

Testimony before the U.S.-China Economic and Security Review Commission¹

Hearing on “China’s Military Diplomacy and Overseas Security Activities”

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Distinguished Co-Chairs and Commissioners, thank you for inviting me to testify today on the overseas security activities of China’s Ministry of Public Security.

Under President Xi Jinping, the Chinese Communist Party (CCP) has significantly expanded the overseas activities of China’s Ministry of Public Security (MPS), increasingly using security cooperation as a tool to expand its influence and shape global security norms.

Typically understood as a domestic-facing institution, the MPS’ day-to-day responsibilities include law enforcement and criminal justice work, ranging from traffic enforcement to countering violent crime.² The institution’s priorities also include authoritarian political policing such as “stability maintenance” (维稳 *wéiwěn*), a euphemism for controlling protests, riots, and other forms of dissent.³ The MPS is a core part of the CCP’s coercive apparatus, serving as one of the party’s main tools to maintain political power and social order according to the dictates of CCP leadership.⁴

The MPS also has an international mandate to organize exchanges and collaborate with international police and security apparatuses. The scope of the MPS’ international activities can be divided into three categories: **1) unilateral actions**, including transnational repression and illegal rendition campaigns; **2) bilateral engagement**, including bilateral meetings, formal agreements, capacity building activities, material assistance, and extraterritorial joint security patrols; and **3) multilateral engagement**, including the creation of new international institutions and activities within established bodies such as Interpol.

The MPS’ global efforts to implement the CCP’s directive to “actively build a law enforcement security cooperation system with Chinese characteristics” pose significant challenges to the United States and other liberal democracies.⁵ The MPS conducts transnational repression operations such as kidnapping and

¹ This testimony is drawn from Jordan Link, “The Expanding International Reach of China’s Police,” Center for American Progress, October 17, 2022, available at <https://www.americanprogress.org/article/the-expanding-international-reach-of-chinas-police/>.

² Suzanne E. Scoggins, *Policing China* (Ithaca, NY: Cornell University Press, 2021), p. 7.

³ Suzanne E. Scoggins, *Policing China* (Ithaca, NY: Cornell University Press, 2021), p. 5, 32.

⁴ Center for Security and Emerging Technology, “Translation: Ministry of Public Security 2019 Budget,” September 2, 2020, available at <https://cset.georgetown.edu/research/ministry-of-public-security-2019-budget/>.

⁵ Ministry of Public Security of the People’s Republic of China, “Quan guo gong an guo ji he zuo gong zuo hui yi zai jing zhao kai” (National Public Security International Cooperation Work Conference Held in Beijing), Xinhua News Network, February 7, 2017, available at http://www.xinhuanet.com/politics/2017-02/07/c_1120426453.htm; Lindsey W. Ford, “Extending the long arm of the law: China’s international law enforcement drive,” Brookings

threatening political dissidents, human rights activists, ethnic and religious minorities, and former officials accused of corruption. The MPS operates under the CCP's own definitions of the rule of law and terrorism, which depart from globally established norms, simultaneously eroding shared recognition of these concepts while creating the pretext for a wide-ranging authority to act abroad. MPS norm-breaking behaviors may also encourage other authoritarian regimes to act in similar ways.

Why is the MPS Playing a Larger Role within the CCP's Foreign Policy?

The expansion of MPS international police cooperation activity is driven by two primary motivations. First, the MPS is working to advance expected overseas security interests of the PRC, such as counterterrorism, countering drug trafficking, and protecting Chinese nationals and companies in foreign countries. MPS overseas activities are expanding in tandem with the expansion of the PRC's overseas interests, most notably in support of President Xi's main foreign policy initiative, the Belt and Road Initiative (BRI). At the BRI Security Cooperation Dialogue in 2017, then-MPS Minister Guo Shengkun expressed his hope that "all [BRI participants] will establish common security and cooperative security concepts, establish and improve the 'Belt and Road' security cooperation mechanism."⁶ At the same conference, former MPS Minister Meng Jianzhu called for BRI participants to "deepen law enforcement and security cooperation."⁷

Second, the MPS' global activities are driven by Beijing's discontent with the current international liberal democratic order.⁸ Beijing has been clear about its intent to assert greater influence over global security norms and, starting around 2017, has given the MPS a clear mandate to help achieve this vision. In his keynote speech at the 2017 Interpol General Assembly, President Xi declared that "the current global security governance system has many incompatibilities and should be reformed and improved."⁹ That same year, the PRC's National Public Security International Cooperation Work Conference—a convening of the PRC's top public security and legal officials—gave the MPS a broad international mandate, calling on it to "grasp the new characteristics of the internationalization of public security work."¹⁰ In 2019, then-

Institution Order from Chaos blog, January 15, 2021, available at <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/extending-the-long-arm-of-the-law-chinas-international-law-enforcement-drive/>.

⁶ Xinhua News Network, "'Yi dai yi lu' an quan he zuo dui hua hui zai jing ju xing meng jian zhu hui jian dai biao tuan tuan zhang" ('One Belt One Road' Security Cooperation Dialogue Held in Beijing Meng Jianzhu Meets with the Head of Delegation), May 4, 2017, available at http://www.xinhuanet.com/politics/2017-05/04/c_1120919833.htm.

