
Obert Hodzi, PhD Candidate, Lingnan University

Abstract:
The Responsibility to React (R2R) challenges China’s general policy of state sovereignty and non-intervention in the internal affairs of other countries. Yet, since its adoption, China’s position has evolved from cautious approval to critical disapproval of any attempts towards collective action to protect civilians in situations of genocide, war crimes, ethnic cleansing and crimes against humanity. Assessing China’s position on implementation of the responsibility to react in Sudan, Cote d’Ivoire, Libya and Syria, this paper queries whether China’s position on the responsibility to protect is influenced by its rising global power status and national interests; and further explores how China is using its position as a member of the United Nations Security Council to influence (re)construction of the responsibility to react principle as an international norm.
Introduction

The Responsibility to Protect (R2P) has three mutually interdependent pillars - the Responsibility to Prevent, the Responsibility to React, and the Responsibility to Rebuild.¹ In theory “there is no set sequence to be followed from one pillar to another, nor is it assumed that one is more important than another.” But, in practice, the responsibility to react, that is, the collective responsibility of the international community to respond to crimes against humanity, ethnic cleansing, genocide and war crimes in cases where a State lacks the will and/or capacity to protect its population, has received far more attention than the other two pillars.

In both academic and diplomatic circles, the responsibility to react has become synonymous with the Responsibility to Protect – making a case for ‘a part representing the whole’; and raising arguments that “the principle is primarily concerned with non-consensual intervention and that its other elements (such as prevention of genocide, war crimes, ethnic cleansing and crimes against humanity) are secondary”.² Resultantly, a state’s position on the responsibility to react is often considered as its position on the principle of the Responsibility to Protect as a whole. This poses a research problem: Can a state’s position on one pillar of the Responsibility to Protect be considered as its position on the whole Responsibility to Protect principle? It seems so, because, states’ that primarily oppose non-consensual interventions (military or non-military), which are often associated with the responsibility to react are considered to be against the Responsibility to Protect principle in its totality. Literature that discusses states’ policies on the Responsibility to Protect principle in general terms have also perpetuated this position, and so do political leaders. For instance,

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when China and Russia vetoed a United Nations Security Council Draft Resolution meant to condemn violence against civilians in Syria, former U.S Secretary of State Hilary Clinton said that the two countries were ‘standing on the wrong side of history’. The U.S Ambassador to the United Nations, Susan Rice who walked out of the Security Council meeting in protest to Russia and China’s veto of the draft resolution stated that:

“Several members have sought for weeks to weaken and strip bare any text that would have defended the lives of innocent civilians from Assad’s brutality. Today, two members have vetoed a vastly watered-down text that doesn’t even mention sanctions...In failing to adopt the draft resolution before us, this Council has squandered an opportunity to shoulder its responsibilities to the Syrian people. We deeply regret that some members of the Council have prevented us from taking a principled stand against the Syrian regime’s brutal oppression of its people.”

At the core of Susan Rice and Hillary Clinton’s argument is that some states are opposed to the Responsibility to Protect in its totality as long as they reject measures aimed at operationalising the international community’s collective responsibility to react. Resultantly, research on state’s position on the Responsibility to Protect tend to overlook the distinctiveness of the principle’s three pillars - ensuing outcomes are often generalised, lacking the parsimony necessary for foreign policy analysis, and making discussions on state’s position on the responsibility to protect superficial.

Different pillars of the Responsibility to Protect relate to different phases of the conflict, that is the level at which the crime against humanity, ethnic cleansing, genocide or war crime is at. The Responsibility to Prevent is relevant at pre-conflict phase; the Responsibility to React at conflict phase; and the Responsibility to Rebuild at the postconflict phase. The benefit of

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linking each pillar with a different phase of the conflict is that it enables a meaningful evaluation and assessment of why states support certain aspects of the responsibility to protect and not others - depending on their relative material capabilities, national interests and ideology. In essence, some states, China in particular, have often expressed the need for international support toward prevention and reconstruction, rather than intervention during the conflict phase. But even so, in cases where intervention had to be taken, Beijing has often argued for consensual peaceful and political resolution of the conflict. And of course, the byline is respect for the territorial integrity and sovereignty of the country concerned. Why is that so? This question would be difficult to explore if focus is on the responsibility to protect as a whole without a deliberate assessment of each pillar and how states’ positions vary with each pillar of the Responsibility to Protect.

