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**Beyond coercion: the signalling purpose of EU targeted sanctions. The case of the restrictive measures imposed on four Chinese officials in response to the Uyghur genocide**

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## *Beyond coercion: the signalling purpose of EU targeted sanctions.*

### *The case of the restrictive measures imposed on four Chinese officials in response to the Uyghur genocide*

#### **1. Introduction**

As the international community's response to the Russian invasion of Ukraine clearly shows, targeted sanctions have evolved into a fundamental instrument of foreign policy (The Economist 2021). They can be employed to advance democracy, promote human rights, counter terrorism, undermine authoritarian regimes and expedite the resolution of armed conflicts (Morgan *et al.* 2023: 3). Over the past decade, the EU has emerged as a leading sanctioning actor, now boasting a portfolio of over 40 active sanctions regimes (EU Sanctions Map, 2023).<sup>1</sup> Among them, the EU Global Human Rights Sanctions Regime (henceforth: EU GHRSR), entered into force in December 2020, epitomizes Brussels' reliance on sanctions as an instrument to advance its foreign policy objectives and shape its identity as an international actor (Torres Pérez 2022: 255).<sup>2</sup>

Despite the sharp escalation in the use of targeted sanctions, academic research in this field is still piecemeal (Jones & Portela 2020: 46). First and foremost, while a plethora of studies investigate the legal aspects of individual restrictive measures, far less attention is paid to the logic and effectiveness of these tools (Giumelli 2010a: 81). Moreover, the research aimed at empirically evaluating the performance of targeted sanctions has not yet converged towards a standard, methodologically sound method to carry out this kind of analysis (Portela 2014: 7). After all, the concept itself of sanctions' "effectiveness" is extremely elusive and challenging to conceptualize, as evidenced by the cacophony of different definitions provided in the literature (Eriksson 2016: 23). As famously argued by Baldwin in 1999, scholars in this field tend to «talk past one another because they ask different questions, use different concepts and set the discussion in different analytical contexts» (Baldwin 1999: 80).

Within this highly fragmented picture, however, as Giumelli (2016a: 5) pointed out, there is one dominant trend, which considers behavioural change on the target's side as the only criterion to

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<sup>1</sup> Like many other jurisdictions, the EU has changed its sanctioning approach over time from predominantly adopting state-wide sanctions (e.g., trade embargoes), widely criticized for ultimately harming the civilian population, to employing targeted restrictive measures, which affect only those actors who are personally responsible for the wrongdoing (Ruys 2020: 299).

<sup>2</sup> The EU GHRSR is only the EU's fourth "thematic" sanctions regime, following those addressing terrorism, chemical weapons and cyberattacks (EU Sanctions Map 2023). In contrast to country-specific regimes that are «geographically limited to persons in a particular area» (Human Rights First *et al.* 2022: 52), thematic regimes are built around a particular issue (in the case of the EU GHRSR, human rights) and are universal in reach (Jodanovic: 160).

evaluate the performance of a sanctioning measure (Giumelli 2016a: 5). Most studies are in fact premised on the assumption that all sanctions serve the single purpose of coercing blacklisted individuals into ceasing their misconduct (Biersteker 2019: 11). Besides providing only a partial view of what targeted sanctions can accomplish, this monothematic focus on coercion has led to a situation in which these tools are widely dismissed as ineffective simply because the sender's behavioural demands are not usually met by the target (Mack & Kahn 2000: 280).<sup>3</sup>

By starting from the assumption that sanctions serve different purposes depending on the context in which they are adopted (Giumelli 2016c: 266), this work moves beyond the narrow focus on behavioural change and emphasizes the importance of understanding the ultimate logic of these measures before assessing their effectiveness.<sup>4</sup> Although many sanctions are certainly intended as tools for coercion, many others serve purposes that are equally relevant for the sender's foreign policy strategy (Giumelli 2016b: 40). Conducting a prior, case-by-case analysis of the logic of sanctions is thus a crucial endeavour to bridge the gap between expectations (what the measure is intended to achieve) and outcomes (what the measure actually achieves) (Giumelli 2010a: 99). This is all the more relevant for the EU GHRSR, which, after being hyped as a game-changing tool to «put an end to human rights violations and abuses worldwide» (European External Action Service 2020), risks dashing the hopes of many unless its fundamental purpose is reconsidered (Portela 2020: 8).

In proposing a finer-grained analysis of the logic of sanctions, this study builds upon the approach inaugurated by Giumelli in 2011 in his work *“Coercing, Constraining and Signalling: Explaining UN and EU Sanctions after the Cold War”*. Questioning the widely held view according to which sanctions are only aimed at coercing, the author argued that two additional purposes warrant attention, namely constraining (*i.e.*, limiting the target's operational capacities) and signalling (Giumelli 2011: 34-35). This latter logic, whereby sanctions are imposed to «convey a particular normative signal to a target and/or some larger audiences» (Biersteker *et al.* 2016: 229), is the main focus of this work.

This purely qualitative research adopts a single case study methodology to explore one of the most hotly debated episodes of EU targeted sanctions in recent times: the blacklisting of four Chinese officials under the EU GHRSR (Council of the European Union 2021). The human rights-related sanctions that Brussels adopted in March 2021 in response to the large-scale repression of the Uyghur Muslim community in the Chinese region of Xinjiang instigated a remarkable diplomatic clash

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<sup>3</sup> This work uses the standard terminology whereby the entity imposing sanctions is called the “sender”, while the actor subject to sanctions is called the “target” (Hovi *et al.* 205: 479).

<sup>4</sup> The logic of sanctions is here defined as «the purpose that sanctions serve in the intention of their senders» (Giumelli 2016b: 38) or, in other words, «how sanctions aim to influence their targets» (Giumelli 2016a: 7). In this study, the terms “logic”, “purpose” and “rationale” are given the same connotation and are therefore used interchangeably.

between the EU and Beijing, so much so that they have often been described as a turning point in Sino-European relations (De La Baume & Herszenhorn 2021). The EU's China policy has historically been characterized by a «profound dilemma between values and short-term interests» (Godement 2021), with several commentators accusing the Union of «compartmentalizing business and politics, so as to keep human rights separated from trade» (Oud 2022: 6). As the sanctions imposed by the EU in 2021 have allegedly marked a shift to a more principled stance vis-à-vis China, it is of the utmost importance to understand what Brussels seeks – and ultimately, can – achieve through this action.

Scholars have been steadfast in describing the restrictive measures imposed by the EU as “illusory” (Kerr & Sexton 2022: 21) and “nothing more than an empty threat” (Černič 2021: 565). After all, if the repression of conduct is employed as the exclusive yardstick for evaluating the effectiveness of these measures, the assessment can be nothing but sobering as the Chinese persecution of Uyghurs is still unfolding. However, as seen above, the effectiveness of sanctions should not only be determined based on their ability to coerce targets (Giumelli 2016c: 258). Rather, it should always be evaluated against the ultimate purpose that these measures serve in the intention of their senders, be it behavioural change or not (*ibid.*). With a view to carrying out a preliminary assessment of the performance of the EU sanctions over Xinjiang abuses, this study aims to answer the following research question:

Which is the dominant logic of the sanctions that the EU imposed in 2021 on four Chinese officials under the aegis of the GHRSR?

The analysis will demonstrate that behavioural change was not the primary purpose of those sanctions at all. Rather, they chiefly fulfilled a signalling function, with the Union intending to reaffirm its values on the international stage and project a positive image of itself in the eyes of both domestic and foreign audiences. Upon reassessing their rationale, this work concludes that the sanctions imposed by the EU in response to the Uyghur genocide were not as ineffective as most scholars believe.

The analysis will proceed as follows. The first section provides an overview of the state of the art in sanctions scholarship and highlights that most studies fall into the trap of using behavioural change as the sole yardstick for evaluating sanctions' effectiveness. It then introduces Giumelli's logic-based typology of sanctions, which serves as the theoretical foundation for the analysis. Following a brief methodological note, the work dives into the examination of the case study, aiming to identify the ultimate purpose of the sanctions imposed by the EU on the architects of the Uyghur genocide. The fifth paragraph explains why, despite widespread scepticism, this episode of sanctions should be regarded as successful from the EU's perspective. The final remarks will stress the need to move beyond the behavioural change paradigm when evaluating the performance of sanctions.

## 2. Literature review and theoretical framework

The literature on targeted sanctions can be grouped into two main strands: studies investigating the legal aspects of restrictive measures and those focusing on more political elements, such as logic and effectiveness. As sanctions are both political and legal instruments, these two perspectives are equally crucial in informing decision-making and assessing strengths and weaknesses of sanctioning practices. The problem with the current literature on EU targeted sanctions is that, while a large number of scholars evaluate these measures from a legal standpoint, only a few studies aim at investigating their logic and assessing their performance (Léonard & Kaunert 2012: 475). The EU institutions themselves are aware of this shortcoming. In a study commissioned by the European Parliament, it was noted that «the political trend towards individualisation observable in sanctions practice has not been matched by an effort to ascertain the efficacy of these measures on the side of the senders. To compound the scarcity of research available on this issue, there is hardly any study that looks specifically at the impact of individual sanctions imposed by the EU» (Portela 2018: 19-20).

Ascertaining the sanctions' conformity with legal principles and rights, such as due process, fair trial and effective remedy is a fundamental endeavour, made even more urgent by the numerous cases of litigation before the European Court of Justice (ECJ) (Heupel 2017: 136).<sup>5</sup> In order to retain its credibility as a human rights defender, the EU must guarantee that its restrictive measures do not violate the fundamental rights of listed individuals (European Parliament 2019a). The extensive academic attention paid to the judicial shortcomings of EU targeted sanctions regimes (among others, Eckes 2009, Simoncini 2009, Sullivan & Hayes 2011) is therefore more than warranted.

This is all the more the case for the EU GHRSR, which, by «curtailing human rights to protect human rights», is inevitably subjected to a greater level of scrutiny in public discourse compared to other regimes (Eckes 2022: 261). It is not surprising that most literature on the EU GHRSR explores the legal loopholes of this tool, while overlooking its logic and effectiveness (*ibid.*). For instance, Al-Nassar *et al.* (2021) criticized the EU GHRSR for its alleged reversal of the burden of proof. According to the authors, the regime shifts the burden from the accuser to the accused, creating a situation where the defendant is presumed guilty until proven innocent (*ibid.*: 21). In the same vein, Klimova (2021: 5) claims that the regime's legitimacy is undermined by the insufficient reasoning that the Council provides to substantiate its listing decisions, as well as the absence of relevant

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<sup>5</sup> Through its judicial scrutiny, the Luxembourg Court has set high standards to ensure that the rights of targeted individuals are properly safeguarded (Eckes 2021: 227). This has resulted in the annulment of several sanctions imposed by the Council, the most (in)famous of which being those against Mr. Kadi, who was originally blacklisted as a financier of the terrorist group Al Qaida (Klein 2009). In its landmark *Kadi* ruling, the ECJ (2008) held that Mr. Kadi's right to defence and effective judicial review had been prejudiced, owing to the EU's refusal to convey to him the evidence and information upon which his listing was justified.

evidence as legal support. Other scholars, including Eckes (2022: 264), have expanded on this line of criticism, describing the excessively broad criteria for listing as a «slippery slope away from legal certainty» and questioning how much opportunity the targeted actors have to challenge the Council’s decision. The regime’s main critique relates to the fact that, unlike its American counterpart (*i.e.*, the US Global Magnitsky Act), the EU GHRSR does not establish clear grounds for de-listing or remedial actions to be conducted by designees (Tilahun 2021: 495).<sup>6</sup> Accordingly, the targeted sanctions imposed under its aegis are widely seen as purely punitive in nature, a sort of «quasi-criminal accountability system» with no intention of preventing future threats or inducing positive change (Kerr & Sexton 2022: 12). According to Portela (2020: 6), the EU GHRSR’s blacklist is nothing more than a «gallery of the despicable», where new individuals are constantly added whereas no one is removed.

However, as aptly explained by Giumelli (2010a: 81): «Although such a debate is extremely important, the overemphasis on these legal challenges appears to have overshadowed other crucial aspects of the problem». In particular, what is here referred to as the “logic” of targeted sanctions is a question that is strikingly overlooked or, at best, oversimplified in the existing literature (Léonard & Kaunert 2012: 475). This gap significantly hampers our comprehension of EU targeted sanctions, as the lack of an analysis regarding the purposes of these measures precludes the possibility of drawing any conclusions about their effectiveness, which is the most crucial aspect of the entire debate (Eriksson 2016: 5). After all, how can the success of a policy instrument be assessed without first specifying the goal it is intended to achieve? Studying the logic of targeted sanctions is thus essential for a thorough assessment of their performance and, more broadly, their utility as a foreign policy tool (Baldwin 1999: 81).

### ***2.1 The effectiveness of targeted sanctions: departing from the narrow focus on behavioural change***

Apart from constituting a minority strand in the literature, the research on sanctions effectiveness presents remarkable shortcomings, particularly with regard to the definition of “effectiveness” and the identification of a solid methodology to investigate the performance of these measures. Conventional wisdom among scholars is that targeted sanctions, including those imposed by the EU, do not work particularly well when compared to other policy tools (Biersteker *et al.* 2016: 220). The literature is indeed dominated by the so-called “hardliners”, who adopt a critical stance

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<sup>6</sup> Potentially, the Council can even reiterate its listings for as long as it sees fit, irrespective of evidence of legal accountability or change in behaviour (Portela 2021: 37).

towards sanctions and harbour negative evaluations of their performance (Giumelli 2016c: 250).<sup>7</sup> For instance, in his seminal work in 1998, Robert A. Pape used a qualitative comparative case-study approach to demonstrate that only five cases of international sanctions out of 115 had been successful (Pape 1998: 66). The widespread scepticism within the scholarly field has been succinctly encapsulated by Erica Gaston (2022) in her column for *World Politics Review*, in which she dismissed targeted sanctions as «trendy but not very effective».

The major reason behind this rather negative evaluation is the tendency to assess the effectiveness of sanctions by solely looking at whether they elicited a change of behaviour on the target's side (Mack & Kahn 2000: 280).<sup>8</sup> The definition itself of “sanctions’ effectiveness” plays a pivotal role in this regard. Peter Wallenstein (1968: 249), in his pioneering study on economic sanctions, defined effectiveness as the «receiver’s compliance to the demands of the sender». In a similar vein, Margaret Doxey (1972: 529) posited that a sanction can be considered effective only insofar as it elicits «the desired behavioural response from the individual to which it is communicated». Even sanctions databases assembled in more recent times (Morgan & Schwebach 1997, Hovi *et al.* 2005, von Soest and Wahman 2013), albeit with minor differences, tend to define the effectiveness of sanctions in terms of their ability to induce behavioural change.

