

Bribing Donors with International Human Rights Standing: Chinese Foreign Aid and Recommendations at the Universal Periodic Review

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How does China use its foreign aid to influence the international human rights regime? China has recently been increasing its presence in areas of foreign aid and international human rights with an ambition to replace the Western liberal order. However, we lack knowledge about the relationship between Chinese foreign aid and its effects on the international human rights regime. Using the UPR-Info dataset, we systematically analyze all Universal Periodic Review (UPR) recommendations issued against China from 2008 to 2023. We demonstrate that countries that receive more aid from China are more likely to pat the back of China by issuing positive recommendations about China's human rights practices. However, it is not significantly relative to a decrease in human rights shaming against China. Our findings suggest that China uses its aid for vote-buying in the international human rights realm, particularly by encouraging recipients to issue more positive comments on China's human rights practices.

Keywords Chinese Aid, Chinese Human Rights, International Human Rights, Universal Periodic Review

INTRODUCTION

It is no longer a contested fact that China is the largest non-democratic country with the significant power and will to reshape the existing global order. Since 2000, China has

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experienced dramatic economic growth, resulting in its position as the second largest economy in the world. In addition to its economic capacity, China also exhibits a clear willingness to erode the existing international system and advocate for alternatives that are more favorable to its interests. As a result, China, as a rising power, is frequently accused of being a reformist power that seeks to challenge the global norms and institutions established by Western democracies, particularly those spearheaded by the United States.

Particularly, human rights is a representative area that China is trying to influence (Pauselli, Urdinez, and Merke, 2023). Experts report that China is promoting its views and expanding its influence in the human rights arena by exporting its narrative of human rights and leveraging its growing power to affect discourse and practices (Ismangil, van der Schaaf, and Deklerck, 2020). The contention in the UN Human Rights Council (UNHRC) in October 2022 is an example of this situation. At that time, a resolution on Chinese human rights abuses in Xinjiang Uighur was submitted, but the resolution was rejected following an open ballot, where China and its alleged friends either voted against or abstained from the draft resolution. In addition, China recently tabled its second resolution on ‘promoting mutually beneficial cooperation in the field of human rights (A/HRC/43/L.31),’ the so-called Mutually Beneficial Cooperation Resolution (MBC)’ (Worden, 2020). The gist of the MBC is the Chinese vision for a scrutiny-free UNHRC by calling for an Advisory Committee, and displacement of the primary agent of human rights from individuals to state matter.

These are just a few evidence of China’s continuous endeavor to export its relativist, sovereignty-focused, statist vision of human rights to other states by increasing its control over the UN. Furthermore, in the Universal Periodic Review (UPR), which is the UNHRC’s cardinal mechanism, China has been vigorously engaging in reviews of other states as a recommending state, primarily focusing on issues such as development, poverty, and women’s rights, which are some key human rights from China’s “development” perspective (Pauselli et al., 2023; Worden, 2020). China not only proffers rights that it views as more appropriate for developing countries but also attempts to shield aligned or strategically important states for China, such as North Korea, from being criticized (Dukalskis 2023, Freedman, 2020; He, 2021). As such, China’s presence is becoming more prominent within the UN, particularly at the UNHRC.

However, despite its growing interest in the international human rights regime and its confidence in promoting its alternative view, China’s foreign policy strategy in this area is still left unveiled, frequently depicted as a passive target of criticism (Foot, 2020). Filling this gap in the literature, we argue that China uses its foreign aid as a tool for expanding its influence in international human rights regimes. China is gradually employing development aid as a means of realizing its diplomatic strategy, and this trend is expected to persist in the realm of human rights as well. Although there are numerous suspicions regarding China’s lobbying efforts in the UN, and its formation of illiberal coalitions, particularly within the UNHRC, more specifically using its aid (Ismangil et al., 2020; Lee and Woo, 2023), empirical studies testing this argument is still lacking.

This paper aims to investigate whether such suspicion is, in fact, a suspicion only, or a legitimate claim with empirical grounds. Specifically, this paper attempts to examine the effectiveness of China’s lobbying activities within the international human rights

regime. In particular, we argue that China is trying to improve its international status in the international human rights regime by utilizing its economic power. Focusing on the Universal Periodic Review (UPR), the cardinal mechanism of the UNHRC, we investigate the effect of Chinese foreign aid on the human rights recommendations issued by other countries. The unique nature of the UPR, where all UN member states review the human rights records of others, provides an opportunity to evaluate the efficacy of Chinese aid. In addition, the varying severity of the UPR review allows us to see how other countries view Chinese human rights practices. We argue that China uses its economic power to influence states' reviews of its records in UNHRC's core mechanism.

To test our argument, we conduct a cross-country analysis of the UPR recommendations through several regression models. Exploring the recommendations of 150 countries in the UN during the past three cycles (2008-2023), we analyze how the international community responds to Chinese aid and how it changes the evaluation of China's human rights during the UPR peer review process. Empirical evidence provides support for our argument. Especially, countries that receive more Chinese aid are more likely to make positive comments to China while there is no significant effect on the likelihood of making more shaming recommendations.

Our findings extend to several large literatures. First, it contributes to international political economy literature on foreign aid. As the biggest financier of development in the Global South, researchers and policymakers are increasingly interested in the implications of Chinese aid on state behavior and inter-state relations (Alden, 2005; Bräutigam, 2011; Brazys and Vadlamannati, 2020; Cruzatti, Dreher, and Matzat, 2023; Cudjoe, Yumei, and Hu, 2021; Dreher and Fuchs, 2015; Dreher et al., 2018; Dreher et al., 2021; Dreher et al., 2022; Kitano, 2013; Liu and Tang, 2018; Strange et al., 2015; Tull, 2006; Watkins, 2021; Woods, 2008). Our findings deepen the understanding of Chinese aid by elucidating how China strategically allocates aid to influence state behavior in the international human rights regime.