⁷ Ibid.

⁸ The current liberal democratic order is often characterized by "limits to state authority, such as binding international law and unalienable individual rights." For more information, please see Melanie Hart and Blaine Johnson, "Mapping China's Global Governance Ambitions" (Washington: Center for American Progress, 2019), available at <https://www.americanprogress.org/article/mapping-chinas-global-governance-ambitions/>.

⁹ Xi Jinping, "jian chi he zuo chuang xin fa zhi gong ying xie shou kai zhan quan qiu an quan zhi li" (Adhere to cooperation, innovation, rule of law, and win-win cooperation to carry out global security governance), *People's Daily*, September 27, 2017, available at <http://cpc.people.com.cn/n1/2017/0927/c64094-29561212.html>. (Full quote: "坚持改革创新，实现共同治理… 现行全球安全治理体系有很多不适应的地方，应该加以改革完善，推动全球安全治理体系朝着更加公平、更加合理、更加有效的方向发展")

¹⁰ Ministry of Public Security of the People's Republic of China, "Quan guo gong an guo ji he zuo gong zuo hui yi zai jing zhao kai" (National Public Security International Cooperation Work Conference Held in Beijing), Xinhua News Network, February 7, 2017, available at http://www.xinhuanet.com/politics/2017-02/07/c_1120426453.htm; Ford, "Extending the long arm of the law: China's international law enforcement drive."

MPS Minister Zhao Kezhi directed the MPS to grow its international profile to enhance its power to influence global security norms, calling for the ministry to build a “new system of public security international cooperation work” to ensure that CCP foreign policies are implemented.¹¹ After the 2017 directives to the MPS to become more active abroad, there has been a notable increase in its global engagements.

The CCP stands to benefit in several ways from MPS exchanges with other countries’ internal security and law enforcement personnel. First, the MPS’ bilateral and multilateral engagements serve to forge stronger relationships with peer security institutions, building the MPS’ reputation as a credible security partner. Additionally, these engagements provide valuable signaling and intelligence sharing opportunities between the PRC and other states.

Unilateral Actions and Transnational Repression

The MPS plays a key role in the CCP’s ongoing global campaign of transnational repression,¹² most notably through rendition campaigns called Operation Fox Hunt and Operation Sky Net. Launched in 2014, Operation Fox Hunt is an initiative to locate and extradite alleged Chinese fugitives who fled overseas. It is now subsumed under Operation Sky Net—a broader initiative launched by the Central Commission for Discipline Inspection in 2015 to coordinate rendition efforts across multiple PRC government agencies.¹³ In addition to identifying and punishing corruption, President Xi and the CCP have used these campaigns to purge political rivals, silence critics, and eliminate perceived foreign intelligence risks.¹⁴ Chinese sources indicate that from 2014 to 2020, Operation Fox Hunt and Operation Sky Net missions have led to the arrest of more than 8,000 targets across 120 different countries.¹⁵

¹¹ Ministry of Public Security of the People’s Republic of China, “Zhao ke zhi dui gong an guo ji he zuo gong zuo ti chu yao qiu, shen ru xue xi guan che xi jin ping wai jiao si xiang, quan mian ti sheng xin shi dai gong an guo ji he zuo gong zuo neng li shui ping, wang xiao hong chu xi quan guo gong an ji guan guo ji he zuo gong zuo hui yi bing jiang hua” (Zhao Kezhi puts forward requirements for international cooperation of public security, In-depth study and implementation of Xi Jinping Thought on Diplomacy, Comprehensively enhance the level of public security international cooperation in the new era, Wang Xiaohong attended the National Public Security Agencies International Cooperation Work Conference and delivered a speech).

¹² According to Freedom House, transnational repression “describes the ways a government reaches across national borders to intimidate, silence, or harm an exile, refugee, or member of the diaspora who they perceive as a threat and have a political incentive to control. Methods of transnational repression include assassinations, physical assaults, detention, rendition, unlawful deportation, unexplained or enforced disappearance, physical surveillance or stalking, passport cancellation or control over other documents, Interpol abuse, digital threats, spyware, cyberattacks, social media surveillance, online harassment, and harassment of or harm to family and associates who remain in the country of origin.” Freedom House, “Policy Recommendations: Transnational Repression,” <https://freedomhouse.org/policy-recommendations/transnational-repression>.

¹³ Central Commission for Discipline Inspection and Supervision Department, “Zhongguo qidong fanfu ‘tian wang’ xingdong jiang zhua yi pi waitao tanguan” (China launches anti-corruption ‘Sky Net’ operation to catch a number of corrupt officials fleeing the country), March 26, 2015, available at <http://news.sina.com.cn/c/2015-03-26/175731649218.shtml>; Safeguard Defenders, “Involuntary Returns: China’s covert operation to force ‘fugitives’ overseas back home” (Madrid: 2022), available at <https://safeguarddefenders.com/sites/default/files/pdf/INvoluntary%20Returns.pdf>.

¹⁴ Zach Dorfman, “China Used Stolen Data to Expose CIA Operatives in Africa and Europe,” *Foreign Policy*, December 21, 2020, available at <https://foreignpolicy.com/2020/12/21/china-stolen-us-data-exposed-cia-operatives-spy-networks/#>.

