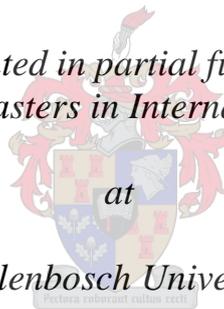


**Non-interference as a doctrine in China's Africa Policy:
The case of Darfur**

by

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the degree Masters in International Studies*



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Declaration

By submitting this dissertation electronically, I declare that the entirety of the work contained therein is my own, original work, that I am the owner of the copyright thereof (unless to the extent explicitly otherwise stated) and that I have not previously in its entirety or in part submitted it for obtaining any qualification.

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Abstract

This study aimed to look at non-interference as a doctrine in China's Africa Policy. This involved looking at the non-interference principle in general, not only in Beijing's policies. The non-interference principle as contained in the policies of the African Union, United Nations and in the policies of Western and Asian states were discussed, noting a gradual shift away from strict non-interference towards non-indifference and humanitarian intervention. Beijing's orthodox understanding of non-interference, on the other hand, is based on respect for the sovereignty of other states and a belief that, unless requested, no state should interfere in the domestic affairs of another state.

The doctrine of non-interference, as understood by Beijing was then applied to the crisis in Darfur. In the case of Darfur, Beijing initially adhered to its understanding of non-interference, in spite of criticism that its behaviour was based solely on China's own interests. China initially ignored international expectations to intervene in the affairs of Khartoum. In fact, Beijing continued to support Khartoum and abstained from UN Security Council resolutions on the matter. Initially the government in Beijing was not willing to make any adjustments to the non-interference doctrine, as the situation in Darfur did not seem to present any reason for Beijing to disregard its own policies. Yet Beijing gradually shifted in non-interference; seen in its pressure on Khartoum to allow the AU/UN hybrid peacekeeping force. The reasons for the shift are ascribed to various factors ranging from international pressure and even the possible reputational risk.

China managed to balance its economic and political interests in Sudan with its duties and expectations of the Security Council. At the same time, Beijing continued to protect the sovereignty of the Khartoum government by adhering to its beliefs of the right of the state. The subtle shift away from Beijing's orthodox understanding of non-interference can be seen as China changing its non-interference doctrine to suit its new role in the international community. It can also be seen as China still adhering to the non-interference doctrine, as it places emphasis on avoiding sanctions and still requires permission from the host state for external intervention. Another key element is that it adapted when its interests were at risk. It would seem probable that this trend will continue, resulting rather in Beijing implementing a form of 'pro-active non-interference' based on the situation. Such a position would indicate a shift in the doctrine of non-interference based on the situation and pressure, but according to certain core values of Beijing.

Opsomming

Die navorser het ondersoek ingestel na die nietussenkomsleerstelling soos dit in China se Afrika-beleid vervat word. Die nietussenkomsbeginsel soos geformuleer in die beleidsdokumente van die Afrika-unie (AU), Verenigde Nasies (VN), en in die beleidsdokumente van die Westerse en Oosterse state is ook ondersoek. Die wegbeweging van die streng toepassing van die nietussenkomsleerstelling na 'n beleid van onverskilligheid en tussenkoms wat gebaseer is op die beskerming van menseregte was 'n geleidelike proses. Beijing se konvensionele begrip van hierdie beginsel was volgehou met die verstand dat soewereïteit van ander state gerespekteer moet word en state nie moet inmeng by die interne sake van ander state nie, behalwe wanneer dit versoek word. Die klem word in beleidsdokumente eerder gelê op respek, gelykheid, samewerking en wedersydse voordeel.

Die nietussenkomsleerstelling soos dit verstaan word deur Beijing word ondersoek aan die hand van die Darfoer-krisis. Dit toon Beijing het aanvanklik volgehou met die toepassing van die nietussenkomsleerstelling in China se buitelandse beleid en optrede, ten spyte van die aantuigings dat hierdie gedrag slegs ter wille van eie belang is. Beijing het haar aanvanklik nie aan die internasionale gemeenskap se verwagting om in te gryp by die sake van Khartoum gesteur nie; China het aangehou om Khartoum te ondersteun en van die VN-veiligheidsraad te weerhou rakende hierdie kwessie. Beijing se optrede teenoor Khartoum het met tyd verander. Sjinese verteenwoordigers het druk op Khartoum begin plaas in 2006 om AU/VN-magte in Darfoer toe te laat. Verskeie redes kan aangevoer word hoekom Beijing uiteindelik haar beleid aangepas het. Van hierdie redes sluit in internasionale druk en die moontlikheid vir China om nie meer as gasheerland vir die Olimpiese Spele in 2008 op te tree nie.

Dit kom voor of China daarin geslaag het om die land se ekonomiese en politiese belange in Soedan te balanseer met die verwagtinge wat ander lande van China as 'n permanente VN-lid gehad het. Beijing het gepoog om in so 'n mate in te gryp dat Khartoum se soewereïteit steeds gerespekteer word. Aan die hand van hierdie subtiele veranderinge in China se beleid en optrede, kan die afleiding gemaak word dat Beijing nie die nietussenkomsleerstelling streng toegepas het nie, maar na die Darfoer-krisis eerder neig na 'n proaktiewe toepassing van die nietuseenkomsleerstelling. Byvoorbeeld, Beijing keur steeds nie die instelling van sanksies goed nie en vereis dat soewereïteit van state gerespekteer word. Dit blyk dat China die buitelandse beleid aangepas het om steeds die land se belange te beskerm en om te voldoen aan die internasionale vereistes. Hierdie meer proaktiewe optrede blyk om net in

sekere gevalle toegepas te word. Daar word bevind dat daar 'n aanpassing van die is met betrekking tot die oorspronklike posisie van die nietussenkomsleerstelling. Beijing sal egter voortgaan om getrou te wees aan aspekte van die oorspronklike leerstelling.

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List of Abbreviations

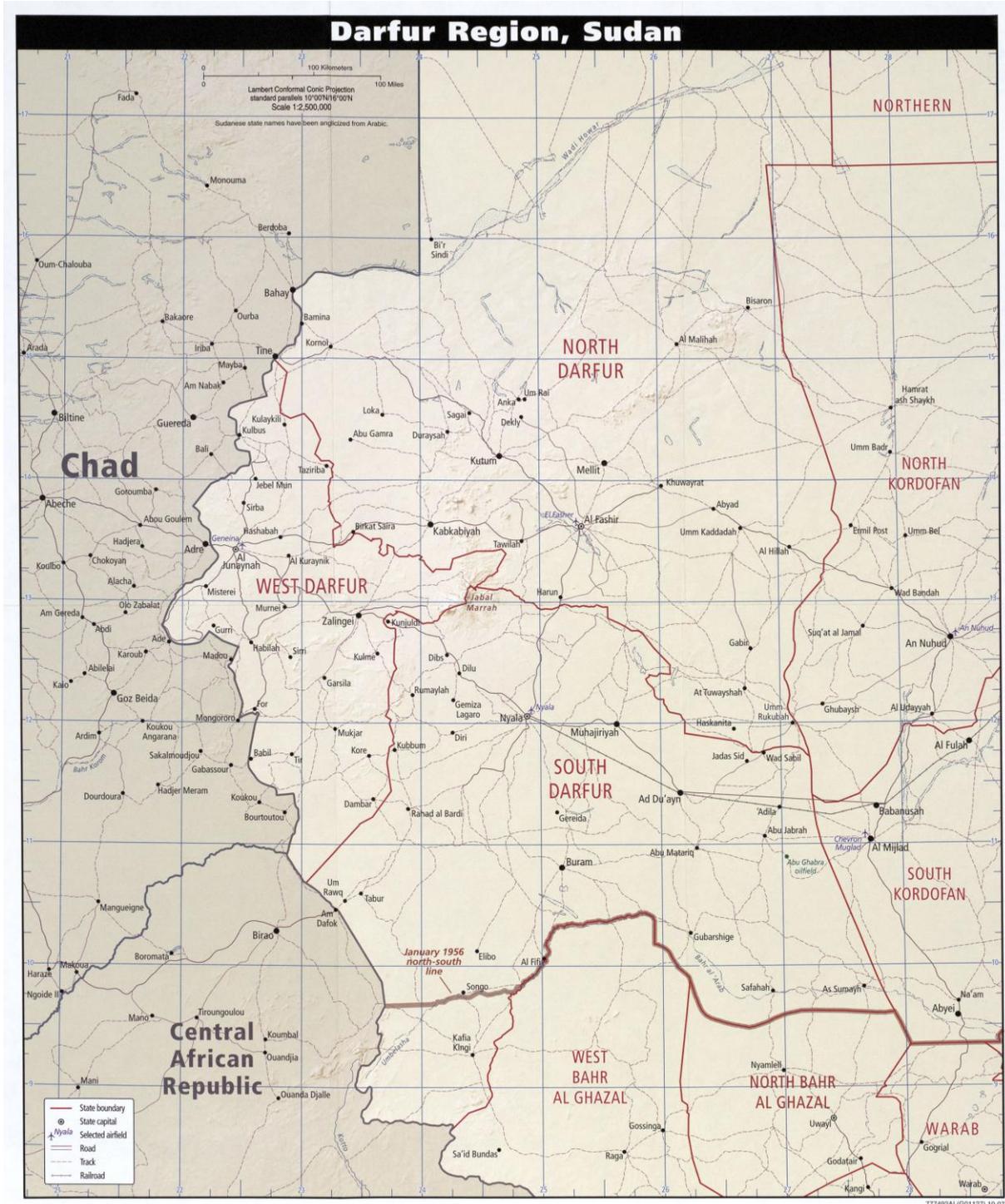
AMIS:	African Union Mission in Sudan
ASEAN:	Association of Southeast Asian Nations
AU:	African Union
CNPC:	China National Petroleum Corporation
CPA:	Comprehensive Peace Agreement
CPC:	Communist Party of China
EU:	European Union
FOCAC:	Forum on China-Africa Cooperation
FNLA:	National Liberation Front of Angola
GNPOC:	Greater Nile Petroleum Operating Company
ICC:	International Criminal Court
ICISS:	International Commission on Intervention and State Sovereignty
IMF:	International Monetary Fund
IR:	International Relations
JEM:	Justice and Equality Movement
MPLA:	<i>Movimento Popular de libertacao de Angola</i>
NATO:	North Atlantic Treaty Organisation
NGO:	Non-Governmental Organisation
NIF:	National Islamic Front
OAU:	Organisation of African Unity
PRC:	People's Republic of China
R2P:	Responsibility to Protect
ROC:	Republic of China (Taiwan)
SLA:	Sudan Liberation Army
SPLM/A:	Sudan's People's Liberation Movement/Army
TAC:	Treaty of Amity and Cooperation
UN:	United Nations
UNAMID:	United Nations African Union Mission in Darfur
UNITA:	National Union for the Total Independence of Angola
UNOSOM:	UN Operation in Somalia
UNSCPO:	UN Special Committee on Peacekeeping Operations
UNITAF:	United Task Force
UNPKO:	United Nations Peacekeeping Operations
US:	United States
USSR:	Union of Soviet Socialist Republics

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Map of Darfur



Map 2: Darfur region (Perry-Castañeda Library Map Collection, 2011. Available: <http://www.lib.utexas.edu/maps/sudan.html>)

Chapter 1: Introduction

1.1 Introductory Remarks

The concept of non-interference has in recent years been an element in several discussions and debates within the international community. The acceptance by several states of the Responsibility to Protect [R2P] Principle at the 2005 World Summit, has especially brought about more questioning of the principle of sovereignty and whether, and under which circumstances, a state can intervene in the internal affairs of another state. China is especially known for its orthodox reference to the doctrine of non-interference in other states' internal affairs. This position has sparked debates on Beijing's non-interference policies. There has been pressure on China to change from this position to a more engaged or more interventionist policy, such as some Western states have already done. In light of these ongoing discussions, it is prudent to consider the development concept within international relations, as well as putting it into perspective by examining African Union (AU) and United Nations (UN) principles and debates.

When analysing the meaning of 'non-interference' for Chinese policies on Darfur, it will also be vital to consider this concept within Beijing's broader Africa policies and China's own behaviour. Over the years it has seemed that China has adhered to the doctrine of non-interference within Sino-African relations. Yet, as this paper argues, there has been a subtle shift, in which the Chinese government now attempts to adhere to a more international image as a consequence of its own increased international weight. Especially in the case of Darfur, there has been a lot of pressure on the Chinese government to alter its position of strict non-interference. Darfur is a case study for Beijing's eventual slight shift away from its original position of non-interference. The question is what the impact of this shift in position has been on the conflict in Darfur, and whether this shift represents a more permanent shift in principles and doctrines. Such a shift could be a major event and indicate a change of policies for China. It would have far reaching consequences, for both China's relationship with the West and for those states that preferred China's doctrine of non-interference. Therefore it is necessary to examine the current state of the non-interference policy, how it affects China's foreign policies and how it has affected specific relations with specific states – Darfur in 2006 is the case study for this paper.

The reason that the focus will be on the Darfur crisis is because this was such a prominent case with a lot of focus from scholars and the media alike. The focus will be on the events

after 2006, for the reason that there was a sharp increase in Sino-African relations; as was seen with the third Forum on China-Africa Cooperation (FOCAC) held in Beijing in 2006. Based on this increased interaction, there were more expectations that Beijing would become involved in stopping the Darfur crisis. Such expectations from the international community, combined with Beijing's Africa Policy commitments, makes Darfur a case study unique from other crises that took place before and after the Darfur crisis. For this reason, the main focus will only be on the crisis on Darfur, to rather serve as a basis when evaluating crises that took place before and afterwards.

Before 'non-interference' as a doctrine in China's Africa Policy (and as practised in the case of Darfur) can be discussed, certain theoretical aspects of this study must be set out. This chapter gives an overview of the problem statement and aim of the study, while including a literature review on the subject. It will also describe the theoretical framework and methodology that is used in this study.

1.2. Problem statement and aim of the study

This study aims to evaluate the Chinese use and implementation of the concept of non-interference within international relations. For this purpose, the concept will first be put into perspective within the broader AU and UN principles and debates (and expectations, especially after the development of R2P). Once this doctrine is understood more clearly, it will be examined within the Chinese foreign policy, specifically investigating whether there have been changes in the Chinese position on Darfur. These changes in China's policy and doctrine holds certain implications for International Relations and for the concept of non-interference that has, up to now, been a key aspect of China's foreign policy, which in turn has affected diplomatic relations with other states. An understanding of these changes and relations will reflect on changes within the International Relations system and will also enable one to arrive at more comprehensive conclusions about future positions which China might take within its international relations.

The specific research question that this paper addresses is: How does China's non-interference correspond with international perceptions of this doctrine, and has this reflected in the changes in the Chinese position on Darfur? To aid in this assessment one must first reflect on the current literature on the subject, in order to understand how other authors have approached and understood this question. Also, one must know the possible shortfalls when approaching this subject. One such shortfall is that, in spite of a vast array of literature in

Sino-African relations, the main focus has thus far been on certain beliefs which focus on economic factors and China's drive for natural resources.

Scholars such as Raine (2009:29) argue that such an approach is outdated and incomplete. There is a lack of focus on aspects of the relationship that should also form part of discourse. The topic of peace and security has gained interest. Some of the key concepts to be discussed in this study form part of peace and security. These concepts will be investigated in the light of existing literature, so as to operationalise and clarify the meaning of certain key phrases. This literature review will also provide a theoretical background that will create a context for later chapters, where the non-interference doctrine and China's policy in Darfur will be discussed in more detail.

1.2.1. Concept of non-interference

The concept of non-interference has been seen in literature and documents since the Treaty of Westphalia in 1648, specifically seen for the first time in the 1793 French Constitution (Malan, 1997). The doctrine of non-interference and the gradual shifts in international ideas were emphasised in writings in the United States (US) and Europe throughout the 19th and 20th century (Malan, 1997). Non-interference formed an important part of many theories, policies and debates, yet it is necessary at this stage of the study to differentiate between non-interference as a doctrine, policy or principle. By using the Merriam-Webster's Collegiate Thesaurus (2010), these three terms can be differentiated. Principle can refer to a basic truth, law or assumption, which can serve as a basis for other theories. Policy refers to a plan or course of action, often according to guidelines set out in documents, which can influence decisions, actions and other matters. Lastly, doctrine refers to the basic beliefs or guiding principles of a person or group. It can also be seen as a statement of an official government policy. This study will refer to the doctrine of non-interference, as a belief and guideline, not as a principle.

Traditionally, legitimate exceptions to non-interference were only made in the case of self-defence or to preserve international peace and security, with the permission of the UN Security Council and the states involved (Seybolt, Collins, Foley & Johnson, 2009:2). Some scholars have argued that this doctrine position has reduced military intervention and conflict between states, as one can trace back to the peace in Europe after the signing of the Treaty of Westphalia (Seybolt et al, 2009). Initially many Non-Governmental Organisations (NGO's) and states adhered to the doctrine of non-intervention and later non-interference, as this

doctrine required that states did not intervene in the internal affairs of other states. However, throughout history, the doctrine has come under pressure during times when it seemed that non-interference actually enabled killings. Non-interference more recently came under pressure in the 1990's after the genocide in Rwanda and the war in Yugoslavia. Specifically the genocide in Rwanda, an event that caught the international community's attention, resulted in re-thinking the doctrine in the light of genocide, as it actually enabled the killings. However, many states, especially certain Western states, have since tended to advocate non-indifference rather than non-interference. Non-indifference responded to the shift in ideas and debates.

The debates, after the genocide in Rwanda and the war in Yugoslavia in the 1990s, centred on a 'right to intervene' in the face of human rights violations. However, at the Standing Group on International Relations (SGIR) 7th Pan-European International Relations Conference in 2010, one of the speakers argued that this debate on non-intervention has been replaced by a discussion of the international community and the state's responsibility to protect the individual. The speaker also argued that there has still been a strong stream in the debate on non-interference and non-indifference in more recent debates (Loges, 2010:3). The conference focused on intervention and the emergence of the new norm in the form of R2P. R2P and other shifts in ideas will be discussed in more detail in Chapter 3, along with the different understandings that various actors have of the non-interference doctrine, such as the so-called Association of Southeast Asian Nations (ASEAN).

Non-interference continues to be regarded as a "centre-piece of ASEAN way of regionalism" (Jones, 2009:1). It seems that Beijing policies are also seen as a "centre-piece of the ASEAN way of regionalism," by a variety of scholars (Jones, 2009), some scholars of whom argue against an understanding and application of the non-interference doctrine. This consensus has been criticised by other scholars, as they argue that there is evidence of ASEAN states as well as Beijing interfering in the internal affairs of other states, based on their own interests, as was seen, for example, in Indonesia's annexation of East Timor.

The AU, the successor to the Organisation of African Unity (OAU), also expected member states to adhere to fundamental standards and values; a state failing to do so could be subjected to political and economic sanctions. The OAU placed emphasis on non-intervention, whereas the policies of the AU were more interventionist and focused on the responsibility to protect (Murithi, 2009:94). The 2000 Constitutive Act of the African Union

allows for the right of the AU to intervene in few defined cases, or the right of a member state to request intervention. This intervention is usually in circumstances of grave humanitarian violations such as war crimes, genocide, and crimes against humanity (Kioko, 2003). This was first marked in the 1992 *Agenda for Peace* publication which argued for proactive peacekeeping and humanitarian intervention, which later developed into acceptance of non-indifference, intervening in grave situations so as to ensure continued peace, good governance and development (Murithi, 2009).

Yet, despite this shift in doctrine, the AU lacks the capacity to effectively respond to and resolve the conflict in Africa. The AU lacks the capacity to deliver troops on the ground and to respond to new security challenges in Africa¹. The Chinese government, which aims to increase China's influence in Africa, has developed a new relationship with the AU and other similar institutions, with the aim of peacekeeping and stabilising conflict zones (Aning, 2010:145).

However in 2005 more states, as well as the UN, adapted the 2006 R2P so that the focus was on the responsibility to protect, without completely losing the right to sovereignty. A number of African states have seen this new doctrine as a 'Trojan horse' through which Western states aim to intervene in sovereign states for their own gain (Saxer, 2008:3). The R2P sovereignty was redefined so that the international community could now address cases where a government of a sovereign state is not willing to stop mass atrocities (or is party to the conflict), and where it is not able to stop a conflict (Saxer, 2008:2). This change within R2P and sovereignty moves away from 'intervention' to 'responsibility.' This shift in the terminology has changed the concept in order to avoid potential pitfalls that the international community faces (Tsai, 2010:16). At the same time the idea of shared responsibility has been introduced to ensure that disagreements over the principles of sovereignty and non-interference are avoided, as emphasis is now on protecting human rights and not sovereignty (Bilkova, 2010). The situation in Sudan was an illustration of these shifting debates.

1.2.2. China's doctrine of non-interference

Many scholars have argued that China's recent engagement with Africa reflects China's own ambitious goals and interests, mostly focussing on the competition with developed countries for natural sources, especially in a quest for energy security (Holslag, 2007; Sautman, 2006).

¹ New security challenges in Africa range from post-conflict stabilisation, to growing threats from piracy, trafficking, violent extremism and organised crime taking root in Africa.

Although some of these viewpoints reflect China's practical aspects of the policy towards Africa, the argument of a quest for resources as key driver neglects to take into account the development of Sino-African relations over the past 50 years – relations that have been built on “equal treatment, respect for sovereignty and common development” (Saferworld, 2011:3). There have been shifts in the interactions between Beijing and African states, but certain doctrines such as equal treatment, respect for sovereignty and common development have remained constant, at least in policy wording (Li, 2007).

China's policy on Africa can be seen as “characterised as a policy of continuity and change: a policy that seeks to apply influence without interference” (Aning, 2010:145). This relationship has developed over the decades from political rhetoric of solidarity and anti-colonialism, to a relationship founded on economic imperatives and political security calculations. According to Li (2007:72), since 1982 China has pursued a peaceful and independent foreign policy, based on the principles of independence, equality, mutual respect and, most importantly, non-interference in others' internal affairs. These peaceful and independent foreign policies led to increasing diplomatic relations between China and Africa. Li (2007) states that the reason for this could be because African states are convinced that China is sincere in respecting their political choices and promoting development, which would be beneficial for both parties involved. China is still highly sensitised to principles such as sovereignty and equality, which is, according to Li (2007:75), the result of previous intervention of other major powers into China's internal affairs. External intervention into China's internal affairs happened in the 19th and early 20th centuries, as was seen in the case of Manchuria, of which Russia and Japan took control, using this to their own advantage and to exploit China (Deng, 2008). Beijing maintains that the doctrine of non-interference has protected China's own sovereignty, while assisting in winning the trust of African nations (Li, 2007:75). Except for building trust through doctrines, it would also seem that China has an impact on African states through its diplomatic relations and its economic role in Africa.

Yet maintaining one singular, coherent strategy for the entire continent of Africa, or more specifically maintaining one strategy that would be applicable in every individual African state, is difficult, as Beijing's strategy would impact on Beijing's relations with the international community and with African states. A document to consider when looking at Beijing's relations with Africa is China's Africa Policy (2006). The document was released in 2006, and this 'white paper' was the first of its kind in China's diplomatic relations with Africa. It looked at the progress that China and African states have made together and also

sets out a plan for enhanced cooperation and progress. Beijing claimed that a new strategic partnership was created based on sincerity, solidarity and mutual benefit – which included an economic win-win cooperation. The government in Beijing committed itself to the principles of sincerity, equality, win-win cooperation and solidarity in the Africa Policy, declaring that there was a mutually beneficial relationship between Africa and China, in which each party respected the independent choices of the other (China's African Policy, 2006). When examining China's foreign policy and doctrines in Africa these principles are recurring elements, but the focus will still be on the Africa Policy and the non-interference doctrine, especially examining how these two aspects impact on Beijing's behaviour and how this behaviour changes.

1.3. Theoretical framework

The scope of this study will be grounded in the field of International Relations. In International Relations there are two dominant explanatory theoretical perspectives on state behaviour, namely realism and liberalism. An overview of these two contending theoretical frameworks is necessary, as they challenge one another in several aspects. There are versions of both realist and liberal broader perspectives, but the focus in this study will be on the basic characteristics of the perspectives.