Second, our study advances the international human rights literature, specifically human rights institution literature (Abebe, 2009; Bae, 2018; Hendrix and Wong, 2012; Kahn-Nisser, 2018; Koliev, 2019; Lebovic and Voeten, 2006; 2009; Murdie and Davis, 2012; Peterson, Murdie, and Asal, 2016; McMachon and Ascherio, 2012; Meernik et al., 2012; Squatrito and Sommerer, 2019; Schimmel, 2023; Terman and Byun, 2022; Terman and Voeten, 2018; Johansson, 2023; Woo and Murdie, 2017). The findings reveal that politicization is present in the UNHRC and the UPR process, which was one of the very reasons why the UNHRC was replaced by the Commission of Human Rights. This paper which focuses particularly on the engagement of the largest rising, developing state in the world, brings important ramifications of the politicized naming and shaming behavior in the cardinal mechanism of the UNHRC.

Lastly, our study furthers the scholarly understanding on how authoritarian states use the existing international norms and institutions to their advantage (Dukalskis, 2023; Flonk, 2021; Gilbert and Mohseni, 2018; Glasius, Schalk, and de Lange, 2020; Hall and Ambrosio, 2017; Hafter-Burton and Schneider, 2023). Evidence of China, the world's largest and most potent illiberal state, actively situating itself within and utilizing liberal institutions to promote their anti-liberal coalitions and project its power, offers insights

that may seem unexpected but are nonetheless valuable. In this light, our study provides empirical evidence on recent studies on how the US-led liberal international order ironically provides aspiring autocrats the tools and resources for democratic backsliding (Hafner-burton and Schneider, 2023). Our findings contribute to understanding the relationship between liberal institutions and autocratic consolidation, democratic backsliding, and de-democratization.

The remainder of the paper is organized as follows. In the next section, we explore how China uses its foreign aid as a foreign policy tool for advancing its interests. After that, we review China's attitude toward human rights through the previous scholarship. Then, we delve into the characteristics of the UPR, which is the primary context of this study, and then develop our hypotheses. Following this, we describe the data and our empirical strategy, and subsequently, we report the results of the impact of Chinese aid on the UPR recommendation, specifically focusing on shaming and back-patting. The last section offers concluding remarks and some implications of our study.

HOW DOES CHINA USE FOREIGN AID AS FOREIGN POLICY TOOL?

Using economic power to alter the strategic decisions of state and non-state actors to orient toward one's benefit is nothing of a new phenomenon (Lawson and Morgenstern, 2019). A thick literature on the political motives of foreign aid by the traditional Western donors agree that aid money supports political allies, punish enemies, help build coalitions, and improve public opinions in recipient countries (Dietrich and Murdie, 2016; Dietrich and Winters, 2015; Dietrich, Mahmud, and Winters, 2018; Dreher et al., 2018; de Mesquita and Smith, 2007; 2009; Morgenthau, 1962). For example, donor countries use foreign aid as a means to mobilize support for their campaigns in the UN. Specifically, both US aid and aid from the UN tend to increase when a state is elected as a non-permanent member of the UNSC (Alexander and Ronney, 2019; Kuziemko and Werker, 2006). Moreover, the US strategically targeted its democratic allies to secure support for crucial votes in the UN General Assembly (UNGA) (Carter and Stone, 2014; Reinsberg, 2019). Additionally, there is evidence that the US provides more aid to countries that held unfavorable positions towards the US before the Cold War (Woo and Chung, 2017).

Like economic sanctions, which are the withdrawal of customary trade and financial relations to respond to foreign policy challenges, foreign aid also involves an element of punishment. As intuitive as it is, withdrawal of foreign aid has similar not identical, or even greater effects as economic sanctions on the once recipient, now the target state. Not only do target countries respond to the granting of bilateral and multilateral aid as an incentive, but also to the threat of aid termination which serves as an effective deterrent (Apodaca, 2017). Indeed, foreign aid is a particularly flexible tool. This is because it can be used as both a carrot and a stick, and thus is a means of influencing events, solving specific problems, and projecting the donor country's values (Apodaca, 2017; Lawson and Morgenstern, 2019).

Following the discussion on foreign aid as economic statecraft, whether non-

Western countries employ similar tactics in utilizing foreign aid for diplomatic purposes has become a new rising issue. Dreher et al. (2022) for instance, noted that it is odd how the scholars of international political economy rarely provide “few reasons why non-Western donors are expected to behave differently” from Western donors. China is a prime example. China has provided foreign aid to countries since the 1950s, and it now rapidly become the lender of the first resort for the developing, global South countries (Dreher et al., 2019). Its transition from the benefactor to banker position with its unprecedented economic boom in the 21st century has had a profound impact on low-income and middle-income countries across the world and has spurred pundits’ speculation on the intended and unintended effects of Chinese development projects.

