

School Education as a Method of Counter-Terrorism Governance: China's Perspectives and Its Legal Response

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Abstract: States in the world explores ways to counter-terrorism, and finds school education is a useful method in light of counter-terrorism governance. A necessary work is to analysis the link between school education and counter-terrorism governance in the first step, with the help of knowledge on China's national education system and definitions from Counter-Terrorism Law as well as some theory-thoughts. Then it is also meaningful to discuss how current China's legal design, including but not limited to the both central and local legislation on counter-terrorism theme as well as a typical example from education legal system, offers provision support for school education. The conclusion is at present China has noticed the value of school education on counter-terrorism. And in the future with the development of counter-terrorism legal system, the school education related provisions will remain and develop accordingly, while the certain content design method is left to be discovered case by case in relevant situation.

1. Introduction

Terrorism is the common enemy of the whole man-kind. To explain this judgment in the most direct way, the reasons include but not limited to the cruel that terrorism behaviour embeds, the inhumane purpose the terrorists pursue, and the endless dangerous atmosphere that terrorism behaviour would happen in any time, unless the declared purpose of terrorism group was met. Holding this opinion, people in different countries share a common opposition towards terrorism, which makes international cooperation in counter-terrorism possible. Among all the cooperation topics, a very basic theme is to form a conceptual consensus on terrorism, which links with questions like how to define 'terrorism' and how to make every country accept it together. To get a closer view, a more basic premise is that a country is expected to have the ability to shape an internal consensus on 'terrorism' and its related concepts, so that this country can act pursuant to international counter-terrorism decisions. To achieve this goal, sovereignty state should learn from the international consensus on 'terrorism' and use the country's official language to set a clear definition of 'terrorism' and its relevant concepts such as 'terrorist', 'terrorism activities' and 'terrorism incidents' that people with normal cognitive ability can understand in a straightforward manner, and use measures to let more and more people know what those pieces of concept mean. In this case, school education can play an important role in spreading the knowledge of

counter-terrorism and help students establish the basic awareness on how to protect themselves and people around them when terrorism incident occurs. The functions of school education in the sense of counter-terrorism are much more than what are listed above, and my paper is to discuss how to make school education plays a positive in terrorism governance, based on China's perspectives and relevant practices. My paper is not only limited in the process of theoretical analysis and case study on how school education functions in counter-terrorism, but also set many contents on the description of how China's counter-terrorism legal system and education legal system deal with this point, which to be exactly means this paper will refer to many specific legal clauses and find relevant cases to support the arguments and enhance discussion.

2. The Nexus between School Education and Terrorism Governance

To expand my paper, the first question to be solved is to know what the ready links are between school education and terrorism governance. Also, this part's discussion is expanded in the perspective of China's practice.

2.1. The Definition of Both Pieces of Concept Above

2.1.1. School Education

In China, school education refers to the education service provided by many types of school that directed by education authorities. What shall be mentioned here is that not every type of school is directed by education authorities in different governmental level, there also exists many special types of school that are directed by other department. For example, pursuant to vocational education law, China's vocational technician schools are managed by human resources and social security authorities; and China's military schools are directed by troops themselves; and Religious schools in China also have another system of management, which is with the help and guidance from the administrative department of religious affairs.

Going back to the discussion on school education itself, what the analysis above has answered or clarified is that school education is directly influenced by education administrative departments in difference level. To view this situation in a higher standpoint, it is easy to notice that school education itself develops with the overall development of China's education in the whole country's scope. Learning from history, it is legible in historic track that China adheres to the strategy of rejuvenating the country through science and education since this idea was put forward in 1995, which means since the late of last century, China has implemented a long-sight education development plan. In the view of this big blueprint, school education is paid with many essential attention and given valuable resources to ensure school education can develop in a better and better track. One of the evidences that showing school education's benefiting from the state's development plan is that specific funding on school education is in the tendency of growing year by year. During this period, public schools are the majority that gains promotion and development. For example, public schools in general gain the largest part of education funding from the government's finance supporting lines. Moreover, there is also a factual Phenomenon showing school education who are under the direction of education authorities wins more attention is that more and more public-funded school are set up in many places of China in order to satisfies school-age children's need rather than government introduces more and more private education institutions to provide the educational service.