Realism contends that states are the main actors in international relations. These actors want to secure their own survival and national interests, which will often lead to conflict, but there is no international government for arbitration. Realists emphasise self-interest; states are understood as self-interested, solely with the aim of building power to gain more advantage and keep their power. In some cases, this pursuit of power and advantage will include mitigating and managing conflict to protect the state (Burchill et al, 2005:30-31; Dunne, Kurki & Smith, 2007). In this approach, states are thus monolithic entities; as a consequence, there is little need to differentiate between the use of terms such as 'China' or 'the US'; there is not a major difference between government and enterprises. To be successful, states cannot concern themselves with morality and moralistic principles, as this would not be rational in obtaining their goals (Burchill et al, 2005:30-31). Rather, states will focus on their interests and self-preservation, which would in some cases involve adjusting their stance in the world in accordance with their power and the power of other states (Brown, 2005:42). Realism is a sceptical view and sees cooperation as a short-term occurrence in order to further self-interests. This is in contrast with some of the views of the liberalists.

The liberal school in international relations views the international system as essentially cooperative, due to interdependence between several actors. The international system is governable in a sense through the emergence of international system regimes such as the UN (Nel, 1999:60). In this view, a breakdown of power is not necessary to understand the international relations and conflict, as the progressive nature of human beings makes them strive for peace and development (Nel, 1999: 61; Dunne et al, 2007). The core principles of liberalism are individualism, freedom, reason, equality, consent, tolerance and constitutionalism. According to these principles, the individual is more important than the social group or collective body.

Liberal ideology is based on commitment to the individual and the construction of a society in which people can satisfy their interests and achieve fulfilment (Heywood, 2007:23). Individuals are seen as beings with reason, and should enjoy the maximum freedom. Although these individuals have absolute freedom, freedom under the law is advocated, so as not to impose on the liberty of others (Heywood, 2002:43-44). In the same line of thought, liberalism makes the distinction between entities such as the individual, the state and enterprises. This differentiates from realism which looks at monolithic entities. This study will refer to monolithic entities for the most part, but this does not mean that the study will only focus on realism and the factors that it emphasises. For example, the study often refers to mutually beneficial situations which are more in line with liberalism.

In this study the aspiration of mutually beneficial (win-win) situations will also be applied as a separate theory. What is understood by mutually beneficial situations is a peaceful solution which will achieve a mutually reliable international community, or a harmonious co-existence, in which all actors involved can benefit mutually. To achieve such a harmonious co-existence, social responsibility, sharing and cooperation are required to ensure over-all group success. Applying social responsibility, sharing and cooperation, rather than domination and personal gain, will be mutually beneficial to the parties involved, not only in the relationship that they develop, but also because it prevents conflict and harmful competition (Zhu & Yao, 2008:59-60). This aspiration reflects the stated aims of China's foreign policy in Africa, especially as initially expressed towards Sudan. This has not always been the case as this study will show later, but it is an important question to consider when looking at Beijing's involvement in Sudan.

Understanding aims and theories such as realism, liberalism and mutually beneficial situations could contribute to the understanding one has of the argued benefits or pitfalls of the non-

interference doctrine. Therefore characteristics of both realism and liberalism have been applied to studies of China's involvement in Africa, attempting to explain the involvement, whether based on national interest or not, more accurately. This does not exclude the presence of elements pertaining to other schools of thought, but the focus will be on realism and liberalism.

1.4. Research Methodology

This study will aspire to analyse Chinese policy practice against the doctrine of non-interference, thereby evaluating the possible shifts in interpreting this doctrine. It will do so by providing an account of how the doctrine was argued for and applied in the case of Darfur. The study will be partly explanatory in that it will attempt to highlight changes within China's foreign policy, especially relating to the non-interference principle and possible events or elements that led to this situation. By applying a descriptive approach, one will paint a more comprehensive picture of the non-interference doctrine in Beijing's Africa Policy.

In the assessment, the study will apply a qualitative approach. Data collection pertaining to the study will be obtained predominantly from academic literature in the form of books and journals. Other data will consist mostly of publications from institutions such as the International Criminal Court (ICC) and the 2011 Saferworld Report, as well as Government publications (notably the English versions of the Ministry of Foreign Affairs of the People's Republic of China). It will also be necessary to look at how institutions such as the UN and AU define the non-interference doctrine within their own charters and publications, so as to contextualise China's approach. Drawing from the available literature and data, the non-interference doctrine and Beijing's actions during the crisis in Darfur will be discussed in as much detail as possible in light of the limitations to the research.

1.5 Limitations to the research

A limitation on this study is the fact that no first-hand sources, such as interviews in Beijing, Darfur or Khartoum, are possible. Furthermore, it is not possible to use any Chinese language sources, as the researcher does not speak Mandarin. There is also a lack of access to first-hand Chinese sources, as Government publications are rare – English versions that are available might not give a complete version of information that is available in Chinese and/or Arabic. One could assume that English language sources from Beijing are created to suit a different audience, according to the aims of Beijing. A different audience could include another aspect that does need to be kept in mind, which is that China's interactions with Africa vary from state to state; interactions depend on economic relations or certain key aspects. The language

and availability limitations will mean that secondary sources will often be used for the interpretation and explanation of data, which is not ideal, as these sources could be biased or incorrect.

Regarding the data that will form part of the study, one cannot look at interactions with African states in general, or apply findings from the Darfur case study in general. Beijing's interactions vary with the individual African states, which makes a general application difficult. Rather, the case study will attempt to contribute to more informed assumptions. Lastly, this study is also limited to certain length and analysis, thus only one case study will be examined, and it will be kept in mind that one cannot determine all the changes in the non-interference doctrine (and more specifically changes in International Relations concerning intervention) in depth. The study will thus look at the non-interference doctrine and the changes that occurred as a result of the specific events and expectations of the situation in Darfur after 2006.

Chapter 2: Background

To understand the aspects discussed in the rest of this paper, one must first be made aware of the background to elements and events under scrutiny. Thus the history of Sino-African relations, and specifically China's relationship with Darfur, will be discussed briefly, as this reflects China's promotion of and adherence to the non-interference doctrine. As Beijing's adherence to non-interference will be applied to the situation in Darfur, the development of events in Darfur will also be discussed briefly, while Chapter 5 will discuss China's involvement in the Darfur crisis in more depth.

2.1. Development of Sino-African relations

China's return to Africa for the long term has been regarded as "the most dramatic and important factor in the external relations of the continent – perhaps in the development of Africa as a whole – since the end of the cold war"(Large, 2007 in Kone, 2010). There are several reasons for this statement, which one gathers by briefly evaluating the development of Sino-Africa relations throughout the past years. Historically China and Africa have had ties since the founding of the 'New China' in 1949. Formal establishment of diplomatic relations only followed the Bandung Conference of 1955, but, even before that, Beijing provided a number of African states with financial and moral support for the fight for independence of such African states (Zhao, 2009).

Following the Bandung Conference, China established diplomatic relations with Egypt in 1956, marking the start of new relations. Thereafter, the Chinese Premier, Zhou Enlai, visited ten newly independent African countries between 1963 and 1964 – this could be regarded as the start of almost continuous political engagement between China and African countries. According to Councillor Dai Binnuo, the visits and new engagements brought trading and material goods, peace and friendship to Africa, rather than violence or colonialism (Saferworld, 2011:4). These peaceful inter-governmental relationships between China and Africa gradually progressed, based on what Beijing has described as a common historical experience. There have been several fundamental shifts within this relationship, as Beijing's ideological position, which has shifted over the years, initially circumscribed its foreign policy (Li, 2007:70).

China's Africa Policy was initially influenced by ideology that was part of the unique international environment between 1949 and 1978. By 1978, market based economic reforms

were introduced in China (Hart-Landsberg & Burkett, 2005). During this time, China saw itself on the frontline against colonialism, imperialism and revisionism in the Third World. With the Sino-Soviet split in the 1960s, China came to see some pro-Soviet communism parties in Africa as ideological rivals and severed ties with all of these pro-Soviet parties (Segal, 1992:118). Beijing's focus on Africa shifted to countering the influence of the Soviet Union, often with approaches that impacted negatively on China's image. An example of a negative impact on China's image was the support of the National Liberation Front of Angola (FNLA) and National Union for the Total Independence of Angola (UNITA), while the *Movimento Popular de Libertacao de Angola* (MPLA) was backed by the Soviet Union, until the MPLA ultimately won the struggle (Campos & Vines, 2008:2-3). Even when Beijing shifted from this approach of countering the Soviet influence in the mid-1960s, its image was still impacted by the next approach it followed.

After the mid-1960s, China continued with a dogmatic approach, in which Maoism was promoted, or in which Beijing was said to "export revolution" (Li, 2007:71; Rotberg, 2008:23). This approach infuriated some African governments and deviated from the non-interference expectations, thus leading to the severance of more ties between China and certain African states (Li, 2007:71; Segal, 1992:119). Only at the end of the 1960s when China abandoned this approach to export the Maoist revolution, did the broad-based relationships start to gradually recover, along with the image that African states had of China. China's image recovery was to a large degree helped by its assistance to African states.

In 1963-1964 an approach was developed which included Chinese assistance to African states. This approach largely required using free aid as a basis for building bilateral relations. As a result of the approach, the Chinese government, as well as certain Chinese corporations, supported more than 800 projects and development objectives in Africa between the 1950s and the 1980s. This included the construction of a number of landmark structures, such as the 2000 kilometre Tazara railway between Zambia and Tanzania, which is one of the largest infrastructure projects in Africa (Saferworld, 2011: 5-6). These projects also provided moral and financial support to African states, which gave a positive impression of China in the minds of Africans; building a positive foundation for future relations. In the 1970s, China gave more aid to Africa than the Soviet Union did, which also contributed to the positive image that African states had of China, in spite of China's actions to curb the influence of the Union of Soviet Socialist Republics (USSR) in Africa (Li, 2007: 70-71; Rotberg, 2008:23-24). Yet Beijing's behaviour in the 1980s contradicts the image of continuity and shared

developing country identity with Deng Xiaoping's reforms in China. Following this era, relations with African countries were downgraded into what was seen as the 'decade of neglect' (Taylor, 2006:939). Following this 'decade of neglect,' when there was not really any development in Sino-African relations, Beijing came to alter its approach dramatically.

2.2. Shift in Sino-African relations after the 1980s

This shift will be discussed in more detail in Chapter 4, but one could briefly mention that in 1982 there was a shift towards a more pragmatic approach. Beijing officially shifted away from a policy that emphasised 'war and revolution' to one of peace and development at the 12th Communist Party of China (CPC) National Assembly (Li, 2007:72). This shift included a change in policies from policies in which 'economy serves diplomacy' to policies in which 'diplomacy serves the economy'. The focus thus shifted to practical effectiveness in assistance and the spirit of 'developing together' (Li, 2007:72). The two main strategic elements that had implications for Sino-African relations were, firstly, the decision that China would pursue a peaceful and independent foreign policy and, secondly, that the country would emphasise Chinese domestic economic development. Integral to this decision were the new principles that were established at the CPC National Assembly.

The principles established at the CPC Assembly for a new type of interstate political relationship were to be based on "independence, complete equality, mutual respect, non-interference in others' internal affairs" (Rotberg, 2008:23). These principles promoted economic and trade cooperation on many levels and promoted mutual respect. However, this was not only a shift towards a policy that would provide Africa with grants, but also a policy which aimed to ensure that aid was provided in a way that benefit both sides economically. The aim of this support was to develop Africa's ability to self-develop through the economic aid that Beijing provided. Assistance also began to include other forms of support - such as discounted loans, cooperatives and joint ventures for projects in Africa. This brought in new technology and management practices and taught Africa to use money more effectively – it also expanded economic cooperation between Africa and China (Li 2007:74).

To further bilateral cooperation, Beijing created FOCAC in 2000. Sino-African relations were developed and upheld throughout the years, so that, by 2002, the CPC had established relations with more than 60 political parties in 40 sub-Saharan countries. At the third FOCAC Summit in 2006, Beijing devised a new policy to enhance cooperation with Africa through measures such as preferential finance, debt cancellation and professional training (Zhao,

2009). This approach expanded Sino-Africa relations to include more enhanced economic and trade cooperation, cultural and educational exchange, medical and public health, military exchange and non-governmental communications (Li, 2007:73).

This cooperation and development benefitted China economically, while politically Beijing gained support from some African states which, like Beijing, opposed imperialism and hegemony. With the support of African states, China was able to defeat 11 proposals brought against China by the US at the UN Conference on Human Rights in 2004. As Africa holds 15 out of the 53 seats on the Commission on Human Rights, the support of these states assisted in blocking the proposals brought in by the US (Li, 2007:75; He, 2007:27). This support between Beijing and African states is also based on what Beijing and some African states see as their shared experiences of the colonial era, as they maintain that these ill effects and experiences now underlie the ideas of equality and respect for sovereignty. This is an interesting view, as African states were formed by colonialism and subjected to it completely, whereas China was only subjected to economic control.

Another point of note concerning China and Africa's developing relationship, is that African countries had liberalised and opened up their economies to outside investment and trade, while China had a rapid economic development. With China's opening-up in the 1990s, substantial foreign investment and economic growth followed, fuelled by globalisation. With this, the relationship between the two continents came to focus on economic relations and increased trade between the two continents, also with an idea to revitalise the relationship. Over the years, China has strengthened its economic ties with Africa through colossal investment in natural resources extraction, oil, infrastructure projects, construction, textile and other commodity sectors. In 2007, the value of trade between the two parties had reached US \$65 billion (Saferworld, 2011:7). Between 2007 and 2009, Beijing signed bilateral agreements with 28 African countries and loan agreements with 22 African countries, with the aim of improving Africa's self-development capacity and improving relations (Zhao, 2009). This has aided the economic development in Africa, but also aided China which needs raw materials to fuel its own development.

The strengthening of economic and trade ties between China and Africa allowed Beijing to develop relationships with states often shunned by the rest of the global community; because of China's foreign policy, China has been welcomed by many of these shunned states (Goodman, 2004). Sudan was one such shunned country with which Beijing developed a

strong relationship. Even with internal insurgency groups attacking oil companies, Chinese companies enjoyed diplomatic protection from the Sudanese Government. This enabled Chinese enterprises to continue supplying fuel to China and providing the Sudanese Government with funds and support. Thus Beijing's relationship with 'pariah states' like Sudan, where the Western states do not have a strong influence, have been beneficial to Beijing and Chinese companies in the past (Chan, 2007 in He, 2010). This presence in these shunned states is partly the reason why China's involvement in Africa has provoked so much debate and discussion.

Much of the commentary on Chinese engagement in Africa denounces Beijing for practices such as support of dictators, destruction of the environment, exploitation of minerals and complete disregard for human rights (Kone, 2010). Criticism has especially been directed at the relationship between China and Sudan, which will be discussed in more detail later. It is important to note that in this relationship between Sudan and China, as well as in other Sino-African relations, China has been shown to adapt its policies with those states, but continued to uphold previously formulated principles. Since 1956, China's African Policy has shifted from an ideologically driven approach, to political pragmatism, to economic pragmatism (Li, 2007:74). These shifts have altered Sino-African relations over the years, but one could argue that certain core principles have continued to underpin the relationship. China has stayed sensitive to principles such as sovereignty and equality between nations. This could be the result of external interference in China's internal affairs in the past. As a result of these diplomatic threats to its own affairs, Beijing maintained that it will not interfere in the domestic affairs of states with which it engaged, or even in the states with which it did not engage directly. Sovereignty, the non-interference doctrine, mutual benefit and equality became fundamental denominators in China's interactions with other states, which have been reflected in its foreign policy and interactions with African states, such as Sudan.

2.3. China and Sudan relationship post-1959

On 4 February 1959, China and Sudan officially established diplomatic relations (Fernando, 2007), a relationship largely built around economic aid and support. For three decades of relations prior to 1989, the relationship between China and Sudan had featured several infrastructure construction projects. In 1970 China granted \$41.6 US million to Sudan for the construction of a weaving and textile factory, a bridge and a conference hall. In 1971 a further \$40 million interest free loan was given to Sudan for the setting up of an agricultural equipment factory and a fisheries development. China eventually had a salient economic

position in Sudan; however, this was only achieved after the 1990's, although the two shared a long history (Large, 2008). Even though there was not a significant, lasting Chinese presence within Sudan in earlier years, there were comparatively good relations at that time as a result of the aid and assistance that Beijing had given Sudan. One could say that this absence of a more significant history of Chinese involvement in Sudan has, in fact, contributed to the good ties between the two governments (Large, 2008).

Yet the relationship between Beijing and Khartoum is not only a relationship built on economic aid, but also on the doctrines and principles that China employs in its foreign policy. There has been a continuity in the formal doctrines governing these political relations from President Zhou Enlai in 1964 to President Hu Jintao in 2007. The doctrines which have applied throughout the years are sovereignty, territorial integrity and non-interference. The doctrine of non-interference especially has been vital to the maintenance of good relations with Sudan and its periods of parliamentary and military governments (Ali 2006 in Large 2008). China supported Khartoum in several internal conflicts, particularly during the two civil wars² that Sudan has experienced (Damplo, 2011). Beijing also supported the government of Sudan in the case of the conflict in Darfur.

However, the events in Darfur, coupled with Beijing's doctrine of non-interference, have drawn a lot of attention in international debates; media criticism has focussed on aspects concerning external intervention in Darfur, specifically on Beijing's non-interference doctrine (Large, 2008). In spite of criticism, the ties between Beijing and Khartoum have only strengthened, while Beijing initially continued with the doctrine of non-interference. It has been argued by scholars such as Stephanie Giry (2005) and Li Anshan (2007) that China has kept these ties with Sudan on the grounds of Sudan's rich natural resources, especially its oil reserves. This resource and interest element forms a large part of most debates surrounding Beijing's foreign policies and its actions in Africa, and should thus be discussed briefly before one looks at the events in Darfur.

2.4. Beijing's resource and interest based relationship with Sudan

Sudan is one of China's top trading partners, along with Angola, South Africa, Nigeria and Egypt, as well as being one of the top oil suppliers (Zhao, 2009). This salient economic position developed in spite of political elements changing over the years. When the National

² Sudan has experienced two civil wars since its independence in 1955, with the second civil war lasting until 2005 when the signing of the Comprehensive Peace Agreement (CPA) with both civil wars causing the deaths of millions and disrupting economic, political and social development (Damplo, 2011).

Islamic Front (NIF) took power in Sudan through a coup in June 1989, the Chinese government initially appeared uncertain about the Islamic politics of the party. Yet, in spite of the hesitancy, relations resumed through an Iranian funded Chinese arms deal to Khartoum in 1991, worth US \$300 million. Several efforts were made to expand economic ties and, in 1994, the government of Sudan expressed interest in Chinese involvement in developing Sudan's oil sector (Large, 2008). There was also the 'energy cooperation' that gathered momentum in 1995, with another state visit by Beijing which secured a loan for the Sudanese after an agreement on oil development. China accounted for 64% of Sudan's oil exports by 2008 and is presently exploring options to increase its investment. By 2010 the state-owned China National Petroleum Corporation (CNPC) owned and controlled the largest single share (40%) of Sudan's oil consortium, the Greater Nile Petroleum Operating Company (GNPOC), and has a 41% stake in Petrodar, which operates two oil blocks (Kone, 2010).

Based on the development in the energy sector, Sudan has become one of China's main oil and gas suppliers in Africa, which has led to extensive economic links with the Government of Sudan. Links are not only limited to the oil and gas supply; Beijing has also provided weapons and diplomatic support to the NIF. In exchange, China has provided low interest loans and economic aid for Chinese companies which are developing the infrastructure in the country. Sudan has also been serving as a potential market for Chinese goods; China is not only Sudan's investor, but also the country's largest trading partner (Large, 2008). With the investment China has made, Sudan's economy grew 5.2% in 2005, its fastest growing rate in many years. By 2008, investment in Sudan was second only to South Africa (Zhao, 2009). The investment in Sudan has allowed Sudan to develop from oil importer to oil exporter, also increasing the output of crude oil, which brought more revenue to Sudan (Zhao, 2009). This reflects development and economic aid that has benefitted both China and Sudan.

However, Chinese companies present in Sudan have been accused of facilitating human-rights abuses in the country, according to a 2006 Amnesty International document. The document reports that the exploitation of oil in Unity and Heglig oilfields in Southern Sudan, "was accompanied by mass forced displacement and killing of the civilian population living there. Sudanese planes bombed villages and Southern militias, supported by Sudanese armed forces. They attacked villages, killing people and destroying homes until the area was depopulated, in an apparent aim to clear the area of people for oil exploration and extraction" (Amnesty International, 2006 in Kone, 2010). The silence of companies, for example accused companies such as the CNPC, indirectly amounted to complicity in these actions. In light of

events such as this, Beijing came under more pressure to change its hands-off policy and to intervene. Especially with the outbreak of the crisis in Darfur in 2003, the pressure and attention increased tenfold. It could be questioned whether China's growing economic involvement indirectly emboldened the Sudanese Government and fuelled the crisis in Darfur. Nonetheless, ignoring this aspect for now, the crisis in Darfur was (and is) a unique case and one must understand the background and the build-up of events to understand the actions and reactions of different states throughout the crisis.

2.5. Unfolding the Darfur crisis

The crisis in Darfur started in 2003, but one can see that the crisis developed out of a background of political resentment in the country and the region. Darfur is a region of approximately six million people in the western part of Sudan, consisting of a diverse mix of ethnic groups. In this region there is a distinction between the nomads (mostly Arabs moving between north and south, depending on the season), and pastoralists in the central and southern area. Since the 1970s, there has been much dispute over natural resources, notably land and water, as a result of severe droughts and famine (He, 2010:156). With the deliberate political exclusion of Southern Sudan by the Northern-dominated central government in Khartoum, the conflicts over scarce resources escalated, especially with pastoralists denying nomads access to their land.

When strict Islamic Sharia laws were imposed across Sudan, political resentment flared up and resistance movements developed which demanded independence from the north. For the past fifty years, Sudan has seen armed conflict between governments and opposing factions, based on religious, racial and geographical distinctions and colonial experiences (Aideyan, 2010:36). This conflict has mostly manifested along a northern-southern divide, and led to the establishment of several rebel groups that operated against the central government, but by 2004 the peace process was underway and by 2005 the central government had signed a Comprehensive Peace Agreement (CPA) with the rebel groups. Yet Darfur was excluded from this peace process and the conflict was still on-going when the CPA was signed. The very peace processes that put an end to the conflict in Sudan, failed to bring peace in Darfur, in fact, conflict in Darfur broke out with the conclusion of peace processes in Sudan (Shinn, 2009:85-86).

The open conflict in Darfur started in February 2003 when the two prominent military fronts, the SPLM/A and the Justice and JEM, launched a large-scale anti-government campaign,

saying that Khartoum had neglected the region (Grzyb, 2009:7). This neglect included meagre educational and medical facilities and infrastructure, as well as support for armed militias who harmed the people (Ibrahim, 2006:12-14). SPLM/A and JEM focused on claims that President Al-Bashir had not invested in the physical and economic infrastructure of Darfur and that interests of Arabs were favoured over those of non-Arabs. Darfur has remained marginalised from the centre of Sudanese power in Khartoum, and has been neglected over the years, starting with British colonialism in the 1900s. Discontent over the situation in Darfur eventually led to the armed rebellion in 2003, a rebellion that repeatedly met with a brutal counter-insurgency campaign against civilians (Grzyb, 2009:9; Shinn, 1986). In the case of Darfur, the main perpetrators of the conflict were a government-backed Arab militia, the Janjaweed. The main victims in this situation were mostly non-Arabs from the Darfur area; three groups were targeted specifically, namely the Fur, the Masalit and the Zaghawa, who were of the same ethnic groups as the rebels (Grzyb, 2009:9; Strauss, 2005:123).

The campaign became violent for the first time when there was an attack on a Sudanese air base. Arab militias, the Janjaweed, responded to this insurgency by rebel groups in the form of ethnic cleansing, air strikes and ground operations (on government orders). The strategy, a 'scorched earth' strategy, so to speak, aimed at driving civilians from their villages, thereby depriving rebels of recruitment bases and sanctuary (Ibrahim, 2006:14). In response to the violence, more people began to arm themselves and repel the government-supported Janjaweed (Murphy, 2007 in He, 2010). By January 2004 the army had moved to quell uprisings in the western region of Darfur, leading to thousands of refugees fleeing to Chad. This conflict soon also engulfed neighbouring countries such as Chad, Libya and Uganda, which complicated the situation as it caused discord with them and Sudan. This discord not only related to the thousands of refugees who fled to neighbouring states, but also to the lack of reaction of the Sudanese Government to the violence in Darfur.