China’s position paper at the 63rd session of the United General Assembly, published on 16 September 2008, gives an overview of its position on the three pillars of the responsibility to protect. First, China places the responsibility to protect civilians on the government of the country involved in the conflict; where the country is not able to protect its population, then humanitarian assistance should be given in accordance with the Charter of the United Nations and International Humanitarian Law. Secondly, and most importantly, China holds that:

“civilian protection should focus on conflict prevention. The Security Council should step up its effort to prevent conflicts and keep peace. Civilian protection should also be given priority in post-conflict peacebuilding.”

Essentially, China seem to support two pillars of the Responsibility to Protect – the Responsibility to Prevent and the Responsibility to Rebuild. It can be argued that, in both

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prevention and rebuilding, countries often agree to being supported and therefore are the less contentious pillars of the Responsibility to Protect. Additionally, prevention of conflicts and rebuilding in the post-conflict phase is often carried out by international humanitarian organisations and UN agencies that are often considered neutral and impartial. As part of its support for conflict prevention and rebuilding in the post-conflict phase, China has been actively involved in the United Nations Peacekeeping Missions, sending non-combat peacekeepers, and most recently, combat troops to Mali and South Sudan, as well as engineers and medical personnel to assist in post-conflict rebuilding missions.

Focusing on the responsibility to react, and assessing China’s position on implementation of the responsibility to react in Sudan, Cote d’Ivoire, Libya and Syria, this paper queries whether China’s position on the responsibility to react is influenced by its rising global power status or national interests; and further explores how China is using its position as a member of the United Nations Security Council to influence (re)construction of the responsibility to react as an international norm. The focus on the responsibility to react is deliberate - because arguably, China has expressed no substantial reservations with the responsibility to prevent or rebuild as long as they are conducted impartially by UN agencies and humanitarian organisations in a way that does not infringe the sovereignty and territorial integrity of the country concerned. Also, there are no significant cases where China has voiced concerns over the operationalisation of the two pillars. But, that is not the case with the responsibility to react. Although a wide range of literature is devoted to explaining China’s position from a sovereignty and non-interference policy perspective, there seem to be a gap: Can China’s position on the responsibility to react be influenced by its rising global power status and national interests?

**Rising Global Power Status and National Interest**
The rapid industrialisation and economic growth in China, sustained since 1978 when the economic reform started, transformed China from an ‘obscure’ country to an emerging global power. With a Gross Domestic Product (GDP) growth averaging 10 per cent a year, China “became the second largest economy and is increasingly playing an important and influential role in the global economy.”\(^5\) This economic growth mean that China is no longer confined to its Asian ‘neighbourhood’ but that it has “acquired the early attributes of world influence – booming overseas trade, political prestige abroad, enhanced diplomatic representation, increased foreign investment”\(^6\) and indeed greater assertiveness in global governance issues such as peace and security.

In Africa, where most of the conflicts discussed at the United Nations Security Council occur, China-Africa trade surpassed the $100 billion mark in 2008; and reached over $200 billion in 2012. In 2009, China overtook the United States of America as Africa’s biggest trading partner.\(^7\) In terms of foreign assistance, a white paper on China's foreign aid issued by China's Information Office of the State Council on 10 July 2014, stated that, 51.8 per cent of China’s US$14.41 billion worth of foreign assistance was awarded to African countries between 2010 and 2012 in the form of grants, concessional loans and interest-free loans.\(^8\) Accordingly, Beijing’s economic, political and diplomatic influence on African countries is recognizable. But, the core of its influence in Africa is its non-interference policy in the internal affairs of other countries; and respect for their territorial integrity and sovereignty. Coupled with its non-conditional development assistance\(^9\), Beijing has a competitive


advantage over Western countries – giving it access to natural resources such as oil and markets in countries that often lack political stability and are susceptible to genocide, war crimes, ethnic cleansing and crimes against humanity - issues that fall within the ambit of the Responsibility to Protect. It is not surprising that the “Chinese record of non-interference in political matters is welcomed in most parts of Africa”\(^10\) especially in states such as Libya under Muammar Gaddafi and Omar al Bashir’s Sudan, which have been accused of crimes against humanity and war crimes.