From the discussion above, we can know that in China 'school' that discussed in this paper actually limits to the scope of schools directed by education administrative departments in different levels, and school education, accordingly, is the general description of education provided by the

above-mentioned schools. And to view China's school education deeper, it is necessary to know that the quality of school education is growing year by year, thanks to China's stick to the strategy for invigorating China through science and education since last century. A conclusion can also be drew here is school education must link closely with China's development plan in general, because the whole education system is to serve national development goals. Therefore, this paper can offer a point that to set education contents linked with terrorism governance in China has both reasonableness and feasibility basis.

2.1.2. Terrorism Governance

From the perspective of China, China has published its counter-terrorism law in 2014 and revised it in 2018. In the clauses inside, the law provides pieces of concept named 'terrorism', 'terrorist', 'terrorism activities' and 'terrorism incidents'. To be specific, in Article 3 of Chapter 1 General Provisions, the law firstly defines 'terrorism' as 'any proposition or activity that, by means of violence, sabotage or threat, generates social panic, undermines public security, infringes upon personal and property rights, or menaces state authorities and international organizations, with the aim to realize political, ideological and other purposes'. According to this definition, it is easy to notice that the subject of 'terrorism' is not limited to an activity or a set of activities that has or have actually taken place, instead, 'proposition' also constitutes a type of terrorism. This point of view can also be found in the design of China's Criminal Law. This definition also puts forward terrorism's basic way of behaviour, which are the manner of violence, sabotage or threat, and it is a closed enumeration. The scope of terrorism activities in general is also a closed enumeration that listed including 'to generate social panic', and 'to undermine public security', and 'to infringe upon personal and property rights', or to 'menace state authorities and international organizations'. So we can find from the description that the bad impact finally would be bear by the public once the terrorism activity occurred. What we can also know is that terrorists are not satisfied in making influence limited within the territory of a sovereignty state. And they are mostly like to create international influence, because some terrorists are cross-boundary and their goals requires the international reaction to increase their power influence. And unfortunately, terrorist would not end with killing some people or occupying some property simply. Instead, they are pursuing their 'political, ideological and other purposes', which means any scene of cruelty is only their expression of purpose but not the result itself. In conclusion, what the concept of 'terrorism' in China's counter-terrorism law tells us is that terrorism is a negative concept and it goes with loss and evil. And this constitutes the basic meaning of 'terrorism' in this paper.

The list of terrorism-related concepts does not end here. In Article 3, the next definition is on the term 'terrorism activities', which are expressed by enumeration. First, the law records the situation 'organizing, planning, preparing for, or conducting the activities which cause or attempt to cause casualties, grave property loss, damage to public facilities, disruption of social order and other serious social harm'. The second one goes as 'Advocating terrorism, instigating terrorist activities, or illegally holding articles advocating terrorism, or forcing other persons to wear costume or symbols advocating terrorism in public places'. The third one reads as 'Organizing, leading or participating in terrorist organizations'. The fourth one indicates the situation that 'Providing information, funds, materials, labour services, technologies, places and other support, assistance and convenience to terrorist organizations, terrorists, the implementation of terrorist activities or training on terrorist activities'. And Article 3 also has a miscellaneous provisions using 'other terrorist activities' to provides a backstop for other situations. From the legislative definition of 'terrorism activities', people can find out that there includes many situations and most of them are common in daily life but also a little difficult to distinguish when terrorists put some kind of camouflage on them. And so, one of the solutions to avoid the unnecessary influence is to educate

the students to tell the facts, and this can be the function of school education which is elaborated in the following parts.

The law also provides the definition of ‘terrorist organizations’ and ‘terrorist’. The first one means ‘criminal organizations formed by three or more persons for the purpose of conducting terrorist activities’. This definition directly presents the fundamental feature of terrorist organization that it is teamed up by ‘at least three persons’, and discovers the basic concern of terrorism governance is to prevent the persons not to organize or join in the relevant illegal organizations. School education can play an active role in achieving this goals. Last but not least, the law defines ‘terrorist incidents’ as ‘terrorist activities that are occurring or have occurred, which cause or may cause serious social harm’. And this also goes to show at present, not taking AI terrorism into consideration, all terrorism relates to human behaviour. Therefore, terrorism governance should pay attention to people’s education. The law finally defines ‘terrorist incidents’ as ‘terrorist activities that are occurring or have occurred, which cause or may cause serious social harm’. According to it, no matter whether the serious social harm had been caused or not, once the activities appears, the result of terrorism shaped, and the relevant due punishment come into form.

