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TITLE

**Theoretical approach to the actions of humanitarian intervention of  
China**

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# **Theoretical approach to the actions of humanitarian intervention of China**

## **Introduction**

This paper started from discussing the norm of R2P. Contrary to its prominent establishment, R2P in practice suffered a bumpy journey. It has not functioned as what people would have expected. It is a norm that evolved from the debate. It barely has been cited in UN resolutions and probably has been being abused, at least there are signs of the attempts. All of the findings leads to the conclusion that the practice of humanitarian intervention was regulated by the political negotiation or the debate rather than a norm.

Accompanied by the debate, however, China has become a global power with global interests. How to balance the conflict and come up with a solution without bending its values and interests is a topic that constantly showed up. So after addressing theoretical aspects of humanitarian intervention, this paper draws some lights from the practice off it. Aiming at finding some China's pattern.

During the debate China adapted to the situation, setting up some lines, and joining the practice more actively. China gradually took a shift towards a still conservative but more flexible and stronger approach.

## **Chapter 1: RtoP: The norm evolved from debate**

This chapter discusses the meaning of Responsibility to Protect, how did this norm originated as an idea and evolved over time. What is China's role in this evolvment? In practice, how does it function since its establishment in 2005? What kind of

contribution has it made in the area of humanitarian intervention? This chapter is ending with discussing the inherent problem regarding the notion of humanitarian intervention and therefore, R2P.

### **1.1. The path leads to R2P**

Responsibility to protect, or RtoP, refers to the 2005 World Summit Outcome document from 138 to 140. It is a norm may be consolidated as an idea and maybe in retreat for now. It is a norm, but not a legal requirement. There is no consensus in literatures, or even among practitioners about the extent to which this norm has more than a rather tenuous hold on governments' behavior in international politics.

The former Secretary General Kofi Annan is a strong advocator of humanitarian intervention. He argued that humanitarian disasters like the tragedies in Rwanda and the Balkans posed a threat to international peace and security. The notion of that sovereignty in our time had to mean more than the absolutist view of sovereign rights. He expressed his concern in September 1999 before UN General Assembly, also in the Millennium Report of 2000, the Secretary General stated that "If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica, to gross and systematic violation of human rights that offend every precept of our common humanity?"<sup>1</sup> The contentious debate about setting up a humanitarian intervention framework since then took off.

In 2004, a year after the US-led intervention in Iraq, the UN Secretary General established the High Level Panel on Threats(HLP), which analyzed threats and challenges to international peace and security. The HLP report issued the in 2004 conclude the three toughest questions in this area that have risen out of practice. Among which the third one is how should we respond to the problem "where the

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<sup>1</sup> A/54/2000, 27 march, 2000

threat is primarily internal, to a State's own people.<sup>2</sup>" which, annotated the debate of humanitarian intervention back then.

Answering Annan's call, the International Commission on Intervention and State Sovereignty (ICISS) which was established by the Canadian government and chaired by Gareth Evans, the former Australian foreign minister, issued a report in 2001, "The Responsibility to Protect" which, set the foundation for the 2005 World Summit Outcome document but has some essential differences than the later.

The most significant advance of R2P is in the World Summit in September 2005, where UNGS unanimously accepted the idea of R2P and adopt the R2P language in the document that "in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities are manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity"

However, what the World Summit Outcome document of September 2005 accepted is a more cautious version of R2P than ICISS's. The most significant difference between the R2P that the UNSG adopted and the one that ICISS published lies in the problem of authority.

ICISS report stated that "If the Security Council rejects a proposal or fails to deal with it in a reasonable time, alternative options are... action within area of jurisdiction by regional or sub-regional organizations under Chapter VIII of the Charter, subject to their seeking subsequent authorization from the Security Council."<sup>3</sup>

The report's conclusions appeared to conflict with China's long-standing commitment

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<sup>2</sup> A More Secure World: Our Shared Responsibility. Report of the Secretary General's High Level Panel on Threats, Challenges, and Change. December 2, 2004  
<http://www.un.org/secureworld/>

<sup>3</sup> ICISS (International Commission on Intervention and State Sovereignty), "The Responsibility to Protect." 2001, <http://www.iciss.ca/report2-en.asp>

to noninterference in other states' internal affairs. Besides, handling the authority to regional organizations, the precedent of Kosovo reminded China and the global south that situation was the least they would like to see regarding the authorization of such mission.