However, as Giumelli (2011: 100) suggests, «the naïve conception according to which all restrictive measures aim at changing the target’s behaviour [...] might have led to underestimating the utility of sanctioning in international affairs». Regrettably, the exclusive reliance on the behavioural change criterion has resulted in a «dichotomic view of sanctions», whereby their success or failure is simply evaluated by looking at whether the targeted actor complies or fails to comply with the sender’s demands (Giumelli 2016a: 5). By only focusing on coercion, most scholars do not adequately explain why, if sanctions are truly so inefficient, policymakers worldwide continue to resort to them to advance their foreign policy objectives (Nossal 1989: 302). After all, «the fact that Western states make such extensive use of an instrument whose track record is so uncertain demonstrates that their motivation is often different from the stated wish to see a changed behaviour on the target’s side» (Lehne 2012). Hence, a finer-grained understanding of what sanctions are intended to achieve is crucial for measuring effectiveness more accurately (Giumelli & Ivan 2013: 1).

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<sup>7</sup> A notable exception is Hufbauer *et al.* 2007. Their research concludes that up to 70 out of the 204 sanctions included in their dataset accomplished their intended goals (Hufbauer *et al.* 2007: 156). While this percentage may appear underwhelming at first glance, Biersteker (2019:13) aptly points out that such a success rate should not be deemed disappointing. After all, sanctions are deployed to deal with the world’s most intractable crises (*ibid.*).

<sup>8</sup> Besides, measuring sanctions’ effectiveness is in itself an extremely daunting task. The main challenge lies in isolating the effects of sanctions from those of other policy tools in order to determine their exact contribution to the sender’s foreign policy objectives (Giumelli 2010a: 97).



This work argues that not all sanctions serve the purpose of coercing targets; rather, they fulfil different functions depending on the context in which they are imposed (Giumelli 2016c: 266). It follows that behavioural change cannot always be taken as the yardstick to assess their performance (Lafont Rapnouil 2017). Especially when travel bans or asset freezes are imposed upon criminal actors who are marginally or not at all dependent on the sender, it is unlikely that persuading targets to change their behaviour is the ultimate purpose (Giumelli 2013: 16). Moving beyond the behavioural change approach, this work adopts an alternative definition of sanctions' effectiveness as «the sanctions' degree of achievement of their specific purpose», which does not always consists in coercing the blacklisted individual (Giumelli 2010a: 88). In other words, the effectiveness of sanctions should always be assessed against the underlying objectives that they are designed to accomplish (Giumelli 2011: 18).

## ***2.2 The logic of targeted sanctions beyond behavioural change: the signalling purpose***

Sanctions research has undergone an atypical evolution (Jones and Portela 2020: 42). Instead of proceeding logically by distinguishing the goals of sanctions before evaluating their effectiveness, scholars have first investigated effectiveness and, only recently, begun to classify restrictive measures according to their dominant logic (*ibid.*). After many years in which forcing compliance from the targeted individual was the hallmark of effectiveness, a growing body of literature is recognizing that the attainment of other goals should also be assessed (*ibid.*: 44).

The first attempt to transcend the narrow focus on coercion was made in 1979 by James Barber, who developed a three-fold typology of the goals of sanctions distinguishing between: primary objectives, *i.e.*, enforcing compliance from the target; secondary objectives, *i.e.*, pleasing domestic audiences; and tertiary objectives, *i.e.*, upholding international norms and defending certain values (Barber 1979: 370). For the first time, the role of sanctions as signalling devices and instruments of norm promotion was thus envisioned in the literature. Barber's approach inspired subsequent research on the objectives of sanctions. In his five-fold typology, Lindsay (1986: 155-156) included "international symbolism" and "domestic symbolism" along with compliance, deterrence and subversion. Likewise, Brady (1987: 298) contended that one of the six goals of international sanctions was «to signal to the target that its conduct is unacceptable, thereby raising the possibility that others will condemn such behaviour». In the same vein, Schwebach (2000) and Hart (2002) emphasised the significance of restrictive measures as powerful "signals of resolve" on the part of the sender.

The signalling purpose of sanctions was further explored in recent years. Biersteker (2015: 166) connotated the signalling qualities of targeted restrictive measures in terms of "naming and

shaming” and “naming and stigmatizing”, underscoring the crucial role of international audiences as indirect targets. Grauvogel *et al.* (2017: 86) highlighted the importance of sanctions as a form of pressure on incumbent governments and as an «international stamp of approval for antiregime activity». Finally, Jones and Portela (2020: 52) focused on the system-related goals of sanctions, which include establishing «new normative, legal and political standards». As Cortright *et al.* (2000: 16) correctly noted: despite «less measurable than instrumental goals, the signalling logic is nonetheless important to achieving the sender’s goals and may even contribute to instrumental objectives». <sup>9</sup> In other words, signalling sanctions are not qualitatively inferior to the other two types: they just follow a different logic (Giumelli 2011: 93).

Although these scholars should all be credited with departing from the narrow focus on behavioural change that still dominates the literature, their typologies are hardly replicable and operationalizable due to a lack of clear criteria against which sanctions can be categorized and compared across time and space (Giumelli 2010b: 132).

### ***2.3 Giumelli’s typology: an operationalizable framework to understand the purposes of sanctions***

The finest-grained typology on the logic of sanctions is undoubtedly the one developed by Francesco Giumelli (2011) in his book “*Coercing, Constraining and Signalling: Explaining UN and EU Sanctions after the Cold War*”. Building on the approach inaugurated by Barber three decades earlier, the author questions the behavioural change paradigm and seeks to explain the variance of sanctions taking into account a set of systemic conditions. The unprecedented attention paid to the context in which sanctions are imposed makes his theoretical model a leap forward in current scholarship (Gadjanova 2012: 139).

Giumelli’s framework is grounded on the premise that sanctions serve not only as coercive measures but also as tools for constraining and signalling targets (Giumelli 2011: 3). <sup>10</sup> *Coercive sanctions* are ultimately aimed at inducing targets’ behavioural change through the imposition of significant costs (Giumelli 2010a: 97). In the case of human rights-related sanctions, such as those adopted under the EU GHRSR, a restrictive measure can be considered coercive when it seeks to alter the costs/benefits calculations of targets so as to persuade them to change behaviour immediately. *Constraining sanctions* have the purpose of making the life of targets “more difficult”

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<sup>9</sup> Cortright *et al.* (2000: 16) use the terms “signalling” and “symbolic” interchangeably to refer to sanctions aimed at reinforcing an international norm. The same lexical choice had been made by Elliott (2010: 87) in her seminal work “*Assessing UN sanctions after the Cold War*”. Conversely, this study argues that the terms “symbolic” and “signalling” cannot be used as synonyms. As Biersteker and van Bergeijk (2015: 19) correctly maintain: «Dismissing sanctions as “merely symbolic” gestures fails to appreciate their role in the articulation and reinforcement of global norms».

<sup>10</sup> Although this tripartite typology had already been proposed by Kimberly Elliot in 2010 (Elliot 2010: 87), its original conceptualization remained descriptive and lacked criteria for operationalization.

by limiting their material and operational capacities (Barrett 2008). They are typically adopted to deal with terrorist groups or authoritarian regimes that refuse to cooperate with the international community (Giumelli 2011: 35). When deployed against human rights violators, they aim to deny targets access to key resources for committing the abuses, without expecting any voluntary change of behaviour on the target's part (Biersteker *et al.* 2013: 13). Finally, *signalling sanctions* are adopted to send a message to both domestic and international audiences, with a view to upholding a certain international norm and stigmatizing non-compliance with that standard (Giumelli 2013: 19). In the case of the EU GHRSSR, a signalling sanction would primarily aim to enhance the EU's reputation as a force for good on the international stage and reaffirm the centrality of human rights in the Union's foreign policy (*ibid.*: 8). Although signalling moral condemnation is the main purpose of this type of sanctions, it might also happen that targets modify their behaviour upon their imposition in order to escape reputational costs and reap future benefits from multilateral diplomacy (Jones 2018: 21). Despite being premised on different logics, the three purposes of sanctions can coexist (Giumelli 2013: 21). There are in fact complex interrelationships among them, which occasionally prevent the identification of a dominant logic (Biersteker *et al.* 2016: 228).

All in all, the greatest merit of Giumelli's framework is that it allows us to reason about the rationale of sanctions in relation to the context in which they are imposed. The attention is thus placed upon the so-called "system of sanctions", meaning «the attributes that distinguish one crisis from another and that create the conditions for one logic to be dominant» (Giumelli 2011: 40). In the author's view, the logic of sanctions varies each time depending on three systemic variables: the level of threat perceived by the sender, the salience of the crisis and the complexity of the dispute (*ibid.*). Each variable is codified as dichotomic (high/low) and is measured using specific indicators, as summarized by Table 1 (*ibid.*: 41-44).

For the sake of this analysis, minor adjustments have been made to Giumelli's theoretical model, with a view to making it more suitable for an EU-focused research. Specifically, in the author's framework, the indicator "media attention" referred to the intensity of news coverage, as measured by the number of articles published on the issue by the *Financial Times* and *The New York Times* in the two years preceding the adoption of sanctions (Giumelli 2011: 42). However, as this research deals with an EU sanctions regime, articles from the most prominent European media outlets (*i.e.* *Politico Europe*, *Euractiv*, *Euronews*, and *EUobserver*) are included as well. Doing so is particularly relevant to measuring the salience of the Uyghur genocide within the EU27. Moreover, the variable "complexity" was originally conceptualized by the author with two additional indicators: "number of actors involved" and "number of issues at stake" (*ibid.*: 44). However, Giumelli himself

acknowledged that the relevance of these two indicators is negligible, due to evident hurdles in quantifying them precisely (*ibid.*).

**Table 1 – Systemic variables determining the logic of sanctions**

Systemic variables	Definitions	Levels	Indicators	Scales
<b>Threat</b>	Level of threat perceived by the sender	High/Low	Issue	1.Milieu threat 2.Economic threat 3.Political threat 4.Security threat
			Extension	1.One subsystem 2.More than one subsystem 3.Dominant system and one subsystem 4.Dominant system and more than one subsystem 5.Global system
			Geostrategy	1.Distant and strategically irrelevant crisis 2.Distant but strategically relevant crisis 3.Close crisis without strategic relevance 4.Close and strategically relevant crisis
<b>Salience</b>	Degree of importance that the sender attaches to a crisis	High/Low	Media attention	1.Little attention 2.Moderate attention 3.High attention
			Sender's level of engagement	1.No engagement 2.Moderate engagement 3.High engagement
<b>Complexity</b>	Complexity of the dispute between the sender and the target	High/Low	Level of violence	1.No violence 2.Limited violence 3.Serious clashes short of war 4.Full-scale war
			Target's strength	1.Weak target 2.Moderately strong target 3.Strong target

(adapted from Giumelli 2011: 46)

Starting with the first variable, high threat refers to a situation in which the sanctioning actor has a high interest at stake, which is typically identified in its own existence or its economic and political continuity. Contrariwise, threat is low when the core interests of the sender are not under duress (*ibid.*: 40). Moving on to the variable “salience”, highly salient crises are those wherein both the sender and the international community are particularly involved, either through hands-on engagement or information campaigns. Conversely, a crisis is not salient when the buzz around it is negligible (*ibid.*: 42). Finally, high complexity occurs in the case of intractable conflicts, which stand out for significant levels of violence and the involvement of many actors. Inversely, complexity is low when violent clashes are rare and international norms are not grossly violated (*ibid.* 43). In his book, Giumelli developed a set of hypotheses on how each combination of variables correlates to specific outcomes (*ibid.*: 47). He thus identified three dominant patterns: high threat and low complexity are correlated to coercive sanctions; high threat and high complexity to constraining sanctions; low threat and low salience to signalling sanctions (Table 2).

**Table 2 – Dominant patterns**

Threat	Saliency	Complexity	Sanction	Likelihood
High	High/Low	Low	Coercive	76.92%
High	High/Low	High	Constraining	84.62%
Low	Low	High/Low	Signaling	100%

(Giumelli 2011: 145)

For instance, he managed to demonstrate that signalling sanctions are correlated to low levels of threat and saliency, with complexity playing a more ambivalent role (*ibid.*:93). The explanation is quite straightforward: when the issue is neither threatening nor salient, the sender is not interested in coercing targets right away (*ibid.*: 97). However, it can still decide to adopt sanctions to appease domestic audiences calling for action (e.g., NGOs campaigning for human rights), uphold the respect of an international norm or project a specific image of itself in the international arena (Giumelli *et al.* 2021: 3).

The theoretical model elaborated by Giumelli in 2011 will be applied here to identify the ultimate purpose of the sanctions imposed by the EU on the four Chinese officials considered responsible for the brutal persecution of the Uyghur Muslim community in the region of Xinjiang (Council of the European Union 2021). With a view to determining whether those measures fulfilled a coercive, constraining or signalling function, this study will explore the three systemic variables (threat, saliency and complexity) in-depth, together with the related indicators. This should contribute to advancing the strand of literature that goes beyond the narrow focus on coercion when analysing both the logic and the performance of targeted sanctions.

As mentioned above, this purely qualitative research adopts a single case study methodology. According to Yin's (2009) extensively employed typology of case studies, the sanctions episode under consideration in this work can be aptly defined as a "descriptive" case study. More specifically, using Odell's classification, this can be regarded as a "preliminary illustration of a theory" type of case study, having the objective of «putting concrete flesh on the bare bones of a new theoretical framework in order to convince readers about its usefulness» (Odell 2001: 163).

### **3. Case study: the EU GHRSR and the blacklisting of four Chinese officials**

Just like other Magnitsky-style sanctions regimes (such as the U.S. Global Magnitsky Act, the UK's Global Human Rights Sanctions Regulations and the Canadian Justice for Victims of Corrupt Foreign Officials Act), the EU GHRSR is specifically designed to address "serious human rights violations and abuses", including but not limited to the following: genocide, crimes against humanity, torture and other cruel, inhuman or degrading treatment or punishment, slavery, extrajudicial,

summary or arbitrary executions and killings, enforced disappearance of persons, and arbitrary arrests or detentions (Art.2 Council Regulation 2020/1998).<sup>11</sup> The regime is universal in reach, enabling the Union to pursue human rights violators on a global scale, irrespective of where they live and commit the abuses (Borrell 2020). It envisions three types of measures: economic sanctions (asset freezes), restrictions on movement (travel bans) and prohibitions to make funds or economic resources available to listed actors within the sanctioning jurisdiction (Art.3 Council Regulation 2020/1998). As of August 2023, as many as 62 individuals and 20 entities have been blacklisted under the auspices of the EU GHRSR (Council of the European Union 2023).<sup>12</sup>

The adoption of the regime was heralded with great fanfare by Brussels. The High Representative of the Union Joseph Borrell praised it as «landmark initiative» that enhances the Union’s role in addressing serious human rights violations around the globe (European External Action Service 2020). David McAllister (2021), chair of the Parliament’s Foreign Affairs Committee, lauded the regime as a «tangible way to hold those responsible for abuses accountable». Despite these flamboyant declarations, according to which the EU GHRSR possesses real potential to coerce its targets, it remains unclear what Brussels seeks to – and ultimately, can – achieve through this tool (van der Have 2019: 68). While behavioural change on the target’s side is the declared objective of the new regime, a reconsideration of its purpose is required in order to set proper expectations against which effectiveness can be measured (Finelli 2020: 1569). After all, as Eckes (2021: 219) warned, by expecting that travel bans and asset freezes alone will prompt human rights violators to mend their ways, European leaders are simply «striving for utopia».