To put China’s economic interests in Libya and Sudan into perspective, before the internal uprising against Muammar Gaddafi broke out in 2011, according to Zhong Man-ying, Director of the Department of West Asia and Africa under the Ministry of Commerce, Chinese businesses in Libya were valued at more than US$20 billion, and 26 Chinese enterprises were doing business in that country.\(^11\) Media reports, however, suggest that there were 75 Chinese companies in Libya including three state oil firms, China National Petroleum Company (CNPC), China Petrochemical Corporation (Sinopec Group) and China National Offshore Oil Company (CNOOC).\(^12\) By the time the conflict was full-blown, China had evacuated more than 35 000 Chinese nationals who were based in Libya. In Sudan, China invested US$20 billion mostly in the oil industry before the country split, and after the split China imports almost two-thirds of South Sudan’s oil. The state-owned CNPC is a major shareholder in two oil consortia – the Greater Nile Petroleum Operating Company (GNPOC)

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and the Petrodar Operating Company (PDOC) operating in both South Sudan and Sudan. A recent report published by Bloomberg on 9 July 2014 suggested that, China North Industries Group Corporation, one of China’s biggest arms manufacturer sold weapons to South Sudan worth US$38 million at a time when the country is undergoing a civil war.

China’s position on the responsibility to react should therefore be juxtaposed with its economic, political and diplomatic interests in countries where intervention in terms of the responsibility to react has been mooted. This is because national interests “are the fundamental factor influencing foreign behaviour, and national interests are the most long-lasting, the most influential factor and the most basic motive of the state’s foreign behaviour. Put differently, national interests are the primary, direct motive, The rest of the dynamics are secondary and permeate the national interest.” According to the 2011 White Paper on China's Peaceful Development, China’s core interests include: “state sovereignty, national security, territorial integrity and national reunification, China's political system established by the Constitution and overall social stability, and the basic safeguards for ensuring sustainable economic and social development.” With significant economic interests in countries such as Sudan and Libya, where it gained access to significant oil resources as a result of its non-interference and non-conditional aid policy, China is hesitant to jeopardise its competitive advantage. Supporting intervention in terms of the responsibility to react would put its non-interference policy to question. There exists a

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dilemma – either to support intervention under the responsibility to react and risk losing its competitive advantage or disapprove of the responsibility to react and maintain its competitive advantage in countries such as Sudan, South Sudan and Syria?

Resources found in conflict-prone countries such as Sudan, South Sudan, Syria and Libya are critical to China’s economic development – hence ‘basic safeguards’ for ensuring continued access to those resources for its own economic development are essential. In assessing whether to support the responsibility to react incases where the consent of the concerned state is absent, Beijing is confronted with the fundamental realist question: “Is my national interest better or worse off by pursuing this course of action?” (Kirshner, 2010:64). Morgenthau further elaborate that a state “thinks in terms of interest defined as power,… and the political realist asks: "How does this policy affect the power of the nation?” 17 It can be argued that, by supporting the responsibility to react China’s position in Africa will be worse off, especially considering that most African countries resent intervention in their internal affairs, hence China has often sided with African countries on issues of intervention in terms of the responsibility to react.

**China’s diplomacy at the United Nations Security Council: (Re)Construction of the Responsibility to React**

China’s diplomacy in the United Nations Security Council on operationalisation of the responsibility to react can be explained from a realist perspective of acknowledgment of power – “both the reality of the power of others and the necessary limitations of one’s own… [and] that … choices made by states are also affected by choices made by other states” (Kirshner, 2010:65). In essence, China has often acknowledged the importance of the Responsibility to Protect principle in general, and the need for the international community

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under the auspices of the United Nations to do more to prevent conflicts and protect civilians. This is consistent with China’s pragmatism in international engagements. Accepting the Responsibility to Protect principle in general terms is arguably an acknowledgement of the power of the international community and the United Nations General Assembly that adopted the principle. As a member of the UN Security Council, with “the same authority and advantages of ‘great-power exceptionalism’ as the other permanent members”\textsuperscript{18}, China recognises the importance of building a ‘responsible power’ reputation; which it might have abdicated had it outrightly rejected the responsibility to protect principle in its totality. It is therefore working within the international system to increase its political and diplomatic influence; using the UN Security Council to discourage collective security measures that violate national sovereignty. Hence,

“what separates China from other states, and indeed previous global powers, is that not only is it ‘growing up’ within a milieu of international institutions so far more developed than ever before, but more importantly, it is doing so while making active use of these institutions to promote the country’s development of global power status. China, in short, is increasingly working within, rather than outside of the Western order.”\textsuperscript{19}

Undoubtedly, the responsibility to react has provided an opportunity for China and developing countries suspicious of Western intervention in their internal affairs to build their “own set of bilateral and ‘minilateral’ pacts. As a result the world would be broken into competing U.S. and Chinese spheres.”\textsuperscript{20} This confirms Hillary Clinton’s assertion that China, Russia and countries that opposed sanctions and stern action against Syria are ‘standing at the wrong side of history.’ The U.S. sphere being the pro-responsibility to react and the Chinese sphere being the anti-responsibility to react.