The core strategy supposedly employed by the Sudanese Government was arming the Janjaweed militias, and offering support for the Janjaweed's attacks. In late 2003, in a public speech, President al-Bashir called on the Janjaweed to "eliminate the rebellion" (Strauss, 2005:126). Attacks against the rebels were specifically targeting civilians of the same ethnicity as rebels groups (Grzyb, 2009:9; Strauss, 2007:127). Tactics frequently included rape, torture and mass killings of civilians. The Janjaweed militias proceeded to make the region uninhabitable, chasing away civilians who were too scared to return and rebuild. The Sudanese Government kept claiming that events were being exaggerated (Darfur Destroyed,

2004; Strauss, 2005:127). The government and the Janjaweed often appeared to coordinate their attacks, which made these attacks so much more devastating (Shinn, 2009:85; Human Rights Watch, 2005).

The devastating attacks in Darfur resulted in many civilians fleeing to refugee camps outside Darfur, often to neighbouring countries such as Chad (Shinn, 2009:86). Aid agencies were prevented from travelling in Western Sudan and their shipments of needed supplies were often blocked from reaching the region. This exaggerated already critical circumstances. Yet the UN only sounded the alarm on the crisis in late 2003. By the time the media and western governments acknowledged the crisis, it had been going on for almost a year. Jan Egeland, the UN under-secretary general of humanitarian affairs and emergency relief coordinator, declared Darfur to be “one of the most forgotten and neglected humanitarian crises in the world,” (Egeland quoted in Grzyb, 2009:3). This remark was made in 2004, referring to a crisis that continued for several more years.

IN spite of a delayed international response, it was still an external humanitarian response that followed in the absence of reactions from the Sudanese Government, who failed to react to the atrocities being committed in Darfur. The expansion of conflict raised the number of deaths in the region, although it is still difficult to determine the exact death toll; the estimate varies from 10,000 to 70,000 deaths, while millions have also been displaced (He, 2010:157). The failures of the Sudanese Government to protect the citizens in the Darfur region and the high death toll have led to accusations of the government’s complicity in genocide by certain humanitarian groups and especially by the US. There was lobbying in certain circles to have the situation labelled as ‘genocide’, so that it would oblige states such as the US to impose sanctions and force the UN to intervene, on grounds of the R2P principle (He, 2007).

In January 2005 the UN report accused the government and militias of systematic abuses in Darfur, but stopped short of calling the violence ‘genocide’. According to the International Commission of Inquiry on Darfur in 2005 (authorised by the UN Security Council Resolution 1564 in 2004), it found that events in Darfur were not genocide, but, nevertheless, the Commission cautioned that: "The conclusion that no genocidal policy has been pursued and implemented in Darfur by the Government authorities, directly or through the militias under their control, should not be taken in any way as detracting from the gravity of the crimes perpetrated in that region. International offences such as the crimes against humanity and war crimes that have been committed in Darfur may be no less serious and heinous than genocide”

(UN International Commission of Inquiry on Darfur, 2005). Even though the situation was found not to be 'genocide', there was still an international outcry for intervention. Several states, such as the US continued to raise the idea of 'genocide' and sanctions, highlighting a need for external involvement in Darfur.

2.6. External involvement in the Darfur crisis

In light of the growing impact of the crisis, along with the growing international attention the crisis was given, there has been a response from several aid agencies to attempt to help the thousands of displaced citizens. Several of these agencies were UN agencies, who were also one of the first to describe Darfur as one of the worst humanitarian crises in the world and to focus the world's attention on the events in Darfur. As conflict increased, it highlighted the need for a more comprehensive solution to the crisis (Aspel, 2009:244).

The first clear external reaction to the crisis came in September 2003, when the Human Rights Watch issued the first study of Beijing's role in the Darfur crises, soon followed by Amnesty International and various news agencies, all criticising China for fuelling the conflict and human rights violations (Holslag, 2007:3). Soon organisations such as the UN and AU were pressured to become involved as well, along with calls for more traditional forms of intervention. Darfur was the first test case for the newly founded AU and its new Charter, and the AU did indeed react to the conflict in Darfur

The African Union Mission in Sudan (AMIS) was launched in 2004. AMIS monitored the Addis Ababa Agreement of 2004, which established a temporary ceasefire between the Government of Sudan and the SPLM/A. Both sides failed to adhere to the agreement and AMIS was left as an observer, unable to stop the conflict that followed (Steidle & Steidle, 2007). In October 2004 an idea of non-intervention was strengthened within Africa, when leaders of Libya, Sudan, Egypt, Nigeria and Chad rejected the idea of foreign intervention, as they saw the situation as one which warranted support and not threats. In spite of this, the AU deployed additional troops to the region, even though this was initially delayed as they had a lack of funds and 'logistical difficulties' in this deployment. In 2005, AMIS received a wider mandate to also protect civilians, but the troops were too few to make a significant contribution or to stop the conflict. Initially AMIS sent 150 troops, which soon became apparent was not enough. In 2005, the AU increased the troops gradually until AMIS had sent about 7,000 troops by April 2005. In 2006 the AU arranged the signing of another peace

agreement; this agreement was signed by the Sudanese Government and only one rebel faction (Grzyb, 2009:7).

The UN and the European Union (EU) both gave support and funds to support these troops, but there were further delays, as the Security Council could not agree on mechanisms to try war criminals and how/if to apply sanctions (Ibrahim, 2006:13). In September 2004, the US put forward a UN draft resolution aiming at initiating sanctions against Sudan and its oil industry; however this draft was later modified to become Resolution 1564 (UN Security Council 5040th Meeting, 2004). In 2006, the difficulties surrounding the Darfur crisis continued. Members of the UN agreed to send UN peacekeepers to Darfur, to provide the AU troops with more support and to protect civilians, but it was difficult to find states willing to contribute troops for this. It was also complicated by Sudanese President Omar al-Bashir's open opposition to UN peacekeepers in Sudan. This was a major setback, as the AU expressed willingness for the UN to replace them in peacekeeping duties in Darfur. It stated that they were under-equipped and that the UN peacekeepers could be more effective in resolving the issues present in the country. Khartoum initially rejected the UN Resolution 1706 calling for an UN peacekeeping force in Darfur, saying it would compromise Sudanese sovereignty (UN Department of Public Information, 2007). They also demanded that AU troops leave Darfur (even though this deadline was extended later).

However, in December 2006, the government of Khartoum agreed, in principle, to accept the deployment of UN troops in Darfur as part of an expanded peacekeeping force. This developed further in 2007, when a partial UN troop deployment to reinforce AU peacekeepers in Darfur was accepted, although a full 20,000 strong force was rejected (UN Department of Public Information, 2007). Eventually response to the continuing crisis in Darfur difficulties the AU was experiencing, led to the official launch of the second operation. The United Nations African Union Mission in Darfur (UNAMID), a joint operation by the UN and AU which was formally approved by the Security Council Resolution 1769 in 2007 (Kreps, 2007:67). UNAMID's failure prompted the Security Council in 2007 to authorise more troops for Darfur to protect civilians, which also failed to successfully resolve the crisis (Kreps, 2007:68-70). As a response to the failed attempts of the AU and the UN to resolve the crisis, the intervention in Darfur can be questioned. There seems to have been a 'crisis of intervention' which developed as the external influence in Sudan increased; this contributed to the heightening tension and internalised the conflict (Aideyan, 2010:36).

By 2005 more than a dozen external actors had been involved in the conflict throughout the years, including the US, Egypt, Iran, Cuba, Ethiopia, Uganda, Chad, Eritrea, Libya, Congo, Kenya, some Arab states, the UN, the AU and several NGOs (Aideyan, 2010:36). The international community attempted to take a hard stance against the Sudanese Government, based on the clear indifference of the al-Bashir regime towards the people in Sudan. The support did not immediately include support for sanctions or giving troops for the UN peacekeeping force. Yet the support that was eventually given, or agreed upon, by the UN members, led to the resolution of the conflict in Darfur. This turn in events could be seen most clearly after 2006.

According to Aideyan, the majority of states' motives for involvement in Sudan can mostly be seen as those involved for strategic motives, for example, neighbouring countries protecting themselves, while others, including China, were involved for economic motives, specifically to gain access to oil reserves. Beijing was often criticised on grounds of these supposed economic motives, as mentioned earlier. It is important to note that criticism was also based on policy expectations; there was no mention of any clear demands and requirements, or even consensus on the principles and doctrines that should have been followed in Darfur. The policy demands ranged from supporting the Annan Plan³, which stipulated that UN troops should be allowed into Darfur, to demands for total withdrawal from economic activities (Holslag, 2007:4). Serious discussion by the Security Council involving these demands and policy aspects only started seriously in 2004, although the crisis was recognised in 2003. Discussions ended in 2007, when the culmination of the discussions ended with the deployment of hybrid peacekeeping troops in the Darfur region. These discussions often involved pressure on Beijing to use its influence in Sudan to stop the crisis, while, in other situations, Beijing was, in principle, opposed to many of the recommendations that emerged from discussions between the Governments of Beijing and Khartoum. Chinese diplomats have blamed the West for the worsening situation in Darfur: "The Darfur issue would not have escalated so fast ... without the intervention from external powers driven by their own interests" (Shichor, 2007:7).

On the other hand, Beijing has been criticised for its support of Khartoum. In several accounts, China is described as a ruthless actor, pursuing Beijing's and Chinese corporations'

³ The Annan Plan is a three phase support plan put forwards by the then UN Secretary-General Kofi Annan. It includes providing more assistance to the AU contingent in Darfur, the UN deploying soldiers and officers to assist the AU troops in Sudan, and finally deploying a AU-UN hybrid peacekeeping force.

interests, specifically oil for China's own energy needs. It is argued that China protected the China's interests by blocking any decisions by the Security Council to intervene in Darfur. However, some scholars such as Contessi (2010) have argued that these prevailing characterisations do not consider China's involvement in the conflict at bilateral and regional levels. Rather, China's actions at multilateral level reflected a more general Chinese attitude towards peacekeeping and intervention at the time, and were not reflective of stalling the Security Council (Contessi, 2010:324). However, such statements will be examined in more detail in Chapter 5, along with an evaluation of the events that took place in Darfur after 2006.

2.7. The crisis in Darfur after 2006

On 31 July 2007, the UN Security Council Resolution 1769 was unanimously passed, creating a hybrid AU/UN peacekeeping operation in Darfur. Around this time it was seen that China continued to give the Sudanese Government financial and military aid, but due to global pressure and negative media attention ahead of China hosting the 2008 Olympic Games, Beijing was pressured into using its influence in the area selectively. During this crisis China has been accused of following only its own economic interests, at least while the 2008 Olympic Games were 'threatened'. Yet the involvement of other states such as India and Malaysia in Sudan has been ignored. One must remember that China used its comprehensive economic strategy to bring about development and changes in Darfur. This gave Khartoum more economic power to negotiate with the armed movements and come to the signing of a peace agreement in 2005 (He, 2010:158). Also, China is not only concerned with classic security issues such as transfer of arms and engagement with peacekeeping, but also with non-traditional security issues such as maritime and oil security, as well as with not violating the doctrines governing China's foreign policy.

China's involvement also assisted in the country's economic recovery, which aided and accelerated the peace process. Even though diplomacy and international mediation was important in the process, the improved economic stance was necessary for willingness and ability to bring about change. It also eased budgetary constraints on the north and south, while improving people's living standards on the whole. China and certain African states share the view that countries are in different stages of development and that one cannot use the standard of developed countries to judge the situation in developing countries – this would not be fair or effective. Rather, by aiding the development of the country and addressing the root causes

of the problem (such as poverty in the case of Darfur), the situation could be resolved. In this way, the sovereignty of a state and the doctrine of non-interference can also be respected.

Beijing's actions seem to have contributed to the resolution of conflict in Darfur, but the question remains whether Beijing would have interfered if not for international and media pressure. The situation in Darfur has seized international attention since 2003, with special attention paid to this situation by Western human rights organisations, the media and politicians (He, 2010). There have been many outcries to respond to the crisis, as well as many diplomatic forums on the crisis – more than on any other African crisis so far. There have been few other humanitarian crises in recent years which have achieved greater notoriety (Black & Williams, 2008). As such, in the case of smaller conflicts, it is unclear whether Beijing will interfere again or whether it will then adhere to the doctrine of non-interference. This doctrine of non-interference can be understood differently from various viewpoints; one must first discuss this principle in more detail in this study to understand Beijing's behaviour.

Chapter 3: The non-interference principle

The principle of non-interference has been present in the policies of international relations since the Peace of Westphalia (1648), and has over the years been subject to many debates. The principle of non-interference stems from the principle of sovereignty, as a legitimate sovereign state has the right not to be interfered in their own internal matters by other states (Malan, 1997; Funston, 1999). This sovereignty is the inherent right of the state and has been seen as a country's most important attribute, an attribute which will be protected by non-interference. Several countries and organisations have shown a difference in perspectives concerning the principle. In spite of different views, non-interference has been a core aspect in the charters of the AU and the UN, although here too there has gradually been a change in how the principle is perceived and implemented (Funston, 1999). The implementation and development of the non-interference principle in these two organisations, and in general, will be the focus of this chapter.

Before this principle can be discussed one must be aware that the principle of non-interference is also called the non-intervention principle. The terms are often used interchangeably, but 'non-intervention' is the more legal principle whereas 'non-interference' suggests a wider prohibition used in addition to intervention. Interference would rather imply forcible or coercive measures, whereas non-intervention would rather refer to reasons and certain cases where intervention is allowed (Oppenheim, 2008:432). Both terms reflect the sovereignty of states, as it relates to the state's right to sovereignty and independence (Seybolt, 2009). The aim is to better understand how Beijing's interpretation of non-interference has shifted. Therefore the development of the principle since 1649 will be discussed.

3.1. The Treaty of Westphalia

In 1648, with the signing of the Peace of Westphalia by the major European countries, states became the primary institutional agents in the international system, which was in accordance with the realistic school in the international era dominant in that time. It was the first time a multilateral treaty recognised the independence of all the participating countries and legal equality; non-interference became part of international law, although it was not stated outright as a principle (Malan, 1997). As established in 1648, the principle of non-interference has traditionally meant that governments may only attempt to influence one another's behaviour through established diplomatic channels and not through channels such as occupation or

coercion (Holsti, 1988 in Funston, 2002:2). This line of thought does not however exclude cooperation or involvement; cooperation for mutual interest in political or economic affairs is not excluded by the principle, even though it could also affect a state's national sovereignty (Funston, 2002:2).

Non-interference, as defined as above, only appeared as a concept in its own right in the documentation of other bodies almost an era later. 'Non-interference' first appeared in the internal affairs of the 1793 French Constitution, when Article 119 stated that the French people will never interfere in other country's politics, they do not allow other countries to interfere in their own politics (Malan, 1997). Many states followed suit, and it was later included in the UN charter. The Friendly Relations Declaration from the 1970 UN General Assembly stated the following concerning the principle of non-interference: "No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law" (Chatham House, 2007:1). It was a key concept at this time for many of these states, because if principles of non-intervention, sovereignty and the legal equality were not observed with reasonable consistency, the nature of interstate relations would be radically affected.

The Westphalian doctrine, which highlighted the importance of principles such as non-interference, was strengthened in the 19th century by the rise of nationalism. However, between 1850 and 1900, forcible intervention into the domestic affairs of another state became less frequent (Leurdijk, 1986 in Hayman & Williams, 2006). Even though forcible interventions became less frequent, the principle was still emphasised in the US and Europe throughout the 19th and 20th century. This reflected the changing perceptions in a changing international system (Malan, 1994). One can say that the beginning of the modern international system, and the foreign policies of states in this time, were defined largely by the principles of the Peace of Westphalia, namely the principle of sovereignty of states, the principle of legal equality between states and the principle of non-intervention of one state into the affairs of another (Funston, 2000:1; Seybolt et al, 2010:2).

On the one hand this view appears to be a purely realist point of view, while on the other hand it can be argued that principles relating to non-interference will be overthrown eventually by globalisation. If one looks at the proposed military interventions into

Afghanistan, Iraq and Sudan, the idea that intervention will become more commonplace is supported. However, in spite of more recent developments, principles like non-interference have been reflected in the doctrines of the UN and in the foreign policies of most Western nations (Funston, 2000:1). The principles, especially non-interference, have been accepted by non-western states over time. As the western colonial influence spread and many states for the first time gained sovereignty, they became more supportive of the non-interference principle (Mayall, 1991:421). This was the influence of the agreement of Westphalia and the idea of protecting the sovereignty of states. However, as the international community changes due to globalisation, the perceptions concerning principles such as non-interference are changing. To a degree the system is moving away from the values of realism, towards the values in the liberal school of thought in international relations.

3.2. Liberal intervention

In a changing international system, Mayall (1991:421) notes that liberals hoped for a reformed international society, in which states are “protected from aggression by a working and workable system of collective security, and the democratic and human rights of their citizens would be guaranteed by the evolution of a genuine (and preferably self-policing) international civil society.” During the Cold War this was not the case, as the international system was maintained and defined by the rivalry between the US and USSR. Support for the liberal views came mostly from the Third World, who asserted the continuing relevance of the principle of non-interference; however their tyrannical governments undermined their commitment to the liberal vision (Mayall, 1991:421).

Only after the Cold War did the question arise again on how domestic and international politics should be related, in terms of resolving conflict. According to the liberal transformation that followed, the resolution of conflict in the Third World was possible by cooperating in events and solutions relating to conflict situations. This cooperation translated into no foreign interference in civil conflict, but to rather support local efforts to resolve the conflict internally. This idea of liberal transformation was enhanced by the former Soviet Union and Eastern Europe’s commitment to liberalise and democratise, without having to be coerced by western nations (Mayall, 1991:422). Whereas the liberal transformation emphasised cooperation, a 19th century liberalist doctrine concerning foreign policy and liberal internationalism argued that liberal states should intervene in other sovereign states (Hunt, 2003:54).

According to this liberalist doctrine, intervention could take place through military measures or humanitarian aid, in order to pursue a liberal objective (Hunt, 2003:54). This view emerged in the 19th century, notably under British Prime Minister Lord Palmerston, and was developed further by the USA, President Woodrow Wilson, with followers such as British Prime Minister Tony Blair. The doctrine contended that there should be global structures in the international system that would promote a liberal world order and eventually create a democratic peace (Hunt, 2003:54). This can be possible through multilateral organisations such as the UN, through which power politics and bad relations can be avoided, not through power and military intervention as realists argue. Yet this liberal interventionism has been used in Afghanistan and Iraq, where military measures were deployed, and which are not very liberal.

Most liberal forms of intervention oppose the use of force and rather include economic ‘carrots and sticks’, overt or covert assistance to independent media and opposition groups, training in forms of non-violent action, and so on (Hunt, 2003). Most of these forms assist people in attaining safety and freedom without endangering lives. Yet classical liberals extended protection of the country to protection of overseas markets through armed intervention. Protection of individuals against wrongs normally meant protection of private property and enforcement of contracts in a more economic view (Hunt, 2003). This view could be seen in the 1999 North Atlantic Treaty Organisation (NATO) intervention, which was also the first deviation from the original UN doctrine of peacekeeping. The 2003 intervention of Iraq, by the ‘coalition of the willing’, was seen as the culmination of the new doctrine (Contessi, 2010:324). There arose the idea that intervention and deviation from the sovereignty principle are acceptable and necessary in some cases. This in turn affected the other norms such as peacekeeping, bringing about changes in how these norms are understood and implemented (Contessi, 2010:328). This has led to a change in how some states see non-interference and its application within foreign policies and peacekeeping.

3.3. Forms of peacekeeping

The principle of non-interference is applicable in two forms of peacekeeping. The first form, non-traditional peacekeeping, involves operations that can be established in the absence of a political settlement, without the consent of all parties involved and with the authority to use force (Fravel, 1996 in Contessi, 2010:328). There is thus a move away from impartiality, towards intervention where force could be used to affect the host state. In contrast, traditional peacekeeping involves having the consent of the host country, not using force unless in cases

of self-defence, with impartiality of the force and its commander (Contessi, 2010:330). Military intervention differs from these two forms as it is carried out on the premise that it is to prevent large-scale loss of lives, such as the UN invading Iraq in 2003 or Russia invading Georgia in 2008.

In these forms of peacekeeping, 'external involvement' can be seen as actions by a third party that could be either for or against the government or state (Aideyan, 2010:36). External involvement in the case of secessionist conflicts, such as Sudan, is of two main types – tangible support, such as material aid, access to networks or assistance with secessionist territory/asylum, or political-diplomatic support, such as moral, verbal statements, campaigns or diplomatic recognition (Aideyan, 2010:38). States and organisations apply these different forms of peacekeeping and support according to their policies.

3.4. The AU and the non-interference doctrine

The OAU, the first pan-African intergovernmental organisation, was established in a time when state sovereignty was high on the agenda of member states; these were mostly newly independent states in Africa. Thus the OAU Charter clearly stated that the organisation had the objective of defending sovereignty, territorial integrity and independence of member states, and did not make any reference to the protection of human rights (Baimu & Sturman, 2003). OAU member states also committed themselves to respect the sovereignty and territorial integrity of other member states and their independence, and to refrain from interfering in the internal affairs of other member states, which included engaging in subversive activities against other states. The OAU had a strong state-centric bias in which the unity and solidarity of African states were promoted, and sovereignty and independence were promoted. Such commitments to sovereignty and other principles translated into a commitment and support for the doctrine of non-interference.

For the first twenty years, members of the OAU followed these guidelines and adhered to the principle of sovereignty and the principle of non-interference, which in many cases (not all) often meant ignoring cases of grave human rights violations, as it would require intervening in the affairs of another state. Concern for human rights and democracy was seen as a pretext of the international community (Western states) to intervene in their domestic affairs (Baimu & Sturman, 2003). Events in the 1970's in the Central African Republic, Equatorial Guinea and Uganda served as examples of what could happen if these principles were followed strictly. By 1993, it became clear that the OAU had not been able to adapt and respond

effectively to the armed conflicts that arose in the 1980's, while it also became clear that they had not adapted to the global and regional policies, and social and economic changes (Baimu & Sturman, 2003). In light of the OAU's inability to react effectively to a changing international system, it was changed, and a new organisation, the AU was created.

The principle of non-interference is not absolute to the AU; rather members aim to bring an end to intra-African conflict and the AU has intervened in certain cases to put a stop to humanitarian violations, as in the case of Sierra Leone and Liberia. Although China respects these aims and principles, it views itself as having no right to intervene in the domestic affairs of African states. As an outsider, China will rather not intervene in spite of criticism of this inaction; rather it is argued that the AU is more qualified to intervene (Li, 2007). This does not mean that crises are ignored, rather that China admits to its limits to intervene as it acknowledges the sovereignty of states. Rather diplomatic discussions, mostly in a friendly manner (which distinguishes China from other states), are followed.

In 2003 the AU made changes to the Constitutive Act (the Act), notably to Article 4, which allows for intervention to prevent a serious threat to legitimate order. It was argued that this clause was inconsistent with the other grounds for intervention, which aim to protect African peoples from grave violations of human rights when their governments are unable or unwilling to do so (Baimu & Sturman, 2003). Thus an amendment was made which allows for upholding state security, rather than human security. It allows for the union to intervene in situations where legitimate order is under threat, for restraint of member states to enter into agreements which are incompatible with the principles of the AU, as well as for prohibition of the use of the territory of member states to subvert other states (Baimu & Sturman, 2003). These are the crimes that constitute international crimes, as defined by the Rome Statute and the Statutes of International Criminal Tribunals.

The African Union Act became the first international treaty to recognise the right to intervene in the case of grave circumstances such as war crimes, genocide and crimes against humanity. However, a shortcoming of this Act was that it did not indicate whether the use of force was to be included with the use of mediation, sanctions and non-forcible measures. The Act did manage to avoid contradiction between this right to intervene and the principle of non-interference of member states into the affairs of another state, as the Act allowed for set intervention by the AU into defined cases in African states (Baimu & Sturman, 2003). This has shown the development of these African nations and acceptance of responsibility towards

African people. By 2003 there was still some concern regarding certain aspects of the African Union's Act, such as the right to intervene in the case of a threat to legitimate order, which could be used as a pretext to intervene. On the other hand it could be argued that changes to the Act have not been made to protect human rights, but rather to protect the states in power and their sovereignty.

