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ΚΕΝΤΡΟ ΔΙΕΘΝΩΝ ΣΤΡΑΤΗΓΙΚΩΝ ΑΝΑΛΥΣΕΩΝ
CENTER FOR INTERNATIONAL STRATEGIC ANALYSES

A case study of Russian and Chinese state power efforts in the United Nations Human Rights Council

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A case study of Russian and Chinese state power efforts in the United Nations Human Rights Council

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Introduction

The outcome of the 51st session of the United Nations Human Rights Council held from 12th September to 7th October 2022 was unprecedented. It was during this particular session, that a Western-led resolution on the situation of human rights in the Russian Federation was adopted. It was not the only controversial resolution on the table as another country-specific resolution was negotiated among others, a resolution on the human rights situation in the Xinjiang Uyghur Autonomous Region in China, this time with a different outcome. This development at the UN Human Rights Council provokes questions about what might have influenced such results. Both of the countries in question have a controversial reputation in the international community as both are permanent members of the UN Security Council however, at the same time, they are not democracies, and their human rights record are rather imperfect.

While the non-adoption of the draft resolution on the human rights situation in Xinjiang was accompanied by the applause of the states supporting the Chinese claims about the human rights situation in Xinjiang not requiring any growing attention from the HRC, the resolution on human rights in the Russian Federation was not perceived in the same manner. In this essay the author will attempt to answer the following questions: 1) *What are the possible reasons behind the voting process inside the HRC surrounding these two particular resolutions?* 2) *What are the similarities and differences between the Chinese and Russian approaches used to coerce the decision-making process of the member states of the HRC based on their preferred type of state power?*

In this essay, the author will analyse the possible reasons for the results of the voting inside the HRC with special emphasis on the preceding events and the use of state power (military power, economic power or soft power¹) of both countries (China and Russia), which might have influenced the decision-making process of the HRC member states. Both China and Russia use different kinds of state power to appeal to the UN Human Rights Council member states and their neighbouring countries. While China prefers to use the art of soft power and economic incentives (Kurlantzick, 2008), the Russian path to influencing other states is different, with a heavier focus on military and economic power with a lesser emphasis on the use of soft power (Rawnsley, 2015 & Łoś, 2021). The state power and specific examples of both countries' approaches to diplomacy will be discussed below in the second part of this essay.

To provide a complex analysis of the topic mentioned above, the author will use a wide range of academic articles, books, information from the official websites of the United Nations, reports from news media and information agencies such as The Guardian, Reuters, The Economist, Foreign Policy etc. The author will also draw from her personal experience of being present during the voting process on the above-mentioned 51st session of the Human Rights Council and with consultations with human rights diplomats, and experts present there.

The United Nations Human Rights Council

The Human Rights Council (henceforth referred to as the HRC or the Council) is the leading United Nations (UN) inter-governmental body addressing the promotion and protection of human rights. The Council is one of the subsidiary organs of the General Assembly². The Council is often the first instance to deal with emerging political situations and crises around the world. The central focus of the HRC is addressing the human rights agenda. However, the human rights issues might cross over into the

¹ Nye (2005), page 31

² Official website of the United Nations, UN System Chart, Accessed: 24.1.2023, <https://www.un.org/en/delegate/page/un-system-chart>

competencies of other agendas such as disarmament, telecommunications, digital or humanitarian agenda (Ramcharan, 2011 & Freedman, 2013). The Council was established in 2006 by the General Assembly resolution 60/251³ as the successor to the United Nations Commission on Human Rights. There are 47 UN member states which are elected through the General Assembly. The Council member states can participate in the decision-making process and vote on the emerging human rights-oriented resolutions during the Council sessions and special mechanisms (UNHCR, 2023).

According to the Tistounet (2020, pp 6, 7) and the official HRC website, it is estimated that the Council holds three regular sessions throughout the year, with each session taking place between three to five weeks long duration (depending on the session programme). These sessions are typically held during February-March, June-July and September-October. Apart from the regular sessions, there are also special sessions, which might be held outside the plenary sessions to discuss imminent threats to human rights, either country-specific or thematic. These special sessions are held if one third of the member states request to address human rights violations and emergencies. (Freeman, 2013, pp. 282 – 284). In 2021, there was an unprecedentedly high number of special sessions (5) of the HRC (on the human rights crisis in Ethiopia, Sudan, Afghanistan, Occupied Palestinian Territory and Myanmar), while in 2022, there were only two special sessions on the deteriorating situation of human rights in the Islamic Republic of Iran and in Ukraine⁴.

The primary outcome of the HRC regular session is resolutions and government statements. The UN resolutions are texts that represent the position of the Council's members (or at least the majority of them). The resolutions act as response to particular human rights issues and situations⁵ which can be thematic (e.g., *The right to development, A/HRC/51/7*⁶) or country-specific resolutions (e.g., *Situation of human rights in Afghanistan, A/HRC/51/20*⁷). There is a broad range of HRC resolutions, and they can have an internal or external effect. The external effect calls to action on states, specific groups of states or a non-human rights-related organisations of the UN. In contrast, the resolutions with internal effect refer to specific human rights bodies and mechanisms of the Council such as OHCHR, Advisory Committee, Special Procedures or the Council itself (panel discussions, reports etc.) and call them to action (UNHCR, 2023).