On 22 March 2021, the EU added four Chinese officials and one entity to the GHRSR’s blacklist, in response to the systematic repression of the Uyghur Muslim community in the north-western region of Xinjiang (Council of the European Union 2021). The Uyghur population has long been the target of sweeping criminal campaigns undertaken by the Chinese government, which include mass arbitrary incarceration, family separation, political indoctrination, forced sterilization, slave labour, and torture (Xu *et al.* 2020: 4). Illegally detained in so-called “re-education camps”, millions of Uyghurs, including the elderly, breastfeeding women and disabled, are subject to the most inhumane treatment and forced to disavow their identity in favour of an allegiance to the Communist Party of China (Raza 2019: 492). The extent and intensity of the persecution are such that many

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<sup>11</sup> Magnitsky-style sanctions regimes are defined as «a form of targeted sanctions programs that address human rights abuses and that have a global application» (Human Rights First *et al.* 2022: 52). They are named after the Russian whistleblower Sergei Magnitsky, who was killed in 2009 after unveiling a massive tax fraud scheme involving prominent Russian officials (Ruys 2020: 298).

<sup>12</sup> For a consolidated list, see <https://eur-lex.europa.eu/eli/reg/2020/1998> (accessed: 10 August 2023)

governments and international organizations used the expressions “genocide” (Pompeo 2021) and “crimes against humanity” (OHCHR 2022: 44) to denounce the abuses.

The four blacklisted officials are: Zhu Hailun, the architect of the large-scale surveillance, incarceration and indoctrination programme; Wang Junzheng, responsible for arbitrary detentions and forced labour; Wang Mingshan and Chen Mingguo, the implementers of a huge data programme designed to track millions of Uyghurs and flag those deemed “potentially threatening” (Council of the European Union 2021: 3-6). The Xinjiang Production and Construction Corps Public Security Bureau was also added to the list as the organization in charge of managing detention centres in the region (*ibid.*: 11). China immediately struck back by slapping retaliatory sanctions on five Members of the European Parliament and two EU bodies, accused of «maliciously spreading lies and disinformation» and «grossly interfering in China’s internal affairs» (Gaouette & Frater 2021).<sup>13</sup> Unsurprisingly, the restrictive measures that the Council of the EU adopted in March 2021 were renewed for a further two years and are still in place (Council of the European Union 2022).

The decision to select the 2021 blacklisting of Chinese individuals under the EU GHRSR as a case study is driven by a multitude of reasons. First and foremost, this sanctions episode has sparked intense political and scholarly debate as well as triggered a massive diplomatic dust-up between the EU and China (De La Baume & Herszenhorn 2021). It is said to have marked a «watershed in the history of European sanctioning practices» and a shift towards a more principled China policy on the part of the EU (Brunelli 2021: 220). Remarkably, those restrictive measures were the first to target the Chinese government on human rights grounds since the 1989 post-Tiananmen arms embargo (Emmott 2021). The extraordinariness of this sanctions episode thus calls for an accurate analysis of what Brussels seeks to achieve through this action.

Furthermore, sanctions over Xinjiang abuses are situated within the EU’s broader endeavour to preserve political and economic ties with China while socializing Beijing to the respect of fundamental rights (Peel *et al.* 2021). The EU’s relationship with China is indeed traditionally characterized by a «profound dilemma between values and short-term interests» (Godement 2021). On the one hand, Brussels has long sought to embed human rights in its China policy, embracing a so-called “constructive engagement” strategy (Kinzelbach & Thelle 2011: 61). This effort has been reflected in several initiatives, ranging from the conciliatory EU-China Human Rights Dialogues (Taylor 2022: 369) to the adoption of several resolutions condemning Beijing’s crackdown on civil

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<sup>13</sup> China’s hit-list includes the chief of Parliament’s China delegation Reinhard Bütikofer, as well as MEPs Michael Gahler, Raphaël Glucksmann, Ilhan Kyuchyuk, and Miriam Lexmann. In addition, countersanctions have been imposed on the European Council’s Political and Security Committee and the European Parliament’s subcommittee on Human Rights (European Parliament 2021a).

liberties and democracy (see for example, European Parliament 2020; 2023).<sup>14</sup> On the other hand, Brussels has repeatedly emphasized the importance of China as a “strategic partner” (European External Action Service 2018a), with whom cooperation is more profitable than confrontation (Maher 2016: 959). Today, the EU is Beijing’s largest trading partner, while China is the second biggest for the EU, with bilateral trade in goods amounting to daily €1.5 billion (Berkofsky 2019: 3). Against this backdrop, most observers agree that the EU’s normative efforts towards China are «dead on arrival» (Mattlin 2012: 181) if the bloc continues to compartmentalize business and politics by relegating human rights to a «marginal afterthought» to commercial interests (Oud 2022: 2).<sup>15</sup> The blacklisting of Chinese officials over Xinjiang abuses appears to be a significant step change compared to the EU’s prior passivity vis-à-vis China’s human rights breaches.

Hence, a thorough analysis is required to grasp the logic of these sanctions, understand their real ambition and set proper expectations upon which their effectiveness can be assessed. By disentangling the most glaring case of sanctions adopted under the EU GHRSR, this study aims to demonstrate that this regime does not merely intend to coerce targets. Rather, it also serves a signalling purpose, aiming to bolster the EU’s reputation as a normative power and standard setter (Eckes 2022: 262).

#### **4. Analysis: the logic of EU sanctions over Xinjiang abuses**

Understanding whether restrictive measures aim at coercing, constraining or signalling targets is of the utmost relevance for evaluating their effectiveness. This holds particularly true when studying sanctions against the Chinese government, whose relationship with the EU could not be more convoluted. In this section, I will put Giumelli’s framework into action (see paragraph 2.2) to identify the dominant logic of the restrictive measures imposed by the EU in March 2021 on the four Chinese officials responsible for the Uyghur genocide. I will do so by analysing the so-called “system of sanctions” and investigating the three main systemic variables outlined in Giumelli’s theoretical model: threat, salience and complexity (Giumelli 2011: 40).

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<sup>14</sup> The EU-China Human Rights Dialogue has thus far yielded underwhelming results as far as China’s human rights behaviour is concerned (Men 2011: 546).

<sup>15</sup> Because of its alleged tendency to favor commercial and geostrategic interests while proclaiming grand ethical intentions, the EU is frequently depicted as a “hypocritical actor” (Hyde-Price 2008: 43), whose foreign policy is «marred with inconsistencies, double standards and failures to follow suit to its proclaimed moral commitments» (Cusumano 2019: 7).



#### **4.1 The variable “THREAT”: a milieu menace in a distant and strategically irrelevant region**

The variable “threat” refers to the «level of threat perceived by the sender» as a consequence of the target’s wrongdoing (Giumelli 2011: 46). It is measured through three indicators: issue, extension and geostrategy.

“Issue” has been defined by Giumelli as «the matter that motivates the sender to act or the triggering cause for the imposition of sanctions» (*ibid.*: 40). This is represented, according to an ascending order of significance, by a four-point scale: milieu threat, economic threat, political threat and security threat (*ibid.*). In this case, the impetus behind the imposition of sanctions was the large-scale repression of the Uyghur minority in Xinjiang at the hands of the Chinese government. Human rights promotion has long been a pillar of the EU’s principle-based foreign policy, so much so that the Union has often been praised for being a «human rights champion» (Gfeller 2014: 390) and for «contributing to a better world by strengthening justice and order» (Aggestam 2008: 2). Human rights are indeed one of the five core values that, according to Manners (2002: 243), make up the normative basis of the Union and its identity as a global actor.<sup>16</sup> Nevertheless, human rights violations in third countries, as serious as they can be, do not pose any relevant economic and political threat to the Union, let alone a security one (Biscop 2021: 1). Moreover, in the specific case of abuses against the Uyghur population, the level of threat is further lowered by the fact that European citizens were not impacted at all. Drawing on the approach of the realist school of international relations, Giumelli maintains that all those «menaces that do not have direct externalities for the sender’s possession goals and security» shall be considered marginal (Giumelli 2011: 41). Hence, human rights violations, including the appalling ones perpetrated against the Uyghurs, should be considered mere “milieu threats” in this analysis.

The second indicator relates to the “extension of the threat”, which varies according to the number of systems and subsystems affected by the crisis (*ibid.*). Whereas the Russian invasion of Ukraine or the Jihadi terrorist threat can be labelled as “relevant to the global system”, the same cannot be said for conflicts that are characterized by a more limited scope (*ibid.*). The persecution of Uyghurs, however heinous and ruthless, did not affect many actors and was rather circumscribed from a geographical point of view (all the abuses took place in one specific area: the Xinjiang region). Moreover, it did not instigate a diplomatic rift between China and other Muslim countries (Baillie & Parkes 2023).<sup>17</sup> Quite the contrary, it was the negative vote of Muslim-majority countries such as Indonesia, Somalia, Pakistan, the United Arab Emirates and Qatar that buried a Western-led motion

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<sup>16</sup> The remaining four are democracy, freedom, equality and the rule of law (Manners 2002: 243).

<sup>17</sup> This is rather surprising at first glance, as Muslim countries are usually steadfast in condemning any form of discrimination against their community around the globe (Cohen 2020).

in the UN Human Rights Council to kick-off debate on the issue (Farge 2022). The Organization of Islamic Cooperation (OIC), an intergovernmental group of 57 Muslim countries whose mission is to «safeguard and protect the interests of Muslims» (OIC, n.d.), refused to speak up against the Uyghur genocide out of fear of alienating China and, conversely, praised Beijing for «providing care to its Muslim citizens» (Perlez 2019). Had the Muslim world reacted more forcefully to the persecution of Uyghurs, the extension of the crisis would have been far greater. As things have unfolded, however, the threat should be considered essentially “relevant to one subsystem”.

Finally, the indicator “geostrategy” refers to the geopolitical relevance of the crisis, especially in terms of proximity (Giumelli 2011: 41). Geopolitical relevance is highest when the crisis is geographically close. As Buzan and Wæver emphasize (2003:11): «Adjacency is potent for security because many threats travel more easily over short distances than over long ones». As far as the Uyghur genocide is concerned, the crisis can be deemed “distant and strategically irrelevant”. The Xinjiang region has never been significantly strategic for the EU (it is China’s least developed and poorest area), besides being located far away from the Old Continent (Brugier 2014: 2). Moreover, as mentioned above, the nature of the issue at stake (human rights violations) is not threatening to the EU’s core interests, namely economic wellbeing, political stability and military security.

Against this backdrop, it is possible to conclude that the Uyghur genocide was not a threatening issue for the EU. The Union’s core interests were not affected and the crisis was circumscribed to a very specific and strategically irrelevant region.

#### **4.2 The variable “SALIENCE”: limited media coverage and the EU’s long-standing passivity**

Salience is the second systemic variable selected by Giumelli for his framework. It represents «the degree of importance attached by the sender and the international community to the issue» (Giumelli 2011: 42). While threat and salience may be correlated, these two variables do not always go hand in hand: an issue may be threatening to the Union without being salient and vice versa. This is the case because threat is measured in traditional security terms, whereas salience depends on many different factors (*ibid.*).

The first indicator to look at when assessing salience is “media attention”, intended as «the intensity of news coverage of the crisis at hand in the two years preceding the imposition of sanctions» (*ibid.*). Coverage is measured through the simple tallying of relevant articles published in the mainstream press (*ibid.*). For the sake of this analysis, six media outlets have been taken into account: *The Financial Times*, *The New York Times*, *Euractiv*, *Politico Europe*, *Euronews* and *EU Observer*. For each of them, I have conducted a comprehensive count of the articles that were entirely devoted to the issue of China’s crackdown on the Uyghurs in Xinjiang (Table 3).

**Table 3 – news coverage of the Uyghur genocide per media outlet (March 2019-March 2021)**

<b>MEDIA OUTLET</b>	<b>NEWS COVERAGE</b>
<b>Financial Times</b>	36 articles + 1 podcast
<b>New York Times</b>	69 articles + 1 podcast
<b>Euractiv</b>	10 articles
<b>Politico Europe</b>	13 articles
<b>Euronews</b>	2 articles
<b>EU Observer</b>	15 articles

*(source: personal elaboration)*

Two main considerations can be drawn from the numbers above. First, overall media coverage of the Uyghur genocide has been fairly low during the two years preceding the EU's imposition of sanctions. To give some perspective, China's abuses in Xinjiang have garnered approximately 220% less coverage in comparison to the poisoning of Russian opposition leader Alexei Navalny,<sup>18</sup> which subsequently prompted the EU to sanction eight senior Russian officials under the GHRSR (Boffey 2021). Secondly, news coverage in the EU was far more limited than in the US, where China is perceived as the main foe in international politics (Younis 2023).

As journalist Kate Lyons (2019) pointed out: «Most people in the West have not heard of the Uyghurs and awareness of their plight has not been championed by any well-known figure». This is also due to China's information warfare, which prevented foreign journalists from accessing Xinjiang and hindered the investigative efforts of several institutions, including the UN Human Rights Council (Derderian 2019). Moreover, the rise of Islamophobia in recent years has undoubtedly hampered the Uyghurs' chances to garner sympathy from global public opinion (Lyons 2019). The information and awareness campaigns over the Uyghur's plight have been mostly carried out by human rights NGOs (among others, Amnesty International 2021) and Uyghur organizations, whose audience is considerably smaller than that of mainstream media. Hence, Western civil society remained fairly silent on this issue (The Intercept 2019).

The second indicator of salience is the "sender's level of engagement", *i.e.*, what the sender has done in the past to deal with the crisis, before opting for the imposition of sanctions (Giumelli 2011: 43). Engagement is high when the sender has resorted to the use of force; moderate when it has embarked on intense diplomatic activities; low when it has undertaken merely symbolic actions (*ibid.*). In this case, we need to focus on the strategies put in place by the EU to defend the Uyghur population throughout the years preceding the enforcement of sanctions.

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<sup>18</sup> The cumulative count of articles published by the six media outlets on the "Navalny affair", between his poisoning in August 2020 and the imposition of EU sanctions in February 2021, totals 595.

As acknowledged by the European Council on Foreign Relations, Brussels has approached China's crackdown on the Uyghurs «relatively reservedly» (Marques 2019). The EU's endeavour was limited to delivering statements criticizing mass arbitrary detentions and granting refugee status to all Uyghurs fleeing from Xinjiang (*ibid.*). In 2018, former EU High Representative Federica Mogherini raised the issue at the EU-China Human Rights Dialogue, warning Beijing that the EU was «closely following the situation in Xinjiang» (European External Action Service 2018b). In 2020, the European Parliament passed a resolution that «strongly condemns the government-led system of forced labour, in particular the exploitation of Uyghurs and other Muslim minority groups» (European Parliament 2020: 6). One year earlier, the Parliament delivered the Sakharov Prize for freedom of thought to Ilham Thoti, a Uyghur economist and human rights activist currently imprisoned in China (European Parliament 2019b).