All presented above is the terrorism-related concepts written in China’s counter-terrorism law. Besides, what should also be answered here is that why this paper use ‘governance’ to describe this situation. It is a common academic awareness that ‘governance’ is not the same with ‘management’ or ‘regulation’ in designing and implementing a course of action. Accordingly, ‘Governance’ in Chinese reads as ‘zhili’. And ‘management’ and ‘regulation’ represent ‘guanli’ and ‘guizhi’, respectively. China has introduced the conceptual essence of ‘governance’ into policy design and now mainly use the concept of ‘governance’ in many official reports and documents, etc. Naturally, China’s ‘governance’ is not a textual copy from the dictionary it sits in, but China has combined it with China’s social reality to enrich its meaning. Now going back to the ‘terrorism governance’, it means to use multiply methods, including methods offered by the government but also many other types of social bodies, to prevent terrorism activities happened in China, to avoid Chinese people getting harming from the terrorist. In this sense, schools are one of the important fronts to shape the counter-terrorism lines.

2.2. An Analysis on the Nexus of School Education and Terrorism Governance

Through the discussion above, what has been discovered is that school education has some connection with terrorism, and the nature of such a connection is positive, which means school education can be beneficial to terrorism governance. Now this part is to go deeper to spot to what degree school education can give positive effect to terrorism governance and how school education can help terrorism governance. This is the central point to be discussed in this part, and during the discussion there will be also some light put on points as why should there be a law or how the rule grows when designing such a clause.

2.2.1. The Logic on School Education Helps Terrorism Governance

As mentioned above, school education in this paper is offered by governmental-funding schools. The schools, from the differentiation of student’s age, can be divided from preschool stage which is also called kindergarten years, to university stage. Many types of schools, according to the design thought of national education system, undertake different task of education. For example, the kindergartens are expected to help children before school ages to get in touch with other children to begin the process of socialisation. And the primary schools are expected to teach students to set the basic awareness of the knowledge, in order to build their knowledge framework before going into the junior high school, which is also includes with the scope of 9-year compulsory education

programme. Students in junior high school face a test to decide whether they are qualified to enter the senior high school to continue their regular study, otherwise a group of students might go to vocational education schools directed by the Human Resources and Social security Department but not Education Department to acquire professional skills, or even some of them would leave school and go straight to work. In senior high school, students are mainly preparing for the National College Entrance Examination, which decides what type of university or college they are qualified to register. Pausing here, in China many people use ‘K-12’ years to mention the school years before entering the higher education stage. And this also presents a typical difference between higher education and the years before, which is in higher education stage, students are taught or directed to learn something brandly new while doing some research, rather than simply studying the well-designed books to prepare for exams. Based on the analysis stopped here, the discussion can go inside the functions of school education in terms of terrorism governance, and points can be expanded in three aspects and showed as figure 1 below.

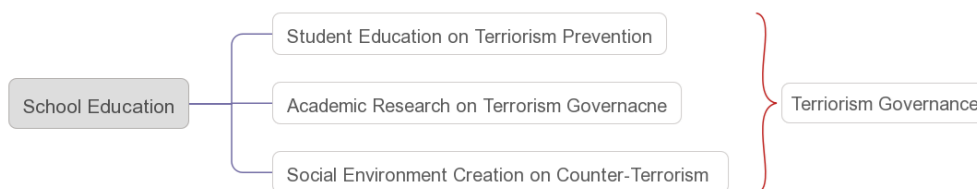


Figure 1: How school education helps terrorism governance.

First, school education can teach students how to avoid the harm created by terrorism activities. Students are the largest part of population in any school, and they are generally young and weak compared with terrorists training or exercising every day, which makes them being one of the targets of terrorism attack. In many pieces of international news we can read the reports saying there were terrorists attacking a certain school and made a huge number of death or hurt, creating very bad international influence. So on the one hand, in light of the relationship between school and students but not school and other social bodies, school education is expected to teach students how to protect themselves well when something bad happened, not matter whether the bad thing means terrorism or not. School itself is required to set up counter-terrorism facilities as well and let the students know how to use it when urgent and necessary. On the other, a more fundamental requirement for school education is to help the students identify the concepts and acts of terrorism, especially shaping the ability to notice the clues to terrorist activity both online and offline.