The resolutions adoption process

The adoption of draft resolutions is based on consensual decision-making, although if consensus is not reached any member state can propose a vote. During voting states can choose to vote 'YES', 'NO' or they can abstain from the vote. While most of the thematic resolutions are adopted without a vote, the country-specific resolutions are more political, and the call to vote will occur more frequently. (Gujadhur and Lamarque, 2015, pp. 16, 33). In rare cases, the countries may decide to amend their position on the vote the following day under the condition that it is before the official end of the adoption process held at the end of every Council's regular session (Tistounet, 2020, pp. 226). Such a case occurred during the

³ UN General Assembly resolution A/RES/60/251, Human Rights Council, Accessed: 10.1.2023, <https://www2.ohchr.org/english/press/hrc/kit/garesolution.pdf>

⁴ Official website of the United Nations Human Rights Council, HRC Sessions, Accessed: 18.1.2023, <https://www.ohchr.org/en/hr-bodies/hrc/sessions>

⁵ Official website of the United Nations Human Rights Council, 1.5 Resolutions – What does the Human Rights Council do? ISHR Academy, <https://academy.ishr.ch/learn/un-human-rights-council/what-does-the-human-rights-council-do-resolutions>

⁶ Official website of the United Nations official website, the UN Resolution A/HRC/RES/21/7, The rights to development, Accessed: 10.1.2023 <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F51%2F7&Language=E&DeviceType=Desktop&LangRequested=False>

⁷ Official website of the United Nations official website, the UN Resolution A/HRC/RES/51/20, Situation of human rights in Afghanistan, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F51%2F20&Language=E&DeviceType=Desktop&LangRequested=False>

51st session of the HRC when Ukraine decided to change its position the following day on the draft resolution of the human rights situation in Xinjiang. However, it did not change the overall outcome, as will be analysed below. Each resolution is drafted by the core group, which is one or more states that propose the resolution draft to other HRC member states (UNHCR, 2023).

The adoption process of the resolutions during the 51st regular session of the Council took quite a dynamic course as a high number of country-specific resolutions was discussed. There were country-specific resolutions on the human rights situation in Afghanistan, Burundi, the Bolivarian Republic of Venezuela, the Central African Republic, China (Xinjiang), the Democratic Republic of the Congo, Ethiopia, the Russian Federation, Sri Lanka, and the Syrian Arab Republic⁸. This essay will focus on the adoption process of the resolution on the Situation of Human Rights in the Russian Federation (A/HRC/51/25). The Draft decision on the human rights situation in the Xinjiang Uyghur Autonomous Region, China (A/HRC/51/L.6). Specific information on the two draft resolutions can be seen below in Table 1.

	Resolution (A/HRC/51/25) – Situation of Human Rights in the Russian Federation	Draft decision (A/HRC/51/L.6) – Draft decision on the human rights situation in the Xinjiang Uyghur Autonomous Region, China
Core group:	26 EU MS (except Hungary)	USA, UK, Canada, Australia, Iceland, Norway, Denmark, Finland, Sweden, Lithuania
Based on:	<ul style="list-style-type: none"> • Statements made by the UN Secretary-General, the High Commissioner of the HRC, the UN Acting High Commissioner for HRC, the special procedures of the HRC and the treaty bodies on the situation of human rights in the Russian Federation • Findings of the OSCE Moscow Mechanism report on Russia’s legal and administrative practices 	<ul style="list-style-type: none"> • Assessment of the human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China, published on 31 August 2022 by OHCHR
The aim of the document:	<ul style="list-style-type: none"> • <u>To appoint a Special Rapporteur</u> on the situation of human rights in the Russian Federation (one-year mandate) • <u>To present a report</u> from the Special Rapporteur on the situation of human rights in the Russian Federation at the 54th session of the HRC and at the 28th General Assembly 	<ul style="list-style-type: none"> • <u>To hold a debate</u> on the situation of human rights in the Xinjiang Uyghur Autonomous Region at the HRC 52nd session under agenda item 2

⁸ Official website of the United Nations official website, Draft resolutions, decisions and Presidents statements, Accessed: 18.1.2023, <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/51/Pages/resolutions.aspx>

Voting process:	FOR 17, ABSTENTION 28, AGAINST 6	FOR 17, ABSTENTION 11, AGAINST 19
Adoption:	Adopted	Not adopted

Table 1 – Data from the official website of the Human Rights Council 51st session Extranet (Author’s own display)⁹

Both the resolution mentioned above and the draft decisions were rather problematic in their adoption. They were accompanied by a significant number of controversies during the vote in the Council. The events that preceded the adoption of both resolutions will help to explain the circumstances that many have contributed to the final result of the vote. Apart from an explication of past events, the adoption process itself will be described below. First, the analysis of the draft resolution on China will be described, followed by a resolution on Russia.

The China-focused initiative

Prior to the 51st session of the Council (13th September – 7th November 2023), there was released a long-expected report on the human rights situation in Xinjiang (*The Assessment of the human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China*, henceforth referred to as the Assessment or the Report)¹⁰, which was launched on 31 August 2022 by the UN High Commission on human rights. This Assessment was the first UN effort of its kind to map the extent of the human rights abuse in the Xinjiang Uyghur Autonomous Region of the People’s Republic of China. It was published by the Office of the High Commissioner for Human Rights (OHCHR) after the UN High Commissioner Michele Bachelet’s visit to China. The release of this Report was accompanied by criticism directed towards the former High Commissioner Michele Bachelet as she was accused of being overly benevolent towards China, causing her creditability to be questioned¹¹. At the same time, the report was considered an encroachment on Chinese domestic affairs and was not accepted by the Chinese government¹². There was a joint statement initiated by China on behalf of a group of countries during the 51st session of the HRC in reaction to the Assessment, labelling it as “based on disinformation and disrespectful to Chinese sovereignty and territorial integrity”¹³.