Naturally, with China and other global south countries' objection, this part of ICISS's frame work did not made it to the final deal, along with other alteration on language that somehow narrow down the original meaning. The "large-scale killing" was interpreted in the 2005 document as "genocide, war crimes, ethnic cleansing, and crimes against humanity, together with their incitement".

It took a half decade's debate between UN member states reach this consensus. During the debate of 1999 after Annan gave his speech, a lot of delegates spoke out against him. Countries like China, Brazil, India and some other states all critical for this ideas, a lot of argument involve around the idea of military intervention by western powers. China argued that "The history of China and other developing countries shows that a country's sovereignty is the prerequisite for and the basis of the human rights that the people of that country can enjoy...non-interference in the internal affairs of others are the basic principles... are by no means out of date"<sup>4</sup> That particular debate had a lot of perches that was difficult to shift.

But despite its wariness and frequent references to state sovereignty and non-interference, Beijing nonetheless was caught up in this tide of debate across the 1990s into the 2000s, leading to the adoption of the 2005 World Summit Document. At the same time, because of its participation, China was also able to establish certain discursive "redlines". Others began to anticipate what China might say and do in that particular debate, therefore, will shape their statements or resolutions or the understanding that they would like China's adherence.

For instance, the UNSC resolution 1674 is the first time that the R2P language was

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<sup>4</sup> A/54/PV.8, 22 September 1999

adopted by the Security Council. But initially, China refused to endorse the UN Resolution 1674, until that resolution met China's satisfaction that reflected the language of R2P has described in the 2005 document.<sup>5</sup>

Neither the US, China, or Russia want the criteria humanitarian intervention to be specified in advance during the debate of R2P, all of them argued such issue should be handled in a base-by-base base. The process may involve drawing on International Humanitarian Law, evaluating the seriousness of the threat, debating about the last resort and proportional means, balancing the consequences and so on. According to Luck and Bellamy, those three countries share the same view because the US did not want its freedom of action to be limited<sup>6</sup>. The Chinese and Russian governments are in agreement with the US is because they believed specifying criteria might lead to circumvention of the UN Security Council<sup>7</sup>.

In 2008, two years after the UN Secretary-General Ban Ki-moon took office, he started the campaign of "promise less and deliver more"<sup>8</sup> and urged the UN member state to translate its 2005 commitment from "words to deeds." In 2009, he expressed his view on his report "formulated in the Secretary-General's 2009 Report on Implementing the Responsibility to Protect", and he kept implementing the R2P norm ever since.

Despite the dedication of Ban Ki-moon and Edward Luck, his special adviser of R2P, so far the most prominent work of developing the R2P norm is in the 2009 General Assembly debate which the initial agenda was to renegotiate the norm, yet ended up specifying four major concerns after the establishment of R2P. The First one is the concern of the early-warning system. The second one is the respective roles of the

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<sup>5</sup> Teitt, Sarah. 2008. "China and the Responsibility to Protect." Brisbane: Asia-Pacific Centre for the Responsibility to Protect, 19 December: 8.

<sup>6</sup> Luck, 2009. "Sovereignty, Choice, and the Responsibility to Protect." *Global Responsibility to Protect* 1(1), 10–21.

<sup>7</sup> Bellamy, "R2P and the Problem of Military Intervention." *International Affairs* 84(4), 626.

<sup>8</sup> Joachim Muller and Karl P. Sauvant, "Overview: The United Nations Year 2006/2007: A New Beginning in Difficult Times," *Annual Review of United Nations Affairs 2006/2007* (New York: Oxford University Press, 2007), p. xv.



Security Council and General Assembly, including the question of reform of the Security Council. Third, the potential for RtoP to legitimize coercive interference and the lack of clarity about the triggers for armed intervention was raised. Fourth, concerns were voiced about the potential for RtoP to draw resources away from other UN programs without adding additional value.<sup>9</sup>

After a decade's bumpy evolution, the meaning of R2P's participation in the humanitarian intervention is still up to debate. But we can draw some light from its practice record to have a better understanding of what it actually means.

So far the UN Security Council have made specific references to R2P in two theoretical resolutions regarding the protection of civilians in armed conflict, namely resolution 1674 and resolution 1894, adopted in April 2006 and November 2009 respectively. It was also mentioned in the resolution 1706 in August 2006 on Darfur, and in a series of resolutions on Libya, resolution 1970, 1973, 2016 and 2040.