However, the EU did not follow suit on this verbal commitment by implementing more substantial actions (Marques 2019). As a matter of fact, it appears to have constantly prioritized its commercial interests over its much-vaunted normative values (Wits 2021). Bilateral trade in goods between the EU and China has regularly grown, from €452.3 billion in 2016 to €707.4 in 2021 (European Commission 2023: 2). Remarkably, EU imports from Xinjiang skyrocketed to nearly €1 billion in 2021, in spite of Brussels' declared intent to eradicate forced labour in the region (Allenbach-Amman 2023). Prominent European companies, such as the carmaker Volkswagen and the chemical group BASF, refused to pull out of Xinjiang and continued to pour billions into the area (Chazan & Shepherd 2019). In December 2020, towards the finish line of Germany's Presidency of the Council, the EU and China agreed the Comprehensive Agreement on Investment (CAI), whose aim was to increase cross-border investment and grant European investors greater access to China's lucrative market (European Commission 2020a). The deal, which was heralded by Commission President Ursula von der Leyen as «an important landmark in our relationship with China» (*ibid.*), stifled widespread criticism for its soft approach to forced labour and human rights (von der Burchard 2020).<sup>19</sup> As a case in point, the *Financial Times* accused the EU of «protecting trade instead of protecting human rights» and warned that «concerns for Uyghurs [were taking] a back seat to trade deals» (Prestowitz 2022).

In light of the above, it is possible to conclude that the salience of the crisis was rather low until the EU's imposition of sanctions in March 2021. Media coverage of the Uyghur's plight had

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<sup>19</sup> The provision of the agreement according to which China commits to making «continued and sustained efforts to pursue the ratification of international conventions on forced labour» (European Commission 2020b: 4) was dismissed as «ridiculous» and «damaging to the EU's credibility» by several members of the European Parliament (Wintour 2021a).

been minimal, especially in the Old Continent, and the Union itself had long refrained from undertaking meaningful actions to hold the Chinese government accountable.

#### **4.3 The variable “COMPLEXITY”: unidirectional violence and strong target**

The third and last systemic variable is the complexity of the dispute between the target and the sender (Giumelli 2011: 74), an index that represents the «degree of intractability» of the conflict (*ibid.*: 43). As the notion of “complexity” is extremely vague, Giumelli identified two main indicators to qualify its meaning more precisely: the level of violence and the target’s strength (*ibid.*).

The first indicator pertains to «the level of violence reached by the actors in the dispute» (*ibid.*: 74). If a crisis escalates into a full-scale war, the level of mutual trust and cooperation inevitably deteriorates, with the two parties becoming entangled in a zero-sum game, where engagement is no longer profitable, diplomatic efforts are off the table, and core interests are under threat (*ibid.*: 44). As a result, the complexity and intractability of the conflict would reach unexplored heights (*ibid.*). Although the Chinese government resorted to appalling violence against the Uyghurs (Davidson 2022a), this violence was unidirectional and did not involve any external actors, let alone EU citizens. In other words, while the Uyghur population was subject to the most inhumane treatment, with people being beaten, tortured and raped (OHCHR 2022: 23), this situation did not escalate into a violent conflict between the EU and China. Brussels did undertake some diplomatic actions, but a military intervention has clearly never been an option. We can thus conclude that violence in the EU-China dispute over Xinjiang abuses was at its lowest level.

The second indicator refers to the strength of the target, understood as economic and military might in the case of countries and personal influence in the case of individuals (Giumelli 2011: 44). As the EU GHRSR consists of targeted restrictive measures, the individual position of the four blacklisted officials should be considered first. Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo are all quite influential figures within the Chinese Communist Party in Xinjiang. Zhu Hailun and Wang Junzheng are the former and current Deputy Secretary of the Party Committee in the region, respectively (Council of the European Union 2021: 3-5). Wang Mingshan is the Secretary of the Political and Legal Affairs Committee of the Xinjiang regional government, while Chen Mingguo is the Director of the Xinjiang Public Security Bureau, a body tasked with implementing security-related regional policies, including the management of internment camps (*ibid.*: 5-6). Given the prominent positions held by these individuals within China’s hierarchy of power, it is unsurprising that their blacklisting has been interpreted by Beijing as an affront to the entire Chinese Communist Party (Buckley 2021). For this reason, instead of exclusively focusing on the four abovementioned officials, we should also refer to the strength of the Chinese regime as a whole. Despite growing

popular dissatisfaction, it is widely held that the leadership of President Xi Jinping is «stronger than ever» (McGregor 2020). During the last decade, the Party has launched anti-corruption campaigns to eliminate political opponents, while also strengthening censorship and surveillance to suppress grassroots dissent (Davidson 2022b). Under the leadership of Xi Jinping, China has experienced remarkable economic growth, as evidenced by a more than 100% increase in its GDP between 2012 and 2021 (*ibid.*). Thus far, the Chinese regime has remained impervious to foreign pressure and has rallied the country around the flag against any external interference (Politico 2022). Indeed, Xi Jinping's solidified grip on power makes it extremely hard for Western governments to influence the actions and policies of the regime (Davidson 2023). Hence, unlike smaller states with weaker governments at the helm, China can be anticipated to exhibit a high level of resilience in the face of sanctions.

Overall, in the case of the Uyghur genocide and the related EU-China dispute, the variable “complexity” remains ambiguous. Even though the diplomatic rift between Brussels and Beijing did not escalate into a violent conflict, the strength of the Chinese government mitigates the leverage that the EU has through its sanctions.

## **5. Discussion: the signalling logic of EU sanctions over Xinjiang abuses and a preliminary assessment of their effectiveness**

The previous section focused on the three systemic variables – threat, salience, and complexity – which, as per Giumelli's framework, are crucial for understanding the logic of sanctions. It is now possible to ascertain whether the EU sanctions explored in this study served a coercive, constraining or signalling purpose by looking at how those variables combine with each other. Giumelli empirically demonstrated the existence of three dominant patterns (see Table 2): high threat and low complexity are correlated to coercive sanctions; high threat and high complexity to constraining sanctions; low threat and low salience to signalling sanctions (Giumelli 2011: 145). As seen above, in the case of the EU-China dispute over Xinjiang abuses, threat and salience were low, while complexity was fairly ambiguous. According to Giumelli's theoretical model, this precise configuration is associated with sanctions that follow a signalling logic (*ibid.*). This finding suggests that the restrictive measures targeting Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo were primarily aimed at sending a clear message condemning human rights abuses, rather than coercing the targeted individuals into changing their behaviour. In addition to the qualitative analysis carried out in the previous paragraph, there are further grounds to conclude that the sanctions imposed by the EU in March 2021 fulfilled a signalling purpose.

First and foremost, sanctions can be considered coercive or constraining only insofar as they produce a direct material impact on targets (*ibid.*: 38). In other words, their “bite” has to be so

pernicious that either it affects the costs/benefits calculations of targeted individuals, thus leading to a voluntary change in behaviour, or it considerably undermines their operational capacities (*ibid.*: 34). This does not seem to be the case for the restrictive measures imposed by the EU on Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo (Cui 2021). As a result of the sanctions, the four Chinese officials are prohibited from entering the EU, their assets within the Union are frozen, and they are not allowed to transact with European individuals, banks, or entities (Human Rights First *et al.* 2022: 4). While these measures can be extremely burdensome if imposed on country leaders who rely on international travel for gaining legitimacy or on wealthy individuals who own properties and assets in Europe, their impact on people who lack any material or political ties with and within the EU is clearly negligible (Kerr & Sexton 2022: 11). Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo have never travelled to the EU and, to the best of our knowledge, they do not hold any assets in the region (Cui 2021). It is thus plausible that the EU knew full well that travel bans and asset freezes alone would not have sufficed to persuade the Chinese officials to halt their misconduct once and for all. It is thus incorrect to assess the effectiveness of these sanctions by looking at whether or not they elicited behavioural change on the targets' side, as this has never been their ultimate purpose.

This work argues that, devoid of any real ambition for coercion, the sanctions adopted by the EU in response to the crimes against humanity in Xinjiang are chiefly aimed at fine-tuning the Union's identity as a foreign policy actor. Ever since its inception, the EU has carefully crafted an international identity of itself rooted in a set of liberal norms, including human rights, democracy, freedom, equality and the rule of law (Manners 2002: 243). The promotion of these standards beyond its borders makes the Union a "force for good" in the global arena, which strives to socialize other countries and populations to the respect of fundamental rights (Sjursen 2006: 236).<sup>20</sup> Sanctions are one of the most effective instruments to conduct such a principle-based foreign policy, as they amplify the message that senders seek to convey (Meissner 2022: 68).<sup>21</sup> By blacklisting the four Chinese officials, the EU has signalled, not only to China but to the entire international community, that gross human rights violations do not go unpunished and that the 27 Member States are united on this issue (Stojkovski 2023: 36). At the same time, through this «powerful normative statement» (Hamer 2021: 1005), it has conveyed an implicit message to all European businesses that operating in regions characterized by widespread forced labour can no longer be tolerated (Polaschek 2021: 574).

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<sup>20</sup> With that regard, the EU is frequently depicted as an "ethical power" (Aggestam 2008: 1), "transformative power" (Börzel & Risse 2009: 3) and "liberal power" (Wagner 2017: 1398).

<sup>21</sup> They fulfil what Peden (2021: 847) defines, in other words, a «virtue-signalling function».

Although the EU sanctions on Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo did not serve the purpose of inducing behavioural change – and indeed, the persecution against the Uyghur community in Xinjiang is still merciless (Gambino 2023) – it is misleading to conclude that their bark was worse than their bite. To start with, the restrictive measures imposed by Brussels put China’s actions in the region under the spotlight of international attention (Andriasik 2021). Their signalling effect was amplified by the fact that other influential jurisdictions, such as the US, the UK and Canada, joined the EU in sanctioning the Chinese officials, in what turned out to be a powerful “naming and shaming” campaign (Wintour 2021b).<sup>22</sup>

As a result of the sanctions, media coverage of human rights abuses in Xinjiang became more intense as leading news outlets, such as the *Financial Times* and *The New York Times*, started publishing articles on the issue almost on a daily basis (Mackinnon 2023). Investigative journalism has witnessed a notable surge (Byler 2021), concomitant with an amplified representation of the Uyghur community in the mainstream media (The Washington Post 2023). The awareness and interest of the public have thus grown exponentially, with many citizens and politicians in the Western world advocating for a radical shift in their governments’ China policies (Reuters 2022). People worldwide, especially Americans, Canadians and Australians, started calling for a full-scale boycott of the 2022 Winter Olympics hosted by China as «an act of solidarity towards all the innocent victims of the Uyghur genocide» (EU Reporter 2021). The European Parliament adopted a non-binding resolution in July 2021, calling for all EU and national officials to decline all diplomatic invitations to the Olympics (European Parliament 2021b: 8). Eventually, although the Chinese government warned that boycotting nations «will pay the price» for their actions, many Member States joined the US, the UK, Canada and Australia in shunning Beijing’s flagship event (Westendarp 2022). It is thus evident that the restrictive measures imposed by the EU in March 2021, in coordination with other jurisdictions, have been a steppingstone for intensifying pressure on China and heightening the international community’s focus on gross human rights violations.

Signalling sanctions are indeed part and parcel of the sender’s broader foreign policy strategy and are often used to pave the way for more invasive actions (Giumelli 2011: 95). The EU’s blacklisting of Chinese individuals over Xinjiang abuses is a case in point. Following China’s imposition of tit-for-tat sanctions in March 2021, the EU’s stance towards Beijing became even stricter while diplomatic tensions escalated to new heights (Liboreiro & Pitchers 2021). The EU

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<sup>22</sup> Mingshan Wang, Hailun Zhu, Mingguo Chen, and Junzheng Wang remain the only individuals to date to be targeted by all four biggest jurisdictions under Magnitsky sanctions frameworks (Human Rights First *et al.* 2022: 15). Even though they are fairly rare, multilateral Magnitsky sanctions are crucial for giving a united condemnation of gross human rights violations and paving the way for other forms of action (*ibid.*: 13).



demonstrated its resolve by freezing the ratification of the CAI concluded five months earlier, with the intent of prompting China to improve its appalling human rights record (European Parliament 2021c: 5).<sup>23</sup> Although geoeconomic considerations have also informed the EU's decision, the suspension of the CAI has been heralded as the evidence that Brussels is prone to prioritize human rights over trade in its foreign relations (Szlapek-Sewillo 2021).

The renewed emphasis on values over material interests is the driver of another key piece of legislation under discussion at the EU level, namely the ban on forced labour goods (European Commission 2022). Through this regulation, the Commission aims to prevent all products made, extracted or harvested with forced labour from entering the EU's internal market (Aarup 2022). The proposal chiefly aims at targeting all those Chinese and European companies that are allegedly profiting from forced Uyghur Muslim labour in Xinjiang, including Aldi, Lidl, Hugo Boss, C&A, BMW and Volkswagen (Tidey & Zsiros 2022). By freezing the CAI and introducing a ban on forced labour products, the EU has followed up on the stronger normative commitment vis-à-vis China inaugurated through the sanctions in March 2021. These latter, despite being signalling in nature and not having the ambition of eliciting an immediate change of behaviour on the target's side, have set into motion a process whereby the EU is making its China policy less accommodative (Rankin 2023).

The case study explored in this work proves that sanctions are always one instrument within a larger foreign policy toolbox, each serving a distinct purpose depending on the context (Giumelli 2011: 40). As Giumelli (2010a: 88) explained, the effectiveness of sanctions should always be assessed against the degree of achievement of their specific purpose, rather than solely focusing on their ability to coerce the target into changing behaviour. Having established that the EU sanctions in response to the Uyghur genocide chiefly served a signalling function, our attention should be directed to the following aspects: did the sanctions contribute to raising awareness within the international community on the crimes against humanity perpetrated by the Chinese government in Xinjiang? Did the sanctions reinforce the EU's normative identity and its reputation as a human rights defender? Did the sanctions pave the way for further meaningful actions aimed at holding China accountable? As this paragraph suggests, all the above questions can be answered in the affirmative. Hence, despite not yet having prompted China to halt tortures against the Uyghur community, the sanctions adopted by the EU in March 2021 have fulfilled their primary (signalling) purpose.<sup>24</sup> Not only have they

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<sup>23</sup> The tombstone on the agreement was laid in April 2023 by the Commission President Ursula von der Leyen (2023), who called for «reassessing the CAI from scratch in light of our wider China's strategy».