According to many authors (Schuman 2020, Yuan 2022, He 2016 and Chandra 2019), China has established its image as a country that strongly advocates the concept of sovereignty and territorial integrity. The Chinese perception of sovereignty is connected to the concept of the Five Principles of Peaceful Coexistence contained in the Preamble of the *Agreement between China and India on Trade and Intercourse between the Tibet Region of China and India of 1954* (Gupta, 1978). Nonetheless, the Chinese use of the term ‘sovereignty’ is more flexible, especially in connection to its own territorial claims in the South and East China Seas or the reunification with Taiwan, as described in a publication

⁹ Official website of the United Nations Human Rights Council extranet, Draft resolution, decisions and President’s statements, Accessed 15.1.2023, <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/51/Pages/resolutions.aspx>

¹⁰ Official website of the United Nations Office of the High Commissioner for Human Rights, OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China, Accessed: 15.1.2023, <https://www.ohchr.org/en/documents/country-reports/ohchr-assessment-human-rights-concerns-xinjiang-uyghur-autonomous-region>

¹¹ Bachelet’s Xinjiang visit is emblematic of the growing divide between China and the West, The Guardian, by Vincent Ni, May 31, 2022, <https://www.theguardian.com/world/2022/may/31/bachelets-xinjiang-visit-is-emblematic-of-the-growing-divide-between-china-and-the-west> & Michelle Bachelet’s failed Xinjiang trip has tainted her whole legacy, Foreign Policy, by Benedict Rogers, June 13, 2022, <https://foreignpolicy.com/2022/06/13/michelle-bachelets-failed-xinjiang-trip-has-tainted-her-whole-legacy/>

¹² Official website of the Embassy of the Peoples Republic of China in the Commonwealth of Australia, Chinese Embassy Spokesperson Remarks on the Ministerial Statement on human rights in Xinjiang by DFAT, http://au.china-embassy.gov.cn/eng/sghdxwfb_1/202209/t20220906_10762674.htm

¹³ Official website of the United Nations OHCHR, Statements, Tuesday, 13 September 2022, I General debate under Item 2, Accessed 20.1.2023, <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/51/Pages/Statements.aspx?SessionId=61&MeetingDate=13/09/2022%2000:00:00>

by author Maria Adele Carrai (2019). As the sovereignty is a central part of the Chinese international affairs, China also advocated territorial integrity in connection to the Ukraine crisis despite its camaraderie with Russia¹⁴.

Even though this Assessment was historically the first **concerted** effort to report the extent of the human rights abuse in the Xinjiang Uyghur Autonomous Region of China, the language in the report is quite vague with phrases such as “*may constitute international crimes, in particular crimes against humanity*” (paragraph 148. of the OHCHR, The Assessment of the human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China)¹⁵, and therefore, sending a somewhat ambiguous and lacking in any greater follow-up investigations.

As a reaction to the High Commissioner’s Assessment, there was produced the draft decision on the human rights situation in the Xinjiang Uyghur Autonomous Region (A/HRC/51/L.6¹⁶), submitted by the core group of USA, UK, Canada, Finland, Iceland, Denmark, Norway and Sweden during the 51st session of the HRC. The draft decision aimed to discuss the situation of human rights in the Xinjiang Uyghur Autonomous Region at the next session of the Council, (namely the 52nd session held in February/March; however, this draft decision that which would bring more attention to the human rights violation in China was eventually not adopted at the end of the 51st session of the Human Rights Council.

Based on the official information from the UN Human Rights Council website (UNHCR, 2023), there was a close vote on the novel initiative on the human rights situation in Xinjiang, People’s Republic of China (A/HRC/51/L.6) with 17 votes for the initiative, 11 abstentions and 19 votes opposing it during the adoption of the resolution. China was able to mobilise 19 countries to vote against the resolution that would generate a negative perception of its domestic affairs. As the World Bank and China Global Investment Tracker (GCIT) data suggest, all countries that supported China against the resolution adoption had trade bonds with China. Some of them receives investments from China through the New Silk and Road platform¹⁷.

The author of this paper thoroughly observed most of the Chinese statements¹⁸ during the whole 51st HRC sessions, interactive dialogues and general debates in person and later reviewed them through the UN web broadcast online¹⁹. The author observes to the observation that the core of the Chinese statements and reactions to other country-specific resolutions is mainly based on its advocacy of respect for sovereignty and non-interference in other countries’ domestic affairs. The first hypothesis of the author states that China decided to deny any accusations before any precedent for further questioning of the human rights situation on its soil could be established. If the China-focused resolution had been adopted, it could have created a precedent for questioning the Chinese approach towards its minorities.