Secondly, school education should enhance the academic research on terrorism governance. In this concern, school education mainly refers to the higher education stage, where the universities and colleges have many teams of professional academic staffs and they can both teach students in class while doing research in their daily working process. Now researches on terrorism governance related topics have already gone beyond the issues around the law and public security’s scenario, and it has gone into the wider subject areas like National Security, Emergency Management, International Relationship, Ethnology, Religious Studies and something else related. This phenomenon reveals a necessity that to do research on terrorism governance topics requires the Interdisciplinary research cooperation. School education holds the potential to offer a platform for academic staffs from different study background to cooperate on the research work. In fact, the terrorism governance related research is the base of education. Because only when the research presents the latest situation of terrorism governance from the general perspective and holds the basic judgment on how the counter-terrorism work should be done can the counter-terrorism education plays a role in actually making the students know exactly what to do in light of terrorism

governance. Through the counter-terrorism theme research based on the school education platform, people's understanding of terrorism governance will continue to deepen, and then put forward a more comprehensive and effective governance plan.

Thirdly, school education also helps build up a counter-terrorism social environment. As discussed above, terrorism is totally related to human behaviour. No matter what role the person acts in the terrorism activities, any sector of a terrorism action requires human participation. To do some case studies, it is easy to find out many terrorism activities organized in the area where the level of both economy and education development is relatively backward, and creates harms to any possible place. Imagining that if the place is of high education quality, then no matter how economy situation it is, the possibility of terrorism's growth will be definitely cut off, because the high-level education environment provides the foundation for the implementation of comprehensive measures of social governance, including the measures to remove the soil for terrorism.

2.2.2. The Comprehensive Assessment of School Education in Terrorism Governance

After years of counter-terrorism work exploration and the work-related experience accumulation, China has made a remarkable scale of achievement but at the same time still faces with some shortcomings to promote the integration of school education and terrorism governance.

On the achievement hand, it is proud to state with the help of the largest national education system in the world, China has let all schools in all directions of the big country shape a consensus that school education should help terrorism governance. And according to the different characteristics of schools in different learning stages, China also has designed different educational mechanisms of knowledge transfer and talent training in terms of school education to promote terrorism governance. Among these cases, the most typical point is that some universities put special resources to develop schools or research centers focusing on counter-terrorism theme. Currently, most students in China have set up the correct awareness and attitude towards counter-terrorism and holds the basic ability to protect themselves and people around them by hiding and calling the police and other measures if there happened a bad incident.

On the shortcoming side, the problems could be concluded mainly in two points. First, there exists no standard or guidance to direct all the schools in China to set a basic line for counter-terrorism education. This is a management skill that using the method of standardization to help the poorer-ability places to meet the bottom-line's requirement, and it can also spare enough place for the advancing schools to develop their distinctive style of counter-terrorism education. Secondly, many schools just organize their counter-terrorism activities in a boring manner. On the surface, this type of work meets the requirements of counter-terrorism education, but the positive effect is limited. They should try to improve the quality of counter-terrorism education seriously rather than treating it as a simple arrangement.

3. China's Legal Design on the Nexus of School Education and Terrorism Governance

In order to release the full function of school education in terrorism governance, China has introduced school education into counter-terrorism legal system. The content of such a legal system includes but not limited in the above-mentioned articles in Criminal Law and the special-designed Counter-terrorism Law. In fact, the system at least also includes many pieces of local legislation which are only applied within the geographical area scope of a certain local area. To assess the articles in these pieces of legislation, it is clear to notice all of them set some clauses on educational work, and pay attention to the essential role of school education. This part is to select the clauses and analyse their construction and meaning, in order to set up a more comprehensive understanding on China's legal supportive framework for school education in terms of terrorism governance.

3.1. The Clauses on School Education within the Counter-Terrorism Legal System

Since 2012, China has made comprehensively progress in advancing the rule of law. One of the progressive achievements is many pieces of new effective legislation have been put forward and come into force, which provides necessary legal support for national governance. In the field of counter-terrorism, the biggest point is that the Counter-terrorism Law is made in 2015 and revised in 2018. And at the same time, local legislation plays a positive role, as well. The general framework of China's counter-terrorism legal system can be simply showed as figure 2 below.