<sup>24</sup> To be fair, several investigative journalists, such as Darren Byler, have noted that the «mounting international pressure has accelerated China's process of moving away from mass detention and mass internment programmes in Xinjiang» (Woodman 2022), although oppressive practices still remain in place. Byler's findings indicate a shift from mass warehousing camps to more formal prisons, accompanied by the repatriation of many individuals in their villages and a decreasing number of new detentions over time (*ibid.*).

catalysed the attention of world public opinion on the atrocities in Xinjiang, but they have also reinforced the image of the EU as a “force for good” in international affairs and marked the beginning of a more values-based China policy.

## 6. Conclusion

The restrictive measures imposed by the EU on Mingshan Wang, Hailun Zhu, Mingguo Chen, and Junzheng Wang are yet another proof of the centrality of targeted sanctions in the Union’s foreign policy strategy. As the EU is rapidly emerging as a leading sanctioning actor, it is of the utmost importance for scholars in this field to develop a more refined set of analytical tools to understand how these measures work and explain their variance, both in terms of logic and effectiveness. Thus far, the literature has mainly understood sanctions through their coercive dimension, starting from the assumption that their only aim is to coerce targeted individuals into modifying their behaviour. This misplaced focus on behavioural change has significantly affected the reputation of these tools, which are widely dismissed as ineffective solely because they are rarely capable of altering the conduct of their targets.

However, there is growing scholarly consensus that not all sanctions serve as tools for coercion. As contended by Giumelli (2011), in addition to coercing individuals into modifying their conduct (“coercive sanctions”), sanctions might also be employed to limit the capabilities of targets (“constraining sanctions”) and send a clear message to the international community (“signalling sanctions”). It follows that using behavioural change as the indiscriminate yardstick to evaluate success is extremely misleading, even more so because coercion seems to be the dominant logic of international sanctions only one time out of seven (Giumelli 2011: 51).<sup>25</sup> In order to assess effectiveness more accurately and bridge the gap between expectations and outcomes, it is imperative to first identify the real purpose of sanctions by analysing the context in which they are adopted. Specifically, as per Giumelli’s framework, three contextual variables need to be investigated: the level of threat perceived by the sender, the salience of the crisis and the complexity of the dispute.

By analysing the restrictive measures imposed by the EU under the GHRSR on the architects of the Uyghur genocide in China, this work showcased the importance of this methodological effort. Through the application of Giumelli’s framework, it was demonstrated that the sanctions targeting Mingshan Wang, Hailun Zhu, Mingguo Chen, and Junzheng Wang served a chiefly signalling purpose, meaning that they were mainly aimed at conveying a clear message condemning human rights abuses, reinforcing the Union’s normative identity and consolidating its international actorness.

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<sup>25</sup> According to Giumelli’s database of UN and EU sanctions (2011: 53), coercion is the ultimate logic only 14% of the time, while constraining and signalling are the most frequent purposes (32% and 54%, respectively).

It was further argued that those measures have been fairly effective in that regard, with the EU being widely credited for bringing human rights abuses under the spotlight and for prioritizing values over commercial interests. Moreover, they played a crucial role within the overarching EU's China policy, as they marked a transition towards a more values-driven stance vis-à-vis Beijing and paved the way for further meaningful actions, including the suspension of the CAI and the ban on forced labour goods. In consequence thereof, it can be concluded that these sanctions have largely fulfilled their main purpose, that of stigmatizing China and reinforcing the Union's reputation as a global human defender.

In light of this, it is deceptive to dismiss these sanctions as ineffective on the grounds that behavioural change on the target's side did not materialize, a stance taken by the vast majority of experts up to this point. After all, coercing the blacklisted officials into altering their conduct was not the primary purpose of these measures. For the sake of clarity, arguing that the EU sanctions over Xinjiang abuses had a chiefly signalling logic does not amount to saying that all sanctions imposed by Brussels under the EU GHRSR have the same rationale. By the same token, the fact that these sanctions have successfully contributed to the EU's larger foreign policy strategy does not necessarily mean that all signalling sanctions bear the expected fruit (as a case in point, see Grebe 2010). Therefore, no generalization can be drawn from the findings of this analysis. The message that this work tried to convey is simply that sanctions can be effective even when targets do not end their misconduct upon their imposition.

Although Giumelli's theoretical model has been criticized in recent years for allegedly attempting to «rescue targeted sanctions from criticism by artificially demonstrating their effectiveness» (Jones & Portela 2020: 44), this tripartite typology remains the most cogent and methodologically sound framework to analyse the logic of sanctions to date. As such, it represents an extremely valuable starting point for future research on the subject. However, the logic of sanctions remains an under-researched area within the scholarship. First of all, no endeavour, with the partial exception of Biersteker *et al.* 2016, has been undertaken to fine-tune Giumelli's framework. One possible line of research is to elaborate a more precise typology of targets, develop a wider conceptualisation of the variable “salience” and provide a better definition of “complexity”. Secondly, only one study to date has started from Giumelli's theoretical model to investigate the performance of international sanctions (*i.e.*, Biersteker *et al.* 2013).<sup>26</sup> Regrettably, as nobody has ever carried out a large-n qualitative analysis focusing specifically on EU targeted sanctions, the dominant logic of the restrictive measures imposed by Brussels still remains unknown. With sanctions gaining

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<sup>26</sup> In their work, Biersteker *et al.* (2013: 21) found out that coercive sanctions are effective 10% of the time, far less frequently than constraining sanctions (28%) and signalling sanctions (27%).

growing comparative appeal over other foreign policy tools, it is essential for future research to expand this theoretical framework and put it into action more often. This effort is not only crucial for a more nuanced evaluation of the effectiveness of these tools but also for providing guidance to policy-making.

## References

- Aarup, S. A., (14 Sep 2022). European Commission releases forced labor ban proposal. *Politico Europe*, <https://www.politico.eu/article/european-commission-releases-forced-labor-ban-proposal/> (accessed: 15 July 2023)
- Aggestam, L., 2008. Introduction: ethical power Europe?. *International affairs*, 84(1), pp.1-11.
- Allenbach-Amman, J., (2 Feb 2023). EU imports from Xinjiang rose by 34% in 2022. *Euractiv*, <https://www.euractiv.com/section/economy-jobs/news/eu-imports-from-xinjiang-rose-by-34-in-2022/> (accessed: 25 June 2023)
- Al-Nassar, H., Neele, E., Nishioka, S. and Luthra, V., 2021. Guilty Until Proven Innocent? The EU Global Human Rights Sanctions Regime's Potential Reversal of the Burden of Proof. *Security and Human Rights*, 32(1-4), pp.139-163.
- Amnesty International., 2021. "Like we were enemies in a war". China's mass internment, torture and persecution of Muslims in Xinjiang, pp.1-160.
- Andriasik, S., (18 Oct 2021). New sanction regimes put the spotlight on human rights abuses. *The FCPA Blog*, <https://fcpublog.com/2021/10/18/new-sanction-regimes-put-the-spotlight-on-human-rights-abuses/> (accessed: 13 June 2023)
- Baillie, L. and Parkes, M., (6 Apr 2023). Don't Look Away from China's Atrocities Against the Uyghurs. *United States Institute of Peace*, <https://www.usip.org/publications/2023/04/dont-look-away-chinas-atrocities-against-uyghurs#:~:text=Over%20one%20million%20Uyghurs%20have,%2C%20torture%2C%20rape%20and%20sterilization> (accessed: 24 June 2023)
- Baldwin, D.A., 1999. The sanctions debate and the logic of choice. *International security*, 24(3), pp.80-107.
- Barber, J., 1979. Economic sanctions as a policy instrument. *International Affairs*, 55(3), pp.367-384.
- Barrett, R., 2008. Speech delivered at the World Conference on Combating Terrorist Financing hosted by Case Western Reserve University (Cleveland, Ohio). <https://www.youtube.com/watch?v=vm5e0dOD53I> (accessed: 30 May 2023)
- Berkofsky, A., 2019. China and the EU: "strategic partner" no more. *Institute for Security & Development Policy*, pp.1-7.
- Biersteker, T., Eckert, S., Tourinho, M. and Hudáková, Z., 2013. The effectiveness of United Nations targeted sanctions: findings from the Targeted Sanctions Consortium. *Graduate Institute for International Studies*, pp.1-51.
- Biersteker, T.J., 2015. UN targeted sanctions as signals: naming and shaming or naming and stigmatizing?. In: Friman, H.R. (ed.) *The Politics of Leverage in International Relations*, pp. 165-184. London: Palgrave Macmillan.
- Biersteker, T. and van Bergeijk, P.A., 2015. How and when do sanctions work? The evidence. In: Dreyer, I. and Luengo-Cabrera J. (eds.), *On target? EU sanctions as security policy tools*, pp.17-28. Paris: Institute for Security Studies.
- Biersteker, T.J., Eckert, S.E. and Tourinho, M., 2016. The effectiveness of United Nations targeted sanctions. In (eds.): *Targeted sanctions: the impacts and effectiveness of United Nations Actions*, pp. 220-247. Cambridge: Cambridge University Press.
- Biersteker, T.J., 2019. Understanding effectiveness of international sanctions. *Вестник МГИМО Университета*, 3 (66), pp.7-16.
- Biscop, S., 2021. The EU and China: sanctions, signals, and interests. *Egmont Institute*, 145, pp.1-5.

Boffey, D., (22 Feb 2021). EU to sanction Russians responsible for Alexei Navalny's detention. *The Guardian*, <https://www.theguardian.com/world/2021/feb/22/eu-must-be-united-and-determined-on-russia-sanctions-says-josep-borrell-alexi-navalny> (accessed: 14 June 2023)

Borrell, J., (31 Oct 2020). The long and complex road towards an EU Global Human Rights Sanctions Regime. *European External Action Service*, [https://www.eeas.europa.eu/eeas/long-and-complex-road-towards-eu-global-human-rights-sanctions-regime\\_en](https://www.eeas.europa.eu/eeas/long-and-complex-road-towards-eu-global-human-rights-sanctions-regime_en) (accessed: 13 June 2023)

Börzel, T.A. and Risse, T., 2009. The transformative power of Europe: The European Union and the diffusion of ideas. *KFG Working Paper*, 1.

Brady, L.J., 1987. The utility of economic sanctions as a policy instrument. In: Leyton-Brown D. (ed.). *The utility of international economic sanctions*, pp. 297-302. London: Routledge.

Brugier, C., 2014. China's way: the new Silk Road. *European Union Institute for Security Studies*, pp.1-5.

Brunelli, F., 2021. The awakening of the sleepy European Union: the enigmatic role of the EU sanctioning system against China. *HAPSc Policy Briefs Series*, 2(2), pp.217-222.

Buckley, C., (8 Jun 2021). Brushing off criticism, China's Xi calls policies in Xinjiang 'totally correct'. *The New York Times*, <https://www.nytimes.com/2020/09/26/world/asia/xi-jinping-china-xinjiang.html> (accessed: 1 July 2023)

Buzan, B. and Waever, O., 2003. Security complexes: a theory of regional security. In (eds.): *Region and powers: the structure of international security*, pp.40-83. Cambridge: Cambridge University Press.

Byler., D., (24 Oct 2021). In the camps: life in China's high-tech penal colony. *The Financial Times*, <https://www.ft.com/content/58488ce6-30dc-4c59-8c93-c7735b8d78ca> (accessed: 15 July 2023)

Černič, L. J. (2021). The reformed EU Human Rights Sanctions Regime: a step forward or an empty threat?. *Business and Human Rights Journal*, 6(3), pp. 559–566.

Chazan, G. and Shepherd, B., (8 Dec 2019). Deutschland AG sticks with Xinjiang despite Uighurs mistreatment. *Financial Times*, <https://www.ft.com/content/6e169fa8-15cd-11ea-8d73-6303645ac406> (accessed: 25 June 2023)

Cohen, N., (4 Jul 2020). Why do Muslim states stay silent over China's abuse of the Uighurs?. *The Guardian*, <https://www.theguardian.com/commentisfree/2020/jul/04/why-do-muslim-states-stay-silent-over-chinas-uighur-brutality> (accessed: 24 June 2023)

Cortright, D., Lopez, G.A., Conroy, R.W., Dashti-Gibson, J., Wagler, J., Malone, D.M. and Axworthy, L., 2000. *The sanctions decade: Assessing UN strategies in the 1990s* (Vol. 1). Boulder, CO: Lynne Rienner Publishers.

Council of the European Union., 2020. Regulation 2020/1998/EU of 7 December 2020 Concerning Restrictive Measures against Serious Human Rights Violations and Abuses. OJ L1 410/1.

Council of the European Union., 2021. Council Decision (CFSP) 2021/481 of 22 March 2021 amending Decision (CFSP) 2020/1999 concerning restrictive measures against serious human rights violations and abuses. OJ L 99I.

Council of the European Union., (5 Dec 2022). Human rights violations: EU restrictive measures prolonged for a further year, <https://www.consilium.europa.eu/en/press/press-releases/2022/12/05/human-rights-violations-eu-restrictive-measures-prolonged-for-a-further-year/> (accessed: 19 June 2023)

Council of the European Union., (20 Jul 2023). Human rights violations: EU lists 18 individuals and five entities responsible for gender-based violence and linked to the Navalny and Kara-Murza cases,

<https://www.consilium.europa.eu/en/press/press-releases/2023/07/20/human-rights-violations-eu-lists-18-individuals-and-five-entities-responsible-for-gender-based-violence-and-linked-to-the-navalny-and-kara-murza-cases/> (accessed: 9 August 2023)

Cui, J., (26 Mar 2021). Chinese officials respond to Xinjiang-related sanctions. *China Daily*, [http://global.chinadaily.com.cn/a/202103/26/WS605d7cbba31024ad0bab1dc9\\_3.html](http://global.chinadaily.com.cn/a/202103/26/WS605d7cbba31024ad0bab1dc9_3.html) (accessed: 2 July 2023)

Cusumano, E., 2019. Migrant rescue as organized hypocrisy: EU maritime missions offshore Libya between humanitarianism and border control. *Cooperation and conflict*, 54(1), pp.3-24.

Davidson, H., (1 Sep 2022a). Five key points from the UN report on Xinjiang human rights abuses. *The Guardian*, <https://www.theguardian.com/world/2022/sep/01/five-key-points-from-the-un-report-on-xinjiang-china-human-rights-abuses-uyghur-muslims> (accessed: 1 July 2023)

Davidson, H., (20 Oct 2022b). China's decade under Xi Jinping explained in seven charts. *The Guardian*, <https://www.theguardian.com/world/2022/oct/20/chinas-decade-under-xi-jinping-explained-in-seven-charts> (accessed: 1 July 2023)

Davidson, H., (20 Jan 2023). Xi's authority dented by sudden Covid U-turn, but grip on power is as strong as ever. *The Guardian*, <https://www.theguardian.com/world/2023/jan/20/xis-authority-dented-by-sudden-covid-u-turn-but-iron-grip-on-power-is-undimmed> (accessed: 1 July 2023)

De La Baume, M. and Herszenhorn D.M., (23 Mar 2021). David Sassoli to China: Europe is no 'punching bag'. *Politico Europe*, <https://www.politico.eu/article/david-sassoli-to-china-europe-is-not-a-punching-bag/> (accessed: 19 June 2023)

Derderian, K., (21 Mar 2019). Europe's real test in China: Human rights. *Politico Europe*, <https://www.politico.eu/article/europe-real-test-china-human-rights/> (accessed: 25 June 2023)

Doxey, M., 1972. International sanctions: a framework for analysis with special reference to the UN and Southern Africa. *International organization*, 26(3), pp.527-550.