¹⁴ Ambassador Qin Cang Published an Article Entitled: “The Ukraine Crisis and Its Aftermath” on The National Interest, Official website of the Embassy of the Peoples Republic of China in the United States of America, March 17, 2022, http://us.china-embassy.gov.cn/eng/dshd/202204/t20220418_10669278.htm

¹⁵ Official website of the United Nations Office of the High Commissioner for Human Rights, OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China, Accessed: 15.1.2023, <https://www.ohchr.org/en/documents/country-reports/ohchr-assessment-human-rights-concerns-xinjiang-uyghur-autonomous-region>

¹⁶ Official website of the United Nations official website, the UN Draft resolution A/HRC/RES/51/L.6, Draft decision on the human rights situation in the Xinjiang Uyghur Autonomous region, China, Accessed: 20.1.2023, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F51%2F6&Language=E&DeviceType=Desktop&LangRequested=False>

¹⁷ More on Chinese investment abroad on China Global Investment Tracker (CGIT), World Chinese Investment & Construction, AEI, Accessed: 16.2.2023, <https://www.aei.org/china-global-investment-tracker/>

¹⁸ Official website of the United Nations OHCHR, Statements, <https://hrcmeetings.ohchr.org/HRCSessions/RegularSessions/51/Pages/Oral%20statements.aspx>

¹⁹ Official website of the United Nations, UN Web TV, Accessed: 7.1.2023, <https://media.un.org/en/webtv>

Therefore, China aimed to deny any accusations before they could emerge and provoke any further questioning.

H1: China intended to stop any country-based resolution investigating the human rights situation on its territory to prevent the establishment of any precedent.

By looking at the example of another country-specific resolution, there is hardly a case when such resolutions were submitted only once. When analysing the existing country-specific resolutions using the official website of the UN Human Rights Council database (UNHCR, 2023), the appearance of one existing resolution in most cases is followed by subsequent resolutions to be submitted to strengthen the mandate or prolong it. The pattern of reappearing resolutions is, for example, in the resolutions on the human rights situation in Belarus (started with resolution A/HRC/17/24²⁰ in 2011 and keeps reappearing during every summer session of the HRC, with its latest resolution A/HRC/49/26²¹ in 2021) or Venezuela (started with Council resolution A/HRC/RES/39/1²² in 2018 when it was renewed and developed further during the 42nd, 45th sessions and the latest A/HRC/RES/51/29 on 51st session of the HRC²³ in 2022). The previously mentioned series of resolutions (on Belarus and Venezuela) and other country-specific resolutions indicate that once the country-specific resolution is launched, it is very likely to produce follow-up resolutions that are expanded or prolong the duration of the mandate. Therefore, the country in question may act in order to avoid starting the precedent of having even one resolution questioning their human rights situation. Due to the occurrence of even one country-specific resolution that might bring critique and negative publicity, the countries generally would rather avoid such a precedent.

In the Chinese case, establishing a good image was a long-term mission whilst using state-power tools such as economic and soft power to improve its image abroad (Li, 2020). Multiple authors such as Kurlantzick (2008), Nye (2012), Turcsanyi and Kachlikova (2020) have written about the way China uses soft power in combination with economic power to improve its image abroad. Accordingly, when looking at the possibility of China facing the deterioration of its image in the international society resulting from the emergence of the country-specific resolution, it would pursue any actions necessary to avoid it, similar to its strict disagreement with the Assessment mentioned above as any bad publicity might negatively influence its perceived prestige in international community achieved in the recent years.

The Russia-focused initiative

On 24th February 2022, the Russian Federation initiated a military invasion of Ukraine²⁴. Since the 2014 annexation of Crimea, it has been the largest military action in Europe in the 21st century. The speed and

²⁰ Official website of the United Nations official website, the UN Resolution A/HRC/RES/17/24, Human Rights situation in Belarus, Accessed: 20.1.2023, https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/17/24

²¹ Official website of the United Nations official website, the UN Resolution A/HRC/RES/49/26, Situation of human rights in the run-up to the 2020 presidential election and in its aftermath, Accessed: 20.1.2023, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F49%2F26&Language=E&DeviceType=Desktop&LangRequested=False>

²² Official website of the United Nations official website, the UN Resolution A/HRC/RES/39/1, Promotion and protection of human rights in the Bolivarian Republic of Venezuela, Accessed: 20.1.2023, <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F39%2F1&Language=E&DeviceType=Desktop&LangRequested=False>

²³ Official website of the United Nations official website, the UN Resolution A/HRC/RES/51/29, The situation of human rights in the Bolivarian Republic of Venezuela, Accessed: 20.1.2023 <https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F51%2F29&Language=E&DeviceType=Desktop&LangRequested=False>

²⁴ Russian aggression against Ukraine, European Parliament Multimedia Centre, Accessed: 27.1.2023, https://multimedia.europarl.europa.eu/en/package/russian-aggression-against-ukraine_22401 & Russian forces launch full-scale invasion of Ukraine, Aljazeera, February 24, 2022, <https://www.aljazeera.com/news/2022/2/24/putin-orders-military-operations-in-eastern-ukraine-as-un-meets>

force were unprecedented and preceded by multiple military drills around the Russia-Ukraine border. Even though the satellite images and Ukrainian intelligence from late February 2022 showed great movement along the Russia-Ukraine border²⁵ a full-scale invasion was unexpected.