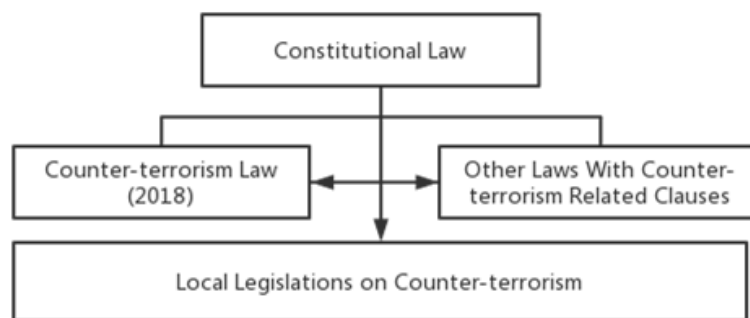


Figure 2: The general framework of china's counter-terrorism legal system

3.1.1. The Clauses in the Counter-Terrorism Law (Revised in 2018)

There are two clauses concerning school education in the Counter-terrorism law. Article 17 of Chapter III Security Protection regulates 'Education and human resource administrative departments, schools and the relevant vocational training institutions shall include the knowledge about the prevention of and response to terrorist activities in the education, teaching and training content'. In the same chapter, Article 19 regulates 'where anyone is instigated, coerced or induced to participate in any terrorist or extremist activity, or participates in any terrorist or extremist activity, if the circumstances are not serious enough to constitute a crime, the public security authority shall organize the relevant departments, villagers' committee, neighborhood committee, the entity where he or she works, the school where he or she studies, his or her family members and guardian to assist and educate him or her'.

To get a closer view, in Article 17, the law requires school as well as vocational training institutions which are viewed as a special type of school shall set contents on counter-terrorism into the education process. Such a clause is a reply to the discussion in Part II, because it bases directly on the judgement that school education is highly related to counter-terrorism. According to this clause, schools get the legal responsibility to develop counter-terrorism related courses or education programme and conduct other activities for the purpose of counter-terrorism education. In Article 19, the law encourages schools to participate in the assistant and education to a certain scope of persons who are not so evil like the true terrorists. In this concern, the clause admits school education has the ability to create positive influence on those persons, and then set the relevant legal responsibility on them. Therefore, a short conclusion here is that China's Counter-Terrorism Law has already taken school education into consideration, making school education a sector of terrorism governance work. And the relevant rules are not the earth-breaking original creation of the Counter-Terrorism Law, but the confirm of a long time practice that use school education to govern terrorism, and the counter-terrorism legislation process is to introduce the practice into law.

3.1.2. The Clauses in Pieces of Local Counter-Terrorism Legislation

Local legislation is an important field in the improvement of China's legal system. Recent years

have witness a big number of local legislation come into force. Among the pieces of local legislation, currently there are six pieces of local legislation related to counter-terrorism theme, which shows as the table 1 below. What should be clarified here is, pursuant to the Legislation Law of the People's Republic of China (2015 Amendment), the relationship between local legislation and central legislation is all the local legislation shall writes within the scope of central legislation, and the local legislation is the further implementation of the relevant rules of the central legislation basing on the actual local conditions. The conclusion helps to understand the clauses in the relevant local legislation on counter-terrorism from the perspective of school education [1-9].

Table 1: Provinces (autonomous regions and municipalities directly under the central government) that have put forwards local counter-terrorism legislation.

Name of Provinces (Autonomous Regions and Municipalities directly under the Central Government)	Year of Legislation	Location of School Education Relevant Clause
Xinjiang Uygur Autonomous Region	2018	Article 16, 17
Zhejiang Province	2019	Article 16, 33
Hunan Province	2020	Article 4, 7, 11, 14
Shanghai Municipality	2021	Article 15, 16
Sichuan Province	2022	Article 18
Fujian Province	2022	Article 6, 23, 36