In response to such discussion, scholars agree that foreign aid is an important tool for Chinese diplomacy used for its political purpose, alongside other forms such as Foreign Direct Investment (FDI) and trade power (Dreher and Fuchs, 2015; Fuchs and Rudyak, 2019; Strange et al., 2015; Wellner et al., 2024). Furthermore, aid can be used more directly as a diplomatic tool compared to other economic tools in that it is distributed directly by governments. China is no exception in that it is a rational state actor that utilizes foreign aid for its strategic purposes and consequences including the traditional security arenas such as military and commerce, but also less tangible areas of “soft power” area like human rights. Such conjecture looms evident when we consider the fact that China is an autocratic system, the central government can wield allocation of the national treasury relatively freely for the central party’s political ends. Fuchs and Klann (2013) also note that the Chinese administration has a greater capacity to influence trading, investment, and aid decisions than a government in a democratic free-market economy. Hereby, the Chinese Communist Party (CCP)’s political ends include maintaining a good reputation in the international community, preventing internal affairs from being debated on the international stage, and challenging its political foes such as the US and Western allies. Due to such a significant scope for government intervention, Beijing’s development projects have more opportunities to be used as tools of foreign policy. There exists much evidence of the Chinese de facto economic sanctions that punished its non-compliant partners such as South Korea for installing the Terminal High Altitude Area Defense (THAAD), or a small tourist-dependent country Palau, for having a close political and diplomatic tie with Taiwan (Whang and Paik, 2023). The Dalai Lama Effect – officially receiving the Dalai Lama reduces exports to China – is another classic example of China’s retaliatory economic statecraft and evidence of it using its yuan diplomacy to shape and conceal human rights issues. Similarly, a recent project by Lee and Woo (2023) also reveals that China is more likely to provide aid to countries that are elected to serve at the UNHRC. All of these previous works point to an expectation that foreign aid can be utilized as both sticks and carrots for foreign policy ends.

CHINESE CAMPAIGN IN HUMAN RIGHTS

We argue that China uses aid as a tool to realize its own interests. We suggest that this will be the same in the area of human rights that China recently seeks to exert

its influence. China's stance on human rights has experienced notable changes over time. Initially, China employed human rights rhetoric to strengthen its foreign policy, often emphasizing principles such as the right to self-determination and development. However, this approach shifted in the 1990s, particularly following the Tiananmen incident in 1989, when human rights became a perceived threat to its sovereignty. Consequently, China adopted a defensive posture in response (Nathan, 1994). After facing significant economic sanctions and diplomatic severance, China came to recognize that human rights issues could pose a severe threat to its survival. Moreover, China realized that international human rights regimes could be easily weaponized for offensive purposes against it (Wan, 2022).

As its economic power grows, China has transformed from a defensive stance to an offensive strategy in human rights realms. China has made efforts to establish a distinct "China model" regarding human rights, placing emphasis on principles of sovereignty, non-intervention, and prioritizing economic development above all else (Nathan, 1994; Wan, 2022). Particularly under Xi Jinping's leadership, Chinese human rights diplomacy has become much more assertive (Piconne, 2018; Smith, 2018). With the further power consolidation by Xi who began an unprecedented third term in 2022, the realization of human rights is more and more becoming incompatible with maintaining his power. Chinese authorities fear that the exercise of civil and political rights, which sits at the center of the current liberal rules-based order, can threaten the Chinese Communist Party (CCP)'s hold on power, represented by a highly systematic internal repression. Authorities have arbitrarily detained human rights defenders, tightened control over civil society, media, and the internet, and deployed invasive mass surveillance technology (Human Rights Watch, 2023). They also fear that ethnic and religious minorities, namely Tibet and Xinjiang can seriously hinder its power consolidation as one China. Its crackdown on Hong Kong's freedoms and the recently imposed national security law is another sensitive issue that China never wants to witness.

In the midst of this, China is reported to conversely emphasize human rights issues in the international community (Ahl, 2015). Sophie Richardson, the former China Director of the Brookings Institution concedes that the Chinese government does not merely seek to neutralize UN human rights mechanisms' scrutiny of China, but now it also aspires to neutralize and even subvert and replace the existing liberal system that can hold any government accountable for serious human rights violations (Richardson, 2020). According to Human Rights Watch, Beijing is no longer content simply denying people accountability inside China; it now aims to strengthen other countries' capacity to do so even within international bodies designed to deliver justice when domestic avenues are blocked (Pauselli et al., 2023).

To this end, China has been actively engaging in an international human rights regime to replace the current notion of human rights with its authoritarian definition of human rights. China has routinely opposed efforts at the council to hold states responsible for even the gravest rights violations, and the submission alarmingly speaks of so-called "universal human rights" (Kinzelbach, 2012; Richardson, 2020; Mao and Sheng, 2016). It has proposed the MB in the UNHRC that negates the idea of holding states accountable with a commitment to "dialogue" on human rights – which is the core spirit of the UPR. Surprisingly, it was adopted by a vote of 23 in disagree and 16 in favor.

After a severe crackdown on Xinjiang in 2019, 24 governments collectively sent a letter to the President of the UNHRC president urging for an investigation into the situation in Xinjiang Uyghur Autonomous region. However, China responded by sending a letter signed by 37 countries, which mostly consist of developing states with poor human rights records. Additionally, a subsequent letter signed by 54 countries was delivered to the Third Committee of the UN (Richardson, 2020). These are just a few anecdotes of Chinese ambition in the human rights realm, exhibiting aggressive, and sensitive responses to any peck in its human rights reputation.

Considering Beijing's recent campaign in the international human rights regime, therefore, it is plausible that China's aid allocation is embedded with foreign policy objectives concerning human rights as well. China may be interested in lobbying in UNHRC, especially for states participating in the UNHRC (Fuchs and Klann, 2013). Particularly, considering the salience of human rights issues and the assertive tones it has been showing recently in international human rights regimes as mentioned above, China has significant incentives to use its foreign aid to wield influence over its human rights reputation in the UN. Human rights reputation, as the dictionary definition of reputation refers to the beliefs or opinions that are generally held about someone or something, is fundamentally a construct that China needs support from external players (Oxford Language, n.d.). To have a good reputation, acquiring good peer-review – at least good statements in the surface – is a requisite for China. Thus, on one side of the coin, China is reliant on other states to build a fair enough human rights reputation in the international community.