The AU has found that they lack the capacity to effectively respond to and resolve the conflict in Africa. They lack the capacity to deliver troops on ground and to respond to the new security challenges in Africa. China, which aims to increase its influence in Africa, has developed a new relationship with the AU and other similar institutions, with the aim of peacekeeping and stabilising conflict zones (Aning, 2010:145). However, this principle is also inherent to the UN Charter and Doctrine, an organisation that does not have the limited capacities of the AU, although they also face certain challenges when it comes to the principle of non-interference.

3.5. The UN and the non-interference doctrine

At the UN General Assembly in December 1979, the UN reaffirmed their commitment to the principle of non-interference, as it was considered an important principle in securing international co-operation and friendly relations (UN General Assembly, 1979). In the 1945 Charter, the sovereign state and the self-determining individual are highlighted. Chapters VI and VII of the Charter are the two chapters that contain the basic guidelines relating to intervening into the affairs of another state, in the case of threat to international peace and security.

Chapter VI of the UN Charter sets out certain guidelines for the UN and member states to follow, in the case of conflict resolution or security issues. The UN Security Council is allowed to investigate matters to determine whether the situation could be a threat to international peace and security. These matters may be brought to the attention of the Security Council by member or non-member states. After investigation, the council may recommend appropriate methods or procedures (UN Charter, 2011).

Article 2.7 of the UN Charter states that there is nothing in the Charter that authorises the UN to intervene in matters that are within the jurisdiction of any state's own capability. However the importance of this aspect has been reduced by recent developments and Chapter VII is still relevant to this matter. Often the 'intervention' has been authorised by the UN Security

Council under Chapter VII and does not infringe on non-interference (United Nations Charter, 2011).

Chapter VI of the UN Charter determines the UN's views on the passive settlement of disputes, whereas Chapter VII determines the actions that should be taken with respect to threats to the peace, breaches of peace and acts of aggression. This chapter states that the Security Council shall determine the existence of any threat to the peace, breach of the peace or act of aggression and shall make recommendations or determine which measures to take to resolve this situation. According to Article 41, these measures are those which do not involve the use of force, but would rather include complete or partial interruption of economic relations and communications, or severing of diplomatic relations (United Nations Charter, 2011).

However, before any measures are taken, the UN Security Council may call on the parties involved to take provisional measures to resolve the crisis first themselves. If these provisional measures and measures as set out in Article 41 turn out to be inadequate, then Article 42 sets out the next steps that may be taken. This may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the UN (UN Charter, 2011). The facilities and assistance for this action will be contributed by member states, and will be called upon by the Security Council, thus it is expected for members to have the facilities and troops available to an extent. Before this member is asked to fulfil its obligations as set out in Article 43, this member will be invited to participate in discussion concerning the deployment of troops.

Yet, in the end, the application of armed force will be determined by the Security Council with the assistance of the Military Staff Committee, while members provide mutual assistance (UN Charter, 2011). Article 51 states that: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the UN, until the Security Council has taken measures necessary to maintain international peace and security" (UN Charter, 2011). It is still the responsibility of the Security Council to take the necessary action to restore international peace and security, initially through non-coercive measures and, if this fails, then through the use of more forcible measure with the assistance of member states.

New norms of humanitarian intervention are starting to supersede the norms of non-interference, based on the idea that states do have sovereignty but that this also comes with the responsibility to protect their citizens (Chatham House, 2007; Seybolt et al, 2010). Following this idea, if a state fails to protect its citizens, then other states are justified to intervene. This has led to UN sanctioned interventions in Iraq in 1991 and in Somalia, while NATO also used this norm to justify intervention in Kosovo and Libya, in spite of opposition from Russia and China. This new norm of humanitarian intervention seems to be used to justify the actions of states to intervene into the domestic affairs of other states, even if they technically do not have the right to.

Not all (member) states have decided to follow the same guidelines as set out by the UN. For example, New Zealand is largely non-interventionist and provides no military support other than medical services and, even though they have been part of some interventions (as in East Timor and Afghanistan), they prefer to avoid coercive measures. Switzerland is also known for its policy of defensively armed neutrality. The US, on the other hand has over the years adopted various policies, ranging from avoiding foreign engagements to relationships based on peace and commerce. Yet there have not been significant laws to impose limitation on sovereign power. The issue of non-interference was an issue in World War 1 and 2, while the wars in Vietnam and Iraq showed how the principle could be twisted or ignored. Although some politicians still prefer non-interference, the US is often pro-intervention, even resorting to military intervention. In 1991 President George Bush spoke about the prospect for a New World Order in the aftermath of the Gulf War, saying that this order will be one where “the principles of justice and fair play ... protect the weak against the strong” and saying it is “a world where the United Nations, freed from the Cold War stalemate, is poised to fulfil the historic vision of its founders” (Mayall, 1991 427).

In light of more pro-intervention states, or states who felt that more change is needed, the principle of non-interference and its policies have changed in many cases. The new century has already witnessed many complex changes and people aim to safeguard peace and promote development in an international situation where destabilisation and uncertainties are rising. One such attempt to protect peace and stability in the international realm by changing the ways in which the principle of non-interference is implemented, and by emphasising a new norm, has been R2P.

3.6. Responsibility to Protect

The emergence of the R2P principle was the result of humanitarian disasters in Somalia, Bosnia and Rwanda, and even the events in Darfur, which shifted the focus from the ‘right to intervene’ and the rights of a sovereign state, to the ‘responsibility to protect’ when there is human suffering (ICC, 2011). State sovereignty implies responsibility, and the primary responsibility for the protection of its people lies with the state itself. “Where a population is suffering serious harm ...and the state in question is unwilling or unable to halt or avert it, the principle of non-intervention yields to the international responsibility to protect” (ICC, 2011). The idea had developed that it is the responsibility of a state to protect its citizens from the threats of genocide, ethnic cleansing or crimes against humanity, and if they fail to do so, or are not willing to, then it is the responsibility of the international community to intervene and protect citizens. These ideas and debates surrounding sovereignty and intervention became important again with the failures to protect states in the 1990s, as western states developed a form of guilt about events that had taken place. The guilt was taken on by the public, who demanded that their governments respond to international crises (Dunn, Nyers & Stubbs, 2010:300). The International Commission on Intervention and State Sovereignty (ICISS) played a key role as it sought to move away from state-centred approaches and rather focus on the protection of civilians. These ideas eventually led to the establishment of the R2P doctrine.

The establishment of R2P can also be described as the next step after a long line of doctrines and events, starting with the UN Charter of 1945, then the Genocide Convention, the Universal Declaration on Human Rights 1948, and the events in the 1990s following the Cold War – including the debates on intervention in Somalia and Rwanda in the early 1990s (Evans, 2006: 705-706). Then in the late 1990s there were threatened interventions which did not take place, which was similar to the events seen in Kosovo in 1999. Such situations sparked debates on what the right to intervene really is and when intervention is allowed; debates which peaked in 2000 when Kofi Annan, the UN Secretary-General, publically addressed the issue and offered a possible solution. Annan’s initial solution failed to address the issue regarding state sovereignty vs. individual sovereignty, or even question to legitimacy vs. legality of an intervention (Evans, 2006: 707). The same question was asked in light of the unauthorised NATO intervention in Kosovo in 1999 (Evans, 2006: 707). As a result, the Canadian sponsored ICISS was tasked to form a framework which would guide future interventions. This task eventually led to the setting out of certain definitions, phases and requirements.

According to R2P, there are three dimensions or phases of the ‘responsibility to protect’ (ICC, 2011). Firstly, if a state appears to be unable or unwilling to protect its citizens, the international community has an obligation to act to prevent any events (‘The Responsibility to Prevent’). Secondly, a decisive response must be made in the case of acute emergencies such as a large scale loss of life or ethnic cleansing, using force if necessary. This is the ‘Responsibility to React’, although the ICC attempts to avoid providing an excuse for unnecessary or arbitrary action, listing a catalogue of *bellum iustum* criteria to minimise the application of force. Finally, an effective follow-up programme after conflicts is considered indispensable for the protection of citizens (‘The Responsibility to Rebuild’). Taken as a whole, these three dimensions put the individual’s rights and protection back on the agenda: “It refocuses the international searchlight back on the duty to protect the villager from murder, the woman from rape, and the child from starvation and being orphaned” (Thakur 2006:251). Correspondingly, the 1990s debates on a ‘right to intervene’ in the face of human rights violations has been replaced by a discussion of the state’s and the international community’s responsibility to protect the individual (ICC, 2011).

R2P emphasises three specific responsibilities, namely the responsibility to prevent conflict and crisis, the responsibility to react to these situations appropriately, and the responsibility to rebuild after intervention and assist in recovery. Of these responsibilities, the most important is prevention; prevention should involve the most time, commitment and resources and, only once this has failed, should intervention be considered. Both this prevention and intervention should initially attempt to be less intrusive and coercive (ICC, 2011). R2P requires mostly prevention through measures aimed at building state capacity and ensuring the rule of law. However, if this method fails, then any measures, whether economic, political, diplomatic, legal or, in the very last resort, military, will be used (ICC, 2011). According to the views of R2P supporters, military intervention is seen as an extraordinary measure, only warranted in a situation where human beings have been placed in serious harm’s way. This military intervention must however be of right intention (to halt human suffering) and must be a last resort; taking place on a minimal scale to ensure the objectives, with a reasonable chance of success, rather than face the objectives of not intervening. According to the ICC, the best body to authorise military intervention is the UN Security Council – their attention should be sought and formally requested before action is carried out. This will still only be allowed in the case of large-scale loss of human life or ethnic cleansing, after the facts and conditions for military intervention have been verified (ICC, 2011).

In 2005 the R2P principle was accepted by the International Commission on Intervention and State Sovereignty and also by the High-level Panel on Threats, Challenges and Change (ICC, 2011). This showed the growing support for the ideas contained in this norm. Nonetheless, in the face of the shock of 9/11, the R2P concept was temporarily ignored by many states and institutions, but recent years have once again seen its establishment in UN rhetoric. This acceptance has not made it an internationally accepted norm, but it is slowly becoming more acceptable to many. The new concept has now, in principle, been endorsed by both the World Summit of the General Assembly in 2005 and the Security Council, although its entrance into the UN-system has been accompanied by a controversial stripping-down of the original concept (Weiss, 2007:117). This new accepted version is somewhat milder when it comes to questions of process, although the normative core of R2P, namely the moral obligation to grant protection in certain situations, remained unchanged.

The R2P discussed legitimate reasons for intervention, yet it was never discussed whether intervention is legitimate (Nyers, 2009 in Dunn, Nyers & Stubbs, 2010:300). Although the doctrine has challenged the orthodox notion of sovereignty, it is positive in an international sphere where this notion has become increasingly problematic. Yet, demanding interference and increasing liabilities for states that do not conform, has created a lot of tension between states, as this doctrine seems to be a failed form of Western imperialism. It has been argued that the doctrine is still reliant on the UN Security Council and the traditional understanding of sovereignty and state-centrism (Dunn, Nyers & Stubbs, 2010:302). This once again points to the different understandings and expectations that states have with regard to sovereignty and non-interference.

The degree of obligation to interfere continued to be a prominent topic inside the UN. In January 2009, General Secretary Ban Ki-Moon took stock of the R2P status within the UN in his report 'Implementing the Responsibility to Protect', and in the end called for a more effective implementation of the principle. In July 2009 there was another debate over the R2P in the UN General Assembly – proof that the norm has not yet won universal acceptance. This process was generally viewed positively by the international community, although recent years have seen increasing scepticism mixed with a growing sense of sobriety. This can be traced back to the years of waiting for the Security Council to engage itself adequately with the situation in Darfur, which has been interpreted as a major symptom of the R2P norms'

lack of validity and potential. Another deficiency is to be found, however, in the literature on R2P itself, namely in the barely existent examination of norm research findings.

There is still scepticism towards R2P, which is not surprising as it is in a sense the successor of the dispute over the legality and/or appropriateness of humanitarian interventions. This scepticism is from a variety of states, including some western states, the developing world and by the very countries it seeks to protect. It has increasingly highlighted the differences in perceptions of international relations and global governance especially relating to the differences between western and ASEAN principles.

3.7. Western principles vs. Association of Southeast Asian Nations principles

China's principles and policies will be discussed in detail in Chapter 4, but one of the key features of its policy is Beijing's dedication to the principle of non-interference. This principle of non-interference is also a core principle of several East Asian countries. Gradually, in the 20th century, the Western ideas of interventionism and global governance have been challenged more and more by the East Asian norms of non-interference and territorial integrity. Both these approaches seem vastly different, but both are historically and philosophically rooted and have influential backers. Yet they are competing models of global governance, as one prioritises the norm of non-interference and the other prioritises the norm of interventionism (Dunn, Nyers & Stubbs, 2010:296). These norms are reflected in ASEAN member states' treaties, agreements and international law, which means they are often in contrast with the traditions and practices of the other; these points and tensions and differences over how global governance should look, have been of concern for many other states.

The East Asian norm of non-interference is set out in the Treaty of Amity and Cooperation (TAC), while the western concept of humanitarian intervention is set out in the R2P as discussed above. The TAC was signed in 1979 and reflected the core principles of neutrality, sovereignty, territorial integrity, non-interference, peaceful settlement of disputes and non-confrontational approaches to negotiations (Acharya 2001:47; Stubbs 2008:456–8 in Dunn, Nyers & Stubbs, 2010:297). These principles have been core principles for many states, but especially for the ASEAN states, and have limited tension and conflict in the region. The preference of ASEAN states for these principles of neutrality and non-interference, and distaste for external influence into the domestic affairs of another state is a result of their

history of colonialism and foreign domination. Rather, they argue that these principles allow for power through independence and peace in the region.

Many of these countries and organisations support both set of norms, in spite of the differences. It has been contemplated that a compromise on global norms might be developed as East Asia becomes a major force in global relations (Dunn, Nyers & Stubbs, 2010).

3.8. Concluding remarks

One could say that this general change in ideas of non-interference has shown that notions relating to appropriateness and legitimacy have been changing in the international system (Loges, 2010). One reason for a shift in ideas is that foreign governments and international organisations have, since the Second World War, intervened in Africa as civil wars and inter-ethnic conflicts have proliferated throughout Africa. Yet in many cases, such as Liberia and Somalia, the interventions have resulted in paperwork, but no sustainable peace (Damplo, 2011). This is because many external actors frame negotiations around security and risk, or use coercion, rather than addressing the crucial issues that motivated and created the conflict.

It appears that, since Westphalia, non-interference has been a core concept for many states, yet it has increasingly been criticised for no longer being completely relevant in a changing world. This changing world is often based on norms such as human rights and liberal values, which policies such as R2P attempts to address. Yet these policies have several shortcomings and there are several states who still reject these principles, as they value their sovereignty and would rather adhere to non-interference. Until now UN and AU Charters have attempted a compromise, with the two contradicting views of those who value humanitarian intervention and those who value non-interference. It would also appear that the UN Charter has become more open to reasons for external intervention into states' domestic affairs, while still stating that non-interference is a key value.

Chapter 4: Beijing's non-interference doctrine – policy vs. practice

The concepts of sovereignty and of non-interference have long been seen as central tenets of China's basis for international relations. The reasons the Chinese Government and certain scholars have given for the adherence to non-interference dates back to the Century of Humiliation which lasted from 1839 to 1949. According to the Government and scholars, China has learnt its lessons from the past, thus has come to value and to protect its own right to sovereignty from other states, especially from the western powers (Zhengyu & Taylor, 2011:138). The aim to protect China's sovereignty from other states has translated into an orthodox understanding of non-interference, as it prevents other states from intervening in a state's domestic affairs. The protection of this sovereignty was traditionally aided by principles such as respect and equality. Such principles, aiding sovereignty and non-interference, have gradually been developed and adapted to Beijing's foreign policy.

Beijing's policies have gradually changed since the 1990s, adapting to the changes in the global system and adapting as China itself developed into a powerful player in the international realm. Development into a more powerful player has had an impact on the policies the Chinese Government employs, while placing the spotlight on key aspects of China's foreign policy, such as the doctrine of non-interference and how it has adapted over the years. Development and adaptation of doctrines and policies have reflected on documents such as the TAC, China's Africa Policy, the One-China Policy, the Beijing Consensus and onto China's peacekeeping roles that it chooses to play. Often, by understanding the motivation and rationale behind developments, one is able to understand the rationale behind the doctrine of non-interference as an important doctrine of Beijing. As such, one should briefly consider the development of China's norms and policies as pertaining to non-interference and related subjects such as foreign policy and peacekeeping.

4.1. Development of China's norms and policies: foreign policy and peacekeeping

Foreign policy and non-interference directly impact on and are affected by the orthodox non-interference doctrine, thus it is important to evaluate Beijing's development in these two aspects. One could say China's foreign policy has developed from an ideologically driven policy during the 1960s and 1970s, to a more proactive approach in the early 1990s. This development to a more proactive approach can be followed from the four phases marked in the development of Beijing's peace operation views and commitments.

The first phase lasted from 1971 to 1980 and was marked by outright hostility to peace operations. In spite of this hostility, during the first phase Beijing provided aid and assisted in development and gradually built diplomatic relations in Africa (Li, 2007:71). This did not manifest into Beijing contributing or taking part in any UN peacekeeping missions whatsoever. In fact, as a member of the UN Security Council, Beijing refused to take part in any votes with regard to peacekeeping missions, or to pay the expected UN Security Council yearly peacekeeping contributions (International Crisis Group, 2009). Peacekeeping missions were seen as interfering in the private affairs of another state, an act of power politics, so to speak. Only by the 1980s did Beijing's attitude towards the UN and intervention start to change, leading to the second phase where there was limited support for peacekeeping operations.

During the second phase, 1981 to 1987, Beijing showed a gradual shift from the beginning by starting to make its peacekeeping contributions and supporting UN peacekeeping operations (Zhengyu & Taylor, 2011:141). This change in attitude was credited to Beijing's change in policy, as seen at the 12th CPC National Assembly in 1982. At the assembly there was a specific move away from policies of 'war and revolution', moving towards policies that emphasise 'peace and development' (Li, 2007: 72). The conference also established new doctrines for Sino-African relations, namely "Independence, complete equality, mutual respect and non-interference in others' internal affairs" (Li, 2007:72). Such policies encouraging peace, development and stability would create a stable environment in which China's own economic development and modernisation could continue. Therefore, Beijing sent fact-finding missions to the Middle East to study peacekeeping operations, while starting to give reasons for abstaining on voting on peacekeeping operations decisions within the UN Security Council (International Crisis Group, 2009).

From 1988 to 1998, the third phase, China's rising profile in peacekeeping was noted. Beijing started cooperating in several peace missions – even if still challenging others. In 1988, China joined the United Nations Special Committee on Peacekeeping Operations (UNSCPO) and became a member of the General Assembly's Special Committee for Peacekeeping Operations. Beijing took part in its first United Nations Peacekeeping Operations (UNPKO) and, in 1989, 20 non-military personnel were sent to observe Namibia's general elections (Zhengyu & Taylor, 2011:142; International Crisis Group, 2009). Such support continued to

the 1990s, although Beijing remained cautious in its role and contribution, especially in cases where the use of force or the sovereignty of a state would be challenged.

Yet, in spite of the hesitancy, the fourth stage (since 1999) has shown greater participation in peace operations (Zhengyu & Taylor, 2011:140). The deployment of troops to the United Nations Transitional Administration in East Timor (UNTAET) in 2000 marked one of Beijing's first participations in the new phase and era. In following years, personnel have been sent to offer support in Bosnia and Afghanistan (International Crisis Group, 2009). Thus the fourth stage has been marked as one with active participation from Beijing; while some disagreements on certain issues still continued, there has been clear development from original positions. China has accepted gradual changes in a hard-line stance as the international community and ideas have developed, but still only supporting peacekeeping missions that do not threaten the sovereignty of the states involved. A new position on peacekeeping required a subtle shift in policies in terms of Sino-African relations.

The changes in policies relating to Sino-African relations included several new formulations and debates, but all new doctrines still included the five principles⁴ of peaceful co-existence. One such new discussion involved the 'security concept', a debate concerning the causes of peace and international stability. Views expressed in these discussions were consistent with the liberal view of international relations, including protecting sovereignty of states and rejecting traditional power politics (Heginbotham, 2007:95-196). The liberal view of international relations was based on the premise that peace is based on mutual security. To create stability and mutual peace, discussion and cooperation in the case of conflict is needed (Li, 2007:85) – not force or coercion. In spite of such peaceful expectations and an adherence to non-interference, as a growing power, China's involvement and assistance in conflict situations was expected by some states in the international community. Yet this involvement in conflict situations and peacekeeping missions often served to highlight Beijing's adherence to non-interference, while occasionally showing its development with regard to the orthodox doctrine.

An example of this was one of the first peacekeeping missions that Beijing was involved in in Africa, when it supported the United Task Force (UNITAF) and its United Nations Operation in Somalia (UNOSOM). Beijing's involvement in the UNOSOM and UNITAF peacekeeping

⁴ Premier Zhou Enlai put forward the Five Principles of Peaceful Co-Existence, namely, mutual respect for each other's sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful co-existence (China's Africa Policy, 2006).

missions was seen as an exceptional situation, as there was anarchy raging in Somalia and thus no key leadership of state, which allowed China to take part and not once again veto a Somalia-related vote on the Security Council (Zhengyu & Taylor, 2011:144). Involvement in Somalia proved to be a temporary solution, as fighting later broke out between UN troops and Somali militias. Beijing representatives used this turn of events to highlight its doctrine of non-interference and belief that a country must resolve its own internal issues, a position that was emphasised even more strongly after the events in Kosovo in 1998 and 1999⁵.

With the events in Kosovo came more changes in China's policies, mostly as a result of its embassy being bombed and China being concerned by the actions of NATO (and implications of these actions). Out of concern for sovereignty and safety, in the light of NATO's actions, Beijing pursued more ways to influence the methods and processes of international intervention. In a sense, NATO's actions and the events in Kosovo also served as a catalyst for Beijing to start adapting its policies. The Chinese Government's attempt to influence international intervention was first reflected in the UN mission in Sierra Leone in 1999. Beijing was willing to support a mission that highlighted support and development, which was compatible with Beijing's policies. Unlike the actions of NATO in Kosovo, external actors were clearly informed that they were only allowed to use force to defend themselves (Zhengyu & Taylor, 2011:145). This emphasis on a limited presence was, to a large extent, the result of the events in Somalia, which was one of Beijing's first peacekeeping roles in Africa.

Representatives reaffirmed Beijing's belief that external parties should only offer support and not resort to coercive measures. In spite of this belief, Beijing continued to support missions that explicitly stated limited military force, and where interference was limited. The Chinese representatives on the Security Council continued to disagree with the UN Security Council on certain aspects, such as the fact that UN Security Council had adopted an increasingly broad interpretation of what constituted as a threat against peace. Just as the UN interpretations have shifted, China also had to gradually alter some of its ideas. For example, in the 2002 Defence White Paper, the definition of who should give consent for intervention was slightly altered. In this paper, the new definition allowed for the UN Security Council to allow member states to intervene without the permission of all parties involved, in a case

⁵ The conflict in Kosovo consisted of two sequential armed conflicts in the region. In early 1998 to 1999 there was a war between the army and police and the Kososvo Liberation Army. Then, from March 1999 to June 1999, NATO attacked Yugoslavia, while ethnic Albanian militants battled with the Yugoslav forces. NATO's attacks were controversial and said to involve various inaccurate reports (O'Connell, 2000).

where the particular state's authority is disputed or non-existent (Zhengyu & Taylor, 2011:144). In this way, peacekeeping missions and foreign policies reflected changing ideas relating to non-interference.

However, Beijing's Sino-African relations were not only limited to peacekeeping and security; rather its foreign policy and assistance towards development were seen as just an integral part of peace and security.

4.2. Development of China's norms and policies: foreign policy, aid and development

This development in policies and views (regarding peacekeeping) was largely a response to the new challenges relating to China's growing influence and economy. There was a realisation that economic pragmatism would not be sufficient for good and successful international relations; rather a new approach was needed. This new approach emphasised regional and global multilateralism, as well as a need for adaptability (Heginbotham, 2007; Li, 2007). This adaptability and multilateralism was marked in China's Africa Policy which developed more during 2006, has proved to be more adaptive on certain grounds and has managed to avoid many major pitfalls than other states face. The Africa Policy's principles have also allowed for tensions to ease between China and neighbouring states, while able to build relations with several developing states that resent what they see as Western imperialism (Heginbotham, 2007:195).