Eckes, C., 2009. EU counter-terrorist policies and fundamental rights: the case of individual sanctions. Oxford: Oxford University Press.

Eckes, C., 2021. EU Human Rights Sanctions Regime: Striving for Utopia Backed by Sovereign Power?. *European Foreign Affairs Review*, 26(2), pp.219-242.

Eckes, C., 2022. EU Global Human Rights Sanctions Regime: is the genie out of the bottle?. *Journal of Contemporary European Studies*, 30(2), pp.255-269.

Elliott, K.A., 2010. Assessing UN sanctions after the cold war: New and evolving standards of measurement. *International Journal*, 65(1), pp.85-97.

Emmott, R., (17 Mar 2021). EU envoys agree first China sanctions in three decades. *Reuters*, <https://www.reuters.com/article/us-eu-china-sanctions-idUSKBN2B91DC> (accessed: 19 June 2023)

Eriksson, M., 2016. Targeting peace: Understanding UN and EU targeted sanctions. London: Routledge.

European Commission., (30 Dec 2020a). EU and China reach agreement in principle on investment, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_2541](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2541) (accessed: 25 June 2023)

European Commission., (30 Dec 2020b). EU-China Comprehensive Agreement on Investment: the agreement in principle, [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/china/eu-china-agreement/eu-china-agreement-principle\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/china/eu-china-agreement/eu-china-agreement-principle_en) (accessed: 25 June 2023)

European Commission., (14 Sep 2022). Proposal for a Regulation of the European Parliament and of the Council on prohibiting products made with forced labour on the Union market. COM(2022) 453.

European Commission., (19 Apr 2023). European Union, trade in goods with China. *DG Trade*, [https://webgate.ec.europa.eu/isdb\\_results/factsheets/country/details\\_china\\_en.pdf](https://webgate.ec.europa.eu/isdb_results/factsheets/country/details_china_en.pdf) (accessed: 25 June 2023)

European Court of Justice., 2008. Judgement of the Court in Joined Cases C-402/05 P and C-415/05 P, Yassin Abdullah Kadi and Al Barakaat International Foundation versus Council of the European Union and Commission of European Communities.

European External Action Service., (16 Jul 2018a). EU and China to deepen global strategic partnership, [https://www.eeas.europa.eu/node/48456\\_en](https://www.eeas.europa.eu/node/48456_en) (accessed: 20 June 2023)

European External Action Service., (4 Oct 2018b). Speech on behalf of the High Representative/Vice-President Federica Mogherini at the European Parliament urgency debate on "Mass arbitrary detention of Uyghurs and Kazakhs in the Xinjiang Uyghur Autonomous Region", [https://www.eeas.europa.eu/node/51670\\_en](https://www.eeas.europa.eu/node/51670_en) (accessed: 25 June 2023)

European External Action Service., (7 Dec 2020). Questions and answers: EU Global Human Rights Sanctions Regime, [https://www.eeas.europa.eu/eeas/questions-and-answers-eu-global-human-rights-sanctions-regime\\_en](https://www.eeas.europa.eu/eeas/questions-and-answers-eu-global-human-rights-sanctions-regime_en) (accessed: 31 May 2023)

European Parliament., (14 Mar 2019a). European Parliament resolution of 14 March 2019 on a European human rights violations sanctions regime, P8\_TA(2019)0215.

European Parliament., (24 Oct 2019b). Ilham Tohti wins 2019 Sakharov Prize for freedom of thought, <https://www.europarl.europa.eu/news/en/headlines/priorities/sakharov-prize-2019/20191018STO64607/ilham-tohti-wins-2019-sakharov-prize-for-freedom-of-thought> (accessed: 25 June 2023)

European Parliament., (17 Dec 2020). European Parliament resolution of 17 December 2020 on forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region, P9\_TA(2020)0375.

European Parliament., 2021a. At a glance: Chinese counter-sanctions on EU targets. *European Parliament Research Service*, [https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690617/EPRS\\_ATA\(2021\)690617\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2021/690617/EPRS_ATA(2021)690617_EN.pdf) (accessed: 20 June 2023)

European Parliament., (7 Jul 2021b). Joint motion for a resolution on Hong Kong, notably the case of Apple Daily, P9\_TA(2021)0356.

European Parliament., (20 May 2021c). European Parliament resolution of 20 May 2021 on Chinese countersanctions on EU entities and MEPs and MPs. P9\_T9-0255/2021.

European Parliament., (15 Jun 2023). European Parliament resolution of 15 June 2023 on the deterioration of fundamental freedoms in Hong Kong, notably the case of Jimmy Lai, P9\_TA(2023)0242.

EU Reporter., (30 Dec 2021). Pressure grows for boycott of Winter Olympics in China. <https://www.eureporter.co/world/japan/olympic-games/2021/12/30/pressure-grows-for-boycott-of-winter-olympics-in-china/> (accessed: 15 July 2023)

EU Sanctions Map, 2023. Available at <https://www.sanctionsmap.eu/#/main> (accessed: 20 June 2023)



- Farge, E., (7 Oct 2022). U.N. body rejects debate on China's treatment of Uyghur Muslims in blow to West. *Reuters*, <https://www.reuters.com/world/china/un-body-rejects-historic-debate-chinas-human-rights-record-2022-10-06/> (accessed: 24 June 2023)
- Finelli, F., 2020. A new EU sanctions regime against human rights violations. *European Papers*, 5(3), pp.1569-1571.
- Gadjanova, E., 2012. Review of Giumelli, F. (ed.), 2011. Coercing, constraining and signalling: explaining UN and EU sanctions after the Cold War, *Swiss Political Science Review*, 18(1), pp. 137-139.
- Gambino, L., (24 Mar 2023). 'Like a war zone': Congress hears of China's abuses in Xinjiang 're-education camps'. *The Guardian*, <https://www.theguardian.com/world/2023/mar/24/like-a-war-zone-congress-hears-of-chinas-abuses-in-xinjiang-re-education-camps> (accessed: 2 July 2023)
- Gaouette, N. and Frater, J., (23 Mar 2021). US and allies announce sanctions against Chinese officials for 'serious human rights abuses' against Uyghurs. *CNN*, <https://edition.cnn.com/2021/03/22/politics/us-eu-china-uyghur-sanctions/index.html> (accessed: 19 June 2023)
- Gaston, E., (7 Feb 2022). Targeted sanctions are trendy, but not very effective. *World Politics Review*, <https://www.worldpoliticsreview.com/magnitsky-sanctions-won-t-work-without-strategy/> (accessed: 29 May 2023)
- Gfeller, A.É., 2014. Champion of Human Rights: The European Parliament and the Helsinki Process. *Journal of Contemporary History*, 49(2), pp.390-409.
- Giumelli, F., 2010a. Bringing effectiveness into the debate: a guideline to evaluating the success of EU targeted sanctions. *Central European Journal of International and Security Studies*, 4(1), pp.81-100.
- Giumelli, F., 2010b. New analytical categories for assessing EU sanctions. *The international spectator*, 45(3), pp.131-144.
- Giumelli, F., 2011. Coercing, constraining and signalling: explaining UN and EU sanctions after the Cold War. Colchester: ECPR Press.
- Giumelli, F., 2013. How EU sanctions work: a new narrative. *Chaillot Papers*, 129.
- Giumelli, F. and Ivan, P., 2013. The effectiveness of EU sanctions. *EPC Issue Paper*, 76, pp.1-43.
- Giumelli, F., 2016a. The success of sanctions: lessons learned from the EU experience. London: Routledge.
- Giumelli, F., 2016b. The purposes of targeted sanctions. In: Biersteker T.J., Eckert S.E. and Tourinho M. (eds.), *Targeted sanctions: the impacts and effectiveness of United Nations Actions*, pp. 38-56. Cambridge: Cambridge University Press.
- Giumelli, F., 2016c. From effective to useful sanctions: lessons learned from the experience of the European Union. In: Ronzitti, N. (ed.), *Coercive Diplomacy, Sanctions and International Law*, pp. 246-269. Leiden: Brill Nijhoff.
- Giumelli, F., Hoffmann, F. and Książczaková, A., 2021. The when, what, where and why of European Union sanctions. *European Security*, 30(1), pp.1-23.
- Godement, F., (13 Apr 2021). Values and the role of sanctions in the Europe-China-US triangle. *Institut Montaigne*, <https://www.institutmontaigne.org/en/expressions/values-and-role-sanctions-europe-china-us-triangle> (accessed: 6 August 2023)
- Grauvogel, J., Licht, A.A. and Von Soest, C., 2017. Sanctions and signals: How international sanction threats trigger domestic protest in targeted regimes. *International Studies Quarterly*, 61(1), pp.86-97.

- Grebe, J., 2010. And they are still targeting: Assessing the effectiveness of targeted sanctions against Zimbabwe. *Africa spectrum*, 45(1), pp.3-29.
- Hamer, D.I., 2021. The European Union joins the global Magnitsky movement. *New York University Journal of International Law and Politics*, 53, pp.1003-1015.
- Hart Jr, R.A., 2002. Economic sanctions as signals of resolve. The Florida State University (dissertation).
- Heupel, M., 2017. EU sanctions policy and the protection of due process rights: judicial lawmaking by the Court of Justice of the EU. In: Heupel, M. & Zürn, M. (eds.), *Protecting the Individual from International Authority. Human Rights in International Organizations*, pp.129-51. Cambridge: Cambridge University Press.
- Hovi, J., Huseby, R. and Sprinz, D.F., 2005. When do (imposed) economic sanctions work?. *World Politics*, 57(4), pp.479-499.
- Hufbauer, G.C., Schott J.J., Elliot, K.A. and Oegg, B., 2007. *Economic sanctions reconsidered: history and current policy*, 3<sup>rd</sup> edn. Washington, DC: Peterson Institute for International Economics.
- Human Rights First, Open Society Foundations, Raoul Wallenberg Centre for Human Rights and Redress., 2022. Multilateral Magnitsky sanctions at five years. [https://humanrightsfirst.org/wp-content/uploads/2022/11/Multilateral-Magnitsky-Sanctions-at-Five-Years\\_November-2022.pdf](https://humanrightsfirst.org/wp-content/uploads/2022/11/Multilateral-Magnitsky-Sanctions-at-Five-Years_November-2022.pdf) (accessed: 13 June 2023)
- Hyde-Price, A., 2008. A 'tragic actor'? A realist perspective on 'ethical power Europe'. *International affairs*, 84(1), pp.29-44.
- Jodanovic, A., 2022. The road towards the European Union Global Human Rights Sanctions Regime. *Regional Law Review*, 159, pp.159-176.
- Jones, C., 2018. Sanctions as tools to signal, constrain, and coerce. *Asia Policy*, 25(3), pp.20-27.
- Jones, L. and Portela, C., 2020. Evaluating the success of international sanctions: a new research agenda. *Revista CIDOB d'Afers Internacionals*, 125, pp.39-60.
- Kerr, V. and Sexton, J.P., 2022. Human rights and security: unpacking the elusive nature of Magnitsky Sanctions. *European Society of International Law Paper Series*, 11.
- Kinzelbach, K. and Thelle, H., 2011. Taking human rights to china: an assessment of the EU's approach. *The China Quarterly*, 205, pp.60-79.
- Klein, E., 2009. International Sanctions from a Human Rights Law Perspective: Some Observations on the Kadi Judgment of the European Court of Justice. *Intercultural Human Rights Law Review*, 4, pp.111-122.
- Klimova, N., 2021. The human rights pitfalls of the new EU sanction regime. *Peace Research Center Prague*, 12.
- Lafont Rapnouil, M., (23 Jun 2017). Signal, constrain, and coerce: a more strategic use of sanctions. *European Council on Foreign Relations*, [https://ecfr.eu/article/essay\\_signal\\_constrain\\_and\\_coerce\\_a\\_more\\_strategic\\_use\\_of\\_sanctions/](https://ecfr.eu/article/essay_signal_constrain_and_coerce_a_more_strategic_use_of_sanctions/) (accessed: 8 August 2023)
- Lehne, S., (14 Dec 2012). The role of sanctions in EU foreign policy. *Carnegie Europe*, <https://carnegieeurope.eu/2012/12/14/role-of-sanctions-in-eu-foreign-policy-pub-50378> (accessed: 23 July 2023)
- Léonard, S. and Kaunert, C., 2012. 'Between a rock and a hard place?': The European Union's financial sanctions against suspected terrorists, multilateralism and human rights. *Cooperation and conflict*, 47(4), pp.473-494.

- Liboreiro, J. and Pitchers, C. (31 Mar 2021). EU-China: sanctions, threats and boycotts see relations enter downward spiral. *Euronews*, <https://www.euronews.com/my-europe/2021/03/31/eu-china-sanctions-threats-and-boycotts-see-relations-enter-downward-spiral> (accessed: 15 July 2023)
- Lindsay, J.M., 1986. Trade sanctions as policy instruments: a re-examination. *International Studies Quarterly*, 30(2), pp.153-173.
- Lyons, K., (27 Jul 2019). The world knows what is happening to the Uighurs. Why has it been so slow to act?. *The Guardian*, <https://www.theguardian.com/world/2019/jul/27/the-world-knows-what-is-happening-to-the-uighurs-why-has-it-been-so-slow-to-act> (accessed: 25 June 2023)
- Mack, A. and Khan, A., 2000. The efficacy of UN sanctions. *Security Dialogue*, 31(3), pp.279-292.
- Mackinnon, A., (20 Mar 2023). The witness. *Foreign Policy*, <https://foreignpolicy.com/2023/03/20/uyghur-genocide-nury-turkel-interview-commissioner-religious-freedom-china-beijing/> (accessed: 15 July 2023)
- Maher, R., 2016. The elusive EU-China strategic partnership. *International Affairs*, 92(4), pp.959-976.
- Manners, I., 2002. Normative power Europe: a contradiction in terms?. *Journal of Common Market Studies*, 40(2), pp.235-258.
- Marques, D., (2 Apr 2019). The EU, China, and human rights in Xinjiang: time for a new approach. *European Council on Foreign Relations*, [https://ecfr.eu/article/commentary\\_the\\_eu\\_china\\_and\\_human\\_rights\\_in\\_xinjiang\\_time\\_for\\_a\\_new\\_approac/](https://ecfr.eu/article/commentary_the_eu_china_and_human_rights_in_xinjiang_time_for_a_new_approac/) (accessed: 25 June 2023)
- Mattlin, M., 2012. Dead on arrival: normative EU policy towards China. *Asia Europe Journal*, 10, pp.181-198.
- McAllister, D., (16 Jun 2021). Human rights: MEPs want to extend the EU sanctions regime to cover corruption. *David McAllister*, <https://www.david-mcallister.de/human-rights-meps-want-to-extend-the-eu-sanctions-regime-to-cover-corruption/> (accessed: 13 June 2023)
- McGregor, R., (10 Nov 2020). Xi Jinping's strength is China's weakness, *The Lowy Institute*, <https://www.loyyinstitute.org/publications/xi-jinping-s-strength-china-s-weakness> (accessed: 1 July 2023)
- Meissner, K., 2023. How to sanction international wrongdoing? The design of EU restrictive measures. *The Review of International Organizations*, 18(1), pp.61-85.
- Men, J., 2011. Between Human Rights and Sovereignty—An Examination of EU–China Political Relations. *European Law Journal*, 17(4), pp.534-550.
- Morgan, T.C. and Schwebach, V.L., 1997. Fools suffer gladly: the use of economic sanctions in international crises. *International Studies Quarterly*, 41(1), pp.27-50.
- Morgan, T.C., Syropoulos, C. and Yotov, Y.V., 2023. Economic sanctions: evolution, consequences, and challenges. *Journal of Economic Perspectives*, 37(1), pp.3-29.
- Nossal, K.R., 1989. International sanctions as international punishment. *International Organization*, 43(2), pp.301-322.
- Odell, J.S., 2001. Case study methods in international political economy. *International studies perspectives*, 2(2), pp.161-176.