Also, on the other side of the coin, the recipient countries of Chinese aid who are dependent on the massive Chinese development funding fear losing China's aid commitment. Recipient states also realize that human rights are a sensitive issue area are strongly incentivized to take China's side in human rights issues to maintain China's economic support. Further, the unique characteristics of Chinese development projects such as no-political or human rights conditionality unlike the traditional Western donors, their extensive volume, and relatively easy-to-get process make them an attractive option for the recipients who are mostly developing or under-developing countries. Such merit in return becomes a strong weapon for China, as the threat of withdrawing development funds from those countries can pose a threat. In this way, foreign aid can work effectively to deter behaviors that can irritate China and at the same time instigate actions that can win the minds of the Chinese leadership.

WHY DOES THE UPR MATTER?

To assess the influence of China on international human rights regimes, we focus on the UPR and its recommendation mechanism. The UPR is a process conducted by the UNHRC during which member states review each other's human rights situations. It represents a significant institutional evolution within the UNHRC, aiming to address concerns of selectivity, politicization, and double standards of the Council (Landolt and Woo, 2017). Several features of the the UPR allow us to explore China's strategic action in international human rights regimes.

First, the UPR pursues universality and equal treatment by aiming to assess the human rights conditions of all member states without discrimination. During the peer review process which begins after the State under Review (SuR) submits its national report concerned on the human rights situation in the SuR, reviewer countries rely on objective and credible information from various channels, including not only the SuR's national reports, but human rights treaty bodies, other UN entities, and other stakeholders (UPR-Info, n.d.). The Council holds that persistent non-cooperation with the UPR procedures shall be treated by the measures in Article 38 of resolution 5/1 (UPR-Info, 2013). Also, all member states have the chance "to declare what actions they have taken to improve the human rights situations in their countries and to overcome challenges to the enjoyment of human rights" (UNHRC, 2007). As such, the principle of universality and equal treatment has been preserved. China is also no exception to this mechanism, so we can find China's human rights campaign in the international community through the UPR.

In tandem with universality, another significant feature of the UPR is its state-centeredness. While it operates under the umbrella of the Council, the UPR functions primarily as a state-centric mechanism. During the UPR process, peer reviews are conducted by states, and not human rights experts who are usually the entities who carry responsibility for other UN human rights mechanisms (UPR-Info, n.d.). The state-centered nature of the UPR process allows for the direct involvement of states in human rights naming and shaming, which is a practice rarely observed in official diplomatic contests. Before the UPR, it was hard to find any official and reliable sources of human rights condemnations other than informal statements remarked by individual leaders through the media, irregular gatherings by state leaders or international organizations, or statements by renowned human rights organizations. However, the UPR, as an official UN mechanism subject to all UN member states necessitating state delegates to participate in the peer review process on behalf of one's country, the statements made during the peer talk can be considered as an expression of a state's official position. In this fashion, the UPR provides a valuable stage where one can observe official and credible human rights-related mentions by a state. the UPR opens a window through which observers can capture the naming and shaming dynamics at a state level. However, such mutual evaluation among countries, creates the issue of politicization at the same time (Milewicz and Goodin, 2016; Terman and Byun, 2022; Terman and Voeten, 2018). Thus, this provides an opportunity for us to explore China's influence in the international human rights regime.

The last, and the most important, unique feature of the UPR process is that the recommendations during the inter-state dialogues differ in content and severity, enabling states to signal dual messages. In other words, not all recommendations count as public shaming, and therefore can be understood as not exerting real pressure on the SuR. While some recommendations can be light suggestions or encouragements, some may contain serious criticisms, urging for specific changes. Thus, it is necessary to identify which recommendations have the shaming function in content and severity. Then, how do the recommendations vary in intensity?

Statements vary significantly from recommendations that merely note attention or encourage the SuR's human rights record, to recommendations urging for a

highly specific action such as abolishing the death penalty or allowing human rights monitoring by Special Rapporteurs. Sorting all the recommendations into a categorical, ordinal form may arouse concerns about subjectiveness or inconstancy. Recognizing that the UPR recommendations share a standardized format and verbs (that a state-issued remark begins with), a team from UPR Info, a Geneva-based non-governmental organization wholly dedicated to increasing awareness of the UPR process, headed by McMahan has systematically categorized state recommendations into five ranks. Using the first verb and overall action contained in each recommendation, a team of scholars has classified all UPR recommendations into five categories which scales from 1 (minimal action) to 5 (specific action). A bigger number denotes recommendations starting with stronger, demanding verbs and containing very specific, implementation-oriented actions for change.