Given the continuous reminder of the Russian aggression against Ukraine throughout all of the HRC sessions since the 24th of February 2022, the adoption of this resolution was far more decisive. The resolution on the Situation of human rights in the Russian Federation, A/HRC/RES/51/25²⁶, was submitted by 26 EU member states. Nonetheless, due to Hungary’s decision not to participate in the submission of the resolution, the integrity of the EU was marginally compromised. The adoption of the draft resolution on human rights in the Russian Federation (A/HRC/51/25) was accompanied by 17 votes for adoption, 28 abstentions and only six votes against it. While China was able to mobilise 19 member states to advocate for Russia, Russia was able to persuade only Bolivia, China, Eritrea, Kazakhstan and Venezuela (See Table 2). The second author’s hypothesis is about the influence of Russian aggression on the outcome of the voting on the resolution focused on the situation of human rights in Russia. The Russian Federation was not able to mobilise more allies due to its intended aggression against Ukraine which resonated at all of the Council’s meetings since their start.

H2: The Russian aggression against Ukraine negatively influenced the outcome of the voting process on the resolution HRC/A/51/25

The outcome of the vote was likely affected by the Russian aggression against Ukraine, which was highly debated through all of the HRC and the UN General Assembly meetings since their beginning on 24th February 2022 and continued to be discussed in the present. The 34th special session of the Human Rights Council was also called: The deteriorating human rights situation in Ukraine stemming from the Russian aggression on May 12, 2022 to discuss the Russian war against Ukraine. The Russian Federation was confronted with strong disapproval from the majority of Western countries throughout the year 2022, and the occurrence of a follow-up resolution was only a matter of time during the 51st session of the Council (UNHCR extranet, 2023).

The majority of states felt obliged to adopt a stance on this war against Ukraine and react to it according to their national positions. Due to this lasting reminder of Russian aggression against Ukraine, the majority of states were faced with relentless criticism towards Russia and its designation as the aggressor in this war and their potential advocacy of Russia would therefore be perceived as aiding the aggressor. Thus, the majority of undecided states decided to adopt a neutral stance towards the issue without taking sides (see Table 2) therefore using the opportunity to abstain from voting (24). Only Bolivia, China, Eritrea and Venezuela decided to side with Russia to oppose the adoption of the resolution, however, to no avail.

As expressed in Table 2, all states siding with Russia to vote against the resolution are the traditional like-minded countries either sharing an ex-Soviet history with Russia such as Kazakhstan or having similarly complicated human rights records like Bolivia, China, Cuba, Eritrea and Venezuela.

Vote	Resolution 51/25 – Situation of Human Rights in the Russian Federation	Draft decision (A/HRC/51/L.6) – Draft decision on the human rights situation in the Xinjiang Uyghur Autonomous Region, China
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²⁵ Ukraine warns Russia has almost completed build-up of forces near border, CNN News, by Matthew Chance, Kylie Antwo, Emmet Lyons and Ami Kaufman, January 19, 2022,

<https://edition.cnn.com/2022/01/18/europe/ukraine-intelligence-russia-military-build-up-intl/index.html>

²⁶ Official website of the United Nations official website, the UN Draft resolution A/HRC/RES/51/25, Situation of human rights in the Russian Federation, Accessed: 20.1.2023,

<https://undocs.org/Home/Mobile?FinalSymbol=A%2FHRC%2FRES%2F51%2F25&Language=E&DeviceType=Desktop&LangRequested=False>

YES	(17) Argentina, Czechia, Finland, France, Germany, Japan, Lithuania, Luxembourg, Marshall Islands, Montenegro, Netherlands, Paraguay, Poland, Republic of Korea, Ukraine, UK, USA	(18) Czechia, Finland, France, Germany, Honduras, Japan, Lithuania, Luxembourg, Marshall Islands, Montenegro, Netherlands, Paraguay, Poland, Republic of Korea, Somalia (later claiming it was an error during the voting process), UK, USA and Ukraine
NO	(6) Bolivia, China, Eritrea, Kazakhstan, Cuba, Venezuela	(19) Bolivia, Cameroon, China, Cote d'Ivoire, Cuba, Eritrea, Gabon, Indonesia, Kazakhstan, Mauritania, Namibia, Nepal, Pakistan, Qatar, Senegal, Sudan, United Arab Emirates, Uzbekistan, Venezuela
Abstention	(24) Armenia, Benin, Brazil, Cameroon, Cote d'Ivoire, Gabon, Gambia, Honduras, India, Indonesia, Libya, Malawi, Malaysia, Mauritania, Mexico, Namibia, Nepal, Pakistan, Qatar, Senegal, Somalia, Sudan, United Arab Emirates, Uzbekistan	(10) Argentina, Armenia, Benin, Brazil, Gambia, India, Libya, Malawi, Malaysia, Mexico

Table 2 – Data from the official website of the Human Rights Council 51st session Extranet (Author's own display)

State power and its influence on other states

The key in this part of this essay is to explain the behaviour of states by defining state power. This state power defines the means and manifestations of conduct by which states interact. The most famous definition of power was introduced by Max Weber and later reformulated by political scientist Robert Dahl (1957). Robert Dahl's definition explains that power is the ability of an actor to force another actor to perform a specific demand that it would not want to act on its own. When applying Dahl's theory to states, we can speak of state power which can manifest itself in different types of state behaviour and incentives. State power can be used for both domestic and foreign players. Some states may prefer to use military power; others may choose to use economic power, however, some states use a different type of power, namely soft power. The concept of soft power was first introduced by Joseph S. Nye (1990), and he further developed his theory in the latest years (Nye 2005, 2012, 2014, 2021). Although it was Nye who first coined the new power as 'soft power', he was not the first to notice that state power entailed more than military and economic power. Edward H. Carr, a prominent theorist in the field of realist theories, mentioned in his 1939 essay (later revised in 1968) (Carr, 1968) that global power shielded three types of power underneath it, namely military power, economic power and what he referred to as power over opinion.