Office of the UN High Commissioner for Human Rights (OHCHR), 2022. OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China, pp.1-48.

Organization of Islamic Cooperation (OIC), n.d. History, [https://www.oic-oci.org/page/?p\\_id=52&p\\_ref=26&lan=en](https://www.oic-oci.org/page/?p_id=52&p_ref=26&lan=en) (accessed: 24 June 2023)

Oud, M., 2022. Embedding human rights in European and US China policy. *The German Marshall Fund of the United States*, pp.1-15.

Pape, R.A., 1998. Why economic sanctions still do not work. *International Security*, 23(1), pp.66-77.

Peden, K., 2021. Sanctions as virtue-signalling: transiting from symbolism to reparations for Rohingya genocide victims. *American University International Law Review*, 37, pp.841-900.

Peel, M., Shepherd C. and Sevastopulo, D., (22 Mar 2021). China retaliates after US, EU and UK impose sanctions. *Financial Times*, <https://www.ft.com/content/27871663-cebc-433c-b9bf-4ef28a55d73e> (accessed: 20 June 2023)

Perlez, J., (8 Apr 2019). With pressure and persuasion, China deflects criticism of its camps for Muslims. *The New York Times*, <https://www.nytimes.com/2019/04/08/world/asia/china-muslims-camps.html?module=inline> (accessed: 24 June 2023)

Polaschek, R., 2021. Responses to the Uyghur crisis and the implications for business and human rights legislation. *Business and Human Rights Journal*, 6(3), pp.567-575.

Politico, (24 Sep 2022). China on Taiwan: 'External interference' won't be tolerated. <https://www.politico.com/news/2022/09/24/china-taiwan-united-nations-00058714> (accessed: 1 July 2023)

Pompeo, M. R., (19 Jan 2021). Press statement: Determination of the Secretary of State on Atrocities in Xinjiang. *U.S. Department of State*, <https://2017-2021.state.gov/determination-of-the-secretary-of-state-on-atrocities-in-xinjiang/index.html> (accessed: 19 June 2023)

Portela, C., 2014. The EU's use of 'targeted sanctions': evaluating effectiveness. *CEPS Working Documents*, 391, pp.1-50.

Portela, C., 2018. Targeted sanctions against individuals on grounds of grave human rights violations - impact, trends and prospects at EU level. *Study requested by the DROI Committee of the European Parliament*, [https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603869/EXPO\\_STU\(2018\)603869\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603869/EXPO_STU(2018)603869_EN.pdf) (last accessed: 14 June 2023)

Portela, C., 2020. A blacklist is (almost) born. *European Union Institute for Security Studies*, 5, pp.1-8.

Portela, C., 2021. The EU Human Rights sanctions regime: unfinished business?. *Revista General de Derecho Europeo*, 54(2), pp.19-44.

Prestowitz, C., (27 Jul 2020). Letter: Concern for Uighurs takes a back seat to trade deals. *Financial Times*, <https://www.ft.com/content/5c8a1c2d-e50f-4de0-b212-d92ab85a1720> (accessed: 25 June 2023)

Rankin, J., (30 Mar 2023). Europe must reassess its relations with China, says EU chief. *The Guardian*, <https://www.theguardian.com/world/2023/mar/30/europe-must-reassess-its-relations-with-china-says-eu-chief> (accessed: 15 July 2023)

Raza, Z., 2019. China's 'political re-education' camps of Xinjiang's Uyghur Muslims. *Asian Affairs*, 50(4), pp.488-501.

- Reuters., (24 May 2022). Germany changing its China policy with higher priority for human rights, says minister. <https://www.reuters.com/world/germany-changing-its-china-policy-with-higher-priority-human-rights-says-2022-05-24/> (accessed: 15 July 2023)
- Ruys, T., 2020. The European Union Global Human Rights Sanctions Regime (EUGHRSR). *International Legal Materials*, 60(2), pp.298-318.
- Schwebach, V.L., 2000. Sanctions as signals: a line in the sand or a lack of resolve?. In: Chan, S., Drury, A.C. (eds) *Sanctions as economic statecraft*, pp. 187-211. London: Palgrave Macmillan.
- Simoncini, M., 2009. Risk Regulation Approach to EU Policy against Terrorism in the light of the ECJ/CFI jurisprudence. *German Law Journal*, 10(11), pp.1526-1549.
- Sjursen, H., 2006. The EU as a 'normative' power: how can this be?. *Journal of European Public Policy*, 13(2), pp.235-251.
- Stojkovski, L., 2023. Non-UN Sanctions and the 'Responsibility To Protect': legality, legitimacy and their significance for R2P. In: Sancin, V. and Kovič Dine, M. (eds.) *The limits of responsibility to protect*, pp. 21-39. Ljubljana: University of Ljubljana.
- Sullivan, G. and Hayes, B., 2011. Blacklisted: Targeted sanctions, preemptive security and fundamental rights. *European Center for Constitutional and Human Rights*.
- Szlapek-Sewillo, M., (9 Dec 2021). Europe is finally getting serious about China. *The Lowy Institute*, <https://www.loyyinstitute.org/the-interpretor/europe-finally-getting-serious-about-china> (accessed: 2 July 2023)
- Taylor, M.R., 2022. Inside the EU–China Human Rights Dialogue: assessing the practical delivery of the EU's normative power in a hostile environment. *Journal of European Integration*, 44(3), pp.365-380.
- The Economist., (22 Apr 2021). Sanctions are now a central tool of governments' foreign policy, <https://www.economist.com/finance-and-economics/2021/04/22/sanctions-are-now-a-central-tool-of-governments-foreign-policy> (accessed: 22 July 2023)
- The Intercept., (29 Dec 2019). Why don't we care about China's Uyghur Muslims?. <https://theintercept.com/2019/12/29/why-dont-we-care-about-chinas-uyghur-muslims/> (accessed: 25 June 2023)
- The Washington Post., (9 Apr 2023). An eyewitness reveals how China is brainwashing the Uyghurs, <https://www.washingtonpost.com/opinions/2023/04/09/uyghur-camps-china-gulbahar-haitiwaji/> (accessed: 15 July 2023)
- Tidey, A. and Zsiros, S., (14 Sep 2022). How would the EU's proposed ban on products made with forced labour work?. *Euronews*, <https://www.euronews.com/my-europe/2022/09/14/how-would-the-eus-proposed-ban-on-products-made-with-forced-labour-work> (accessed: 15 July 2023)
- Tilahun, N., 2021. What is the added value of the EU Global Human Rights Sanctions Regime?. *European Foreign Affairs Review*, 26(3), pp. 477-497.
- Torres Pérez, M., 2022. The European Union protection of human rights through its global policy: the implementation of the regime of restrictive measures against serious violations and abuses of human rights. *The Age of Human Rights Journal*, 19, pp. 255-269.
- van der Have, N., 2020. The proposed EU human rights sanctions regime: a first appreciation. *Security and Human Rights*, 30(1-4), pp.56-71.

- von der Burchard, H., (29 Dec 2020). Merkel pushes EU-China investment deal over the finish line despite criticism. *Politico Europe*, <https://www.politico.eu/article/eu-china-investment-deal-angela-merkel-pushes-finish-line-despite-criticism/> (accessed: 25 June 2023)
- von der Leyen, U., (30 Mar 2023). Speech by President von der Leyen on EU-China relations to the Mercator Institute for China Studies and the European Policy Centre, *ec.europa.eu* [https://ec.europa.eu/commission/presscorner/detail/en/speech\\_23\\_2063](https://ec.europa.eu/commission/presscorner/detail/en/speech_23_2063) (accessed: 15 July 2023)
- von Soest, C. & Wahman M., 2013. Sanctions and democratization in the post-cold war era. *German Institute for Global and Area Studies Working Papers*, 212.
- Wagner, W., 2017. Liberal Power Europe. *Journal of Common Market Studies*, 55(6), pp.1398-1414.
- Wallenstein, P., 1968. Characteristics of economic sanctions. *Journal of Peace Research*, 5, pp. 247-266.
- Westendarp, J., (20 Jan 2022). Who's boycotting the Winter Olympics? *Politico Europe*, <https://www.politico.eu/article/boycott-winter-olympics-beijing-2022/> (accessed: 15 July 2023)
- Wintour, P., (21 Jan 2021a). China deal damages EU's human rights credibility, MEPs to say. *The Guardian*, <https://www.theguardian.com/world/2021/jan/21/china-deal-damages-eus-human-rights-credibility-meps-to-say> (accessed: 25 June 2023)
- Wintour, P., (22 Mar 2021b). US and Canada follow EU and UK in sanctioning Chinese officials over Xinjiang. *The Guardian*, <https://www.theguardian.com/world/2021/mar/22/china-responds-to-eu-uk-sanctions-over-uyghurs-human-rights#:~:text=Britain%20and%20the%20EU%20have,since%20Joe%20Biden%20took%20office> (accessed: 15 July 2023)
- Wits, C., (23 Dec 2021). Europe's ideological tug-of-war with Beijing. *Politico Europe*, <https://www.politico.eu/article/europe-eu-china-human-rights-values-hong-kong-uyghurs/> (accessed: 25 June 2023)
- Woodman, S., (8 Feb 2022). International pressure accelerates shift to "other forms of control" in Xinjiang, expert says. *International Consortium of Investigative Journalists*, <https://www.icij.org/investigations/china-cables/international-pressure-accelerates-shift-to-other-forms-of-control-in-xinjiang-expert-says/> (accessed: 16 July 2023)
- Xu, V.X., Cave, D., Leibold, J., Munro, K. and Ruser, N., 2020. Uyghurs for sale. *Australian Strategic Policy Institute*, 1, pp.1-56.
- Yin, R.K., 2009. Case study research: Design and methods, 5<sup>th</sup> edition. Los Angeles: SAGE publications.
- Younis, M., (6 Mar 2023). Americans Continue to View China as the U.S.'s Greatest Enemy. *Gallup*, <https://news.gallup.com/poll/471494/americans-continue-view-china-greatest-enemy.aspx> (accessed: 25 June 2023)

## Summary

Targeted sanctions have evolved into a fundamental instrument of foreign policy. They can be employed to advance democracy, promote human rights, counter terrorism, undermine authoritarian regimes and expedite the resolution of armed conflicts. Over the past decade, the EU has emerged as a leading sanctioning actor, now boasting a portfolio of over 40 active sanctions regimes. This article places its focus upon the EU Global Human Rights Sanctions Regime, entered into force in December 2020 with the declared objective of «putting an end to human rights violations and abuses worldwide». The regime is universal in reach, enabling the Union to pursue human rights violators on a global scale, irrespective of where they live and commit the abuses. It envisions three types of measures: economic sanctions (asset freezes), restrictions on movement (travel bans) and prohibitions to make funds or economic resources available to listed actors within the Union.

Despite the sharp escalation in the use of targeted sanctions, academic research in this field is still piecemeal. First and foremost, while a plethora of studies investigate the legal aspects of individual restrictive measures, far less attention is paid to the logic and effectiveness of these tools. Ascertaining the sanctions' conformity with legal principles and rights, such as due process, fair trial and effective remedy is a fundamental endeavour, made even more urgent by the numerous cases of litigation before the European Court of Justice (ECJ). In order to retain its credibility as a human rights defender, the EU must guarantee that its restrictive measures do not violate in turn the fundamental rights of listed individuals. This is all the more the case for the EU GHRSR, which, by «curtailing human rights to protect human rights», is inevitably subjected to a greater level of scrutiny in public discourse compared to other regimes. However, although such a debate is extremely important, the overemphasis on these legal challenges appears to have overshadowed other crucial aspects of the problem. In particular, what is here referred to as the “logic” of targeted sanctions (that is, the purpose that sanctions serve in the intention of their senders) is a question that is strikingly overlooked in the existing literature. This gap significantly hampers our comprehension of EU targeted sanctions, as the lack of an analysis regarding the purposes of these measures precludes the possibility of drawing any safe conclusions about their effectiveness, which is the most crucial aspect of the entire debate.

Apart from constituting a minority strand in the literature, research on sanctions' effectiveness presents in turn remarkable shortcomings, particularly in terms of elaborating a clear definition for the concept itself of “effectiveness” and formulating a methodologically sound method to investigate the performance of these measures. Conventional wisdom among scholars is that targeted sanctions, including those imposed by the EU, are «trendy but not very effective». The major reason behind this

rather negative evaluation is the tendency to evaluate the effectiveness of sanctions by solely looking at whether they elicited a change of behaviour on the target's side. Thus far, the literature has mainly understood sanctions through their coercive dimension, taking for granted that their only aim is to coerce targeted individuals into modifying their behaviour. Regrettably, the exclusive reliance on the behavioural change criterion has resulted in a «dichotomic view of sanctions», whereby their success or failure is simply evaluated based on whether the targeted actor complies or fails to comply with the sender's demands. All in all, the overly narrow focus on coercion has led to underestimating the utility of sanctioning in international affairs.

By starting from the assumption that sanctions serve different purposes depending on the context in which they are adopted, this article moves beyond the narrow focus on behavioural change and emphasizes the importance of understanding the ultimate logic of these measures before assessing their effectiveness. In this view, it adopts an alternative definition of “sanctions’ effectiveness”, hereby conceptualized as «the sanctions’ degree of achievement of their specific purpose». By doing so, it intends to convey the message that the effectiveness of sanctions should always be assessed against the underlying objectives that these tools are designed to accomplish (which are not always identified in coercing targets into changing behaviour). Although many sanctions are certainly intended as tools for coercion, many others serve purposes that are equally relevant for the sender's foreign policy strategy. Conducting a prior, case-by-case analysis of the logic of sanctions is thus a crucial endeavour to bridge the gap between expectations (what the measure is intended to achieve) and outcomes (what the measure actually achieves). This is all the more relevant for the EU GHRSR, which, after being hyped as a game-changing tool to enforce the respect of human rights worldwide, risks dashing the hopes of many unless its fundamental purpose is reconsidered.

