. Therefore, both sides should pass the "law enforcement and security cooperation mechanism of the Mekong river basin" (referred to "the Mekong river mechanism" hereinafter) accepted by many parties, integrating existing security law enforcement cooperation mechanism and cooperation resources, jointly building a higher level, more pragmatic, all-around, three-dimensional system of district law enforcement and security cooperation.

## Foundation of the China and ASEAN Law Enforcement System

A law enforcement system of China and ASEAN is not established without any basis, nor is it a dream theory. Its foundation is the Mekong river mechanism, which is established on the basis of the Laos, Myanmar and Thailand joint-patrols in law enforcement. On 26th Nov 2011, Laos, Myanmar and Thailand countries issued the "Joint Statement of Ministerial Meeting on Cooperation in Patrol, Law Enforcement

Along Mekong River” together, agreeing to set up The Mekong River Joint Headquarter of joint patrols and enforcing law on the basis of equality, mutual trust, and respect of each other (An, 2011). In December 2011, they successfully implemented their first joint patrol, which has now been five years ago. As one of the most important areas of law enforcement cooperation mechanism in China and ASEAN, the Mekong river joint patrol and enforcement pioneering the new mode of joint enforcement with its neighboring countries, plays an important role in maintaining regional security and order and promotes regional trade prosperity. For the past five years, the four countries have successfully completed 53 joint patrols and enforcement actions, and dispatched a total of 8,256 law enforcement personnel and 393 law enforcement vessels, with a total voyage of 2.6 thousand kilometers and a total time of flight is 1,767 hours. Through joint patrol and enforcement, they attacked the river gang operations and intelligence information communication and control a variety of problems, such as public security problems. After resolutely curbing rampant transnational crimes, the basin effectively ensures the security of the Mekong River for international shipping, and actively promotes social and economic development along the coast of the Mekong River (Wang, & Xie, 2016).

The Mekong River Enforcement and Security Cooperation Ministerial Meeting was held in Beijing on October 25, 2015. The meeting was to deepen the Lancang River and Mekong river enforcement and security cooperation and to create “the peace of the Mekong River” as the goal. For the idea of integration, cooperation and sustainability, the Mekong River mechanism construction will become a regional comprehensive enforcement and security cooperation organization. It is a clear “Joint declaration” that the establishment of an enforcement and security cooperation mechanism, the establishment of Lancang - Mekong River comprehensive law enforcement and security cooperation center, which includes drug crimes, terrorism, and cybercrimes in the scope of law enforcement and security cooperation, will determine fighting organized smuggling and illegal migration, and busting repatriating fugitives as key areas of cooperation, etc. (Liu, 2015).

It is expected that the success of the Mekong River joint law enforcement will guarantee the development of the Mekong River mechanism. The latter will further expand on the basis of absorbing the former, and most likely in the “spirit” of the Mekong River and under the joint action of the “east Asia security concept” and develop into a “China and ASEAN” law enforcement system. The system refers to that China and ASEAN, on the basis of the Mekong River mechanism, will share, mutually benefit and have a win-win spirit, and jointly build a higher level, more pragmatic, all-round, three-dimensional system of district law enforcement and security cooperation. For this, China and ASEAN should do more relevant theoretical research and mechanism construction.

### **Analysis on the Necessity of Constructing a China-ASEAN Law Enforcement System (CALES)**

At present, although ASEAN has close economic and trade ties with China, the two sides face common non-traditional security threats and require a higher level of law enforcement capacity building. Therefore, it is necessary to build the China-ASEAN Law Enforcement System (CALES). This is not only an urgent task for China and ASEAN, but also for the development trend of the Mekong mechanism in the future.

#### ***The Need for Integration of Law Enforcement Resources***

China-ASEAN law enforcement cooperation has become an indispensable part of the strategic partnership between the two sides. Since the Joint Declaration on Cooperation in Non-traditional Security Field in 2002,

China and ASEAN have established a number of cooperation mechanisms for non-traditional security threats, including China and ASEAN, ASEAN Cooperation Ministerial Conference on Combating Transnational Crime, Senior Officials Meeting, and ASEANAPOL etc. At the same time, China has established an annual law enforcement meeting mechanism with Vietnam, Malaysia, Singapore, Thailand, Myanmar and other countries, and signed a number of intergovernmental and inter-departmental bilateral agreements on combating transnational crime with most ASEAN countries. The establishment of these mechanisms has played a positive role in coordinating the common positions or actions of China and ASEAN parties, safeguarding the regional security interests effectively (Shi, 2015).

However, these mechanisms do not fully exploit the potential of China and ASEAN to deal with non-traditional security (Lu, 2003, p. 20) threats from the standpoint of efficiency. As opposed to the Mekong Mechanism, CALES is still at an early stage of exploration. Those cooperation mechanisms between China and ASEAN countries also have similar problems in that they do not establish a joint command and conduct regular joint law enforcement mechanisms, resulting in a limited capacity for the mobilization of law enforcement resources while in the real fight against transnational crime and terrorism. To this end, it is necessary to promote the construction of a joint law enforcement capacity, such as CALES. Under the guidance of the Spirit of the Mekong River and East Asian Security Concept, China and ASEAN can effectively screen the current mechanisms and resources for law enforcement cooperation, then further integrate and develop relevant agreements, law enforcement mechanisms and institutional arrangements, so as to greatly reduce the cost of law enforcement of related countries and enhance the regional law enforcement efficiency, and ultimately better protect the fundamental interests of the people of China and ASEAN countries.

### ***Deal with Non-Traditional Security***

Non-Traditional Security (NTS) is a concept compared to traditional political and military security, which refers to the stability and security of transnational issues caused by political and military factors that directly influence, or even pose a threat to us and other countries, as well as regional and global development (Lu, 2003). Although the establishment of the ASEAN community further strengthens the political, economic and cultural ties of countries, to some extent, it bridges the distance of time and space between these countries, and forms a larger network space in geographical space and judicial space, so it also brings more influence on non-traditional security, such as information security, terrorism, transnational crime, drug trafficking, and illegal immigration, etc.

These threats are not isolated; they join each other, with mutual cooperation, and mutual enhancement. Criminals take advantage of these features to impact national security order and avoid possible legal sanctions, so that they seriously threaten the economic and political stability, threatening people's well-being. Countries need to invest more manpower, as well as financial and material resources to non-traditional security that may occur at any time. The establishment of the ASEAN community provides national development space for these countries, and at the same time, more development opportunities. Nowadays, various non-traditional securities are forming cross-border or cross-regional crime systems, which increases the difficulty of geometric type, and the ability of enforcement in these countries also has severe challenges. Therefore, it is necessary for China and ASEAN to further expand the areas of cooperation, strengthen bilateral and multilateral cooperation mechanisms, and promote the establishment of China-ASEAN Fate Community by deepening non-traditional security cooperation (Li, 2014, p. 1). China-ASEAN enforcement system is the era product of the concept, which will become Southeast Asia's



largest integrated regional security enforcement cooperation system, and will expand non-traditional security cooperation between the theoretical extension and practice boundaries. Through a more extensive, comprehensive, and systematic cooperation framework, it protects the national security of both parties and promotes the process of community building.

### ***Deepen China-ASEAN Relations***

Due to the historical and geopolitical factors, China and ASEAN countries still have problems of a lack of political trust, which restricts the further development of bilateral relations and affects the relations between China and ASEAN as a whole. Therefore, China and ASEAN urgently need to strengthen their political and identity acceptance in some way. The ASEAN Security Community's own development also needs to build a regional identity, and the cooperative mechanism dealing with non-traditional security must meet this need. The success of the joint patrol of the Mekong River in the past five years has dispelled the concerns of the ASEAN countries, and the Mekong mechanism set up last year was recognized by Vietnam and Cambodia. Most countries have endorsed China's power and sincerity in law enforcement. China's accession will not only dissipate the plight of ASEAN's internal security cooperation, increase the common interests of ASEAN countries, and deepen their interdependence, but it will also strengthen the regional identity of China and ASEAN countries and promote the simultaneous development of political, economic and cultural fields.

## **Suggestions on the Construction of China - ASEAN Law Enforcement System**

### ***Strengthen Economic and Trade Cooperation, and Strengthen Regional Consensus on Law Enforcement Cooperation***

China and ASEAN have established dialogues for 25 years, and the two sides have achieved fruitful results in economic and trade cooperation. China has been the largest trading partner of ASEAN for seven consecutive years, and is China's third largest trading partner for the past four consecutive years (Xu, 2016). Compared with economic and trade cooperation, cooperation consciousness in the field of law enforcement between China and ASEAN is not very good. Therefore, the two sides could use the consensus in the area of the economy and trade to strengthen it in the area of law enforcement cooperation. They are committed to the development of good-neighbourly and friendly relations of cooperation. Close economic and trade exchanges not only play an important role in advancing the development of regional cooperation between the two sides in depth, but they are also conducive to promoting the formation of the concept of regional law enforcement cooperation, such as being mutually beneficial, having mutual trust, openness, tolerance, and a win-win cooperation, etc. In short, the two sides can rebuild their national identity by strengthening their economic and trade cooperation.

### ***Upgrade the Mekong River Mechanism, and Strengthen the Joint Law Enforcement Cooperation Mechanism***

The CALES, based on the Mekong River Mechanism, is a comprehensive law enforcement cooperation system. In other words, the establishment of the CALES largely depends on the development of the Mekong River Mechanism. At present, the Mekong River Mechanism has been affirmed by the Vietnamese. The six countries have reached consensus on law enforcement cooperation in the Mekong River Basin, and then expanded the scope of cooperation to drug-related crimes, terrorism, cybercrimes and other fields, as well as the identified key areas of cooperation in the fight against organized smuggling and illegal immigration,

and the arrest and repatriation of fugitives. In addition, the biennial ministerial meeting and the annual meeting of senior officials have raised the level of the Mekong River Mechanism. With the deepening of cooperation between the six countries, those cooperation content, such as further expanding the scope of cooperation, refining the content of cooperation, increasing law enforcement authority will become upgrade path for the Mekong River Mechanism. At the same time, the high conductivity, wide diffusion and strong dangers of non-traditional security threats will be a greater threat to the ASEAN countries in the process of integration. These countries, including the six countries, will have to face import threats from other ASEAN countries. Therefore, deepening cooperation between China and ASEAN is imperative. In short, the six countries should now prepare for the future CALES by stepping up to upgrade the Mekong River Mechanism and strengthen capacity building, mechanism construction and talent building of the joint law enforcement cooperation.

### ***Emphasize Law Enforcement Capacity Building, and Cultivate Regional Law Enforcement Personnel***

With regard to both the current Mekong River Mechanism and the future CALES, the construction of any law enforcement cooperation mechanism is inseparable from law enforcement capacity building and law enforcement personnel training. Technology not only helps people improve their lives, but it also puts forward higher requirements on combating crime that in these three primary aspects: 1.) The proportion of high-tech crimes and technology is escalating. More and more criminals are learning new technologies, buying new technologies, and using new technologies, which has increased the difficulty of countries to combat crimes, and forced countries to constantly develop new technologies, new weapons. In order to increase the adaptability of technology and weapons in countries, and maximize the utilization of law enforcement resources, the CALES should establish a joint R&D mechanism to enhance technical exchange and sharing of results, improve enforcement accuracy and combat capability with enforcement mechanisms, and promote regional law enforcement security processes. 2.) Transnational liaison and coordination of criminals is increasing. To this end, the CALES should establish a regional police intelligence information network to inform each other of the situations, so that Member States carrying out the corresponding police deployments based on the information available, will have upgraded law enforcement capabilities. The CALES' success relies heavily on law enforcement capacity building; the main task of the system construction is to strengthen national law enforcement capacity-building. Therefore, China and the ASEAN countries should strengthen the training of their law enforcement personnel, including foreign police training and policing practice. Every country can understand each other's law enforcement techniques, culture and philosophy by foreign police training, and improve the joint law enforcement. They can also strengthen the ability of law enforcement personnel theory applied to actual combat by policing practice, and improve their regional law enforcement capacity.

### **Conclusion**

As far as China and ASEAN are concerned, the security of the Mekong River is closely linked with regional security, and the Mekong River Basin's law enforcement experience and enforcement model are of great significance to all countries. The establishment of the Mekong Mechanism is the crystallization of the five-year successful experience of the joint patrol enforcement of the Mekong River. It is also the recognition of the effectiveness of joint law enforcement among the four countries. The Mekong mechanism is toward the largest integrated regional law enforcement mechanism in East Asia after Vietnam and Cambodia joined. It is foreseeable that with the increasingly mature and perfect law enforcement cooperation between

the six countries, the ability of the Mekong mechanism to combat non-traditional security threats, such as transnational crime and terrorism, will be further strengthened, and it is an inevitable trend to attract other ASEAN countries to take the initiative to join the China-ASEAN law enforcement system. Its establishment has positive significance for integrating the law enforcement resources of China and ASEAN countries, coping with increasingly serious non-traditional security and deepening China-ASEAN relations. Therefore, China and ASEAN countries should pay attention to this trend and build China-ASEAN law enforcement system to deepen the cooperation consensus, upgrade the cooperation mechanism and enhance the law enforcement ability.

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# Circumvention of Self-Fulfilling Prophecy: How to Assess and Respond to China's One Belt One Road Strategy

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**[Abstract]** *With a realist logic of international security, threat assessment tends to become a self-fulfilling prophecy. This tendency has been long-lasting in the assessment of China's rise and is likely to happen again on the One Belt One Road strategy. This paper tries to look into the key process of self-fulfilling prophecy and seeks possibilities to avoid it when assessing and responding to China's new strategic initiative.*

**[Keywords]** *China; One Belt One Road; international security; threat assessment; self-fulfilling prophecy*

## **Introduction**

In the past three years, China has restlessly carried out ambitious plans and projects to invest hundreds of billions of dollars into new infrastructure investments and upgrades in the Eurasian Continent to build up the network of the Silk Road Economic Belt and the Twenty-First-Century Maritime Silk Road, also known as One Belt One Road (OBOR). The OBOR initiative, boosted by China as the greatest rising power of the present world, not surprisingly draws global reactions and intensive studies on its strategic significance. By and large, these researches and studies focus either on its geopolitical implications or its likely developmental consequences, while others remain sceptical (Cooley, 2016). Among them, threat assessment is one measure widely adopted and especially preferred by certain countries, especially great powers. However, imprudent threat assessment on OBOR is problematic. Fundamentally, the premise of threat assessment lays in the logic of the zero-sum game of realism, which is in opposition to the inclusivity and connectivity advocated in the OBOR initiative. If China's OBOR initiative is understood as a strategic response to the encirclement by its rivalry counterparts, OBOR is tended to be assessed as a threat and can easily trigger a self-fulfilling prophecy (SFP). Thus, incautious threat assessment of OBOR is not only inappropriate, but is also dangerous once it falls into SFP, despite the fact that such an approach is frequently adopted intentionally or unintentionally.

This paper discusses how to avoid SFP when assessing and responding to China's OBOR strategy. The first part will be an introduction of SFP in terms of threat assessment, followed by analysis on why, in the context of international security, threat assessment is likely to become a SFP. "China's Threat Theory" and strategic encirclement agitated by western countries will be used as example. The second part will review the assessment on China's OBOR strategy by learning lessons to avoid a self-fulfilling prophecy.

## **SFP in Threat Assessment: What and Why**

Threat assessment in international security is often assigned with such a task: to assess whether an adversary actor/policy is a threat through analyzing viable resources and to decide what action should be taken in response. Generally speaking, the estimated threat is a result summing up the estimated capability and estimated intent (Singer, 1958; Stein, 2013). Rationalists believe through certain interacting processes, such as the strategic interaction model and bargaining theory (Lake, 2011), the signaling of information and credibility of threat can be accurately assessed and relevant predictions and reactions can be made

accordingly. However, strange enough, threat assessment in reality can unexpectedly lead to wrong directions, one of which is known as the “self-fulfilling prophecy”.

“Self-fulfilling prophecy” (SFP) was originally conceptualized by Robert K. Merton as “a false definition of the situation evoking a new behavior which makes the original false conception to come ‘true’” (Merton, 1968, p. 477). The logic of SFP can be illustrated as follows:

1. X believes ‘Y is p.’
2. X therefore does b.
3. Because of (2), Y becomes p (Biggs, 2009, p. 295).

In this logic, something characterizing SFP can be observed. Step (1) implies that X’s belief is problematic. ‘Y is p’ is not necessarily objective so X’s belief/assumption is not based on sound facts. Moreover, in (3), the actual result of ‘Y becomes p’ is caused by the relevant behavior of X, i.e. (2). In other words, the behavior of X and the change of Y have causal-result relations. Accordingly, we can conclude two core features of SFP: (a) a false assumption, and (b) a causal-result relation between the action and realization of the result.

In the context of international security, it is possible for threat assessment to become SFP – the action of risk aversion is not an effective response to an existing threat, but a motivating force of a new threat. Two main perspectives are to be explored. First, why is it that country X is able to come up with a false assumption? Second, why the adversary, country Y, can turn into what is predicted by the assessor X?

### ***Forming False/Problematic Assumptions***

In terms of threat assessment, interactions among IR actors follow the realist logic to a large extent. According to realism, the international political system is anarchic, in which states are on their own when maintaining relations with others. Under such a self-help system, the ultimate goal of each state is to survive and the means is to maximize their own self-interest. In order to ensure self-preservation, states tend to exaggerate the power of adversary “just in case”. When a state assumes the other state with superior power is a threat, the starting point of self-fulfilling prophecy, which is the (1) X believes that ‘Y is p’, appears. This realist background paves the way for creating the false assumption during threat assessment. Three perspectives are offered to understand why it is possible for a country to come up with a false analysis in the process of threat assessment: rationalism, structuralism, and political psychology and culture.

**Rationalist perspective.** Rationalists focus on the adversary as their calculating objects so much that its performance becomes *the* critical variable in their concern. It is rather dangerous because the signal is not always accurate. The core elements in a rationalist threat analysis are signaling and credibility (Schelling, 1960; Fearon, 1995). Both are hard to measure. The adversary carries out “misrepresentation” by controlling the threat evidences, which include showing capability, action and rhetoric statement (Pruitt, 1965). Therefore, in a rationalist approach of threat assessment, the receiving side can easily form false conclusions and predictions of the threat out of such uncertainty of presentation. The implication of limited or incomplete information from the adversarial side can further result in the asymmetric opportunity cost, where the cost of waiting outweighs the cost of making mistakes (Biggs, 2009). This logic is paralleled with the idea of a Chinese proverb “Better to believe the worst than to be optimistic and learn the worst.” Calculating the opportunity cost is initially a rational act. However, the asymmetry of the cost, combined with the tendency to ‘prepare for the worst’ is human nature, and ironically, turns the calculation into a wrong course.

The epidemic “China Threat Theory” largely fits into this explanation. Long before China had any factual capacity to pose challenges to the existing international orders, other powers had seen it as a potential revisionist, or even a threat. This is because rational rivalries cannot afford to leave any chance for China to become a rising power, according to the asymmetric opportunity cost. And China – a country facing both the internal dilemma of development and reform and the external paradox of freeriding and challenging the existing international system – can sometimes behave delusively, which heightens the stakes and complicates the threat assumption.

**Institutional perspective.** Institutional perspective considers the political structure and various institutional interests within a decision-making system. States with different political power structures will carry out different processes and results of threat assessment. Generally, a centralized political system tends to over-calculate the threat, while in the governments with decentralization, threats are unlikely overestimated (Knorr, 1976). In a decentralized government, the process of threat assessment is more complicated because of different interests inside the bureaucratic network. Departments which are responsible for dealing with threats *vis-à-vis* tend to exaggerate the threat, while those who want to put the national resources elsewhere would lower the extent of threat assessment (Stein, 2013). The divergence among different institutional interests do not disappear in a crisis despite leaders’ efforts to unify the threat perceptions (Allison & Zelikow, 1999). The balancing process can significantly distract decision makers’ attentions from focusing on the threat, which, therefore, dilutes the possible threat perception. In a centralized government like Russia, the final say of decision-making is often grasped by few, or even just the sole leader. To those who stand in the center of decision-making, information gathered for assessment and calculation is limited. Moreover, the personal perceptions of individual leaders can influence the threat-assessing process to a large extent. Although Sino-Russian relations have been well-developed in recent years, Russia harbors great suspicion towards China’s rise in many occasions. Just as it can maintain a seemingly relationship with China, so it can turn its head away swiftly under the will of leaders. The sudden deterioration of Sino-Soviet relations at the end of the 1950s not only taught lessons, but also left an historic legacy that reminds people to be prudent when dealing with centralized powers.

**Psychology and historic-culture.** Even though cognitive preferences differ from person to person, there are some general characteristics shared by all human beliefs, one of which is consistency. According to Stein, people feel uncomfortable when encountering any information that is not in accordance with their existing beliefs, despite the reasonability of the information. They tend to omit the inharmonious information and only adapt the favorable one to maintain the consistency of their beliefs, which invalidates the process of calculation and leads to misperception (Stein, 2013). Another common feature is the tendency to simplification. When facing all sorts of complicating sources, people tend to rule out the “disturbing” ones in order to reach a neat result. However, this “cognitive shortcut” (Stein, 2013, p. 14) fails to understand the importance of case-by-case analysis and easily makes the wrong categorization.

Historic-cultural factor has a profound influence on forming threat perceptions. It is rooted in previous experience and in the very depth of people’s minds. History can serve as a background for forming a threat perception towards certain actors. While the Press’s idea claims that ‘a country’s credibility is driven not by its past behavior but rather by power and interests (Press, 2005, p. 1), I would argue that the historical factor has been unconsciously rooted in decision makers’ minds before they process any other factors. This can be understood as a long-term version of cognitive consistency as illustrated above. China’s surrounding countries tend to be affected by such perspective when they encounter the rise of China. Interestingly, the historic memory of pain and hatred seems more popular than a friendly and decent one. Although the

neighboring countries like Vietnam share common history and culture features with China, they tend to see China's rise as a threat on the basis of past conflicts.

In summary, the rationalist approach, institutional perspective and psychological explanation provide factors that lead to false assumption in threat assessment. These factors can be roughly categorized into misrepresentation (inaccurate performance of the adversary), miscalculation (asymmetry of opportunity cost; political structure and institutional dynamics) and misperception (psychological factors) (Powell, 2006; Stein, 1985; Jervis, 1976). "China's Threat Theory" is a classic combination of these three types.

### ***Fulfilling the Prophecy: Response in Causal-Result Relation***

In the SFP process of threat assessment, the precondition is that country Y was originally on a different track (as non-threatening) from what X perceived. It is the country X's action responding to its false assumption that turns Y's trajectory. How X's responding action can successfully change Y's behavior is another key to understand why threat assessment can become a self-fulfilling prophecy. Several consequences can be found when deconstructing the third step of the SFP logic i.e. *Because of (2), Y becomes p*. First, after X carries out the responding action as in the second step of the logic, Y interprets and analyzes the implications of X's action. Second, Y carries out the reaction as a result of its analysis and interpretation. This reaction is a necessary condition for Y being 'p' (as X predicts). Third, therefore, Y *de facto* becomes 'p'. In this "analysis – reaction – realization" sequence, the interpretation of Y matters significantly.

What causes Y to come up with the conclusion that Y should react as 'p'? If we look into the causal-result relationship between X's action and change of Y's analysis course, there are two possible reasons: either X changes the objective conditions for Y to react or it changes the subjective perception of Y. In the first situation, the action of X changes the objective conditions through which Y can seek for multiple responding options. Sometimes the action of X is so overwhelming that it blocks out all other possibilities for Y to respond and the only option available for Y is the one that has been predicted by X. In the second situation, X does not necessarily change the factual environment where Y is situated, but it successfully makes Y willing to accept X's assumption on Y. As soon as Y accepts this impression, despite the falseness, it will automatically react in a trajectory that X predicts.

Given the assumption of the "China's Threat", the United States' strategy of "Pivot to Asia", along with recent issues raised by China's surrounding countries (e.g. East China Sea issue by Japan, South China Sea issues by the Philippines, Vietnam, and THAAD missile issues by South Korea) can be understood as responsive actions. These actions change the objective condition of China's external environment by strategically forming a Korea-Japan-Southeast Asia-India encircling chain. They also change the subjective impression of China, convincing China that it is, if not a threat itself, standing in a different position from most of its counterparts. More or less, a casual-result effect from China's Threat assumption is working.

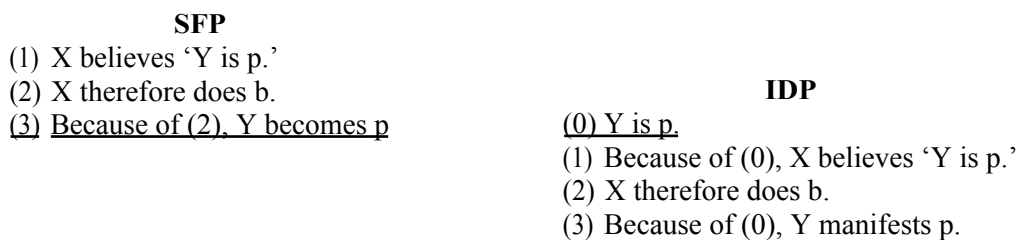
**Lessons Learned: Avoidance of SFP When Assessing and Responding to OBOR Strategy**  
"China Threat Theory" partly reflects the false assumption of SFP, i.e. (1) *X believes 'Y is p'*. The U.S.'s "Pivot to Asia" and other encircling strategies reflect their responsive behavior, i.e. (2) *X therefore does b*. Subsequently, China's objective and subjective conditions are changed, which might lead to the consequence of SFP, i.e. (3) *Because of (2), Y becomes p*. In fact, it has been said by many that the OBOR strategy attempts to create a set of political and institutional tools with which China can start to reorganize global value chains and stamp its imprint on the rules governing the global economy (Maçães, 2016).

But if we scrutinize the SFP logic of the “China Threat Theory”, the consequence should echo the assumption that China would breakout as a threat, but the OBOR does not perform in such way. Unlike Russia when it was isolated from the western world and sought a breakout in the Mid-East by sending troops and engaging in their security affairs, China’s OBOR is a strategy of economic integration to unbundle different segments of the production chain, with a priority of fostering regional connectivity and economic cooperation across the region (Mações, 2016). Connectivity and inclusivity, as the core value of OBOR, has gone far beyond the logic of realism and would not easily fall into the trap of SFP. Therefore, it is more reasonable to say that China’s strategic breakout is a consequence driven by previous encircling actions. But in terms of the breakout form, OBOR is an off-track decision from a realist SFP. OBOR is not a simple strategy responding to the encircled situation of China, but with a greater blueprint on how to reorient China considering its domestic development and the future of the world. Having said this, an understanding of the OBOR initiative as a breakthrough of the SFP logic is not easily observed. We need to stay alert to the dangerous implication of SFP development.

Biggs pointed out a feature underlying in SFP in that, most of the time, the assessor X is not aware of itself as a threat creator (2009). X simply believes that its behavior only reflects the very fact. This gap can be better understood by comparing SFP to Inductively Derived Prophecy (IDP), whose logic is:

1. Y is p.
2. Because of (0), X believes ‘Y is p.’
3. X therefore does b.
4. Because of (0), Y manifest p (Biggs, 2009, p. 296).

Very often, the assessor X easily confuses SFP with IDP during threat assessment. Decision makers in country X are not aware of the false assumption they have formed. They are neither aware of themselves as creator to Y’s behavior. The former unawareness triggers the process of SFP, and the latter unawareness leads the process from SFP to IDP. Once the assessing process enters the IDP stage, the following actions are just an automatic response to the previous step. This can be illustrated more clearly by the following diagram:



The arrow in the diagram shows how SFP can further go into IDP. Every step is a reasonable response to, or a result of, the previous one. The self-unawareness is so dangerous that once the false prediction established, the whole development will follow a reasonable logic and go out of control. In IR context, threat assessment is a rather slow and long-term process in which unawareness is more likely to appear and harder to detect. As stated above, the view that OBOR breaks through the SFP chain is not commonly obtained. To prevent the view of OBOR falling into the SFP trap again, it is necessary to go through the key points of threat assessment becoming SFP before learning the lessons on how to avoid SFP when assessing and responding to the OBOR.



X establishes a false assumption that ‘country Y is a threat’, not reflecting the reality. Various factors with misrepresentation, miscalculation and misperception attribute to this false creation. According to such a threat assumption, X carries out a responding action to Y as an ‘imagined threat’. Y then interpret X’s action and the intention behind it. X’s action can change either the objective conditions or the subjective perception of Y. By doing so, Y’s action is conformed to X’s expectation. The reaction carried out by Y is a necessary condition to become ‘p’ as the ‘threat’. By now the ‘threat’ is no longer ‘imagined’ but ‘real’. X’s false prediction, through its own effort, comes true. We need to be cautious, when assessing and responding to the OBOR strategy, not to follow the logic line of SFP. Possible solutions exist for the factors that initiate SFP process of threat assessment.

By enhancing international transparency, misrepresentation of the adversary can be avoided and more information can be gathered for accurate assessment. This means China should enhance the information transparency and accessibility of OBOR policies. It has been reminded that Chinese officials should use universally accepted rhetoric instead of over-Chinese-oriented language to introduce OBOR. By shifting from one-shot gaming to multiple gaming, miscalculation can be reduced through communication and exchange. It has been complained that there is no sufficient communication with countries along OBOR before initiative is published, another lesson to learn (Sha, 2016). Establishing institutions and rules that can limit the individual perception is also instrumental. It is pressing for China’s special office of OBOR to actively connect with different departments of relevant countries. The more departments are connected, the more information channels are established towards policy makers.

In addition, X’s action towards Y is not necessarily successful. There is much uncertainty in reality that can affect the consequence of X’s action. If X is not powerful enough to change the objective condition or Y’s subjective perception substantially, how Y will respond is yet open. Analysis on threat assessment as SFP focuses too much on the logic of realism and excludes many other factors into account. Connectivity and inclusivity as the core value of OBOR is capitalized by liberalism. Constructivism can explain that OBOR is largely built on the historic-culture of Eurasia and Chinese philosophy of harmony. In other words, OBOR cannot be assessed and responded to with a simple and crude logic of threat assessment or it will easily fall into the trap of SFP.

Lastly, unawareness is always dangerous. In the case of OBOR, it is necessary for both China and relevant countries to review themselves from time to time to see whether misrepresentation, miscalculation and misperception has occurred during assessing and responding process.

### **Conclusion**

In the context of realist international security, it is possible that threat assessment becomes a self-fulfilling prophecy. A country can come up with a false assumption when carrying out a threat assessment, and objective misrepresentation, subjective miscalculation and misperception can contribute to this. Also, the action of the assessor deriving from the assumption can sometimes alter the adversary’s behavior. Unifying the adversaries with the false prediction can be achieved through either blocking the viable options of the adversary or changing its subjective perception on itself. Through these two steps a threat assessment can become a self-fulfilling prophecy. There is dangerous implication of this process that the unawareness of the problem creator can lead the entire process to develop into an uncontrollable consequence. China’s Threat Theory and strategic encirclements demonstrate the first two steps of SFP respectively and the consequence of China’s strategic breakout is now forming. Be that as it may, China chose the OBOR strategy which deviates from the realist logic of threat assessment in international security. It is a benign

signal to cut off the SFP chain. The SFP should be avoided when assessing and responding to China's OBOR strategy. Many lessons can be learned to prevent the threat assessment from becoming a self-fulfilling prophecy. Transparency, multiple information exchange and enhancing the awareness level of policy-making are viable options.

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# Research on the Risk Prevention of Uranium Resource Investment and Exploitation in Countries Along the Belt and Road

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*[Abstract] In order to actively respond to President Xi Jinping's "The Belt and Road" ideas, combined with the current situation that uranium resources in China are not sufficient for supporting the improvement of a nuclear power career, Chinese nuclear energy enterprises have initiated projects of overseas uranium resources exploitation in countries and places along "The Belt and Road", such as Central Asia, and Africa whose uranium resources are rich and have already achieved expected results. However, the investment and exploitation of overseas uranium resources is affected by many factors and risks, such as the domestic political and economic environment in cooperation countries. With the deepening of uranium resources investment and exploitation, our government and enterprises should take measures to ensure better achievement of China enterprises in investing and exploiting uranium resources in countries along "The Belt and Road", such as policy and legal supports from our government.*

*[Keywords] "The Belt and Road"; uranium resources; investment and exploitation*

## Introduction

On September 7, 2013, President Xi Jinping made a speech entitled, "Carrying Forward Friendship and Creating a Bright Future" at the Nazarbayev University in Kazakhstan, and put forward the proposal of establishing the "Silk Road Economic Belt" (Xi, 2013). Since then, "the Belt and Road" has become a new Chinese pattern of international cooperation. In the meantime, Chinese nuclear energy enterprises have already made a positive attempt to exploit and invest in the natural uranium resources in Central Asia and African countries along "the Belt and Road", which has helped related enterprises accumulate rich experiences, and made more enterprises join in the exploitation and investment.

Natural uranium, coal and oil, are the most important components of the world's fossil energy, which are precious energy assets from nature for human beings. Natural uranium was used for producing and developing nuclear weapons in the 1940s, and has turned into a significant fuel source for nuclear power since the late 1950s, which is providing 16% of the world's electricity supply (Buzan, & Hansen, 2009).

Australia, Kazakhstan, Canada, South Africa, the United States, Russia, Namibia, Niger, Brazil, Uzbekistan, Ukraine, and Mongolia are the top twelve countries which own the world's most natural uranium reserves (Wirtz, & Larsen, 2005). Most are located in Oceania, North America, South America, Africa and Central Asia; many of which are far away from China, while others are nearer to China. The top seven countries have 80% of the world's total natural uranium reserves. Countries that are developing nuclear power often have insufficient uranium resources, while uranium-rich countries are mostly counting on uranium exports. In 2007, China's Commission of Science, Technology and Industry for National Defence issued the "Nuclear Industry 'Eleventh Five-Year' Development Plan", in which it was announced for the first time that China would speed up the establishment of a strategic reserve of natural uranium and a commercial enterprise reserve system. According to the "Medium and long-term development plan for

nuclear power (2011-2020)” issued by the State Council in 2012, by 2020, China’s annual consumption of uranium will be over 10,000 tons. However, the proven domestic natural uranium reserves are only 171,400 tons, far from sufficient to support the development of the nuclear power demand in China. The supply of natural uranium resources will become a key factor for the healthy development of nuclear power industry. It is also an important national strategy, and seeking out uranium resources overseas, especially in the countries along “the Belt and Road”, is an important means to achieve nuclear power development.

### **The Process of Uranium Resource Investment and Exploitation**

From 2008, China’s uranium resource development companies, managed by nuclear power enterprises, have acquired or participated in the development of local uranium resources companies in many countries, such as Kazakhstan, Uzbekistan, Australia, Niger, Namibia, and Canada, and have taken a solid step in the investment and exploitation of overseas uranium resources. Kazakhstan, Uzbekistan, Mongolia and other countries play an important role in the land of the Silk Road in China. Kazakhstan, which stretches across Central Asia and the southeastern part of Eastern Europe, is the first country for Chinese investment. According to the Uranium RedBook of 2011: Resources, production and demand issued by the Nuclear Energy Agency (NEA) of the Organization for Economic Co-operation and Development (OECD) and the International Atomic Energy Agency (IAEA), Kazakhstan has proven uranium resources totaling 629,100 tons, which accounts for 12% of the total global level of resources, ranking second in the world. The cost of mining this kind of uranium resource is less than \$130 per kilogram, and of the world’s top fifteen uranium mines, Kazakhstan has six of them. By 2009, Kazakhstan had become the world’s largest natural uranium-producing country. Production in 2013 had reached 22,600 tons, accounting for 38% of global output (OECD/NEA & IAEA, 2014). Kazakhstan plays a decisive role in the global nuclear fuel order, which is inseparable from the development of China’s nuclear fuel demand and investment, and in close cooperation with China’s enterprises.

In April 2007, with the permission of the Commission of Science, Technology and Industry for National Defence, China General Nuclear Power Group (CGNPC) and Kazakhstan Atomic Energy Industry Corporation signed an agreement, “Framework Agreement on Expanding and Deepening Strategic Cooperation between the Two Parties”, to exploit and invest in a natural uranium ore together (Chen, & Liu, 2016). On August 18, President Hu Jintao held a meeting with President Nazarbayev and reiterated the Chinese government’s support for the cooperation agreement between China’s General Nuclear Power Group and Kazakhstan’s Atomic Energy Industry Corporation. President Hu Jintao indicated that it was a major cooperation project between the two countries in the field of peaceful use of energy and nuclear energy. It was also a pioneering cooperation. In October 2008, CGNPC acquired 49% interest from Semyonbay Uranium Limited Liability Partnership. The Irkol Uranium Mine of the Semyonbay Uranium Limited Liability Partnership was commissioned in 2009 and achieved strategic breakthroughs and substantial progress in the investment of Kazakhstan uranium resources. It also marks that China has made important achievements in the exploitation and investment of overseas uranium resources. China’s enterprises have also invested in the uranium exploitation in Central Asia with domestic enterprises from countries such as Uzbekistan and Mongolia.

Africa, South Africa, Namibia and Niger all own the world’s top ten uranium resources, accounting for 15.8% of global uranium resources. Compared with other resource countries, the African countries, excluding South Africa, are all least developed countries with poor economic conditions (Campbell, 2004). Since then, these countries have no demand on uranium and also have no capacity to process nuclear fuel.

Mineral resources are monopolized by these countries. Hence, uranium resources can only be exported. These countries welcome foreign investments and encourage foreign investors to sign long-term underwriting agreements about resources exploitation. According to China's government deployment, investing and exploitation of the uranium resources market in Africa is a significant part of the strategy that ensures the sufficient supply of fuel for China's enterprises. From the perspective of resource control and access threshold, Africa is a very promising destination for China's enterprises to make investments.

In October 2012, the China National Nuclear Corporation (CNNC) Niger Azerlik uranium mine had undergone more than four years of construction and trial production to realize its first product sales and commercial operation. This was an overseas investment project of uranium resources which was developed, designed, built and operated all by CNNC.

In May 2012, the CGNPC completed the acquisition of 100% equity interest in the Namibia Hushan Uranium Project jointly with the China-Africa Development Fund. Namibia Hushan uranium ore is located in the western region of the Namib Desert. It was one of the major discoveries in the field of uranium exploration in nearly 10 years in Africa, and even throughout the whole world. Its uranium reserve ranks third in the world, U<sub>3</sub>O<sub>8</sub> amounted to 286,000 tons (Chen, & Liu, 2016). The resources of Hushan Mine are large, the depth of ore body is shallow, and the exploitation condition is quite good. So, it has great development value. After Hushan uranium mine put into operation, Hushan uranium mine have been able to provide 20 million kilowatts of nuclear power units for nearly 40-year natural uranium demand (Chen, Liu, 2016).

In January 2014, the CNNC acquired a 25% stake in the Langer Heinrich uranium mine in Namibia for \$190 million from Palatine and received favorable product prices and a guaranteed supply share (Lin, Zhang, & Li, 2016). On December 14, 2014, the CGNPC and Kazakhstan Atomic Energy Industry Corporation signed an agreement called "Framework agreement on expanding and deepening strategic cooperation between the Two Parties" again (Lin, Zhang, & Li, 2016). They would carry out more extensive strategic cooperation on uranium resources exploitation, nuclear fuel production, peaceful use of atomic energy and transit of uranium products by China-Kazakhstan, and create plans to establish a joint venture in Kazakhstan to produce fuel components.

The exploitation and investment of overseas uranium resources is an arduous and complicated task. Over the past 15 years, the global uranium market has experienced a long downturn and undergone a big change. Uranium prices have risen since 2001 and reached an historically high price in 2008, but the Fukushima nuclear accident in 2011 made the natural uranium prices and uranium mining company stock prices decrease sharply. (Guo, & Zhao, 2016). Natural uranium prices in 2016 were around \$ \30 dollars per pound, and the long-term price is about \$40 dollars per pound, which is equivalent to the 2004 price range (Guo, & Zhao, 2016).

### **Advantages for Investing and Exploiting Overseas Uranium Resources**

First of all, in order to establish national strategic reserves of uranium resources and enterprise business reserves, achieve China's natural uranium reserves system, and ensure the long-term stability of fuel supply for nuclear power commercial operation, it is necessary for China's enterprises to invest and exploit large overseas uranium resources and to ship the resources back to China. Second, by acquisition of overseas uranium resources projects, China's enterprises can directly control or participate in the world's largest uranium mining projects and obtain the experience of large-scale uranium mine construction and operation. China's enterprises can cooperate with companies which have richer experience in mine construction and

operation, learn advanced uranium mining technology and mine management experience, and improve their management level and technical and operational capacity.

Meanwhile, it can also coordinate the domestic enterprises in the same overseas region to carry out orderly business competition, experience and overseas resources sharing. External energy investment can maintain China's energy security, and foreign energy investment is an important channel for direct access to an external energy supply. Foreign investment in uranium resources will enhance our country's pricing power, and strive to have a certain pricing power in the competition.

### **The Risks of Uranium Resources Investment and Exploitation**

In August 2008, Areva Corporation of France signed an agreement with the government of Central African Republic. According to the agreement, together they would exploit the Baku uranium mine, which is located in eastern Central African Republic. They estimated that the Baku uranium mine would go into operation in 2010 and produce about 2600 tons per year. In order to achieve this ambitious plan, Areva Corporation began to seek cooperation from China's investors (Chen, & Liu, 2016).