¹⁵ Jiang Lirong, “zhua bu ‘can yu lie hu xing dong ren yuan’ mei che di dian fu he zuo ji zhi shi zai du hua zi shen” (Arresting “People Involved in The Fox Hunt” The United States is completely subverting the cooperation

Substantial evidence confirms the global reach of Fox Hunt and Sky Net operations, including within the United States. For example, in March 2022, the U.S. Department of Justice alleged that Sun Hoi Ying acted and conspired to act in the United States as an unregistered PRC government agent while conducting an Operation Fox Hunt mission.¹⁶ According to the charging documents, Sun allegedly surveilled and pressured an ethnically Chinese U.S. citizen to return to the PRC as part of an anti-corruption investigation.¹⁷ The target's daughter, a U.S. citizen, was allegedly held against her will in the PRC for eight months after visiting family in an effort to pressure the target to return to the PRC.¹⁸ The DOJ claims that Sun Hoi Ying, the same PRC agent, coordinated and co-conspired with an unnamed local U.S. law enforcement officer while pursuing a different target in order to threaten and pressure that target to return to the PRC.¹⁹

MPS Bilateral Engagement

Bilateral police diplomacy

From 1997 to 2021, MPS officials held 114 bilateral meetings with foreign counterparts. More than 60 percent of all identified MPS bilateral exchanges occurred during President Xi's tenure. Over 60 percent of bilateral exchanges took place with Asian governments, about half of whom border China.²⁰

Counterterrorism was the most frequently discussed topic in identified bilateral exchanges, aligning with the MPS' role as the PRC's leading organization responsible for counterterrorism matters.²¹ Other commonly discussed topics in bilateral meetings included transnational crime, counter-drug efforts, law enforcement cooperation and capacity building, and border security. Topics such as maintaining stability (including social stability, regional stability, and national stability), and managing large-scale events such as protests and riots were mentioned in at least 41 different bilateral meetings with officials from 18

mechanism by poisoning itself), *The Global Times*, October 29, 2020, available at <https://world.huanqiu.com/article/40U55Ncmkcs>; From 2015 to 2020, at least 8,111 individuals were arrested abroad under the auspices of Operation Sky Net—6,690 from 2015 to 2019, and 1,421 in 2020. CCTV, “2019 zhui tao zhui zang cheng ji dan gong bu qian 10 yue zhui hui 1634 ren jin e jin 30 yi” (The 2019 transcript of fleeing and recovering assets was announced, 1,634 people were recovered in the first 10 months, with an amount of nearly 3 billion), December 10, 2019, available at <http://news.cctv.com/2019/12/10/ARTI5G3E2A93EB9sK5N6tE8A191210.shtml>; Central Commission for Discipline Inspection and State Supervision Commission, “Yiti tuijin zhui tao fang tao zhuizang ‘tian wang 2020’ xingdong zhui hui waitao renyuan 1421 ren,” (Operation “Sky Net 2020” Recovered 1421 People Who Fled), Xinhua News Network, February 22, 2021, available at http://www.xinhuanet.com/politics/2021-02/22/c_1127122649.htm; Rotella and Berg, “Operation Fox Hunt: How China Exports Repression Using a Network of Spies Hidden in Plain Sight.”

¹⁶ U.S. Department of Justice, “Chinese National Charged With Acting As An Unregistered Agent Of The Chinese Government In The United States,” Press release, March 30, 2022, available at <https://www.justice.gov/usao-sdny/pr/chinese-national-charged-acting-unregistered-agent-chinese-government-united-states>.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ Data drawn from the CAP database tracking the MPS' bilateral foreign engagements, available here: [database tracking the MPS' bilateral foreign engagements](#).

²¹ Murray Scot Tanner and James Bellacqua, “China's Response to Terrorism” (Arlington, VA: CNA, 2016), p. 64, available at https://www.uscc.gov/sites/default/files/Research/Chinas%20Response%20to%20Terrorism_CNA061616.pdf.

different countries. Most of these 18 countries were designated as “partly free” or “not free” under Freedom House’s Global Freedom Status framework.²² Stability maintenance has doubled as a topic of discussion during MPS bilateral meetings since President Xi assumed power in 2013, indicating that an increasing number of foreign governments seem interested in engaging with the MPS on issues such as controlling protests, riots, and other forms of political dissent.

Formal agreements

The MPS signs formal agreements with foreign governments to institutionalize and foster future international police cooperation. These agreements are most often signed during bilateral meetings between the MPS and its foreign counterparts. The MPS has signed at least 51 agreements with 31 different partner governments between 1995 and 2020.