Since 2005, China has also engaged in several diplomatic offensives, promising trade, loans on request and no political interference (Aning, 2010; Aning & Lecoutre, 2008:41). China's approach to development, 'development from within', also seems promising to many developing countries, especially as China provides infrastructure and loans to build their economies, without any economic conditions, as required by the International Monetary Fund (IMF) and the EU (Aning & Lecoutre, 2008:46). This self-promotion as an alternative to western practice, combined with China's economic prowess, and the inclusion of the principle of non-interference, has, through the years, won Beijing support in Africa. As a result, the AU and several of its member states increasingly allowed China to play a role in their political calculations and equations, while western powers increasingly questioned Beijing's intentions and actions. China now arguably represents an alternative to western conditionality – in this alternative approach that Beijing represents, adherence to non-interference is a crucial element (He, 2010:153; Aning, 2010:146).

A crucial element on the part of African states that choose to form diplomatic relations with Beijing is adherence to China's One-China policy. Beijing does not have an unconditional engagement with African countries, as China's foreign policy requires African states to adhere to the One-China policy as a basis for diplomatic recognition, as well as a basis for economic and political interaction. According to the One-China policy there is only one state called 'China' and that any country seeking to form diplomatic relations with the People's Republic of China (PRC) must break off all official relations with the Republic of China (ROC), and vice versa. The PRC requires that it is seen as the legitimate representative of mainland China and Taiwan; as it is stated in the Constitution: Taiwan is part of the sacred territory of the People's Republic of China. It is the lofty duty of the entire Chinese people, including our compatriots in Taiwan, to accomplish the great task of reunifying the motherland," (Constitution of the People's Republic of China, 1982).

Beijing's policies also states in Article 2 that: "here is only one China in the world. Both the mainland and Taiwan belong to one China. China's sovereignty and territorial integrity brook no division," (Anti-Secession Law, 2005). Accordingly the independence of Taiwan is not recognized, even though reunification has been promoted more since 2000. The One-China Policy started developing during the Cold War, and has since enabled Beijing to establish its power and influence in Africa, based on the non-interference doctrine. The only four African countries that maintain relations with Taiwan and do not have a formal diplomatic relations with China are Burkina Faso, Gambia, Sao Tome, Principe and Swaziland. This means that most African states that have diplomatic relations with China adhere to the One-China Policy and its requirements, especially if they wish to receive assistance from Beijing. Adherence to the One-China Policy means that not only does Beijing respect the sovereignty of other states, but indirectly Beijing's sovereignty is also protected through this policy. The Taiwan question itself is no longer a primary concern of Beijing, but the policy can still be seen as a political instrument which has become an integral part of the logic of the non-interference doctrine (Aning & Lecoutre, 2008: 43). One can thus assume that Beijing's foreign policy, the One-China Policy, as well as Beijing's position on peacekeeping and the role it has played in the past, all influence the development in the non-interference doctrine.

4.3. Development of China's norms and policies: an orthodox non-interference doctrine

The doctrines of state sovereignty and non-interference have been a central tenet of China's foreign policy since 1945 and it is these elements that are still core aspects for Beijing. The doctrine of non-interference has served as a base for international relations between states, in

spite of Beijing's growing involvement in peace operations and China increasingly moving towards a market-based system (Zhengyu & Taylor, 2011:138). Beijing has maintained throughout the years that upholding this orthodox doctrine of non-interference and respecting states' rights to run their own internal affairs (referring more recently to African states) is necessary, in order to develop long-term relations with other states and to allow them to develop on their own terms (Ping, 1999:179 in He, 2010:161). This idea has come to be fundamental even in more recent policies.

Yet, ironically, in spite of a vocally and technically clear adherence to this orthodox doctrine of non-interference, Beijing has in earlier years disregarded the non-interference doctrine. Specifically during the mid-1960s, Beijing promoted Maoism, a campaign that deviated from non-interference and threatened the power of many African states and parties (Cornelissen & Taylor, 2000). This role of Beijing negatively impacted on the image that some (African) states initially had of China. The negative image of Beijing's involvement in Africa have shifted as China's policies gradually shifted, especially with the 'unconditional' aid that Beijing has provided since the 1960s (Li, 2007:71). Since then China has become more respectful of the doctrine of non-interference again and ensured its application in its policies and behaviour. This shift in policies is an important element to note, as it directly affects the adherence and implementation of the non-interference doctrine. At the same time, Beijing has had to adapt its policies in an attempt to balance its new position as an alternative force that both adheres to non-interference in a changing global system, along with a force that adheres to the norm of human rights. Human rights have constituted an increasingly important norm that has been the centre of many debates in the international community and the UN.

4.4. Development of China's norms and policies: human rights

As a result of the increasing importance of human rights, Chinese President Hu Jintao has explicitly recognised the universal nature of human rights, but Beijing also emphasises the respect for sovereignty and dialogue in the correct application of this norm (Deng, 2008:84). Changing ideas have been highlighted by Beijing on the issue of non-interference, which has corresponded with changing ideas on human rights; which shows a more general shift in Beijing's ideas underlying its policies. Initially one associated Beijing and human rights with the Tiananmen Square incident in 1989. Tiananmen Square is an example of an event related to human rights that made China a pariah in the international community. Since Tiananmen Square, there has been intense focus on China's internal humanitarian rights situation. Although there have not been any major internal events Beijing can be faulted with (except

for the non-democratic system according to the West), it does not seem that the progress made in terms of human rights reflects the same development that western countries have made in the same time (Deng, 2008). It would seem that China has focussed on protecting its own sovereignty and rights from external powers, rather than focus on human rights development.

The treaties China has signed since the 1980s, and other documents, have placed the emphasis on sovereignty as a precondition for human rights. For the Chinese “human rights are now something covered by sovereignty of a country” (Deng, 2006:59). According to this line of thought, one cannot have human rights without sovereignty, a lesson learned through the past (Taylor, 2010:187). Beijing has also said that human rights should not be used to justify policies that would promote power policies or interfere in the rights of other states (Wang Yizhou, 2006 in Deng, 2008:89; Kavanagh, 2005:23). Building on this progress of its changing foreign policies and documents published, China continued throughout the 1990s to adjust its foreign policy to be more flexible and pro-active, while still not affecting the independence of any other state.

Beijing’s focus has also shifted to include aspects such as making strategic partners, exploiting resources and providing more economic assistance to other developing states. Adjustments as mentioned above are necessary since, in order for Beijing to survive and its economy to continue to thrive, the foreign policy must continue to adapt, as the world changes, according to the ideas of Holslag⁶ (2007). One such attempt to adapt to the changing times, and an attempt which eventually showed Beijing’s growing impact on policies, is the Treaty of Amity and Cooperation (TAC).

4.5. An Asian understanding of human rights?

A document that most fully describes the Asian understanding of human rights is TAC. The TAC was signed in 1976 by several ASEAN states, and, in October 2003, China also signed the treaty. One of the core principles in the TAC is non-interference, while the other principles reflected in the TAC are contingent upon an adherence to non-interference. The other principles in the TAC are principles such as principles of neutrality, sovereignty, territorial integrity, the peaceful settlements of disputes, the prioritisations of domestic stability and social harmony (ASEAN, 2005). Most of these principles formulated in the TAC are based on historical experience, as many Asian states have a history of colonisation and foreign domination. Asian states such as Bali, Brunei, Singapore and China, just to mention a

⁶ Adaption, diplomacy and empathy are important tools of statecraft. Benevolent behaviour or failure to react to external sensitivities will negatively impact on the state, according to Holslag (2007).

few, now resent coercive external forces in the domestic affairs of another state. According to the ASEAN states, and other states adhering to the TAC principles, TAC principles and notably non-interference have been instrumental in limiting conflict and aggression in the region.

The argument is that interference would lead to aggression and tension between states. Rather, there is now power through independence and mutual commitments to preserve peace without interference into one another's affairs (Eaton & Stubbs, 2006 in Dunn et al, 2010:297). The doctrine of non-interference into the affairs of another state is repeated throughout the TAC and draws from previous treaties and conventions, including from the UN Charter, the 1955 Bandung Principles, the ASEAN Declaration of 1967 and the 1971 Kuala Lumpur Declaration (ASEAN, 1976 in Dunn et al, 2010:298). Just like the 'Right to Protect', the TAC makes reference to the UN Charter, but has different interpretations of certain articles. Article 2.4 is especially invoked in support of orthodox conceptions of sovereignty and thus non-interference, as it states that states will not use force or the threat of force against the territorial integrity or political independence of another state (Dunn et al, 2010:303).

The TAC highlights a series of principles that will protect the sovereignty of states. The non-interference principle, a core principle of the TAC, may be mentioned throughout the doctrine, but is articulated in Article 11 of the TAC. This article also explains the rationale behind this principle, which relates to the protection and survival of the country's sovereignty. This article states that: "The High Contracting Parties shall endeavour to strengthen their respective national resilience in their political, economic, socio-cultural as well as security fields in conformity with their respective ideals and aspirations, free from external interference as well as internal subversive activities in order to preserve their respective national identities" (ASEAN Knowledge Kit, 2005).

The ideas formulated within the TAC come from the region's legacy of colonial domination and previous conflicts as a result of these ideas. In this line of thought, crisis and conflict are addressed through "constructive engagement", an approach that emphasised diplomatic discussion, not political or public discussions (Dunn et al, 2010:299). In this way, the integrity of states is addressed, adhering to the doctrine of non-interference as much as possible, while limiting the outbreak of open conflicts. However, this approach has been criticised for being

ineffective, while the doctrine of non-interference shields governments from being held accountable for harming their civilians (Acharya, 2001:116 in Dunn et al, 2010:299).

China, who ascribes to the TAC and the norms it prescribes, has argued that the UN should take into account the local historical custom, cultural traditions and legal system, as well as respecting the autonomy of the people, before allowing any form of intervention (UN Security Council, 2006a in Dunn et al, 2010:305). Otherwise a state's ability to implement policies will be negatively influenced as it cannot act according to its own situation – which will be determined by the state's independence and sovereignty. These ideas have gradually been absorbed into a model that has now been referred to as the 'Beijing's Consensus,' a model adhering to the orthodox interpretation of the original TAC principles (Dunn et al, 2010:306). The model also calls for restricted UN engagement and intervention. China has been actively seeking commitment from other states to this model in Asia, Africa and Latin America – this has led to a renewed spread of the TAC principles, which to a degree rivals the spread of the R2P.

Under this 'Beijing Consensus,' China has been able to engage with African states, with whom the west has not been able to, such as Burma and Sudan. This is mostly because of the non-interference doctrine; engagements are on an economic level and do not attempt to make any human rights claims, or governmental reforms claims (Dunn et al, 2010:306). The Beijing Consensus principles and ideas have also received support from countries such as Malaysia, Qatar, Venezuela, Cuba and Iran (Dunn et al, 2010:307). There have been countries, such as Japan, who originally supported the doctrine of non-interference, who have now rather switched to the R2P. During the same time, countries such as Thailand have openly stated its dissatisfaction with the TAC and the Beijing Consensus. On the other hand, there has been support from a variety of states from Africa, Asia, Europe and other non-governmental bodies.⁷

This dissatisfaction with certain aspects of its policies and doctrines has, as mentioned earlier, forced Beijing to adapt some of its policies, or at least allow for flexibility. It has also called for policies suited to the specific relations it had with the West and the developing world, more specifically for African relations. The increased activity in Africa and increasing Sino-African relations called for a policy suited specifically to China's relationship and activities in

⁷ Member states include Algeria, Egypt, India, Indonesia, Japan, Pakistan, Russia, South Africa, Sri Lanka, Thailand and Vietnam. The EU and the United States also joined in 2009.

Africa. The relationship between China and Africa has developed over the decades from political rhetoric of solidarity and anti-colonialism, to a relationship founded on economic imperatives and political security calculations. Overall, China's policy and Africa can be seen as "characterised as a policy of continuity and change: a policy that seeks to apply influence without interference" (Aning, 2010:145). China's policy was seen as necessary, not only because of its close relations with Africa, but also because China realised that the situation in Africa was specific to the continent, thus calling for a policy that addresses the needs and situations in Africa. After evaluating policy needs and dialogues with bodies such as the AU, a new policy was developed in 2005, namely China's Africa Policy.

4.6. China's Africa Policy

A unique feature which Beijing has emphasised in its policies over the years is the orthodox doctrine of non-interference in the government's foreign policy. China offers aid, interest free loans, provides grants and generally assists in development, with emphasis on mutual benefit and non-interference (Rotberg, 2008:7). As history has shown that aid alone is not sufficient in itself to resolve the issues on the Africa continent (Hu Yaobang in Tisdell, 2009:279), Beijing has implemented an approach that would address the root causes of poverty and conflict, to enable Africa to resolve its own problems. This adheres to an idea of development that Beijing wants to enable in Africa. China's own peaceful development' reflects its policy to promote development in other countries through a peaceful and open commercial and diplomatic framework, without interfering in domestic affairs of the state. China's White Paper, released in 2005, stressed that its pursuit and policies are based on "peace, opening-up, harmony and win-win situations" (Shelton & Paruk, 2008:11). All of these aspects relate to the peace and development aims that are core to China's Africa Policy. This policy was adopted in 2006 and adhered to the doctrines and principles mentioned above. Through this Africa Policy Paper, the Chinese Government presented the objectives of China's policy towards Africa, along with measures and guidelines to achieve the said objectives⁸. The policy also contains proposals for cooperation in various fields in the coming years, with a view to promoting the steady growth of China-Africa relations in the future (China's Africa Policy, 2006).

In the Africa Policy, Africa's position in terms of Sino-African relations is set out, as well as China's relations with Africa. Africa's position refers to the history, natural resources and potential for development of countries, which also relate to the role China has played in

⁸ In terms of aid and support, Beijing has for the most part adhered to the guidelines as set out in the policy, although sometimes the purpose and results appear more as semantics than meaningful behaviour and change.

Africa. The goals, as set out in the Africa Policy, are not the most important aspect of the Chinese Government's policy in this discussion.⁹ To achieve the goals set out in the Africa Policy there are guiding principles listed that the Chinese Government and corporations have adhered to in Sino-African relations. The principles that Sino-African relations will be based on according to the Africa Policy, are sincerity, equality, mutual benefit solidarity and common development, with the aim of certain goals set out. The first principle, namely sincerity, friendship and equality, highlights the need to respect Africa's independent choice of development and Beijing's commitment to support African states in the development within African countries.

The second principle as set out in the Africa Policy states that China will support the economic and social development in Africa, so that common prosperity for both China and Africa can be achieved. The attempt to achieve common prosperity is similar to claims of the EU to assist in economic and social development, with the goal of mutual benefit. The difference is that Beijing will also give support to strengthen cooperation with Africa in the UN and other multilateral systems, to focus attention on peace and development, especially by the international community (China's Africa Policy, 2006). In short, the goals set out in China's Africa Policy describe an aspiration to build a relationship where Africa and China respect one another and work together towards development and prosperity. Part IV of the Africa Policy states how these aims can be achieved and how cooperation can be enhanced on political, economic and social level.

China's Africa Policy also refers to how the Communist Party of China (CPC) will develop exchanges with political parties and organisations in Africa. Exchanges between the CPC and African actors will be based on principles of independence, equality, mutual respect and non-interference in each other's internal affairs. On this basis, exchanges will increase understanding, trust and cooperation. Yet support of these parties in Africa will extend to the international arena as well, where China promises to offer mutual support on issues concerning state sovereignty, territorial integrity, national dignity and human rights to African parties (China's Africa Policy, 2006). Often promises of support are in contrast with reality, and are unlikely to translate into any substantial changes for the African parties involved. An example of this would be China's support in 2006 for an African candidate for the permanent

⁹In short the goals in the Africa Policy set out are to establish and develop a new type of strategic partnership based on political equality, mutual trust, economic win-win cooperation and cultural exchange.

member seat on a reformed Security Council.¹⁰ Yet, it can be said that China supported this idea, knowing that is highly unlikely to happen, but that taking this action deters Japan's chances for the same position (Aning & Lecoutre, 2008:44; Meidan, 2006:70). In spite of this uncertainty, China's Africa Policy¹¹ states that Beijing will provide humanitarian aid, encourage and "support exchange and cooperation between the Red Cross Society of China and other NGOs¹² on the one side and its African counterparts on the other side" (China's Africa Policy, 2006). This would limit any unwanted external intervention, while supporting the positive efforts by the AU and other African regional organisations to strengthen the regional capacity to resolve their own internal issues (China's Africa Policy, 2006).

China's African Policy is focussed on economic and technical cooperation to foster development. For this it is based on the foundations of historical legitimacy, ideological legitimacy/heritage and political legitimacy¹³ (Aning & Lecoutre, 2008). It is more readily accepted by many African states, as practical benefits of the China Africa Policy usually outweigh suspicions about the motivation of other states; these African states also feeling a bond with China because of allegedly similar histories. In spite of this legitimacy and trust, the media, scholars and even leadership have shown that many classify China's involvement in Africa as being either good or bad, while others struggle to find a balance between positive and negative viewpoints.

4.7. Peacekeeping policies and doctrines

Beijing has shown support for traditional peacekeeping throughout the years, as this form of peacekeeping respects the norms of sovereignty and non-interference, as was seen in cases such as Somalia and Rwanda (Fravel, 1996 in Contessi, 2010:335). China has shown clear support for the deployment of troops only after a ceasefire agreement has been signed and the host country consents to the intervention first, which are also the two requirements of traditional peacekeeping. From the first requirements, one could deduce the support for the non-use of force, although it is a slight deviation from pure non-intervention norms (Contessi, 2010:337). Beijing has revealed a peaceful stance, and a flexibility that is relevant to consider. A peaceful and flexible position is important in the developing world, as one has seen that collective support could lead to the violation of doctrines such as non-interference, but this

¹⁰ Members who put forth their names for the permanent seat included Egypt, Kenya, Nigeria, Senegal and South Africa. Nigeria seemed to be the state most sure of support from China.

¹¹ This is found under the section on education, science, culture, health and social aspects, focusing on disaster reduction, relief and humanitarian assistance.

¹² This includes the support of several UN agencies, and multilateral institutions such as the Asian Development Bank and the African Development bank (Manning, 2007:5).

¹³ An evolving partnership between China and Africa based on principles of non-interference and neutrality (Aning & Lecoutre, 2008:40).

violation could also destroy the legitimacy of interventions and the bodies who initiate it. Beijing has shown that it is sensitive with regard to the orthodox doctrine on non-interference and the developing states that would be affected most by it.

In order to assure the protection of states whose sovereignty could be threatened, Beijing's policies focus on ways to protect this sovereignty through non-interference. An area to focus on, in which non-interference has often been challenged, is in the case of conflict resolution. Some states see conflict in African states as a reason to intervene in the domestic affairs of that specific state. As a result, the Chinese Government's more recent policies on peace and security ensure classical bilateral cooperation, rather than a proactive approach to conflict resolution in Africa. In spite of China's peaceful resolutions, there has been an increasing engagement in peace support operations in Africa, as was seen in the Democratic Republic of Congo (DRC), as well as an increase in the number of troops contributed to the UN peacekeeping force since 1990 (Aning, 2010:47). Important to note is that this has not meant that Beijing no longer adheres to the doctrine of non-interference, simply that it limits its peace operations to interventions that correspond to its views on sovereignty.

A shift from absolute reference to non-interference to allowing some intervention on certain grounds was possible, because Beijing supported certain aspects of the UN charter and missions as it became more involved with peacekeeping missions. Chapter VI in the UN Charter forms the legal basis for China's support. Violations in regard to this charter, as seen for example by NATO in Kosovo in 1999, form the basis for Beijing's opposition to proactive measures for peacekeeping. As decided by the UN Security Council, the Charter Chapter IV calls for impartial peacekeeping forces, the consent from the parties involved and the use of means other than force to resolve the issue (Zhengyu & Taylor, 2011:144). Impartiality, as mentioned in the UN Charter, is an aspect China values as important, as it will limit interference into another state's domestic affairs for personal gain. An impartial approach will allow for the protection of a state's sovereignty. Yet only avoiding and not interfering in the sovereign affairs of another state is not enough.

Beijing views respect for another state's sovereignty as vital to finding solutions to conflict situations, therefore maintains that influence should be without interference. According to Beijing, only national governments should respond to the domestic, political, economic or social issues in its country, not the international community, unless the assistance of external actors is specifically requested (Saferworld, 2011:26). Although a key aspect is not dealing

with the conflict, the Chinese Government has rather highlighted the importance of peace; this peace orientation is an important characteristic of the Sino-African relations. This is why some scholars such as Yu & Wang (2008) have stated that the government supports and promotes peace and stability in Africa as much as it can, which sets this relationship apart from other international relations – statements which have been echoed by various Chinese scholars and leaders (Saferworld, 2011:23). Beijing has also stated its dedication to the doctrine of non-interference and sovereignty in these relationships. Key is that several policy formulations, as stated by the Chinese government and representatives, contain descriptive comments and phrases, but do not fully set out theories or policies. This shows a leadership emphasis on certain doctrines, and allows for more flexibility in China's policies (Heginbotham, 2007:196).

Although this flexibility is a positive aspect of China's foreign policy, as mentioned previously throughout the chapter, there is some criticism levelled at certain aspects of China's policies and its interaction with Africa. A lot of the criticism levelled at Beijing, (as well as fears concerning its involvement in Africa), is in regard to the uncertainty and debates surrounding China's motivation for its involvement in Africa. Uncertainty and debates have centred to a large degree on Beijing's motivation for its actions in Africa, whether these motivations are interest driven or not, and the possible effects this could have on the countries involved. There has, as a result, been a great deal of focus on the changes in policies that Beijing has made and the motivation behind the changes.

4.8. Criticism towards Beijing's doctrine

There are several arguments for this change in Beijing's tactics and policies. There is the possibility that the change was to protect authoritarian rule and supply African governments or insurgency groups with arms. For many, as marked by Meidan (2007: 71), the Chinese attitude to conflict resolution in Africa "reflects contrasting priorities and economic interests" (Aning, 2010:147). It is noted by scholars such as Shinn (2009) that China's emergence as a significant world player has increased its need for oil and natural resources; many attribute China's return to Africa to this need. This idea would respond to the implementation of an 'aid-for-oil' policy. In spite of China's policies and promises, especially its non-interference policy, its ideological neutrality and diplomacy seem rather to serve China's economic needs, highlighting one of many inconsistencies in Beijing's policies (Meidan, 2006:71). The Chinese Government and Chinese corporations' economic goals and needs have reflected negatively on China as a whole, as it seems that Beijing has only adopted certain policies to

further its own interests (Aning & Lecoutre 2008:44). However, one must bear in mind that China's interaction and aid in Africa is not limited to specific (resource rich) countries. China's growing need for raw materials and energy is important to the country's engagement in Africa, but it is not the only or core reason for engagement with African countries.

One must be careful of confusing the aims of Chinese corporations in Africa, with those of the Chinese Government in Africa. Chinese organisations operating in Africa aim to maximise their short-term economic gains, while Chinese national interests are to build good long-term relationships with African states (Li, 2007:83). For example, Chinese transitional oil enterprises in Africa will often sell processed oil back to the country of origin or to any other country who wishes to buy it, rather than sell the oil to China. The CNPC does not automatically sell most of the oil to China; its pursuit of profit does not always coincide with China's national interests (Li, 2007:83). State-owned enterprises are no longer identical to the government; they would have to compromise to ensure that both parties' interests are maximised.

Another argument one could consider is the element of Taiwanese independence, which contends that China's political and security interests drive its foreign policies, especially its non-interference policy (He, 2007:24). According to this line of thought, China's policies were aimed at preventing Taiwan from obtaining independence from China, by making use of the support of African states¹⁴. However, Taiwan's aims did not come to pass as the national strength and economy of China simply kept growing (He, 2007:24). The importance of the Taiwan independence debate has declined, as more pressing and non-traditional issues (security threats) have arisen, while reflecting more non-traditional security cooperation. However, as said earlier, the One-China Policy and not officially recognising the independence of Taiwan has been a significant element of the non-interference doctrine. Beijing has also focused more on development (in China and Africa), and on security cooperation, than on the Taiwan independence issue.