By means of due diligence, the investors from China found that this mine was located where geological conditions were not good for exploitation and had always flooded in rainy seasons. Moreover, due to the financial crisis that happened in 2007 to 2009, and the Fukushima nuclear accident in 2011, the stock price in mining resources decreased badly (Chen, & Liu, 2016). The political situation of Central African Republic was also unsteady, which forced the Baku uranium mine project to become suspended indefinitely in 2013, since the rebels overthrew the ruling authorities. For all of these reasons above, Areva's investment in the uranium mine at the high price was obviously an impulsive move for them. The investors from China did not suffer losses because they conducted rational analysis in the evaluation of their investment. Therefore, there are risks and challenges in Uranium resources investment and exploitation for Chinese enterprises in countries along the Belt and Road and due diligence in advance, an appropriate legal system and prudent management of investors are all quite significant, since the natural, economic and political situations of the host countries might be inadvisable for investment.

As far as the current related laws and regulations, the legislations pertaining to overseas resources investment in China are still not perfect. First, the domestic laws which specialize in overseas investment and exploitation are insufficient. Compared to the rapid growth of overseas investment from China, the investment insurance legal system of China is less developed. Even though China had already signed bilateral investment treaties with more than 100 countries and places, there are few specific and systematic domestic laws on overseas investment in China. The existing legislations on overseas investment are mostly the provisions and regulations of the departments in the State Council and often have conflicts with each other, which can reduce the authority of the judges based on these kinds of domestic legislations.

Second, investment insurance is a policy business that is intended to provide the insured with a risk guarantee when they suffer economic losses because of war, currency exchange bans, requisition, or breach of contract by the government in countries where the insured have made investments. China has not established a specific overseas investment insurance body. Meanwhile, the overseas resource investors could face political risks from the host countries. When faced with political risks, Chinese resource investors usually seek assistance and claims from their own governments, since there is no overseas investment insurance body. This could turn disputes merely between the investors and host countries into larger confrontations between Chinese government and the governments of host countries.

In fact, the China Export & Credit Insurance Corporation, which is designed to support and promote Chinese companies and financial organizations in making overseas investments, and encourage and advance overseas investors to make investments in the Chinese Mainland, is the only body which is qualified to be an insurer of overseas Chinese investments. Although it can accept insurance from some Chinese overseas investors, it is not large or strong enough to accept insurance from all qualified Chinese overseas investments, which is actually not good for the improvement and development of overseas resource investment from Chinese enterprises.

### **Risk Prevention of Uranium Resources Investment and Exploitation**

It is quite significant to establish the strategy of a national natural uranium overseas investment and exploitation in China to form a natural uranium reserves mechanism for nuclear power enterprises and protect national energy security. It is also a good practice for the Belt and Road investment strategy. For China's government, in order to support enterprises to invest overseas, financial assistance will be not be enough, so beneficial policy must be issued and a related body should be established.

First of all, enterprises which are willing to invest overseas can not do well without the financial support provided by their own state. Natural uranium trade, strategic storage and overseas investment are all operated by enterprises, which cannot succeed without project approval, financial support, credit guarantee, syndicated loans, commitment, investment protection, sovereign funds equity and other related financial assistance by government (Lamm, 1984). Regarding the problem of perfecting the overseas investment insurance legal system, systematic and specific laws must be legislated immediately to provide effective protection for the development of overseas investment. Specifically, it should be appropriate to first ease the conditions for investors. Even if some countries have not signed bilateral investment treaties with China, the investors to these countries should also be allowed to insure in a specific investment insurance body. Second, a fair, yet strict, examination and approval system should be established. More private enterprises, including enterprises that participate in overseas resource investment should be encouraged. The specific body for overseas investment insurance should be set up by our national government. In addition, the concept of overseas investment insurance, such as investors, the host country, the scope of insurance, and underwriting conditions, etc. should be defined so that China's investment insurance rules can be interlinked with international rules.

Secondly, the assistance of Chinese diplomatic and consular missions can also guarantee of overseas natural uranium investment and exploitation. Overseas uranium resources investment need thorough understanding in the policies in attracting foreign investment, the laws and regulations, the investment approval procedures, as well as the natural and political conditions of the host countries. Therefore, the diplomatic and consular missions should coordinate the relationships between the host countries and China, discover the development of uranium resources in the host countries and their national demand for natural uranium, and guide China's enterprises to carry out business in overseas uranium resources investment and exploitation.

Third, the exploitation project of natural uranium has gradually shifted from investment to deep exploration, mining construction and economic operation, and will now face new problems and challenges. Therefore, Chinese enterprises which carry out natural uranium exploitation and investment in the countries along the Belt and Road should seriously learn and abide by overseas investment laws and regulations of the target countries, understand the host country with regard to the investment scope, investment ratio and investment commitment access restrictions, and establish a comprehensive risk management system and

risk prevention mechanism to avoid unnecessary violation of local laws and non-compliance issues caused by access to legal risks. At the same time, these Chinese companies should strengthen and fulfill their corporate social responsibilities, and establish good corporate images in order to obtain the host government's and the host country people's support (Shan, 2014). In addition, the above companies should fully understand and evaluate any potential risks associated with investment before beginning overseas uranium resources investment and make informed judgments on possible regulatory reviews and political risks of the host country, and make correct strategic analyses in choosing the host country's investment industry.

In summary, those Chinese companies which carry out natural uranium exploitation and investment in the countries along the Belt and Road should systematically:

- Collect and collate geological data of the major overseas uranium metallogenic belts, carry out comprehensive research on the geological backgrounds, conditions and disciplines, develop accurate resource potential, development and utilization of feasibility judgments, and identify the cooperating states of priority of uranium resources;
- Through mining policy, and legal research, these companies should master their overseas investments and development environments, make fine decisions, and guard against the legal system and the implementation of risks.
- Through their history, culture, religion, beliefs, government control means, social stability, foreign relations and other aspects of overseas countries, these companies should identify the political risks of the destination country;

By correctly understanding and handling the economic interests of overseas uranium resources development and their strategic resources reserve relationships, these enterprises can grasp the fulcrum of their immediate and long-term interests. In addition, the above enterprises' risks are not only with the external investment environment, but also with their own weak awareness of their risks and the imperfect governance structure. Currently, most Chinese enterprises investing in overseas uranium resources are largely state-owned energy enterprises, and these energy enterprises should strengthen their efforts to improve their legal and risk-prevention awareness and establish a sound governance structure: first, the above-mentioned enterprises should strengthen their awareness of legal risk prevention in the conduct of overseas uranium resources investment, they should seek a professional third-party's help and cooperation with risk assessment, financial, legal and other aspects of the work, and the enterprises should give careful consideration to the evaluation recommendations issued by professional organizations and minimize the risk of overseas investment as much as possible. Second, Chinese enterprises, in ensuring national energy security under the premise of the market, should be oriented to reform the corporate governance structure, and shift resource allocation and business activities of the energy industry toward the way of the market mechanism.

### **Implications and Conclusion**

To actively respond to President Xi Jinping's "The Belt and Road" ideas, combining the current situation that uranium resources in China are insufficient for supporting the improvement of nuclear power career, Chinese nuclear energy enterprises should initiate projects of overseas uranium resources exploitation in countries and places along "The Belt and Road", such as Central Asia and Africa countries whose uranium resources are rich and have already achieved the expected results. This kind of overseas investment is good



for establishing national strategic reserves of uranium resources, as well as enterprise business reserves, achieving China's natural uranium reserves system, and ensure the long-term stability of fuel supply for nuclear power commercial operation, etc. However, the investment and exploitation of overseas uranium resources is affected by many factors and risks, such as the domestic political and economic environment in the host countries. With the development of uranium resources investment and exploitation, our government and enterprises should take certain measures, such as our government should give policy and legal support like making systematic legislation and establishing a specific investment insurance body in order to ensure better achievement of the Chinese enterprises in investing and exploiting uranium resources in countries along "The Belt and Road". Related enterprises must improve their awareness of laws and risk prevention, and establish a sound management mechanism.

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# International Police Cooperation in Fighting Telecommunication Fraud Crimes between China and ASEAN Countries

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*[Abstract] Telecommunication fraud crimes are featured as long-distance, indirect contact and through internet phones. The criminals also try to create geographic barriers by operating across borders. Telecommunication fraud has caused huge wealth loss and negative psychological impacts to Chinese citizens. China has launched police cooperation with the ASEAN countries in the past few years and has made great achievements in fighting cross-border telecommunication fraud. In order to solidify the cooperation and suppress the criminal space, it is necessary to further build the cooperation institution to legalize and normalize intelligence sharing, electronic evidence collecting, video conference testifying, crime premises searches, criminal arrests and transfers. The cooperation of fighting telecommunication fraud also could be extended to related sectors such as economic fraud and cybercrimes.*

*[Keywords] China; ASEAN; international police cooperation; telecommunication fraud*

## **Introduction**

Telecommunication fraud has become a serious crime in Mainland China since 2009, when the syndicate bosses were mostly Taiwanese. At the outset, Taiwanese criminals hid themselves in the mainland opposite the Taiwan Strait – that is, Xiamen, to avoid being caught from Taiwan police force; the victims were Taiwanese as well. Since the mainland police cooperated with the Taiwan police to fight the crime and destroy many of these syndicates, Taiwanese criminals began to disperse into the neighboring countries – first to ASEAN and then to the South Pacific, South Korea, Japan and even as far as to East Africa (Yang, 2014). The people in Mainland China became the targets and victims of these crime. More than ten billion RMB are lost annually.

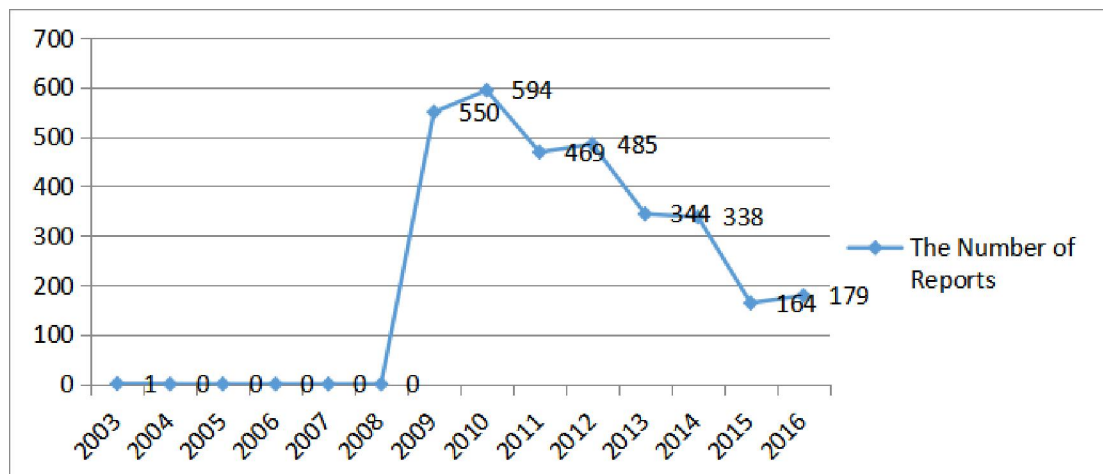
On the one hand, Chinese police force are apparently unprepared to fight such a ‘digitally, globally and smart’ crime in which the investigation of telecommunication information and the money flow are the key. It is the investigation and evidence collection that are hindered by the visible borders and the invisible obstacles of different legal systems in different countries. The Chinese police have to integrate to overcome the inside obstacles caused by different stovepipes and police departments in different provinces, while trying to coordinate the telecommunication, internet and financial industries and their corresponding government supervisors. In 2015, the State Council, the cabinet of central government, established a ministerial level coordination mechanism which included twenty-two ministries and launched special operations to fight telecommunication and internet fraud. Thus, the number of fraud cases sharply dropped. Next is how to deepen the cooperation and coordination between the law enforcement of China and the other countries (Chen, 2015).

## Background

Initially, the criminals and victims of telecommunication fraud were all Taiwanese. According to a poll by the Council of Research, Development and Examination of Taiwan Administration in November 2009, the number one complaint was telecommunication fraud. The poll stated that 80% of Taiwanese residents have received scam telephone calls. In 2005, the number of telephone-scam cases was more than sixteen thousand. The average number of cases from 2006 to 2008 was thirteen thousand. Only in 2009 did the number drop to 10,900 (Deng, 2010). Taiwan criminals took advantage of the separation across the Taiwan Strait to set up strongholds in Xiamen to set up telephone scams on Taiwan victims. The year of 2009 was a turning point for Taiwan thanks to the cooperation between the police force across the Strait.

However, the same year was a serious time for Mainland China. In the early years, Taiwanese syndicates employed people from Anxi in Fujian province who had the same dialect as the Taiwanese to dial the telephone scams. Then the Taiwanese criminals suddenly realized they had missed a huge ‘market’ in Mainland China and began to change their target toward the mainland people. Also, they employed Anxi people to commit the crimes independently which totally ‘copied’ the Taiwanese, a Shanghai police officer recalled and analyzed during an interview (Yang, 2014). According to the Ministry of Public Security, the offenders from overseas were all Taiwanese who built the strongholds in Southeast Asia, the Pacific islands and even Africa and Europe. The number of these cases were 20% of the total, however they caused 60% of the loss (Xinhua, 2016).

Figure 1 shows the statistics of the reports concerning telecommunication fraud from *The People’s Police Newspaper* in which the number of reports is more than 500 during the years 2009 to 2010. From 2011 to 2012, the number decreased to 400 which indicates it was a stage of heavy cracking down. From 2013 to 2016, the number decreased, which can roughly explain the achievement of fighting telecommunication fraud.



**Figure 1. Reports from *The People’s Police Newspaper* Concerning Telecommunication Fraud**

It has taken China’s police several years to realize that the efficient and effective fighting against the telecommunication fraud needs the collaboration with other government organizations and related industries, as well as across-border police cooperation.

From June to October 2009, the Ministry of Public Security (MPS) launched a special operation. The MPS demanded police forces in different provinces coordinate and integrate to crack down on this crime.

The intelligence sharing and collaboration was to be built among related departments and squads inside the police force. All levels of police were to build long-term cooperation with banks and administration of industry and information as well.

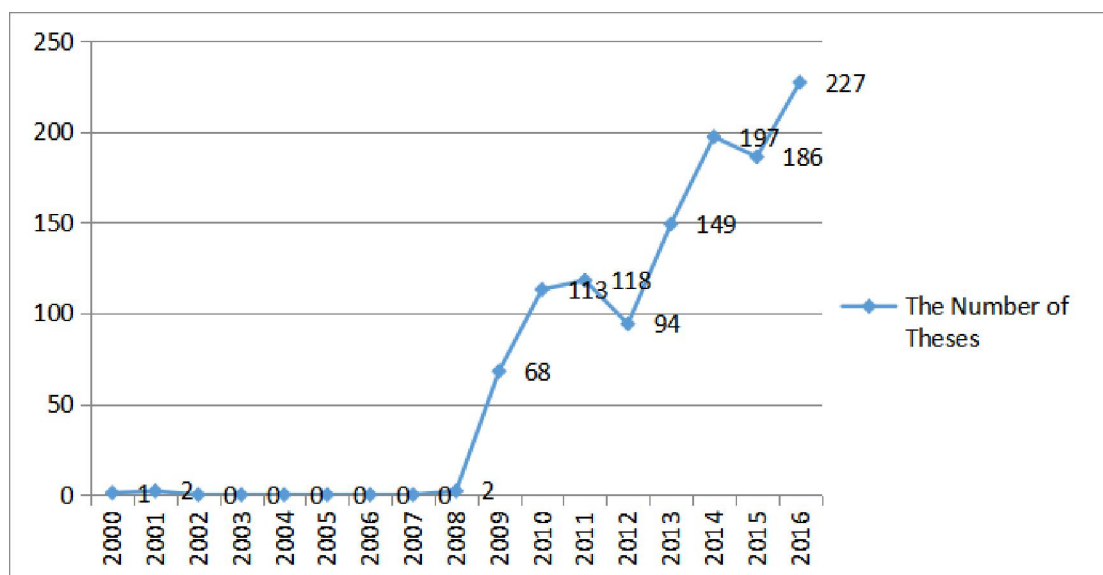
In 2010, the MPS demanded that local police should investigate the flow of the telecommunication information, as well as monitor the money flow collaborating with banks. The Criminal Investigation Bureau in the MPS established the Investigation Platform for Fighting Telecommunication Fraud in the intranet, which connects all the criminal investigation squads and grassroots police stations across the country. Through this platform, the MPS could get to know the whole scheme and inform the banks to freeze the victims' accounts as soon as the local police receives a report to avoid losses. Anti-fraud centers were set up in the provincial and municipal levels. Seven anti-fraud criminal intelligence centers are currently being run in the Police Department of Beijing, and Zhu Hai, etc. (MPS, 2016).

At the press release in August 2009, MPS officers pointed out that Taiwanese syndicates have shifted their strongholds from mainland to Southeast Asia countries, while there were some offenders still targeting the citizens in Southeast Asian countries. In 2012, China police found that the criminal strongholds appeared even in South Asia and Oceania and there were also victims in South Korea and Thailand.

In June 2015, the State Council – China's cabinet in the central government, established a ministerial level coordination institution, which includes twenty-two ministries, and launched special operations to fight telecommunication and internet fraud. The name of the operation was changed from Anti-Telecommunication Fraud to Anti-Telecommunication and Internet Fraud, which reflects that policy makers realized that the crimes of telecommunications and the internet are not disconnected in today's information and global era. The criminals use computer software to change the telephone numbers and even disguise in-call numbers from the police or courts to cheat their victims. Criminals are also stealing the QQ and WeChat accounts with hacking software to do online scams. The MPS presented a new concept of telecommunication and internet fraud: a typical long-distance and non-contact crime. The criminals use modern communication tools, convenient internet and phone banks and build call centers, platforms and underground banks in different countries. The police need to respond in an integrated and comprehensive way. The related crimes, such as illegally obtaining a citizen's private information, improper opening of bank accounts and buying mobile phone SIM cards and setting up fake mobile phone signal transmission stations, should be cracked down on at the same time. Meanwhile, the MPS emphasized it is necessary to cooperate with Taiwan, Macao, Hong Kong and other regions and countries in terms of intelligence sharing and the arrests of suspects.

### **Research**

Scholars and practitioners in China have conducted a great deal of research since the surge of telecommunication fraud in 2009. Figure 2 shows the annual number of theses with key words 'telecommunication fraud' in titles published in China Knowledge Network (CNKI).



**Figure 2. Theses with ‘Telecommunication Fraud’ in Titles Published in CNKI**

Qin and Chen (2015) gave a literature review on the research of the investigation of telecommunication fraud. The common consensus of scholars on the key of police investigation is the monitoring of the information flow of telecommunications, finance and malicious software which involves the related industries, as well as border crossings of provinces, regions and countries. Therefore, police investigators should realize:

1. Collection and identification of digital evidence is very important, but rather difficult. In this regard, the police should cooperate with the industries and other government departments.
2. Police cooperation in different regions and countries becomes urgent which involves the intelligence sharing, assistance in search of the strongholds, the collection of evidence, the arrest of suspects, and the repatriation and recovery of illicit money.
3. The ways and methods in international police cooperation include joint operations and case-by-case coordination. China could ask for the help of INTERPOL in fighting cross-border telecommunication fraud.

Taiwan police have rich experience in combating telecom scams since most of the criminal syndicates bosses are Taiwanese. Lin Te-Hua, former commissioner of the Criminal Investigation Bureau in Taiwan Police Agency, published a thesis in the Journal of The Police Chief (2013). According to Lin, fraud surged in Taiwan in 2000 and the situation deteriorated in 2004. The reported number of cases was more than 40,000 each year from 2004 to 2008. After cooperating with mainland police across the Taiwan Strait in the second half of 2009, Taiwan made a leaping achievement in fighting these crimes. Fraud cases dropped to 3,800 in the same year. The 2010 and 2011 numbers were 2,800 and 2,300, respectively. In 2011, Taiwan police cooperated with Vietnam police for the first time to crack down on telecom fraud. Since then, Taiwan police have had a good working relationship with their counterparts in Southeast countries.

In Lin’s opinion, it is necessary to sign the ‘Joint Crime Combating of Police Cooperation Agreement’ in different countries in addition to offering mutual legal assistance procedures in order to

build fast and convenient channels. The cooperation methods could be intelligence exchanges, joint investigations and operations, assistance in collection of facts and evidence, and personal and academic exchanges.

There are also similar fraud crimes in western countries although the criminal tools are mainly the internet. Phone fraud takes place more during the tax season, often with online theft of personal private information.

According to the statistics of the National Consumers League in the United States, 36% of the fraud complaints in 2013 were from telephone scams, which increased from 25% in 2012. The reason for this is that the scammers used of internet calling software to change their telephone numbers to make them appear to come from U.S. numbers.

Portsmouth University set up the Centre for Counter Fraud Studies in 2009 and have done research on prevention, police resource allocation and effective evaluation, etc. Director Professor Mark Button published a thesis in the *Journal of Policing* in 2013 (Button, Johnston & Frimpong, 2013), suggesting that Britain should build a Centralized Fraud Police or Counter Fraud Executive based in the Metropolitan London Police.

Cassandra Cross at the Queensland University of Technology and Detective Senior Sergeant Dom Blackshaw from West Australian Police introduced Project Sunbird against internet fraud crimes (Cross & Blackshaw, 2014). Project Sunbird was initiated by the West Australian Police (WAPOL) in May 2012. WAPOL coordinates closely with the Commerce to use financial intelligence to identify suspect victims and intervene, while cooperating with the police of West Africa to fight cross-border online fraud. The authors argue that the ‘proactive policing’ and intelligence-led policing are effective methods to combat internet crimes. Police should respond more actively in the digital era and should not solve the problems alone.

## **Practice**

Chinese police realize the importance and necessity to cooperate with their counterparts in other regions and countries. The year 2009 saw the signing of the agreement of legal assistance across the Taiwan Strait and the two sides began police cooperation. In the following years, the cooperation extended to ASEAN. For example, in September 2011, the Ministry of Public Security launched a joint operation with police forces from ten domestic provinces, Taiwan, and eight ASEAN countries, arresting 532 suspects from mainland, 284 from Taiwan, and 12 other nationals. China police (CNPOL) launch cooperation at different four levels:

First is in the bilateral level. As of 2016, CNPOL has built legal cooperation institutions with more than sixty countries and regions.

Second is cooperation with ASEAN. China is the first partner country to cooperate with ASEAN in the framework of a ministerial meeting on anti-organized crime across borders, high-level official meetings and national police commissioner meetings. CNPOL also built the Mekong River Law Enforcement Cooperation Mechanism with Laos, Thailand and Myanmar. Vietnam, Malaysia, Singapore, Thailand and Myanmar have annual law enforcement ministerial meetings with China. In 2011, China and ASEAN signed the Action Plan for the Memorandum of Understanding of Cooperation in Non-Traditional Security. The two sides promised to jointly fight telecommunication fraud crimes, strengthen intelligence exchange and experience sharing. The Action Plan demands regular reviews in the high-level official meetings.

China also assists capability building for ASEAN law enforcement. As of 2015, China has provided more than 200 training programs covering anti-drug, forensic science, martial law enforcement, border control and internet investigation. More than 4,000 ASEAN officers have been invited to China. China also aids Vietnam, Laos, Myanmar, Cambodia, Philippines and Thailand with police equipment.

Third is the cooperation among ASEAN plus CKJ (10+3). From 2010 to 2012, China hosted seminars for fighting cross-border crimes and telecommunication fraud crimes attended by law enforcement personnel from ASEAN, Japan and South Korea. Officers from the Bureau of International Cooperation, Criminal Investigation and Internet Investigation of MPS had discussions with their counterparts and reached the consensus that the key to cracking down on telecommunication fraud crimes is cooperation in joint projects, investigation assistance and repatriation.

Fourth is cooperation with INTERPOL. When INTERPOL launched a two-month long Operation First Light 2015, aimed at cracking down on phone and email scams across the Asia Pacific region, China was an active partner. This Operation led to 245 Chinese and Taiwanese individuals being arrested in Indonesia and 168 Chinese nationals being taken into custody in Cambodia (Sohu, 2015). CNPOL appraised the Operation and is looking forward to continued cooperation with INTERPOL and the global law enforcement community.

### **Conclusion**

Telecommunication fraud is a kind of cross-border crime that features long-distance and no direct contact in the real world. Police should coordinate with the information technology industry, financial organizations and relevant government departments to fight the fraudulent in domestic environment. Cooperation with overseas law enforcement is the key to crack down on syndicates hiding themselves on the other side of the border. CNPOL has built a framework and platform with ASEAN countries. The next step is to strengthen and deepen the cooperation with mutual assistance, capability building and person-to-person exchanges.

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# Visual Analysis on the Situation of Counter-Terrorism Intelligence Research in China

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**[Abstract]** *The globalization of terrorism has become increasingly, posing a serious challenge to world-wide counter-terrorism work. Based on the collection of bibliographies from 605 anti-terrorism information periodicals, this paper makes basic statistical analysis on high-frequency terms by using the SATI software and the measurement visualization function of the new KNS 6.6. Based on the principles and methods of co-word analysis and social network analysis, the co-occurrence network analysis, centrality analysis, cluster analysis and multidimensional scaling analysis of keywords in counter-terrorism intelligence research are carried out. The results show that China's counter-terrorism work did not reach high development until 2013, and the system of cooperation between researchers has not fully formed for this reason. We found that now our research is focused on the characteristics of China's terrorism, instead of the development of research on United States' anti-terrorism. The result of Multidimensional Scaling Analysis also shows that relying on international cooperation in the fight against terrorism and using Big Data Technology to obtain counter-terrorism intelligence are not only hot research topics, but also main trends for counter-terrorism research in the future.*

**[Keywords]** *counterterrorism intelligence; social network analysis; cluster analysis; multidimensional scaling analysis*

## Introduction

In recent years, the increasingly rampant terrorist activities have seriously threatened the stability and harmony of society. The accuracy of acquiring anti-terrorism intelligence is the key to prevent terrorist attacks, reduce risk and achieve victory. China attaches great importance on anti-terrorism information research; domestic scholars have made a thorough inquiries from different angles and have made many achievements. Based on text mining, combined with the basic principles of co-word analysis and social relation network analysis, this paper starts from the central analysis, cluster analysis and multidimensional scaling analysis. It is hoped that the research on China's anti-terrorism work will be macroscopically grasped, and the current and future counter-terrorism priorities will be clarified, to provide reference for future anti-terrorism actions.

## Data sources and research methods

In this paper, CNKI was selected as the data resource, which is the most abundant information resource in the world (Zhang, et al., 2016). We only selected journals on Anti-terrorism, Terrorism, Terrorist activities or Terrorist Organizations and subjects of "intelligence". The search expression is  $SU = (\text{Anti-terrorism} + \text{Terrorism} + \text{Terrorist activities} + \text{Terrorist Organization}) * \text{intelligence}$ . In the selection, the publication date is not bound. The retrieval date was Nov. 7, 2016, and 605 papers were obtained. The capacity contained reached the basic requirements of bibliometric measurement and the visual analysis following has a high robustness.

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<sup>1</sup> According to CNKI retrieval rules, *SU* represents subject, '+' represents OR, and '\*' represents AND.

Based on bibliometrics and social network analysis, this paper analyzed the bibliography and extracted the hot year, high-frequency keywords and high-yield authors by means of SATI, a document statistical information analysis tool. Then, Ucinet, NetDraw and SPSS 22.0 were used to conduct a visualization experiment of high-frequency words in SATI matrix data; the research methods included covariance network analysis, centrality analysis, clustering analysis and multidimensional scaling analysis.

### Basic Analysis of Domestic Counter-Terrorism Intelligence

Through the combination of high-frequency words, we can grasp the research history, research status, research hotspots and future research trends of a certain field as a whole (Liu, et al., 2015).

#### *Analysis of Temporal Changes in Counter-terrorism Intelligence Research*

The number of documents is the key indicator of the research level, research quality and the research trend of a relevant field or topic (Zhu, et al., 2013). Statistics found that a large number of anti-terrorism researches were largely concentrated after 2009. Visualization of the overall trend (shown in Figure 1) demonstrates that China’s counter-terrorism intelligence research has gone through four stages. The first stage was the “silence period” before 2000. The second stage was the “growth period” around 2002, while the research on terrorism also increased due to the severe “9.11” terrorist incident. From 2002 to 2013 was the third stage, the “transition period”. The fourth stage was the “outbreak period” from 2013 to the present. The quantity of documents in 2015 reached a peak, and there is a further growth trend. The main reason for this is the attack made by Xinjiang independence elements in the Yunnan Railway Station with people being stabbed to death, and the following vicious violence. Taken together, combating terrorism has been an urgent and arduous task for a long period of time in our country.

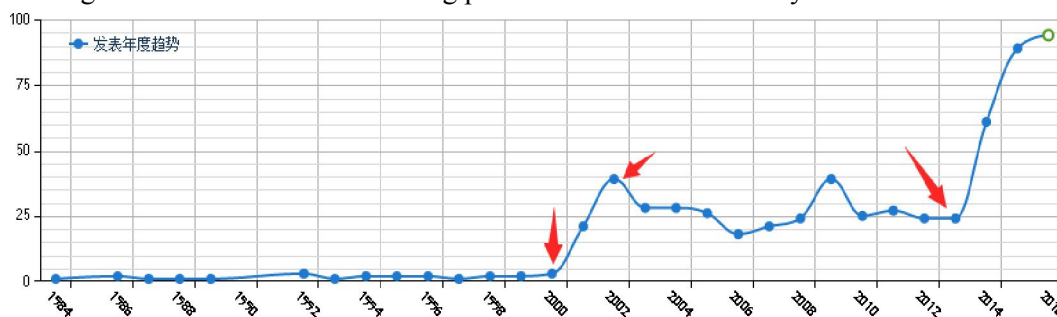


Figure 1. Annual Distribution of the Number of Anti-Terrorism Research Literature (Source: CNKI)

#### *High-Frequency Keywords Analysis*

The keywords are the exact and concise summary of the documents. So, the content of the documents can be preliminarily understood and grasped through statistical analysis of the high-frequency keywords (Li, 2010). From the statistical results of the keywords, there are 30 keywords whose frequency are 10 or more, including *anti-terrorism*, *terrorism*, *anti-terrorism intelligence*, *intelligence*, and *United States* are more frequent – the frequency of *anti-terrorism* reached 78 times (see Table 1). This data indicated the heat of the theoretical research on terrorism in our country and the increasingly normalized trend of the fight against terrorism. It was found that “the United States” occupied a place in the high-frequency keywords, which shows that the United States has a close relationship with the development of counter-terrorism and counter-terrorism intelligence research. The policies against terrorism adopted by the

United States are the main reference for domestic researchers. It is worth mentioning that the high frequency of “big data” shows that the use of big data information to analyze and access anti-terrorism intelligence has become a hot spot of current anti-terrorism intelligence research.

**Table 1. Keywords Statistics**

Keywords	Freq	Keywords	Freq	Keywords	Freq
Counter-terrorism	78	Taliban	22	DHS	14
Terrorism	63	Intelligence analysis	20	Against Terror	14
Anti-terrorism	52	Laden	20	National security	14
FBI	38	Intelligence Department	20	International terrorism	14
AT-Intelligence	37	Bush administration	18	Inter Anti-Terrorism	14
CIA	36	Terrorist activities	17	Afghan war	13
Intelligence	35	The CIA	17	Big data	11
Intelligence Agency	26	Terrorist threat	16	National intelligence	10
War on Terror	25	Intelligence service	15	Countermeasure	10
USA	25	Intelligence gathering	15	Anti-terror campaign	10

### ***Analysis of Major Investigators***

Statistics found that the 605 crawled documents involved 637 related authors. Among them, most of the authors only had 1 published paper, and 7 authors had more than 5 published papers, namely Mei Jianming, Li Benxian, Wang Shacheng, Li Heng, Zhai Jinpeng, Ling Yunxiang and Dai Yanmei. According to Preiss Law, we can confirm that the above seven authors are the “core authors” in the field of domestic anti-terrorism information research. Of course, different authors have different tendencies in the research of anti-terrorism information acquisition and anti-terror campaigns. For example, Mei, et al. (2014) mainly studied anti-terrorism from the perspective of strategy and pointed out the anti-terrorism direction of China using the experience of other countries’ counter-terrorism experience for reference. The research of Li Benxian (2012, 2015, 2016) and Ling Yunxiang (2016) were based on the use of modern information technology, simulation modeling, and social network analysis to obtain accurate and efficient anti-terrorism intelligence. Li Heng’s (2014) literature was related to the cultivation of counter-terrorism professionals. Zhai Jinpeng (2016) emphasized the establishment of a group of police officers with real combat experience. Dai Yanmei (2012, 2014) mainly researched an early warning system of an anti-terrorism mechanism using Russia as the research object. Many of Wang Shacheng’s (2011, 2013, 2014) literature mainly discussed the measures of terrorism and terrorist threats encountered in our country from the perspective of intelligence.

## **Visualization Analysis of Domestic Counter-Terrorism Intelligence Research**

### ***Analysis of Counter-Terrorism Intelligence Social Network***

First, we analyzed the 605 bibliographies obtained and used the SATI tool to construct a co-occurrence matrix of Keywords and Authors. We used Ucinet data analysis software and imported the keyword co-occurrence matrix and author co-occurrence matrix in the software for further analysis.

**Keyword co-occurrence network analysis.** We drew a “node-relationship” network diagram of keywords, analyzed and classified them through the K-cores method, and then did further adjustment and labeling of the nodes in the network diagram according to the size, connection thickness, and changes in the trend. The result is shown in Figure 2.



**Table 2. Keywords (Top 15 and Bottom 15)**

<b>Keywords (Top 15)</b>	<b>Degree</b>	<b>Keywords (Bottom 15)</b>	<b>Degree</b>
anti-terrorism	31.000	intelligence analysis	10.000
Anti-terrorism war	28.000	Russia	9.000
International terrorism	28.000	Terrorist activities	9.000
Terrorism	27.000	Intelligence	8.000
Mission Against Terror	27.000	anti-terrorism cooperation	7.000
CIA	26.000	SCO	7.000
FBI	26.000	big data	7.000
national security	23.000	Terrorist attack	6.000
Intelligence Agency	23.000	countermeasure	6.000
NCTC	23.000	Analysis	6.000
Intelligence service	23.000	China	5.000
anti-terror campaign	23.000	Cyber terrorism	4.000
Attack target	21.000	Crime	3.000
intelligence system	20.000	Characteristic	3.000
Bush Administration	20.000	Reason	2.000

The top 15 keywords in the list are anti-terrorism, anti-terrorism war, international terrorism, and terrorism, etc. These keywords are the hot topics in this field. Research mostly begins with terrorism war and then spreads to other areas. The overall Network Centralization is 32.74%, which proves that the overall structure of the entire network is comparatively compact and the hotspot field has good representation. Those points which have a lower ranking location are not at the core of the study, but rather indicate the direction of future research, and are likely to become hot research areas in the future, such as intelligence analysis, intelligence, anti-terrorism cooperation, big data, counter measures, analysis and China. From the current international and domestic situation, intelligence agencies of each country using data mining technology to extract targeted information from the massive counter-terrorism intelligence has become the focus of anti-terrorism work in various countries and data mining technology will also become one of the most powerful weapons against terrorism.

We can have a superior grasp of the research foundation of the research front from the key nodes in the position of the structural hole. Ucinet social network analysis software was used to analyze the Betweenness Centrality of the keywords. By selecting the top 15 keywords, we found that related work around anti-terror campaign as the core node will remain the main line of research for the next 10 to 20 years. Concretely, based on the accurate grasp of “anti-terrorism intelligence”, anti-terrorism organizations, such as the CIA and FBI, will use big data technology to carry out a series of anti-terrorist operations in order to safeguard national security and combat terrorism crime arrogance to act as a deterrent against worldwide terrorism. In particular, the anti-terrorism work of the future has shown a few clear directions, such as the establishment of the National Counter-Terrorism Intelligence Agency, the use of relevant technologies to obtain anti-terrorism information, and international terrorism cooperation.

### ***Clustering Analysis of Keywords in Anti-Terrorism Information***

In this paper, we adopted the system clustering method to study the interrelationships of high-frequency keywords and focused on analyzing the typical characteristics of each class. Cluster analysis shows that China’s counter-terrorism intelligence research work can be divided into five parts. It is summarized as follows: the construction of counter-terrorism institutions, the new features of terrorist activities, the globalization trend of terrorism, the value of big data in the future anti-terror campaign and China’s future joint anti-terrorism strategy.

**Cluster One – Construction of counter-terrorism institutions.** This category includes *national counter-terrorism centers, national intelligence, FBI, CIA* and other keywords. In the face of increasingly serious situations of terrorism, all countries should intensify their anti-terrorism efforts, strengthen their awareness of anti-terrorism and put the construction of anti-terrorism institutions on a legal track.

**Cluster Two – New features of terrorist activities.** Terrorism has evolved into various forms in the new era, the most obvious of which is cyber terrorism. The premeditated use of networks and networks attacked by non-governmental organizations or individuals is a product of the expansion of terrorism into the information technology arena.

**Cluster Three – Trend towards globalization of terrorism is clear.** The keywords in this category include *international anti-terrorism, international community, international politics, international terrorism, counter-terrorism situation, anti-terrorism action, and anti-terror campaign*. It is indicated that terrorist activities are not confined to a region or a country and countries around the world should strengthen anti-terrorism cooperation and jointly cope with acts of violence.

**Cluster Four – The great significance of big data against terrorism in the new era.** The category contains the keywords such as *big data, analysis, intelligence, intelligence analysis, and anti-terrorism intelligence*, etc. It shows that the fight against terrorism has entered a new stage and big data, cloud computing, and other technologies should be actively used to find clues related to terrorism from the massive flow of people, logistics, and information flow in time and achieve early warning.

**Cluster Five – China's current and future joint anti-terrorism strategy.** The keywords included are *China, Russia, the United States, anti-terrorism cooperation, the Shanghai Cooperation Organization, terrorism, and terrorist attacks*, etc. China attaches great importance to cooperation with other countries in the fight against terrorism and actively participates in the construction of international anti-terrorist cooperation organizations. The advocacy of the Shanghai Cooperation Organization is a typical manifestation of the response to terrorism and terrorist threats. In recent years, by continuously strengthening cooperation with Russia and other military powers, joint counterterrorism of our current anti-terrorist activities is also reflected.

#### ***Multidimensional Scaling Analysis of Counter-Terrorist Intelligence Keywords***

By analyzing the distance between keywords, multidimensional scaling method can be used to grasp the future trend of research and provide a conclusion with high reliability. The statistical results of multidimensional scale of the keywords in this paper are shown in Figure 3. Generally, when the value of RSQ is greater than 0.6, the analysis result is acceptable. When the value of stress is close to 0, the result is very perfect. In the results of this experiment, the RSQ value was 0.91537 and the stress value was 0.19071. Therefore, the analysis of the experimental results are valuable.



### ***The Expansion of the Data Sources of Anti-Terrorism Information Research Results***

At present, this study only analyzes China's current situation of counter-terrorism intelligence using Chinese academic journal data, but the domestic non-public information is not included. In fact, due to classified information and other factors, a large number of the anti-terrorism intelligence analysis and survey data are in a non-public, confidential, or even top-secret status. This part of the study achievement or information often have a greater reference value in the timeliness and actual combat. Therefore, how to combine open and non-public materials to form a comprehensive analysis of anti-terrorism information research is one of the urgent problems to be solved.

### ***International Cooperation and Sharing of Anti-Terrorism Information Research Results***

With the trend of globalization of terrorism, international cooperation in counter-terrorism intelligence has become the consensus of most countries when carrying out counter-terrorism work, and every country has many anti-terrorism intelligence research results, which are not only in isolation or a monopoly state between countries, but also in their own state within relevant departments. It can be said that the future development of sharing counterterrorism intelligence research work and communicating between different countries is lucrative. The experiences of several countries in anti-terrorism information sources, processing technology and decision-making already facing terrorism are very important to those countries that are just now facing it. Especially for China, the current form of domestic terrorism is grim, and under the framework of the One Belt One Road (OBOR) development strategy, there is also a urgent need to strengthen cooperation with ASEAN, Central Asia and other countries and regions in anti-terrorism intelligence and establish a platform of anti-terrorism intelligence research for data integration, sharing and analysis across national and regional borders through existing bilateral mechanisms and regional cooperation platforms. In this way, we can fully grasp the local anti-terrorism and security situation to promote the smooth escort of the One Belt One Road (OBOR) national strategy.

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# The Belt and Road and Counter-Terrorism Cooperation Crossing Border

## Learning from the EU's Experience

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*[Abstract] After the terrorist attacks in Paris in 2015, in remaining united, the European Union uses multi-pronged strategies to defend against terrorism. Not only do the EU countries launch a wide range of counter-terrorism mechanisms, but they also take a special approach in that they defend both politically and militarily. Measures are actively taken, such as reinforcing the intensity of the Counter-Terrorism Unit, expanding the scope, enacting relevant bills, and implementing more effective preventive measures, etc. The EU wishes that through building and sharing intelligence materials, cross-border terrorism will be reduced. Consequently, taking the experience of EU counter-terrorism cooperation as an example, this essay will analyze the EU's counter-terrorism policy and their mechanism at the present stage, as well as cross-border cooperation mechanisms, in order to figure out a possible effective mechanism for relating the Counter-terrorist Cross-border Cooperation and The Belt and Road.*

*[Keywords] the European Union; terrorism; cross-border cooperation*

### Introduction

When Chinese President Xi Jinping visited Central Asia and Southeast Asia in September and October of 2013, he raised the initiative of jointly building the Silk Road Economic Belt and the 21<sup>st</sup> Century Maritime Silk Road (hereinafter referred to as the Belt and Road), which can positively develop economic cooperation with countries along the areas of the Belt and Road (NCRD, 2015). With the progress of this strategy, terrorism has become the primary matter of non-traditional security issues in many countries. After the 911 incident, countries and areas along the Belt and Road have faced the rising threat from terrorism, and various kinds of terrorism activities have become more frequent. Therefore, the problems of how to solve the serious problem of terrorism, play a joint effort to combat terrorism forces and strive for more countries to participate in the struggle against terrorism are imminent. This essay mainly analyzes the EU's counter-terrorism policy, their mechanism at the present stage, as well as their cross-border cooperation mechanism, and draws lessons from good practice, in order to strengthen the co-operation in the fight against terrorism with countries along the areas of the Belt and Road. It not only contributes to maintaining internal security and regional security, but also effectively facilitates the economics of most countries stability and prosperity.