## **1.2. R2P's function, conceptually and practically**

### **1.2.1. R2P's practical function, four categories of case reviews**

#### **1.2.1.1 Darfur and Libya**

Out of 10 humanitarian interventions after the adoption of R2P in 2005, the notion of R2P or the language was linked to R2P was cited in 2 of those cases in UNSC's official documents. The first case that R2P was adopted was in the resolution 1706(China abstained) in 2006 addressed the Darfur crises. Another one is after the Libya civil war in 2011, R2P language was mentioned in a series of resolutions regarding Libya.

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<sup>9</sup> Asia-Pacific Centre for the Responsibility to Protect, "Implementing the Responsibility to Protect: Asia-Pacific in the 2009 General Assembly Dialogue," October 2009, 12–17.

“Recalling also...1674 (2006) on the protection of civilians in armed conflict, which reaffirms inter alia the provisions of paragraphs 138 and 139 of the 2005 United Nations World Summit outcome Document”

As RtoP’s primary test case, UN’s operation in Darfur is criticized for its insufficiency, some would argue that it is generally reckoned to have failed.

According to Bellamy, during the Darfur crisis, “RtoP is typically rated an abject failure in that it failed to galvanize international action or, worse, exacerbated the situation by distracting the relevant actors.” But I would argue that it is since that the mass killing in Darfur has happened prior to the establishment of R2P norm, and the UNSC had use a serious of method including targeted sanctions, referral of the situation to the ICC, and authorizing a peace operation UNAMID, I think the main problem is that by the time the UN was actually engaged in 2004, the situation was already exacerbated. Although according to the resolution the UN was acting under the norm of R2P, the insufficiency of the UNSC’s response is not caused by the norm. Yet, it is hard to observe the R2P’s function in this case since it is mostly considered as a failure.

The case of Libya is another heavily criticized humanitarian intervention. But again, the citation pattern shows that of R2P was far from being an influencing factor in decisions making. Only pillar one elements were mirrored in the textual composition of the Council’s resolutions on Libya, “Recalling the Libyan authorities’ responsibility to protect its population, ”

Those two cases are the only two that R2P were acknowledged on the official record during the decision-making process, but the function of R2P is barely noticeable

within them. However, in fact, R2P have been used outside the UNSC in one way or the other, R2P seems have played a more weighted role.

#### **1.2.1.2 Georgia and Myanmar**

In August 2008, when Georgia was fighting with South Ossetia, Russia launched a quickly but large-scale military operation result in forcing the Georgian army retreated. Afterward, the Foreign Minister of Russia Sergei Lavrov justified Russia's military operation by referring to R2P specifically.

Earlier that year on May 3, Myanmar was hit heavily by the Cyclone Nargis, cost approximately 13800 lives and left some 1.5 million displaced. What is worse, Myanmar denied access to almost all outside humanitarian aid or urgent supplies out of their political concerns. French Foreign Minister Bernard Kouchner proposed that the UN Security Council invoke RtoP to authorize the delivery of aid without Myanmar's consent, arguing that the denial of humanitarian assistance constituted a crime against humanity.

Both of the two cases received very little support. Russia's citing R2P was criticized as misappropriation, and heavily condemned for using force without the UN's approval. Kouchner's proposal was rejected by China and ASEAN, and the UNGA reached an agreement that R2P did not apply to natural disasters.

Both of them referring to RtoP as an excuse to legitimize their action. The view of considering RtoP as a "Trojan horse" that established by great power aimed at legitimizes interference might find some ground of argument from them. But since there was little support among the international society, and they did not successfully manage use R2P to legitimize their defense of intervention, that is not always the case.

### **1.2.1.3 Kenya**

After all the gloomy cases that R2P was either a minor factor or an excuse, Kenya was considered as a big victory of R2P advocates.

In 2007 after the alleged “electoral manipulation”, a humanitarian crisis erupted in Kenya. Shortly after the outbreak of ethnic violence, a collaborated diplomatic effort made by Kofi Annan, Ban Ki-moon, and African Union leading to a power-sharing agreement between the Kenya president and his opposition. Successfully prevent the situation from deterioration.