To sort out the six pieces of local legislation on counter-terrorism one by one, the first and oldest one is the Xinjiang Uygur Autonomous Region's Implementation of the Measures of the Counter-Terrorism Law of the People's Republic of China (2018 Amendment). Inside the law, there are three articles mentioning 'school education'. Article 17 requires schools to teach students the knowledge of terrorism prevention and emergency management, which is the same mindset as Article 17 in Counter-Terrorism Law. Article 35 says once the terrorism incidents occurred, schools shall stop their original routine and let the students and teachers get protection and evacuation. This is not the same as the original clause that has been written in Counter-Terrorism Law, but it still reflects the purpose of the counter-terrorism law. Article 38 is the same as Article 19 of Counter-Terrorism Law, and it focuses on encourage the schools to help persons affected by terrorism. The second oldest one is the Zhejiang Province's Implementation of the Measures of the Counter-Terrorism Law of the People's Republic of China (2019). Although it has only one clause which is Article 16 on school education, it offers a further thinking that we can incorporate knowledge on terrorism prevention and emergency response into local textbooks and vocational training materials for primary and secondary schools as needed. The second oldest one is the Hunan Province's Implementation of the Measures of the Counter-Terrorism Law of the People's Republic of China (2020). Besides encouraging schools as the public institution to conduct education on counter-terrorism, Hunan's legislation also pays more attention on the protection of school as a potential attacking target itself. After the year of 2020, there are 3 pieces of local legislation on counter-terrorism as well. The first one is Shanghai's in 2020, which has a huge highlight that in Article 47, the law says Shanghai encourages institutions of higher learning and vocational schools to develop courses related to counter-terrorism, provide professional support and train professional talents. The second one is Sichuan's in early 2022. In this piece of local legislation, there is no more innovative provisions and it is a direct repeat to Article 17 of Counter-Terrorism Law. The newest one is Fujian's in the next half year of 2022. And it has noticed a new special and necessary concern, which is its Article 36 writes laboratories of schools and other similar places shall, in accordance with regulations, strengthen the control of dangerous goods to prevent them from flowing into the society. This is a very valuable regulation that not only reminds the schools of improving the protection of dangerous goods especially the chemistry things, but also expands people's awareness

on the nexus between school education and terrorism governance.

Through the discussion above, what has been expressed is how China's Counter-Terrorism legal system, which includes both central legislation and local legislation, takes school education into counter-terrorism governance framework design. All the regulations' precondition is to admit school education has true and effective connection with terrorism governance as analyzed in Part II. Based on China's national conditions, an assumption can be made here is that in the-future-coming local legislation on counter-terrorism, there will also be some clauses on school education. And no matter how many times all the counter-terrorism related laws of different level have been revised, the school education related provisions will be remained. Meanwhile, the detail content of the school education clauses will enrich itself with the development of the awareness on the nexus of school education and counter-terrorism.

4. The Future Development of China's Legal Support for School Education in Terrorism Governance

China's national education system is the biggest one in the world. China uses it to help terrorism governance. This is a wise decision and what should be considered in the next coming years is how to improve its quality. Currently, almost every type of school has the clear awareness that school education should contribute to counter-terrorism, while this is a general opinion. How to conduct school education on counter-terrorism requires not only relevant education skill which is the basic skill teachers should have and improve it year by year, but also many support from outside campus, including but not limited to the policy guidance from the government as well as resources support from the community. In this concern, China's counter-terrorism legal system should adjust itself to support the relevant education practice in a stronger manner. In light of central legislation, the Counter-Terrorism Law might add some contents on how to encourage government and other social bodies to support schools better in counter-terrorism education. For example, to add a provision requiring the Public Security Bureau shall help school conduct counter-terrorism exercise as a type of counter-terrorism education at least twice a year. Or such a type of practice design will go as a separate regulation put forward by the Education Department and Public Security Bureau and other bodies necessary jointly. From the perspective of local legislation, although currently there are six pieces of local legislation on counter-terrorism, in the long run there might be more relevant local legislation, and all of them would remain school education related provisions and add related local feature to it and make the school education relevant clause get development. In general, the thoughts on how to improve the quality of school education on counter-terrorism will reflect in the legislative process, and make the relevant provision-design better and better. Besides, in the field of education related law, there would also be some provisions on this theme. For example, currently there is a legislative draft on Teachers Law, which includes the provision requiring teachers to conduct national security education to the students. And naturally, national security education includes counter-terrorism education.

5. Conclusion

Counter-terrorism is the common challenge faced by the whole world. Different countries have put forward different styles of plans or measures to tackle with terrorism, and most of the sovereignty states have paid attention to education and know it is necessary to introduce school education into the counter-terrorism system. This paper uses China's legal practice as the example to illustrate the point that how China uses law to support school education in terrorism governance. Rule of law is the theme of China's national governance. Therefore, the relevant rule of law on counter-terrorism will keep developing with the tendency of counter-terrorism situation. And the

ideal result is that terrorism itself is removed from the world. School education can help counter-terrorism. With the support of legal design, the quality of school education on counter-terrorism will be better and better. What remains to be discovered in the future is how to design the certain structure of the relevant provision, and such a type of questions should be answered with the development of legal system itself and the counter-terrorism situation.

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