### Document Review on Terror in Europe

Before the 911 incident in 2001 in the United States, international relations theorists have done numerous researches on terrorism issues. However, after 911, both the EU and the international community have carried on counter-terrorism struggles more actively, taking firmer measures against terrorism. Therefore, the academic circle has worked out more abundant and more penetrating researches and analyses on terrorism issues. For example, Fuchang Zhang (2010, pp. 207-228), a scholar from Taiwan who has long and successfully studied the EU's counter-terrorism policy, stated in his essay that the EU announced *European Union Counter-Terrorism Strategy* and deemed it to be the supreme guidelines in the EU's

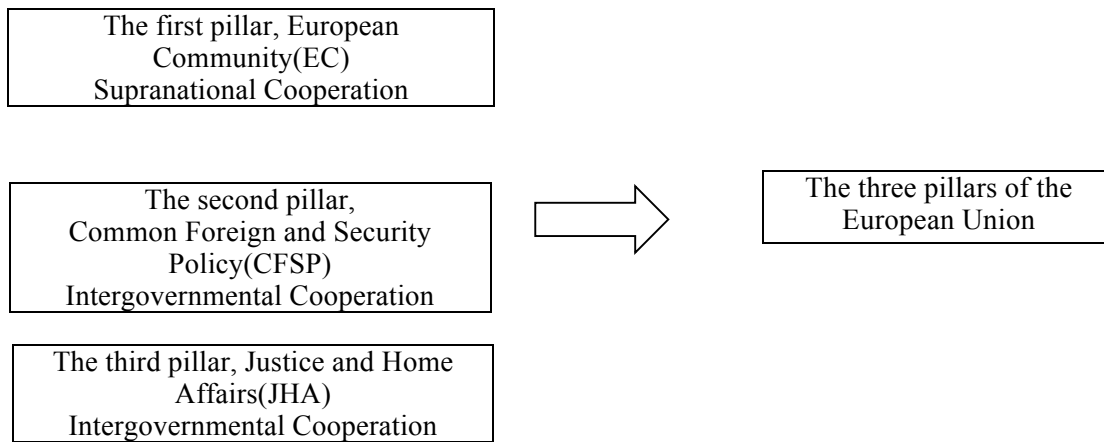
counter-terrorism operations in November 2005. He believes that with this strategy, the EU has gradually created both internal and external counter-terrorism systems. For example, as for the internal system, to strengthen internal safety and combat terrorism, the EU countries are guaranteed to make a concession on state sovereignty releasing the power of the police and the judiciary, in which way the counter-terrorism network inside the EU can work with effect. In addition, for the external system, the EU and the USA can't cooperate effectively on counter-terrorism operations because of their value differences and definition conflicts on terrorism.

Yuwei Wang (2016), a well-known scholar from Taiwan, stated in his famous book, *Terrorist Threats and Counter-Terrorism Policies and Actions*, that since the 911 incident, al-Qaeda and other types of terrorist groups have tended to diversify. These types of terrorist groups include international terrorists, foreign terrorist combatants, homegrown violent extremists, homegrown terrorists, lone wolves, individual actors, and lone offenders, etc. Emphasizing the development of "tactical counter-terrorism" to "strategic counter-terrorism", the "counter radicalization" has become the focus of national efforts to combat terrorism.

Tailin Zhang (2010, pp. 1-47), a Taiwan scholar who has studied EU issues for many years, stated in his essay, *The European Union to Promote the Common Development and Challenge of Counter-Terrorism Policy with the Influence and Reference of Taiwan*, that terrorism is not a new phenomenon for Europe. What's more, in the past thirty years, nearly five thousand people have been killed in terrorist attacks in Europe. In his article, he explained that since the summit was held in October 1999, the EU countries have begun to strengthen cooperation in counter-terrorism operations under the Amsterdam Treaty. Although a series of actions have shown the EU's efforts to promote common counter-terrorism tactics, Tailin Zhang believes that there still needs to be some time to promote the common EU counter-terrorism policy, due to fact that the member states' own views still need to be respected referring to issues related to justice, freedom and security.

### **The History of the EU Counter-Terrorism Policy**

The EU counter-terrorism policy can be traced back to 1977 when the European Council announced *The European Convention on Suppression of Terrorism* treaty (ECST). However, at that time, not only did the EU countries not cooperate on counter-terrorism, but they also had no common counter-terrorism policy (Li, 2010, pp. 73-98). Then the *Treaty on the European Union*, announced in 1992, created three pillars of the European Union (see Figure 1).



**Figure 1. Three Pillars of the European Union** (By the authors<sup>1</sup>)

In October 1999, the EU held the Provisional Summit in Tampere, Finland. In this summit, the EU decided to strengthen the cooperation on counter-terrorism operations according to the Treaty of Amsterdam. After the 911 incident, the EU began to coordinate the member states of the counter-terrorism policy and strengthened international cooperation at the same time. In addition, the Treaty of Nice, which was signed in 2001 and came into force in 2003 (Wikipedia), further adjusted the internal authority. After the Madrid incident in 2004, in addition to publishing *Counter-Terrorism Statement*, the European Council required that EU Member States and the relevant agencies of counter-terrorism to be monitored twice a year since December, according to *EU Action Plan on Combating Terrorism* (Council of the European Union, 15 June 2004). *EU's Counter Terrorism Strategy* in November 2005 cleared the “3P1R Counter-Terrorism Strategy” as the highest EU counter-terrorism guiding policy. Signed in 2007 and coming into force in 2009, the Lisbon Treaty (EUR-LEX, December 1, 2007) also stipulated the EU member states’ counter-terrorism duties and obligations. In addition, the EU set five strategic objectives of counter-terrorism in *The Internal Security Strategy* in 2015. After the US Navy SEALs successfully killed Osama Bin Laden on May 2, 2011, terrorist crime has never stopped. What’s worse, The Islamic State was separated from al-Qaeda terrorist organization and quickly established a reputation depending on the network media. On April 28, 2015, the European Commission put forward the *New European Agenda on Security* aimed at combating terrorism, organized crime and cybercrime (Shi, 2015). The agenda also proposed the establishment of the European Counter-Terrorism Centre in order to promote the ability of the European Police Office (EUROPOL) to prevent the spread of terrorist funding, network evolution thoughts, and illegal weapons.

### **The EU’s Internal Terrorism Mechanism**

With the frequent occurrence of terrorist attacks and highlighting the issue of terrorism, in the process of Counter Terrorism Strategy and policy making, the EU has instituted many mechanisms to deal with counter-terrorism issues. This paper divides these mechanisms into three parts: the State-Level, the EU-Level and the International-Level (As shown in Figure 2). Among them, the State-Level and EU-Level belong to the EU’s internal counter-terrorism mechanism. And the International-Level is the EU’s external counter-terrorism mechanism – part of the cross-border cooperation.

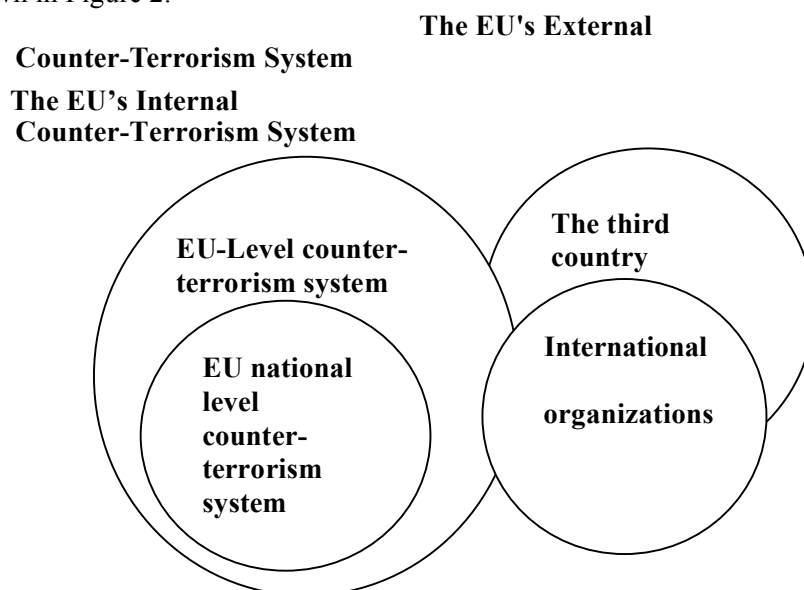
#### ***State-Level***

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<sup>1</sup>The figures presented in this article were made by the authors.

The *EU Terrorism Situation and Trend Report* (EUROPOL, 2015) points out that the EU countries in 2014 suffering from terrorist attack are various; the highest number of countries (EUROPOL, 2015, p. 13) are the UK (109 times), France (52 times), and Spain (18 times); the countries with the most terrorist arrests (EUROPOL, 2015, p. 41) were France (238 people), Spain (145 people), and the UK (132 people). From the State-Level, this article takes France as an example, and states the country's counter-terrorism strategy.

France is currently facing the most serious threat of terrorist attacks since World War II, which makes it more active than other EU countries in the fight against terrorism, counter-terrorism policies and strategies. In order to effectively combat and stop the development of terrorism, France unites with the EU to strengthen the investigation of trafficking in illegal arms smuggling. In addition, France also restricts extremists' exit, as well as those people that have radical thoughts or are religious fanatics. What's more, it severely punishes the sponsors of terrorism by with legislation and has increased the allocation of public security personnel and investments funds. Regarding their counter-terrorism policy, on November 16, 2015, when French President Rand attended the joint session of Congress, he stated that France's policy needs amending and an emergency response mechanism should be set up (China Daily). This mechanism could quickly transfer part of the power to the police authorities when the country is under attack. In May 2016, the French parliament passed the Counter-Terrorism Law, which equips security institutions with more enforcement powers, and also relaxes the right to search, detain and shoot (Guancha Syndicate). According to this Law, in the future, when law enforcement agencies carry out identification of terrorist suspects, they will have the right to detain them for up to four hours so that the police can query information to foreign intelligence agencies. In addition, law enforcement officers can also search suspicious persons' luggage or vehicles, and procuratorial organizations are also entitled to house searches in the night. At the same time, the police's permission to shoot has also been relaxed. The EU's counter-terrorist network is arranged as shown in Figure 2.



**Figure 2. The EU's Counter-Terrorism Network System** (By the authors)

***EU-Level and Intergovernmental Cooperation Regimes***

With the frequent occurrence of terrorist attacks, it is difficult for a single country in the EU to face the threat of terrorist attacks alone, so the countries gradually cooperate with EU counter-terrorism mechanism. The EU also expects to actively promote cooperation between the law enforcement agencies and the police,

as well as border management, in order to effectively combat organized crime and terrorism. Several important counter-terrorism cooperation mechanisms and organizations of the EU's internal and external counter-terrorism mechanisms are introduced, according to their established time order, as follows:

1. The Schengen Information System (SIS). The Schengen Information System was established in 1995. It records and shares information about arrests, immigration and lost objects for the Schengen state, which is Europe's largest database (European Commission). It provides all data which the police and the relevant law enforcement agencies require about the maintenance of public security, border security and support of police and judicial cooperation. The warnings sent from the SIS not only contain information about a particular person or object, but also can give a clear indication of how to handle people or objects that have been discovered.
2. EUROPOL. Established in 1999, EUROPOL is the law enforcement agency of criminal judicial cooperation of the EU. This organization's main objective is to benefit all EU citizens, to build a safer Europe. It assists the EU countries in the fight against serious international crimes and terrorism. Large criminal and terrorist networks are a serious threat to the internal security of the EU and the stability of people's lives. As a result, EUROPOL annually publishes the *EU Terrorism Situation and Trend Report (TE-SAT)* with a detailed analysis of the internal and external threats and threats faced by the EU (Zhang, 2008, pp. 81-104).
3. European Dactylographic System (EURODAC). Established in 2000, EURODAC is the fingerprint database of EU asylum applicants. When someone applies for asylum to the EU, their fingerprints are transmitted to the central system of the database, no matter where they are in the EU (European Commission). This system is convenient for EU Member States to compare the fingerprint data to determine the country responsible for the approval of asylum applicants. At present, the new rules allow the national police force and the European police agency to compare fingerprints in the case of particularly stringent control for prevention, arrest and investigation of serious crimes and criminal investigations related to terrorism.
4. EUROJUST. EUROJUST was established on February 28, 2002, and its members include prosecutors, judges or police officers from the EU Member States. Its main task is to assist the EU Member States on transnational crimes, including terrorism, to play the role of cooperation and coordination in the prosecution and investigation (Zhang, 2008, p. 92). EUROJUST plays an important role in information, information gathering, and judicial assistance, and it works closely with the European police agency in the maintenance of internal security within the EU.
5. European Arrest Warrant (EAW). The European Arrest Warrant, which applies to the entire EU was officially launched on January 1, 2004. It replaced the lengthy extradition procedure in the past, establishing a procedure that members of the judiciary can complete within a maximum of 90 days (European Commission). With the help of the Schengen convention's no-border control measures, the EAW can solve the problem of transnational crimes committed by terrorists in EU countries. In addition, it can also accelerate the trial of terrorist attacks to achieve a deterrent effect.
6. European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX). The purpose of the establishment of the agency was to coordinate the expansion of the EU, including the sea, land and air border control and inspection, to ensure that the EU achieves unified management after the expansion of the border.

7. European Counter-Terrorism Centre (ECTC). In the past, even if the EU had proposed the establishment of a European Counter-Terrorism Centre, it was unable to set one up because the EU countries did not want to share intelligence with other countries. It was not until the terrorist attack that took place in Paris that the establishment of the European Counter-Terrorism Center started to accelerate. As a Trans-European platform for integrating counter-terrorism intelligence and funding, its central task is to assist the EU countries to strengthen the sharing of information, as well as the coordination of actions in the fight against foreign terrorists, tracing the sources of funds of terrorist organizations, combating network incitement, arms smuggling and other works.
8. Passenger Name Record (PNR). In 2013, the European passenger name data sharing system was rejected by the European Parliament because the European Parliament members took the fundamental rights and the necessity of implementation into account (European Parliament News, 2016). However, faced with rising terrorism threats, the European passenger name data sharing system was approved by the European Parliament on April 14, 2016. This system can be used to collect the data of PNR in the EU countries to assist in the prevention, detection, investigation and prosecution of terrorist attacks and other criminal acts. It can also help to find the jihadists.

### **The EU's External Counter-Terrorism Mechanism and Cross-Border Cooperation**

In the external counter-terrorism mechanism and the international level, the EU has mechanisms for cross-border counter-terrorism cooperation with third countries, international organizations and institutions. For example, in the Counter-Terrorism Strategy which was presented in November 2005, the EU felt that it was necessary to strengthen multilateral cooperation in counter-terrorism and highlight the role of the United Nations (UN). The strategy divided the EU's counter-terrorism strategy into three cooperation levels: national, EU and international. This shows that the EU will promote the fight against terrorism, seek international consensus and promote international counter-terrorism guidelines through the United Nations with other regional and international organizations. The EU also leads a number of important working groups among the Member States such as the Counter Terrorism Group (CTG), the Police Chiefs Task Force (PCTF), the Police Working Group on Terrorism (PWGT) and so on.

At the international level, the theoretical basis of EU international counter-terrorism cooperation is based on the common security concept of interdependence theory. In the cooperation of external counter-terrorism, EUROPOL not only cooperates with Russia on border management and human trafficking, but also establishes an information exchange platform with other third countries or international organizations. Although the EU's definition of terrorism is different from the United States, the two sides are still cooperating closely on countering terrorist threats and hold many bilateral dialogues to discuss issues such as the sources of funds for terrorism, the freezing of funds, the sharing of visas and information, and the establishment of many counter-terrorism mechanisms. In addition, the EU has provided long-term assistance to the United Nations and other counter-terrorism programs through its foreign aid programs, as well as assistance to third countries in counter-terrorism programs. Meanwhile, the EU has sought effective ways to combat terrorist activities through seminars, public hearings, and counter-terrorism research activities, etc. To reduce the spread of Islamist extremism, the EU has also intensified its education and social integration policy, and conducted inter-religious and intercultural dialogue with the Arab countries. Also, the EU countries are involved in the Allied combat missions with military actions.

## **Summary of Recent EU Counter-Terrorism Measures**

### ***Deepening Information Sharing in Order to Effectively Cooperate***

In the past, because of the different extent of the impact of terrorist attacks to the European Union countries, the information required for the common fight against terrorism was reluctant to be shared. EU countries tried to safeguard national sovereignty. Consequently, in the past, the EU could only coordinate counter-terrorism operations from the policy aspect. With the increasing importance of counter-terrorism work, the European Commission emphasized intelligence-sharing among EU Member States in a new security agenda proposed in April 2015 in order to enhance the cooperation between the European Criminal Police Organization and the European Union.

### ***The Establishment of the Counterterrorism Center to Integrate Resources***

Established in January 2016, the European Counterterrorism Center is responsible for the integration of counter-terrorism intelligence, strengthening the coordination of counter-terrorist operations and information sharing, assisting EU countries combat foreign terrorists, tracing the funds source of terrorist organizations, and combating cyber weapons smuggling and Internet incitement, in order to reduce the risk of terrorist attacks in Europe. The establishment of the European Counterterrorism Center symbolizes an important step in the EU's collective response to terrorist threats.

### ***Setting Up Special Counterparts to Strengthen the Crackdown***

In addition to the establishment of the EU European police agency, the border administration, the Counterterrorism Center and other institutions, the EU has also set up dedicated counterparts, through various cross-border cooperation mechanisms such as the information system of Schengen, the European judicial network, the European Arrest Warrant and the passenger data sharing system, in order to form a huge network within the EU counter-terrorism cooperation department. Whether in the police cooperation mechanism or criminal judicial cooperation, institutions and organizations like the European police agency and the European judicial department can make a contribution to the aspects of information exchange, coordination and joint crime-combating, to assist the counter-terrorism work.

### ***Implementing Transnational Cooperation to Learn From the Past and Know the Future***

In addition to strengthening cooperation within the EU, the EU is also actively cooperating with the United States and third countries, having formed a foreign counter-terrorism cooperation network, to combat and prevent terrorism threats and denial.

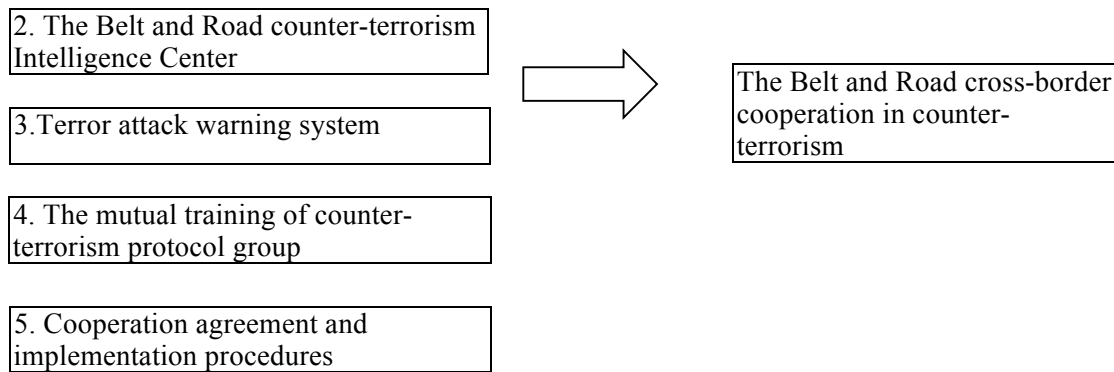
## **The Proposal of Cross-Border Cooperation**

### ***The Idea of Setting Up a Cross-Border Cooperation Mechanism***

Learning from the EU and thinking creatively, the concept of an EU cross-border terrorism cooperation mechanism can be applied to the Belt and Road. Thus, it not only contributes to maintaining internal security and regional security, but also effectively facilitates economic stability and prosperity. Therefore, the Belt and Road cross-border cooperation in counter-terrorism can be put forward, as shown in Figure 3:

1. The Belt and Road counter-terrorism counterpart institution
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**Figure 3. The Graph of Belt and Road Cross-Border Terrorism Cooperation** (By the authors)

### **Promoting Preventive Actions**

In addition to the establishment of a cross-border terrorism cooperation mechanism, well-run counter-terrorism policies and preventive strategies are also guaranteed to be promoted and developed. China has a vast territory and a large population, consisting of multiple minority nations. Therefore, it is an important issue for national security to promote ethnic integration and cultural exchanges and to prevent the spread of extremist ideas. As for cross-border cooperation, China can learn from the EU cross-border cooperation model as well. Through the establishment of counter-terrorism counterpart window and counter-terrorism intelligence center information is enabled to be exchanged. Through establishing a terror attack warning system and the mutual glossing of counter-terrorism protocol group, we are bound to cooperate to combat crime, effectively prevent terrorism, and finally maintain social security.

### **Acknowledgement**

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# International Criminal Law on Terrorism from the Perspective of “The Belt and Road” Strategy

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**[Abstract]** *“The Belt and Road” strategy is the most strategic national top-level planning of current China because of how throughout the country suffered serious terrorist attacks. In order to promote the strategy smoothly, we must use international criminal law to control the crimes of terrorism, which is also necessary and viable. But the disadvantage we must confront is that the International Criminal Court [ICC] has no jurisdiction over terrorism. Finally, this author hopes that in the future, that terrorism crime can be incorporated into the jurisdiction of the international criminal court. And also, China should join in the Rome Statute.*

**[Keywords]** *The Belt and Road; terrorism; international criminal law*

## Introduction

The Belt and Road is short for the Silk Road Economic Belt and the 21st-Century Maritime Silk Road. “B & R” is the English abbreviation for The Belt and Road. “The Belt and Road” is the most significant national strategic plan China has had in recent years. In order to achieve the “The Belt and Road” strategy, countries having a more stable economic development environment is a must. It may endanger the “The Belt and Road” strategy of geopolitics, national security, legal, economic and other fields, as the non-traditional security field of terrorism is of special concern. “The Belt and Road” countries of the Middle East, Central Asia, North Africa, Southeast Asia, South Asia and other places are suffering against terrorism. According to the data released by the London Institute for Economics and Peace (2014), from 2000-2013, 82% of the entire world’s terrorist attacks mainly occurred in five countries: Iraq (terrorism index: 10), Afghanistan (terrorism index: 9.39), Pakistan (terrorism index: 9.37), Nigeria (terrorism index: 8.58) and Syria (terrorism index: 8.12). Countries in the second echelon include India (7.86), Somalia (7.41), Yemen (7.31), Philippines (7.29), and Thailand (7.19) and have also been affected by terrorism (*Global Terrorism Index 2014 (GTI) Report*). All of these countries are in the “The Belt and Road” strategy.

Thus, we face a question: How to deal with the crime of terrorism? In this article, this author will discuss the necessity and the feasibility of using international criminal law to help us to deal with the aforementioned question, as well as the disadvantages of using it.

## Literature Review

“The Belt and Road” is a new concept presented by President Xi of China in 2013. Three years have passed with many articles written about it, and writers have proposed many ways to deal with the afore-mentioned question, including Luo Guoqiang & Zhao Rui, who thought that we should take advantage of China’s status in the United Nations, and establish and perfect our legal system at home and abroad (2016, pp. 56-59). Yan Shuyuan & Weng Li mentioned that we should strengthen cooperation with neighboring countries in fighting against terrorism crime (2015, p. 72). Using international criminal law is one of the ways. But few of them agreed that China should join in the Rome Statute, and many of them didn’t even mention it.

Due to serious political differences between home and abroad, China didn't join in the Rome Statute in 1998. But nearly twenty years have passed, and the environment and situation has changed. In this article, this author will discuss the necessity and the feasibility of using international criminal law to help us to deal with terrorism crime along with the countries of the "Belt and Road" and analyze why China should now join the Rome Statute. The disadvantages will also be discussed. Research methods include literature research and descriptive study methods.

### **The Connotation of The Belt and Road**

The Belt and Road is short for the Silk Road Economic Belt and the 21st-Century Maritime Silk Road. "B & R" is the English abbreviation of The Belt and Road. On September 7, 2013 in Kazakhstan, President Xi Jinping (2013) proposed to build "the Silk Road Economic Belt" (to promote the friendship of the people for a better future, para. 25) and on October 3rd of the same year, in Indonesia, he proposed to jointly build "the 21st-Century Maritime Silk Road" (Speech at the Indonesian Parliament, para. 31), putting forward the concept of "The Belt and Road". On March 27, 2015 at the Boao Forum for Asia in Hainan, National Development and Reform Commission, the Ministry of Foreign Affairs of the People's Republic of China and Ministry of Commerce of the People's Republic of China (2015) issued the *"Vision and Actions on Jointly Building Silk Road Economic Belt and 21st-Century Maritime Silk Road"*. "The Belt and Road" is the most significant national strategic plan for China in recent years. The most important purpose of the strategy is to solve China's excess capacity, provide access to a stable supply of resources and depth of the development strategy, strengthen national security, and grasp the dominant trade. At the same time, in the "peaceful cooperation, openness and tolerance, mutual learning and mutual learning, mutual benefit and win-win situation" principle, President Xi emphasized "the principle of achieving shared growth through discussion and collaboration" with each participating country along a "the common value, code of conduct and pathway that countries need to embrace to jointly tackle the current development and security challenges and properly handle state-to-state relations", to achieve inclusiveness and a win-win situation.

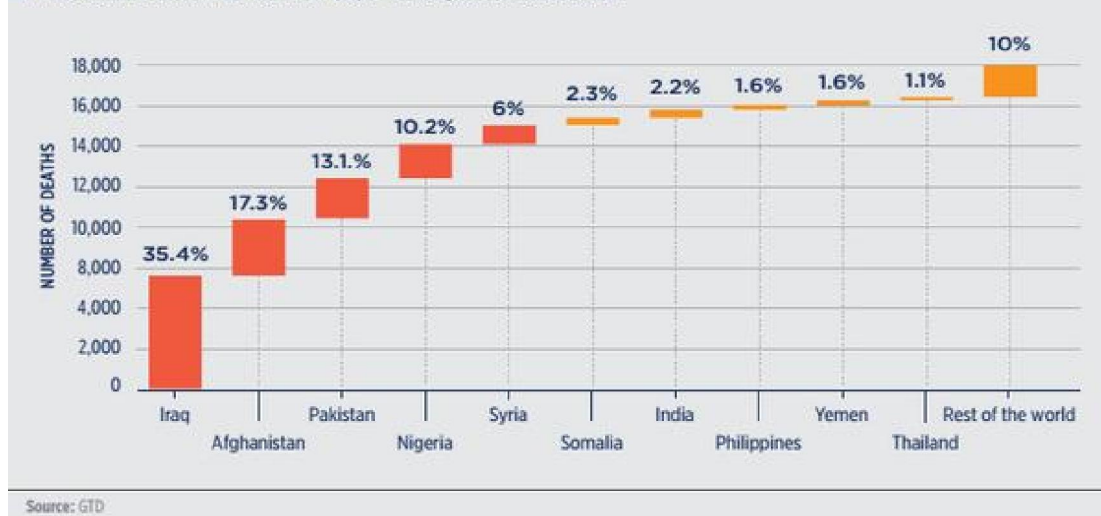
### **"The Belt and Road" Faces the Problem of Terrorism**

In order to achieve the "The Belt and Road" strategy, countries with a more stable economic development environment is a must. As something that may endanger the "The Belt and Road" strategy of geopolitics, national security, legal, economic and other fields, the non-traditional security field of terrorism is of special concern. "The Belt and Road" strategy for the Middle East, Central Asia, North Africa, Southeast Asia, South Asia and other places are suffering against terrorism.

According to data released by London Institute for economics and peace (2014), from 2000-2013, 82% of the entire world's terrorist attacks mainly occurred in five countries: Iraq (terrorism index: 10), Afghanistan (terrorism index: 9.39), Pakistan (terrorism index: 9.37), Nigeria (terrorism index: 8.58), and Syria (terrorism index: 8.12). Countries in the second echelon include India (7.86), Somalia (7.41), Yemen (7.31), Philippines (7.29), and Thailand (7.19) that are also affected by terrorism (*Global Terrorism Index 2014 (GTI) Report*). All of these countries are in the "The Belt and Road" strategy.

**FIGURE 5 COUNTRIES WITH THE HIGHEST NUMBER OF DEATHS BY TERRORISM, PERCENTAGE OF GLOBAL TERRORIST DEATHS FOR 2013**

Five countries account for more than 80 per cent of global terrorist deaths.



Source: GTD

### **The Necessity of Using International Criminal Law to Deal with Terrorism in “The Belt and Road” Strategy**

China is a permanent member of the Security Council and one of the major powers in the international community. But in the choice of international politics, it is still guided by interests. The contradiction between this idea and interest is obvious. China, based on the identity of basic human values, has signed many relevant international criminal law-related international agreements, but based on the reality of political interests, has not signed the “*The Rome Statute of the International Criminal Court*”. Most of the world’s major powers have similar attitudes based on the balance of interests beyond the pursuit of human justice.

For a long period of time, our country has focused on domestic construction and has not been concerned about international affairs. With the thirty years of reform and opening up, China’s rapid rise as the world’s second largest country, has begun to face a huge overseas interest. The typical “Belt and Road” strategy is the Chinese influence on the whole world project. Through this strategy, China’s national interests have begun to closely be linked with international interests. If the maintenance of international public faces a righteousness dispute, then we safeguard international justice now, and protection of basic human rights has become in China’s national interest. When international criminal law protection of the benefits outweighs the potential losses, China’s full adoption of an international criminal law system will point the day and wait for it. Though international criminal law on “*The Rome Statute of the International Criminal Court*” is primarily to maintain international order, maintain national stability, and protect people’s basic rights, it can promote China’s international strategy smoothly, and China can acquire more national interest.

So, through the administration of “The Belt and Road” strategy of terrorism, and promote China to comprehensively accept the “*The Rome Statute of the International Criminal Court*” as the representative of international law, its necessity lies not only in the management of terrorism, but also in the further integration of China into the international system. “The Belt and Road” strategy has enough benefits to

attract Chinese, and we should at least seize this good opportunity to promote China joining the “*The Rome Statute of the International Criminal Court*”.

Terrorism development so far has become transnational. In the face of “The Belt and Road,” the country’s terrorism crimes are perplexing ethnic and religious problems, often with multinational crime attributes. In this case, a country’s domestic laws can only punish some of the terrorist crimes, but they cannot punish foreign terrorists, nor can they better protect the basic rights of the people. Different countries have different laws, and the differences in the identification and punishment of terrorism are more prominent. If you allow countries to fight, a large number of terrorists will be sheltered, and terrorist crimes will be condoned. Some of the countries along “The Belt and Road” do not trust each other because of their differences. Small and weak countries will suffer because of their inability to combat terrorist crimes. It is very necessary to strike the crimes of terrorism under the unified cognition of an international criminal law system, properly resolve the differences, and strengthen against the crimes of terrorism.

“The Belt and Road” framework includes a totally different economic globalization concept, namely “Peaceful cooperation, openness and tolerance, mutual learning and mutual learning, mutual benefit and a win-win situation”, which reflects the cultural connotation of the Silk Road. This is completely different from the logical thinking of the powerful in the international order. In dealing with the problem of terrorism crimes, although China sponsors “The Belt and Road” and is one of the most important countries, but its status with other countries is not equal. Other countries must guide us on anti-terrorism laws; only in this widely-accepted system of international criminal law of punishing terrorist crimes, so that all countries can be fair and just. We do not want to be dubbed with the title of China’s new colonialism.

The crime of terrorism strikes into the orbit of the rule of law, and replaces violence with violence against. The purpose of international criminal law is not only to punish the crime, but also to protect human rights. Any means of combating terrorism can only be accepted by the people in the framework of the rule of law. The significance of international criminal law in the protection of human rights is no trivial matter. In the United States, for example, as a more developed western country, has been paying more attention to the protection of human rights. After the 9-11 terrorist attacks, the United States is combating terrorism from the rule of law. Because there is no lack of international criminal law constraints, the U.S. government began to take non-humanitarian measures against the threat of terrorism, which finally broke out in torture in Guantanamo and torture at the Abu Ghraib prison in Iraq. The image of the United States in the international community has plummeted. The majority of countries and people in the world advocate that we should pay due attention to the rule of law and human rights while we resolutely crack down on terrorism. The war on terrorism should not be at the expense of human rights. In advance of “The Belt and Road” strategy, it is necessary for China to fight against terrorism with international criminal law, upholding human rights on the bottom line, and avoid the mistakes of the United States.

### **The Viability of Using International Criminal Law to Deal with Terrorism in “The Belt and Road” Strategy**

Due to cultural and religious differences, countries’ definition of terrorism has not yet reached a consensus and this definition has not been widely accepted around the world. “*The Rome Statute of the International Criminal Court*” does not include terrorism as a separate offense. But this does not mean that the international criminal law has to abandon the punishment of terrorism. In the face of great differences, each country adopts their ways of legislation against the crimes of terrorism. Bassiouni M. Cherif () classified international criminal law into 28 types: The crime of theft of nuclear materials, aircraft hijacking crime

and illegal other acts that endanger aviation safety, maritime safety hazards and crimes against the high seas platform crime, hostage-taking crime, the use of explosives, and capital crime of terrorist organizations are punishing terrorism charges (2006, p. 104).

The provisions on punishment of international terrorism can be used in the fight against terrorism crime in the “The Belt and Road” strategy. Related documents are as follows:

- Part one United Nations system of international antiterrorism treaty
- Convention on Offences and Certain Other Acts Committed on Board Aircraft
- Convention for the suppression of unlawful seizure of aircraft
- Convention for the suppression of unlawful acts against the safety of civil aviation
- Convention on the prevention and punishment of crimes against internationally protected persons, including diplomatic agents
- International Convention against Taking Hostages
- Convention on the Physical Protection of Nuclear Material
- Supplementary to the convention for the suppression of unlawful acts against the safety of Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation
- Convention for the suppression of unlawful acts against the safety of maritime navigation
- Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf
- Convention on the marking of plastic explosives for the purpose of identification
- International Convention for the Suppression of Terrorist Bombing
- International convention for the suppression of the financing of terrorism
- International convention for the suppression of acts of nuclear terrorism
- The Amendment to the Convention on the Physical Protection of Nuclear Material
- Protocol of 2005 to the Convention for the suppression on unlawful acts against the safety of maritime navigation
- Protocol of 2005 to the protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf
- Draft Comprehensive Convention on International Terrorism

### ***The International Criminal Court [ICC] on the Jurisdiction of Terrorism***

“The Belt and Road” contains elements along the national strategy to combat terrorism in cooperation with international criminal law. Building the principle of “The Belt and Road” strategy is to abide by the purposes and principles of the Charter of the United Nations emphasizing peace, development, cooperation and a win-win situation. This provides guidelines for the use of international criminal law to govern terrorism. Vision and action, the fifth point cooperation mechanism, and strengthening the role of diversified cooperation mechanism for the countries along the region to carry out regional cooperation provides a basis for the fight, such as the Shanghai cooperation organization, China-ASEAN and China-Arab Cooperation forum. These regional cooperation organizations are based on the experience of international criminal anti-terrorism law, and their strengthened cooperation is more conducive to the fight against terrorism, just as “the Association of Southeast Asian Nations conventions against terrorism”,

China-ASEAN Memorandum of Understanding on Cooperation in the Non - Traditional Security Field, and the Shanghai Convention on Combating Terrorism, Separatism and Extremism. Before the International Criminal Court [ICC] had jurisdiction over the crimes of terrorism, inter regional international cooperation was a more effective way to control terrorism in international criminal law. At the same time, we must also see that “The Belt and Road” strategy countries have mostly joined “*The Rome Statute of the International Criminal Court*”, and these countries in the criminal law system of international recognition is very high.

***A Question: Why Doesn't the ICC have any Jurisdiction Over Terrorist Offenses?***

*The Rome Statute of the International Criminal Court* was adopted by the United Nations on the establishment of a diplomatic conference of the Plenipotentiary of the International Criminal Court in July 17, 1998, and came into force on July 1, 2002. In the process of negotiations, the international community's understanding of terrorism was too broad, the countries could not reach a long-term agreement on how to define terrorism. Therefore, on the fifth jurisdiction of the court of the crime in *The Rome Statute of the International Criminal Court*, only the provisions of the most serious of the four crimes were included: the crime of genocide, crimes against humanity, war crimes, and crimes of aggression. Various types of international contracts have never defined terrorism crimes, but there is legislation for each act of terrorism. The ICC does not have jurisdiction over terrorism from a legal point of view.

However, this does not mean that international criminal law has no jurisdictional basis for acts of terrorism. If the terrorist organization is understood to be “non-state actors”, laws on the crimes against humanity in the context of paramilitary groups and armed militia groups can be applied. Professor Wang had a similar opinion in his book, *Contemporary Foundations of International Criminal Law*, (2009, pp. 315-317).

***Should We Expand the Jurisdiction of the ICC to Terrorist Crimes?***

The absence of the jurisdiction of ICC, in line with the international community at the time of terrorist crimes, has not gotten enough attention. However, after the 9-11 incident in the United States, there has been a rapid increase in terrorism worldwide, seriously endangering the safety of people around the world. “The Belt and Road” strategy is lacking jurisdiction of the ICC, and this will greatly reduce the effect of the fight against terrorism. So, the Chinese must use “The Belt and Road” strategy to expand this historical opportunity and take the initiative to join “*The Rome Statute of the International Criminal Court*”, bringing it into the international mainstream society, grasping the system of international criminal law discourse to promote the ICC jurisdiction to extend to crimes of terrorism, fight for a better international interest in China, and a better interest for the people of the world's basic human rights service.

**Conclusion**

For fighting against terrorism crimes along with the countries in “The Belt and Road”, we must use international criminal law. There are necessities and viabilities. The necessity is that international criminal law not only can solve the problem of terrorism across the region, avoiding China in “The Belt and Road” strategy of a moral crisis, but also repeating the protection of human rights. China can take advantage of this opportunity to promote China's full acceptance of *The Rome Statute* of the ICC as a representative of the international criminal law system. The viability lies in the fact that the system of international criminal law has a large number of documents for the terrorism crime, and “The Belt and Road” contains elements



along the national strategy to combat terrorism in cooperation with international criminal law. But the disadvantage we must confront is that the ICC has no jurisdiction over terrorism. Finally, this author hopes that in the future, terrorism crimes can be incorporated into the jurisdiction of the ICC and that also, China would join *The Rome Statute*.

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# **Non-Traditional Security and Countermeasures on Rail Transit of the Belt and Road Initiative Cities**

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**[Abstract]** *Rail transit is one of the essential public transport tools in modern cities. It has the advantages of high speed, safety, punctuality, large capacity and low pollution. However, there are also some weaknesses; for example, there are many passengers in an underground confined space at the same time, so crowded compartments, inconvenience of entry and exit, limited ventilation and difficulty of escaping are the obvious disadvantages. At the same time, urban rail transit is also a risk zone of non-traditional security where it may be vulnerable to terrorist attacks and the perfect places in cases where indiscriminate attacks are made by terrorists. According to analysis of the current characteristics of the Urban Rail Transit on The Belt and Road Initiative, and the problems in the current urban rail transit, this paper discusses the non-traditional security threats in urban rail transit, and puts forward the non-traditional security measures of Urban Rail Transit in The Belt and Road Initiative.*

**[Keywords]** *rail transit; prevent terrorist attacks; risk in security*

## **Introduction**

Rail transit is the main artery of modern cities and one of the most convenient means of transportation for the development of modern cities. It has the advantages of high speed, safety, punctuality, large capacity and low pollution. However, there are also some weaknesses, including there are many passengers in an underground confined space at the same time, so the crowded compartments, the inconvenience of entry and exit, difficulties of evacuation, and limited ventilation are the obvious disadvantages. At the same time, urban rail transit is also a risk zone of non-traditional security which is vulnerable to terrorist attacks and the perfect places for indiscriminate attacks made by terrorists (Ren, Chen, & Qin, 2009). With the loss of the Islamic state in Shuliya and Iraq battlefield, this organization plans to launch attacks on local people gathering fields by their supporters (Tang, J. 2016). More and more terrorists who had overseas experience of combat, received terrorist attack training and were brainwashed by religious extremism, are sneaking back into their native countries, and are constantly seeking opportunities to make terrorist attacks in the weak links. So, it is more difficult to prevent and control Migration Jihadi and Local Jihad. These terrorists are instigated by overseas terrorist organizations or stimulated by overseas terrorist activities, so the real threat and potential risk of terrorist activities in China are increasing. And because of the public transport characteristic, rail transit has become the easiest target of threats and attacks.

Currently, the research on the non-traditional security of rail transit at home and abroad is still in the primary stage, and the current various theories and measures are only for the initial response to the current rapid expansion of terrorist activities. There are few researches on non-traditional security and countermeasures of rail transit, and the existing researches are not thorough enough. Based on the new characteristics of the current domestic anti-terrorism situation, and drawing lessons from the ideas and

measures about anti-terrorism methods of rail transit at home and abroad, this paper discusses how to further strengthen the non-traditional security emergency response system on urban rail transit of The Belt and Road Initiative at a deeper level.