Military power could be manifested through coercion, deterrence or defence, using such government tactics as coercion diplomacy, war or alliance. The use of military power is associated with realist theories and was highly promoted by authors such as Waltz, Mearsheimer, Carr, Spykman and Buzan. According to these realist theorists, military force is the only sufficiently reliable means of coercion in diplomacy. The natural behaviour of states, according to their beliefs, is to behave defensively or offensively. As Steven E. Lobell (2010) describes, in academic practice, this phenomenon gave rise to other approaches to realism, such as offensive and defensive realism, neorealism, structural realism, and others. The use of military force is necessary to prevent an attack by other states or to attack them. It is, therefore, not surprising that this strategy encourages states to increase their weaponry and investment in the arms industry, with states competing to see who possesses the better military arsenal. international relations, this stalemate is known as the security dilemma, sometimes referred to as the prisoner's

dilemma²⁷ and arms races²⁸ (Wivel, 2011, Jervis, 1978). During the Cold War, the arms race between the United States and the Soviet Union occurred when the two powers competed over who was in possession of more effective nuclear weapons technology, as described in a book by Powaski R.E. In the later phase of the Cold War (the 1970s), one can speak of the so-called politics of detente which represents a kind of balance in international relations in the aforementioned nuclear arms race (Powaski, 2000, 3-6).

Economic power uses inducement and coercion through economic incentives, taxes, customs or sanctions and was promoted by liberal theory authors such as Keohane, Angel, or Mitrany. Economic power can be used for positive coercion through other trade agreements and membership in international trade pacts including signing memorandums of understanding. Given that economic instruments are less forceful than military ones, there arises the question of their effectiveness in coercing states. Economic sanctions can be circumvented by a particular state seeking alternative markets or partner countries (Keohane, 1990). For example, the application of unilateral coercive measures against Russia since the start of its invasion of Ukraine in 2022²⁹ manifested as not entirely effective. The international community of states reacted swiftly to Russia's aggression against Ukraine through sanctions. In the followign phase, it was decided that selected Russian banks would be denied access to the SWIFT international payment system³⁰. Unfortunately, if one of the main objectives of these economic sanctions was for Russia to put an immediate end to its invasion of Ukraine, it can be said that the desired effect has not been achieved, as Russia's aggression continues even after the imposition of the sanctions mentioned above.

The last stage of state power behaviour is the use of soft power which uses attraction and a positive image to coerce states into cooperation. It uses political values, culture, policies, institutions and other diplomatic tools to appeal to other states (Nye, 2005). According to Nye, it is a type of governmental power that states use to influence other states so that these afflicted states are willing to follow the will of another state without the need to use military or economic threats. The use of soft power can be positive, using the attractiveness of one state, and negative, i.e., dislike of a particular state (Nye, 2005). Negative soft power can quickly become a dangerous tool due to the prevalence of disinformation and fake news on social media. In some cases, these disinformation attacks can even be described as a form of hybrid attack against a specific country (Surowiec, 2017). This facilitates the dehumanization of a particular state or influences the population of one state against another. This negative impact of soft power can be observed, for example, in states that take pride in opposing specific states, such as Iran (Jones, 2019) or North Korea which have a strongly tend to dehumanise American culture and label it as decadent or harmful. On the other hand, soft power may also be a response to dealing with disinformation and so-called "fake news", such as the article in *The Conversation*³¹, which considers soft power a vital tool in the fight against disinformation. Soft power and the building of interdependence between states could thus become a new weapon against the spread of disinformation in the international community. However, it is still necessary to be wary of disinformation and the negative influence of

²⁷ A security dilemma is a situation in which two or more states are in a state in which they do not feel secure and they fear a potential attack by the other state. These states feel that it is necessary to strengthen their armed forces in order to show their rivals that they are fully capable of defending themselves in the event of a military invasion (Snidal, 1985).

²⁸ Refers to a military rivalry between two or more parties who compete to see who has the greater number of weapons, soldiers and who has the better military technology (Jervis, 1978)

²⁹ Russia's invasion of Ukraine (2022), Deutsche Welle (DW), February 22, 2022, <https://www.dw.com/en/russias-invasion-of-ukraine-2022/t-60931789>

³⁰ Sanctions and boycotts: how the west has responded to the invasion of Ukraine, *The Guardian*, Philip Inman a Jennifer Rankin, March 2, 2022

³¹ Europe's chance to fight 'fake news' with soft power, *The Conversation*, March 2018

soft power abroad. The various types of state power the two countries, Russia and China, prefer to coerce other states will be discussed below.