The PRC’s public security cooperation with Egypt demonstrates the potential downstream human-rights-related consequences of formal security cooperation agreements. In June 2017, the Egyptian government announced the signing of an MPS-Ministry of Interior cooperation agreement, which would address “the spread of terrorism and extremist ideologies.”²³ Weeks later, Egypt detained more than 200 Uyghurs residing in Egypt, a step some suspect came in response to a request from Beijing.²⁴

Capacity building cooperation

The MPS has provided at least 77 capacity building opportunities such as training sessions to partner security institutions globally. Asian governments received the most training sessions at almost 40 percent. African governments received the next-largest share at 35 percent. The MPS has trained police from 10 different countries (Argentina, Fiji, Kazakhstan, Liberia, Myanmar, North Korea, Panama, Papua New Guinea, Tunisia, and Uzbekistan) on stability maintenance topics. Increasingly, the MPS has offered training on cyber and technology topics, including electronic data forensics and technology, network attack and defense technology, big data applications for law enforcement, artificial intelligence (AI), and applying big data and AI to counterterrorism efforts.²⁵

Material assistance

From 2006 to 2021, the MPS provided material assistance to 22 different countries on 39 different occasions. These donations range from police equipment and investigative technologies to the construction of facilities for partner security institutions.²⁶ The MPS also supported construction projects, such as rehabilitating and expanding a police academy in Tanzania, constructing new facilities for

²² Freedom House, “Countries and Territories,” available at <https://freedomhouse.org/countries/freedom-world/scores>.

²³ State Information Service, “Egypt, China sign technical cooperation document in specialized security fields,” June 20, 2017, available at <https://www.sis.gov.eg/Story/114496?lang=en-us>.

²⁴ Shohret Hoshur, Elise Anderson, and Joshua Lipes, “‘The Price of My Studies Abroad Was Very High’: Uyghur Former Al Azhar University,” Radio Free Asia, June 26, 2020, available at <https://www.rfa.org/english/news/uyghur/student-06262020141646.html>.

²⁵ Since 2017, the MPS has offered at least 15 training sessions related to cyber issues to foreign police in 12 different countries: Argentina, Armenia, Cambodia, Djibouti, Fiji, Indonesia, Malaysia, Panama, the Philippines, Tajikistan, Tunisia, and Uzbekistan. See CAP database.

²⁶ For example, the MPS has donated police vehicles, bulletproof vests, long-distance night vision devices, uniforms, reflective vests, gas masks, computers, and printers to foreign partners.

Tajikistan's counternarcotics agency, and building a new police academy in Costa Rica.²⁷ After the outbreak of the COVID-19 pandemic, the MPS played a role in Beijing's response efforts by donating COVID-19-related personal protective equipment (PPE) to Argentina, Cambodia, Mongolia, the Philippines, Thailand, and Vietnam.

Extraterritorial joint patrols

The MPS has conducted bilateral joint patrols with police officers in Croatia, Italy, and Serbia between 2016 and 2019.²⁸ According to Chinese news sources, these patrols are intended to protect Chinese tourists and overseas Chinese citizens during the height of tourist seasons.²⁹

MPS Multilateral Engagement

In 2015, the MPS created an international institution to forge stronger relationships abroad, called the International Law Enforcement Cooperation Forum on the New Eurasian Continental Bridge Safety Corridor, commonly shortened to the Lianyungang Forum (连云港论坛 Liányúngāng lùntán).

The Lianyungang Forum convenes police and security sector officials from 30 to 40 countries annually, most recently in 2020. International organizations such as Interpol and the Shanghai Cooperation Organization also send representatives to attend the annual convening. Participants range from liberal democracies—including Germany, Italy, the Netherlands, South Korea, and South Africa—to authoritarian regimes such as Russia and Belarus.³⁰ The MPS hosts a police equipment and public security technology and equipment exhibition alongside the Lianyungang Forum, with the stated purpose

²⁷ Embassy of the People's Republic of China in the United Republic of Tanzania, "gong an bu zheng zhi bu cai an ji zhu ren fang wen tan sang ni ya" (Director Cai Anji of the Political Department of the Ministry of Public Security visited Tanzania), December 1, 2008, available at <http://tz.china-embassy.org/chn/ztx/t524364.htm>; Li Xiaoyu, "gong an bu zheng zhi bu cai an ji zhu ren fang wen tan sang ni ya" (The Chinese Ministry of Public Security assisted in the construction of the office building of the Kulyab Anti-Narcotics Sub-Administration in Tajikistan was completed and handed over), March 19, 2016, available at http://www.xinhuanet.com/world/2016-03/19/c_128814017.htm; Embassy of the People's Republic of China in the Republic of Argentina, "zhong guo gong an bu gong zuo zu ying yao fu a gen ting kai zhan lian he jing wu zhi fa he zuo" (The working group of the Ministry of Public Security of the People's Republic of China was invited to Argentina to carry out joint police law enforcement cooperation), November 10, 2018, available at <http://ar.chineseembassy.org/chn/lqfw/t1611941.htm>.

²⁸ Embassy of the People's Republic of China in the Republic of Serbia, "zhu sai er wei ya da shi chen bo chu xi shou ci zhong sai jing wu lian he xun luo qi dong yi shi" (Ambassador To Serbia Chen Bo attended the launching ceremony of the first Sino-Cypriot police joint patrol), September 19, 2019, available at <http://rs.chineseembassy.org/chn/sgxx/sghd/t1699107.htm>; Embassy of the People's Republic of China in the Republic of Italy, "guan yu gong bu zhong yi di si ci jing wu lian he xun luo zhong wen bao jing re xian de tong zhi" (Notice on the announcement of the fourth police joint patrol Chinese alarm hotline), November 6, 2019, available at <https://www.mfa.gov.cn/ce/ceit/chn/lsyw/t1713690.htm>; Embassy of the People's Republic of China in the Republic of Croatia, "xu er wen da shi hui jian gong an bu jing wu lian xun dai biao tuan ji zhong fang lian xun jing yuan" (Ambassador Xu Erwen met with the Joint Patrol Delegation of the Ministry of Public Security and the Chinese Joint Patrol Officers), July 13, 2019, available at <https://www.mfa.gov.cn/ce/cehr/chn/sgxx/t1680827.htm>.