### **Current Characteristics of Urban Rail Transit**

The Belt and Road Initiative, also called “OBAOR”, short for “One Belt and One Road”, “OBOR”, short for “One Belt One Road”, or “BAR”, short for “Belt and Road”, are the abbreviations of the Silk Road Economic Zone and the Twenty-first Century Maritime Silk Road. The Chinese President Xi Jinping proposed two Strategic conceptions which are called New Silk Road Economic zone and Twenty-first Century Maritime Silk Road in September 2013 and October 2013 (Xin, 2014). By the historical symbol of the ancient Silk Road and the banner of peaceful development, the purpose of the strategic conceptions is to develop the economic cooperation with countries along the route initiatively, to build an interests community, a common destiny and a responsibility community of political mutual trust, economic integration and cultural inclusion. There are a total of 18 key provinces in the Belt and Road Initiative. In addition, there are also 10 node cities, namely Xi'an, Lanzhou, Xining, Chongqing, Chengdu, Zhengzhou, Wuhan, Changsha, Nanchang, and Hefei (Liang, 2015). In these key provinces and node cities of the Belt and Road Initiative, the numbers of cities operating rail transit have increased. From the view of the current trend of the development of our country, the urban population size of Chinese cities declaring subway construction projects will be reduced from 3 million to 1.5 million. It makes the cities that match the conditions for the construction of subways increase from 30 to about 90 (Liang, 2016). In this way, the cities that have subways along One Belt and One Road will increase greatly. Because of the special characteristics of urban rail transit, such as its tightness, high speed, large capacity and complex system, the characteristics of its safety are also different from other vehicles.

#### ***Impossible to Scan All Passengers for Safety Inspection***

Openness, mobility and rapidity are the essential characteristics of rail transit; it makes the regional space of urban rail transit the most frequent places for crowd flow. In many countries, rail transit has been the main means for passengers' transport. For example, the passenger capacity taken by rail transit has accounted for more than 40% of the city's total passenger capacity in New York, Berlin, Moscow and other cities (Zhang, 2006). As one of the cities of The Belt and Road Initiative, Beijing is a typical example for this situation. It is very common that the daily average passenger capacity of rail transit reaches 10 million, which makes it the busiest subway of the entire world (Chen, 2016). Because of the huge passenger flow volume, the rapidity and convenience of rail transit, its operators and police cannot check every passenger by scanning security checks like what is carried out in airport security. Therefore, all kinds of extremists and terrorists can gain easier access into the rail system to launch terrorist attacks and this is also the main reason for the frequent occurrence of terrorist incidents in the rail transit around the world in recent years.

#### ***Difficult to Make Safety Precautions***

Generally speaking, the urban rail transit often links different geographical locations together, such as different political areas, economic areas, cultural areas and life areas of a city. The intensive track routes often travel through party and government organs, financial institutions, transportation hubs and residential areas. Because of the large passenger flow, the long route mileage, the large numbers of stations, the high cost and great difficulty of safety precautions, especially the low density of safety patrols, it is easy to have blind angles and dead space in terms of safety precautions. Using Beijing's rail transit as an example, Metro

Line 1 faces a super passenger flow pressure of more than 1,500,000 passengers per day. In recent years, due to the continuous increase in rail transit lines, the mismatch between the growth of police forces and the development of rail transit, and the more complicated security situation, the police should change their management style from station management to a distributed patrol area management, which will aid in public security, such as the rapidity of policing and the development of public security spies. In addition, rail transit is a special closed rail system, and the ventilation system of underground railway system is especially weak, which can be easily attacked by terrorists.

### ***The Safety Requirement of Rail Transit Operations is Strict***

At present, the technology of urban rail transit has been more mature. Because the urban rail transit system is not affected by ground traffic, there is a special closed orbit for it even under the ground. Its large capacity, high speed, safety and punctuality, low cost, energy savings, alleviation of ground traffic congestion, and environment protection are the typical characteristics of urban rail transit, which is the reason for the rare traffic accident. From the perspective of a life support system, the rail transit is a relatively independent closed high-speed operation system. The ventilation, lighting, and operation systems, etc. are required to have protection by special equipment in the power system, which is a survival chain for the rail transit made by a large number of links that are closely buckled – the control room, power supply room, and other related equipment are located in different places, even far away from the rail transit stations. There is a direct threat to passengers' safety when the rail transit loses its function when any part of the rail transit system is attacked. From the impact of the consequences, urban rail transit is not only connected intricately with many important pipelines such as the city communications, water supplies, electric power, and pollution discharge, but it also crosses through high-rise buildings, major roads or rivers. In the event of an explosion or other terrorist attacks, there are not only direct harms, but there also may be a variety of injuries or accidents when passengers escape from terrorist attacks in panic, easily leading to a wider range of supply disruptions of water, electricity, leakage of electricity, flooding and other secondary disasters, as well as other disastrous consequences, such as the paralysis of the operation of cities (Zhang, 2006).

### **Non-Traditional Security Threats That May Be Encountered**

Non-traditional security threats of urban rail transit refer to the harmful and threatening behaviors to the passengers and concerned parties with many casualties and property losses that achieve a significant impact or achieves a certain purpose by destroying the order of operation or endangering the society. The main manifestations are terrorism and violent crimes (Ren, Chen, & Qin, 2009). With the increase of international counter-terrorism efforts, weak civilian facilities will be the main targets of attacks by terrorists because of the great precautions for government departments, embassies, consulates, military facilities and other important areas. Therefore, the transport facilities are facing severe terrorist attacks.

### ***Explosive Attacks***

Usually, terrorists use explosions as their main attack mode. The explosives they use are hard to detect by ordinary detectors and include plastic-type explosives, which can be disguised as daily necessities, or hidden in luggage. It is difficult to identify explosives from their shape, but their explosive power is chilling. Because of their high success rate, great destructive effect and strong news effect, there were many terrorist attacks to rail transit systems in Russia, Britain, France, and other countries in recent years, causing many casualties and property losses (Chen, 2016). Since 2009, there have also been more than 10 terrorist attacks (2 of them took place at railway stations) in Beijing, Kunming and Urumqi, Kashi, Bachu, Xinjiang and

other places, causing great negative social impacts (Li, 2013). It fully shows the tendency of the terrorist attacks from small cities to large cities, from border cities to inland cities. Moreover, public transport has become one of the key targets of terrorist attacks and a high-risk goal for terrorists to carry out violent terrorist attacks.

### ***The Demonstration Effect of Violent Crimes***

In order to pursue terror effects, individuals will choose the time and place of extreme violent attack meticulously. Urumqi and Beijing, important cities of The Belt and Road Initiative, have always been the focus at home and abroad in recent years, and are likely to be attack targets for violent terrorist attacks and individual extreme violence. It is easy for individual extreme violence to follow terrorist attack examples if there is lack of appropriate management control of the rail transit. The consequences will be unbearable. According to reports, the first gasoline arson case in the metro area in one city in China indicates isolated individual extreme violence has been most urgent because of the vulnerable characteristics of rail transit.

### ***False Alarms***

There is more and more false terrorist information about urban rail transit yearly. Terrorists fabricate and spread false information deliberately through telephones, networks and flyers to disrupt the order of operations. For example, Wang used a mobile phone to call the subway service hotline at Xidan subway station, Xicheng District at 10:24 on October 30, 2015, fabricating false terrorist information to explode the subway and the Jianguomen subway station, seriously disrupting social order. According to the subway hotline service staff, Wang said only one sentence “...to bomb the subway... to bomb Jianguomen subway station.” The police were in a state of emergency immediately as they received the alarm call. Many deputy directors of Beijing Municipal Public Security Bureau personally commanded work; they mobilized 1140 policemen to strengthen the supervision of the city’s subway stations and used more than 140 armed police to enhance the safety precautions of the key subway station (Tang, L. 2016).

### ***Toxic or Harmful Organism or Gas Violation***

Once toxic and harmful organism or gas comes into the urban rail transit underground station, it will be difficult to control because of the small, closed space and poor ventilation, involving a larger range of injuries. On March 20, 1995, the most serious and world-shaking terrorist attacks in modern history happened on the Tokyo metro system. Members of a cult spread sarin gas on five trains on three routes of Tokyo subway. It caused 13 deaths and injured more than 600 people. From then on, many rumors of chemical attacks would be spread by terrorists in a number of cities. Biological terrorist attacks plunged America into an anthrax scare, and it also raised the panic for mustard gas from an ISIS’ munitions factory. It ushered Japan into a new era, which caused society to lose her optimism and develop paranoid thoughts. It also redefined terrorism with mass-destruction weapons (Ren, 2014).

### ***Group Panic Behavior***

It is easy to cause stampedes when the masses run out of train compartments and the exit at the same time because of an emergency; passengers may lack the necessary safety common sense in an unknown state, making the wrong judgement and sink into a group psychology and panic mentality. Beijing rail transit has not had events related to terrorist attacks since the anti-terrorism situation changes, but there have been 9 panic-led events in rail transit (An, 2014). The reasons for these events were various. For example, a broken vacuum flask caused some passengers to panic, the smoke from a passenger’s mobile phone triggered panic

when someone said, “Fire!”, and a man dressed as a false zombie with a face full of “blood” would raise panic. Panic easily leads to the occurrence of mass casualties because of the rapid accumulation and the congestion of many passengers. Mass panic behavior spreads and radiates easily. The features of the effects are blocked points, paralytic line and muddled areas. It not only causes local disorders, it even leads to riots and casualties.

### ***Arson***

In various safety accidents on urban rail transit, the dangers of fire are extremely serious. Due to the construction and environmental features of rail transit, once arson triggers a conflagration, the smoke and toxic gases caused by the fire will lead to a large number of passengers who choke to death. Because of the confined space, poor ventilation and lack of fire prevention facilities, fire easily spreads within the train or ventilation system, running along the road, or because of the effect of tunnel piston action and chimney effect by ground air shaft, the fire in the subway car will spread quickly in 2 to 3 minutes. On February 18, 2003, there was an extreme arson case in the subway of Daegu, South Korea. In this fire, 198 lives were lost and 147 people were injured – a fatal subway tragedy (Jin, 2005). Hence, one can see that fire is one of the greatest hidden dangers to the safety of rail transit. For example, in 2015, 60 underground rail transit stations have been put into operation in one city. Some of these stations are located 50 to 60 meters underground. If there is an arson made by someone or a fire caused by mismanagement, it bound to cause significant casualties and property losses (Song, & Wang, 2016).

### ***Sharp Ax/Sword Attacks***

In cases where it is difficult to get access to firearms and explosives, tools such as knives, axes and sharp blades may become the main weapons of terrorists and the lunatic fringe. These kinds of weapons seem simple, but they are indeed lethal in the hands of violent people. On March 1, 2014, the violent terrorist attack at the Kunming railway station was an incident carried out by terrorists who were armed with knives and stabbed innocent civilians, resulting in many casualties.

## **Non-Traditional Countermeasures on Rail Transit in the Belt and Road Initiative Cities**

According to the current non-traditional security situation of rail transit of the Belt and Road Initiative Cities, we must fully absorb what we have learned from the useful lessons abroad, put our focus on the overall situation, insist on a combination of prevention in advance and combating crime afterwards, and take prevention as the principal measures. Specifically, the following measures can be stressed:

### ***“Prevention First” to Strengthen Intelligence Gathering***

Intelligence leads the direction of counter-terrorism work. From planning to implementation, terrorist activities will leave a variety of signs. We must collect information about terrorist activities timely and accurately, and try to cut off the roots of the terrorist activities. For counter-terrorism work, the most successful plan is to defeat the terrorist attacks before they occur. Hence, we should adhere to the “prevention first” theory and strengthen our intelligence-gathering and analysis. Especially, the police organs at all levels should attach great importance to intelligence work and try to stop the terrorist attacks in their planning stages. But in the current situation, the anti-terrorism intelligence work in our country is still in the early stages of development. There are two major reasons for this situation. On the one hand, as a covert front, it is not obvious for the intelligence front to make an influence on the public. On the other hand, there is a lack of an effective mechanism among different departments to ensure the sharing of

information from each department in the legal framework for abundant analysis and application. Therefore, it is necessary to establish the mechanism of communication and sharing of information as soon as possible to ensure that this exchange and sharing of information can be carried out smoothly within the framework of the law (Wang, 2014).

### ***Realize the Legalization of Dangerous Goods Management***

In order to effectively curb terrorist attacks on the subway and destroy them in the germination stage, we should fully absorb and learn from useful experiences of foreign countries, sum up their lessons, and cut off the sources of hazardous articles from terrorists. It is necessary to strengthen the management of firearms, explosives, biochemical products and radioactive substances. First, supervision must be strengthened in some processes such as the production, trade, and transport of dangerous goods, an approval and registration system must be implemented, smuggling crimes must be cracked down, and any information about the tracking and use of dangerous goods must be always grasped at any time to prevent the hazardous article falling into the hands of terrorists. Second, education and management must be strengthened for the relevant industry practitioners, and their security consciousness and anti-terrorism awareness must be improved through appropriate education, which can ensure they report suspicious problems in a timely manner. Finally, the management of certificates must be strengthened. The staff who work in positions related to dangerous goods must get licenses. On the one hand, the accreditation authority must be obtained by the departments for the management and use of dangerous goods, and on the other hand, the relevant qualifications must be acquired by the related industry practitioners.

### ***Shut Out Dangers by Security Checks***

At present, major developed countries have invested heavily in security equipment and internal monitoring equipment on the subway, which has played an extremely important role in the prevention of violent terrorist activities in rail transit. In addition to continuing to strengthen and improve traditional security systems, such as video surveillance and intrusion alarms, we should add new guarding techniques and equipment, such as facial recognition systems that can provide a visual warning to prevent terrorist activities. Take Britain as an example. To ensure the safe operation of the subway, British police have set up more than 6,000 monitoring devices in the London subway system (Wang, 2014). By using these cameras, the police announced the suspect's picture less than 24 hours after the London "7.7" subway terrorist bombing. Meanwhile, the London police have also set up a new type of explosive detection system after May 2006 that can search with instruments for hidden explosives or the vestige of explosives by scanning finger tips, subway tickets, and clothing, etc. on random inspections. London police also installed millimeter wave scanners in some important pivot points of the subway line such as Paddington Underground Station to detect objects hidden under clothing to find potential terrorists (Wang, 2014).

### ***Strengthen Propaganda for Anti-Terrorism***

Very strong concealment and suddenness are the characteristics of terrorist activities. Only relying on special departments to prevent terrorism is hardly enough. The masses must participate to prevent terrorism positively. To improve the anti-terrorism consciousness of people, we can conduct universal education about safety knowledge of the subway to the staff and passengers through texts, pictures, and videos through the public media and various facilities inside the subways. There are two points in which more attention should be paid with in this kind of publicity: one is to focus on improving the anti-terrorism awareness of the public, enhancing the ability to identify terrorist acts and raising the ability to respond to terrorist attacks.

The other is to put the emphasis on education for common sense, including the methods of self-protection, self-aid and mutual aid when facing terrorist attacks, the ways of communication with the related government, the common means and methods of subway terrorist attacks.

### ***Strengthen the Construction of Cooperation and Coordination of Organizations, and Clear the Responsibilities of Each Department***

Dealing with non-traditional security threats is not the only duties for rail transit operators and public security organs, cooperation with other relevant departments is also needed. First, the information collection, processing, communication and sharing among public security, armed forces, armed police and relevant traffic departments should be strengthened. Second, anti-terrorism coordination agencies should be established and the emergency handling mechanism of the rail transit system should be improved and perfected. After the terrorist attacks in rail transit, rail transit operation department cannot work independently because the subsequent work is so complicated, involving multiple departments, such as public security, transportation, health, news, armed police, troops and other departments. Finally, measures should be taken to strengthen the emergency response force of rail transit and construct the internal security forces to jointly undertake the anti-terrorism tasks of rail traffic (Wang, 2014).

### **Conclusion**

This paper discusses non-traditional security threats and countermeasures of urban rail transit, and then serves in the anti-terrorism work of Rail Transit Department through the analysis of the current situation of urban rail transit in China. It must be noted that the non-traditional security of the rail transit system is a real risk, so, we must focus on the overall situation, insist on the combination of pre-prevention and post-strike and the guideline of prevention first. That is to say, we must block the source of terrorist attacks, mobilize the masses, adhere to mass prevention and mass treatment and nip the evil in the bud. At the same time, the anti-terrorism department should be strengthened, as well as the self-construction and improve the counter-terrorism capabilities through the construction of organization and coordination mechanism.

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# **The Fight Against Drug-Related Crimes in Countries Under the Context of “The Belt and Road Initiative” – Building a Better Pricing Cooperation Mechanism**

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***[Abstract]** With the development of the Belt and Road Initiative, economic and political exchanges among these countries are significantly strengthened, while differences in legal systems, religions, and customs continue to exist. The segregation of police forces in investigation and criminal chasing provides natural shelter for cross-border crimes, especially drug-related crimes. This paper discusses the necessity, current situation, and analyzes the dilemma and defects of the existing police cooperation mechanism, and finally makes some suggestions to improve police cooperation in order to better combat drug-related crimes.*

***[Keywords]** B&R; drug-related crime; policing cooperation*

## **Introduction**

The initiative on the construction of the Silk Road Economic Belt and the 21<sup>st</sup>-Century Maritime Silk Road (B&R), as a result of economic globalization, could create unprecedented benefits on economy and politics based on the assurance of national security (Wang, J., 2014). For this reason, the cooperation in B&R countries on national security is of remarkable significance, which illuminates economic and political cooperation in complementary ways. In this context, this paper discusses police cooperation in B&R countries against cross-border drug crimes in four parts: in the first part, we illustrate the necessity of police cooperation in order to reinforce drug control; in the second part, we talk about some characteristics presented in cross-border drug crimes in B&R countries; in the third part, we describe the current situation and analyze the defects in police cooperation against cross-border drug crimes; and in the fourth part, some suggestions are made to deepen police cooperation.

## **Necessity for Police Cooperation to Reinforce Drug Control in the Context of B&R**

### ***Severe Situation of Drug-Related Crimes in B&R Countries***

Among the three most important drug sources, the Golden Triangle and the Golden Crescent are located exactly in B&R countries. “The statistics published by the United Nations Office on Drugs and Crimes in November 2013 showed Afghanistan is currently the world largest producer of traditional drugs. In 2013, its opium production has reached 4400 tons, rising by 50% compared to the volume in 2012, accounting for 90% of the global drug production” (Qi, & Wang, X., 2016). Drugs produced in Afghanistan are radically sold to China, which has become its main consuming market.

In south part of B&R, new synthetic drugs (mainly ice) produced in China, as well as their raw materials come to the top source of drugs in Southeast Asian countries. Chinese drug gangs not only transport drugs and raw materials to Southeast Asian countries, but also send drug-manufacturing experts to factories in these countries.

### ***The Prosperous Development of B&R Necessitate a Perfect International Police Cooperation***

The building of B&R will take a long time and concerns a lot of countries, is characterized by multiple points, long lines and a wide plane. In the process of construction, calamities, accidents, terrorism, cross-border crimes, and manufacturing security, as well as other problems, are inevitable. In order to cope with these problems well, cross-national law enforcement cooperation is essential, but it is set back by the conflicts in languages, cultures, laws and religions. Law enforcement cooperation, especially international police cooperation, faces even more and greater difficulties.

### ***Conflict between National Interests and Guarantee of Suspects' Legal Rights Requires a Deepened Police Cooperation***

In criminal judicial procedures, the transnational judicial assistance in criminal cases suffers from the tension between national interests and protection of suspects' rights. States which request judicial assistance demand assistance on criminal law enforcement out of their own national interests, while their counterparts require protecting the legal rights of its own citizens. Due to the differences in domestic legislations or the different interpretations of common legislative principals, the unbalance of lawful exercise of state power over efficient guarantee of individual litigation rights has been made. Police cooperation, as the first step of criminal prosecution, has to be deep and effective in order to balance the national interests and civil litigation rights, as well as guarantee criminal law enforcement cooperation.

## **Characteristics on Drug-Related Crimes in B&R Countries**

### ***High Frequency of Drug-Related Crimes***

With the deepening development of B&R Initiative and the furthering of opening-up among concerned countries, the contact of China and Southeast Asian, South Asian, and Mid-Asian, as well as American countries and regions will be further enhanced, and cooperation in transportation of all means in networks will be closer than ever before. In the meantime, cross-border crimes, especially drug-related crimes, taking advantage of the intense regional economic exchanges, will accelerate their pace to penetrate into these countries. Not only because many B&R countries are exporters of drugs or drug materials and famous for drug-related crimes even before the B&R Initiative, but also due to the market-oriented laws the crimes have. One of the laws of commodity economy is where goes the profit, goes the capital. So does the subject of drug crimes: where goes the consumer demand of drugs and huge profits, goes the drugs. "From 2010 to 2014, Chinese courts have sentenced 1212 foreign drug dealers who were engaged in the smuggling, trafficking, transporting and manufacturing of drugs" (Peng, J., 2015). Among all drug-related crimes, drug manufacturing and smuggling as source crimes have caused the most harm and damages. Adjacent to drug sources as the Golden Triangle and the Golden Crescent, China is under great pressure of multiple entry points and full penetration of oversea drugs. The Golden Triangle has been the main source of overseas heroin and methamphetamine for a long time and the Provinces of Yunnan and Guangxi are its main passages towards the interior market.

### ***Combination of Drug-related Crimes and Terrorism***

The B&R countries, especially in Mid-Asia and Middle-East, suffer from dynamic terrorist activities. Terrorist groups thrive in the extremely profitable drug crimes, increasing difficulties in transnational law enforcement cooperation.

### ***Diversity of Crime Subjects and Concealment of Criminal Means***

Driven by huge profits, drug-related crime subjects present a tendency of diversity. Figures released by the Supreme People's Court of PRC indicates a percentage of more than 10% of foreign drug criminals among all of those who committed drug-related crimes are inside China, and are mostly Burmese, Vietnamese, Lao, and Afghanistani. Residents living in Southwest China borders collaborate with foreign drug dealers to smuggle drugs toward inland China. Many drug gang members are from the same families or villages; even women and children take part in the criminal activities.

In addition to the conspiracy of domestic and foreign personnel, the means of crime are more and more diversified and hidden, especially in drug cases on the Chinese borders. Taking the example of Xishuangbanna Intermediate People's Court, among the 490, 473, 405 and 365 drug cases in the years from 2012 to 2015, there were a respective number of 836, 793, 722 and 584 defendants (Xishuangbanna Intermediate People's Court, 2012-2015). "The drug transportation is transforming from a subordinate drug crime to a more professional, secret and organized criminal activity. The simple package conveyance or body-cavity concealment of drugs is no longer prevalent. A significant increase of drug transporting cases in the way of contractor or sub-contractor is noticed, most of them were trade in cash with a separation of money and goods, man and goods, using high-tech to detect the route, make a detour and other anti-reconnaissance ways" (Cha, & Liu, M., 2016).

## **Forms and Present Dilemma of Police Cooperation Against Cross-Border Drug Crimes in B&R Countries**

### ***Police Cooperation Forms***

The current international police cooperation mechanism China adopted includes bilateral cooperation, regional cooperation and global cooperation. When it refers to B&R countries, the following four specific forms are involved:

**Dispatch of police liaison officers.** The duties of Police Liaison Officers are vast, including, but not limited to, information exchange (including case information concerned) with the police and interior departments of resident country, investigation and evidence collection of transnational crimes, as well as cooperation in criminal chasing and stolen goods recovery (especially in drug, anti-terrorist, telecom fraud, money laundry, money counterfeit, abduction and trafficking of women and children, smuggling cases), protection of legal rights of Chinese institutions and Chinese citizens abroad (this task are even heavier with the severe ever threat of terrorist attack, especially in recent two years, in Africa and Middle-East, terrorist attacks and abduction against Chinese institutions and citizens occurs from time to time, which requires the coordination of police liaison officer to evacuate its citizens and other work.), professional police exchange and training (offer policing training or assistance to certain countries for example), and other elementary works such as survey and research in social conditions, customs, law enforcement situation to serve as reference of domestic decision-making.

Since 1998 when China first sent police liaison officers to its embassy in the USA, the Ministry of Public Security of PRC has sent 62 police liaison officers to 36 embassies and consulates in 31 developed and developing countries as of by January 2016 (Yuan, G., 2016).

**Regular meeting mechanism.** Currently, China has developed a stable regular meeting mechanism with multiple countries. For example, the Ministerial Conference on China-Russia Anti-Drug Cooperation, the Bilateral Conference on China-Thailand Anti-Drug Cooperation, the Bilateral Conference on China-Vietnam Anti-Drug Cooperation, the Bilateral Conference on China-Myanmar Anti-Drug Cooperation, and the Bilateral Conference on China-Laos Anti-Drug Cooperation, etc. (Xiong, A., 2015).

**Direct communication and coordination mechanism.** “Departments of Economic Investigation, Public Order, Border Defense, Criminal Investigation, Immigration Administration, Anti-Drug, Counter-Terrorism of Ministry of Public Security of China have all established a direct communication and coordination mechanism with law enforcement departments of certain countries, enhancing the practical cooperation in information sharing, case investigation, joint handling, evidence collection, and suspect arresting” (Wang, A., 2013).

**Regional international police cooperation.** Besides bilateral police cooperation, China is carrying out police exchanges and cooperation with countries in important regions. For example, law enforcement cooperation supported by Shanghai Cooperation Organization, participation in Ministerial Conference on Combat against Transnational Crime of ASEAN+3 (China, Japan, South Korea) and of ASEAN+1 (China), in Conference on Anti-Drug Cooperation of ASEAN-China, and in China-Laos-Myanmar-Thailand Meeting on Law Enforcement Cooperation along the Mekong River, etc. (Chen, F., 2015). These meetings have much to do with the national security of most B&R countries, laying a solid foundation for further policing cooperation.

### ***Present Dilemma of Police Cooperation in B&R Countries***

**Weak consciousness of police cooperation due to cultural differences in B&R countries.** The complexity of religions and ethnic groups that compose B&R countries may partially explain the large differences in legal system, habits, customs, and conventions. A fortiori the contradiction and resentment dating back to centuries leads to a lack of empathy among these nations. Historical and realistic conflicts become a natural barrier against transnational police cooperation.

**Defect in intelligence sharing mechanism caused by the lack of standing organ.** Intelligence is the key to the solution of criminal cases, not to mention drug-related crimes that are characterized by the concealment. However, the contradiction between the intelligence systems are usually limited to a certain area and the internationality of drug crimes makes it desperate for an effective intelligence sharing mechanism. It's not hard to do that within a country, but it's extremely difficult within several countries, each of which is weighing the consequences to national security, and regional interests, etc. The lack of a standing organ is a vital defect for intelligence sharing mechanism which restrains the efficiency of investigation.

**Admissibility of criminal evidence collected abroad.** Differences in legal systems offer shelter to criminals and this leads to slow development in police cooperation. Problems they cause mainly manifest in three aspects: extradition of the accused from abroad in order to be sentenced in its own country; collection of evidence in other countries; whether the evidence collected abroad could be accepted by the court.

Let's still take the example of a drug-related crime: part of the crime is committed abroad, while for Chinese judicial organs it's difficult to obtain evidence through oversea judicial assistance, and almost impossible to obtain or verify evidence directly from overseas. In addition, the existing legislation in China hasn't clarified the scope of new drugs and the standard of conviction and sentencing for this kind of crime, which brings about the confusion in practice.

### **Some Suggestions for the Perfection of Police Cooperation Against Drug-Related Crimes in B&R Countries**

#### ***Economic Transaction Pushes Forward Political Cooperation, Laying the Foundation for Police Cooperation***

Aimed at the development of an economic partnership with concerned countries, the Belt and Road Initiative doesn't hesitate to use the historical symbol of the ancient Silk Road to jointly forge a community of interests, destiny and responsibility marked by political mutual trust, economic integration and cultural tolerance. China should seize the opportunity, making full use of the existing platforms such as SCO, ASEAN+1, APEC, ASEM, ACD, CICA, CAREC to reinforce police exchanges, strengthen top-level design and lay a solid foundation for police cooperation.

#### ***Establish a Standing Organ for Police Cooperation to Enhance Intelligence Sharing***

As we mentioned before, until now, China hasn't established a standing organ for intelligence sharing with B&R countries, which has significantly limited the effectiveness of police cooperation. Many examples around the globe have showed the importance of a standing organ for a smooth policing cooperation: the five North European countries (Sweden, Norway, Iceland, Finland, and Denmark), relying on PCN established in 1984, realized a comprehensive cooperation in immigration control, criminal policies, law enforcement, criminal intelligence and all aspects (Chen & Li, 2014). Such kind of standing organ could begin in a smaller area, for example the Mekong River Police Cooperation Secretariat, supported by the Mekong River Joint Patrol and Law Enforcement Mechanism, and composed of leaders of law enforcement departments of each country, may organize regular police cooperation conferences. Its duties may include, but shouldn't be limited to, concluding consensus in police cooperation, make long-term and short term plans for cooperation, establish intelligence sharing platforms, guide joint law enforcement, make decision in specific aspects, and form police cooperation personnel, etc.

#### ***Strengthen the Mutual Respect for Legislation and Mutual Recognition of Evidence***

The combat against drug-related crimes can be gained only by the sentencing of criminals by the court. As we stated earlier, the biggest problem for their sentencing is the admissibility of evidence gained abroad. To be more specific, the admissibility of evidence gained by request of judicial assistance, and the admissibility of evidence collected abroad directly by our own investigators. Section 405-1 of *Interpretation of the Supreme People's Court on the application of the Criminal Procedural Law of the People's Republic of China* regulates basic principles for the verification of extraterritorial evidence: "For evidential material from abroad, the People's Court should verify the origin, provider, providing time, extractor and extracting time. Those could prove the facts and conform to the provisions of Criminal Procedural Law after verification, should be accepted as evidence, except as otherwise stipulated on the scope of use of material provided by the provider or in bilateral treaties signed by China and other countries. Materials with unknown origin or unconfirmed authenticity should not be used as grounds to decide on a verdict."

According to this provision, it's necessary to verify the objectivity, relevance and legitimacy of evidence collected abroad by request for judicial assistance or directly by our investigators. The difference is, for evidential materials entrusted to be gained by extraterritorial state agency, in respect of judicial sovereignty of counterpart, the verification of the objectivity, relevance and legitimacy should be based on the conformity of judicial assistance procedure with international treaties; as for evidential materials collected directly by our investigators, the verification of admissibility should be based on our laws while the collection of evidence should be done in accordance with local legislation and international treaties or international practices.

### Conclusion

With the deepening of B&R Initiative, the cooperation in economy and politics is bound to be enhanced. The rapid increase of cross-border drug crimes makes it urgent for China to promote the anti-drug police cooperation with concerned countries to ensure the healthy development of B&R strategy. By efficiently combating cross-border drug crimes by respecting legislation of each country, strengthening intelligence sharing, pushing forward the admissibility of evidence, and establishing standing organs, the goal of common prosperity and security in B&R countries will be achieved.

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# Research on the Mechanism of International Police Cooperation in the Context of the 21st Century “Maritime Silk Road” Strategy

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*[Abstract] The strategy of building the 21st Century “Maritime Silk Road” is a major step in China’s reform of deepening and opening-up in the new era, which will bring great development opportunities to relevant countries. However, due to the imbalance of the geopolitical and interregional economic development, there are various uncertainties and risks, and there are serious non-traditional security problems in some countries and regions. Based on the strategic background of China’s Maritime Silk Road and the regional security requirements for the “five links” initiative, the mechanism of international police cooperation is studied mainly through a case study of international policing in the Mekong River Basin.*

*[Keywords] Maritime Silk Road; regional security; international police cooperation*

## Introduction

The “Maritime Silk Road” is the ancient Chinese sea traffic, as trade and cultural exchanges of the artery, it promotes East-West cultural exchange. It has made important contributions to the progress of human civilization. Chinese leaders put forward the construction of the 21st Century Maritime Silk Road, which is a major move of deepening reform and opening up in the new era. It is an important engine to stimulate economic growth, and promote domestic economic restructuring and development. At the same time, it is also a major strategic plan to expand and optimize the pattern of opening to the outside world, to deepen regionalization of global development and establish a new international economic and political order.

The implementation of the strategy of the Maritime Silk Road, in accordance with President Xi Jinping’s proposal to strengthen “five links” initiative (Handel, 2015), including policy, road, trade, currency circulation and popular, will bring the country development opportunities. However, in the face of geopolitical and regional economic imbalances, we also encounter a variety of uncertainties and risks. There are significant differences in the political system, economic development and culture among the countries along the Maritime Silk Road. Non-traditional security problems in some countries are very serious, including economic security, terrorism, transnational crime, arms proliferation, smuggling, money laundering, piracy and illegal immigration. These transnational, diverse and social issues not only influence the implementation of the “five links” initiative, but also threaten the survival and development of human society.

Therefore, based on the strategic background of the Maritime Silk Road proposed by China, this paper is focused on the mechanism of international police cooperation, in accordance with the regional security requirements required by the “five links”. The mechanism is also verified by help of a case study of international policing in the Mekong River Basin.

## Literature Review and Related Theory

### *Maritime Silk Road Strategy, Regional Security and International Police Cooperation*

**China’s marine power strategy and the “21st Century Maritime Silk Road” strategy.** To ensure maritime safety is an urgent theme for China’s transforming land-state to sea-owned countries and

expanding national interests. The meaning of the sea channel has been from the initial emphasis on the development of energy transport security to the comprehensive interests of sea security. China has shifted its focus from the dilemma of Malacca Strait to the construction of the sea-lane network in its bid to protect its maritime rights and interests. To build its sea power as a strong nation, China is following its “21st Century Maritime Silk Road” strategy and establishing its strategic pivots at harbors at Sumatra Island or Kalimantan Island in Indonesia to improve its ability to ensure its navigational safety. China will consider the economic and security interests to strengthen key port modernization in these islands. To achieve the development and upgrade of these ports, military functions are also fully combined with commercial functions by delineating industrial parks, and investing in infrastructure construction, smelting, shipbuilding and other industries. It is helpful for Chinese ships and maritime forces to provide logistical supplies (Zhang, 2015).

**Regional security demanded for the implementation of the Maritime Silk Road strategy.** As China’s major strategic initiative to promote the construction of Asian and African countries’ destiny community, it is necessary to ensure the safety of the maritime passages along the sea in order to achieve the smooth construction of the Silk Road. The Maritime Silk Road will pass through two geopolitical regions including both Southeast Asia and the North Indian Ocean. It is fact that there are complex geopolitical security situations surrounding these areas. On the whole, the Maritime Silk Road strategy is faced with three aspects of security threats: the containment of great powers, strategic interference of countries along the line, and the regional conflict and piracy activities (Xie, & Yue, 2015).

Compared with traditional security issues, non-traditional security threats do not often attract attention. The threat of non-traditional security is often more direct, more intensive and more difficult to deal with. Li Xiao and Xue Li (2015) examined the threat of the non-traditional security issues of terrorism and piracy to the construction of the Maritime Silk Road. As the main shipping routes, the Maritime Silk Road will pass through the several major areas – South Asia, West Asia, and East Africa where terrorist activities are most rampant in the world. Maritime acts of terrorism are violent and are designed to cause public panic or coercion to the government and cause harm to public transport. The number of piracy activities in the region is also growing rapidly. The main difference between acts of maritime terrorism and piracy is that the former has a clear political purpose, and the latter is merely to loot the goods or to obtain ransom (Xu, 2010).

Piracy activities may bring harm to the construction of the Maritime Silk Road, and it mainly consists of the threat of personal safety, economic losses, and the risk of the proliferation of weapons. As the “Maritime Silk Road” is an important channel for military trade among China and some Asian and African countries, there is a long way to go to prevent piracy activities.

**Establishing and improving the mechanism of international police cooperation is one of the important measures to ensure regional security.** The police are an important force in maintaining non-traditional security. Because non-traditional security contains a wide range of content, it can’t be completely dealt with by only one government functional department. It needs coordination operations between multi-sector and multi-agency departments. The non-traditional security crisis is often characterized by large-scale and sudden happening. There is a need to quickly mobilize a lot of manpower and material resources to carry out rescue in the process of crisis disposal.

The establishment and improvement of the international police cooperation mechanism is one of the important measures to solve the non-traditional security problem and realize a regional security guarantee. The most important feature of non-traditional security issues is that they are mostly transnational and

trans-regional issues that pose a widespread risk to the stability of the countries. However, at present, China's cooperation mechanism with the national police departments of the "Maritime Silk Road" area has not yet been established. In the area of combating traditional crime, there is more cooperation within the framework of INTERPOL and on bilateral mutual legal assistance agreements. In the wider range of non-traditional security areas, we lack a national level, or a direct cooperation mechanism. This is not conducive to deal with non-traditional security challenges for China's police departments and cooperation with other countries. In practice, because of the lack of cooperation mechanism, the lack of cooperation content and methods results in law enforcement friction, and loss of opportunity. Therefore, transnational crimes cannot be effectively combated in solving non-traditional security issues (Yao, 2008).

### ***The Construction of International Police Cooperation Mechanism: Theoretical Basis and Realistic Demand***

**Interregional international cooperation as a basic theory of international police cooperation.** "When the actors adjust their behavior to the actual preferences of the other actors, the cooperation will arise... When a government's actual policy is seen by its peers as an identification of their own goals, cooperation between the governments will take place" (Keohane, 1984).

Regional cooperation is a certain range of agreement or understanding to achieve a common interest in a way between the countries with different social system and ideology (Liu, 2014). In order to cope with the survival crisis and development challenges, it's necessary to build a peaceful surrounding environment. By seeking outside interests of the region to maximize an effective exchange, it makes it possible for all forms of cooperation with each other. In order to achieve regional cooperation, the participating countries will adhere to their own interests at the same time, and try to find the common interests with other countries, to reconcile the conflicting interests as far as possible in order to achieve the ultimate regional cooperation.

**The urgency of international police cooperation.** The acceleration of the globalization process has led to the formation and expansion of the global market. The integration of international politics, and the impact of the pace of development cannot be alone to cope with the pressure. Sovereign countries are keen to strengthen their position in international politics by strengthening inter-state cooperation within a region, participating in regional cooperation, and resolving external threats and pressures with collective power. Countries participate in international cooperation is multi-level, with all-round features, participation in the field from economics and trade, and environmental protection expanded to the political security field.

**Interregional cooperation in international cooperation has shifted to dealing with non-traditional security threats.** These threats are characterized by trans-nationality, diversity and sociality. These characteristics determine the complexity of governance means in order to comprehensively solve problems.

In January 2004, China and ASEAN member governments signed the Memorandum of Understanding on Cooperation in Non-Traditional Security. In this memorandum, China and ASEAN have formulated a medium- and long-term cooperation plan in the field of non-traditional security, and the Ministry of Public Security has allocated special funds to implement the relevant plan. In the same year, Malaysia, Singapore and Thailand sanctioned 6-7 warships, soldiers formed joint maritime contingents, and began the pilgrimage to the Malacca Strait for joint patrols.

### ***Construction of an International Police Cooperation Mechanism***

**The mechanism and composition of international police cooperation.** Successful cooperation requires a guarantee of a mechanism by which the part of the separation of things and the coordination of the operation are linked to achieve a specific purpose. The cooperation mechanism is a set of principles, rules, norms and decision-making procedures that are formulated for the purpose of safeguarding the common interests of the actors or the common realization and coordination of the behavior of the actors (Wang, 2012).

The regional cooperation mechanism is a series of bilateral and multilateral treaties and agreements signed by the countries in the region in order to realize some or all of the expected benefits and to determine the principles, norms and decision-making procedures for the cooperation. The focus is on institutionalization, that is, through the coordination of the system to play, to promote cooperation, resolve disputes and promote the development of cooperative behavior in order to achieve the ultimate goal of cooperation.

**Fundamental principles for the establishment of an interregional cooperation mechanism** .Cooperation law enforcement refers to the law enforcement activities that are coordinated and coordinated by the joint administrative organs or other entities in order to carry out comprehensive rectification of certain affairs. International cooperation and law enforcement is between the countries, in order to solve some common problems of comprehensive remediation, by the relevant administrative organs or other entities to take joint action, mutual coordination and cooperation with law enforcement activities.

The principle of national sovereignty – State sovereignty is the state’s independent and independent handling of its internal and external affairs. They are the most important national attributes, including the highest internal and external independence. In the process of police cooperation, the parties should communicate with each other and respect each other’s sovereignty. The observance of this principle is needed to maintain world peace and security and the legal basis for cooperation and communication between States.

The principle of consultation on the basis of equality – Due to the very different legal systems and legal systems between countries, the principle of equal consultation is an important means to promote regional cooperation and to resolve differences of cooperation. When cooperation is divided, the parties should conduct full dialogue and consultation, express their opinions and exchange views, and form an opinion that can be accepted by all parties through equal consultation. In practice, Member States should try to abandon differences in political ideology, eliminate the interference of external powers, to achieve the purpose of regional cooperation in the first place.

The principle of maximizing the interests of all parties – Because the fundamental driving force of interregional cooperation in international cooperation is that the parties have a common interest demand. The purpose of participation of member countries in regional cooperation is to achieve their own interests, only to fully guarantee the individual members of the individual interests in order to build a coordinated and healthy cooperation mechanism.