Russia-preferred state power

When it comes to Russia, the most preferred use of state power seems to be the use of military power. After the dissolution of the Soviet Union, the condition of the Russian military structure was poor and underwent a series of reforms out of which the reforms in October 2008 were the most effective to restoring the military sector in the country (Klein, 2009). A significant part of the manifestation of Russian military power is the annual parades being held to show the Russian military arsenal. The demonstration of military power and capabilities is not only for domestic observers but for international purposes too, as explained by Hoffman (2021). The military parades are essential for Russian prestige and public perception, as they show that Russia is a power to be reckoned with. In 2020, Russia's military spending reached 61.7 billion USD, about 26 % higher than in 2011. The total expenditure was marginally affected by the Covid19 pandemic but in late 2020, total spending increased again (Tian et al., 2020). Another essential part of Russian military power is its engagement in border and foreign wars (Chechnya and Ukraine³²), thus presenting its military power in practice. The best example of such behaviour is the pre-Ukraine Russian military ambitions in Syria which could be perceived as a part of its pursuit of spheres of influence in the 21st century³³. The use of its military power in practice has earned Russia an infamous reputation in the international community, which was strongly affirmed by its recent invasion of Ukraine³⁴.

The economic power in Russia is mainly represented by its oil and gas industry (Gazprom) trade bonds. The use of economic power is one of the Russian tactics for keeping its allies obedient. The dependency on Russian resources manifested to be especially powerful in context of the countries dependent on Russian gas and oil supplies. Many countries depend on the sole source of gas (Russia), making it more challenging for them to oppose Russia and its foreign policy ambitions (Goldhau, 2020). This dependency put many countries in jeopardy, especially after the war in Ukraine started, and many countries were confronted with economic dilemmas. As many EU member states had contracts with Russia on its gas supply (Nord Stream pipeline projects), decoupling with Russian oil proved problematic. The unprecedented situation forced many EU countries to rethink their trade commitments to Russia and choose their morality over economic gains (Sandkamp, 2022).

The use of soft power in Russian politics constitute both using positive and negative types of soft power. In the Russian lens, the positive soft power approach attempts to bring an alternative world vision to the Western-led one. This Russian alternative worldview opposes Western thinking and calls itself the true pioneer of multilateralism (Łoś, 2021). While the use of positive soft power³⁵ has not been entirely successful for Russia, the use of negative soft power appears to be a more frequent tactic in the Russian repertoire. The use of Russian misinformation and fake news is a well-known tactic which was used throughout the 20th century (Soviet KGB) and is now continued even in the 21st century. In the new century, new trends emerged, and misinformation uses social media as its new channel (Yablokov, 2022). In recent years, Russian disinformation efforts increased especially concerning the Covid19 pandemic as numerous fake news and fake information emerged (Moy, 2020). The flow of disinformation is also used as a hybrid warfare tactic, especially in the context of the conflict in Ukraine (Scott, 2022).

³² Russia's atrocities in Ukraine, rehearsed in Chechnya, Aljazeera, by Mansur Mirovalev, January 20, 2023, <https://www.aljazeera.com/news/2023/1/20/russias-atrocities-in-ukraine-rehearsed-in-chechnya>

³³ What is Russia's Endgame in Syria? Lacking better options, Russia appears to be pursuing a 'spheres of influence' model, United States Institute for Peace (USIP), by Mona Yacoubian, February 16, 2021

³⁴ General Assembly resolution demands end to Russian offensive in Ukraine, UN News, March 2, 2022

³⁵ For example, use of Russian soft power using the Winter Olympics in Sochi, see more in Grix (2015)

China-preferred state power

In the field of military power China is unlikely to rival Russia by pursuing direct military confrontations. However, it does not hesitate to invest in its military capabilities and presence worldwide. In 2019, China was among the most prominent investors in the military budget, with its spending steadily rising since 2010 and its military budgeting set at 1.9 % of its GDP (Tian et al., 2020). Additionally, in 2020, China became the world's second-greatest spender due to its modernising and expansion process (Tian, 2021). To demonstrate the military power of China, military parades showcasing its military might are also frequently utilised. In Sørensen's (2017) study, the military parade in Beijing in 2015 was described as one of the largest military parades in Chinese history. This parade was initiated to mark the 70th anniversary of the Victory of Chinese People's Resistance Against Japanese Aggression". In this study, Sørensen (2017) explains that the military parade is a military and soft power tool. Apart from military parades, China's focus shifts to its naval fleet, with its third aircraft carrier launched in 2022³⁶. There is also an increasing China's military presence in Africa, namely its military dual-use base in Djibouti, which raised multiple questions about Chinese military ambitions. As Degang Sun and Yahia Zoubir (2020) explain, Chinese military expansion to Djibouti is primarily focused on protecting its economic activities in the region rather than being a direct military threat.

In term of economic power, China was very successful in using its economic success to start an international partnership and promote its investment projects abroad. China's path to recognition first led through its Asian neighbours. China first appealed to its Asian neighbours by cooperating in supranational organisations, the most important of which in Asia is the Shanghai Cooperation Organisation (SCO)³⁷. China's cooperation with other Asian states was signed on 15 June 2001. The Shanghai Cooperation Organisation currently has eight members, namely India, Kazakhstan, China, Kyrgyzstan, Russia, Tajikistan and Uzbekistan, plus four observer states (Afghanistan, Belarus, Iran and Mongolia). In addition, there are six dialogue partners – Azerbaijan, Armenia, Cambodia, Nepal, Sri Lanka and Turkey. Another massive economic project was the iconic Belt and Road Initiative, introduced in 2013. The Belt and Road not only aims to improve trade relations between member states and China but also to help promote China and its prestige abroad. The initiative attracts its members by providing them with funds to carry out various projects while enhancing China's good image when the projects are successfully implemented (Turcsanyi and Kachlik, 2020). China decided to repeat its successful tactics of cooperation with other nations, focusing on Europe as well. In March 2012, China introduced a new initiative aimed at cooperation with Central and Western European countries, the China-CEEC initiative³⁸. The goal of this initiative was to function as a strengthening of the strategic partnership between China and the European Union.