Since becoming a more powerful state, Beijing has started attempting to be more responsive to international expectations, as well as trying to ensure the 'new historic missions' in the 21st century (Aning, 2010:148; Aning & Lecoutre, 2008:4). The Chinese government has come to see China as the de facto leader of the developing world, able to make international political and economic order 'more sensible' (Zhengyu & Taylor, 2011:142). As a strong developing

¹⁴ Reflects directly in the One-China policy as discussed earlier.

country, China was able to decide selectively in which missions or aspects to become involved, while gaining an image of being a responsible world leader. Chinese government and corporation representatives contend that the relationship with Africa is not a form of colonialism or a pursuit of interests alone. Rather, China is putting money back into Africa which will benefit Africa and Beijing as well eventually, which is a win-win situation (Jiang, 2008:55). Even if Beijing is initiating a win-win situation, there are several growing concerns over China's expanding activities in Africa, while there is also a need for China to adapt to its new role and responsibility to balance these concerns (Jiang, 2008:55-56).

China has dismissed criticism of its policies and practices as being western bias, yet there have also been concerns expressed by African states. Some African scholars, such as Sudanese Ali Askouri and Kenyan Okech Kendo, have stated that China's partnership has many concealed effects, such as uprooting the poor and appropriating natural resources, while China has also shown that it is 'morally blind' (Saferworld, 2011:28). This has made China seem indifferent to the events and conflict taking place in Africa, as the support/funds from the Chinese government and corporations provide the means for governments or insurgency groups to fight one another, while Chinese companies continue to develop the region and keep access to resources. Chinese officials have responded by saying that diplomatic pressure goes against the government's doctrines and that each state is responsible for its own internal affairs (Saferworld, 2011:29). According to Premier Wen: "We believe that people in different countries and regions, including those in Africa, have the right and ability to handle their own issues" (South China Morning Post, 2006 in Jiang, 2008:55).

Another aspect on which Beijing is often criticised is human rights. According to Chinese scholar, Yong Deng (2008: 69), Chinese scholars tend to regard human rights as one of many issues in China's foreign relations; the focus is rather on diplomatic 'tussle.' Yet human rights have become an important norm in the international sphere, one that cannot be ignored or seen as a small matter. In a sense, human rights have become one of the sources for international legitimacy. According to scholar Mark L. Haas¹⁵(in Deng, 2008:73), ideologically opposed states are prone to view each other as a threat, thus this ideological gap is only contributing to a growing (strategic) enmity between power states. The human rights issue has had an effect on China's relationship with other powerful states, especially the US. The human rights issues were also reflected in other criticism, as seen for example during the Darfur conflict and the reaction of Beijing and Chinese corporations.

¹⁵ Author of *The ideological Origins of Great Power Politics*, quoted by Deng, 2008.

Often it seems China's policies are driven by its long-term strategic interests or its perception of its rising international status – although one could also argue for a combination of both, and still include aspects of other criticisms and possible motivations (He, 2010:152). It would rather appear that to understand China's policies and motivations on the African continent, it is critical to take a broader view of China's overall diplomatic goals. This includes Beijing's global position, seeking sustainable development of its economy and a need for political support (Aning & Lecoutre, 2008:24). In spite of criticism, Beijing has simply stressed non-interference in domestic affairs and has continued with a policy that states adherence to the non-interference doctrine in spite of criticism, although it has also been stated that intervention is allowed in certain exceptional situations. The reasons given for non-interference and support of Africa will most likely still be a source of criticism, even if altered. Criticism is unavoidable since the developed and developing worlds have different views, needs and expectations, resulting in different expectations of Beijing. For example, the Chinese Government has been criticised by several African states for intervening, while western states will often criticise Beijing for not doing so.

4.9. Concluding remarks

Over the years China's official guidelines on legitimate intervention have shown that China's orthodox stance has adapted to changing circumstances. As stated earlier in this chapter, Beijing's foreign policy has developed from an ideologically driven policy during the 1960s and 1970s, to a more proactive approach in the early 1990s, as a result of China's own development and external elements. In spite of some changes, Beijing still adheres to certain aspects in regard to sovereignty and non-interference. From absolutely no intervention allowed, by the 20th century China has stated that intervention is allowed if the intervening party has an invitation from the host state, as well as approval from the UN. Force and coercion must also be the very last resort (Zhengyu & Taylor, 2011:138). This new position on intervention is the result of development of the international sphere over the years, as well as China's own development and rise in power. Yet, the doctrine of non-interference has been prominent in most doctrines and treaties, such as the TAC and China's African Policy. A reason for this is not only the fact that it wins support from the developing world, but that the Chinese government is committed to this doctrine as a result of China's history and the protection of its own sovereignty, in light of events as seen in East Europe in the late 1980s, or the events of 1999 in Kosovo.

Beijing's commitment to orthodox non-interference is still problematic for several reasons. One of the reasons is that, in spite of an orthodox non-interference policy, China still has an impact on the internal affairs of African states. This impact has been especially true when empowering the ruling elite in many African states and keeping such elite in power through political or financial support. Even purely economic ties will have an impact on internal politics, especially in countries where economic resources enable political hierarchies. When one considers that the sovereign state does not necessarily consist of legitimate representatives of the citizens, the situation appears more dire. This is not only due to the lack of legitimacy of the government, but also because the elite are often the ones committing crimes against their own civilians (Saferworld, 2011:29). For example, one could look to the case of Darfur. Darfur was a case where a government harmed civilians, which has been a centre of media attention, as well as a challenge to Beijing's African diplomacy. This case study is important to examine, as it reflects China's adherence to the non-interference doctrine, as discussed above.

Chapter 5: Beijing's policies reflected in the Darfur crisis

As discussed in Chapter 4, several developments within China's foreign policy can be marked in aspects concerning the non-interference doctrine. Often these changes have been gradual changes, resulting from China's place in a developing economy, as one can mark in changes in trade policies and (arguably to a degree) human rights. Yet there are also key events that can be pointed out as having a major impact on the developments of Beijing's policies and practices. One such an event, that has often been used to assess Beijing's orthodox non-interference doctrine, is the Darfur crisis that started in 2003. Darfur has been described as a good example of how the government of China has adapted to the new circumstances in Africa showing changes in the non-interference doctrine.

Changes in the non-interference doctrine have been ascribed to the crisis in Darfur, and the relationships Beijing had with Sudan and the international community at the time. China and Sudan have a long tradition of close political and economic ties, with China's companies and the government's economic involvement in Sudan still growing. This relationship has created expectations by the international community that Beijing should influence Sudan in regards to the conflict in Darfur (He, 2010). Yet, while the international community expects Beijing to influence Sudan, the Sudanese Government expects Beijing to adhere to the doctrine of non-interference. This has created a difficult situation in which Beijing has had to choose between adhering to the non-interference doctrine as stated in the Africa Policy (and thus stay credible in Africa), or to adapt the policy (and thus live up to Western expectations).

5.1. Beijing's initial stance on intervention in the Darfur crisis

In the case of Darfur, Beijing initially strongly opposed any efforts in intervening in the security conditions, as was recommended by the international community and bodies such as the Security Council. Initially only an AU delegation was allowed into Sudan, with Beijing supporting Khartoum in its decision not to allow any international missions regarded as 'intrusive' by Khartoum. Beijing argued that any more intrusive mission should only be allowed by agreement with the host country, even though it became clear that neither the AU nor the government was able to protect Darfurians. The UN Mission in Sudan was allowed into Sudan from early 2005 and this only after considerable efforts by the international community and AU/UN (Zhengyu & Taylor, 2011:146).

Beijing's opposition to international interference also included open opposition to economic sanctions¹⁶ against Sudan. Chinese officials argued that the issues underlying the Darfur crisis were related to poverty and would be aggravated by sanctions or by the use of force. Ambassador Liu Guijin¹⁷ has argued that China's reluctance to impose UN sanctions were because it believed sanctions would only complicate matters and increase Khartoum's resistance (Saferworld, 2011:62). Beijing's reluctance to apply sanctions relates to its own experiences with sanctions after 1989, just as the disregard for its sovereignty in the past impacted on its position on non-interference. Reluctance to impose sanctions adds to the scepticism that China experienced before over the efficiency of sanctions as a tool of coercion.

Through the Chinese Government's permanence on the Security Council (which gives it a veto in the UN Security Council), Beijing has the ability to impact the acceptance or failure of resolutions and peacekeeping missions. By voting or abstaining from a vote, Beijing can show support for certain resolutions or missions, based on Beijing's beliefs concerning peacekeeping and non-interference. However, it has also prevented UN resolutions concerning the conflict in Darfur, or ensured the resolutions get watered down, as illustrated in Resolution 1706 (2006) that was seen to have ambiguous wording. In the case of Resolution 1807, Beijing called for language that would ensure that the resolution would not be interpreted as the UN Security Council having the authority to enforce decisions on Darfur. For that reason Beijing abstained from voting on the resolution, as other members ignored its request to alter the language used in the resolution (Contessi, 2010:332). Another example would be the changing of the 2004 proposed arms embargo, so that the embargo was only applied in Darfur and not the entire Sudan. Beijing's argument was that the situation was one of internal affairs, and did not warrant international intervention, as it did not threaten internal peace and security (Saferworld, 2011:62).

In cases as mentioned above, Beijing apparently applied a specific strategy to ensure that the outcome on Security Council decisions matched its own preferences. The strategy involved nonparticipation or abstention from Security Council votes and debates. At the Security Council, Chinese Government representatives' strategy has been to dilute the language of resolutions and frequently to abstain from voting (Large 2007:7). Sometimes abstaining from voting on UN Security Council decisions stopped the UN from intervening and signalled to

¹⁶ Sanctions for example targeting official government officials from traveling, extending the arms embargo for Sudan and not only Darfur, instituting an oil export embargo.

¹⁷ Special Representative for African Affairs of Chinese Government.

Khartoum that it would not face any urgent or forceful implementation of resolutions. Furthermore, non-participation allows Beijing to avoid criticism from the west and from the developing world, as it manages to adhere to the doctrine of non-interference in spite of international criticism (Zhengyu & Taylor, 2011:139).

Abstention from voting on Security Council resolutions has become an important tool of diplomacy for China, with which it could show dissent without blocking decisions altogether. Considering Beijing's adherence to its orthodox understanding of non-interference and its actions towards Darfur, this position was often in contrast with the proposals of the UN peacekeeping operations. This relates to Chapter VII of the UN charter, especially articles 42 and 39, which allows for coercive action when a state has made a threat to peace or has breached peace (Zhengyu & Taylor, 2011:139). The Brahimi Report,¹⁸ a development in policies on UN peace missions, stated that intervention does not necessarily require permission from all the parties involved. Beijing rather supported traditional peacekeeping measures, which also supports the orthodox application of the doctrine of non-interference and sovereignty. The official position had thus stayed in accordance with the non-interference doctrine, with officials maintaining that the issues in Darfur will take time to be resolved, and the international community has to recognise this. Rather, China maintained that it assisted in this development through its political and financial cooperation; by addressing the root cause of these problems, namely poverty, peace could be achieved (Li, 2007:85; Shinn, 2009:85). However, this approach has been seen as inaction by the government of China in the face of a humanitarian crisis in Darfur. The actions that Beijing did or did not take all came to be placed under scrutiny.

5.2. Security Council resolutions: initial Chinese denial and obstruction

With regard to the crisis in Darfur, China has officially supported the regime in Khartoum during the crisis by providing diplomatic support and weaponry, while having insulated Khartoum from economic pressure and human rights accountability (Large, 2007; Aning, 2010:148). Chinese businesses have been a significant source of military equipment for Sudanese groups and government over the years and have assisted Sudan in establishing the country's own arms industry (Shinn, 2009: 89). It would explain why Beijing abstained from voting on arms embargoes. Yet, by 2005, the UN Security Council imposed a mandatory embargo on weapons to individuals and to the armed forces in Darfur. In spite of this, China

¹⁸ The Brahimi Report was released in 2000 when a panel reviewed all facets of UN peacekeeping operations. The report made several proposals, taking into account the shortcomings in the existing system and the changes that have been taking place since 1990. The report did not legitimise intervention, but did mention that UN troops cannot stand by and let civilian massacres take place (Zhengyu & Taylor, 2011).

allegedly continued to sell military equipment to Sudan after the embargo (Shinn, 2009: 90; Goodman, 2004; Aning & Lecoutre, 2008:45). Initially these sales did not violate the embargo, as the Sudanese armed forces were not to use the weapons in Darfur, but evidence suggests that these weapons were used in Darfur (Shinn, 2009:90). Selling arms to Sudan did not violate Chinese policy guidelines – in fact, continuing business with Sudan showed willingness to continue with business and to practise non-interference in spite of a humanitarian crisis.

Abstention included not voting on the resolution in July 2004 that demanded the disarming of Janjaweed. In September there was a resolution calling for a commission to investigate human rights violations in Darfur, as well as one in March, which requested sanctions against those who were responsible for the violence in Darfur (Shinn, 2009:91). In 2004, the Security Council voted on Resolution 1556 which called for Khartoum to conclude a ceasefire agreement and to facilitate international relief for humanitarian disasters in Darfur. Resolution 1556 also included allowing AU members to monitor this process. However, Beijing abstained from voting as the resolution was seen as “unhelpful and too harsh” (Taylor, 2010:180). Later that year, Beijing also weakened Resolution 1564 which called for an International Commission of Inquiry (ICI) into Sudan, which could have led to sanctions without China’s control. It was said that China abstained from voting, not because it did not feel that those responsible should be held accountable, but rather that it should be done in the correct manner. This also drew criticism from Khartoum, who felt that Beijing should have vetoed the resolution, not simply abstain (Taylor, 2010:181). When the ICI presented its findings in 2005, the commission reported that the Sudanese Government and Janjaweed were responsible for the violations of human rights and humanitarian laws, crimes which were seen as crimes against humanity. The commission made several recommendations on how to respond to the crimes against humanity in Darfur, yet Beijing opposed or vetoed any steps (Taylor, 2010:180).

Earlier in 2005 it had seemed that proposed resolutions were being received more willingly by Chinese representatives on the Security Councils. Yet, as with Resolution 1564, these new resolutions were often weakened, for example, by ‘diluting’ wording in order to better protect what Chinese officials felt was the integrity of Sudan. In spite of this dilution, Beijing eventually accepted Resolution 1590 which allowed for the UN mission in Sudan. However, this Resolution 1564 did not apply to the crisis in Darfur, in fact, China made a point of saying the AU observers in Darfur should not communicate with these UN peacekeepers in

Khartoum. In contrast, Beijing went on to abstain from voting on Resolution 1591 which would impose an arms embargo on all actors in Darfur (Taylor, 2010:180). Later, even though an arms embargo on Darfur was implemented with Resolutions 1556 (2004) and 1591 (2005), it was said that China and Russia had broken the UN arms embargo by supplying Sudan with military equipment that could be used against civilians in Darfur. By not adhering to the arms embargo, China and Russia were accused of not only aiding the human rights violations, but also undermining the Security Council's authority. This trend of abstention and undermining any resolution that would harm or interfere in Darfur continued in 2006 (Taylor, 2010: 180; Large, 2007:7).

If one examines China's role in the 21 resolutions that the UN Security Council made to the situation in Darfur between 2004 and 2007, one could evaluate its adherence to its own policies and doctrines, specifically non-interference. China's voting pattern revealed twelve affirmative votes in situations of unanimous voting, three affirmative votes with reservations, and six abstentions. The abstentions were in times when there were questions about merit and the method of the resolution (Contessi, 2010:320).

5. 3. Changing reactions to Security Council resolutions: early signs of increasing Chinese engagement

In 2006, China also abstained from resolutions that requested sanctions and a travel ban against four Sudanese officials, and abstained on a resolution that expanded the UN peacekeeping mission in Southern Sudan to Darfur. Beijing also attempted to remove harsh language critical of Khartoum (Shinn, 2009: 91; Taylor, 2010:180). Importantly, on 31 August 2006, China abstained from voting on the adoption of UN Security Council Resolution 1706 on the deployment of the AU-UN hybrid operation (Aning & Lecoutre, 2008:44; He, 2007:35). In spite of abstaining from important decisions such as the Resolution 1709 (deployment of a hybrid AU-UN operation in Darfur), there was a subtle shift in the attitude of Beijing which reflected in the final wording of the UN Security Council Resolution 1709.

Initially, Resolution 1709 called the situation in Darfur a threat to international peace and security, thus making the deployment of troops in Sudan necessary to protect civilians. However, Beijing stated that before troops were to be deployed in Sudan, consent by Khartoum was necessary (Aning, 2010: 148). Voting on Resolutions such as 1593, 1706 and 1769 continued to show China's respect of the doctrine of national sovereignty and non-interference, by highlighting the requirement for Sudan's consent for international measures

(Contessi, 2010:332). The Chinese Government also openly expressed the need for the Sudanese Government's consent before any steps could be taken. China's vote signalled to Khartoum that the Central Government of Sudan would not have to face urgent or forceful implementation of Resolution 1706 and that diplomatic protection and support would be extended to Sudan's intransigent refusal to abide by international law (Kreps, 2007).

This reflected on China's support for various mediation initiatives, which aimed to rather facilitate a political solution between the Sudanese Government and the insurgency groups, without deploying a peacekeeping force. There was a belief that negotiations rather than non-traditional peacekeeping means would resolve the crisis in Darfur, which explains voting decisions on Resolutions 1564, 1574, 1593 and 1679 (Contessi, 2010:331). For example, with the Resolution 1574 on a comprehensive peace agreement, China emphasised the importance of implementing programmes to assist Sudan in economic rehabilitation and development, not only of focussing on implementing the peace agreement (Contessi, 2010:331).

Then, with the acceptance of Resolution 1969 in 2007, which established the AU-UN hybrid operation in Darfur, the Chinese representative stressed the fact that this operation should be based on dialogue with Sudan by the UN and AU. In spite of insistence that there were discussions and development processes in Sudan, it became clear by November 2007 that China's position had become more flexible, as it allowed negotiations and deployment to continue simultaneously and proceeded in a balanced manner (Contessi, 2010:332). This development coincided with the first time China also publicly encouraged Khartoum to allow UN peacekeepers into Darfur so that a peaceful solution could be found. China has since publicly cast itself as playing a 'constructive role' in Darfur. Consequently, in May 2007, Liu Guijin was appointed Special Representative for African Affairs with a brief to facilitate a political solution to the crisis in Darfur (Large 2007:8–9; Aning & Lecoutre, 2008:44).

5.4. Beijing moving away from an orthodox understanding of non-interference

In light of the worsening situation in Darfur, and with mounting pressure due to negative perceptions concerning China's protection of Khartoum, Beijing was led to reconsider the role the government was playing in regards to peacekeeping (Taylor, 2010:177). The pressure on Beijing was also related to the fact that the 2008 Olympic Games were approaching and Beijing did not want to lose the honour of hosting the games (Greenberg, 2008). In response to international and African concerns, Chinese diplomats attempted to contribute more to conflict resolution in Darfur (Shinn, 2009:91). In 2005 Foreign Minister Li Zhaoxing wrote

that through the pursuit of peace: “China’s diplomacy has made bold headway, serving domestic development and contributing to world peace and common development” (Li in *People’s Daily*, 2005), also noting that international security had become a key aspect of China’s grand strategy. This did not directly question the doctrine of non-interference, but rather emphasised continuity and pointed towards long-term development, which had been part of Beijing’s policy for several years.

However, since late 2006, Beijing has started to show different behaviour from an earlier position. Beijing’s different behaviour involved increasing engagement with the international community on Darfur, while also applying pressure on Khartoum to change its behaviour. The aim was to convince the Sudanese Government to consider means which would allow for a peaceful resolution of the conflict in Darfur – even if it would mean international help (Zhengyu & Taylor, 2011:146). By 2007, China had launched a major public relations exercise, to show that it was in fact playing a positive role in Darfur and contributing to the peace process. Part of this was the appointment of Liu Guijin as Special Representative of African Affairs. With his appointment as first Special Representative of China to Africa, Ambassador Liu assigned the Darfur crisis as a priority area of focus (Saferworld, 2011:31). Gradually, with Beijing’s changing behaviour, along with a public relations exercise, there was an increase in positive reports relating to the constructive role that China had started to play in the negotiations of the Darfur peace agreement (Taylor, 2010:183).

This positive image was also the objective of Beijing publicly advising Sudan in 2007 to be more flexible and to accept the AU-UN hybrid peacekeeping force in the region. This was a major development from previous statements that had only hinted at the government in Beijing making these recommendations. Yet Beijing emphasised that it was engaging with and advising Sudan, and not telling Khartoum what to do. This was in line with China’s hesitancy to interfere and *demand* change, especially in light of its intimate economic relationship with Khartoum and its investment in the country. In November 2006, President Hu told President al-Bashir that, although China understood Sudan’s concerns with Darfur, he “hopes Sudan will strengthen dialogue with all parties, coordinate stances, and strive to reach an appropriate solution” (Buckley, 2006). This indicated a shift in Beijing’s initial policies and position.

5.5. Beijing's non-interference and Sudan after 2007

The first clear deviation from the orthodox interpretation of the doctrine of non-interference in the case of Darfur came in 2007, when President Hu visited Sudan in 2007 and pressured President Bashir to allow for the resolution of the crisis in Darfur (Large, 2008; Power & Mohan, 2008:17-19; Shinn, 2009:92). China's Ambassador to the UN, Wang Guangya, announced that the President had told Khartoum to accept the AU-UN peacekeeping mission in Darfur. Wang went on to say that China "never twists arms", but that Sudan had received a strong clear message concerning the hybrid peacekeeping mission (Shinn, 2009:91). President Hu had proposed four principles for all concerned parties to observe in pursuit of a solution to the Darfur issue. The first principle from the doctrine of non-interference was respect for Sudan's sovereignty and territorial integrity. The second was a call for the disputing parties to resolve the crisis through dialogue and consultation on an equal and peaceful manner. The third principle was that the AU and UN should play a constructive role in the peacekeeping process in Darfur. The last principle was to urge the promotion of stability in Darfur and improvement of its people's living conditions (Shinn, 2009:92; Yu & Wang, 2008:87).

It is important to note that although the four principles and Hu's visit appeared to imply a more direct role by China, there were several problems with the four proposed principles. Specifically the first principle, respect for Sudan's sovereignty and territorial integrity, created a problem in addressing Darfur, as Khartoum used its right to sovereignty to oppose any international forces. This did, however, not exclude the African Union's Peace and Security Council from intervening, as the Peace and Security Council's Constitutive Act still allowed for intervention in a member state when crimes against humanity were being committed ¹⁹(Constitutive Act, 2). In contrast, President Hu did not mention the R2P or protection of genocide, war crimes and crimes against humanity, thus reflecting a bigger adherence to non-interference than pressure for change. The other principles also did not do much to address the ongoing conflict (Taylor, 2010:185). Yet, recommending Khartoum to involve more rebels in the negotiations was a step towards peace and a changing policy. This pointed towards Beijing playing the role of a 'bridge' between Khartoum and the international community (Taylor, 2010:185), by pushing Khartoum and assisting with the peacekeeping force.

¹⁹ Article 4(h) of the Constitutive Act, repeated in Article 4 of the Protocol to the Constitutive Act, recognises the right of the AU to intervene in a member state in circumstances of war crimes, genocide and crimes against humanity, to promote peace and security on the continent.

In 2008 Liu stated that China “is ready to operate as a diplomatic bridge among the parties to the conflict to assist in ending the crisis and stopping the bloodshed” (Gaafar, 2010). Beijing had become far more publicly vocal in telling Khartoum to resolve the crisis in Darfur. Khartoum was told to eliminate obstacles to peace in Darfur and, deviating from its usual vague advice, Khartoum was told to allow the peacekeeping force and stop bloodshed (Zhengyu & Taylor, 2011:146; Cody, 2008). The Chinese Government said that it was willing to play a mediating role between Khartoum and the rebel groups from Darfur. Even through the extent of participation in this mediation process that followed, it showed a willingness to assist pressuring, thereby limiting interference, and it was left to a more experienced mediator to step in and assist. Ironically, this move coincided with Steven Spielberg resigning as artistic advisor to the 2008 Beijing Olympic Games on the grounds of Beijing had not used its influence enough to pressure Khartoum for change (Taylor, 2010:186).

Beijing’s pressure on Khartoum was not limited to state visits by President Hu and Special Ambassador Lui. For the biggest part of its relationship with Khartoum, the Chinese Government has provided aid in the form of humanitarian goods in the region, donated millions to peacekeeping missions and has had a close economic relationship. Nonetheless, by 2008, Sudan was symbolically taken off China’s list of preferred trade status and it was also stated that China would no longer give Sudan assistance except for humanitarian aid (Huang, 2010:4; Taylor, 2006:4). Beijing continued to reject sanctions and isolations; however, calls for rejection did not include recognising the humanitarian crisis in Darfur; rather the situation in Darfur was downplayed by China, claiming that the situation was exaggerated. This stance on sanctions was criticised, but other actions Beijing had taken, such as taking Sudan off the list of preferred trade status, showed that Beijing had become more sensitive to the accusations and expectations in 2007, presumably not least due to the Olympic Games coming up.