\textsuperscript{20} Ikenberry, page 35
John Ikenberry argues that rising powers such as China seek “to reshape the rules and institutions in accordance with their own interests...[because of] China’s extraordinary economic growth and active diplomacy... China will try to use its growing influence to reshape the rules and institutions of the international system to better serve its interests.”

Major among China’s core interests are sovereignty, territorial integrity, social and economic development and non-interference in other states’ domestic affairs. Consistently, China has sought to reshape the responsibility to react into recognising the sovereignty, non-interference and the primary responsibility of the state concerned to protect its population. One way China is reshaping the responsibility to react, is to insist at every opportunity that it should be in keeping with the principle of state sovereignty. For instance, in 2009, Liu Zhenmin, China’s deputy permanent representative to the United Nations argued at the Plenary session of the General Assembly on the Question of Responsibility to Protect that

“the international community can provide assistance but the protection of its citizens ultimately depends on the government of the state concerned. This is in keeping with the principle of state sovereignty. Therefore, the implementation of “R2P” should not contravene the principle of state sovereignty and the principle of non-interference of internal affairs... There must be not be any wavering of the principles of respecting state sovereignty and non-interference of internal affairs.”

Accordingly, China views “the growing transnational and multilateral networks through a state-centric prism, only focusing on how China could take advantage of these new ‘external environments’ to protect its national interests...dealing with international relations based on

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21 Ikenberry, page 26 and 23
Ambassador Zhong Jianhua, China’s Special Representative for African Affairs stated at a Chatham seminar that China will never forget how much it owes African countries for helping it to return to the United Nations Security Council. In addition, African countries constitute the largest voting bloc in the United Nations General Assembly – making it a significant diplomatic ally for China. Recognising the significance of African countries, in a statement by Ambassador Wang Min, Deputy Permanent Representative of the People's Republic of China to the UN at the 68th Session of the UN General Assembly, Ambassador Wang said that in terms of the responsibility to react, the international community should respect the sovereignty, independence and territorial integrity of African countries and should strengthen coordination and collaboration with the African Union (AU) and African sub-regional organizations, take concrete measures to help Africa reinforce its collective security mechanism and support the ‘settlement of African issues by the Africans in African ways. This supports arguments by African countries who have had misgivings with the military intervention in Cote d’Ivoire and were largely opposed to the North Atlantic Treaty Organization (NATO) intervention in Libya. They accused western powers of using the responsibility to protect as a ploy for regime change in weaker countries. China has also raised such concerns at the United Nations arguing that protection of civilians should not be exploited to serve political objectives such as regime change.

Yet, in some cases, China has used its position as a permanent member of the United Nations Security Council to support Africa’s views at the expense of its core demands. In that way, it acknowledges the limitation of its power in relation to the African bloc, recognising that its choices can be affected by choices made by other states. In addition, China is rather more pragmatic, recognising the need for maintaining its competitive advantage in Africa, which is essential for realisation of its political, diplomatic and economic interests. For instance, on Sudan, China took into consideration the African Union position on the situation between Sudan and South Sudan. China voted in support of the UN Security Council Resolution 2046(2012) calling for cessation of cross-border fighting between South Sudan and Sudan. Similarly, when China voted in support of the deployment of peacekeepers in Darfur, Ambassador Wang explained Beijing decision as follows:

“The African Union (AU) is an important partner of the United Nations in addressing questions related to the Sudan. The AU’s position on the Darfur political process merits close attention. China supports [United Nations-African Union Mission in Darfur] UNAMID playing an important role in supporting the political process in Darfur.”

On Libya, China argued that:

“in the process of addressing the Libyan issue, the concerns of Africans should receive due attention. Africa’s views should be duly respected...China supports the efforts made by the African Union in promoting political settlement of the crisis in Libya.”