Different ranks of action levels signify that not all recommendations connote negative tones, but also may entail rather positive messages. Statements corresponding to rank 1 or 2 action levels use verbs such as “share, continue, maintain, remain”, which connote acknowledgment, credit-giving, or even encouragement of the status quo. On the other hand, recommendations from ranks 3 to 5 begin with verbs such as “assess, revise, consider, explore, examine, intensify, promote, ensure, take action, investigate, abolish, ratify, enforce.” One can easily recognize that the verbs themselves connote a need for change, assuming that the status quo is not sufficient. As the rank ascends to 5 the verbs become much more specific, requesting changes such as ratifying or abolishing certain laws or institutions. Thus, it is reasonable to say that the recommendation level decently captures the intensity of recommendations in an ordinal manner. Thus, rank 1 and rank 2 recommendations that do not consider a change, can be considered as recommendations acknowledge, justification, or even defense of the human rights practices of SuR. For example, Angola commented on China to “Share good practices that allowed China to achieve poverty reduction targets set in the United Nations Millennium Development Goals” in cycle 1, and Mauritius requested China to “Continue promoting the freedom of religious belief and safeguarding social and religious harmony among its people” in cycle 2. In contrast, recommendations from rank 3 to 5 are relatively offensive recommendations calling for adjustment, modification, and improvement of human rights practices. Particularly, action level 5 recommendations contain verbs such as eliminate, investigate, abolish, and amend, requesting a very specific action to the SuR. In case of China, for instance, Iceland issued action level 5 recommendation such as “End the arbitrary detention of those who defend and promote human rights” and Montenegro requested “Ratify the International Covenant on Civil and Political Rights” in the most recent the UPR cycle. Such demand denotes denial and disapproval of the current human rights practices of the SuR. We would call the former group of recommendations back-patting (patting the back of one’s friend as a sign of approval), and the latter group of recommendations as shaming.¹

¹ As an anonymous reviewer pointed out, this classification could be further subdivided and reclassified based on its contents. However, due to the current limitations of data, it is challenging to reclassify the UPR feedback. We hope to address this issue in future research by creating a new dataset that covers the contents of the UPR.

Thus, when analyzing the UPR recommendations made to China, the level of action may also be considered to determine whether recommendations are back-patting recommendations, or are censuring, offensive, “shaming” recommendations. Discerning two different types of recommendations will uncover the politics behind the peer-review recommendations and will be critical to assessing whether states receiving more development finance from China tend to express biased recommendations compared to those who do not or receive less aid, acting more favorably to China. In other words, countries that have been lobbied by China will conduct a favorable review of China in the UPR, such as criticizing China less and praising it more. Based on this, we propose two hypotheses:

Hypothesis 1: *States that receive more Chinese aid will issue fewer shaming recommendations compared to states that receive less/no aid from China.*

Hypothesis 2: *States that receive more Chinese aid will issue more back-patting recommendations compared to states that receive less/no aid from China.*

RESEARCH DESIGN

Data and Variables

To test our hypotheses about the relationship between China’s foreign aid and human rights recommendations in the UPR, we use recommendation data that China has received from each country during each UPR cycle. Thus, our unit of analysis is the (China)-reviewer-cycle. We analyze the first three cycles of the UPR from its initiation in 2008 to the present. Specifically, China has participated in periodic review sessions as a SuR and reviewed in three cycles, which took place in 2009, 2013, and 2018. Throughout the previous three cycles, China received a total of 809 recommendations from 149 different countries and the recommendations issued to China covers a wide scope of rights ranging from political and civil to economic and social rights.

We use two dependent variables following our hypotheses. Specifically, to capture each shaming or back-patting behavior of reviewer states, we follow the UPR-Info’s five action levels as mentioned above (UPR Info, 2016). The dataset provided by UPR-Info is widely used in studies regarding the UPR (Bae, 2018; Burger, Kovac, and Tkalec, 2021; Terman and Byun, 2022; Terman and Voeten, 2018). Recommendations with action level 1 and 2 were coded as back-patting while those falling within the range of action level 3 to 5 were categorized as shaming. Based on this classification, we made a binary variable indicating the occurrence of shaming or back-patting recommendations issued by the reviewer in each cycle, as well as a count variable reflecting the number of such recommendations identified in each cycle.

The key independent variable is the Chinese aid. This data is taken from AidData’s Global Chinese Official Finance Dataset (GCOF) Version 3.0 (Dreher et al., 2022). This data shows information based on China’s aid projects. Based on it, we measure total financing commitments from China to a given country in a given year. Also, we take the natural log after 1 is added to prevent skewing of the distribution.

Lastly, we control other covariates that could influence the reviewer’s

Table 1. Summary Statistics

Variable	Obs	Mean	Std. dev.	Min	Max	Source
Shaming (binary)	485	0.462	0.499	0	1	UPR Info
Shaming (count)	485	1.074	1.6	0	9	UPR Info
Back-patting (binary)	485	0.322	0.468	0	1	UPR Info
Back-patting (count)	485	0.507	0.871	0	5	UPR Info
Chinese aid	485	9.957	9.13	0	23.117	AidData
GDP per capita	485	2.359	1.009	0.474	4.567	World Development Indicators
Population	485	6.891	1.631	2.222	11.817	World Development Indicators
Democracy	485	6.504	3.002	0	10	Quality of Government
Trade dependency	485	-10.139	1.013	-12.38	-6.813	IMF Direction of Trade
UNGA voting affinity	485	0.753	0.668	0.047	3.58	Bailey et al. (2017)
UNHRC	485	0.276	0.448	0	1	UNHRC

recommendations to China following the existing literature. We mimic those in the previous literature (Terman and Voeten, 2018; Terman and Byun, 2022): GDP per capita (log), population (log), the level of democracy, the trade dependency with China (log), UN General Assembly voting affinity score, and membership at the UNHRC. More specifically, we include the political and economic factors of the reviewer in our model. The richer and more democratic countries are, the more sensitive they are to human rights issues, and so these countries will review China more critically. Next, we control for the bilateral relationship between the reviewer and China. Countries that are politically and economically close to China are likely to review a more friendly. Also, we control for international factors. Countries in the UNHRC will review China more critically at the UPR because they care more about human rights issues. Table 1 reports summary statistics and data sources of all the variables used in our analysis.