### **Research Method: Case Studies of China’s International Police Cooperation Viewed from the Mekong River Tragedy**

In order to scientifically and rationally construct the international police cooperation mechanism, we use the case study method. Why did we selected the Mekong River tragedy for the analysis of samples to interpret China's international police cooperation? First, this event is a milestone in Chinese international

police cooperation. At the same time, the Mekong River Basin itself belongs to the category of “Maritime Silk Road”, and this case provides reference for similar international police cooperation in the future by summarizing the successful experiences in the process of detecting cases. Therefore, we can summarize the composition of the international police cooperation mechanism from this case.

### ***The General Description of the Case***

On October 5, 2011, Chinese ships “Huaping” and “Yuxing No. 8” were hijacked by two unidentified armed speedboats in the upper reaches of the Mekong River in Myanmar. The armed speedboats carried a large number of drugs onto the ships disguised as the illusion of drug trafficking, forced the captain to take Chinese crew and sail the ships into Thailand. In Thailand, nine Thai soldiers premeditated with the use of “anti-drug” policy killed 13 members of the Chinese crew (Wu, Li, & Wang, 2012). This transnational case was extremely difficult to detect due to the complex areas involved, criminal nationality and other diverse factors. However, after the incident, the Chinese police paid great attention and took active negotiations immediately with the three governments, including Myanmar, Thailand and Laos, to carry out international law enforcement cooperation until the case was cracked.

### ***Difficulties in Detecting the Mekong River Tragedy***

**On extradition of the suspect.** “Extradition” is the act of transferring a person who is in another country or territory and is wanted or sent abroad to a foreign trial or punishment at the request of a foreign State. Usually an extradition action can be operated only after an extradition treaty or agreement is signed between the two countries is in force. The suspects in the Mekong River Tragedy could be divided into two parts: one part was the Burmese-based Armenian militants, and the other part was the nine Thai soldiers. There were two extradition issues in the case.

**On the jurisdiction of the case.** Three countries, that is, China, Burma and Thailand were involved in the Mekong tragedy. The country of origin, the nationality of the suspect, and the nationality of the victims were different, so that each country could bring jurisdiction over the case. States may be governed by their “personal”, “territorial”, “protectionist”, and “universal principles”, respectively (Lu, M., 2013). Whether China can obtain case jurisdiction successfully is one of the main problems facing the government and related departments.

**The case evidence.** The Mekong tragedy occurred in Myanmar and Thailand. So how to collect evidence, restore the crime scene, and how to make the suspects identify the crime scene were key problems facing the Chinese police. The biggest crackdown on the Mekong tragedy was evidence extraction. As we all know, evidence has a decisive role in the detection and prosecution of cases. Whether our law enforcement agencies can obtain objective and impartial evidence by means of diplomatic channels is undoubtedly the primary problem faced by the Chinese police.

### ***The Principle of International Police Law Enforcement Cooperation***

**The principle of judicial sovereignty.** In dealing with the Mekong tragedy, China always adhered to the principle of national judicial sovereignty. Judicial sovereignty is the highest autonomy of a country in the field of justice. In international law, jurisdiction is an important manifestation of national judicial sovereignty. The Mekong tragedy occurred on Chinese vessels and the victims were all Chinese citizens, and China had full jurisdiction over the case under international treaties.

**Adhere to the principle of international police law enforcement cooperation.** On the Mekong River detection, China adhered to the principle of international law enforcement cooperation. Considering

all kinds of transnational factors, weighing the foreign policy of all countries and respecting the principle of reciprocity of all countries, the Chinese government believes that only through international police cooperation can we effectively and objectively detect the case. First of all, the Chinese government leaders attached importance to the investigation work, and met actively with the relevant state leaders. On October 29, 2011, Premier Wen Jiabao exchanged calls to Thai Prime Minister Yinglai. Premier Wen asked the Thai government to intensify the case trial and severely punish the murderer according to the law. China suggested that the four countries establish a joint law enforcement security cooperation mechanism to jointly maintain the Mekong River shipping order. At the same time, the Chinese police were actively involved in various joint law enforcement meetings and patrols.

On December 10, 2011, the Chinese police officially participated in the joint patrol enforcement operation initiated by the four countries in the Rakhine-Manchurian border in Xishuangbanna. On December 11, 2011, China's police participated in the Joint Meeting of Chief Police Officers on the implementation of the joint enforcement action to combat the serious security problems that threatened the safety of the Mekong River. On October 31, 2012, under the active advocacy of the China, the Mekong River Basin Law Enforcement Cooperation was held in Beijing, which made the international law enforcement security move into a new development stage. The tragedy prompted the Mekong River countries to realize that the security situation in the Mekong River was becoming more and more serious. Coastal countries could protect their safety and maintain the stability of the Mekong River Basin only by jointly strengthening cooperation in law enforcement agencies, and speeding up the establishment of international police cooperation mechanisms.

## Conclusion and Implications

### *The Construction of an International Police Cooperation Mechanism Among the Countries in the District of the "Maritime Silk Road"*

Through the above analysis of the case, we recognize that the effectiveness of international police work is largely dependent on the existence of a cooperation mechanism. Moreover, this mechanism should be composed of the following aspects:

**Joint meeting system of chief police officers.** Based on the existing ASEAN police chief meeting mechanism, we can take it as a reference example once a year. To hold multilateral or bilateral talks through the convening of the Inter-State Police Chiefs' Meeting to explore ways and means of conducting police cooperation in the field of non-traditional security and to formulate medium- and long-term cooperation plans in accordance with the purposes and principles of the Joint Declaration of the Conference, areas of cooperation to make specific decisions, and to monitor the implementation of cooperative measures.

**To send high-level police liaison officers to each others' capitals.** It's necessary to deal with temporary police cooperation and liaison matters in order to improve the resilience of policing between member countries. At the same time, the appropriate specifications of the permanent liaison agencies should also be set up in the border areas to facilitate combating cross-border crime by a dedicated liaison officer.

**Organization of international police cooperation forum.** A forum is needed to strengthen the academic exchanges between the police in various countries, to enhance mutual understanding and the understanding of the police system, police laws, police theory and police culture, and to improve the

research and development of the police cooperation theory in response to non-traditional security challenges.

**Establishment of a permanent senior police officer and expert working group.** The Senior Police Officers and the Expert Working Group are specifically responsible for the specific affairs of the police cooperation between Member States and are directly accountable to the Chief of Police meetings. The members of this special working group are composed of senior officers elected by various countries, experts and scholars in relevant fields, and carry out frequent bilateral or multilateral consultations on relevant cooperation matters, and implement the action plan prepared by the police chief meeting.

### ***Implications***

The successful detection of the Mekong tragedy has provided much experience for future international police cooperation in China, and brought us some useful implications:

1. The government should timely advocate the establishment of new cooperation mechanisms around the countries and pave the way for safe cooperation between China and the countries of “Maritime Silk Road” on the basis of the principle of mutual benefit and reciprocity.
2. The government should increase investment in financial resources, the purchase of more security hardware and software equipment, and cultivate more excellent international law enforcement policemen.
3. The government should give great attention to international police cooperation, to timely and effectively enact a series of policies and measures. The implementation of simulated law enforcement activities should be carried out in order to make effective implementation of international conventions.
4. The government should make use of modern science and technology to deal with large-scale transnational crime. Computer monitoring, genetic identification and other scientific and technological means should be widely used to efficiently and accurately break the criminals.
5. The government should focus on “tactics” and do more pragmatic cooperation. The successful detection of the Mekong case will not only deepen regional cooperation and enhance our country’s influence in the region, but also enhance China’s international influence in this region. However, in the process of pursuing this goal, we must pay attention to the tactics and avoid any suspicion and concern.
6. The government should increase the system construction of police liaison officers, and train more professionals responsible for the efficient collection of criminal intelligence.

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# **Law Enforcement and Security Cooperation in the Mekong River Basin: Demands, Conditions and Visions**

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*[Abstract] Demands of law enforcement and security cooperation in the Mekong River Basin have become urgent because there are more and more motivations and coastal countries can benefit from the cooperation. Additionally, there are some favorable conditions for conducting law enforcement and security cooperation. We hope that some measures will be taken for law enforcement and security cooperation in Mekong River in the future.*

*[Keywords] law enforcement; security; cooperation; demand; conditions; vision*

## **Introduction**

The Mekong River is the golden waterway for developing friendly exchanges, trade and tourism between China and Laos, Myanmar, Thailand, Cambodia, and Vietnam, etc. The blood, fate, and benefit of people in these littoral states are tied with each other. Safeguarding the lives and property of the people in the Mekong River Basin is the common aspiration of their police. Only by strengthening the law enforcement security cooperation can the river basin countries maintain stable public security and a favorable social environment. For a long time, in order to maintain the safety of the Mekong River and the stability of the region, the law enforcement departments of China, Laos, Myanmar, and Thailand have strengthened cooperation in fighting against and preventing terrorism, drug trafficking, illegal immigration, smuggling, trafficking in women and children and other transnational crimes with mutual respect and understanding. However, in recent years, the security situation in the Mekong River is becoming more and more serious, and incidents such as robbery, blackmail and shootings by illegal militants have occurred more frequently. This has seriously threatened the people's safety and property who live in this coastal region and has affected the peace and stability of the region. In particular, the "10.5" case that occurred on 5 October 2011 caused a total of 13 Chinese crew members to lose their lives. After the tragedy occurred, a joint task force was set up quickly by the MPS of China to investigate the case, and at the same time, the Mekong River Basin law enforcement and security cooperation mechanism was formed by the joint efforts of the four countries. On December 10, 2011, a joint patrol made by the four countries' police departments came into operation. Today, the "10.5" case has been solved, and Nor Kham, the leader of the criminal group responsible for "10.5" case has been subject to legal sanctions, but how to normalize the mechanism of law enforcement and security cooperation in the Mekong River Basin is still a crucial issue for police departments of the four countries (Huang, & Hu, 2012).

## **Research on Law Enforcement and Security Cooperation in the Mekong River Basin**

Only a few research works on law enforcement and security cooperation were made before the "10.5" tragedy, but we still can draw out the outline, or overview, of law enforcement and security in the Mekong River Basin. Lee (2014) pointed out, "As for a developing country, China participation in a regional cooperation can be seen as a contribution to the international community, especially in its rising

phase. Due to the increasingly tense situation in Mekong River Basin recently, China took action promptly and led to the build up of a law enforcement and security cooperation mechanism with Laos, Myanmar and Thailand, which is a pioneering attempt in cooperation with neighboring countries". In addition, she believed this cooperation mechanism fully reflected some characteristics of ASEAN mechanisms such as "preference for informality, avoidance of excessive institutionalization, stressing consensus and proposing a bilateral model compatible with multilateralism" (Lee, 2014). Chen (2014) discussed the challenge of the law enforcement and security in Mekong River Basin for the four coastal countries: China, Laos, Myanmar, and Thailand. She thought these four countries were at different levels of economic development and performance, willingness to cooperate, capability of law enforcement. and domestic political settings. These differences directly led to the differences in the benefits that each country would receive from the cooperation and generated big challenges for the law enforcement and security cooperation. After analyzing the mechanisms of the integrated cross-border law enforcement cooperation between Canada and United States, Wang (2014) explored the mechanisms for joint law enforcement and security cooperation in the Mekong River Basin. He thought that although there are issues of State sovereignty, the right to privacy and accountability, the United States and Canada unceasingly explored the feasibility of expansion of areas and levels of cross-border law enforcement cooperation. The successful experience of cross-border law enforcement cooperation between Canada and the United States offered an important reference for the perfection of the mechanisms for joint law enforcement and security cooperation in the Mekong River Basin. Cheng (2014) and Guo (2015) gave detailed discussions on how to create the mechanism for law enforcement and security cooperation in the Mekong River Basin. They emphasized that the four countries should focus on combating serious transnational crime based on the legal framework and realize cooperation by promoting the capability of providing public production in the Mekong River Basin.

### **Demands for Law Enforcement and Security Cooperation in the Mekong River Basin**

With the rapid development of the world, motivations for promoting law enforcement and security cooperation in the Mekong River basin have emerged. First, the relationships between countries in Mekong River basin are getting increasingly closer. The geographic affinity with same mountain chains and water source has brought about similar national cultural traditions and values. Moreover, the regional convenient circulation has promoted communication and cooperation between the river basin countries. Then, the increasing transnational crimes in the river basin and gradually complex security situation has also brought the countries together. The increasingly closer relationship between the Mekong River countries not only promoted regional economic and social development, but also has objectively provided favorable conditions for criminal activities, which has led to the aid of transnational crime in the region and the gradually complex security situation. From the current situation, transnational crimes in the region mainly include drug-related crimes, arms smuggling, transnational economic crimes, human trafficking, and cross-border gambling, etc. Despite the repeated fighting, the situation is still grim and has brought serious impact on social order in the watershed countries. Furthermore, it is the responsibility for national police departments to protect the watershed public security. Although it is a world social system, the ideology and legal systems are varied, and maintaining stable social security and guaranteeing people's peaceful lives and working still turns out to be the national police's sacred mission. In the face of the complex security situation in the basin, only by earnestly performing the police duties of each country can they realize the justice goal of state governance.

There are also special demands for law enforcement and security cooperation in transnational crimes. Transnational crimes usually have the characteristics of mobility, diffusivity and serious consequences, etc. It is very difficult for a single national police department in the basin to realize effective control of transnational crime in the river basin. The current situation is in urgent need of law enforcement cooperation among countries in the basin. Jurisdictional restrictions also require law enforcement and security cooperation. Transnational crimes often involve two or more States, and the police department of each country can usually exercise criminal jurisdiction only within their own sovereignty and boundaries. Therefore, transnational crimes are often limited by jurisdiction. In this case, strategies from the governments and police departments of the basin are required, such as carrying out law enforcement cooperation in the context of mutual jurisdictional assignment by bilateral or multilateral agreements.

Finally, fulfilling the peaceful development concept of promoting development through security. Peace and development are the themes of today's world. Over the years, China has been committed to seeking new ways to maintain peace and security, and gradually they formed a new security concept with the core of "mutual trust, mutual benefit, equality and cooperation" in long-term practice. While Chinese peripheral foreign policy has always persisted in building good relationships and partnerships with its neighbors, and has adhered to good, stable and rich neighborliness. The concept sticks out kind, sincerity, benefit and tolerance, combining the Chinese Dream with the desire of neighbor people's better life and developing common prospects. At the opening ceremony of the 6th Ministerial Meeting of the China-Arab Cooperation Forum held on June 5, 2014, Chinese President Xi Jinping (2014) pointed out, "China pursues common development, thus we will not only live well by ourselves, but also let others have a good life". It fully expresses the cooperation and win-win concept in Chinese foreign policy. The main purpose of this new Chinese security concept is to promote the common development of China and its neighboring countries through regional security cooperation. As a close neighbor across the water, China is willing to create a favorable social environment for the common development of countries in the Mekong River Basin through law enforcement security cooperation.

Another reason for the demands of law enforcement and security cooperation in the Mekong River Basin is the four countries can benefit from the cooperation mechanism. These benefits include the following:

1. An effective solution to transnational crimes and other security problems – For the concealment, high mobility and complexity of transnational crimes in Mekong River and the geographical characteristics of the river basin, a single national force cannot effectively cope with the complicated social security situation in the basin. While through law enforcement security cooperation among the countries of the Mekong River Basin, we can solve a series of problems such as intelligence cue collection, cross-border forensics, arresting criminal suspects and extraditing criminals during the detection of transnational crime cases. In this way, problems of Chinese crimes and other public security in watersheds can be effectively solved.
2. The promotion of national law enforcers' capacity – Law enforcement security cooperation has provided mutual exchanges and learning opportunities for law enforcers in the basin countries, which is conducive for national law enforcers to get comprehensive improvement in enforcement standardization, police tactics and skills through mutually learning and reinforcement (Godeanu, 2010). In addition, through law enforcement security cooperation, each nation's law enforcers can learn more about the local customs, law enforcement environment

and legal system of other countries in the Basin, so as to enhance the effectiveness of their law enforcement activities.

3. The enhancement of mutual understanding and trust – In law enforcement security cooperation, through dialogue and mutual listening, each side can not only make their willing to be the most fully expressed, but also continue to eliminate the barriers and coordinate the conflict in benefit. Therefore, the process of law enforcement security cooperation is a continuous enhancement of mutual understanding and trust among law enforcement agencies and personnel in the basin.
4. Good environment provided for regional economy and social development – Economic and social development is inseparable from a safe and stable social environment, and security problems will inevitably affect economic and social development.

### **Favorable Conditions for Law Enforcement and Security Cooperation in the Mekong River Basin**

As we can see, presently there are enough favorable conditions for law enforcement and security cooperation in the Mekong River Basin. First, based on the special geographic affinity, people of countries in the river basin have already formed a profound friendship in history, which provides a favorable social foundation for law enforcement security cooperation. Then, with the help of newspapers, radio, television and various new media, we are embracing a *shrinking world* where people are increasingly concerned on domestic and international daily events (Balzer, 1996). As close neighbors across the water, the Mekong River Basin countries can use the changing trend to learn more about the external world and the importance of cooperation and exchange among countries in the basin. What's more, the increasingly close relationship between countries in the Mekong River Basin, especially in the establishment of the Great Mekong sub-region economic cooperation mechanism, has in fact turned these countries into a community of interests. Once several hot security issues have occurred, the harm cannot be confined to one country. Therefore, the increasing consensus of regional hot spots and vital issues have provided an important ideological foundation for the river basin countries to develop law enforcement security cooperation. Furthermore, the local law-enforcing departments in the river basin countries have already accumulated a rich experience in law enforcement security cooperation. Over the past decades, in order to solve difficulties of transnational crimes, the local law-enforcing departments have made full use of intelligence and skills, gathering rich experiences in overcoming the obstacles of judicial system. All of these have laid a good foundation for national law enforcement security cooperation. At last, there has been much practice and effectiveness in the cooperation and exchange between law enforcers and government officials. For the further promotion of developing a law enforcement security cooperation mechanism in Mekong River basin, the cooperation and exchanges between the four countries' law enforcers and government officials also keep growing, which not only is reflected in the law enforcement, but also in the aspects of exchange and training of law enforcers and government officials.

### **Visions for Law Enforcement and Security Cooperation in the Mekong River Basin**

The construction and improvement of the joint cooperation mechanism in the Mekong River Basin is not a matter that can be solved very easily; it's a systematic project and must be understood in the context of political cooperation and economic cooperation among countries. Nonetheless, we still have some visions for it.

1. Develop an agreement for law enforcement security cooperation in the Mekong River basin. This is the guarantee of long-term and effective law enforcement security cooperation. Many detailed works in law enforcement security cooperation rely on a specific agreement. Although there are some obstacles in the agreement due to the differences in judicial systems of the river basin countries, we still believe it's possible to accomplish the cooperation agreement built on the foundation of good political relationship, regional friendship and the intelligence of each country's relevant functional departments. If we spend too much time on negotiation, we won't solve the problems by law enforcement security cooperation when the urgent and vital issues are raised in the river basin.
2. Exchange of law enforcers between the river basin countries. In the face of characteristics like abruptness, urgency and complexity in the basin, internal transnational crimes, and other security issues, solutions to these issues might be delayed because of the complex and tedious procedures of law enforcement security cooperation. Therefore, we believe that countries in the river basin must break the traditional confusion of jurisdiction and state sovereignty and get a correct understanding of the relations between them. Based on the appropriate assignment of jurisdiction, each country can extend their jurisdiction to other river basin countries and improve law enforcement efficiency by the exchanges of law enforcers.
3. Construction and application of joint law enforcement forces with each country's participation. The causes of transnational crimes and other security problems in the Mekong River Basin are complex, and their trajectory or consequences may also involve many countries in the river basin. Solutions to relevant issues must take advantage of all countries' joint law enforcement powers rather than relying on enforcement actions of an individual country. In this case, the construction and application of law enforcement power with the participation of all countries appears to be very important.
4. The implementation of a police exchange program. At present, the exchange of global police has become more and more frequent. As the countries in the Mekong River Basin have traditional deep friendships, they should also further deepen law enforcement security cooperation among themselves with more police exchange programs. These exchange programs not only can enhance the brotherhood between each police individual, but also can create much more frank exchange environment for police from all countries, which helps to gain more understanding and identity of different cultures and traditions and to enjoy a much more harmonious atmosphere in law enforcement security cooperation.
5. Joint training of the National Police in the Mekong River Basin. While in the process of law enforcement cooperation, the high efficient operation relies on law enforcers' enforcement literacy and insight of the legal system, judicial system and local customs of countries in the river basin. Professional knowledge and skills that domestic law enforcement are lacking are required for law enforcement security cooperation. It's difficult to acquire the knowledge and skills through enforcement training from a country itself. In this case, it's a wise strategy selection to joint exploring and developing police training programs by countries in the river basin.
6. Expand law enforcement security cooperation into China-ASEAN cooperation. In fact, the harm of transnational crimes and other security problems faced by the Mekong River Basin countries is

already beyond the scope of the Greater Mekong sub-region and involves the entire ASEAN region. Therefore, it is necessary to extend the existing law enforcement security cooperation in the Mekong River Basin to China-ASEAN cooperation. Moreover, the establishment of a China-ASEAN law enforcement cooperation in the security mechanism has already received sufficient realistic conditions. Since the 1990s, the two sides have launched close cooperation in fighting against transnational crimes, such as drug trafficking, illegal immigration, piracy, terrorism, arms smuggling, money laundering, international economy and cyber crimes, and have published a series of declarations or action plans on cooperation in the non-traditional security field. Therefore, it is imperative and feasible to consolidate the existing practice and to deepen the further development, and finally to form a law enforcement security cooperation mechanism between China and ASEAN.

### Conclusion

To establish a law enforcement and security cooperation mechanism in the Mekong River Basin is a common need of the people living along the river. It's also a common interest of the coastal countries, especially when the situation of public safety in the Mekong River Basin is still very complicated. Though there are adequate favorable conditions for building up law enforcement and security cooperation mechanism now, China, Laos, Myanmar, and Thailand have not yet signed an agreement of law enforcement and security cooperation due to differences in the levels of economic development, willingness to cooperate, and ability of law enforcement management among the four countries, so the cooperation mechanism is lacking an effective legal guarantee. If the visions of a law enforcement and security cooperation mechanism in the Mekong River Basin we talk about in this paper can be realized under the joint efforts of the four countries, this mechanism will make a great contribution to safeguarding regional security and stability, and promoting regional economic development. As China's Public Security Minister Guo Shengkun (2015) said, "We should adhere to the common, comprehensive, cooperative and sustainable Asian security concept, vigorously carry forward *the spirit of the Mekong River*, take *safety of Mekong River* as the goal, further deepen the cooperation of law enforcement agencies and build up upgraded mechanism of law enforcement and security cooperation for the prosperity and development of the region, create a more secure and stable environment for the benefit of the people along the river."

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# Curriculum System Construction for English Majors Under the “Belt and Road Initiative”

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**[Abstract]** *The curriculum system is a carrier of talent training for colleges and universities, and also a bridge for putting educational thought and concept into practice. For English majors, to construct a distinctive curriculum system is a key to cultivating interdisciplinary and application-oriented English talents for newly-established colleges and universities. In the context of “Belt and Road Initiative”, this paper proposes a “three-competence” English curriculum system for training English talents from the perspective of competence-based education to explore sustainable development of newly-established colleges and universities during the period of transition, particularly to meet the demands of regional economic development and the new situation of higher education reform and development.*

**[Keywords]** *curriculum system; English major; competence-based education; English talents*

## Introduction

In the current regional economic integration, especially in the background of the “Belt and Road Initiative”, connectivity and cooperation among countries and enterprises along the routes and the world-at-large will be greatly increasing. Language education, as an important basis to promote economic development and culture exchange, becomes very crucial. In other words, with the implementation of the Belt and Road initiative, a large number of foreign language talents will be greatly needed, which brings foreign language teaching, especially English teaching to unprecedented challenges and opportunities. On the one hand, existing professional foreign language talents have been unable to meet the actual demands of social and economic development. On the other hand, there is a great shortage of excellent language-qualified talents. Meanwhile, in recent years, with national documents written, such as the *Long-term Educational Reform and Development Plan (2010-2020)* (State Council, 2010), and the *State Council on the Decision to Develop Vocational Education* (State Council, 2014), many local newly-established colleges and universities have taken a quick response and turned to transformation development as application-oriented technology colleges and universities. “Transformation development” and “vocational education” have become a new trend for current higher education reform, especially for newly-established colleges and universities. In other words, the new situation in economy and education definitely brings higher requirements for a talent training pattern in tertiary education. Faced with such situation, how newly-established colleges and universities promote quality of talent and optimize their training program is a problem demanding a prompt solution, while constructing a distinctive curriculum system is the key to solving this problem.

The English major, as one of a typical traditional liberal arts degree, as well as being one of most popular languages in countries along the routes, is faced with great challenges and chances, particularly for an English major in newly-established colleges and universities. According to the status quo of students and teachers, how to accurately position talent training goals, how to highlight their own major characteristics that are different from other colleges and universities, and how to cultivate highly qualified



and application-oriented English talents to directly serve the development of the regional economy are questions that need to be highly considered. The construction of a curriculum system with distinctive features has become a prerequisite for English major to solve the above problems. Therefore, from the perspective of competence-based education, this paper takes a “three-competence” curriculum system for the English major (Undergraduate Education Plan, 2016) in Xi’an Fanyi University as an example to explore the construction of an interdisciplinary and application-oriented talent cultivation curriculum system for newly-established colleges and universities.

### **Theoretical Basis**

Competence-Based Education (CBE) is referred to as “outcomes-based education”, “performance-based education”, and a “technological approach”. It originated in the United States in the 1960s in the field of primary and vocational teacher education, as well as vocational education (Harris, 1995). Grant, Elbow, and Gamson (1979) stated, “CBE tends to be a form of education that derives a curriculum from an analysis of a prospective or actual role in modern society and attempts to certify students’ progress on the basis of demonstrated performance in some or all aspects of that role.” According to Spady (1994), CBE is described as “...it means clearly focusing and organizing everything in an educational system around what is essential for all students to be able to do successfully at the end of their learning experiences”, which lays emphasis on the outcome, and the ability to do. This theory of CBE was first brought to Canada and rapidly spread to the United Kingdom (Velde, 1999) and Australia (Arguelles, & Gonczi, 2000) in the area of vocational education and training, and since then, it has guided the development of vocational education and reform. It was not until 2002 that great progress was achieved, and Jones (2002) proposed three methodological landmarks that characterized a competence based curriculum: a description of the competence; a means of assessing the competence; a standard by which the student is judged to be competent.

With the development of vocational education reform in the early 1990s, CBE was introduced into China, and welcomed by many educators and scholars. For instance, Liu Chengwei (2001) comprehensively introduced the basic connotation of CBE and pointed out that CBE should focus on providing guidance on the capabilities needed by students after they held positions in an enterprise. Another scholar, He Zhen (2003) systematically analyzed the implementation of CBE, and stressed how CBE should be coherently progressive with manpower and materials supported. Besides, Yang Bo (2003) explored the CBE application in vocational education in Australia and brought certain inspiration to us in the framework for the convergence between academic diplomas and qualification certificates. In recent years, the significance of CBE has been emphasized by scholars such as Wang Binwei and Zhou Xiaodong. They pointed out that majors and curriculum should be set up and developed according to social and vocational needs, students’ practical abilities to be trained and practical courses should be developed to enhance students’ professional qualifications. All in all, the research on CBE has mainly involved three fields: theoretical research on CBE; the enlightenment of foreign BCE research on China’s vocational education reform; application of CBE in China’s vocational education reform.

Nowadays, CBE, as an internationally popular Vocational Education system, focuses on cultivating students’ practical ability training to obtain positions and meet the needs of enterprises. It is the comprehensive competence of professional position rather than a single skill. The essence of CBE is implied as follows: 1) CBE is centered on the professional practice based on the future professional practice of graduates. The profession is a focus in the whole curriculum. 2) CBE is learner-centered and

learning process-centered, and it highlights the quality of the acquired knowledge through active construction better than passively gained knowledge. 3) Each learner’s competence improvement is focused. The body of knowledge is no longer the criterion for arranging the curriculum, but the professional competence should be considered in designing the curriculum. The knowledge and skills are determined by the competences that are needed by an actual position.

### Curriculum System Construction for the English Major

According to the new national English Teaching Syllabus for English Majors (hereafter referred to as Syllabus) issued by the Ministry of Education, the cultivation objective for English majors is to cultivate interdisciplinary English talents with a solid English language foundation and extensive cultural knowledge so they can engage in the work of translation, teaching, management, research in foreign affairs, education, economic and cultural departments. Courses for English Majors can be divided into three types: English professional skills, English knowledge, and related professional knowledge. The Syllabus embodies the instructional philosophy of “people oriented, student centered”. It requires cultivating students’ English integrated application abilities, including the ability to use the English language, and related professional abilities, as well as innovation abilities. Under the requirements of Syllabus, based on the CBE theory, the “three-competence” curriculum system” for the English major in the context of Belt and Road initiative was constructed in Undergraduate Education Plan (2016) in Xi’an Fanyi University as follows in Figure 1.

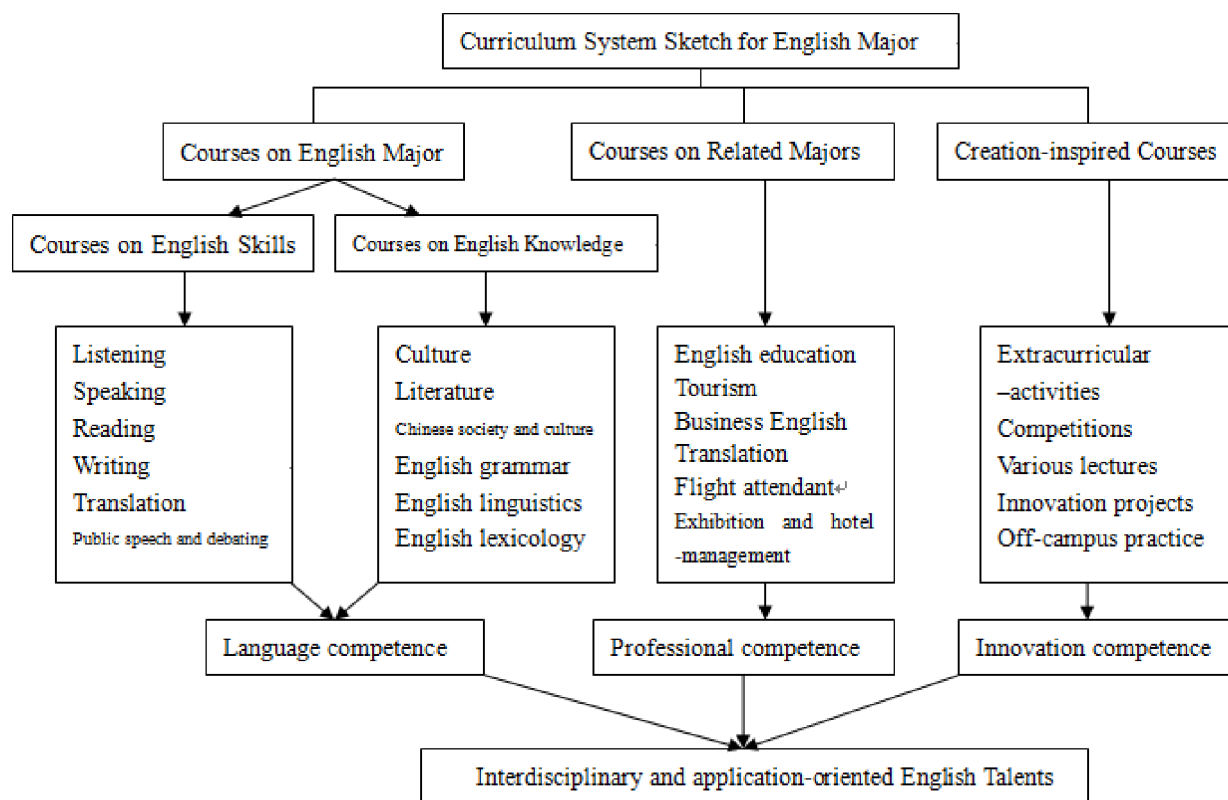


Figure 1. Curriculum System Sketch for English Major

The Curriculum System for English Major is composed of three types of courses: courses for the English major, courses for related majors, and creation-inspired courses. The final objective is to cultivate interdisciplinary and application-oriented English talents to serve regional economic development.

### ***Courses for the English Major***

There are two sub-types of courses included. One is focused on English skills, specifically including listening, speaking, reading, writing, translation, public speech and debating, phonetics and so on. These types of courses account for 576 teaching periods. The purpose of these courses is designed is to train students' language application skills, especially to improve students' abilities to express themselves successfully in different situations in English. The other purpose focuses on English knowledge, including integrated English, advanced English, culture, literature, Chinese society and culture, English grammar, English linguistics, English lexicology and so forth. Such courses, amount to 816 teaching periods, and provide an important means for students to contact the English language and culture so as to improve their comprehensive cultural literacy. Therefore, courses on English skills and English knowledge together ensure students have improvement in their English integrated application ability and language ability.

### ***Courses for Related Majors***

Based on the investigation of requirements for the regional economic development for English talents, there are six professional modules (English teaching, tourism, business English, translation, flight attendant, and exhibition and hotel management) provided for students to select from when they are in the third year of university life. The fundamental theoretical (144 teaching periods) and practical specialized courses (112 teaching periods), which emphasize close contact with demands of enterprises, are designed in each professional module. In addition, there are one or two practical specialized courses to complete the teaching mission together with enterprise cooperation to help students adapt to actual work more quickly. Courses on related majors not only widen students' knowledge scope, and expand their international vision, but also strengthen their practical and professional abilities, and develop their autonomic learning interests and abilities. In short, the objective of courses designed for related majors is to cultivate students' professional abilities and increase their employment competitiveness.

### ***Creation-Inspired Courses***

The curriculum is the necessary route for the achievement of the education objective. Based on its pattern of manifestation and its way influencing the student, this curriculum can be divided into a manifest and hidden curriculum (Shi, 2011). Belonging to a part of hidden courses, creation-inspired courses in particular refer to out-of-class courses including extracurricular activities, competitions, various lectures, innovation projections, off-campus practice and so on. They are chiefly characterized as participation and learning-by-doing classes. By participation, students not only digest what they learn in class, but also put what they learn into practice to greatly improve their practical abilities. Their learning interest is greatly aroused, which definitely facilitates their innovation abilities. In addition, such rich and colorful courses provide students with various chances of directly getting into practice in real situations through the four years of university; thus, greatly tapping students' innovation ability.

### **Characteristics of the “Three-Competence” Curriculum System**

Under the background of the Belt and Road initiative, with the guidance of CBE, the “three-competence” curriculum system has the following characteristics: 1) According to the location of the newly-established universities, the clear goal of English talent cultivation is established, which is to cultivate interdisciplinary and application-oriented English talents with well-built language competence, sound professional competence and a strong sense of innovation and competence. So, all of the courses offered are focused on students’ competence training, highlighting the practicality of the new curriculum aimed at improving students’ competence of language services compared with the Undergraduate Education Plan (2013). Practice teaching credits account for 37.8% of the total credits. 2) Taking students’ employment as the orientation, new professional modules like that for flight attendants, and exhibition and hotel management are set up for students’ preferences based on the investigation into demands of enterprises to meet the requirements of regional economic development. Besides, practical courses are given special attention in each module. 3) We attempt to offer some courses implementing teaching tasks by the colleges and enterprises together to explore the course teaching combination between subject course and working process with the help of enterprises cooperation. The purpose of this attempt is to strengthen students’ adaptation to the profession and employment competition ability. 4) We also attempt to design some courses such as international tourism, educational psychology, and pedagogy primarily aimed at obtaining professional qualification certificate of jobs to probe into certificate-course docking and professional-post docking.

### **Conclusion**

During the implementation of the Belt and Road initiative, language is a basic guarantee for the corresponding policy consultation, trade contacts and construction of infrastructure. Accurate and appropriate language communication paves the way for economic reciprocity. At the same time, it is no doubt that the Belt and Road also provides a large platform for multicultural communication. Therefore, it is particularly critical to make the use of the function of foreign language and Chinese for learning from a foreign culture and publicizing the Chinese culture. Thus, the curriculum system for the English major under CBE in newly-established colleges and universities should pay a lot of emphasis on students’ language ability cultivation to ensure acquiring their rich knowledge, and their professional ability of related majors to meet the needs of their occupations in different areas, as well as innovative awareness and ability cultivation to improve students’ core competence. Only in this way can the newly-established colleges and universities achieve interdisciplinary, application-oriented English talents objective put forward by Syllabus.

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# A Corpus-Based Study of Lexical Features of Nonnative English from the Perspective of the Belt and Road

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*[Abstract]* English as a nonnative language is used in the regions along the Belt and Road. Based on CONTEC, part of which consists of a subcorpora of nonnative English by Chinese and native English texts, this article focuses on the discussion of lexical features of nonnative English texts in two genres of fiction and news by comparing the nonnative and native texts in terms of keyword analysis and key POS analysis. The results reveal the same features of translational universals as explicitation and interference of the source language.

*[Keywords]* the Belt and Road; keyword analysis; explicitation; SL interference

## Introduction

The “Belt and Road” initiative is the most ambitious comprehensive regional economic cooperation strategy proposed by the Chinese Government. English has become a very important tool to bridge the different cultures along the regions of the “the Belt and Road because it is an international language, and is also used by people in these regions. Most of its use today is by nonnative speakers (e.g. English is used as the working language in ASEAN), and the number of people using it as a foreign or second language has surpassed the number of its native speakers (Mauranen, 2003). Therefore, it is of significance to study the linguistic features of English as a nonnative language or a lingua franca. It was Mauranen (2003) who compiled the first corpus of ELF (English as a Lingua Franca) in academic settings, which consists of spoken language (the ELFA corpus). Using ELFA as the database, she uncovered some discourse and lexicogrammatical features such as negotiating topics, and discourse reflexivity, etc. In contrast to ELFA as a spoken variety, we have constructed CONTEC (the Corpus of Nonnative and Translated English by Chinese) to investigate the lexical features of nonnative English from the perspective of Chinese in its written form under the framework of translation universals (simplification, explicitation, and normalization, leveling-out, etc.) by using keyword analysis.

Keywords are a list of words that are unusually frequent when compared with their frequency in another reference corpus. They are not necessarily the most frequent words in a corpus, but they are those words that are recognized by comparing a “target” corpus with another, usually a larger corpus, which is considered as the reference corpus (Evison, 2010, p. 127). A keyword analysis normally involves at least two wordlists by using WordSmith tools. The keywords in the present research were extracted based on the two word lists of NNW (Nonnative English Writing) and NS (Native speaker’s English writing), with the latter one as the reference. We will investigate the keywords of nonnative English, including positive (overused words or words with significantly higher frequencies in NNW than NS) and negative key words (underused or significantly lower than NS).

## **The Components of the CONTEC Corpus**

CONTEC is a monolingual comparable corpus of English with two versions of texts: the raw corpus and the POS tagged corpus, composed of data produced by Chinese speakers who translated Chinese texts into English and made use of English as a Lingua Franca in their writing, as well as those produced by English native speakers. It consists of three subcorpora with each containing two text categories (fiction and news): translated texts (TR), and nonnative writing (NNW) in English and native English (NS) texts which are used as a reference. Since the article focuses on linguistic features of nonnative English based on the comparison between nonnative and native English texts, what follows below is a brief description of the four components of the corpus: nonnative English of fiction (NNW-F), nonnative English of news (NNW-N), native speaker's English of fiction (NS-F) and native speaker's English of news (NS-F).

### ***NNW-F***

The fiction component of nonnative English writing subcorpus, NNW-F, with 1,031,403 running words, consists of ten novels directly written in English by Chinese writers or overseas Chinese writers who live in the USA and Britain (such as Ha Jin, and Amy Tan, etc.). The data were downloaded from IASK and Baidu online on the web with time of publication mainly around 2001. The 10 novels were sorted here in 10 files, with all in complete texts except *The Hundred Secret Senses*.

### ***NNW-N***

The news component of nonnative English writing subcorpus, NNW-N, made up of 21 news texts (199602-199801) by Chinese professional English reporters, is sampled from the Xinhua news component of the LDC's Gigaword English corpus, totaling 2,268,531 word tokens.

### ***NS-F***

To support our investigations based on CONTEC, we needed comparable native (i.e. non-translated) English data as the reference corpus. For this purpose, we decided to use the fiction parts of FLOB and FROWN for the fiction component of the native English subcorpus, NS-F. This subcorpus of native English is comprised of five types of fiction, totaling 485,641 tokens.

### ***NS-N***

For the news component of the native English subcorpus, NS-N, we took samples from the news texts produced by the Associated Press Worldstream English Service, published by the LDC as part of the Gigaword English corpus. After random sampling in the same way as for NNW-N, we used the news component of native English subcorpus with a total of 2,563,187 tokens in 21 files.

## **Keyword Analysis of Fictional Nonnative English (NNW-F)**

Scott (1999) suggested that keyword lists usually represent "aboutness" keywords, but what we are concerned with is language form rather than content, so what we should investigate is grammatical words. We can see that first- and second-person pronouns, sentence relative "which", and causative subordination "because" are overused in nonnative English (NWW) compared with native speaker's English (NS). The heavier use of pronouns and connectives can be considered as evidence of explicitation, which shares similarities with translational explicitation in other studies (Chen, 2006). Similar observations were also found in HK English learners in Milton's (2001, p. 16) study in that some common subordinating

conjunctions such as “*since*” and “*because*” are “greatly overused for their semantic value in signaling straightforward declarations of reason and result”.