It even forego its reservations arguing that “taking into consideration the special situation in Libya at this time and the concerns and views of the Arab and African countries, the Chinese

delegation voted in favour of resolution 1970 (2011)...”

But, on Resolution 1973 (2011) which imposed a no-fly zone over Libya, China abstained, contrary to the wishes of the African Union and the Arab League which supported that resolution. In that respect, China struck a balance between its reservations and the position of its diplomatic ‘allies’.  

Syria presents a rather different case from the Sudan, Cote d’Ivoire and Libyan case in that there seem to be no consensus from the regional bodies in the Middle East on how to deal with the conflict. Unlike in Africa, where China has oftentimes sought to align its position with that of the African Union and other regional bodies, Syria tests its position on the responsibility to react. Apart from demanding that protecting civilians should uphold the principles of respect for national sovereignty, territorial integrity and non-interference in internal affairs, China maintains that authorisation of the use of force to protect civilians should be approached with extreme caution.

“China believes in the political and peaceful resolution of disputes, as military intervention often proves counterproductive. There are serious shortcomings in such interventions, such as ill-defined responsibilities, unclear authorizations and lack of ex post facto accountability. Rather than resolving conflicts and protecting lives, military intervention adds fuel to the fire and exacerbates humanitarian crises.”

Hence, it has insisted on political resolution of the Syrian conflict, arguably having learnt from the Libyan experience. Ambassador Wang, argued that:

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“On the Syrian issue, China has no selfish interest, but a persistent, responsible attitude. Our fundamental point of departure is to safeguard the purposes and principles of the UN Charter as well as the basic norms governing international relations, including the principles of sovereign equality and non-interference in others' internal affairs, to safeguard the interests of the Syrian people and the Arab states, and to safeguard the interests of all countries, small and medium-sized in particular. This is China's consistent stance in all international affairs. It is not targeted at a particular issue or time.”

By portraying itself as the vanguard of weaker countries against abuse of the responsibility to react by stronger Western countries, China is building a critical mass of countries that are opposed to the responsibility to react and that view it as a tool for regime change. In that respect, China is setting the stage for reconstruction of the responsibility to protect principle. By vetoing resolution that seek to authorise intervention through military and non-military means, China is increasingly forcing Western powers such as the United States and Britain to comply with its interests, this is captured by Mark Lyall Grant, the United Kingdom’s Ambassador to the UN who said this after China and Russia vetoed a draft resolution that condemned violence against Syrian civilians:

“We removed the sanctions. Still it was unacceptable to the minority. We called on all sides to reject violence and extremism. Still it was unacceptable. We removed any sense that sanctions would automatically follow in 30 days if the regime failed to comply. And still it was unacceptable. By including reference to Article 41 of the UN Charter, we made it clear that any further steps would be non-military in nature. Still it was unacceptable. The text that we voted on today contained nothing that any member of this Council should have felt the need to oppose. Yet, two members chose

http://www.china-un.org/eng/hyyfy/t964995.htm

Accordingly, China seem to be effectively using its position as a permanent member of the UN Security Council to reconstruct and influence operationalisation of the responsibility to protect in compliance with its foreign policy objectives. Effectively emerging as a champion for weaker countries that may not be able to uphold their sovereignty, territorial integrity and wad-off interference in their internal affairs.

Conclusion

China’s core interests include the principles of non-interference in internal affairs of other states, respect for their sovereignty and territorial integrity. As Chins’s global power status propelled by its economic growth and expansion of its economic interests across the globe, there have been calls for China to be a responsible stakeholder actively involved in global governance – testing China’s adherence to its foreign policy principles. Despite the challenges, it has been shown that China’s position on the responsibility to react, which potentially contradicts China’s foreign policy principles has been strategic and pragmatic. In matters relating to African countries, it has often supported the position of multilateral organisations such as the African Union, which more often than not, support non-interference and respect for their sovereignty. That way, China has mainted its competitive advantage in Africa, while projecting itself as the vanguard of the territorial integrity of weak states from western regime change agendas. Using its role in the UN Security Council, it has strategically supported the responsibility to prevent and rebuild while in principle acknowledging the responsibility to react. However, it has manoeuvered successfully by supporting the responsibility to react in principle while using its diplomatic

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position to reconstruct its operationalisation to comply with its foreign policy principles.