Model Specification

Given the nature of the two dependent variables, we use two kinds of regression models. For binary variables that measure the occurrence of shaming or back-patting, we employ a logistic regression model. For count variables that measure the number of such recommendations, we estimate a negative binomial regression model rather than the Poisson model because there is evidence of overdispersion.

To address a potential inferential bias arising from regional clustering and varying time-horizon effects across different cycles, we estimate our model by using fixed effects at the regional and year level. Also, we average all data over five years to smooth out yearly fluctuations in our baseline regressions and lag all independent and control variables one year behind the dependent variables for controlling potential endogeneity. Lastly, we cluster standard errors at the reviewer level to account for serial correlation within each reviewer.

EMPIRICAL RESULTS

Illustrative Findings

Before we see the results of regression analysis, we introduce descriptive findings of the recommendations that China receives at the UPR. Over the three previous cycles, China received 809 recommendations from 149 countries. This indicates that more than 70% of countries, out of approximately 200 observer states who can participate in the working group sessions, issued at least one recommendation to China whether it was a positive or negative human rights recommendation.

In the first cycle, which was held in 2009, 47 different countries issued a total of 138 recommendations against China. Countries that issued the most recommendations include Canada (9), Czechia (9), Germany (8), Australia (8), and Sweden (8), the recommendations of which were mostly recommendations regarding shaming. Except for Germany which raised a positive comment, “Continue efforts to change its legal practice in a way which is conducive to markedly reducing the number of the death sentences being imposed and persons executed”, all the countries issued solely condemning recommendations touching upon issues such as torture, death penalty, judiciary independence, and freedom of expression.

China was under its second review in 2013 when it was subject to 284 recommendations issued by 125 different countries. During the second cycle, countries most enthusiastic about issuing recommendations against China included France, Australia, Portugal, Canada, Czechia, Germany, and Italy, which are commonly associated with the Western allies. Except for Portugal, which also issued three recommendations acknowledging China’s efforts to ratify the International Covenant on Civil and Political Rights (ICCPR) in the near future, to ensure children’s right to education, and to work towards the full abolition of the death penalty, the remaining top-ranking countries primarily raised condemning recommendations. Portugal was in fact one of the three countries that issued the most back-patting recommendations to China – the other two being Egypt and Azerbaijan who also issued 3 back-patting recommendations. Following Portugal, Egypt, and Azerbaijan, a group of countries including Nigeria, North Korea, Cambodia, North Korea, and Zimbabwe were the countries that raised the second most positive-toned recommendations to China.

In the third cycle which was held in 2023, China received the largest number of recommendations (387) from the largest number of countries (135). In this recent working group, Australia was the one who issued the most recommendations against China, making 8 critical remarks, touching upon sensitive political and civil issues such as the death penalty, freedom of religion and speech, and Hong Kong, Uighurs, and Tibet territory.

Tables 2 and 3 summarize the patterns of recommendation issued against China over the past three cycles. Table 3 shows the 10 countries that issued the largest number of shaming recommendations about Chinese human rights practices. In contrast, table 4 displays the top 10 countries that issued the largest number of back-patting recommendations about Chinese human rights performance. Although this is just a cursive reading, the two tables show a stark contrast between the group that shames

Table 2. Top 10 Countries that Issued the Most Shamings to China (Total)

Rank	Country	Backpatting	Shaming	Issues	Total Amount of Chinese Aid (2005-2018; billion USD)
1	Australia	0	22	Freedom of speech, Death penalty, Minority areas	0
2	Canada	0	18	Minority area, UN COI, ICCPR, Detention	0
3	Czechia	0	18	Fair trials, Freedom of expression, North Korean refugees	0
4	France	0	17	Freedom of information, Religion, ICCPR	0
5	Germany	1	16	Freedom of expression, Religion, Torture, Forced labor	0
6	New Zealand	4	12	Tibet, death penalty, ICCPR, Freedom of thought	0
7	Sweden	0	16	Minority rights, Freedom of information, Freedom of religion	0
8	Austria	0	13	Minority rights, Freedom of Religion, ICCPR	0
9	Portugal	3	10	Right to education, ICCPR, Women's rights, Death penalty	0
10	Italy	0	12	Freedom of religion, Death penalty, Freedom of expression	0

most and the other that pats the back of China the most. Not so surprisingly, the top 10 countries that boldly criticize Chinese human rights practices are countries that are hardly economically dependent on China in the form of development aid. The 5-year total amount of aid from China to the recommending state is 0 for the countries in table 2. The issues that these recommendations touch upon are mostly political and civil rights, urging China to consider change or engage in general or specifically in areas such as the death penalty, freedom of expression, freedom of thought and religion, and protection of ethnic minorities of Xinjiang and Tibet.

On the other hand, the total amount of Chinese aid given to the countries in table 3 is all positive, showing that those who issue recommendations that acknowledge, request continuity, or even demand China to “share” the information of the good practices in developing countries located in the Global South, and frequent recipients of

Table 3. Top 10 Countries that Issued the Most Backpattings to China (Total)

Rank	Country	Backpatting	Shaming	Issues	Total Amount of Chinese Aid (2005-2018; billion USD)
1	Egypt	8	1	Right to education, Poverty, Women's rights, Freedom of religion	15.59
2	Cuba	7	1	Human rights promotion, regional autonomy, false information	1.167
3	North Korea	6	0	Economic and social rights, Right to education, Health rights	7.018
4	Nigeria	5	2	Anti-terrorism, human rights awareness, Right to development	81.21
5	Pakistan	5	1	Ethnic minority, Development, Technical cooperation	75.79
6	Congo	5	1	Water pollution, disability rights	15.39
7	Vietnam	5	2	Right to health, human trafficking, Economic and social rights	29.91
8	Russia	5	2	Right to education, Economic and social rights, Technical assistance	14.25
9	Algeria	5	5	Right to development, National Human Rights Action Plan, Death penalty	0.068
10	Guinea	5	1	Gender discrimination, Sustainable development, human rights awareness	29.98

the Chinese development fund. The issues that this group of countries are more diverse, touching upon less sensitive groups of rights such as the right to education, women's rights, and more broadly, economic and social rights that the global South countries are more confident about. Thus, by just having a cursive look at the descriptive results, the correlation between China's foreign assistance and the recommendations it receives at the UNHRC is visible.