There is another predominant occurrence of “*to*” which is required to differentiate between the prepositional “*to*” (10,190 counts in NNW) from the infinitive marker “*to*” (18,538 counts in NNW) on the basis of the POS-tagged texts. This resembles the English learners in European countries with a high use of infinitives in comparison with the native texts (Granger & Rayson, 1998, p. 129).

The most significantly under-represented words in NNW-F were western names such as “*Gary, Jack, Brown,*”, or those unique nouns related to western culture like “*Captain, darling, God*”. Apart from the lexical “aboutness” words, some interesting negative key function words were also found in NNW-F. The first kind of these negative keywords, or less frequently used words, could be put under the umbrella term “hedges”, such as “*something*”, “*sort of*” and “*quite*”. The underuse of hedges by Chinese writers with English as a Lingua Franca or nonnative writers shows that they have difficulties in hedging, or “Chinese writers of English tend to be more direct and authoritative in tone than English native speakers and to make unjustifiably strong and disconcerting assertions” (Hu, et al., cited in Milton, 2001, p. 80). For example:

*Example (1) “Who ask you be genius?” she shouted. “Only ask you be your best. For you[r] sake. You think I want you be genius? Hnnh! What for! Who ask you!” (“The Joy Luck Club” in NNW-F, CONTEC)*

In the dialogue of Example (1), there are no hedges or modalities to soften the mood, which are more likely to be used in the native texts. It is not surprising that L2 writers have difficulties moderating their claims and their comprehension and effective use of hedging often depends on cultural subtleties that put them at a distinct disadvantage (Hu, et al., cited in Milton, 2001, p. 80). In addition, nonnative texts use discourse markers “*well*” (which can also be used as a mitigator) far less often than native texts, which are consistent with other studies by Chinese scholars (see Li Min, & Chen Xinren, 2007). The underuse of the definite article “*the*” and third-person pronoun “*it*” in NNW-F points to the existence of SL shining through in the nonnative texts because there does not exist definite article or the relevant equivalent “*它*” is seldom used in Chinese.

Another kind of underused word in NNW-F is the common verb “*get*”. One possible explanation might be the avoidance strategy employed by the nonnative writers. Just as Sinclair (1991, p. 79) explained, “many learners avoid the common verbs as much as possible, [...] Instead of using them, they rely on larger, rarer, and clumsier words which make their language sound stilted and awkward”.

Similarly, it is possible to compare the frequencies of POS tags in one POS list against another in order to determine which POS categories occur statistically more frequently in POS list A in comparison with POS list B and vice versa.

What is interesting to note here is that possessive pronouns (APPGE), as a class, are overused in NNW-F, which demonstrates normalization tendency similar to that in TR-F. Milton (2001, p. 31), from another perspective, explains the reasons why HK students overuse possessive pronouns from another perspective, saying, “The possessives that account for the class being overused are generally employed in a deictic rather than in an intersentential anaphoric sense.”

We have noticed the profusions of verb categories or forms (VVI, VBDR, VBDZ, TO, VVN, VVD), which are overused in NNW-F, probably because of the dominant use of verbs as a class in Chinese (Yang, F., 2006, p. 21), which are transferred into the writing of English as a Lingua Franca by Chinese writers. “We come to believe that nonnative writing is a kind of translation. *Waiting* by Ha Jin is a typical example”



(Zhang Yan, 2010, p. 71). This seems to support the hypothesis of SL shining through as Chinese likes to use verbs (Chen, D., 1998).

Evidence of “SL shining through” can also be found from the overuse of measurements (NNU), from which we can also see the transfer or “interference” from Chinese, because Chinese is rich in measurement words while English lacks unit measures (Huang, & Liao, 1988).

Another category, conjunctions (CS, CC), is also overused in NNW-F, which reveals the explicitation tendency (Huang, 2007) and the systematic difference between English and Chinese. Chinese is a language of parataxis, while English is one of hypotaxis that depends on conjunctions to connect clauses.

We can also explore the negative key POS categories or those POS categories that occur significantly less often in NNW-F than in the NS-F by using keyword function of WordSmith tools. One of the underused categories is the copular verbs (VBM, VBZ, VBR), which can be partly interpreted by the hybridity of English and Chinese in nonnative novels written by overseas Chinese writers such as Amy Tan who uses a lot of non-standard learner English. Owing to the influence of Chinese culture and language abounding in loose sentences, these writers have a fondness for the omission of copulas in their writings or for the sake of characterization. For example:

*Example (2) Yan Chang called loudly to other servants to take our luggage, called another servant to bring tea and draw a hot bath. And then she hastily explained that Second Wife had told everyone not to expect us for another week at least. “What a shame! No one to greet you! Second Wife, the others, gone to Peking to visit her relatives. Your daughter, so pretty, your same look. She's so shy, eh? First Wife, her daughters...gone on a pilgrimage to another Buddhist temple...Last week, a cousin's uncle, just a little crazy, came to visit, turned out not to be a cousin, not an uncle, who knows who he was...”. (“The Joy Luck Club” in NNW-F, CONTEC)*

The omission or underuse of copulas echoes Milton's (2001, p. 73) observation that both copula and auxiliary functions of “be” are underused in HKIL.

### **Keyword Analysis of News Nonnative English (NNW-N)**

Keyword analysis, based on the top 100 key words of NNW-N, demonstrates a similar pattern to TR-N. Main themes of texts in NNW-N are reflected from the nouns concerning China at that time, such as “*China, development, economic*”. Of the key function words, some prepositions such as “*in*”, “*of*” and “*between*” are overused, which can be explained partly from the cognitive perspective. Nonnative speakers make extremely effective use of the words they are familiar with. They will map the semantic concept of “在” and “的” in Chinese, their native language, to “*in*” and “*of*” in English, their second language or that as a lingua franca (c.f. Qie, C., 2012).

The overuse of the preposition “*of*” and coordinative conjunctions like “*and*” in the nonnative English texts are also observed in the translational texts as discussed earlier. This lends some support to our hypothesis that translational and nonnative texts share some features in terms of mediation universal features.

“*According*”, another key function word in nonnative news texts, corresponds with Milton's (2001, p. 65-66) observation as one of the most frequent key words in HKIL (Hong Kong Interlanguage), although “*of*”, frequently used in both translational and nonnative texts, is underused in HKIL”, from which we can see some slight differences across the learners', translational and nonnative texts.

Similar to TR-N, lexical words, mostly nouns of the negative keywords produced from NNW-N reflect the topics of the reference corpus like “*Serb, baseball, Bosnian*”. We also found some other very interesting negative keywords such as the following categories:

1. Personal pronouns: “*she, we, him, me, them, he, we’re*” in which the first and second person pronouns are treated as markers of high degree of involvement while the third person pronouns as a marker of narrative, reported styles in texts (Biber, 1988, p. 225).
2. Private verbs, “*think, know*” which represent the different values of the two distinct cultural patterns: individualism and collectivism. The use of private verbs and personal pronouns is indicative of personal style of writing and speaking. Western writers view individualism as a very important merit, and want to be unique and distinct from groups (Triandis, 1998), whereas the Chinese writers, who believe in collectivism, like to hide their dispositions in the groups.
3. General emphatics such as “*just*” are characteristic of informal, colloquial discourse, marking involvement with the topic (Chafe, 1982, 1985, cited in Biber, 1988, p. 241). The underuse of “*just*” in nonnative texts further shows relation to its overuse in the native texts which indicates that western reporters prefer to use direct speeches in the news coverage to arouse readers’ appeal.
4. The infrequent use of subordination including relatives and conjunctions in NNW-N like “*after, before, if, where, what*” confirms Milton’s (2001, p. 15-16) observation that “learners progress from a preference for coordinated arrangements of information to more utilization of subordination” which evidences the simplification tendency.

Regarding the key POS analysis, TR-N exhibits the overuse of the preposition “*of*” (IO) and coordinative conjunctions like “*and*” (CC). It is not strange to find the overuse of the comparisons of numeral nouns in news reports, for Chinese journalists are good at using figures in declaration statements to make a point in the news coverage (Ma Wenli, 2011, p. 161). This can be seen from the key POS categories of numerals (NNO, NNU, MC, DAR,) and conjunctions like “*than*” (CSN).

The negative POS analysis also agrees with that of TR-N and with that of the negative key word analysis in NNW-N. We can see the infrequent use of possessive and second person pronouns (APPGE, PPY) in the nonnative news writing used by the Chinese reporters, which reveal the strategy of “writing, editing and translating as one” of Chinese national newspaper in English, *China Daily* (Ma Wenli, 2011, p. 67). So, the language cannot avoid the Chinese flavor of abstract, “big words” (pompous words) of publicity rather than those with more immediate context in the native news texts. Similarly, the relative pronoun “*who*” is used almost exclusively with an animate (human) head and usually with subject gap positions (Biber, et al., 1999, pp. 612-614).

## Conclusion

The study of nonnative English used by Chinese writers or journalists can be an inspiration or a typical example of the nonnative language for the Belt and Road regions. This article focuses on the discussion of lexical features of nonnative English texts in the genres of fiction and news by comparing the nonnative and native texts in terms of keyword analysis and key POS analysis. Keyword analysis of nonnative fiction uncovers the same features as translational texts. There is a heavier usage of pronouns and connectives that can be regarded as indication of explicitation. Similar to Milton’s (2001) findings, we also found in the present study that possessive pronouns are overused in the nonnative fiction, which, according to Milton’s explanation, reveals the deictic, rather than intersentential, anaphoric role in the language. Keyword analysis of nonnative news texts reveals features similar to translational news. A few prepositions like “*of*”

and coordinative conjunctions like “and” are comparatively overused, which demonstrates the SL interference from Chinese of joining simple sentences with “and”. Other linguistic features such as syntactic ones are also found in other studies.

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# **Core Competencies Improvement for Intelligence Analysts Under the Belt and Road Initiative**

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**[Abstract]** *China's Belt & Road Initiative continues to deepen, which has a far-reaching impact on the economy, politics and culture. At the same time, transnational crime and organized crime will become rampant, thus exerting huge challenges on police work. Therefore, it is essential to strengthen the capacity building of police law enforcement, especially to enhance the quality and ability of the intelligence analysts, and to seek an appropriate mechanism for the exchange of information and joint intelligence analysis, to adapt to the new situation of international police cooperation.*

**[Keywords]** *The Belt & Road Initiative; intelligence analysts; core competencies*

## **Introduction**

The Belt and Road Initiative, first initiated and strongly promoted by the Chinese government, will absolutely generate far-reaching significance for China's modernization. Linked by transport channels and based on the interconnections among related countries, the Belt and Road Initiative, with the characteristic of a diversified cooperation mechanism, aims to make new regional cooperation arrangements with the goal of building a community of destiny (Hu, 2016). Presumably, fast circulation of factors such as money, persons and goods will lead to more frequent exchanges and closer cooperation among related countries; meanwhile, transnational crime and organized crime will become rampant, thus exerting huge challenges on police work. Therefore, it is essential to strengthen police law enforcement capacity building, especially to enhance the quality and ability of the intelligence analysts, and to seek an appropriate mechanism for the exchange of information and joint intelligence analysis, to adapt to the new situation of international police cooperation. It has been China's goal both in the police academic field and law enforcement agencies to build a competent police intelligence analyst team with an international perspective to deal with the complex situation.

## **Core Competencies Requirement for Intelligence Analysts**

Intelligence is timely, actionable information that helps policymakers, decision makers, and military leaders perform their national security functions. The intelligence business itself depends on professional

competencies (Moore, & Krizan, 2003). In developed countries, intelligence agents are classified according to their work, such as intelligence officers, intelligence commanders, intelligence support personnel, and intelligence analysts. The process of analysis provides just the right information permitting national leaders to make wise decisions – all presented with accuracy, timeliness, and clarity (Johnson, 1996). An intelligence analyst is the main body of intelligence analysis. The personnel specifications, also called core competencies of the analyst is fundamental to the success of any attempt to pursue a proactive intelligence-led approach to reducing crime and criminality (Dixon, 2001). Whether it is the NIM or the Intelligence Sharing Model, higher requirements for the professionalization of the intelligence analyst are put forward. Research clearly indicates that there are several different categories of analysts. From the Strategic Intelligence Analyst working for national organs, to the Crime Analyst working for local police departments, levels exist, in addition to those specialist analytical roles in such areas as Fraud, Road Policing and Major Investigations (Dixon, 2001). At present, in China, a number of local police departments have established special intelligence agencies, and professional staffs are in continuous expansion.

Clear job competency requirements are the starting point for practitioners. McClelland believes that competency can clearly distinguish differences in the characteristics of high efficiency and low efficiency of the performance of executors, including motivation, personality, self-concept, attitude and values, knowledge, and cognitive or behavioral skills, which all can be some characteristics of accurate measurement or calculation (McClelland, 1994).

The functional core competencies set by NSA include four aspects: characteristics, skills, abilities and knowledge. Each aspect identifies specific requirements, such as self-motivation, teamwork and collaboration, critical thinking, communicating (including aural, visual and oral), literacy, foreign language proficiency, information gathering and manipulation, project management, and knowing target knowledge, etc. (Moore, & Krizan, 2003). The Scotland Police College has identified four separate areas for consideration: skills, knowledge, attainment and attitude, which mainly include: communication skills, visualisation skills, computer literacy, willingness to make judgements, logical thinking, second language, flexibility, independent work habits, and persistence, etc. (Dixon, 2001). The requirements and standards of competencies will be reflected in the recruitment, selection and the training in the later section.

In order to meet the ever-changing international and domestic situations, continuous training for upgrading analysts' competencies will always be necessary. The National Intelligence Centre of New Zealand requires analysts to undergo 4-weeks training after recruitment. The main content is the training of professional quality and the basic theory of education, in order to make them understand professional quality, as well as the requirements to help them find an accurate career positioning (Li, 2011). The European intelligence management model requires 6-weeks training in career development, personal development, assessment, and work results, etc. And trainee analysts are required to maintain certain skills to enhance their core competencies.

### **Incompetency of Police Intelligence Analysts in the New Situation**

The work of intelligence analysts is highly intelligent and professional. Due to the confidentiality of intelligence work, intelligence analysts are prone to be closed, thus lacking international exchanges and cooperation. The implementation of the Belt and Road Initiative may result in rampant transnational crimes and organized crimes, hence, the transnational police exchange and law enforcement cooperation may become the new normal. The objects of police intelligence collection and analysis are also expanding,

showing a trend of diversification. Under this new situation, the incompetency of police intelligence analysts can mainly be manifested in the following aspects:

#### ***Lack of International Vision and Cooperation Ability***

The importance of the Belt and Road Initiative is not well understood by police intelligence analysts. As a national strategy, the Belt and Road Initiative, has been farsighted in its top-level design and has run smoothly in the process of promotion, however, its strategic importance has not been well understood by the first-line intelligence analysts. Furthermore, most intelligence analysts have a language barrier to communicate with their counterparts. They don't have international intelligence work experience, international vision, or intelligence cooperation ability.

#### ***Lack of Clear Intelligence Post-Competency Requirements***

In many countries, intelligence agents are classified according to their work, such as intelligence managers, intelligence commanders, intelligence support personnel, and intelligence analysts. As one of the most important parts of the intelligence agencies, the intelligence officers have explicit regulations on the nature, content, requirements and other aspects of the information. And it's clear post competency requirement is based on this set of regulations. In China, there is no clear distinction between the intelligence analysts and the managers of the information and the support personnel. In foreign countries, especially in the European Union's intelligence training system, the quality standards are the most important thing. Only when the quality standard is clear, can the next selection and training step be carried out smoothly.

#### ***Lack of External Communication and Continuous Training***

The intelligence analysts are mainly selected internally from the police force, and due to their narrow professional background and lack of external communication and continuous training, they are unable to adapt to the development needs of the Belt and Road Initiative. Currently, Chinese police intelligence analysts are mainly selected from the police force. The selection source is too narrow and the recruits are basically police officers. External recruitment and other professional background are in short supply. Because of the particularity of intelligence work and the requirement of confidentiality, current training programs for intelligence analysts are carried out inside intelligence agencies and most are based on the exchange of experiences, with little to do with the actual combat skills.

### **Improving Paths of Core Competencies**

The implementation of the Belt and Road Initiative not only relies on the "hard power" such as the infrastructure construction, trade and investment, and industrial cooperation, but also "soft power" such as policy, culture and talents. The talents is the key to building the Belt and Road Initiative (Zhou, & Kan, 2015). To meet the needs of the Belt and Road Initiative strategy, the people with international vision should be absorbed into the team. However, a strict selection and recruitment system based on competencies requirements should be put forward. And improving of the core competencies among current analysts is also indispensable.

#### ***Strict Recruitment Criteria to Absorb Complex Talents***

**Enlarge the scale of the recruitment.** In countries such as the United States and New Zealand, police intelligence analysts can be recruited from the public, as long as certain conditions can be registered to a police intelligence analyst. Due to the wide range of intelligence analysis, all kinds of knowledge

background of the staff are likely to enter this team. To meet the needs of the Belt and Road Initiative strategy, the scale of the recruitment should be enlarged to the public majoring in international relations, diplomacy, international economy, and trade, etc.

**Preselect the talents to test the core competencies.** After receipt of the applications, the pre-selection stage starts. The stage can be divided into two aspects: a psychological test and written examination. The core competencies of characteristics, such as responsibility and sensitivity can be examined through psychological testing of the candidates. The core competencies of professional knowledge and ability of logical analysis can be tested in the written examination.

**Interview the comprehensive abilities.** The interview is the most important part of the selection process. Therefore, the selection of the interview panel and the careful design of the interview contents are very important. The members of the interview panel should present multiple sources, covering leadership, scholars and representatives of all kinds of police. The design of the interview questions should not only examine the candidate's personal ability and skills, but also a comprehensive investigation of their characteristics and knowledge.

### ***Improvement of the Core Competencies among Current Analysts***

**Improve foreign language proficiency.** The Belt and Road Initiative is not only the exchange of various aspects of economy, politics and culture, but also the language exchange, which is the basis of communication, cooperation and competition between different countries and nations. There are about 65 countries along the Belt and Road, and more than 53 languages are used (Wang, H., & Wang, Y., 2016). Target information and personnel will show a complex situation, so foreign language proficiency has thus become a necessity for the analysts. Without such proficiency, they cannot completely comprehend target intentions and actions. When analysts misunderstand their targets, the intelligence they provide to consumers will be inaccurate or misleading (Moore, & Krizan, 2003). English, as the lingua franca and used widely and commonly for international communications and publications, still plays an essential role in the construction of the B&R. Thus, proficiency in English is quite necessary for intelligence analysis. However, the use of native language in transnational law enforcement will also be common and growing and other official languages spoken by the countries along the B&R will unavoidably be used in the intelligence collection and analysis. Therefore, the improvement of proficiency of the official languages spoken by the countries along the B&R should be regarded with some care by professional analysts.

**Enhance the target knowledge of the country along the B&R.** A successful intelligence product should be based on plenty of information collected and analysed by the analyst. A sophisticated intelligence analyst is one who is steeped in the history and culture of a region, has a lifelong interest in the area, and approaches the study of the region as a professional responsibility, and probably as an avocation as well (Garst, & Gross, 1997). The collection and analysis of target knowledge of the countries along the B&R, covering fields of study such as anthropology, comparative religion, economics, geography, history, international relations, psychology, and sociology should be understood by both analysts and consumers. Changes in the culture, religion, geography, or economic systems (among others) of a target may themselves be subjects of an intelligence requirement. Furthermore, analysts should be fully aware of the laws and regulations, and policing situations of the target country.

**Enhance teaming and collaboration system and establish information sharing, information exchange, and consultation mechanism.** Teaming and collaboration abilities enhance intelligence analysis because the analysts should shape the intelligence production process with other related people.

The B&R strategy requires a group of analysts involved in the analysis of targets. Therefore, good teamwork and a collaboration system should be enhanced. At the same time, in order to establish international police cooperation in the long term, analysts and intelligence agencies should establish information sharing, information exchange, and consultation mechanism.

### ***Setting up a Professional Training Mechanism to Improve Training Courses***

**Selecting training instructors and developing proper training courses.** The quality of trainers directly determines the quality of training. At present, it is a common practice to combine the experts and experienced practitioners to form the training team. This approach is generally considered to be more reasonable and can achieve good results. Under the Belt and Road Initiative, we should develop new courses, such as courses about the situation of related countries, or courses about new policing patterns, and international police law enforcement cooperation in-depth. We should select reasonable experts in various fields and develop the proper curriculum. At the same time, the training courses can also be taken to set up different modular courses for different areas.

**Strengthening continuous and trans-national training and building up international network.** It is essential to establish and improve the professional entry criteria and promotion system of intelligence analysts and intelligence analysts must participate in pre-job training and promotion training. We need to strengthen the training of intelligence analysts, and the fact that intelligence analysts do not communicate with each other should be changed. Trans-national training, on the one hand, can help the trainees to learn each other's law enforcement practice and cooperation needs; on the other hand, it can establish and promote friendships and create an international network for police intelligence analysts, paving the way for future exchange of information and joint intelligence analysis.

### **Conclusion**

The B&R Initiative promoted by China all-round will have a far-reaching impact on the world economy, politics and culture. It is inevitable that trans-national crime and organized crime will become rampant. The right decisions made by the police leaders, on the basis of the correct information provided by the intelligence analysts, will definitely play an essential role in the combating transnational crime and violent attacks. Continuously enhancing the competencies with the changing situation should be taken seriously by a successful intelligence analyst.

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# **Identity Construction of China in the Joint Patrol Operation along the Mekong River: From the View of News Headlines of *People's Daily Online***

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*[Abstract] This research analyzes the national identity from the pragmatic perspective based on the data of the headlines on the joint patrol operation along the Mekong River since 2011. Pragmatic identity focuses on its construction and use. It reveals that the national identity is dynamic and constructed in different social contexts.*

*[Keywords] identity construction; news headline; joint patrol operation along the Mekong River*

## **Introduction**

In the morning of October 5<sup>th</sup> 2011, two Chinese cargo ships were attacked on a stretch of the Mekong River in the Golden Triangle region on the borders of Burma and Thailand (Zhang, 2011). All 13 crew members were killed and dumped in the river. After the Mekong River massacre, how to protect the normal production and life of the people living in the Mekong River area, and how to protect the legitimate interests of the merchant vessels on the river has become the focus of the Chinese government. In November 2011, China's Ministry of Public Security publicized a joint statement of a ministerial meeting on cooperation in patrol and law enforcement along the Mekong River among China, Laos, Myanmar and Thailand. From the first joint patrol on the Mekong River, China and three of its neighbors, Laos, Myanmar and Thailand, have successfully launched fifth-one joint patrols (People's Daily Online, 2011). Based on news headlines about joint patrols in People's Daily Online from 2011 to 2016, this study explores the identity construction and reflection of China in the Joint Patrol Operation along the Mekong River.

## **Language and Identity Construction**

Under the influence of social constructionism, a great deal of research has focused on identity construction within the human and social sciences in recent years. Identity is neither a given nor a product, but built up in the interaction. Goffman (1959) pointed out that the self was constructed by various practices in daily life contexts. He held that when an individual comes in contact with another person, he attempts to control or guide the impression that the other person will form of him, by altering his own setting, appearance and manner. At the same time, the person that the individual is interacting with attempts to form an impression of, and obtain information about, the individual. Hecht, et al (1993) took identity as one's social roles. Bucholtz & Hall (2005) regarded it as social positioning of self and other. Fairclough (2000) argued that every "social practice" involves the construction of identity. Pavlenko & Blackledge (2004) viewed identities as "social, discursive, and narrative options offered by a particular society in a specific time and place to which individuals and groups of individuals appeal in an attempt to self-name, to self-characterize, and to claim social spaces and social prerogatives".

In the last 20 years, many researchers from the fields of anthropology, sociology, linguistics, psychology, social psychology and communication have attached great importance to the issue of discourse and identity (e.g. Antaki & Widdicome, 1998; Benwell & Stokoe, 2006; De Fina, 2006; Tracy, 2002, 2013; Ran, 2007; Chen, 2012, 2013, etc.). To understand social behaviors, including national behaviors, the first

and foremost thing is to understand discourse. Discourse can not only reflect social reality, but also construct and reconstruct social reality. Identity is not only static, simply reflected by the language, it occurs through specific context and specific interactive occasions due to its social role. Identity is not inherent or inherent in itself, but rather a process that is achieved through discourse, conveyed, presented, built and enforced in discursive practice through various verbal and nonverbal strategies (Chen, 2014). Tracy (2002, 2013) stated the relationship between discursive practices and identities is a reciprocal one, as presented in Figure 1.



**Figure 1. The Reciprocal Relationship (Tracy, 2002, 2013)**

Social psychologists (e.g. Tetlock & Manstead, 1985) noted that people can manage their discourse according to different contexts, thus managing their own image and conveying their ability, status, quality and other characteristics. Chen (2012) initiated a new term “pragmatic identity”, i.e. identity-in-interaction or identity-in-use, which is oriented towards communicative needs in dynamic process of social interaction. Identity is a kind of pragmatic resource that can be manipulated by people. As social actors, people have the agency and creativity in protecting and mobilizing their different aspects of selfhood, in constructing different kinds of identities (Yuan, 2013).

### **Data and Method**

News, as a form of knowledge, has been recognized to be socially constructed and distributed. Park (1955) noted that news is a way of seeing and thinking about the social world. News headlines are one of the most impressive ways of attracting the readers and help them whether to continue reading a particular news topic. News headlines, as general expressions of the most important information, embody the news content, value, viewpoints and stance. van Dijk (2005, p. 358) stated “expressing such a topic in a headline in news may powerfully influence how an event is defined in terms of a ‘preferred’ mental model.” As news headlines reflect various social reality in news discourse coding and decoding processes, this study take news headlines related to the topics of the “Mekong River massacre” and the “joint patrol on the Mekong River” of *People’s Daily Online* from Oct 5, 2011 to Nov 30, 2016 as the research data. Through restricting the search time span, keywords and website via advanced search of the Baidu search engine, and manually checking those searched news, 110 news headlines were selected and determined to be used as analyzing data.

By use of qualitative analysis, the study describes different identity types of China in related news and the evolutionary process, and explores the national identity construction and the communicative purposes from the view of pragmatic identity.

### **Discussions**

It was found that China has the following four identities in different news at different stages with different communicative purposes.

### ***Victim Identity***

Fact narrative	Oct 9, 2011	Ministry of Foreign Affairs of China respond the boat attack of 11 Chinese crew members slain in Thailand
	Oct 10, 2011	Yunnan began to deal with the incident that Chinese crew were attacked on the Mekong River
Stance & attitude	Oct 10, 2011	China urges relevant countries to immediately look into the incident, determine the truth – bringing the criminals to justice and maintaining shipping safety
	Oct 13, 2011	Ministry of Foreign Affairs: China expressed a strong condemnation regarding the brutal act committed by the criminals of Mekong River massacre

In the Mekong River massacre, 13 Chinese crewmen were killed. The news headlines constructed the identity of China as the “victim” by using a passive voice in expressions like “11 Chinese crew members slain in Thailand”, “Chinese crew were attacked”. Objective fact narratives, attitudinal resources of appraisal theory (Martin & Rose, 2003) were used in headlines, such as “urge”, “brutal act”, “strong condemnation” which represented negative affect and negative judgement, clearly indicating China’s stance and attitude toward this incident.

### ***Cooperator Identity***

Participant of the four-country joint patrols of the Mekong River	Oct 31, 2011	The Joint Statement on Law Enforcement Cooperation along the Mekong River among China, Laos, Myanmar and Thailand
	Dec 10, 2011	China, Thailand, Laos and Myanmar launch the joint police patrol of the Mekong River
	Dec 13, 2011	The 1st4-country joint patrol along the Mekong River concludes successfully
	Jan 14, 2012	The joint patrol headquarter organizes a new patrol along the Mekong River
	Oct 25, 2016	China, Thailand, Laos and Myanmar launch the 51th joint patrol along the Mekong River
	Oct 30, 2016	The 51th joint patrol successfully concludes
Foregrounding China	Dec 9, 2011	Chinese special police team joins multinational joint patrol
	Dec 13, 2011	The successful first joint patrol along the Mekong River creates a new model of law enforcement and security cooperation between China and neighboring countries
	Oct 9, 2012	The most beautiful police: Li Jinbo, deputy director of Xishuangbanna Prefecture public security bureau of Yunnan province
	Jan 26, 2014	Chinese police patrolling along the Mekong River

The law enforcement and security authorities of China, Laos, Myanmar and Thailand held the Ministerial Meeting on Cooperation in Patrol and Law Enforcement along the Mekong River on 25 and 26 November 2011 in Beijing, China. To solidify and strengthen practical cooperation among the law enforcement and security authorities of the four countries, combat transnational crime and safeguard international shipping security along the Mekong River and in accordance with the spirit of solidarity, friendship and cooperation, the participants agreed to conduct cooperation in patrols and law enforcement along the Mekong River. Until October 2016, China, Laos, Myanmar and Thailand successfully concluded 51 joint law enforcement patrols. The *People’s Daily* online reported news about 27 joint patrols, among them with news headlines like “China, Thailand, Laos and Myanmar/Four countries launch a joint police patrol of the Mekong River”, “China, Thailand, Laos and Myanmar/Four countries conclude the joint police patrol of the Mekong River”. The expression, China, Thailand, Laos and Myanmar/Four countries, positions China as one of the

participating countries in the joint patrol enforcement action. In the context of mutual assistance and coordination in the international law enforcement cooperation, the headlines construct China's identity as a cooperative role with other countries pulling together in times of trouble. Meanwhile, the headlines also foreground China's important role to the joint law enforcement utilizing expressions like "China and neighboring countries", and "Chinese police", etc.

**Model Identity**

Improving & strengthening	Dec 20, 2013	China starts the 17 <sup>th</sup> joint patrol along the Mekong River, Enhance the ability to deal with unexpected situations
	Jul 29, 2014	President Xi Jinping meets Lao president to deepen cooperation in law enforcement of the Mekong River
	Sep 1, 2014	Meng Jianzhu: Strive to create a model of joint law enforcement of the Mekong River
	Oct 21, 2015	China, ASEAN to meet on closer security cooperation
In-depth report	Oct 14, 2014	Explore the joint patrol along the Mekong River: full boat alert when traveling to Golden Triangle
	Oct 14, 2014	Four days and three nights of "Mekong River guardians"
	Nov 20, 2014	Security check to safeguard the Mekong River
	Jul 19, 2015	The first guard ship on the Mekong River
	Jul 30, 2015	Police story on the Mekong River
	Aug 8, 2016	Mission and glory on the Mekong River
	Nov 30, 2016	Four days and three nights on the Mekong River
Nov 30, 2016	Patrolman on the Mekong River	

Two years after the establishment of the law enforcement and security cooperation mechanism in the Mekong River region, China proposed deepening the law enforcement and security cooperation along the Mekong River and improving the level of cooperation. General Secretary of the CPC Central Committee, President Xi Jinping proposed "strengthening the joint patrol and cooperation in law enforcement and border management near the Mekong River" (Liu & Gao, 2014). Meng Jianzhu, Member of the Political Bureau of the CPC Central Committee, head of the Commission for Political and Legal Affairs of the CPC Central Committee, proposed "creating a model of joint law enforcement of the Mekong River" (People's Daily Online, 2014). Minister of the Ministry of Public Security Guo Shengkun proposed "upgrading cooperation of law enforcement and security of the Mekong River to a higher level" (Yuan & Zhang, 2015). The Mekong River region has become safe and stable, and the socio-economic prosperity of the coastal region has been reproduced. In such context, the utilization of quotations from Chinese senior leaders shows China's achievements in the Mekong law enforcement cooperation and conveys China's ability and determination to improve regional law enforcement cooperation. The identity of China has changed from a participant of action to a model of action.

Since 2014, the *People's Daily Online* has conducted in-depth reports on the Chinese police's joint patrols along the Mekong River (e.g. Hu, 2013; Liu & Zhou, 2016). An in-depth report is actually an extension of the news story, which embodies the characteristic of a news narrative. A narrative is the basic way people organize various experiences into practical events. A narrative is both a reasoning model and an expression pattern. People can understand the world through a narrative, and narrate the world through a narrative as well. From the view of a narrative discourse, news text emphasizes more on presenting facts and constructing the meaning rather than literary text, spreading the values of the subject. A large amount

of true and detailed information conveyed in series of in-depth reports on China’s role in the joint law enforcement enriches the demonstration of the identity as a model.

### ***Exploiter Identity***

Reviving prosperity	Dec 29, 2014	Third Anniversary of the joint patrol along the Mekong River, reproduction of golden waterway prosperity
	Oct 21, 2015	Four countries joint patrol reproduces golden waterway prosperity
Expanding and deepening	Apr 6, 2015	Wang Yi: Together Build a Common Destiny Community among Lancang-Mekong River Countries
	Oct 25, 2015	Law enforcement centre will be set up in the Mekong River region
	Nov 10, 2015	The 1st Lancang-Mekong Cooperation (LMC) foreign ministers’ meeting will be held in Yunnan province
	Mar 23, 2016	Lancang-Mekong Cooperation offers new opportunities and will supplement China-ASEAN relations
	Apr 19, 2016	China participates in drug control cooperation in Greater Mekong Subregion
	May 13, 2016	China, Thailand, Laos and Myanmar joint patrol escorts Lancang-Mekong Cooperation

In the years of 2014 and 2015, the headlines “reproduction of golden waterway prosperity” were used for two consecutive years. It has demonstrated the efforts and achievements of China in safeguarding national security and protecting the legitimate rights and interests of Chinese citizens abroad, and it constructed China’s identity as a promoter of the new situation of security, stability and prosperity in the Mekong River region. In 2013, General Secretary Xi Jinping proposed the Belt and Road Initiative. The Mekong River countries are China’s important partners in building a Common Destiny Community in Asia and building the Silk Road Economic Belt and 21st-Century Maritime Silk Road. On the basis of the success of regional law enforcement cooperation, in order to increase training and cooperation and further enhance law enforcement ability, China proposed building the Lancang-Mekong comprehensive law enforcement cooperation and security centre. The joint patrol among China, Thailand, Laos and Myanmar has laid a solid foundation for further cooperation among Lancang-Mekong countries. From the headlines such as “Lancang-Mekong Cooperation offers new opportunities and will supplement China-ASEAN relations”, “China actively participates in drug control cooperation in Greater Mekong Subregion”, and “China, Thailand, Laos and Myanmar joint patrol escorts Lancang-Mekong Cooperation”, it is clear that China is playing a role in facilitating the movement of people and goods between those countries, speeding up the sub-regional development as a whole, narrowing the development gap in Southeast Asia and supplementing China-ASEAN relations.

### **Conclusion**

The formation and presentation of identity in context is dynamic (Chen, 2013). From the news headlines of Chinese authoritative media, the identity evolution of China in international and regional law enforcement cooperation is as follows.

#### **Promoter Participant Model Exploiter**

After the “Mekong River massacre”, China has made every effort to promote the establishment of a cooperation mechanism in law enforcement and security sector among China, Laos, Myanmar and Thailand, aiming to safeguard the shipping safety and order, as well as protect people’s life and property

safety along the Mekong River. In both projects of collaborative case detection and joint patrol, the four involved nations, based on policing cooperation, have cooperated in promoting regional cooperation and increasing mutual trust, leading to a new model for effective development and cooperation of multilateral relations. At the time of the incident, as a victim, China's unilateralism and impulses were significantly more than Laos, Myanmar and Thailand, and that's why China vigorously promoted the establishment of the Mekong River law enforcement and security cooperation mechanism. In Southeast Asia, China has been pursuing an image as being responsible, a reliable big nation, practicing the principle of amity, sincerity, mutual benefit and inclusiveness in neighborhood diplomacy. Therefore, China is very cautious in the choice of news headlines. With the utilization of the expressions without highlighting dominant identity, in using phrases like "work together to build", "actively participate", the identity of China's new security concept has been constructed, featuring mutual trust, mutual benefit, equality, coordination, and a positive role in regional affairs.

After the tragedy, China's identity in international law enforcement cooperation has been reflected in the language choices of official news headlines, changing in a dynamic way with the evolution of social context. Identity is not passively reflected in the discursive level, but constructed in strategic use of relevant identity resources by the speakers to achieve respective communicative purposes. From 2011 to 2016, China has signed *Joint Statement on Law Enforcement Cooperation along the Mekong River* (People's Daily Online, 2011), established Lancang-Mekong Cooperation Mechanism (Huang & Yao, 2015), and proposed the Belt and Road Initiative (Chen, 2015). In this context, Chinese official news headlines, according to the national language strategy, and through the choice and use of discursive identity resources, helped China construct the identity of integrating in depth into the global law enforcement cooperation system and building a community of common destiny.

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# Application and Analysis of DNA Barcoding

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*[Abstract] DNA analysis is fair-and-square, like observing a star through telescope. It is neither a course in Biochemistry, nor a spectacle magnified by a magnifier, but instead a way to recognize the inward nature of a thing. Having been developed for decades of years, DNA barcoding has been widely applied to scientific research, directly impacting every aspect of people's life. DNA barcoding, as a new technique, opens up a new world for DNA analysis. This paper makes a comprehensive review on the origin, characteristics, development and application of DNA barcoding.*

*[Keywords] DNA Barcoding; species identification; CO1 gene; rbcL gene; matK gene*

## Introduction

DNA barcoding was first proposed by the famous zoologist Paul D. N. Hebert from the University of Guelph, Canada in 2003 (Hebert, et al., 2003). It is a taxonomic method that uses a short genetic marker in an organism's DNA to identify it as belonging to a particular species, which offers a rapid and accurate assessment for species labelling and identification. DNA barcoding technology is similar to the barcode system in the modern supermarket retail business. The goods are distinguished by scanning the digital code in which the product information is integrated into it, and people are provided with information on different goods. DNA barcoding identifies biological species by use of different positions of four bases like A, T, G, C in gene sequence. DNA barcoding opens up a green channel for non-professionals for biological cognition and also makes it possible for professional workers to identify all unknown species with simple labels.

Compared with traditional identification technology, DNA barcoding has the following significant features (Chase, et al., 2005; Chen, et al., 2010): (1) High accuracy. DNA barcoding has unique repeatability as it directly uses DNA sequences for species identification. (2) General application. DNA barcoding is comparable between different species. It can form a unified standard in the global species identification, which is more conducive to the research on plant system evolution, while other DNA molecular identification technology aims to a specific species by choosing a specific DNA sequence or by using of specific molecular markers. (3) Compared with traditional species identification methods, DNA barcoding has some advantages like less primers, repeatability, and ease of operation. (4) DNA barcoding has a unified operating procedure, which makes it easy for those who have common molecular biology competency to

master the technology. On the contrary, traditional identification methods require identification personnel to have competent professional knowledge and technical ability, which needs years of training and long-term accumulation of experience.

The Belt and Road Initiative and the process of economic globalization has provided a historical opportunity for China and neighboring countries. In this context, testing and identification technology involving biological or biological products will play an increasingly important role in international economic and trade exchanges. This article reviews DNA barcoding used for biological sample identification.

### **The Development of DNA Barcoding**

DNA barcoding has been extensively concerned by academics, and a large number of articles on related studies have been published in *Science* (e.g., Chase, et al., 2005; Pennisi, 2007), *Nature* (e.g., Dettman, Sirjusingh, Kohn, & Anderson, 2007), *PNAS* (e.g., Group, 2009; Ragupathy, Newmaster, Murugesan, & Balasubramaniam, 2009; Starr, Naczi, & Chouinard, 2009), *Molecular Ecology Notes* (e.g., Hu & Sanderson, 2000; Lavin, Herendeen, & Wojciechowski, 2005; Meyer & Paulay, 2005; Wojciechowski, Lavin, & Sanderson, 2004) and other internationally renowned academic journals. In the past ten years, the research of DNA barcoding application to the study of species molecular identification has been in a prosperous way.

In March and September 2003, molecular biologists, taxonomists and bioinformatics from countries around the world held conferences on DNA barcoding usage in Cold Spring Harbor, USA. The theme of the first conference was “Classification and DNA”, conducting large-scale sequencing to a specific gene (mitochondrial cytochrome C oxidase subunit I, short for CO1), in order to achieve the goal of identification of every biological species on the earth and promoting the evolution of biological systems research (Tautz, Arctander, Minelli, Thomas, & Vogler, 2003). The theme of the second one was “Classification and Biological DNA Barcode”, an in-depth discussion on the scientificity and social interest of the barcode on all the eukaryotic, and put forward the organizational strategy and development blueprint for an international barcode for life, as well as planned to set up the Consortium for the Barcode of Life (CBOL) (Xin & Bing, 2006).

The Consortium for the Barcode of Life (CBOL) was created in May 2004 with support of the Alfred P. Sloan Foundation of the Smithsonian National Museum of Natural History in Washington, DC, as an international initiative dedicated to supporting the development of DNA barcoding as a global standard for species identification. CBOL and the National Centre for Biotechnology Information (NCBI) formed a partnership in September 2004, which meant the CBOL could obtain support of the standard sequence and related data in GenBank, and the standard DNA sequences of biological barcodes and their associated data would also be archived in GenBank. It was an important step forward in the development of DNA barcodes.

The 2nd International Life Barcode Conference was held in Taipei, China in September 2007. The conference summarized five combinations of fragments in plant barcode research, indicating that a single gene sequence cannot meet the needs of plant barcoding, and fragment combination will be the future direction of the development of plant barcoding (Kress & Erickson, 2007).

The 3rd International Life Barcode Conference was held in Mexico in November 2009. In this conference, a consensus was reached on plant barcoding. After a total of 907 samples of 550 species were analyzed by the Plant Working Group, the composite sequence consisting of *rbcL* + *matK* was recommended as the DNA barcode sequence of the land plant (Petersen & Seberg, 2009).