²⁹ *China Youth Daily*, "2019 nian fu yi jing wu lian he xun luo jing dui song xing yi shi ju xing" (In 2019, the send-off ceremony of the Joint Police Patrol Force to Italy was held), November 5, 2019, available at http://zqb.cyol.com/html/2019-11/05/nw.D110000zqgnb_20191105_5-05.htm.

³⁰ Jiangsu People's Publishing House, "Lian yun gang nian jian" (Lianyungang Yearbook), (Nanjing, China: 2016), p. 110, available at http://www.lygsz.gov.cn/lygszw/uploads_transfer/soft/170708/2016.pdf.

of driving the development of China's domestic security equipment industry.³¹ The exhibition has featured technology products such as video surveillance and image processing, drones, facial recognition systems, smart-transportation and smart-city technologies, armored vehicles, and weapons.³² Exhibitors include more than 200 security-related companies with close ties to the Chinese government, such as Huawei, ZTE, Dahua, and Hikvision.³³ The expo has featured Chinese companies that are now on the Treasury Department's Non-Specially Designated Nationals Chinese Military-Industrial Complex Companies List. The Lianyungang Forum has also been used as an opportunity to train foreign police officers.³⁴ According to Chinese government documents, as of 2018, 600 officers had been trained at the Lianyungang training center.³⁵

The MPS also engages with existing multilateral institutions such as the International Criminal Police Organization (Interpol). Each Interpol member hosts within its state territory an Interpol National Central Bureau (NCB) office, which connects a country's law enforcement apparatus with other countries' apparatuses and with Interpol's General Secretariat via a global police communication network.³⁶ China's NCB is housed within the MPS' International Cooperation Bureau.³⁷

Interpol is forbidden under Article 3 of its constitution from undertaking "any intervention or activities of a political, military, religious or racial character." However, Beijing and the MPS have reportedly violated Interpol's rules by pursuing political dissidents via the Red Notice system, subverting the true criminal investigative purposes of the institution. The PRC government has faced few consequences for issuing Red Notices against Chinese nationals abroad for political purposes.

³¹ Qiazhan, "2018 di si jie 'lian yun gang lun tan' jing yong zhuang bei he gong gong an quan chan pin bo lan hui" (2018 The fourth "Lianyungang Forum" police equipment and public safety products expo), available at <https://www.qiazhan.com/zhanhui/8469.html>.

³² Qianjia, "Di san jie 'lian yun gang lun tan' jing yong zhuang bei he gong gong an quan chan pin bo lan hui" (The 3rd "Lianyungang Forum" Police Equipment and Public Safety Products Expo), November 29, 2017, available at http://www.qianjia.com/html/2017-11/29_280335.html.

³³ Qiazhan, "2018 di si jie 'lian yun gang lun tan' jing yong zhuang bei he gong gong an quan chan pin bo lan hui" (2018 The fourth "Lianyungang Forum" police equipment and public safety products expo); Sohu, "Lian yun gang lun tan hai wai an bao fen lun tan qu de yuan man cheng gong" (The Lianyungang Forum Overseas Security Sub-forum was a complete success), September 17, 2018, available at https://www.sohu.com/a/254261518_100008029; JS News, "Di si jie lian yun gang jing yong zhuang bei he gong gong an quan chan pin bo lan hui kai mu" (The 4th Lianyungang Police Equipment and Public Safety Products Expo opened), September 12, 2018, available at http://jsnews.jschina.com.cn/lyg/a/201809/t20180912_1908070.shtml.

³⁴ Tan Xiaoping and Zhang Chi, "Wu guo wai jing xiang ju gang cheng 'lian yun gang lun tan' zai pu xin pian" (Police officers from five countries gather in Lianyungang city, "Lianyungang Forum" writes a new chapter), New Silk Road Horizon, June 27, 2017, available at <https://www.fx361.com/page/2017/0627/1991505.shtml>.

³⁵ Li Xiaohua, "Lianyungang Forum promotes int'l law enforcement cooperation," China.org.cn, September 13, 2018, available at http://www.china.org.cn/world/2018-09/13/content_63405502.htm.

³⁶ Interpol, "National Central Bureaus (NCBs)," available at <https://www.interpol.int/en/Who-we-are/Member-countries/National-Central-Bureaus-NCBs>.

³⁷ Interpol, "CHINA," available at <https://www.interpol.int/en/Who-we-are/Member-countries/Asia-South-Pacific/CHINA>.

The Implications of the Growing International Presence of the MPS For the U.S. and its Allies and Partners

The increasing nature and scope of the MPS' international activities pose several challenges to the United States and others that support an international rules-based order. First, the MPS has demonstrated a blatant disregard for the rule of law, due process, and fundamental human rights on U.S. soil. It has sent operatives abroad to execute transnational repression campaigns without obtaining permission or providing foreknowledge to the countries in which it acts. It has forcibly returned individuals it deems a threat through extralegal means and has abused the Interpol Red Notice system to target overseas Uyghurs and other critics of the CCP. Its conduct undermines the well-being of individuals within China and overseas.