Regression Results

Turning to our inferential statistics, table 2 reports the results of our regression analysis. Columns 1 and 2 in table 2 examine whether reviewers issued shaming recommendations to China in a given year, while Columns 3 and 4 analyze whether reviewers made back-patting recommendations. The results are consistently supportive of Hypothesis 2. That is, we can find a negative correlation with Chinese development finance with back-patting from the reviewing countries. This means the greater amount of Chinese financial aid to recipient countries has a statistically significant positive correlation with China's human rights reputation in international human rights regimes. Although what our models discover is an association rather than causation, this finding supports our claim foreign development aid provided by China exerts significant influence on the increase of back-patting recommendations of recipient states. However, we cannot find any statistically significant effect of the Chinese aid to influence shaming recommendations (Hypothesis 1).

The differing outcomes could be explained by the visibility of back-patting recommendations as opposed to shaming patterns from the Chinese perspective. Our conjecture is that even if foreign aid has deterring effects on condemning recommendations, such an effect is difficult to detect or observe outwardly. In contrast, making positive comments that approve of, congratulate, and even praise the Chinese human rights situation is much more visible. From China's point of view, it is difficult to capture when the recipient country less criticizes the China in the UPR, but adding positive comments appears in the documentation and is easier to note. This means such a flattering effect is much easier to detect not only by our models but also by China which is the targeted audience of the recipient countries' lobbying. Thus, for reviewing states who are interested in earning favor, or protecting the existing ties with China, they would choose an action that is visible to China – that is, back-patting rather shaming. In addition, issuing positive recommendations to China can also be interpreted as a somewhat more involved and purposeful action compared to “criticizing less”. Back-patting can have the effect of offsetting and even negating condemning recommendations. When peer countries approve of or credit China's certain performances, recommendations that call for improvements in the same aspect can be buffered. In addition, as positive recommendations can buffer and offset other countries' condemnations, back-patting has dual functions. Especially considering that the international human rights regime is so far somewhat favorable to the West, China aims to attract countries that share similar values rather than reducing criticism (Ismangil et al., 2020). As a consequence, inducing more positive remarks about China's human rights situation may be considered a tenable option for not only the aid recipient countries but also on the part of China. In sum, Chinese aid has the effect of encouraging human rights back-patting by UN member states in the UPR. However, more aid does not discourage more shaming of China. These findings suggest that China's aid diplomacy is partially effective within the UPR and the UNHRC, supporting only Hypothesis 2.

Other than our explanatory variables, the results show a similar pattern to previous studies. Economic relationships vis-à-vis China, especially trade with China exerted

Table 4. Effect of Chinese Aid and the UPR Recommendations

DV:	(1)	(2)	(3)	(4)
	Shaming (binary)	Shaming (count)	Back-patting (binary)	Back-patting (count)
Chinese aid (log)	0.018 (0.019)	0.003 (0.009)	0.028* (0.017)	0.022** (0.010)
GDP per capita (log)	0.958*** (0.199)	0.549*** (0.102)	0.471*** (0.164)	0.229** (0.093)
Population (log)	0.412*** (0.087)	0.219*** (0.045)	0.407*** (0.080)	0.257*** (0.042)
Democracy	0.111** (0.050)	0.082*** (0.027)	-0.088 (0.057)	-0.107*** (0.035)
Trade dependency (log)	-0.176 (0.137)	-0.005 (0.083)	0.380*** (0.120)	0.138* (0.074)
UNGA voting affinity	-0.409 (0.455)	-0.076 (0.244)	-0.567 (0.398)	-0.261 (0.236)
UNHRC	0.546* (0.283)	0.079 (0.127)	0.096 (0.293)	0.126 (0.159)
Cycle 2	2.330*** (0.286)	0.733*** (0.182)	0.964*** (0.330)	0.572** (0.236)
Cycle 3	2.539*** (0.320)	0.877*** (0.199)	1.345*** (0.320)	1.086*** (0.229)
Asia-Pacific	-0.134 (0.345)	-0.347* (0.201)	-0.102 (0.288)	-0.149 (0.173)
Eastern Europe	-0.395 (0.620)	0.112 (0.327)	0.061 (0.508)	-0.154 (0.287)
Latin & Caribbean	-0.790* (0.407)	-0.194 (0.227)	-0.671 (0.512)	-0.376 (0.392)
Western Europe & Others	0.371 (0.870)	0.303 (0.392)	-0.694 (0.795)	-0.487 (0.553)
Constant	-9.382*** (1.733)	-4.189*** (1.007)	-0.954 (1.443)	-1.748** (0.859)
Alpha (log)		-0.986*** (0.290)		-2.329 (1.518)
<i>N</i>	485	485	485	485
pseudo <i>R</i> ²	0.285	0.147	0.215	0.152