The Chinese Government’s involvement in dialogue in Darfur showed a new stage in Beijing’s diplomacy, and how the Chinese Government has managed to adapt to the new circumstances in Africa. Aiden (2010:35) suggests that this form of intervention in Sudan was based on ideational factors, emphasising the power of state and non-state actors to create friends/foes based on protective or antagonistic motives (Yu & Wang, 2008:88; He, 2007:36). Often it was said that the external involvement was motivated by strategic interests; however this involvement could also be applied to resolve this very conflict. The strategic interests that could have motivated involvement by external actors, could also be given as a reason for

Beijing's adaptation of its orthodox position on non-interference. Strategic interests along with other aspects have been given as reasons for the change within Beijing's position. This change, based on strategic reasons, relates to a more advanced understanding of realism with elements of world views, in terms of taking on 'non-state' actors.

5.6. Reasons for change in Beijing's position

The process that led to the tipping point where Beijing altered its orthodox interpretation of the non-interference doctrine in its foreign policy practice, was the result of several interrelated processes, although one can trace these elements that influenced Beijing to various sources, such as the Olympic Games. The most prominent aspect which has been criticised and mentioned by the media, scholars and other actors, has been the economic interests of China in Sudan, most notably, interests relating to trade and oil. China has a policy of development aid, based on the non-interference doctrine, as well as its foreign policy requirements and promises. Yet as the security issues are constantly shifting and developing, Beijing has had to examine how to regulate and align policies so as to best suit China's status of international rising power and to suit long-term strategic interests (Aning, 2010:52).

According to the Saferworld report (2011), Beijing has been forced to take an interest in Africa's stability and development, specifically in the countries where Beijing or Chinese companies have investments in energy and mineral extraction. The reason for Beijing's increased interest in stability is that most investments will be affected negatively by violence and insecurity in Africa. This behaviour has led to an 'oil diplomacy' (Shelton & Paruk, 2008:36), as is often described in the case for China's involvement in Darfur. It has been argued that oil development is the most important factor which has led to tensions with the declared policy of non-interference, as oil has been central to politics in Sudan (even before China's presence in the 1990s). Since the 1990s, oil development in Sudan has also been linked with armed conflict (Large, 2008). In spite of the link with armed conflict and potential pitfalls, China declared all state-supported engagement to be based on the doctrine of non-interference, which created tensions with the other image of a 'harmonious world' and 'peaceful development', as propagated by Beijing.

The close relationship between the Chinese Government and companies with Khartoum has made Chinese representatives, whether company workers or government officials, a main target of armed groups, thus Beijing became affected by the military targeting of Chinese oil

interests by rebel groups (Large, 2008:101). Chinese citizens and companies have been attacked in some cases by armed rebel groups in African countries, also beyond Sudan, where conflict has broken out. Insurgency groups have criticised China's relationship with host state governments, especially when natural resources were involved. Beijing's practice has been to recognise the host state government, often in spite of ongoing internal conflict or the fact that the government is no longer seen as the legitimate government by the people. By simply distancing themselves from the situation without further actions for solution-finding, Beijing could worsen the image that other countries have of China. It is this 'inaction' and negative perception of Beijing that led to the attacks of Chinese representatives. The attacks of Chinese companies and representatives have pressured Khartoum to find a way to protect the interest of the victims (and indirectly Khartoum as well) and, as a result, have required a slight shift in Beijing's position and actions.

Except for the oil interest that has been mentioned and that relates to the attacks on Chinese nationals and companies, Sudan is also an established market for Chinese companies, as well as a gateway to other markets such as the Common Market for Eastern and Southern Africa. Stronger market and economic ties have led to an increase of product export to Sudan, with an expanding business presence in Sudan, which has progressed beyond key state-owned enterprises to small private-owned businesses. Growth sectors have included construction, agriculture, mining and manufacturing (Large, 2009:99). Greater business activity, as well as a more visible social presence in Sudan, have resulted in the Chinese Government and companies being seen more ambivalently and critically, than in the 1970s, especially with issues such as increased civilian displacements. Chinese investments and loans will lead to an estimated \$30 billion or more in revenue that Chinese companies will be able to collect by 2012, also coming mostly from Chinese-operated oil wells (Goodman, 2004 in Taylor, 2010:176).

While companies and corporations have focused mostly on oil and trade development, the Chinese Government has supported the Khartoum Government in the form of arms sales through Libya and other states from 1968 to 1991. These arms sales had a monetary benefit, although Sudan also served as a source of raw materials (Aideyan, 2010:43). The Chinese Government and companies stood to gain nothing from instability and conflict in Sudan, whilst involvement with weapons trade has been over-exaggerated, according to some scholars (Li, 2007:83). Nonetheless, arms dealings have been a major source of criticism against Beijing and indicate that Beijing has continued to implement its own policies, in spite

of international expectations and policies. This is not necessarily the case, as one could also state international expectations as another reason for change. Beijing showed concern for its global image, which influenced Beijing's policies.

5.7. Reasons for change in Beijing's position: meeting international expectations

Chinese scholars have stated that China, as a rising international power, must accept more international responsibility through providing international public goods – a view that has gradually been more openly accepted by the Chinese Government (Saferworld, 2011:24). Changes in China's foreign policy appear to have been inevitable as China has emerged as an economic superpower. International and national expectations of the role that Beijing was expected to play grew much as the economy and trade grew. The rising international expectations could have contributed to Beijing's realisation that international peace and security would contribute to China's domestic security, and, so secure its own long-term economic growth and social development (Zhongying, 2005 in Zhengyu & Taylor, 2011:147; Saferworld, 2011:76). Beijing also realised that long term peace can be maintained through peacekeeping missions and, by sharing the burden of international peacekeeping missions, China would be contributing to the 'harmonious world' the Chinese government seeks, while indirectly protecting its own interests. A 'harmonious world' in which Beijing contributes to peace would also enable the Chinese Government to learn how to interact with the international community as a rising power (Large 2007:9).

Some of the Chinese policy community were critical about Beijing's relationship with Khartoum. Overall criticism of Beijing's relationships with rogue regimes focussed much on criticism concerning Beijing's role in Darfur. Criticism concerning Darfur sometimes appeared confrontational, not necessarily based on actual analysis; yet it has done damage to China's international image. This reputational cost due to Beijing's close ties with Khartoum has spurred Beijing to attempt to take on this role of responsible power and thus adapt China's foreign policy in some regards (Saferworld, 2011:25; Aning, 2010:149; Zhengyu & Taylor, 2011:146). However, by taking part in more peacekeeping operations globally, a more positive image of Beijing was promoted, contradicting claims of neo-colonialism and of China only seeking its own benefit, especially in terms of access to natural resources.

The Summer Olympic Games argument is an argument to consider, but it seems more likely that it is only one of the elements that impacted on Beijing and pressured it to adjust its position on Darfur. In spite of a positive image of Beijing that it gradually sought to develop,

initially negative international criticism had other spill-over effects. Specifically, in opposition to Beijing's stance on non-interference in Darfur, key players in the organisation of the Summer Olympic Games in 2008, such as Steven Spielberg, began to withdraw their support (Greenberg, 2008). There was also lobbying that Beijing should not be allowed to host the 2008 Olympics. Even though China valued its economic relationship with Khartoum, including its lucrative arms trade and central role in Sudanese oil production and exploration, Beijing attached importance to the success of its hosting of the Olympic Games in 2008 (Reeves 2007:10; Aning, 2010:149).

The adaption within Beijing's position was rather driven by a combination of elements that highlighted a need for flexibility of the non-interference doctrine, so that Beijing could adapt to the case-specific situation. The idea of flexibility is related to the idea that relations with African states are not a 'one size fits all' situation; so is the relationship with the AU case-specific and based on China's needs. Beijing could focus on various needs, material and political needs included, but an important need at this stage is China's economic needs (oil and trade) for the country's fast development. Beijing also assigned importance to a reputational element, as it considered China a rising international power who should develop a positive international image. Economic and reputational elements, as well as the other reasons mentioned previously, can all be interrelated and impact on one another – highlighting the need for adaption and flexibility.

5.8. Concluding remarks

China's role in peacekeeping decisions and support is important as a UN Security Council member. Over the years, Beijing's policies and position in the Security Council have changed from scepticism to one of cautious involvement. There has still been sporadic violence in Darfur, mostly manifesting as structural and cultural violence, since 2005, but by 2011 Sudan has reached a transition period (Damplo, 2011). It has been said that the pressure by the Chinese Government greatly contributed to Khartoum's eventual agreement to the three-phase plan for the resolution of the conflict and thus to the deployment of the joint AU-UN peacekeeping force in Darfur. In the case of Sudan, intervention could also have derailed efforts at peaceful negotiations. Rather, Chinese Government officials eventually used diplomatic means to persuade Khartoum to accept UN peacekeepers in the country.

Beijing has repeatedly stated that negotiations and dialogues are preferred to sanctions, outside pressure or diplomatic isolation, although Beijing usually takes observer roles in these

mediations, as was seen in the Sudanese conflict. Dialogue and consultation is not in direct conflict with the non-interference doctrine per se, but there have been clear steps away from the orthodox understanding of the policy towards a more flexible application. Nevertheless, the Chinese Government has strongly maintained that host state consent is important, as peacekeeping missions without consent will not resolve the problems in a country; rather it is likely to increase the problems within the country or create new ones. To ensure host state consent and prevent resolutions including sanctions, Beijing regularly uses its position on the Security Council.

China did not use its veto right in the UN Security Council between 2004 and 2007, but Chinese representatives on the council did abstain from voting on several major resolutions, undermining the chances of implementation. Only in 2007 did China vote with the other UN Security Council members to deploy a joint AU-UN hybrid mission, once Khartoum had accepted the mission. Patterns in voting have shown a reluctance to get involved in conflict situations, whether due to risks to its interests or because it required adjusting the doctrine of non-intervention. These patterns also show gradual involvement and a shift towards a more flexible position, without abandoning the principles altogether. Host state consent is still a key element in Beijing's policy. Through Beijing's diplomatic efforts and final voting, it can be said that China has ultimately played a key and constructive role in resolving conflict in Darfur. The role that Beijing took eventually did, however, require a shift away from a strict non-interference doctrine, which could be discussed in even more detail, as it could have repercussions for new policies and old relations with African states.

Chapter 6: Conclusion

Throughout the previous chapters, the non-interference doctrine has been discussed, with special focus on non-interference as a key doctrine of China's foreign policy. A vital aspect of this study has been to evaluate how much Beijing has shifted adherence to the doctrine of non-interference, using the events in Darfur as case study. It is important to evaluate the shift in regard to non-interference as a key element in Beijing's foreign policy, and to see to which school of thought Beijing's policy adjustments corresponded the most.

There are several aspects that come into play during an evaluation of policy shifts. With aspects such as motivation, it is often difficult to properly evaluate or determine the effect of the aspects involved. It is also difficult to always pinpoint some aspects, as these varying elements interact and, in their combination, create an outcome. Thus one is often left to make deductions based on available information on policy behaviour. There are several elements that have had and will have an impact on how Beijing's position on the non-interference doctrine is determined. The first step in attempting to determine the shift and possible future implications of non-interference is to briefly recap on initial positions on non-interference.

6.1. Shifts in the positions of the international community in the 1990s

Initially the concept of non-interference, dating back to the treaty of Westphalia, was a core concept for international relations. Yet, over the years, there has been a shift in norms and ideas relating to appropriateness, legitimacy and intervention within the international community, as there was development within the international realm which affected ideas and norms. Rather norms such as human rights and liberal values gained in attention, which resulted in the international community no longer focussing exclusively on protecting the sovereignty of states. Programmes such as the R2P and the Brahimi report were developed to reflect the changing ideas and expectations within the international community.

Even though the R2P was widely acknowledged, it was not universally accepted by all the actors. Some states saw the R2P as a 'Trojan horse', a way for western states to undermine their sovereignty and gain access to their countries. Consequently, states have rejected the R2P policy in defence of classical Westphalian principles. Often it has been seen that states that are sceptical of the R2P and similar policies do not have the same norms and principles in their own (foreign) policies. Many of these states still adhere to non-interference, as they

highly value their sovereignty and still carry the fears and resentment of their historical legacy with them.

With positions shifting on the doctrine of non-interference and states in the international realm taking different positions on non-interference, bodies such as the UN and AU also had to adapt. These international organisations were, indeed, pushing for change themselves. Initially both organisations' charters attempted to compromise with the contradicting views on absolute state sovereignty. This strategy of state sovereignty failed with the genocide in Rwanda in 1994, and triggered criticism based on the international community's expectations of Beijing to intervene and protect the people. In light of the genocide, both organisations took more interventionist positions. As a result, interpretations of the charters and reasons for intervening became more open and flexible. Both bodies required that procedural guidelines should be followed and that only in extreme circumstances could force be used. As one could see in the case of Darfur, the idea of absolute sovereignty and, consequently, non-interference, initially prevented the UN from taking any form of action to intervene in the Darfur crisis. The grounds for not interfering were not only UN policy, but also the adherence of Beijing, as a crucial UN member state, to the non-interference doctrine and the subsequent behaviour of the government.

Whereas the UN was limited due to the elements mentioned above, the AU was able to play a larger role in the Darfur conflict. The AU recognised the events taking place as 'abuses' and 'mass suffering', but their troops deployed did not initially have the mandate to protect civilians (Moni, 2004). Rather, troops initially went to assist in reaching and implementing a ceasefire agreement, even though AU troops gradually changed their mandate and increased the troops deployed. Unlike UN forces, the AU forces were officially welcomed in Sudan but, due to a lack of funds and logistical difficulties, the AU troops proved to be inefficient in stopping the conflict in Darfur. However, the AU was welcomed sooner than the UN, which could be due to the AU policies which were seen as 'more acceptable' by African states.

6.2. Beijing 'falling out of sync' with international debates

Beijing's behavioural patterns, as displayed during the earlier phase of the conflict in Darfur, have been a cause of concern to other states. This concern was related to the expectation that, with its rise to power, China would become a responsible state power and intervene in times of crisis to resolve these situations (Li & Zheng, 2009:17). Nonetheless, Beijing argued that, according to its policies and doctrines, "human rights are something covered by sovereignty

of a country” (Taylor, 2010:187). According to this line of thought, one cannot have human rights without sovereignty, a lesson that many developing countries such as China claim to have learned through its past and through colonialism. Due to the historical experiences of Beijing, the Chinese Government made non-interference a core concept in its policies. As a result of the same historical experiences, the Chinese Government also claims to respect the sovereignty of other states. However, many scholars argue that the non-interference doctrine also protects Beijing’s domestic affairs from the international community, with many pointing to the debate surrounding Taiwan’s independence from China to validate this argument. In combination with the possible motivations for further adjustment, as discussed in Chapter 5, there was, in fact, a slight adjustment in Beijing’s foreign policy. China managed to adapt in many aspects in a changing world, although the change was gradual and continued to adhere to certain basic principles. Yet, just as Beijing’s perception of non-interference has changed over the years, it eventually has had to adapt again. The Darfur crisis was instrumental in a modification of the Chinese Government’s policies and doctrines.

Initially the Government in Beijing was not willing to make any adjustments to the non-interference doctrine, as the situation in Darfur did not seem to present any reason for Beijing to disregard its own policies. Yet, when it became clear that the situation in Darfur was not only a reputational risk, but also a risk to Chinese interests in Sudan, it motivated Beijing to make some alterations to its behaviour and non-interference beliefs. Acting in terms of protecting self-interest would link Beijing’s behaviour with realist arguments. Yet, even though acting in self-interest refers to a realist policy, the fact that the adjustments allowed Beijing to balance interests in Sudan against criticism received from the international community and organisations (which was Beijing’s aim), rather points towards constructivism. However, this line of thought is more difficult to prove, as it is difficult following the assumptions of states today in a changing international community. International community expectations and shifts by China’s Government responded to the changing events in the global sphere and, more specifically, responded to the changes and developments in Africa. The developments in Africa called for adjustments in policies and highlighted the need for flexibility in foreign policies by international actors.

Even though Beijing attempted to adapt China’s foreign policy so as to reflect the situation in Darfur, it was based rather on development, interests and non-interference. The Africa Policy rather focussed on development and non-interference, even though these two aspects did not and could not always address the policy problems in Africa. Rather, non-interference and

development protected and promoted Chinese interests in certain countries, and helped promote the friendship of many African governments (some with doubtful credentials). Policies initially did not allow for any action to be taken in the case of humanitarian crisis, or even in response to danger to China's interests in the country. In many cases, in spite of the use of violence against the civilians of a country by its own government, China often continued its relationship with that same government. This 'business as usual' approach (Holslag, 2007:4) was immensely criticised. It has also resulted in the doctrine of non-interference being blamed for prolonging the rule of authoritarian regimes and of conflicts, especially in Africa. Initially, the non-interference doctrine was one of China's main selling points to African countries, yet gradually many of these African states have put pressure on China to intervene in certain situations. Tension arises between the need to engage with national and regional politics in Africa, and the need to adhere consistently to doctrines and promises made by Beijing.

In spite of its non-interference doctrine, China still has an impact on the internal affairs of African states; this has been especially true in empowering the ruling elite in many states and keeping them in power, whether through political or financial support. This has made many states put pressure on Beijing to adapt its behaviour and policies, as they claim that Beijing is already impacting on events in countries which have Sino-African relations. These expectations, along with other factors, have allowed for some softening of China's hard-line stance in Beijing's official guidelines on legitimate intervention over the years. In spite of changes, certain expectations regarding sovereignty and non-interference remain unchanged, such as the fact that any action must respect the sovereignty of another state and, if any method is to be used, it should not be force. Views on these central elements have been slow to change – if changed at all.

The doctrine of non-interference has continued to be prominent in doctrines and treaties such as the ASEAN, TAC and China's Africa Policy. One major problem that continued is that these policies still require an invitation from the state, if intervention by external parties is to be allowed. The continued requirement of host state permission to intervene shows there has been a move away from absolutely no intervention, but it allows for states to veto intervention in their country, even if the state is using violence against its own people, and even in cases of genocide. The veto vote of the Khartoum Government to external intervention was a key hindrance in the case of Darfur. Although based on the events in Darfur as discussed earlier, there has been an observable shift in Beijing's policies away from the initial non-interference

doctrine. One needs to note, however, that Beijing's policies still allow for the veto right of the host state.

Since there is a growing diversity of Chinese actors increasing their presence in Africa (as seen in accordance with liberalist ideas), measuring any such shifts in Beijing's policies or doctrines is not an evident analysis. Many of these various actors pursue competing interests, some even pursuing them independently from the government, protected by institutions and levels of implementation. Independent actors can have a negative impact on the Chinese image and the role that the state has been playing. As mentioned in the introduction of this chapter, it also complicates predictions and assumptions of the future of Beijing's non-interference doctrine. Thus, when evaluating the shift in Beijing's position on the non-interference doctrine, one must tread carefully and bear these limitations in mind.

6.3. How far has Beijing adjusted its position?

Once again one can argue two sides when evaluating Beijing's reasons for applying pressure on Khartoum. Beijing's willingness to apply pressure to Khartoum to allow the UN intervention can be seen as an indication of China changing its non-interference doctrine to suit its new role in the international community. Yet, the situation could also show that China is still adhering to the non-interference doctrine, as it places emphasis on avoiding sanctions and still requires permission from the host state for international/UN intervention. Even if this is the case, Beijing manages to uphold the doctrine of sovereignty and protect the interests of all parties involved, as well as manage to support the UN and its role in African conflict. In the line of non-interference motivation, this is to ensure equal participation for all states and to ensure that the independence of all African states is not affected. A reason why some argue that Beijing still strictly adheres to the doctrine of non-interference is because China has continued to differ from other states over the use of force and the requirement of consent from the host state. In Darfur intervention was urgently needed, but China rather used its bilateral relations to pressure Khartoum into agreeing. The time that this took cost many lives; had Beijing adapted or used its influence sooner, many lives could have been saved.

Others argue that China managed to balance its economic and political interests in Sudan with its duties and expectations on the Security Council. At the same time, Beijing continued to protect the sovereignty of the Khartoum Government by adhering to its beliefs of the right of the state. Rather, the focus was still on development, which would address the root causes of the conflict. This reflected the statement by Chinese officials that China's position on African

security issues has been informed by the position of African states. For example, in the case of Darfur, Ambassador Liu said that China was playing the role of a bridge between Sudan and the international community, as this is what was needed at the time. Initially this meant protecting Khartoum from any interventions and supporting them economically, but over time this position has had to change and with that Beijing officials came to 'advise' Khartoum to make some recommendations.

When President Hu Jintao attempted to 'influence' the Khartoum Government on Darfur in 2006, the boundaries of strict non-interference became blurred. It first manifested as more involved diplomacy behind the scenes. In November 2006, Wang Guangqian played a widely acknowledged role in negotiations on the 'Annan Plan'. Wang's example was soon followed by President Hu and several foreign ministers in 2007, who urged Khartoum to allow the peacekeeping force in Darfur. At the same time, Beijing's representatives also pressured the UN to allow for flexibility in its force and policies (Large, 2009:100). This allowed Beijing to continue protecting Sudan's sovereignty and to ensure deepening economic links, while still responding to international concerns. Although its behaviour was still criticised by some international community members who felt that Beijing's support and actions was insufficient in the light of the situation, some Khartoum Government members, in contrast, felt that Beijing did not do enough to protect them. Thus, in one view, the more proactive involvement was not enough of a shift away from non-intervention, while in the other view there was a shift away from non-interference and promises made.

In light of the importance of these Sino-African relations to Beijing, it has been said that China also aligned its decisions with those of the AU and the majority of African states, so as to minimise the damage to its overall image (Shinn, 2009:5). Its actions won approval from some African states, but not from human rights organisations, who still felt that Beijing needed to be even more active. Notwithstanding, this position allowed Beijing to avoid taking a hard-line stance and risk hurting its image in the eyes of Khartoum. This way Beijing knew that its relationships with many other African states were still safe, while the shift also protected Beijing from further criticism from other states, the media or organisations.

The concern is that this shift was directed by others and that, as soon as the focus is no longer on the Darfur issues and expectations, Beijing will simply adapt its policies to suit its interests again. This is why one should rather have limited expectations, as scholars have pointed out that Beijing is inherently cautious and will still be reluctant to intervene in the internal affairs

of other states, unless there is pressure from others, or if its own interests are at risk. Even when Beijing does respond to a crisis, it will still have a fundamental inclination towards non-interference, even if a less orthodox one. As has been discussed, Beijing still adheres to certain doctrines with regard to sovereignty and intervention. It may, as in the case of Darfur, use its bilateral engagements with a state to pressure the government to change, but it is unlikely to adapt this strategy and use force or sanctions, for example. Beijing has also shown reluctance to use its Sino-African relations and economic contributions to pressure states to change their policies or other internal aspects.

However, one could argue that China is not unwilling to intervene or adopt the R2P principle, and that it has, in fact, shown more flexibility. China has supported the R2P at the 2005 World Summit and, by endorsing the UN Security Council Resolution 1674, supported the protection of civilians. This support does not fit into the orthodox ideas of state-sovereignty and non-intervention. It rather represents an 'engagement approach' more than the 'sanction initiative', in light of the complex situation in Darfur (He, 2010). Beijing has warned that the R2P should not be misused, and that the focus should be on conflict prevention, and not crisis response. The support of Beijing for conflict prevention is still significant and shows development from previous positions.

Partly as a result of international expectations, by 2011 China is sending the most peacekeeping troops abroad, more than any other permanent member of the UN Security Council. China has been filling a vacuum left by western countries which have been withdrawing, leaving the role of peacekeeping to smaller countries and China (Zhengyu & Taylor, 2011:137). The growth in the number of Chinese military personnel over the past years has been a significant aspect in Sino-African relations, although China still bases its involvement and limits its interventions according to its perceptions of state sovereignty. China is now a major contributor to peacekeeping forces and funds, and it also has two facilities for training peacekeeping personnel. One could argue that its policy has been normalised and no longer aims only to aid appearances, but this policy and peacekeeping support also allows Beijing to determine more when and how interventions occur. It also relates to the fact that the other actors will have to contend with the manner in which Beijing handles conflict situations. Considering that Beijing also has a veto right on the UN Security Council, other states will in some cases have to adopt their policy recommendations in order not to be vetoed by Beijing.