Second, the MPS' international police cooperation efforts normalize the institution's subversive practices and expand its influence in advancing the CCP's vision to reshape security governance norms, in direct competition with U.S. strategy and vision for security cooperation with partners across the globe. The MPS builds relationships with foreign governments and security apparatuses, many of whom also receive U.S. assistance, which helps the MPS develop formal and informal influence and access to pursue the CCP's broader foreign policy aims. The MPS also provides opportunities for other governments to adopt illiberal practices from training in crowd control and counterterrorism tactics to making available Chinese technology to replicate the PRC's tactics of repression in their own territories. Many of these contributions could indeed increase the investigative effectiveness of partner countries' police forces. But when coupled with MPS training that aims to suppress dissent, and given that MPS-provided equipment and technologies could be used for illiberal purposes, it is likely that MPS contributions increase risks to the civil rights of citizens in recipient countries. For example, seemingly apolitical MPS activities can be problematic. MPS cyber-operations training likely includes lessons on how to install and maintain surveillance networks and analyze and integrate complex data sources into policing. While increased cyber capabilities for law enforcement can be a good thing if well-regulated in a democratic society, increased cyber capabilities for police forces operating under authoritarian governments can easily undermine personal freedoms and pose risks for U.S.-provided technologies.

Finally, Beijing's efforts to implement its own global governance vision pose a direct challenge to liberal democratic principles, including the rule of law. In the PRC, "rule of law" is a system of "rule by law," in which the party uses the law as a political tool without the consent of the governed in order to achieve its political aims.³⁸ Beijing has actively pushed an alternative definition of human rights by advocating for "human rights with Chinese characteristics," which are defined by the state rather than viewed as the moral or inalienable rights of individuals.³⁹ The PRC also operates under a broader definition of terrorism than the United States and Europe. In the United States and Europe, terrorism is typically understood as "[a] criminal act that is intentionally violent, or is dangerous to human life" with the intent of "coercing or

³⁸ Jordan Link, Nina Palmer, and Laura Edwards, "Beijing's Strategy for Asserting Its 'Party Rule by Law' Abroad" (Washington: United States Institute for Peace, 2022), available at <https://www.usip.org/publications/2022/09/beijings-strategy-asserting-its-party-rule-law-abroad>.

³⁹ Elizabeth C. Economy, *The World According to China* (Cambridge, United Kingdom: Polity Press, 2022), p. 190.

intimidating the government into altering foreign or domestic policy.”⁴⁰ While the PRC’s definition of terrorism also deems illegal similar criminal acts, it also includes acts that would be considered legal in liberal democracies, such as protesting. For example, the PRC’s 2015 Counterterrorism Law also outlaws “advocacy or behavior” aimed at “realizing political or ideology objectives through means of violence, destruction, intimidation, or other methods of creating social panic.”⁴¹ The Counterterrorism Law’s intentionally broad language allows PRC authorities to apply a label of terrorism to almost any political act the party perceives as threatening its monopoly on power. This is a challenge to the U.S. because it means China can label and target individuals abroad as terrorist suspects with impunity.

Most fundamentally, it is the PRC’s domestic repression and mandate to uphold the CCP’s political monopoly that discredits the MPS’ international security cooperation efforts. As stated above, the PRC’s domestic legal apparatus operates fundamentally differently than those of liberal democracies, with a different interpretation of the concept of “rule of law.” Rather than holding all people, institutions, and entities accountable to the same laws, the CCP uses the law to control Chinese society while concurrently excluding itself from that same legal accountability.⁴² Statements made by Sun Xinyang, then-member of the Standing Committee of the Jiangxi Provincial Party Committee and the secretary of the Provincial Discipline Inspection Commission, reveal the CCP’s intent to act in extralegal ways as it seeks to apprehend allegedly corrupt individuals and dissidents: “overseas is not outside the law; fleeing abroad is not a way out.”⁴³ The MPS is the CCP’s main tool in extending this framework abroad.

Remaining Knowledge Gaps Related to the Overseas Activities of the MPS

How much latitude do subnational MPS organizations have in policymaking? Recent reports have drawn attention to overseas Chinese police service centers.⁴⁴ However, it remains unclear what influence top CCP and MPS officials have over these stations. For example, at least four Chinese subnational localities such as Fuzhou, Qingtian, Nantong and Wenzhou have established police outposts in foreign territory.⁴⁵ Yet it is an open question at what level of government the initiative was taken to open these stations, how much the stations align with centralized policy goals, and whether subnational MPS organizations are leading other types of international activities, and what level of independence these organizations have in conducting activity abroad.

⁴⁰ Murray Scot Tanner and James Bellacqua, “China’s Response to Terrorism” (Arlington, VA: CNA, 2016), p. 1, available at

https://www.uscc.gov/sites/default/files/Research/Chinas%20Response%20to%20Terrorism_CNA061616.pdf.

⁴¹ Xinhua News Agency, “Zhonghua renmin gongheguo fan kongbu zhuyi fa” (Counterterrorism Law of the People’s Republic of China), December 27, 2015, available at http://www.xinhuanet.com/politics/2015-12/27/c_128571798.htm.