Note: Standard errors clustered by reviewers in parentheses. All independent variables are lagged by one year. The baseline category of the cycle variable is cycle 1, and the baseline region is Africa. * $p < 0.10$, ** $p < 0.05$, *** $p < 0.01$

substantial influence over who advocates Chinese human rights at the UPR. Similar to foreign aid, the larger the amount of trade with China in their GDP, the more likely the states to pat the back of China in the UPR. Other socio-economic features of the reviewer countries such as the level of democracy, GDP per capita, and population size are also associated with their pattern of the UPR recommendations issued against China. In particular, democratic countries significantly raise China's human rights issues in shaming and back-patting areas. That is, although there is no statistical significance in Model 3, the higher the level of democracy of reviewers is, the more shaming and the less back-patting recommendations issued against China. In addition, GDP per capita and the population size are significantly increasing both the shaming and back-patting toward China. This result may appear because larger countries are more actively engaged in the UPR. Lastly, political affinity represented by UNGA voting similarity is not statistically significant in all models. Lastly, membership in the UNHRC, which may exert influence how much a reviewer state is sensitive to the human rights issues in the Council and thus participates with a more "responsible mind" is statistically significant only in determining whether reviewers shame China or not but does not affect any back-patting behavior according to our models.

CONCLUSION

In this paper, we provided a systematic empirical analysis of the UPR recommendations during China's session to address why some countries approve of China's human rights situation while others do not at the UNHRC. We argue that China has a growing interest in the international human rights stage, particularly with the reign of Xi Jinping. China no longer exhibits a defensive posture, and rather it now has mounting stakes in the international human rights realm to export a China-led human rights system and replace the US-led liberal order. With the zeal to carry on its One China policy, muting international criticisms and promoting positive evaluations of China's domestic issues seem to have become a significant goal. To this end, we suggest that China may view the UPR as a useful stage for bolstering favorable comments on its human rights situation. We also argue that to achieve such a goal, foreign aid-giving, which is often used as a coercive foreign policy tool, is an effective strategy on the part of China. We emphasize that China, as the largest donor in the global South, has the economic capacity and will to use its development projects as a foreign policy tool to elicit recommendations favorable to its international standing. Furthermore, recipient countries have the incentives to lobby China with a good human rights reputation as China provides relatively less stringent and large volumes of foreign aid with less conditionality.

Our analysis provides empirical evidence supporting our hypothesis that recipients of larger Chinese donors over time are more likely to issue weaker and complementary recommendations to China. However, larger volume of foreign aid is not necessarily associated with less shaming recommendations that touch upon China's human rights practices very specifically, rigorously, and critically. Findings show that our Hypothesis 1 is more salient than Hypothesis 2, also approving our expectation that flattering the Chinese human rights situation is a more visible and effective strategy to lobby China.

Our findings suggest several significant implications. First, the fact that China utilizes the UNHRC as a platform for its human rights diplomacy manifests the politicization of the UNHRC. This is of concern because the UNHRC and its ‘crown jewel’ UPR is a product of a reform due to accusations on the UN Commission on Human Rights (CHR) for its politicization, partiality, and selectivity. We can see that the politicization which persisted in the CHR is still plaguing the HRC. However, as opposed to the usual criticisms that were made against the HRC, the politicization in this case is not driven by the giant liberal forces, but illiberal states like China. Second, our findings shed light on the Chinese foreign policy tactics in the human rights realm, and further, on how non-democratic countries utilize liberal international organizations for their illiberal ends. China is no longer a passive agent in the human rights arena. Our analysis therefore serves as empirical evidence of China’s expansive foreign policy, by which it tries to erode the West-led liberal order and replace it with its illiberal alternative, form autocratic coalitions within the organizations, and ultimately shape the international regime (Lu, 2023; Nathan and Zhang, 2021; Piconne, 2018; Richardson, 2020; Worden, 2020) The “economic and strategic power that the Chinese government possesses” allows it to successfully “the enforcement mechanisms of international human rights norm (Landolt, 2013)”.

Our study also supports the claim that the Chinese government is adept at persuading most liberal democratic states to cease their support for resolutions critical of China at the CHR (Landolt, 2013). Apparently, China, who is well documented as a severe violator of human rights, utilizes the UPR mechanism not only to defend, downplay, and deny its own human rights violations, but to influence other states who are economically dependent on it to become an accomplice for its political ends.

Furthermore, these findings point to an important caveat in the literature on Chinese aid– that Chinese development projects can influence something more than the recipient country’s domestic social and economic environment. This article suggests that China’s powerful foreign aid can further have effects on state behaviors in international organizations and even human rights discourse by setting a strong asymmetric relationship between the donor and recipient. In this vein, our study is in line with Haftner-Burton and Schneider’s recent project which argues that integration of countries into the US-led Liberal International Order (LIO) after the end of the Cold War has ironically increased the likelihood of democratic backsliding (Hafner-Burton and Schneider, 2023).

Lastly, however, this study is not without limitations, and thus may well be supplemented in subsequent studies. For one, this article only examines the behavior of the recipient country in the UPR after receiving Chinese aid. Considering this in mind, future research can incorporate an additional examination of whether there is a meaningful change in the attitude of recipient countries before and after receiving aid to more show the relationship between Chinese foreign aid and positive feedback on China’s human rights conditions during the UPR proceedings. As the fourth UPR cycle is under process at the time of writing, future research may also test the longer-term effect of Chinese aid on human rights discourses in the recent proceedings as well. Also, future studies can examine the broader concept of economic dependency with China, not only including foreign aid but also FDI or bilateral trade, to test the effects

of Chinese Yuan power on naming and shaming in the UPR. Finally, we may further distinguish the different effects of foreign aid and economic sanctions, the distinction of which is blurred by the authoritarian features of the Chinese system in subsequent studies.

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