The 4th International Barcode of Life Conference was held at the University of Adelaide, Australia from 28<sup>th</sup> November to 3<sup>rd</sup> December in 2011. The conference discussed issues about barcoding for plants, microbiological/pathogens parasite, invertebrates, vertebrates, fish, marine life, polar life, birds, grass, and trees, aquatic habitat environmental monitoring and evaluation, animal strip barcoding, informatics and data analysis, education and services, barcode application and management in inspection and quarantine, and barcode application in many aspects of society and economy (Yu, et al., 2012). The DNA barcode is widely recognized and applied as a tool for species identification. The conference officially recommended ITS as fungal barcode.

The 5th International Life Barcode Conference was held in Kunming from 27<sup>th</sup> October to 31<sup>st</sup> October 2013. The theme of this conference was “Global Change and the Barcode of Life: Challenges and Opportunities”. More than 400 scientists from 43 countries and regions across the world explored the frontiers of DNA barcoding research, focusing on global change and biodiversity conservation (Xi, Bao, & Zhang, 2015).

The 6th International Life Barcode Conference was held from 18<sup>th</sup> August to the 21<sup>st</sup> August 2015 at the University of Guelph in Guelph, Canada. The theme of this conference, “Barcodes to Biomes”, signalled the ongoing expansion of our community’s research agenda from studies on particular sets of species in particular places to work which is creating the capability to examine entire biotic assemblies on local and global scales.

### **Application of DNA Barcoding**

DNA barcoding is mainly used in taxonomy and bioinformatics in species identification, new species discovery and species conservation. With the development of DNA barcoding, it has also been widely used in other areas.

#### ***Application of DNA Barcoding in Food Identification***

In recent years, food adulteration and food fraud are getting increasing attention. Products and labels do not match, meat adulteration, shoddy goods and other commercial fraud seriously affect people’s interests and health. Since traditional inspection technology has failed to meet the needs of food identification, food identification from the molecular level by DNA barcoding has made up for the disadvantage of traditional methods and brought tremendous changes with its accuracy, efficiency and simplicity.

Wong, and Hanner (2008) conducted test analyses on nearly 100 seafood samples in North American markets using DNA barcoding. They found that 25% of seafood labels might be not consistent with actual goods (Wong & Hanner, 2008). In China, Qiu, et al. (2013) sampled 16 fish, fish balls and other aquatic products using DNA barcoding identification. The results showed that approximately 31.25% of the samples and their product labels did not match. Li Xinguang, et al. made identification analysis on 20 kinds of frozen fish, 10 kinds of frozen cod fillets and 15 kinds of grilled fish samples in the market. The results showed that DNA barcode technology is a simple and effective molecular identification technique, which can be used for the identification of fish composition in frozen fish, frozen fish and grilled fish. The results indicated that DNA barcoding can be used as a simple, rapid and effective molecular identification technology in the application of fish and other animal-derived food types and composition identification. The application and research of DNA barcoding in plants classification and identification shows the technology has great potential in edible plant food identification (Gregory, 2005). DNA barcoding is mainly applied to edible plants of high value or that are hard to distinguish, or for the identification of toxic plants

which are easy to mix in edible plants. Bruni, et al. (2010) used DNA barcoding to identify three sets of plant samples, i.e. angiosperms containing different toxic substances, species containing varying degrees of toxicity in the same genus, edible plants and toxic plants in the same genus. It indicated that DNA barcoding is a powerful tool for identifying toxic plants. In addition, DNA barcoding has been extensively and in-depth applied to poultry meat and processed foods (Lv, et al., 2015).

#### ***Application of DNA Barcoding in Agriculture***

A very important part in agricultural production is taking control of pests and taking advantage of beneficial insects. Therefore, the precondition and basis of monitoring, forecasting and prevention of pests is to identify the species of insects in the field rapidly and accurately. If plant protection departments fail to make rapid and accurate identification of pest species promptly the first time, then timely and effective targeted prevention and control measures will be blocked, resulting in irreparable economic losses. The emergence and development of DNA barcoding can solve these problems. Qiao, et al. (2012) amplified the CO1 gene sequence by targeting 25 thrips in Chinese field. The experimental results showed that the DNA barcoding based on the CO1 gene could achieve rapid and accurate identification of different species of thrips. The studies of Lee, et al. showed that DNA barcoding can effectively classify and identify the Coleoptera, Hemiptera and Lepidoptera and 77 other kinds of forest pests (Rakauskas & Basilova, 2013). DNA barcodes can also be used to uncover the link among the host, the pest and their natural enemies to open up new ways for the large-scale trophic analysis of ecology, the trophic monitoring of inter-breeding species, and the description of the food web in the ecosystem.

#### ***Application of DNA Barcoding in Forensic Science***

In forensic science, the growth and development of sarcosaphagous insects on corpses have been widely used in the deduction of death times and death scenes (Li, et al., 2011), which require a rapid and accurate identification of the types of sarcosaphagous insects. However, the traditional morphological methods are severely restricted in insect eggs, larvae, pupae or debris identification, and the reliability of the results is also open to question. DNA barcoding is completely independent of the morphological changes of insects at different stages of their development, so the results are fast and reliable. At present, the practicality of DNA barcoding in forensic science identification has been confirmed. Cai, et al. used the CO1 sequence of mtDNA to accurately identify 3 families, 4 genera, and 4 kinds of sarcosaphagous flies (Diptera) commonly seen in the Chengdu area. This detecting method is rapid, simple and accurate, and can be used as a reliable basis for forensic identification of sarcosaphagous flies (Cai, et al., 2005). Boehme, Amendt, Disney, and Zehner found that the use of CO1 sequence can make effective identification in six kinds of carrion in the reproduction of the genus *Drosophila* insects (2010). By use of the *rbcL* and *matK* gene combinations, and extracting DNA from the dry plant tissues, Xia Pan, et al. successfully identified nine randomly selected plant species (Pan, et al., 2014). Song, et al (2014) obtained two-way sequencing of the amplified fragment by PCR amplification of the universal primer ITS2 of the DNA gene spacer and the universal primer *psbA-trnH* of the chloroplast DNA by the DNA extracted from the cannabis leaf. With artificial correction and comparison of the results, it proves that DNA barcoding is feasible in the identification of species of the original plant cannabis. Qin (2016) used four DNA barcodes, ITS, *psbA-trnH*, *trnL-F* and *rps4*, for PCR amplification, and established a simple and cost-effective method for bryophyte species identification by DNA barcoding and applied it to forensic science.

### ***Application of DNA Barcoding in Other Fields***

DNA barcoding, as a tool of providing reference data for public categorization, has promoted the development of biological sciences. As a standardized identification tool, DNA barcoding is conducive to customs and related government inspection departments to perform rapid inspections on entry and exit of harmful pests, to protect ecological environments, effectively control species from germplasm loss, and to monitor, as well as protect, endangered species trade (Nagoshi, Julieta, & Meagher, 2011). In addition, DNA barcoding has played a very important role in determining the relationship between insects, finding hidden species, exploring phylogenetic relationships, and identifying Chinese herbal medicines.

### **Problems of Barcoding**

Although DNA barcoding in the field of species identification has shown great value, it cannot avoid some theoretical and technical defects. First, although the mitochondrial gene CO1 has been recognized as a suitable barcode fragment in the animal kingdom, CO1 is not applicable in certain animal species identification, and its limitations are particularly significant when studying species with high diversity in tropical areas (Rubinoff, Cameron, & Will, 2006b). Now, DNA barcodes are mainly mitochondrial genes and chloroplast genes, but both have single parental inheritance, with obvious defects in identification of the hybrid biology group. In addition, DNA barcoding has difficulty in identifying genetic infiltration. The issues about the intermolecular differences of newly formed species failing to reach a significant distinguishing extent and whether close and recently differentiated species can be verified by DNA barcoding have been controversial.

Second, many scientists in the botanical field think that the chances of finding an easy-to-use, single-plant gene fragment like the animal DNA barcode CO1 is quite slim, although the CBOL Plant Working Group proposed a combination of multiple genes as a standard barcode for plant species identification, such as matK + trnH, rbcL + matK, psbA + atpF and other genetic combinations, the plant community is not consistent, and the choice of candidate gene fragments of combination is not completely unified (Rubinoff, Cameron, & Will, 2006a).

In addition, in the research and application of DNA barcoding, the number of tested samples and their geographical range will have an impact on the identification results. At present, there is not a unified standard to specify the number of individuals to be sampled, that is, how many individuals can represent a species (Zhou, et al., 2013). Bergsten, et al studied the effects of the sampling geographic range on DNA barcodes and found that intracranial variation increased significantly as the sampling range became larger (2012).

### **Application prospects of DNA Barcoding**

Although DNA barcoding is still faced with many problems, it has been developing flourishingly and boomingly. DNA barcoding has attracted increasing attention, and its research teams have been expanding. In the next few years, researchers in DNA barcoding will focus on the optimization of DNA extraction methods, the development of new DNA sequencing techniques, the study of micro-DNA barcoding identification technology, DNA chip design by use of DNA barcode information and so on. If a variety of DNA barcoding detection kits become a reality, it will greatly save human, financial and material resources in relevant departments and improve efficiency. It can also benefit people daily in food safety, inspection and quarantine, court science and other aspects of life.

## Conclusion

As a reference tool for species identification, DNA barcoding currently is still in the research stage; moreover, it is controversial to some extent. However, it is foreseeable that DNA barcoding has broad application prospects. Above all, setting DNA barcoding application standards is very essential. Although DNA barcoding cannot solve all species identification problems, setting application standards based on parts of the species with mature studies could ultimately promote the overall practice of DNA barcoding applications.

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# Community Public Security Governance from the Perspective of Hotspot Policing: A Study on Migrants' Neighborhoods

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**[Abstract]** *This study focuses on the relationship between migrants' spatial distribution and property crimes, primarily using crime mapping techniques. The research found a shift in crime hotspots on an urban community from single distribution to diversified distribution, as well as the positive correlation between the migrants' spatial distribution and crime hotspots; hotspot policing policy intervention can reduce crimes to a certain extent, but in the big space-time category, there is no sign to indicate that crime displacement exists. On the other hand, the community public security administration should focus on establishing a Social Security Protection System. With the goal to prevent crime in the migrant community, it should use police resources scientifically while adhering to the principles of hot spots policing and community policing strategies.*

**[Keywords]** *migrants; community governance; crime; hotspot policing*

## Introduction

Hot Spot Criminology, which was developed by criminologists Lawrence Sherman and David Weisburd, is an important approach to the study of criminology (Weisburd, & Groff, 2012). According to a large amount of scientific research, western scholars have confirmed that “criminal hot spots” have a degree of stability and can be addressed by hot spot policing strategies. This theory will be moved forward and expanded upon through this theoretical examination. Also, it will provide a strong support for the police on crime prevention. This research will try to examine Hot Spot Criminology by focusing on the aggregation of migrants and the criminal hot spots, and to explore the correlation between the distribution of migrants and criminal hot spots. Meanwhile, the research is trying to find the rule of migrants' crimes and make effective predictions or analyses to prevent crimes, and accordingly, having an effective maintenance of public order of community.

## Background

Louise Shelley stated, “The process of urbanization makes the crime rate rise irreversibly” (Shelley, 1986). Since the policy of reforming and opening outside was promulgated in China, the economy has been in a rapid growth, while society was undergoing a lengthy transformation. Urbanization has obviously accelerated along with adjusting the industrial structure and revising the migrants' policy. However, urbanization has brought higher crime rates in certain areas leading to chaos in these areas. In the past three decades, the urbanization level in China has increased 2.6 times, while the registered number of criminal offenses has increased 10.4 times and the ratio of registered criminal cases increased 7.48 times (Wu, 2012). This fact leads to the conclusion that each increasing percent of the urbanization level has caused 177,000 more recorded criminal cases. Migrants contribute more and more to the urban crimes, and most migrants are workers that come from rural areas. Because of the salaries, living conditions, blood relationships and geographical relationships of these kinds of people, they aggregate in the ridges of the city spontaneously (or they are forced), which makes it easier to form migrants' aggregation areas. For one thing, they become shelters for potential criminals, and for another, these areas make it easier for migrants to become criminals.

According to Problem Analyzing Triangle Theory (PAT), when the conditions are appropriate, crimes can happen anytime. Along with the elements of crimes being generated and becoming steady, these kinds of areas are very likely to become criminal hot spots. However, this phenomenon is quite different from the one in western countries where crime rates rose in the centers of the cities because of counter-urbanization.

In past decades, many foreign criminologists used a method of spatial analysis to study the locations of urban crimes. They studied the spatial distribution, patterns and trends of crimes, as well as the related policing strategies that would have an impact on the crime space distribution. This kind of research is called “criminology of space” (Sherman, & Gartin, 1989) The criminology of space deems that “space” is very important to the formation of crimes, and researchers and police officers should take it seriously to solve crime problems. In addition, theories such as the Daily Behavior Theory (Sherman, & Gartin, 1989), the Prevention of Circumstances Crimes (Clarke, 1983), Environment Criminology (Brantingham, & Brantingham, 1981) claim that “place” is an emphasis of criminological studies in small areas (Weisburd, & Groff 2012). Actually, the criminology of place brought us a new vision of the relationship between the migrants’ neighborhoods, the time and space of crimes.

As computer technology advances, especially the development and application of the geographical information system, the analyzing ability of criminologists to understand the space of crimes has been greatly improved. To the span of time, they can analyze the data over a long period. To the span of space, they are able to analyze the data of certain areas, even the entire city. Supported by the geographical information system and the space analyzing technique, criminologists have made some progress. A large number of empirical studies show that crimes follow some rules in spatial distribution. One aspect is that crimes can aggregate in space distribution, which means that some places are easy to become crime hot spots. The so-called crime hot spot is the area whose crime rate is higher than the average or the chance that people become victims is higher than average (Eck, & Chainey, 2005). David Weisburd and other researchers found that in 2010, the cases happened in the top 10% blocks were 72.8% in all blocks in New York. Meanwhile, the cases happening in the top 10% cross roads were 69.6% in all the cross roads (Weisburd, & Telep, 2014). In another aspect, crime hot spots are quite steady in the time dimension, which means they can be steady for a long time if factors like environment and people don’t change. Weisburd and Bushway analyzed the crime data of Seattle over 14 years by space distribution and found that some hot spots could exist for a really long time and remain steady on some certain streets (2004).

We are going to use a certain area in Tongxiang City, Zhejiang Province as the research location. In the design of this research, we will first analyze the different stages of the aggregation of migrants and see whether there’s a connection between the aggregation and the crime hot spots. Finally, from the view of public order and policing strategy, we will present several solutions and accommodations for decreasing the crimes of migrants’ aggregation.

## **Method**

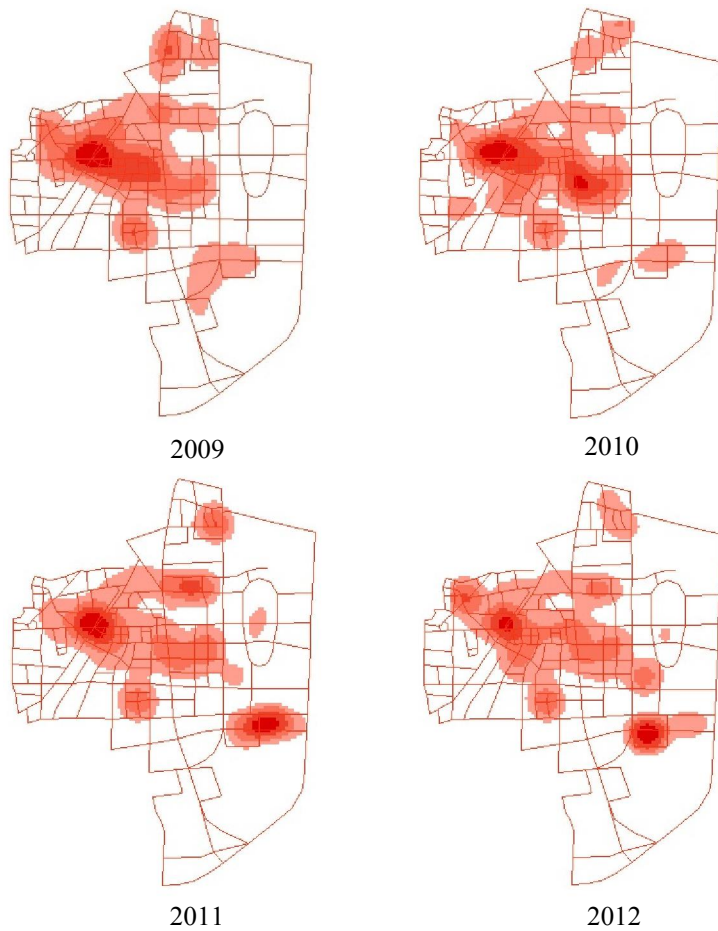
### ***Sample and Measure***

This study selected Tongxiang City of Zhejiang Province as the research location. Tongxiang City is located in the northern part of Hang Jiahu Plain in Zhejiang Province, on the border among Hangzhou, Huzhou and Jiaxing, and covering an area of 727 square kilometers. According to the statistical data of 2014, during the last 5 years, the number of the migrants of Tongxiang was about 120,000. The data of this research came from the Police of Tongxiang City; all of it is the original data, dating from 2009-2012, and is mainly about electric car theft. According to the data, the greatest number of car thefts was in 2010, and the lowest was

in 2012. The number of car thefts during these 4 years fluctuated greatly. We analyzed the reported thefts of two kinds of cars using the density estimating technique in ArcMap 10. The total results of our analysis is shown in Figure 1. The annual results are shown in Figure 2.



**Figure 1. Illustration of the Crime Hot Spots, from 2009 to 2012**

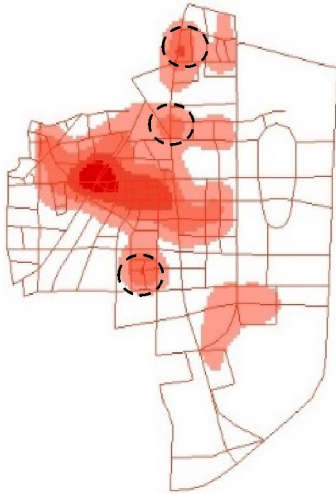


**Figure 2. Illustration of Yearly Crime Hot Spots**

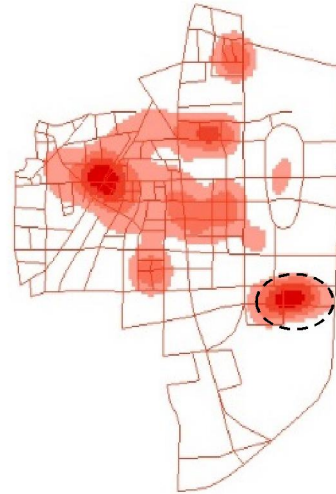
## Analysis and Conclusion

### *Diversification of Crime Hot Spots*

By describing and analyzing the crime maps (Figures 1 & 2), we can easily find out that in this area, as new-style migrants' neighborhoods, and there are some crime hot spots. In the distribution of the crime hot spots, they are mostly concentrated on the city center, older communities in the city and newly-built resettlement areas (Figure 3) in space. From the illustration of KDE analyzing from 2009 to 2012, the midwest region of the research area shows hot spots, which is the center of the city. The city center is composed of the business center and older communities, which has a complex personnel structure, a strong population mobility and high degree of aggregation, or relatively higher caseload.



**Figure 3.** Newly-Built Resettlement areas



**Figure 4.** Crime Hot Spots of Ng

According to the diagram form of 2011, an obvious crime hotspot, Nangang village, emerged in the southwest region of the study area. Nangang village has 580 households, of which the registered population was 2309. As the largest removal resettlement community in the study area, it can be seen from the figure of crime hotspots (Figure 4) that this region formed an obvious crime hot spot in less than two years. In addition, according to the changes of crime areas in Tongxiang City, hot spots have been transformed from the original commercial centers in the heart of the city and the old communities into the pattern of downtown commercial centers - old communities - new removal resettled communities in suburban areas gradually. The formation of the crime hot spots and the change of time and space preliminarily proved that the formation and change of crime hot spots, and people, are closely connected with the aggregation of people, money, goods, and especially the concentration of migrants.

### *Positive Correlation between Crime Hotspots and Migrants Aggregation*

By analyzing the crime maps (Figures 2 & 3) from 2009 to 2012, districts with a high density of population have gradually evolved into crime-inclined areas in newly-built resettlement areas like Nangang residential district, etc., all of which have a large population (TLRCC 2009a, 2012b). They are known for attracting huge amounts of migrants, just like “new village inside downtown” or “Arrival City”. As the number of migrants increased, typical cases of car thefts have also noticeably increased. Although we still cannot rule out how much other variables contribute, it directly indicates that the formation of a crime hot spot is proportional to the aggregation of migrants by the demonstration of transmission and formation of crime hot spots in the crime map.

In 2011, the number of car theft cases kept growing rapidly and reached as high as 1293. After the special action addressing the theft cases in the migrants' community, the number of cases declined significantly. But at the same time, an interesting outcome that we can see from the data showed that the number of migrants in 2012 decreased obviously as well. From the view of two car theft case causality analysis, is the police intervention in the hot spots the real cause, or is it the decline in migrants? We believe that, on the one hand, with the implementation of police intervention measures in hot spots, the prevention and control work to bring down the number of burglaries has been strengthened; on the other hand, potential criminals were expelled, causing the decline of migrants in the region. Except for the interventions, the environment and other factors of the village in 2012 did not obviously change. Police intervention is effective to cut crime hot spots.

### **Discussion**

The problem of crime hot spots in the aggregation community of migrants is a common phenomenon in the current period of social transition in China urbanization. This phenomenon is not unique to our country. Many countries in the world have been through this period. Famous Canadian journalist Doug Saunders mentioned in his book, *The Arrival City* (2012), immigrants will generally choose to live in a "village in a city" as their "foothold" before entering the city, as their transition moving into the society. Saunders holds a positive attitude to the "village in a city" or "slum" overall, embracing that government should give enough tolerance to these footholds of migrants.

Since the reform and opening, economic globalization and cheap labor costs have been two important reasons for our remarkable achievements on economy. Cheap labor costs are derived from having a large number of rural migrant workers. They are a major contribution to GDP, but at the same time, their basic living welfare is not guaranteed (Qin, 2013). There are different points of views in the governance of "village in city" between the academic and practice fields. The Practice field believes that we should take more measures and establish stricter laws to regulate the "village in a city" in order to reduce the security point. But the academic field pays more attention to the protection of living rights and interests of the migrants. The government should hold a tolerant attitude towards the existence of the "village in a city". As long as the crime involved with "village in a city" is under control, the migrants are beneficial to society. "Village in a city" is an ecosystem, and the migrants can make a living with small businesses and create conditions for getting into the upper class for their generations to come. Hui Qin, a history professor in Tsinghua University, said, "It is not shameful for big cities to have such migrants cluster inside." On the contrary, Shenzhen and other cities should take the initiative to allow for the existence of cheap residential area (Saunders, 2012).

The authors feel that having a correct understanding of crimes happening in the migrants' aggregation community is very important. We should try to balance "orderly urbanization" and "migrant workers living welfare". A rational attitude towards the occurrence of crime hot spots and the migrants' aggregation community is necessary for our better urbanization. From a macro level, the government should first realize the significance of guaranteeing basic living rights and interests of migrant workers. The crime hot spot phenomenon is temporary when migrant workers move into the city at the beginning. We cannot chase the ultimate goal of "orderly urbanization" blindly and deprive migrant workers of basic living rights and welfare. We should take their poor economic conditions into account when facing the shanty town problem. From Latin America, South Africa and many other countries in the world, we can learn that it is impossible to achieve "orderly urbanization" without protecting the living rights of migrants. As far as we know, we

are able to avoid being too nervous or anxious about the formation of crime hot spots. With the rational goal of bringing the crime rate under control, we can realize harmony of our society since the positive ones of rational crime rate outweigh the negative ones (Liu, 2011).

Generally, the communities with high crime rates are led by many factors, such as poverty, high divorce rate, high rates of single parent families, high population density, dilapidated housing, poor school condition and other poor social services, and the residents have frequent migration and population flow (Vold, Bernard, & Snipes, 2002). At present, the phenomenon of the over-clustering of migrants will be widespread in quite a long time. But is the formation of crime hot spot inevitable? We can, in fact, strengthen the space management of the region from the micro level, by increasing the construction of life supporting facilities, enhancing the level of public services, and strengthening environmental management measures, as well as improving the condition of public security.

The clustering of criminal locations supports the situation where we can take police patrols in hot spots as a kind of effective crime prevention strategy. A series of random field trials showed that strategies aiming at crime hot spots can effectively reduce crime and security chaos (Weisburd, & Telep, 2010). Through this study, we preliminarily verified that hot spots police intervention would not lead to obvious displacement of crime hotspots. Therefore, with the relative lack of current police resources, we can effectively control the formation of a certain region within the scope of crime hot spots by timely carrying out a targeted hot spot policing strategy. In addition, in order to prevent the formation of aggregation of the migrants' crime hot spots, we should take active steps in the field of prevention engineering, creatively bound hot policing strategy with community policing strategy.

### Conclusion

According to the case study of Tongxiang, this research found a shift in crime hot spots on an urban community from single distribution to diversified distribution, as well as the positive correlation between the migrants' spatial distribution and crime hot spots. Since the development of Chinese urbanization, the number of migrants' neighborhoods is getting larger, so the community public security governance of those neighborhoods will be a lasting issue. Limited to the design and size of the research, this study also has some defects, namely, the case of spatial location accuracy is not high enough, the sample size is small, time, space factors, and types of crime are not comprehensive enough and so on. These deficiencies need to be improved upon in future research.

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# Minimizing Role Conflict Among Court Interpreters

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**[Abstract]** *Court interpreting plays a critical role in providing language quarantine to the Belt and Road Initiative, which underlines China's push to take a larger role in global affairs. The role definition of court interpreters, in general, remains a controversial issue across the world. Court interpreters are constantly exposed to a variety of expectations from legal practitioners and the minority language speaking witnesses or defendants. Some expect the interpreter to be just a language conduit; some expect the interpreter to act as a cultural broker between legal practitioners and their clients; others expect the interpreter to be fully responsible for the effectiveness of the communication. These incompatible expectations often lead to role conflict among court interpreters, posing problems of adjustment and lower levels of job satisfaction. This study explores the role conflict caused by ambiguous role definitions and incompatible role expectations for court interpreters from a sociological perspective, and suggests minimizing role conflict through internal solutions, external solutions and a revision of the code of ethics.*

**[Keywords]** *court interpreters; role conflict; role expectation, role behavior*

## Introduction

As a development strategy and framework proposed by President Xi Jinping, the Belt and Road Initiative focuses on connectivity and cooperation among countries primarily between the People's Republic of China and the rest of Eurasia (Peng, 2016). As one of the areas with the most diverse languages in the world, hundreds of languages and dialects are used in China's neighboring countries and regions. The implementation of the B&R brings more challenges, as well as opportunities. More and more foreign-related cases occur in China. Court interpreting is indispensable in ensuring equality and justice in trials involving foreigners or ethnic minorities who do not speak the language of the court.

The term "court interpreting" refers to interpreting provided by professional interpreters at various stages of court proceedings, and "court interpreters" refers to professional interpreters engaged in court proceedings involving witnesses and defendants from culturally and linguistically diverse (CALD) backgrounds (Berk-Seligson, 1990). Existing studies have dealt with the role of court interpreters, but this topic is far from having been exhausted, and still deserves scholarly investigation because it is closely related to the provision of quality interpreting services and ensuring of equality and justice in bilingual courtrooms. This study sets out to approach this topic mainly from a sociological perspective, using role theory, to analyze the role conflict among court interpreters and explore possible ways to minimize it.

## Role Theory

Although the word role (or roll) has existed in European languages for centuries, as a sociological concept, the term has only been around since the 1920s and 1930s. It became more prominent in sociological discourse through the theoretical work of George Herbert Mead (1934). Role theory is a perspective in sociology and in social psychology that considers most of everyday activity to be the acting out of socially defined categories (e.g., mother, manager, and teacher). Each role is a set of rights, duties, expectations, norms and behaviors that a person has to face and fulfill. The model is based on the



observation that people behave in a predictable way, and that an individual's behavior is context specific, based on social position and other factors.

Roles are occupied by individuals, who are called "actors" or "role incumbent". Role partner is a status with which the role incumbent must interact in enacting a role (Merton, 1967). For example, students are role partners for a teacher, while witnesses and defendants, as well as legal professionals like judges and lawyers are role partners for court interpreters.

Modern role theory is based on the conception that a role is composed of several basic elements:

- a) the normative prescriptions defining how individuals occupying social positions are expected to behave;
- b) the perceptions of individuals of what they are supposed to do as incumbents of certain positions;
- c) role performance, or the actual behavior of individuals in given positions (Merton, 1967).

For more than 50 years, role theory has generated interest among scientists from diverse backgrounds. Role theory has been applied to the analysis of various topics, such as the profession of doctors, nurses and teachers. However, role theory has rarely been used in studies on court interpreting profession from a sociological perspective.

### **Norms Governing Court Interpreting**

Social roles included "appropriate" and "permitted" forms of behavior, guided by social norms. There are norms governing each specific profession. Interpreters have become increasingly ubiquitous in the courts of the world. As the court interpreting profession has developed, standards have been adopted to govern the conduct of interpreters in the judiciary setting. These standards vary somewhat from country to country, but they all have certain universal features.

Most of the norms governing court interpreters in different countries (indeed, most codes of ethics for interpreters in general) emphasize the requirement for messages to be interpreted faithfully and completely. For example, Canon 1 of the U.S. Model Code states:

*Interpreters shall render a complete and accurate interpretation or sight translation, without altering, omitting, or adding anything to what is stated or written, and without explanation* (Hewitt, 1995, p. 200).

The assertion that an accurate interpretation is one that contains no alterations, omissions, additions or explanations is common in writings on the role of interpreters in the judiciary.

Another major feature of code of conduct for court interpreters, particularly in adversarial justice systems, is the idea of impartiality or neutrality. For example, Article 4 of the Code of Conduct for Court Interpreters published by the International Federation of Translators (FIT) provides:

*The court interpreter shall at all times be neutral and impartial and shall not allow his/her personal attitudes or opinions to impinge upon the performance of his/her duties.*

These norms clearly specify a faithful and complete interpretation as the "appropriate" and "permitted" form of behavior, and the court interpreter should always be neutral and impartial in the interaction.

## **Disagreement on the Role Expectation of Court Interpreters**

Role Theory proposes that human behavior is guided by expectations held both by the individual and by other people. The expectations correspond to different roles individuals perform or enact in their daily lives, such as secretary, father, or friend. For instance, most people hold pre-conceived notions of the role expectations of a secretary, which might include answering phones, making and managing appointments, filing paperwork, and typing memos. These role expectations would not be expected of a professional soccer player. Role expectation is defined as the expectation shared by members of a group that specifies behavior considered appropriate in a given situation for the occupant of a particular status, which includes expectation of role partners and expectation of role actors themselves (Secord & Backman, 1974). Studies show role perceptions of legal professionals and court interpreters role are seemingly conflicting.

### ***Role Expectation Held by Legal Professionals***

Over the years, “a conduit” is a much-favored simile among judicial personnel to describe the role of the court interpreter. The goal of a court interpreter is to enable the judge and jury to react in the same manner to a non-majority-language-speaking witness as they do with one who speaks the major language. Also, the limited–or non-majority-language-speaking defendant should be enabled to hear everything that a major language speaker has the privilege to hear. And to achieve this goal, the duty of the court interpreter is to serve as a conduit between non-majority-language-speakers and the major-language-speaking officials in legal forums as they convert one language to another.

Apart from a “conduit”, various other images have been used by members of the legal profession to describe court interpreters, including a transmission belt, a transmission wire or telephone, a court reporter, a bilingual transmitter, a translating machine, a (mere) channel, a cipher, an organ conveying (presumably reliably) sentiments or information, a mouthpiece, and a means of communication (Morris 1993, pp 221-223). All of these are common in the implication that court interpreters are supposed to do word-for-word interpreting and their role is ‘just translating and nothing else’.

### ***Role Expectations Held by Court Interpreters***

As far as the interpreter’s perception of his professional role is concerned, they are more likely to view themselves as an active participant in the interaction rather than an invisible translation machine. Increasingly, as the literature shows, interpreters in community or public service interpreting settings see themselves as having to act sometimes as cultural mediators or brokers, in addition to performing their traditional narrow linguistic transmission (Valero-Garcés, & Martin, 2008). “In situations where conflicting agendas arise or where the proper exercise of human or legal rights may be in doubt, translators’ ethical and political judgments become as central to their task as cultural or linguistic competence. Translators cannot escape the burden of their moral proximity to others” (Inghilleri, 2010, p. 153). Interpreters everywhere are often advocates for various social causes. Yet, the role of advocacy in judicial interpreting is seldom recognized or contemplated.

## **The Role Behavior of Court Interpreters**

More and more researches have shown, over the past decades, that the ostensible and presumed transparency court interpreter is not true. Early in the 1980s, Susan Berk-Seligson’s studies of the bilingual courtroom in the United States revealed that, contrary to the legal system’s fundamental assumption, interpreters are indeed an intrusive element in legal proceedings, the content of which is inevitably affected by their involvement (Berk-Seligson, 1990). Backing up this finding, Sandra Hale’s

subsequent studies in Australia identified pragmatic changes that occurred during Australian court interpreting practice (Hale, 2004). A report by the Commonwealth Attorney General's Department (1991) states that the court interpreter is a facilitator of communication, not a translation machine.

A literal approach looks at utterances at the word level and tries to match each word, in the same order in the other language. However, since different languages have different grammatical rules, use different word order and express concepts in very different ways, a literal, word-for-word translation will not produce a faithful rendition. It is very unlikely that any interpreter would ever attempt to do so consistently, even if they think the courts expected them to, as it would be an impossible task.

## **Role Conflict and its Impact**

### ***Role Conflict Among Court Interpreters***

Though we talk of expectations as if everyone in society has identical expectations for role incumbents, this is not true. To the extent there are disagreements, there will be difficulties, especially in roles that require coordination with role partners. Role conflict is a conflict among the roles corresponding to two or more statuses, for example, teenagers who have to deal with pregnancy (statuses: teenager, mother). Role conflict is said to exist when there are important differences among the ratings given for various expectations.

In many court interpreting cases, cultural differences and culturally-bound terms or expressions often pose challenges in interpreting, requiring the interpreter's discretion and judgment about the best possible renditions. In most interpreting settings, this may warrant addition or explanation (Dean & Pollard, 2005, p. 266). However, in the eyes of legal professionals, provision of opinion or extra information is generally regarded as overstepping the bounds of the court interpreter's role. The interpreters' role as mediators is not recognized by the court, which restricts the role of the interpreter to 'just translating and nothing else'.

### ***The Impact of Role Conflict***

Role strain or "role pressure" may arise when there is a conflict in the demands of roles, when an individual does not agree with the assessment of others concerning his or her performance in his or her role. Role conflict among court interpreters poses problems of adjustment and lower levels of job satisfaction, which may undermine an effective and fair legal process across languages and cultures.

The conduit model is often associated with word-for-word interpreting. Court interpreting researchers have been critical of risks arising from formal adherence to the conduit model, which may result in distortion and miscommunication (Morris, 1993; Laster & Taylor, 1994; Fenton, 1997; Mikkelsen, n.d., 2000, 2008; Hale, 2004).

Many discussions of what constitutes an accurate interpretation do caution that a literal interpretation may not adequately convey the sense of a message, and that interpreters should give priority to meaning over form:

*Interpreters are obligated to apply their best skills and judgment to preserve faithfully the meaning of what is said in court, including the style or register of speech. Verbatim, "word for word" or literal oral interpretations are not appropriate when they distort the meaning of the source language (Hewitt, 1995, p. 200).*

Unfortunately, this caveat seems to be lost on a large number of monolingual judges and attorneys who lack sufficient understanding of linguistic theory and interlingual message transfer. They assume that

interpreting is a mechanical process requiring automatic responses rather than judgment or discernment, and they compare the interpreter to a phonograph, a transmission belt, and other mechanical devices (Morris, 1999). This misconception of interpreting creates a moral dilemma for judiciary interpreters, as they are bound by their code of ethics to be faithful to the intended meaning of the message while at the same time the judge instructs them to “just translate verbatim” (Morris, 1995).

Moeketsi and Wallmach (2005) also highlight the conflict this creates for interpreters:

*One of the thorniest issues in court interpreting is clearly the requirement to interpret verbatim. Court interpreters often feel that they lack sufficient status in the courtroom to countermand what often amounts to explicit instructions by the bench to interpret literally. At the same time, they have a duty to ensure that the accused understands the proceedings (2005, pp. 87-88).*

### **Minimizing Role Conflict**

Role conflict could be resolved mainly through two ways: an internal solution and an external solution. The internal solution of role conflict requires the role incumbent to make efforts to overcome the obstacles, while the external solution refers to the negotiation and coordination with role partners.

#### ***The Internal Solution of Role Conflict by Court Interpreters***

Man is both the subject and the object in society. As the object, in a certain social position, he has to consider role expectations by others. However, as the subject, he may regulate his role behavior according to his own understanding and perception of his role. The internal solution of role conflict is closely linked with one's values. Whether one adopts a positive attitude towards the role conflict, or takes a passive attitude by avoiding or complaining about the conflict, has an important impact on the solution of the role conflict. Though different choices of attitude are restricted by the social environment, it is also closely connected with the personal outlook on the world, life and values. If a person has established a scientific world outlook, outlook on life and values, he will have great spiritual power to overcome the difficulties and obstacles caused by the role conflict, to achieve the correct role target he sets.

The interpreter may not be able to bridge the cross-linguistic gap merely by rendering verbal utterances. Therefore, interpreter training and certification should not just concentrate on linguistic skills. More efforts should be made to educate and empower court interpreters, so that they are sure what role they are supposed to play and what they should do to achieve their goal. To fulfill the task of removing any barriers which prevent understanding or communication, an interpreter is not restricted merely to passing on the questions when the party is giving evidence; he also needs to appraise a party of what is happening in the court and what procedures are being conducted at a particular time. Moreover, the professionalization of court interpreting can go some way towards improving the status of court interpreters, thus allowing them to exercise the necessary latitude in dealing with the difficulties of their profession.

#### ***The External Solution of Role Conflict by Legal Professionals***

As Morris (1995) pointed out, it is lawyers and judges who have defined the functions of interpreters in the legal sphere. Language is one of the main tools used by legal professionals, especially in adversarial legal systems, and they are understandably concerned that interpreters might interfere with the outcome of a case by distorting meaning.

Redefining the role of the interpreter in legal settings requires a change of attitude among legal practitioners. Efforts should be made by professional organizations to educate legal professionals that accuracy does not necessarily mean literal interpreting at the word level. Interpreting has been recognized as a profession that requires technical skill and expert judgment regarding situational and human interaction (Barnett, 2006, p. 120). Legal decisions such as these point to progress in the legal sector's perception of the interpreting process and the interpreter's role.

### ***Revision of Codes of Ethics***

Current codes and regulations fail to reflect the reality of interpreters' role in legal settings and even cause dilemma for interpreters. Many codes treat interpreters as though they were still ad hoc outsiders to the judicial process, denying them any professional discretion as participants in the proceedings. These inherent limitations in ethical codes belong to three categories: 1) grey areas in reality which fall "in between" ethical tenets, obscuring their interpretation and applicability; 2) situations where different tenets conflict or lead to divergent conclusions; and 3) bias in the way the code has originated and evolved (Camayd-Freixas, 2008).

A clear regulation on the rights and obligations of court interpreters is an effective way to protect court interpreters and avoid role conflict. Until now, no consensus on the role of court interpreters is in sight. As division and confusion reigned, a revision of ethical codes and the role of professional organizations is overdue. It is high time to urge professional organizations to revisit their ethical codes and seek remedies for the above-mentioned limitations. Scholars and practitioners should be involved in drafting these codes to recognize the role of professional discretion in ethical decision-making for those interpreters who are immersed in a particular situation of conflict.

### **Conclusion**

The implementation of the Belt and Road Initiative cannot do without a language guarantee. It is widely acknowledged that interpreters play a critical role in the administration of justice and make it possible to ensure the rights of due process and participation in the court system for all those involved. However, interpreters are often confronted with conflicting expectations from the different parties, feeling pressured from all sides to conform to different roles. This article discusses the concept of role analysis as applied to the case of court interpreters. The role conflict caused by different expectations may undermine an effective and fair legal process across languages and cultures. Therefore, joint efforts by professional organizations, legal professionals and court interpreters are needed to minimize the impact of the role conflict.

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# Dealing with Untranslatability in Legal Translation Under the Belt and Road Initiative

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*[Abstract] This paper tries to deal with the issue of untranslatability encountered by legal translators working from Chinese to English and provide practical solutions. The Chinese legal system is a socialist system of law, which is based primarily on the civil law model. Not only do the languages of Chinese and English not share any common background, but also the legal systems of the two languages come from two different legal families. It is inevitable for translators to encounter the problem of untranslatability. Therefore, different translation methodologies need to be used in dealing with the problem of untranslatability. It is hoped that under the Belt and Road Initiative and through the work of translation, the legal understanding between China and the Western countries will be deepened.*

*[Keywords] untranslatability; legal translation; legal system*

## Introduction

When Chinese President Xi Jinping visited Central Asia and Southeast Asia in September and October of 2013, he raised the initiative of jointly building the Silk Road Economic Belt and the 21st-Century Maritime Silk Road (China Daily, 2015). The Belt and Road Initiative advocates tolerance among civilizations, respects the paths and modes of development chosen by different countries, and supports dialogues among different civilizations on the principles of seeking common ground while shelving differences and drawing on each other's strengths, so that all countries can coexist in peace for common prosperity. The translation of China's legal information is an important way to have dialogues with different civilizations. As such, it is important to translate it appropriately from Chinese to English to show its progress in developing the law. However, translators often encounter difficulties when faced with terms or concepts in the source language (SL) that do not exist in target language (TL). When such difficulties are encountered by legal translators, the issue of untranslatability in legal translation arises. Therefore, some methodologies need to be adopted during the process of translation.