China uses various tools of public diplomacy towards other countries to promote its image. China, like other states, has its strategy of using soft power in its diplomacy through culture, political values or foreign policy (Nye, 2005). When using soft power, China emphasises using of a positive kind of soft power over the negative one. As Rui Yang (2015) argues, China also uses non-standard channels to disseminate soft power, such as education, offering various scholarship programs for students interested in studying in China. One of the very well-known tools in the Chinese soft power repertoire is the use of Confucius Institutes worldwide to inform about Chinese good image and its culture (Hartig, 2015). China in its state power put great emphasis on its good image and prefers the economic and soft power approach over military power to establish partnerships and interact with other countries.

³⁶ China launches third, most advanced aircraft carrier named 'Fujian', CNN, by Nectar Gan and Brad Lendon, June 17, 2022, <https://edition.cnn.com/2022/06/17/china/china-new-aircraft-carrier-fujian-launch-intl-hnk/index.html>

³⁷ See more on the official website of The Shanghai cooperation organisation, <http://eng.sectsc.org>

³⁸ Official website of China-CEEC, <http://www.china-ceec.org/eng/>

Conclusion

The aim of this essay was to bring more attention to the HRC voting process and its implication for specific countries, with emphasis on China and Russia. Both China and Russia have somewhat complicated human rights records. Both countries prefer to use different types of state power which helps to explain why some of their fellow states decide to react to their appeal. In the case of the resolution on the Situation of Human Rights in the Russian Federation (A/HRC/51/25), the Russian intention to mobilise allies to not vote for the adoption of this resolution failed. The adoption of this resolution created a strong precedence which might lead to many more similar Russian-focused resolutions questioning human rights in Russia. The reason for this voting result lies in the constant reminder of Russian aggression against Ukraine, which resonates through all UN bodies, be it the Security Council, the General Assembly or the Human Rights Council. During the recent 52nd session of the Human Rights Council³⁹ (27 February – 4 April 2023), it reappeared once more. This call for accountability for Russian actions is louder than anticipated and is not weakened even one year after the war in Ukraine started.

In the China-focused draft decision on the human rights situation in the Xinjiang Uyghur Autonomous Region, China (A/HRC/51/L.6), the voting process was different. China avoided creating a precedent during the 51st session of the HRC. Unlike the Assessment of the human rights situation in Xinjiang Uyghur Autonomous Region, this time, China celebrated its victory with applause and avoided greater scrutiny from the international community. Nonetheless, the Western countries that decided to pursue the investigation of the human rights situation in China might not be discouraged by this setback and will most likely attempt to draft similar China-focused resolutions in the near future. This also gives a strong signal to Western countries who underestimated Chinese alliances, suggesting, they may be required to focus more on the Chinese state power owing to its ability to summon many nations to come to its advocacy.

In term of state power, both Russia and China have different preferences for its use. Russia prefers to use military and economic power to coerce other states into submission while using soft power tools from the shadows. The military presence of Russia in Ukraine has jeopardised its diplomatic efforts with international organizations and its allies. The invasion of Ukraine provoked strong disagreement with Russia using military power, leading to the decoupling of many countries with its oil and gas and causing great harm to Russia's image abroad. The Russian culture suffered a significant loss due to the policies of the Russian government, as Timothy Snyder⁴⁰ explained during his statement during the United Nations Security Council discussion on Russophobia, held on March 14, 2023. In his speech, he explained that Russian misinformation and fake news harm its own citizens and Russian culture. He deliberated that the new wave of 'Russophobia' is only a result of Russian imperialistic behaviour. Russia's use of military power and coercion failed, and the international community has fully rejected it. The war in Ukraine strongly discredited Russia's effort to create an alternative worldview to the Western one. It is hard to estimate the next move for the Russian Federation as it should rethink its tactics and use of state power to keep its place in the international community.

In contrast, China is very successful in combining its economic and soft power through investment projects overseas with projects such as the Belt and Road or the China-CEE initiative. According to Li Xing (2020), China strengthens its soft power through good economic performance and its good image in international organizations. Therefore, it is essential for China to maintain its good image and trade bonds and strengthen its status in the international community. Chinese path to creating a good image was long. Therefore, it is in China's best interest not to lose its position. The use of economic and soft

³⁹ UNHCR extranet (2023) 52. Session of the Human Rights Council (27 February – 4 April 2023) <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session52/regular-session>

⁴⁰ Snyder, Timothy (2023) Playing the Victim, testimony during the United Nations Security Council, March 14, 2023, <https://snyder.substack.com/p/playing-the-victim>

power appears to be the right path for China in the future. The resolutions mentioned above are only some of many examples, which demonstrate that China, unlike Russia was more successful in improving its image with others and concealing its wrongdoings. In contrast, the Chinese *guqin* may be pleasing to some ears, but the Russian *balalaika* may be perceived as disturbing the international community with its war song.

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