⁴² Malin Oud, “Rule of Law,” Decoding China, available at <https://decodingchina.eu/rule-of-law/>.

⁴³ Sun Xinyang, “Quan mian cong yan zhi dang wei dang he guo jia shi ye fa zhan ti gong jian qiang bao zheng” (Strictly governing the party in an all-round way provides a strong guarantee for the development of the party and the country), China Discipline Inspection and Supervision News, October 11, 2017, available at http://www.jxdi.gov.cn/tttt/201710/t20171011_86137.htm.

⁴⁴ “110 Overseas,” Safeguard Defenders, October 29, 2022, available at <https://safeguarddefenders.com/sites/default/files/pdf/110%20Overseas%20%28v5%29.pdf>; Megha Rajagopalan and William K. Rashbaum, “With F.B.I. Search, U.S. Escalates Global Fight Over Chinese Police Outposts,” The New York Times, January 12, 2023, available at <https://www.nytimes.com/2023/01/12/world/europe/china-outpost-new-york.html>

⁴⁵ Ibid.

What are other MPS operations that span the globe? The MPS' role in major transnational repression efforts, most notably Operation Fox Hunt and Operation Sky Net, is well documented. However, there are likely other understudied MPS operations that operate beyond the PRC's borders. For example, Operation Cloud Sword is an MPS information operation that mines and processes large amounts of online data, utilizes cloud computing, and surveils targets via data, leading to arrests domestically and overseas. According to an MPS spokesperson, Operation Cloud Sword relies on "big data tracking and [a] fugitive judging platform to realize real-time early warning...and targeted arrest of fugitives. Most of the fugitives were captured through data research and technical comparison."⁴⁶ Chinese news reports indicate 243,000 individuals total were apprehended between June and December 2019 via Operation Cloud Sword, although it is unclear how many of these targets were apprehended beyond China's borders with or without coordination with partner governments.⁴⁷ Chinese sources reveal the MPS has conducted Cloud Sword operations to arrest individuals within countries such as Cambodia, the Philippines, Laos, Vietnam, along the border with Myanmar, and in Spain.⁴⁸ Against this background, it is clear that the MPS conducts global operations beyond the well-known Operation Fox Hunt and Operation Sky Net.

How active is the MPS in conducting political influence operations? In May 2022, the U.S. Department of Justice charged Stephen A. Wynn, the former finance chairman of the Republican National Committee and a casino magnate, with acting as the agent of the People's Republic of China (PRC). In 2017, Wynn acted at the behest of Sun Lijun, a senior MPS official, in a pressure campaign to cancel the visa or otherwise remove a Chinese business person from the United States.⁴⁹ According to the U.S. Department of Justice, Wynn conducted outreach to the incumbent White House chief of staff, two former White House chiefs of staff, and two senior officials on the National Security Council. The suit is one of the most high-profile cases of the MPS being involved in an overseas political influence campaign, and marks the first affirmative civil case under FARA in over three decades.⁵⁰ However, in October 2022, a federal

⁴⁶ "Tong bao quan guo gong an ji guan "yun jian" xing dong kai zhan yi lai you guan gong zuo qing kuang" (Informing the national public security organs of the relevant work since the launch of the "Cloud Sword" operation), People.cn, December 25, 2019, available at http://live01.people.com.cn/zhibo/Myapp/Html/Member/html/201912/100738_104694_5e01c49ab6f8e_quan.html

⁴⁷ "Yun jian xing dong zhua huo tao fan 24.3 wan ming, 2716 ming qian tao shi nian yi shang" (Operation "Cloud Sword" captured 243,000 fugitives, 2,716 of which were absconded for more than ten years), The Paper, December 25, 2019, available at https://www.thepaper.cn/newsDetail_forward_5336080

⁴⁸ "Gong an bu ju xing quan guo gong an ji guan kai zhan "yun jian" xing dong gong zuo qing kuang fa bu hui" (The Ministry of Public Security held a press conference on the work of national public security agencies carrying out the "Cloud Sword" operation), The State Council Information Office of the People's Republic of China, December 25, 2019, available at <http://www.scio.gov.cn/xwfbh/gbwxwfbh/xwfbh/gab/Document/1670737/1670737.htm>.

⁴⁹ U.S. Department of Justice, "Justice Department Sues to Compel a U.S. Businessperson to Register Under the Foreign Agents Registration Act," May 17, 2022, available at <https://www.justice.gov/opa/pr/justice-department-sues-compel-us-businessperson-register-under-foreign-agents-registration>.

⁵⁰ Dominic Rushe, "US sues casino mogul Steve Wynn to compel him to register as agent of China," The Guardian, May 17, 2022, available at <https://www.theguardian.com/world/2022/may/17/us-sues-steve-wynn-casino-mogul-china>.

judge dismissed the lawsuit to compel Wynn to register as an agent of the PRC.⁵¹ Against this background, it is reasonable to question whether current or former MPS officials have been involved in other political pressure campaigns in the U.S. or elsewhere across the globe.