According to Catford (1965), untranslatability is distinguished into two types: one is linguistic, and the other is cultural. On the linguistic level, Chinese and English are two languages at polar opposites. Due to the huge linguistic distance between the two languages, it often occurs that certain terms or concepts in Chinese have no equivalent terms or concepts in English, and vice versa. On the cultural level, the disparity between the two languages may go beyond lists. Law is a representation of the culture. Sarcevic (1985, p. 127) stated the relationship between language and law in this way, "Each country has its legal language representing its social reality of its specific legal order". These two languages do not share the same legal system. Therefore, it is unavoidable that a legal terminology in one legal system can have a different referent or be absent from another legal system. The difference between the Chinese legal system and the English legal system and the variation in their cultures make the legal translation "an ultimate linguistic challenge" (Harvey, 2002, p. 177). To some extent, the task of legal translation is like a mission impossible, translating

the untranslatable. A legal translator should not only be proficient in the linguistic command of the SL and the TL, but also have a good knowledge of both legal systems.

This paper aims to explore the issue of untranslatability that needs to be taken into account for a successful legal translation from Chinese (SL) into English (TL). After presenting the major differences of both legal systems, this paper will suggest some methodologies to deal with the untranslatability in legal translation.

### **The Major Differences between the Chinese and English Legal System**

The English legal system in this paper refers to the legal system of English-speaking countries, mainly the UK and the US. As we all know, the legal system of these countries belongs to the so-called common-law system. The Chinese legal system here refers to the legal system of the PRC. Chinese law is one of the oldest legal traditions in the world. In formulating laws, the PRC has been influenced by a number of sources. However, the Chinese legal system is based primarily on the civil law model. The characterization of the Chinese legal system has been a controversial issue among law scholars, which is beyond the scope of this paper.

The most distinctive feature of the Chinese legal system is that its core principles are codified into a referable system which serves as the primary source of law. The English legal system is characterized by case law, which is law developed by judges through decisions of courts and similar tribunals.

Another major difference lies in the jury system. In the case of English legal system, juries are comprised only of laypersons. Strictly speaking, China does not have the jury system in the sense of common-law system. The people's assessor system in China is different from the jury system in common-law jurisdiction, in that the people's assessors are not selected on the basis of citizenship, they function as judges, and have the authority to decide both issues of facts and law. There are other differences between the two legal systems, which also are beyond the scope of this paper.

### **Methodologies**

“It has sometimes been said that the overriding purpose of any translation should be to achieve ‘equivalent effect’, i.e. to produce the same effect or one as close as possible on the readership of the translation as has obtained on the readership of the original” (Newmark, 1988, p. 48). In order to achieve equivalent effect, to impart the information of the SL into the TL to the greatest extent, various methods of translation should be adopted.

#### ***Literal Translation***

According to Newmark (1988, p. 76), “Literal translation is the first step in translation, and a good translator abandons a literal version only when it is plainly inexact or, in the case of a vocative or informative text, badly written. A bad translator will always do his best to avoid translating word for word.” As Jeanpierre (2011) proposed, in legal translation, primary consideration should be given to the word-for-word translation methodology.

Despite the different legal systems of the SL and the TL, some legal concepts have the same meaning, which can be directly translated using the word-for-word methodology. For instance, “法院” can be translated as “Court”. In the judicial system of China, the highest court of appeal is “最高人民法院”, which can be translated as “the People's Supreme Court.” The meaning of the translation is non-controversial though such a court does not exist in the common-law system.



Some legal concepts only exist in the legal system of the SL. As mentioned previously, China does not have the jury system in the sense of the common-law system. It would be inappropriate to translate “人民陪审员” as “juror”. Therefore, using the word-for-word translation methodology to translate “人民陪审员” as “people’s assessor” is perfectly clear, even though such a concept does not exist in English law, because it causes no confusion and distinguishes itself from juror.

On other occasions, a literal translation will not be enough to understand the original meaning of the term in the SL in the context of the TL. For instance, for the term “环评区域限批”, “环评” is “Environmental Impact Assessments”, which is both clear to the SL readers and the TL readers. However, the other part of the term “区域限批” (literally means “Regional Approval Restrictions”) is specific to the Chinese legal system, which would probably puzzle an English reader. This administrative action has no direct equivalent in the common-law system. It may be better to follow it with an explanation, such as “Regional Approval Restrictions for Environmental Impact Assessments is an administrative action which the Chinese EPA at the State Council or provincial level may take to suspend the approval of required environmental impact assessments for projects if the proposed areas have a low rate of implementing impact assessments, have severely violated the Three Synchronizations Policy, have not achieved environmental quality targets, have exceeded quotas for the discharge of major pollutants, have recurrences of severe environmental pollution incidents, or present clear environmental pollution risks.”

### ***Equivalents***

Special attention should be paid to the fact that a term in the SL might have more than one equivalent in the TL. For instance, “律师” (a lawyer or a legal practitioner) in China, might be translated as “barrister” in England when related to court proceedings and court pleadings, or “solicitor” when related to legal advice or the drawing up of legal documents. Therefore, the safest translation could be “lawyer” when the context is not certain. “Attorney at law” or simply “Attorney” might be an alternative when it is used in the U.S.

The term “法人” (juristic person) originates from “juristische Person” of German law. In English, the optional counterpart can be artificial person, body corporate, corporate body, corporation, judicial person, juridical person, juristic person, legal body, legal entity, and legal person. “法人” in China usually describes an organization, a company, a close corporation, a body corporate or a trust. In the common-law system, “juristic person” or “artificial person” refers to “a body, e.g., a corporation recognized by law as having rights and duties”. Accordingly, “juristic person” or “artificial person” is the nearest equivalent in the common-law system to the term “法人”.

Sometimes the methods of using an equivalent term and the literal translation are not optional choices. For instance, the Chinese “行政主体”, is often translated into English as “administrative subject”. In fact, there is no equivalent concept in the common-law system. Therefore, the method of using the nearest equivalent can be adopted. In the case of “行政主体”, the nearest equivalent “administrative organ” is suggested. In English, there are more terms to describe similar concepts, such as administrative agency, administrative body, and administrative authority. However, those concepts are not the equivalents of “行政主体” in Chinese law. Using the nearest equivalent “administrative organ” is the best choice here. It not only shows the difference between the Chinese law system and the common-law system, but also maintains the Chinese characteristic. More importantly, no confusion can be caused by using this translation. When the legal concepts are slightly different between the SL and TL legal systems, the methodologies of finding the nearest equivalent term will be adopted. Using the nearest equivalent term in translation will inevitably add or lose certain meanings to some extent, but sometimes it is just unavoidable.

If a literal translation of a term from the SL may lead to confusion for the TL readers in the translated document because the term is an unfamiliar concept in the TL, a translator may prefer to use a TL equivalent term. For instance, “财产保全制度” in Chinese law is a system to maintain the value of the property in dispute, aiming to prevent the property of a party concerned from being concealed, transferred or sold, which is a form of injunctive measures in the common law. The literal translation of the term “财产保全制度” is “property preservation system”, which has no counterpart in the common-law system. However, “injunction” in the common-law system is a concept which has similar meaning. An injunction is “[a] court order commanding or preventing an action” (Garner, 2009, p. 885). Therefore, in this case, using the equivalent term is the optimal choice. The writer would suggest translating it as “injunction”.

“惯犯” in Chinese law can be translated as “habitual criminal”. This is an acceptable translation where the meaning in the SL is correctly transferred into the TL. However, there is a term “old lag” in English which has similar meaning. In the case of “old lag”, we can say it is more of a cultural tag. “惯犯” v. “Old lag” can be regarded as approximate cultural equivalents. In legal translation, using culturally neutral terms is the safest method, which has no confusion effect on the SL readers or the TL readers. However, as a translator, it is important to be familiar with both the legal culture of the SL and the TL. Nida (2004) once stated that, being familiar with the two cultures is even more important than mastering two languages, because the language has its meaning only in the cultural background. Thus, the translator will be able to choose an appropriate word in accordance with the legal culture in the process of translation.

### ***Borrowing***

There are cases which are impossible to provide an accurate translation of an SL term or a concept that does not exist in the TL legal system. As Sarcevic (1997, p. 256) suggested, “In cases where a technical term of a given legal system is to be applied in all the parallel texts of a single instrument, the translator(s) may decide to use the foreign term as a borrowing in other text(s)”. The method of borrowing, or “admit defeat” as Weston (1991, p. 26) once put it, is what a translator has to adopt under certain circumstances. Jeanpierre (2011) also suggested that borrowing is “the only alternative” when the original SL non-translatable term is used for the first time. For example, “户口” is always associated with China and has no equivalent in the common-law system, thus becoming untranslatable. Therefore, “户口” can be translated as “Hukou”, borrowing the pinyin of “户口”. In addition, the translator may explain “Hukou” as “a record in a government system of household registration required by law, identifying a person as a resident of an area, including identifying information such as name, parents, spouse, place of birth, date of birth, and education, etc.”

The term “信访” literally means “letters and visits”, which is an abbreviation of “people write letters and pay visits to express their political demands and to protect their rights”. The translation “letters and visits” might lead to confusion because the term is unknown in the TL. Since the meaning of “信访” is close to the meaning of “petition” in the common-law system, quite often, Chinese media and the academia use the nearest equivalent term “petition”. However, both versions cannot fully convey the profound historical tradition and the contemporary unique meaning of “信访”. It is like the word “Guanxi (relationship)”, the connotation of which has so much more than the meaning of relationship. In the case of “信访”, the methodology of borrowing can be applied. The writer would suggest the use of pinyin “Xinfang”.

### ***Paraphrasing***

Sometimes a legal concept in the SL is quite culturally specific. However, it may overlap with a concept in the TL legal system to some extent. Under such circumstances, methods of literal translation, borrowing, finding equivalents may be set aside.

In Chinese law, an example of such an untranslatable concept is “行政相对人” of the administrative law. “Administrative counterpart” is the literal translation for “行政相对人”, which is a confusing term for the TL readers. It should thus not be translated. In the case of “行政相对人”, it is essential to have a correct understanding of the context in the TL document, therefore, the terms such as “the citizen”, “the party” or “the concerned/interested person” are acceptable translations. The advantages of these translations are simple and short. However, the concept of administration is lost in these translations. Therefore, to better maintain the meaning of the term in the legal system of the SL, the method of paraphrasing can be applied. It will be more adequate if the term is translated as “the person who is subject to administrative management” in the legal documents.

The Chinese law is primarily based on the civil law model, which has been greatly influenced by German law. For instance, the term “完全法条” (literally means “complete rule”) originates from “vollständiger Rechtssatz”, which is a legal concept having no equivalent in the common-law system. Hence, except the literal translation and the method of borrowing, the method of paraphrasing also needs to be applied. “Complete rule” (vollständiger Rechtssatz) usually refers to “a statute including constitutive elements and the legal effect, instead of those in dispute may function independently without referring to other clauses.” The method of paraphrasing can be regarded as the last resort. It has the disadvantage of being lengthy and complicated.

### **Conclusion**

The problem of untranslatability in legal translation mostly arises from the legal culture gap due to the different legal system of the SL and the TL. Different from the translation of other genres, legal translators should pay more attention to the legal culture of different legal systems, in order to make correct choices in choosing expressions which can maintain the original meaning of the SL to the greatest extent. Thus, the legal translators should not only have a good command of the SL and the TL, but also take the differences of legal systems and that of legal cultures into consideration.

For any type of translation, including legal translation, providing an accurate and precise translation is the priority for a translator. For the purpose of accurately transferring the legal information and spirit of the SL to the TL, various methods of translation should be adopted in dealing with untranslatability in legal translation. Literal translation is always preferred if it can impart the information of the SL to the TL clearly. However, there are other methodologies available, such as finding equivalents, borrowing, and paraphrasing, etc. Thus, translators need to be creative, adopting appropriate methods accordingly.

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# **“Let China be Heard”: A Translation Course Designed for the “Belt and Road” Initiative**

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*[Abstract] With President Xi’s introduction of the “Belt and Road” Initiative, China plans to spearhead investment in transport corridors and improvement on connectivity from China to Europe. This calls for the need for cultivating competent language users for tasks in publicity among the international community. The paper introduces the concept of “Let China be Heard” in a translators training course at the undergraduate level, together with a course syllabus oriented towards telling China’s stories in an acceptable English to facilitate new approaches to teaching and learning and to maximize its contribution to “Belt and Road” Initiative.*

*[Keywords] Language for Special Purposes (LSP); China’s stories; translation studies; “Belt and Road” Initiative*

## **Introduction**

In the Language for Special Purposes (LSP) classroom, translation is not explicitly taught as an end in itself, but rather as a means to perfecting reading skills in a foreign language. It is, furthermore, conceived as an aid for consolidating writing and communication skills in the student’s first language and, therefore, as an important component in the undergraduate program. In this sense, translation for the purpose of the “Belt and Road” Initiative, as used in this paper, involves taking a Chinese text which is in the trainee’s mother tongue and translating it into English, as readable and acceptable as possible – the readability and acceptability of which depends on the language knowledge being acquired from their previous language learning experience, as well as cultural understanding and discourse framework illustrated by the trainer, whether it is morphological, syntactic or lexical for instance, as well as the trainee’s repository knowledge of the source text.

## **Background**

The Chinese Communist Party document released in March 2015 introduced the Concept of the “Silk Road Spirit” which was described as a “historic and cultural heritage shared by all countries around the world. .... Jointly building the Belt and Road is in the interests of the world community. Reflecting the common ideas and pursuit of human societies, it is a positive endeavor to seek new models of international cooperation and global governance, and will inject new positive energy into world peace and development” (MFMC, 2015). The policy agenda aims at rewriting the current geopolitical landscape. The “Belt and Road” Initiative is a flexible formula that can even be expanded to include past projects as there are no deadlines or clear parameters.

According to the report released by the Ministry of Foreign Affairs and Ministry of Commerce of the People’s Republic of China (2015), the initiative to jointly build the Belt and Road, embracing the trend towards a multi-polar world, economic globalization, cultural diversity and greater IT application, is designed to uphold the global free-trade regime and the open world economy in the spirit of open regional cooperation. Jointly building the Belt and Road is in the interests of the world community. Reflecting the

common ideals and pursuit of human societies, it is a positive endeavor to seek new models of international cooperation and global governance, and will inject new positive energy into world peace and development.

The “Belt and Road” Initiative aims to promote the connectivity of the Asian, European and African continents and their adjacent seas, establish and strengthen partnerships among the countries along the Belt and Road, set up all-dimensional, multi-tiered and composite connectivity networks, and realize diversified, independent, balanced and sustainable development in these countries. The connectivity projects of the Initiative will help align and coordinate the development strategies of the countries along the Belt and Road, tap market potential in this region, promote investment and consumption, create demands and job opportunities, enhance people-to-people and cultural exchanges, and mutual learning among the peoples of the relevant countries, and enable them to understand, trust and respect each other and live in harmony, peace and prosperity.

The Initiative will enable China to further expand and deepen its opening-up, and to strengthen its mutually-beneficial cooperation with countries in Asia, Europe and Africa and the rest of the world, which means there will be many stories on China to be told and to be heard. China is also committed to shouldering more responsibilities and obligations within its capabilities, and making greater contributions to the peace and development of mankind, which brings the necessity of having those stories be heard. To enable such a vision to come true, cultivating young bilingual talents with specific major knowledge becomes the job of college English and Translation teachers, pushing them to take up the task of designing a new course syllabus for “Belt and Road” Initiative. The following sections demonstrate one of these attempts.

### **Course Scenario**

As mentioned above, translation is now widely conceived as an aid for consolidating writing and communication skills in the student’s first language and, therefore, as an important component in the undergraduate program. Yet there is controversy over the purpose of training and the standards of evaluating a translation job. To be specific, to translate adequately or to translate acceptably? This is always the question, which depends largely on text types, according to Typology Theory raised by Reiss. According to the functionalist or semanticist view, “a text is not just any string of linguistic symbols, but a sequence with a recognizable communicative purpose” (Trosborg, 2000, p. 98). The communicative purpose has a final say on translation method. In this regard, the concept of adequacy and acceptability might be of great use in translating China’s stories.

The notions of adequacy and acceptability, as bipolar translational initial norms, were raised by Gideon Toury (1995) in the school of Descriptive Translation Studies (DTS), for the concepts of which he borrowed Even-Zohar’s idea of “adequate translation”, meaning “a translation which realizes in the target language the textual relationships of a source text with no breach of its own [basic] linguistic system” (Even-Zohar 1975, p. 43; ref. Toury, 1995, p. 56).

According to Toury, “[t]ranslation is a kind of activity which inevitably involves at least two languages and two cultural traditions, i.e., at least two sets of norm-systems on each level” (1995, p. 56). Thus, the “value” behind it may be described as consisting of two major elements:

1. Being a text in a certain language, and hence, occupying a position, or filling in a slot, in the appropriate culture, or in a certain section thereof;

2. Constituting a representation in that language/culture of another, pre-existing text in some other language, belonging to some other culture and occupying a definite position within it. (Toury, 1995: p. 56)

These two types of requirements derive from two sources that are somewhat different, even incompatible with each other. According to Toury, the basic choice that can be made between requirements of the two different sources constitutes an initial norm (Toury, 1995: p. 56). When a translator subjects himself to the original text, the translation he produces will tend to represent the norms of the source text and through which the norms of the source language and culture. This tendency is characterized as the pursuit of adequate translation.

On the other hand, if the translator adheres to the norms active in the target culture, in the end-product, the “norm systems of the target culture are triggered and set into motion”. Thus, whereas adherence to source norms determines a translation’s adequacy as compared to the source text, subscription to norms originating in the target culture determines its acceptability (Toury, 1995, p. 56).

Hence, to facilitate a better publicity effect when dealing with the outside world, the norm of translating with a fair amount of acceptability is addressed before translating with adequacy. The following syllabus presenting four major themes with suggested teaching content was produced under such a guideline and it is focused on creating an understanding of China’s present and past, as well as China’s current position in the world. In selecting materials for teaching, local stories and original stories are preferred.

- 1) **Alma Mater:** Anthem of East China University of Political Science and Law (ECUPL); School Pamphlet in Recruiting Overseas Students; Writing and Translating of English Abstract; Journal of Law
- 2) **Shanghai:** Introduction on Shanghai Zoo; Introduction on Guilin Public Garden; Introduction on Manqu Public Garden; World Expo; Slogans on Disneyland; Leaflet from Shanghai Museum; Manual of Construction of Shanghai Shipping and Finance Center
- 3) **Grand China:** “One Belt and One Road”; World Olympics; City of Tianjing; Advertisement on “Tangshui” Shop, Hong Kong; A Covenant Agreement of Hong Kong; Welcoming Letter from Metro-park Hotel, Macao; Pamphlet on National Palace Museum of Taiwan
- 4) **Global Business:** Tribute on Oscar; Nobel Prize Announcement; latest News Report; Business Review; Apology Letters from PwC

The classroom experience took place at the Department of Translation and the Department of English at a prestigious law school of China. The students involved were undergraduates. They were in their third year of university study. At this stage, they do not usually have any professional experience as translators. Yet they are trained, as full-time students, to translate from Chinese into English and from English into Chinese. Some of them are even studying a second major on Law. Being students of law school, most have a basic knowledge of general linguistics and Chinese law, but none of them were exposed to legal English in a true sense before the class.

The pedagogic objectives of the classroom attempt were:

- To expose them to English materials as much as possible
- To familiarize them with features of expository articles and other text genres
- To help them learn and borrow semantic and syntax language features, together with narrative structures of English texts when expressing Chinese concepts

The first object is oriented more towards reading tasks before class while the second depends more on teacher's classroom lectures on text analysis. The third object is mostly achieved by practice, i.e. translation activities, as is the theme of this paper.

### Case Study

The case to be illustrated is a translation project of a university anthem. It reflects typical features of a Chinese story in the sense that it appeals to students who are studying in this school and yet it is hard to comprehend for an outsider as most of the images it paints point out to the world outside the text itself, to the historical background of the school and the scenery of the campus in reality. Students may feel both excited and puzzled to work with this task. The Chinese version goes like this.

#### ST1: 明珠之光

芳草地红砖墙, 百年学子拼搏场。  
坎坷复坎坷, 潮落又潮涨, 生生不息如长江。  
师恩沐幼苗, 勤学成栋梁, 华政英才走四方。  
莫忘, 莫忘, 祖国未来担肩上, 不负青春时光。

风云起钟声扬, 千年中华盼飞翔  
依法治中国, 方能致富强, 有志青年聚东方。  
秉公断曲直, 执法我强项, 人民利益高无上。  
莫忘, 莫忘, 祖国未来担肩上, 耀我明珠之光。  
耀我明珠之光。

In order to familiarize students with texts on the same theme, which is part of English culture, the trainer introduces two parallel texts (PT) as follows:

#### PT1: We Won't Let You Down

We are drawn together from places far and near  
And our lives are better just from living here  
You have shared your wisdom, you have watched me grow  
I have learned how to listen; now I want you to know...  
I won't let you down, not after all you've done for me.  
I'll take what I've learned and go into the world  
And I'll be what I want to be...

And of all the things I've learned, the greatest gift is honesty.  
I'll work hard for my country and be proud of my town  
And I won't let you down.  
In this place of learning, we are passing through.  
School is part of a journey...but we'll remember you.  
And so these words remind me of my friends so dear,  
You will know where to find me; part of me is here...

#### PT2: School Song of SX Phonics English Academy

This is our school to which we belong  
Through times of learning we will be strong  
Lift up our voice sing in the throng  
This is our spirit and be it our song  
Constant and true, till we are old



Excellence will be, our purpose our goal  
Pour out our hearts, our minds and our souls  
May our lives shine and forever glow  
Let us stride in pride and enter a new phase  
And hand in hand together run the race

We are committed to what we will live for  
Serve our nation and our place  
Though times of hardship there may still remain  
With courage we can face the wind and rain  
Hold fast our dreams and cling to what we long for  
Life will never be the same

It can be drawn from studying the two PTs that rhetorical expression of western school songs consists of the application of simple noun and verb phrases, alliteration and rhymes, and explicit 1<sup>st</sup> personal pronouns such as “I” and “we”.

The ST, however, displays feature of ambiguity among verses without indicating who the subjects are. They actually vary from line to line. For an inexperienced Chinese translator, like these undergraduate students, when trying to render Chinese words literally into English, logic conflicts may occur in sentences such as “Law is the power, which makes us rich” or “The rule of law leading to prosperity”. If viewed from a more sensible way of expression, “Rule of law leads to prosperity” should take place of the above two statements.

Another problem also occurs when translating “祖国未来担肩上 (literally meaning: National Future be taken up on our shoulders)”. Neither phrase “We shoulder our country” or “We shoulder our country with our hands” work as it’s against idiomatic use of English to put “shoulders” and “future” in the same collocation. A more accepted way of stating such an idea is “We should shoulder responsibility of developing this country”.

For translation trainees who are relatively weak on grammar, mistakes tend to be made in translating “莫忘, 莫忘, 祖国未来担肩上, 不负青春时光”. In one student’s version, it became “We will never forget that it is our responsibility to build our country into a better place, and we will never regret in the future that we have wasted our youth”. Yet the phrase “不负” means “don’t waste” while the double occurrence of “莫忘” serves as a repeated reminder for the students to bear the responsibility of building one’s country in mind. The meaning is contorted in the translated version. In order to deliver the message in a more accurate way, “We will never forget that it is our responsibility to build our country into a better place, and we don’t want to regret in the future that we have wasted our youth” is suggested.

A well-told school anthem, like a story about China, should not only be concerned with accuracy and fluency of language. To enhance acceptability, rhetoric devices such as alliteration, rhyme and good rhythm are expected. Take the following two versions for example:

**TT1:** Endowed with green grass and red-brick walls,  
you are the battle field for us all.  
You went through rise and fall,  
but you always bring us more.

**TT2:** Endowed with green grass and red-brick walls,  
you are the (greatest) arena for us all.  
You have gone through rises and falls,  
but you always bestow us more.

The underlined parts indicate changes be made upon deliberation. It can be seen that TT2 is a revised version of TT1 with improvement on an assortment of language points. More balanced and exquisite than TT1, TT2 successfully tells the story of the school in an appealing way.

Cohesion should also be valued while translating the entire passage. TT3 demonstrates a feasible instance on clarifying the notion of “pearl” first and then referring back to it later.

**TT3:** Only ruling our country by law can make it strong and prosperous.

Therefore, pearl-like aspiring young students gather in the east.

Judging cases in all fairness and putting the interests of the people above everything else, law enforcement is our strong point.

We will bear in mind that the future of our homeland needs us to shoulder, shining our glitter as pearls.

When “pearls” are used to compare young students, the title of the anthem, “明珠之光”, benefits foremost from such an association as it makes more sense to western readers. Otherwise, it is out of place for the title to be called “Pearl Light” or “Light of Pearl” while in the verses there’s no mention of “pearl” at all.

To summarize, a literal way of translating may reach the goal of adequacy, yet it fails entirely on the aspect of acceptability. The core of telling a convincing and appealing Chinese story, or in this case, a story of an Alma Mater in the form of a school anthem, is to learn from parallel texts, mimic their language features, and even borrow expressions from them. Hence, the story of China can be told well and heard loudly.

### **Discussion and Conclusion**

Upon analysis of relations between the “Belt and Road” Initiative and translation course design, it is learned that acceptability is prioritized over adequacy in publicity. In order to cultivate students’ consciousness of this aspect, trainers need to apply various teaching materials covering different themes. Applying translation theory and Chinese perspectives enables us to see evidence not only of the current thinking mode that translation trainees are placed under, but also opportunities for them to change through positive learning and teaching. The idea of “Let China Be Heard”, in particular, offers a new perspective to course design and text analysis in a traditional translation classroom. More specifically, learning tasks embedded in the four modules, as listed above, for language learners should serve as strategic learning plans and goals for their future progress.

The “Let China Be Heard” perspective shares a closer look at China’s unique cultural heritage and experiences with the global community, their valuable responsibilities in and outside Asia, and invaluable roles played in human beings’ welfare. This helps raise consciousness for China’s socialistic social system and gain equality and rights in the international affairs. We believe that adopting such a teaching strategy in a translation course will be meaningful to China’s publicity of the “Belt and Road” Initiative, which plays an important role in emancipating and empowering China’s economic and political potential.

Understanding and recognizing this will lead to greater consciousness, which will lead to more critical reflection and action among Chinese undergraduate students. Although the discourse mechanism advocated in this paper is western in origin, it is hoped that via active learning and critical thinking, Chinese students in their early twenties will become more conscious and gain a deeper understanding of their cultural heritage and Chinese way of thinking, which in turn may lead to success in their future careers.

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# One Belt One Road: Media Strategies for Coping with Police Crises

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**[Abstract]** *With the rapid development of the modern media industry, public security work has become the focus of social concern and the focus of media because of its special politics and sensitivity. This paper analyzes the characteristics of police crises communication, and concludes with the strategies of dealing with the media in the process of police crises. The public security organs should attach great importance to understanding the police crises, take the initiative to strengthen their interaction with the media, and actively guide the media services for police work to avoid or reduce the negative effects of police crisis on the image of the public security organ.*

**[Keywords]** *police crisis; crisis communication; media strategies*

## Introduction

In September and October 2013, on a visit to the Central Asian and Southeast Asian countries, President Xi Jinping proposed to build the Silk Road Economic Belt and Twenty-First Century Maritime Silk Road Initiative, called “The Belt and Road” (B and R) Initiative (Xinhua Finance Agency, 2015). The implementation of this “Belt and Road” plan needed a good public opinion environment. The project also required a recognition of the Chinese national image, and would provide a good opportunity for the Chinese media to influence the countries along the Silk Road.

In recent years, public events have affected countries within the B and R sphere more and more frequently. At present, China’s public security organs dealing with police crises are of two types: one type deals with public emergencies in the process of dealing with the emergence of a police crisis, and the other focuses on characteristic challenges resulting from a police image crisis. These two types of police challenges are created to the degree of harm, that is, crises arising from public emergencies, where the public security risk is much higher due to improper team management caused by the image of the police and also because of certain kinds of mismanagement associated with law enforcement and public emergency-related misconduct. This paper discusses the spread of police crises mainly in relation to spontaneous public events related to police crisis communication. At present, the report of a police crisis caused by these unexpected events is often the focus of attention of all kinds of news media.

## Characteristics of Police Crisis Communication

Spontaneous public events are sudden occurrences which may cause significant casualties or personal and property damage. According to the nature and mechanism of the occurrence, public emergencies can be divided into four categories: natural disasters, accidental disasters, public health incidents, and social safety or security incidents. These are all included in the category of crises. L. Barton (1993) defined a crisis as a significant and unpredictable event that can adversely affect an entity “and its employees, products, services, financial condition, and reputation” (p. 9). Because our country is in a social transition period, severe emergencies have the characteristics of uncertainty, and evolve rapidly once they happen. Therefore, they very easily affect the psychological balance of people who are eager to know the truth of an incident, and this results in the need for greater information. For this, the public security organs cannot simply assert

the legality of the police combat command process, otherwise there will be rumors and unsubstantiated claims because people are not passive. The police team's image, the law enforcement environment and other adverse consequences are at stake in such cases.

The study of modern communication shows that crisis communication is a special form of communication (Gonzales-Herrero, & Smith, 2008, p. 28). The spread of a crisis in actual police combat command is a kind of special form of information dissemination, which is determined by the public security organs in the process of dealing with emergencies. Crisis communication is a double-edged sword, as effective crisis communication not only relieves the crisis, but also brings a better reputation to the organization than before the crisis. Those affected may be impressed by good crisis management to accept the credibility of management and administration, an important function after superficial damage has occurred to an organization that has built its reputation up over many years. From the perspective of management, crisis communication is a kind of special management activity, because the information collection, analysis, processing, communication and communication management in crisis management belongs to the category of crisis communication management. From the standpoint of effective crisis management, the public security organs, in the process of dealing with emergencies, must be the primary focus, as the goal of such management is to strengthen and enhance the effective role of communication in controlling the misunderstanding and stress.

### ***The Antagonism of Subject***

Since the early days of human society, news dissemination and news control have existed. On the news value of unexpected events, not all people have a standard of judgment. Different positions, different perspectives, different times, and different audiences, provide different standards. In the event of a sudden crisis, the basic position of different crisis communication subjects usually involves a certain antagonism. Generally speaking, the antagonism can be divided into two different attitudes: control and anti-control. In modern society, there are many channels of information dissemination; information transfers faster and wider than ever before. If the media exaggerates or issues false reports of the police's security work, these reports will make the police involvement extremely tenuous. This is especially true in the case in the occurrence of mass incidents, such as a hostage crisis, an explosion, or emergency cases of violent terrorist incidents. In these cases, the public security department is facing a catastrophe and an abnormal public opinion environment which greatly affects the police work.

### ***Timeliness of the Response***

In modern society, there is increasingly fierce competition between the media and the free flow of information becoming ever more convenient, resulting in a fight for attention. Given this competition, the media and reporters are obviously prone to report emergencies and police disposal activities as important news. Because of their large or great harm, emergency crises need urgent attention in order to prevent the situations from taking adverse directions, and to minimize, or reduce, their harmful consequences. While crisis communication is one of the most effective means for police crisis management, it also can play the role of controlling public opinion. Generally speaking, the more timely the crisis response measures, the smaller the negative impact will be.

If the public security organs are capable of dealing with the crisis with enthusiasm and can react quickly, there will be a direct effect related to the direction and result of the crisis. If the public security organs lack the initiative to carry out effective crisis communication, they often lose the right to dominate

public opinion, or to contain the emergence of rumors. On the contrary, if the public security organs, in the crisis of the incubation period, have been made fully aware of the crisis and prepare for it, it is possible to attenuate the crisis as a means of resolving the greater social perils. Even in the early outbreak of unexpected events, as long as the public security organs function in a timely manner by actively guiding public opinion through crisis communication, the initial impact can be minimized by effectively mobilizing social forces to ease the crisis, while alleviating fears. This will also generate good public opinion for the settlement of the crisis.

### ***Stages of Evolution***

Steven Fink (2004) put forward a theory called the “Four Stages” of a crisis life cycle; it is very enlightening for us to thoroughly understand this theory in crisis communication. First, the potential crisis: at this stage, the crisis is most easy to deal with, but the most difficult to know how. The second stage is the period of the crisis, which is the shortest time of the four stages of the crisis, but it has the most serious impact on people’s psychology. The third stage is the crisis-spreading period, which is a long period of time of the four stages, but if the crisis management is effectual, the duration of this stage will be greatly shortened. The fourth stage is the crisis recovery stage, where the stage of the organizational elements is no longer present but still remains threatening, because the crisis may recur. From the perspective of the occurrence of crisis events, the sudden crisis of the police affair itself has a process of occurrence, development and ending. Therefore, the crisis communication activities related to police emergency actions should be divided into different stages according to the nature and outcome of the emergency.

### ***Media Diversity***

In modern society, with the popularity of the Internet, mobile phones, digital video products, multimedia technology and other new media, mass communication and interpersonal communication presents us with an array of trends in interpersonal and mass communication. On the one hand, the diversification of crisis communication media makes the speed of the crisis spread faster and the audience more extensive, which makes the crisis communication play a more and more important role in crisis management (Björck, 2016). The public security organs can make full use of modern media means to occupy the commanding heights of public opinion of various crisis communication channels in time, and to create favorable conditions for the handling of emergencies (Taylor & Francis, 2014). But on the other hand, the network media, using the Internet, disseminates its information of synchronic, digital storage and hypertext links, provides a digital space that’s a dizzying and symbolic communication environment for people; mass media’s publisher status of constantly publishing only breaking news events will be gradually weakened and the audience will no longer passively accept the information, but instead actively control its transfer. Therefore, the public security organs of the different political positions of the forces regarding crisis management become more difficult, and the spread of positive opinion is likely to suffer from a certain resistance. Increased police crisis resolution difficulties may cause greater popular awareness of the crisis and also result in a negative evaluation of the negative image of the police.

### ***Uncertainty of Results***

In the information age, all kinds of information related to the public security organs are often the hot news stories that the media reporters chase one after the other. In the police crisis emergency disposal process, due to the crisis itself and because police crisis management behavior has a high degree of social concern, public dissemination easily leads to stimulation of different groups of people. Combined with views of

interpersonal communication and mass communication media, with public opinion formed through the Internet and other media, public opinion and emotions are bound to be affected in specific ways. To a large extent, the emergency is closely related to peoples' lives, especially after a disaster; "human curiosity has an affinity for the unfortunate event. With respect to the good things, the disaster is always more likely to become community talk" (Nolenhoeksema, & Morrow, 1991). At this point, if the public security organs fail to provide proper crisis aphasia, it will lead to four types of rumors that will, in turn, often have a negative impact on their own image and generally that of the crisis control. And once the image of government regulators has been affected through improper crisis management, it is necessary to pay a greater price to repair it. If the public security organ takes the initiative at the crucial moment of the sudden crisis with police crisis events or development, not only can they quickly minimize the negative influence of the crisis to the public, but also turn the bad into good, getting public support to create a favorable social atmosphere for the effective disposal of the emergency police crisis.

### **Strategies of Dealing with the Media in the Process of Police Crisis Communication**

The Chinese State Council on strengthening the work of emergency management opinions (July 2006) clearly requires media to do a good job of information dissemination and public opinion guidance, to attach great importance on public emergency information publications, public opinion and public opinion analysis, to strengthen the verification, review and management of relevant information, and to actively respond to public emergencies to create a good public opinion environment. They need to adhere to the principle of providing timely, accurate and positive propaganda, and active guidance, improve the government information release system and the news spokesman system, establish and improve the major public emergency news public opinion rapid reaction mechanism, the collection and analysis of the mechanism, and grasp the correct public opinion guide. During the period of the crisis, the media is the main carrier of the crisis information, which can not only set up public issues, but also can affect the consequences of the crisis communication. Therefore, the media communication strategy in a crisis environment is an important part of the crisis management of public security organs. Public security organs should take the initiative to contact the media, while it still falls to the media to publish accurate information, to correct false reports, and to resolve the crisis in the process of handling public opinion crisis or crisis of confidence, grasp the initiative in the dissemination of information. In this way, we can set up the image of police justice and strict law enforcement, and reduce or eliminate the negative impact of the crisis.

### ***Basic Principles of Dealing with the Media in the Process of Police Crisis Communication***

Public security organs should actively seek the support of the media, and take the initiative to play a role in the role of the source of the crisis. As a tool of public opinion, news media has the function of reflecting and guiding public opinion, and is undoubtedly the most powerful and influential public opinion agency in modern society. The media is a double-edged sword, it can improve or reduce the ability to deal with crisis. From the point of view of the positive effects, the media is a kind of "authoritative information" in the event of a crisis; it is the most powerful weapon against rumors, acts in a "regulator" role in the event of a crisis, and at the same time, the media is the mouthpiece of the Party and the government as a public information platform, and on behalf of the government's responsibility for public order credibility, plays the role of a bridge between the officials and staff members in the event of a crisis. From the negative perspective, in the event of sudden crisis which generates a great deal of negative media coverage, the government or social organizations will produce the image and reputation of the damage, and even create a public crisis of

confidence in the government, and influence the political and social stability. Media aphasia will lead to the proliferation of rumors and outrage.

In a sudden police crisis, the public security organ is not only the manager of the emergency, but also the source of authority. How to give full play to the role of the source is the key to effective communication management. Under normal circumstances, after the sudden police crisis, there will be a variety of rumors, suspicion and controversy, which often distorts the facts. The public security organs may then have a negative impact on the image. Thus, on the one hand, the public security organs should establish a system of news spokesman, in order to meet the media's desire for police crisis information, but also take the initiative to grasp the right to speak at the stage of crisis information dissemination. On the other hand, the public security organs should establish a good relationship of trust and cooperation with the media.

### ***The Management of the Media in the Event of a Sudden Police Crisis***

The public security organs should take the primary time to grasp the situation of the media. The scene commander of the public security organs should fully grasp the number of media reporters, their intentions for interviews, the location of the media, and the equipment used in the event. With regard to foreign media reporters, the scene commander needs to distinguish between normal and malicious interviews, whether there is a live broadcast, or secret recording, etc.

There needs to be case or event management and coordinated development of the public security organs responsible for propaganda cadres at the scene of a major emergency cases or event. Scene commanders should watch for reporters preventing the scene of police work and prevent unauthorized interviews of police officers working at the site. The person in charge of the administration shall wear the on-site press license.

The scene commander needs to interview credentialed journalists, who must hold public security clearance in order to enter a major emergency case, incident site, or designated area for interview. In practice, the principle of on-the-spot interview documents is limited to the use of the journalists who are engaged in the public security news interview.

### ***Press Spokesman System to Communicate with the Media***

The press spokesman system is an important part of the crisis management of the public security organs, and is one way for the public security organs to play the role of the organization's communication branch and actively guide the mass communication. Especially in the initial stage of the outbreak, the role of the spokesman is most important.

In the event that police are involved in actual combat command work, major emergencies or events of the press release, some key points should be observed. Releasing information is part of a major leadership responsibility system; the principal leaders of the public security organs at, or above, the county level are responsible for issuing the release of information in the event of an emergency, or a special case, because they provide the main visual leadership authorization that are in charge of the leadership.

The press spokesman needs to pay attention to grasp the content, to clarify what content can be released, and what should be cautiously released. In general, murder, hostage taking, explosions and other major criminal cases and a number of major public security disasters can be released in a timely manner as long as they does not affect the investigation and investigation work.

For emergency cases, the first release should be carefully qualitative, both for the subsequent processing of the room, but also to ensure the authority of the media in the face of public opinion. This is



done to inform the public security organs of what happened, what measures are being taken to correct it, and how to minimize loss to the people. This is not only conducive to the public to show a positive image of the police, but to help the police solve the problem.

After the occurrence of the crisis, the public security organs should be timely with active releases of information. One should avoid creating a crisis by passivity, especially for murder, hostage-taking, explosions, other major criminal cases, and major security accidents, the public security organs have the right to speak with regard to the disposal of cases or events, but the news release also has uniqueness and authority. At the same time, the public security organs can choose good reputation, the strong authority of the media, and prime time to report the news in order to enhance the effectiveness of communication.

### **Implications and Conclusion**

This article highlights the challenges arising from the “Belt and Road” plan as it’s related to maintaining good public opinion among the Silk Road countries. The paper argues for a broader and deeper understanding of the four phases of crisis response management using Steven Fink’s typology. The media communication strategy in a crisis environment is an important part of the crisis management of public security organs; thus, public security organs should actively seek the support of the media, and take the initiative to play a role in identifying the source of the crisis. Media is the most powerful weapon against rumors, and also acts in a “regulatory” role in the event of a crisis. At the same time, the media as a public information platform, is the mouthpiece of the Party and the government, and on behalf of the government’s responsibility for public order credibility, plays the role of a bridge between the officials and staff members in the event of a crisis. The article concludes with discussion of the measures to deal with the media in the process of police crisis communication, as well as various techniques to balance the needs of media and the police regulatory responsibilities, up to and including the establishment of crisis management mechanism, and active response to negative news media reports.

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