In proposing a finer-grained analysis of the logic of sanctions, this study builds upon the approach inaugurated by Giumelli in 2011 in his seminal work *“Coercing, Constraining and Signalling: Explaining UN and EU Sanctions after the Cold War”*. Questioning the widely held view according to which sanctions are only aimed at coercing, the author argued that two additional purposes warrant attention, namely constraining (*i.e.*, limiting the target's operational capacities) and signalling (*i.e.* conveying a particular normative signal to a target and/or some larger audiences). The greatest merit of Giumelli's framework is that it allows us to reason about the rationale of sanctions (and, therefore, explain their variance) in relation to the context in which they are imposed. The attention is specifically placed upon the so-called “system of sanctions”, meaning the attributes that distinguish one crisis from another and that create the conditions for one logic to be dominant. In the author's view, the logic of sanctions varies each time depending on three systemic variables: the level



of threat perceived by the sender, the salience of the crisis and the complexity of the dispute. Each variable is measured using specific indicators: “issue”, “extension” and “geostrategy” for the variable “THREAT”; “media attention” and “sender’s level of engagement” for the variable “SALIENCE”; “level of violence” and “target’s strength” for the variable “COMPLEXITY”.

Starting with the first variable, high threat refers to a situation in which the sanctioning actor has a high interest at stake, which is typically identified in its own existence or its economic and political continuity. Contrariwise, threat is low when the core interests of the sender are not under duress. Moving on to the variable “salience”, highly salient crises are those wherein both the sender and the international community are particularly involved, either through hands-on engagement or information campaigns. Conversely, a crisis is not salient when the buzz around it is negligible. Finally, high complexity occurs in the case of intractable conflicts, which stand out for significant levels of violence and the involvement of many actors. Inversely, complexity is low when violent clashes are rare and international norms are not grossly violated. In his book, Giumelli developed a set of hypotheses on how each combination of variables correlates to specific outcomes. He thus identified three dominant patterns: high threat and low complexity are correlated to coercive sanctions; high threat and high complexity to constraining sanctions; low threat and low salience to signalling sanctions.

This purely qualitative research, based on a single case study methodology, applies Giumelli’s theoretical model to explore one of the most hotly debated episodes of EU targeted sanctions in recent times: the blacklisting of four Chinese officials under the EU GHRSR. The human rights-related sanctions that Brussels adopted in March 2021 in response to the large-scale repression of the Uyghur Muslim community in the Chinese region of Xinjiang instigated a remarkable diplomatic clash between the EU and Beijing, so much so that they have often been described as a turning point in Sino-European relations. The EU’s China policy has historically been characterized by a «profound dilemma between values and short-term interests», with several commentators accusing the Union of «compartmentalizing business and politics, so as to keep human rights separated from trade». As the sanctions imposed by the EU in 2021 have allegedly marked a shift to a more principled stance vis-à-vis China, it is of the utmost importance to understand what Brussels seeks – and ultimately, can – achieve through this action.

Scholars have been steadfast in describing the restrictive measures imposed by the EU as “illusory” and “nothing more than an empty threat”. After all, if the repression of conduct is employed as the exclusive yardstick for evaluating the effectiveness of these measures, the assessment can be nothing but sobering as the Chinese persecution of Uyghurs is still unfolding. However, as seen above, the effectiveness of sanctions should not only be determined based on their ability to coerce

targets. Rather, it should always be evaluated against the ultimate purpose that these measures serve in the intention of their senders, be it behavioural change or not. With a view to carrying out a preliminary assessment of the performance of the EU sanctions over Xinjiang abuses, this article aims to answer the following research question:

Which is the dominant logic of the sanctions that the EU imposed in 2021 on four Chinese officials under the aegis of the GHRSR?

To that end, it analyses the related “system of sanctions” and investigates the three main systemic variables outlined in Giumelli’s theoretical model: threat, salience and complexity.

The variable “threat” refers to the «level of threat perceived by the sender» as a consequence of the target’s wrongdoing. It is measured through three indicators: issue, extension and geostrategy.

“Issue” has been defined by Giumelli as «the matter that motivates the sender to act or the triggering cause for the imposition of sanctions». In this case, the impetus behind the imposition of sanctions was the large-scale repression of the Uyghur minority in Xinjiang at the hands of the Chinese government. However, human rights violations in third countries, as serious as they can be, do not pose any relevant economic and political threat to the Union, let alone a security one. Moreover, in the specific case of abuses against the Uyghur population, the level of threat is further lowered by the fact that European citizens were not impacted at all. Drawing on the approach of the realist school of international relations, Giumelli maintains that all those «menaces that do not have direct externalities for the sender’s possession goals and security» shall be considered marginal. Hence, human rights violations, including the appalling ones perpetrated against the Uyghurs, should be regarded as mere “milieu threats” in this analysis.

The second indicator relates to the “extension of the threat”, which varies according to the number of systems and subsystems affected by the crisis. The persecution of Uyghurs did not affect many actors and was rather circumscribed from a geographical point of view (all the abuses took place in one specific area: the Xinjiang region). Moreover, it did not instigate a diplomatic rift between China and other Muslim countries. In light of this, the threat should be considered essentially “relevant to one subsystem”.

Finally, the indicator “geostrategy” refers to the geopolitical relevance of the crisis, especially in terms of proximity. As far as the Uyghur genocide is concerned, the crisis can be deemed “distant and strategically irrelevant”. The Xinjiang region has never been significantly strategic for the EU (it is China’s least developed and poorest area), besides being located far away from the Old Continent. Moreover, as mentioned above, the nature of the issue at stake (human rights violations) is not threatening to the EU’s core interests, namely economic wellbeing, political stability and military security.

Against this backdrop, it is possible to conclude that the Uyghur genocide was not a threatening issue for the EU. The Union's core interests were not affected and the crisis was circumscribed to a very specific and strategically irrelevant region.

Salience is the second systemic variable selected by Giumelli for his framework. It represents «the degree of importance attached by the sender and the international community to the issue».

The first indicator to look at is “media attention”, intended as «the intensity of news coverage of the crisis at hand in the two years preceding the imposition of sanctions». From the comprehensive count of the articles that were entirely devoted to the issue of China's crackdown on the Uyghurs, it emerges that overall media coverage of the Uyghur genocide has been fairly low during the two years preceding the EU's imposition of sanctions. The information and awareness campaigns over the Uyghur's plight have been mostly carried out by human rights NGOs and Uyghur organizations, whose audience is considerably smaller than that of mainstream media. Hence, Western civil society remained fairly silent on this issue.

The second indicator of salience is the “sender's level of engagement”, *i.e.*, what the sender has done in the past to deal with the crisis, before opting for the imposition of sanctions. Brussels has approached China's crackdown on the Uyghurs «relatively reservedly». The EU's endeavour was limited to delivering statements criticizing mass arbitrary detentions and granting refugee status to all Uyghurs fleeing from Xinjiang. The EU did not follow suit on its verbal commitment by implementing more substantial actions. As a matter of fact, it appears to have constantly prioritized its commercial interests over its much-vaunted normative values. Remarkably, in December 2020, it even agreed with Beijing the Comprehensive Agreement on Investment (CAI), whose aim was to increase cross-border investment and grant European investors greater access to China's lucrative market.

For these reasons, it is possible to conclude that the salience of the crisis was rather low until the EU's imposition of sanctions in March 2021. Media coverage of the Uyghur's plight had been minimal, especially in the Old Continent, and the Union itself had long refrained from undertaking meaningful actions to hold the Chinese government accountable.

The third and last systemic variable is the complexity of the dispute between the target and the sender, an index that represents the «degree of intractability» of the conflict. It is measured through two main indicators: the level of violence during the dispute and the target's strength.

As far as the first indicator is concerned, although the Chinese government resorted to appalling violence against the Uyghurs, this violence was unidirectional and did not involve any external actors, let alone EU citizens. While the Uyghur population was subject to the most inhumane treatment, this situation did not escalate into a violent conflict between the EU and China. Brussels

did undertake some diplomatic actions, but a military intervention has clearly never been an option. Therefore, violence in the EU-China dispute over Xinjiang abuses was at its lowest level.

The second indicator refers to the strength of the target, understood as economic and military might in the case of countries and personal influence in the case of individuals. As the EU GHRSSR consists of targeted restrictive measures, the individual position of the four blacklisted officials should be considered first. Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo are all quite influential figures within the Chinese Communist Party in Xinjiang. Given the prominent positions held by these individuals within China's hierarchy of power, their blacklisting has been interpreted by Beijing as an affront to the entire Chinese Communist Party. For this reason, instead of exclusively focusing on the four abovementioned officials, we should also refer to the strength of the Chinese regime as a whole. Despite growing popular dissatisfaction, the leadership of President Xi Jinping seems to be «stronger than ever». Xi Jinping's solidified grip on power makes it extremely hard for Western governments to influence the actions and policies of the regime, which has hitherto remained impervious to foreign pressure and has rallied the country around the flag against any external interference. Hence, unlike smaller states with weaker governments at the helm, China can be anticipated to exhibit a high level of resilience in the face of sanctions.

Overall, in the case of the Uyghur genocide and the related EU-China dispute, the variable “complexity” remains ambiguous. Even though the diplomatic rift between Brussels and Beijing did not escalate into a violent conflict, the strength of the Chinese government mitigates the leverage that the EU has through its sanctions.

In conclusion, in the case of the EU-China dispute over Xinjiang abuses, threat and salience were low, while complexity was fairly ambiguous. According to Giumelli's theoretical model, this precise configuration is associated with sanctions that follow a signalling logic (*ibid.*). In addition to the qualitative analysis carried out in this article, there are further grounds to conclude that the sanctions imposed by the EU in March 2021 fulfilled a signalling purpose.

First and foremost, to be considered coercive or constraining, the “bite” of sanctions has to be so pernicious that either it affects the costs/benefits calculations of targeted individuals, thus leading to a voluntary change in behaviour, or it considerably undermines their operational capacities. This does not seem to be the case for the travel bans and asset freezes imposed by the EU on Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo. While these measures can be extremely burdensome if imposed on country leaders who rely on international travel for gaining legitimacy or on wealthy individuals who own properties and assets in Europe, their impact on people who lack any material or political ties with and within the EU is clearly negligible. The four officials have never travelled to the EU and they do not seem to hold any assets in the region. It is thus plausible

that the EU was fully aware that these measures alone would not have persuaded the Chinese officials to halt their misconduct. It is thus incorrect to assess the effectiveness of these sanctions by looking at whether or not they elicited behavioural change on the targets' side, as this has never been their ultimate purpose.

This article argues that, devoid of any real ambition for coercion, the sanctions adopted by the EU in response to the crimes against humanity in Xinjiang are chiefly aimed at fine-tuning the Union's identity as a foreign policy actor. Ever since its inception, the EU has carefully crafted an international identity of itself rooted in a set of liberal norms, including human rights, democracy, freedom, equality and the rule of law. The promotion of these standards beyond its borders makes the Union a "force for good" in the global arena, which strives to socialize other countries and populations to the respect of fundamental rights. Sanctions are one of the most effective instruments to conduct such a principle-based foreign policy, as they amplify the message that senders seek to convey. By blacklisting the four Chinese officials, the EU has signalled, not only to China but to the entire international community, that gross human rights violations do not go unpunished and that the 27 Member States are united on this issue.

Although the EU sanctions on Zhu Hailun, Wang Junzheng, Wang Mingshan and Chen Mingguo did not serve the purpose of inducing behavioural change – and indeed, the persecution against the Uyghur community in Xinjiang is still merciless – it is misleading to conclude that their bark was worse than their bite. To start with, the restrictive measures imposed by Brussels put China's actions in the region under the spotlight of international attention. Their signalling effect was amplified by the fact that other influential jurisdictions, such as the US, the UK and Canada, joined the EU in sanctioning the Chinese officials, in what turned out to be a powerful "naming and shaming" campaign. As a result of the sanctions, media coverage of human rights abuses in Xinjiang became more intense as leading news outlets started publishing articles on the issue almost on a daily basis. Investigative journalism has witnessed a notable surge, concomitant with an amplified representation of the Uyghur community in the mainstream media. The awareness and interest of the public have thus grown exponentially, with many citizens and politicians in the Western world advocating for a radical shift in their governments' China policies. It is thus evident that the restrictive measures imposed by the EU in March 2021, in coordination with other jurisdictions, have been a steppingstone for intensifying pressure on China and heightening the international community's focus on gross human rights violations.

Signalling sanctions are indeed part and parcel of the sender's broader foreign policy strategy and are often used to pave the way for more invasive actions. The EU's blacklisting of Chinese individuals over Xinjiang abuses is no exception. Following the imposition of sanctions, the EU's

stance towards Beijing became even stricter while diplomatic tensions escalated to new heights. The EU demonstrated its resolve by freezing the ratification of the CAI concluded five months earlier, with the intent of prompting China to improve its appalling human rights record. The suspension of the CAI has been heralded as the evidence that Brussels is prone to prioritize human rights over trade in its foreign relations. The renewed emphasis on values over material interests is the driver of another key piece of legislation under discussion at the EU level, namely the ban on forced labour goods. Through this regulation, the Commission aims to prevent all products made, extracted or harvested with forced labour from entering the EU's internal market. By freezing the CAI and introducing a ban on forced labour products, the EU has followed up on the stronger normative commitment vis-à-vis China inaugurated through the sanctions in March 2021. These latter, despite being signalling in nature and not having the ambition of eliciting an immediate change of behaviour on the target's side, have set into motion a process whereby the EU is making its China policy less accommodative.

The case study explored in this article proves that sanctions are always one instrument within a larger foreign policy toolbox, each serving a distinct purpose depending on the context. As Giumelli explained, the effectiveness of sanctions should always be assessed against the degree of achievement of their specific purpose, rather than solely focusing on their ability to coerce the target into changing behaviour. Despite not yet having prompted China to halt tortures against the Uyghur community, the sanctions adopted by the EU in March 2021 have fulfilled their primary (signalling) purpose. Not only have they catalysed the attention of world public opinion on the atrocities in Xinjiang, but they have also reinforced the image of the EU as a “force for good” in international affairs and marked the beginning of a more values-based China policy.

By analysing the restrictive measures imposed by the EU under the GHRSR on the architects of the Uyghur genocide in China, this work showcased the importance of going beyond the behavioural change paradigm and the narrow focus on coercion. In order to assess effectiveness more accurately and bridge the gap between expectations and outcomes, it is imperative to first identify the real purpose of sanctions by analysing the context in which they are adopted.