Does the MPS leverage multilateral anti-corruption platforms for political purposes? PRC government sources state that Beijing will work within existing platforms such as the U.N. Convention against Corruption, the Asia-Pacific Economic Cooperation, the G-20, and Interpol to “incorporate anti-corruption international cooperation into the [PRC’s] national diplomatic strategy.”⁵² Given the MPS’ abuse of Interpol’s Red Notice system, other global anti-corruption platforms may also be at risk of being used for political purposes.

Policy Recommendations

The core objective for addressing the MPS’ increasingly malign role in China’s foreign policy toolkit should be to counter and deter the MPS’ willingness and ability to conduct activities abroad that break local and/or international law, undermine international norms on security sector governance, and endanger civilians. At the same time, the United States must address the fact that in certain circumstances the MPS is meeting public security demand signals from countries that share the PRC’s authoritarian values. protect U.S. interests and prevent the spread of MPS harm, the United States’ Congress should take the following steps outlined below.⁵³

- ***Assess gaps in legal authorities to counter transnational repression.*** U.S. agencies that identify and counter transnational repression, such as the Department of Justice, the Department of Homeland Security, and the FBI, should meet with at-risk communities, civil society, and advocacy groups to discuss how best to deter different types of transnational repression, what legal authorities are most effective in responding to MPS activities, and ways to counter these activities while protecting civil rights and personal privacy.
- ***Write new law to better equip U.S. officials in the fight against transnational repression.*** There is no specific provision in U.S. code that outlaws foreign actors from conducting transnational repression actions on U.S. soil. Prosecution of transnational repression cases relies on a patchwork of laws that empower different authorities to address some parts of transnational repression efforts. In addition, many of the existing laws are outdated because they do not account for the use of the internet—for example, digital threats, cyberattacks, and spyware—as a means of conducting transnational repression. Legislation should first define transnational

⁵¹ Spencer S. Hsu, “Judge rejects DOJ bid to compel Steve Wynn to register as China agent,” The Washington Post, October 12, 2022, available at <https://www.washingtonpost.com/dc-md-va/2022/10/12/wynn-doj-lawsuit-tossed-foreign-agent/>.

⁵² Sun Xinyang, “Quan mian cong yan zhi dang wei dang he guo jia shi ye fa zhan ti gong jian qiang bao zheng” (Strictly governing the party in an all-round way provides a strong guarantee for the development of the party and the country), China Discipline Inspection and Supervision News, October 11, 2017, available at http://www.jxdi.gov.cn/tttt/201710/t20171011_86137.htm.

⁵³ For an expanded list of policy recommendations, please see the “Policy Recommendations” section of Jordan Link, “The Expanding International Reach of China’s Police,” Center for American Progress, October 17, 2022, available at <https://www.americanprogress.org/article/the-expanding-international-reach-of-chinas-police/>.

repression in clear legal terms, a move that will allow prosecutors to target offenders with greater ease.⁵⁴

- ***Support those in the United States most at risk of facing transnational repression.*** Given the MPS' political priorities, Uyghurs and Chinese political activists and dissidents face the most risk of transnational repression. The United States should implement policies to protect these groups, as advocated for by the Uyghur Human Rights Project, including by increasing refugee quotas, creating a refugee resettlement program for Uyghurs, and expediting the process of documentation for Uyghurs.⁵⁵ The FBI and other law enforcement entities can help counter transnational repression by increasing education for and sharing unclassified intelligence with local law enforcement and immigration authorities in areas with high concentrations of vulnerable diasporas.⁵⁶
- ***Build a knowledge base of MPS activity.*** Congress should mandate a regular report on MPS activities. Given the understudied nature of the MPS and its increasing role in the CCP's foreign policy apparatus, the United States should devote resources to further understanding the institution. Congress should mandate that the Office of the Director of National Intelligence prepare both classified and unclassified assessments of the MPS' domestic and overseas activities, and that the unclassified version be released publicly. Specifically, the report should detail the tactics the MPS uses to surveil, control, and repress Chinese citizens domestically; track MPS transnational repression efforts globally; determine the drivers that lead other countries to partner with the MPS; identify other international organizations the MPS leverages; and assess the MPS' ongoing and future goals regarding critical technologies such as artificial intelligence, cloud computing, and biotech.

⁵⁴ Lindsey W. Ford, "Extending the long arm of the law: China's international law enforcement drive," Brookings Institution Order from Chaos blog, January 15, 2021, available at <https://www.brookings.edu/blog/order-from-chaos/2021/01/15/extending-the-long-arm-of-the-law-chinas-international-law-enforcement-drive/>.

⁵⁵ Natalie Hall and Bradley Jardine, "'Your Family Will Suffer': How China is Hacking, Surveilling, and Intimidating Uyghurs in Liberal Democracies" (Washington: Uyghur Human Rights Project and The Oxus Society for Central Asian Affairs, 2021), available at <https://uhrp.org/wp-content/uploads/2021/11/UHRP-Your-Family-Will-Suffer-Report.pdf>.

⁵⁶ Nate Schenkkan, "Global Purge: Understanding and Responding to Transnational Repression: Testimony Before the Commission on Security and Cooperation in Europe" (Washington: Freedom House, 2019), available at <https://www.csce.gov/sites/helsinkicommission.house.gov/files/SCHENKKAN%20Nate%20-%20Testimony.pdf>.