6.4. Theoretical reflections

There have been several scholars such as Estler Pan and Alex Vines (in He, 2007) who argue that the Chinese Government mostly adapted its foreign policy when long-term interests were at risk, in accordance with the realist school in international relations. Often these adaptations were also the result of external pressures and expectations, and not an internal development. In contrast, one could argue that states have adapted to changing international norms, rather than simply persuading own national interests. New norms are, for example, diplomacy and empathy, which have become vital for state craft. A key norm is the idea of international responsibility, to which many states have responded. Along this line, there are certain values and doctrines that form a basis for global citizenship. For realists, these values are based on a balancing act between domestic costs and benefits. Whereas, unlike realists, liberalists rather focus on the protection of individuals and their wellbeing, it could be argued that Beijing has moved from strict realism towards a policy that takes some liberal ideas on board. Yet the events in Darfur reflect protection of interests rather than protection of individuals, which weighs towards a realist perspective.

This adaptation appears to be an approach that could be confrontational, to validate economic and diplomatic weight, while the next approach aims to avoid conflicts. Within this approach, the ability to adapt is a core aspect, as Beijing adapts to external norms and expectations, without the additional costs of conflict. Yet an aspect to consider is that key words are 'adaptation' and 'flexibility'. This is positive in showing that Beijing is willing to change and not offend the other states in the international community, but it also signifies that doctrines are interpreted in situations. Doctrines can be seen as being adapted to best suit the interests of China, whereas it was initially argued that doctrines are based on historical experience and the pursuit of a harmonious world.

There have been arguments by scholars such as Large (2007) that Darfur should not be used as example of proof of deepening bilateral engagements in African conflicts. It is said that the events in Sudan were a unique case, especially with Beijing's economic and strategic interests in the country. It was these interests, combined with tremendous international pressure, which pushed Beijing towards playing a bigger role in the country. This would indicate a combination of realist and constructivist elements, rather than simply corresponding to the ideas of one school of thought. New cases such as the DRC and Myanmar might test China's evolved policies in the future, to see how far China has moved from its original

interpretations, and whether actions then correspond to realism, liberalism or, even constructivism. In light of the aforementioned difficulties, one could argue that a case-by-case basis is necessary.

One could defend this statement, arguing that Beijing opted not to get involved in new situations, as it still lacks the experience in dealing with conflict overseas, or that the government feels uncomfortable dealing with non-state actors, which is often necessary in negotiations (Holslag, 2009). On the other hand, one could argue that Beijing was willing to act as a result of international criticism and pressure, which created strong self-interested reasons for them. This is because, initially, the political risk that Darfur imposed on civilians and to Beijing's interests within Sudan was underestimated. This conflicts between realism's self-interest, liberalism's external actors and constructivism's international image and consequence. Considering that adaptation allowed for China to promote its own interests through vocal diplomacy and participation in Darfur, it would rather point towards realism. New situations have not proved similarly beneficial, or have not created the same level of international criticism, as international actors may still be pacified by the actions Beijing took in Darfur.

Another aspect that one should also consider briefly in relation to the international criticism is that perhaps it is the rhetoric contained in official Chinese official pronouncements that has created the perception that China opposes all forms of intervention. Perhaps Beijing, as it has maintained, simply resents sanctions or forcing a state to change, as they maintain that development would assist African states in resolving their own problems. Yet one needs to consider whether the impact of oil in Sudan has really been used to further development in the country, or whether it has been used to concentrate wealth in certain circles, which has worsened the situation in Sudan, unlike the belief by Beijing that development would prevent such situations. At the same time, one still sees that Beijing attempts to prevent interference from external actors into the domestic affairs of China. At the same time, Beijing attempts to protect its interests in Africa, thus focussing on its Sino-African relations. Both positions rather support the continued adherence to the orthodox non-interference doctrine by Beijing. In spite of this, there are certain assumptions with regard to the future evolution of policy that one could make.

6.5. Outlook

Strong development and resource relations between China and Africa are important to note. As has been mentioned earlier, often these relationships have kept authoritarian regimes in place. While Beijing shows continuing reluctance to tell other states what to do, or to intervene except in exceptional situations, domestic affairs in some African states could be allowed to continue on a trend that is harmful to those states' economy and especially to the safety and wellbeing of civilians. This could result in another humanitarian crisis as seen in the case of Darfur, which in turn could lead to the international community looking to China to use its influence to resolve the crisis. However, this will require Beijing to once again stray from its non-interference doctrine. In spite of adaptations to non-interference, Beijing has shown a reluctance to intervene in the domestic affairs of other states, as it is against its doctrines and could prove harmful to its relations with certain countries. However, at this stage, the pure development and soft loans Beijing is providing to developing states, will protect and strengthen its presence in these countries.

China's impact on a country will largely be determined by the internal political dynamics of the state in question (Mwanzia, 2010; Baregu, 2010). In cases like Ghana and South Africa, both countries are relatively liberal democracies, and have used bilateral relations with Beijing, under scrutiny of its respective publics and institutions, in an attempt to better the lives of civilians. This is unfortunately not always the case, and it is highly likely that several states will use their relations with China, and the benefits from it, in a manner that is not in the best interests of their countries. Especially as Beijing does not intervene in domestic affairs or directly tell another state what to do within its own borders – allowing the state in question to continue as they want and to use the funds received as they see fit. Unless the non-interference doctrine continues to be applied in a manner that allows for respect of sovereignty, but still ensures the use of funds and development that will not prove harmful to the country in any manner, there will be many more 'Darfur' situations in the future.

If such situations are to arise again, more changes will need to be made to adapt accordingly in the international realm, where there are now several conflicting ideas and doctrines. There are examples, such as Sudan, where Beijing used its bilateral relations to pressure governments into negotiations, yet there are not many examples where China has played a more direct role in facilitating mediations and negotiations. Playing such a more active role will first require field research, capacity building, learning and the formation of clear policy

guidelines. It will also require the Chinese Government to interact more with non-state actors, and to react more to the international expectations in conflict cases where assistance is needed (Saferworld, 2011:35). Beijing, as well as other external actors, will need to start acting according to the governments and state-rule in the affected regions, so as not to isolate or distance these regimes from the international community. In such situations, the problem will then easily continue, leading to the necessity for the use of force, which Beijing still opposes. However, even with the use of bilateral relations, and more peaceful approaches such as negotiations or development, Beijing cannot resolve any future crisis on its own.

Critics often tend to see China as the cause of, as well as the solution to, armed conflict in the regions where they are present. However, this is an unrealistic view. China cannot solve Africa's problems for it; solutions and change need to come from Africans. The Chinese Government has to continue to focus on this growing relationship with Africa, to rectify criticism and to ensure that promises made are kept. Promises relating to the political, economic, foreign policy, social development and environmental areas will create domestic stability and thus contribute to stability in the international community. Future solutions, or prevention of conflict, will need to come from Africans, who are assisted by the international community in a manner that does not interfere with their sovereignty or rights.

As for the future of the non-interference doctrine, scholars and officials in Beijing have predicted that bilateral engagement with African countries will continue as it has within the broad confines of non-interference, although there is a growing flexibility in the interpretation of the doctrine. This does seem to be the case, as expectations are that Beijing will continue to respond positively to crisis situations, as it did in 2007 to the Darfur situation. This will test strict adherence to the doctrine of non-interference. Especially as a rising power, many developing states will look to China to assist them in development or in crisis, without infringing on their sovereignty. On the other hand developed states and several organisations will continue to expect the new power to step in at times of need, whether it is by using its influence or by more direct means.

Beijing has been willing, in the face of extreme external, and some internal, pressure, to adapt its behaviour. Another key element is that it also adapted when its interests were at risk. It would seem probable that this trend will continue, rather resulting in a form of 'pro-active non-interference' – in some situations at the very least. At this stage, Beijing's commitment to development in several developing states will assist in conflict prevention in many cases.

Beijing will, however, start to become more involved in proactive developments in the skills of the people involved in conflict management, negotiations and other aspects of peacekeeping, which its form of pro-active – even ‘select’ – non-interference allows for. Protection of its interests will require Beijing to become more involved and to gain the knowledge on how to react to (potential) conflict situations, especially if one bears in mind that attacks on Chinese companies in host states, as a result of Beijing’s relations with regimes, will also increase internal pressure on Beijing to adapt.

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Addendum 1: China's African Policy: January 2006

Foreword

The first few years of the new century witnessed a continuation of complex and profound changes in the international situation and a further advance of globalisation. Peace and development remain the main themes of our times. Safeguarding peace, promoting development and enhancing cooperation, which is the common desire of all peoples, represent the irresistible historical trend. On the other hand, destabilising factors and uncertainties in the international situation are on the rise. Security issues of various kinds are interwoven. Peace remains evasive and development more pressing.

China, the largest developing country in the world, follows the path of peaceful development and pursues an independent foreign policy of peace. China stands ready to develop friendly relations and cooperation with all countries on the basis of the Five Principles of Peaceful Co-existence so as to contribute to peace, stability and common prosperity around the world.

The African continent, which encompasses the largest number of developing countries, is an important force for world peace and development. China-Africa's traditional friendly relations face fresh opportunities under the new circumstances. By this African Policy Paper, the Chinese Government wishes to present to the world the objectives of China's policy towards Africa and the measures to achieve them, and its proposals for cooperation in various fields in the coming years, with a view to promoting the steady growth of China-Africa relations in the long term and bringing the mutually-beneficial cooperation to a new stage.

Part I:

Africa's Position and Role

Africa has a long history, vast expanses of land, rich natural resources and huge potential for development. After long years of struggle, the African people freed themselves from colonial rule, wiped out apartheid, won independence and emancipation, thus making significant contribution to the progress of civilization.

Following their independence, countries in Africa have been conscientiously exploring a road to development suited to their national conditions, while seeking peace, stability and development by joint efforts. Thanks to the concerted efforts of African countries and the

Organisation of African Unity (OAU)/the African Union (AU), the political situation in Africa has been stable on the whole, regional conflicts are being gradually resolved and the economy has been growing for years. NEPAD has drawn up an encouraging picture of African rejuvenation and development. African countries have actively participated in the South-South cooperation and worked for the North-South dialogue. They are playing an increasingly important role in international affairs.

Africa still faces many challenges on its road of development. However, with the persistent efforts of African countries and the continuous support of the international community, Africa will surely surmount difficulties and achieve rejuvenation in the new century.

Part II:

China's Relations with Africa

China-Africa friendship is embedded in a long history of interchange. Sharing similar historical experience, China and Africa have all along sympathised with and supported each other in the struggle for national liberation and have forged a profound friendship.

The founding of the People's Republic of China and the independence of African countries ushered in a new era in China-Africa relations. For over half a century, the two sides have enjoyed close political ties and frequent exchange of high-level visits and people-to-people contacts. Our bilateral trade and economic cooperation have grown rapidly, cooperation in other fields has yielded good results, and consultation and coordination in international affairs have been intensified. China has provided assistance to the best of its ability to African countries, while African countries have also rendered strong support to China on many occasions.

Sincerity, equality and mutual benefit, solidarity and common development – these are the principles guiding China-Africa exchange and cooperation and the driving force to lasting China-Africa relations.

Part III:

China's African Policy

Enhancing solidarity and cooperation with African countries has always been an important component of China's independent foreign policy of peace. China will unswervingly carry

forward the tradition of China-Africa friendship and, proceeding from the fundamental interests of both the Chinese and African peoples, establish and develop a new type of strategic partnership with Africa, featuring political equality and mutual trust, economic win-win cooperation and cultural exchange. The general principles and objectives of China's African policy are as follows:

- Sincerity, friendship and equality. China adheres to the Five Principles of Peaceful Coexistence, respects African countries' independent choice on the road of development and supports African countries' efforts to grow stronger through unity.
- Mutual benefit, reciprocity and common prosperity. China supports African countries' endeavor for economic development and nation building, carries out cooperation in various forms in the economic and social development and promotes common prosperity of China and Africa.
- Mutual support and close coordination. China will strengthen cooperation with Africa in the UN and other multilateral systems by supporting each other's just demands and reasonable propositions, while continuing to appeal to the international community to give more attention to questions concerning peace and development in Africa.
- Learning from each other and seeking common development. China and Africa will learn from and draw upon each other's experience in governance and development, strengthen exchange and cooperation in education, science, culture and health. Supporting African countries' efforts to enhance capacity building, China will work together with Africa in the exploration of the road of sustainable development.

The one-China principle is the political foundation for the establishment and development of China's relations with African countries and regional organisations. The Chinese Government appreciates the fact that the overwhelming majority of African countries abide by the one-China principle, refuse to have official relations and contacts with Taiwan and support China's great cause of reunification. China stands ready to establish and develop state-to-state relations with countries that have not yet established diplomatic ties with China on the basis of the one-China principle.

Part IV

Enhancing All-round Cooperation Between China and Africa

1. The political field

(1) High-level visits

China will maintain the momentum of mutual visits and dialogues between Chinese and African leaders, with a view to facilitating communication, deepening friendship and promoting mutual understanding and trust.

(2) Exchanges between legislative bodies

China favours increased multi-level and multi-channel friendly exchanges on the basis of mutual respect between China's National People's Congress (NPC) on the one hand and parliaments of African countries and the Pan-African Parliament of the AU on the other, for the purpose of deepening understanding and cooperation.

(3) Exchanges between political parties

The Communist Party of China (CPC) develops exchanges of various forms with friendly political parties and organisations of African countries, on the basis of the principles of independence, equality, mutual respect and non-interference in each other's internal affairs. The purpose of such exchanges is to increase understanding and friendship and seek trust and cooperation.

(4) Consultation mechanisms

Mechanisms such as national bilateral committees between China and African countries, political consultation between foreign ministries, joint (mixed) committees on trade and economic cooperation and mixed committees on science and technology should be established and improved, so as to institutionalise dialogue and consultation in a flexible and pragmatic manner.

(5) Cooperation in international affairs

China will continue to strengthen solidarity and cooperation with African countries on the international arena, conduct regular exchange of views, coordinate positions on major international and regional issues and stand for mutual support on major issues concerning state sovereignty, territorial integrity, national dignity and human rights. China supports African nations' desire to be an equal partner in international affairs. China is devoted, as are African nations, to making the UN play a greater role, defending the purposes and principles of the UN Charter, establishing a new international political and economic order featuring

justice, rationality, equality and mutual benefit, promoting more democratic international relationship and rule of law in international affairs and safeguarding the legitimate rights and interests of developing countries.

(6) Exchanges between local governments

China's Central Government attaches importance to the exchanges between local governments of China and African countries, vigorously supports twin province/state and twin city relationships aimed at facilitating bilateral exchanges and cooperation in local development and administration.

2. The economic field

(1) Trade

The Chinese Government will adopt more effective measures to facilitate African commodities' access to Chinese market and fulfill its promise to grant duty-free treatment to some goods from the least developed African countries, with a view to expanding and balancing bilateral trade and optimising trade structure. It intends to settle trade disputes and frictions properly through bilateral or multilateral friendly consultation, mutual understanding and mutual accommodation. Efforts will be made to encourage business communities on both sides to set up a China-Africa Joint Chamber of Commerce and Industry. When conditions are ripe, China is willing to negotiate Free Trade Agreement (FTA) with African countries and African regional organisations.

(2) Investment

The Chinese Government encourages and supports Chinese enterprises' investment and business in Africa, and will continue to provide preferential loans and buyer credits to this end. The Chinese Government is ready to explore new channels and new ways for promoting investment cooperation with African countries, and will continue to formulate and improve relevant policies, provide guidance and service and offer convenience. African countries are welcome to make investment in China. The Chinese Government will continue to negotiate, conclude and implement the Agreement on Bilateral Facilitation and Protection of Investment and the Agreement on Avoidance of Double Taxation with African Countries. The two sides should work together to create a favourable environment for investment and cooperation and protect the legitimate rights and interests of investors from both sides.

(3) Financial cooperation

To further develop China-Africa cooperation in the area of finance, the Chinese Government will support the effort of Chinese financial institutions to increase exchanges and cooperation with their counterparts in African countries as well as regional financial institutions in Africa.

(4) Agricultural cooperation

China intends to further promote its agricultural cooperation and exchanges with African nations at various levels, through multiple channels and in various forms. Focus will be made on the cooperation in land development, agricultural plantation, breeding technologies, food security, agricultural machinery and the processing of agricultural and side-line products. China will intensify cooperation in agricultural technology, organise training courses of practical agricultural technologies, carry out experimental and demonstrative agricultural technology projects in Africa and speed up the formulation of China-Africa Agricultural Cooperation Program.

(5) Infrastructure

The Chinese Government will step up China-Africa cooperation in transportation, communication, water conservancy, electricity and other infrastructures. It will vigorously encourage Chinese enterprises to participate in the building of infrastructure in African countries, scale up their contracts, and gradually establish multilateral and bilateral mechanisms on contractual projects. Efforts will be made to strengthen technology and management cooperation, focusing on the capacity-building of African nations.

(6) Resources cooperation

The Chinese Government facilitates information sharing and cooperation with Africa in resources areas. It encourages and supports competent Chinese enterprises to cooperate with African nations in various ways, on the basis of the principle of mutual benefit and common development, to develop and exploit rationally their resources, with a view to helping African countries to translate their advantages in resources to competitive strength, and realise sustainable development in their own countries and the continent as a whole.

(7) Tourism cooperation

China will implement the program of Chinese citizens' group tours to some African nations and grant more African countries, as they wish and as far as feasible, Approved Destination Status for out-bound Chinese tourist groups. China welcomes citizens from African nations for a tour of the country.

(8) Debt reduction and relief

China is ready to continue friendly consultation with some African countries with a view to seek solutions to, or reduction of, the debts they owe to China. It will urge the international community, developed countries in particular, to take more substantial action on the issue of debt reduction and relief for African nations.

(9) Economic assistance

In light of its own financial capacity and economic situation, China will do its best to provide and gradually increase assistance to African nations with no political strings attached.

(10) Multilateral cooperation

China is ready to enhance consultation and coordination with Africa within multilateral trade systems and financial institutions and work together to urge the UN and other international organisations to pay more attention to the question of economic development, promote South-South cooperation, push forward the establishment of a just and rational multilateral trade system and make the voices of developing countries heard in the decision-making of international financial affairs. It will step up cooperation with other countries and international organisations to support the development of Africa and help realize Millennium Development Goals in Africa.

3. Education, science, culture, health and social aspects

(1) Cooperation in human resources development and education

The Chinese Government will give full play to the role of its "African Human Resources Development Foundation" in training African personnel. It will identify priority areas, expand areas of cooperation and provide more input according to the needs of African countries so as to achieve greater results.

Exchange of students between China and Africa will continue. China will increase the number of government scholarships as it sees fit, continue to send teachers to help African countries in Chinese language teaching and carry out educational assistance projects to help develop Africa's weak disciplines. It intends to strengthen cooperation in such fields as vocational education and distance learning, while encouraging exchanges and cooperation between educational and academic institutions of both sides.

(2) Science and technology cooperation

Following the principles of mutual respect, complementarity and sharing benefits, China will promote its cooperation with Africa in the fields of applied research, technological development and transfer. It will speed up scientific and technological cooperation in the fields of common interest, such as bio-agriculture, solar energy utilisation, geological surveys, mining and R&D of new medicines. It will continue its training programs in applied technologies for African countries, carry out demonstration programs of technical assistance, and actively help disseminate and utilise Chinese scientific and technological achievements and advanced technologies applicable in Africa.

(3) Cultural exchanges

China will implement agreements of cultural cooperation and relevant implementation plans reached with African countries, maintain regular contacts with their cultural departments and increase exchanges of artists and athletes. It will guide and promote cultural exchanges in diverse forms between people's organisations and institutions in line with bilateral cultural exchange programs and market demand.

(4) Medical and health cooperation

China is ready to enhance medical personnel and information exchange with Africa. It will continue to send medical teams and provide medicines and medical materials to African countries, and help them establish and improve medical facilities and train medical personnel. China will increase its exchanges and cooperation with African countries in the prevention and treatment of infectious diseases including HIV/AIDS, malaria and other diseases, research and application of traditional medicine and experience concerning mechanisms for public health emergencies.

(5) Media cooperation

China wishes to encourage multi-tiered and multi-formed exchange and cooperation between the media on both sides, so as to enhance mutual understanding and enable objective and balanced media coverage of each other. It will facilitate the communication and contacts between relevant government departments for the purpose of sharing experiences on ways to handle the relations with media both domestic and foreign, and guiding and facilitating media exchanges.

(6) Administrative cooperation

China will carry out exchange and cooperation with African countries in civil service system building, public administration reform and training of government personnel. The two sides may study the feasibility of setting up a mechanism for personnel and administrative cooperation.

(7) Consular cooperation

China will hold regular/irregular consular consultations with African countries during which the two sides may have amicable discussions on urgent problems or questions of common interest in bilateral or multilateral consular relations in order to improve understanding and expand cooperation. The Chinese side will work with Africa to facilitate personnel flow and ensure the safety of their nationals.

(8) People-to-people exchange

China will encourage and facilitate the exchanges between people's organisations of China and Africa, especially the youth and women, with a view to increasing the understanding, trust and cooperation of people on both sides. It will encourage and guide Chinese volunteers to serve in African countries.

(9) Environmental cooperation

China will actively promote China-Africa cooperation in climate change, water resources conservation, anti-desertification, bio-diversity and other areas of environmental protection by facilitating technological exchange.

(10) Disaster reduction, relief and humanitarian assistance

China will actively carry out personnel exchange, training and technological cooperation in the fields of disaster reduction and relief. It will respond quickly to African countries' requests for urgent humanitarian aid, encourage and support exchange and cooperation between the Red Cross Society of China and other NGOs on the one side and their African counterparts on the other side.

4. Peace and security

(1) Military cooperation

China will promote high-level military exchanges between the two sides and actively carry out military-related technological exchanges and cooperation. It will continue to help train African military personnel and support defence and army building of African countries for their own security.

(2) Conflict settlement and peacekeeping operations

China supports the positive efforts by the AU and other African regional organisations and African countries concerned to settle regional conflicts and will provide assistance within its own capacity. It will urge the UN Security Council to pay attention to and help resolve regional conflicts in Africa. It will continue its support to and participation in UN peacekeeping operations in Africa.

(3) Judicial and police cooperation

China is prepared to promote exchange and cooperation between Chinese and African judicial and law enforcement departments. The two sides may learn from each other in legal system building and judicial reform so as to be better able to prevent, investigate and crack down on crimes. China will work together with African countries to combat transnational organised crimes and corruption, and intensify cooperation on matters concerning judicial assistance, extradition and repatriation of criminal suspects.

China will cooperate closely with immigration departments of African countries in tackling the problem of illegal migration, improve exchange of immigration control information and set up an unimpeded and efficient channel for intelligence and information exchange.

(4) Non-traditional security areas

In order to enhance the ability of both sides to address non-traditional security threats, it is necessary to increase intelligence exchange, explore more effective ways and means for closer cooperation in combating terrorism, small arms smuggling, drug trafficking, transnational economic crimes, etc.

Part V:

Forum on China-Africa Cooperation and Its Follow-up Actions

Launched in 2000, the Forum on China-Africa Cooperation has become an effective mechanism for the collective dialogue and multilateral cooperation between China and Africa and put in place an important framework and platform for a new type of China-Africa partnership featuring long-term stability, equality and mutual benefit.

China attaches importance to the positive role of the Forum on China-Africa Cooperation in strengthening political consultation and pragmatic cooperation between China and Africa, and stands ready to work with African countries to conscientiously implement the Beijing Declaration of the Forum on China-Africa Cooperation, the Program for China-Africa Cooperation in Economic and Social Development and the Forum on China-Africa Cooperation-Addis Ababa Action Plan (2004-2006) and its follow-up action plans. China will work with African countries within the framework of the Forum to explore new ways to enhance mutual political trust, promote the comprehensive development of pragmatic cooperation, further improve the mechanism of the forum, and try to find the best way for furthering cooperation between the Forum and the NEPAD.

Part VI

China's Relations with African Regional Organisations

China appreciates the significant role of the AU in safeguarding peace and stability in the region and promoting African solidarity and development. China values its friendly cooperation with the AU in all fields, supports its positive role in regional and international affairs and stands ready to provide the AU assistance to the best of its capacity.