Both the UN secretary general and his predecessor emphasized the R2P’s value in addressing this particular problem. According to them, R2P functioned as a reminder that warning them they will be held responsible by the international society if they failed their responsibility to protect the Kenya population from a humanitarian disaster .

Though it is a successful humanitarian intervention, R2P’s function in this mission may not as significant as what the UN secretary general have claimed. Factors like swift post-crisis response, coordination with regional organizations like AU, and relatively small scale of the crisis seem to be more important than a notion of the R2P norm.

### **1.2.1.4 Somalia and Syria**

There are some other cases, however, where the situation in deed fit in the norm of R2P(government failed to protect its protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement), but R2P have not been invoked, notably Somalia after 2006 and Syria. Although the extent of

those intervention is various, the UN in fact did intervene. The problem is all of those humanitarian interventions were just not under the name of R2P.

In spite of the most optimistic case of Kenya demonstrated the possibility that the R2P can be used as a diplomatic leverage that contributing to a fruitful result. So far only two out of ten cases after 2005 were officially related to the R2P, with its function barely observable. There lies the alarming possibility that the R2P has been abused for purposes other than humanitarian concern. Most of all, under some circumstances the R2P was simply avoided or neglected. Evidence has led to a pessimistic conclusion that the R2P's function in practice is selective at best.

Sean D. Murphy described the 19th century's humanitarian intervention as "a concept of humanitarian intervention was present, but its application was sporadic and uneven"<sup>10</sup> I find that comment is somehow still applicable for today.

The reason of the R2P's bumpy record of implementation is still unclear. But there are a few plausible explanations. The most mentioned one is the shift of power argument. Jennifer Welsh explained that "Arguably, RtoP was born in an era when assertive liberalism was at its height, and sovereign equality looked and smelled reactionary. But as the liberal moment recedes, and the distribution of power shifts globally, the principle of sovereign equality may enjoy a comeback."<sup>11</sup>

The selective pattern of the R2P can also be blamed on the possibility that powerful states simply reluctant to contribute peacekeepers to undertake complex and dangerous tasks in strategically unimportant regions. For example, during the Libya crisis, the UK, the country often considered pro-R2P, in the evidence submitted to and deliberations of the Defense Committee's inquiry into the UK's operation in Libya, R2P only made it into the pages of the committee's final report "as an afterthought"<sup>12</sup>

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<sup>10</sup> Murphy, Sean D. *Humanitarian intervention: the United Nations in an evolving world order*. Vol. 21, University of Pennsylvania Press, 1996 ,63.

<sup>11</sup>Welsh, Jennifer. "Implementing the 'responsibility to protect.'" Policy Brief 1, 2009.

<sup>12</sup> Interview with Rt Hon. James Arbuthnot MP, Chair, House of Commons Defence Committee, Portcullis House, London, 8

The last explanation is regarding the absence of R2P in cases like Somalia, which is the political attention has been carried away. The US was motivated more by its concerns over ISIS on Somalia or the “war on terror” over the protection of human rights. Gareth Evans simply concluded that Somalia was not a “classic situation” of R2P.<sup>13</sup>

### **1.2.2. R2P’s conceptual function**

Nonetheless R2P’S function in practice is a far cry from what its founder would have expected it to achieve, in other words, its conceptual function drawing from its intention. Generally speaking, two branches of function fall into this category.

The first one is a series of political agenda that committed to preventing or stopping humanitarian crisis like ethnic cleansing, which is pretty much what Ban Ki-moon his predecessor have been doing for the past decade. The prospect of such agenda still up to the debate.

The other conceptual function according to Eli Stamnes, is to cause a speech act. It basically means that R2P was meant to function as a catalyst that generates a certain amount of political will to address humanitarian crises when it occurs. Based on R2P’ s practice record this function does not work well.

### **1.3. The inherent problem of humanitarian intervention**

Although some scholars believe that R2P is a norm that currently is in retreat, the core problem, the debate over the legitimacy of humanitarian intervention has never been very far from sight. The notion of R2P, which is prior the human rights over state sovereignty and purposing external intervention for dire humanitarian needs can be

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Nov. 2012.

<sup>13</sup> Matthew Russell Lee, “Re-Branding Responsibility to Protect, Gareth Evans Says Somalia’s Not Covered,” Inner City Press, September 17, 2009; available at [www.innercitypress.com/r2p1evans091708.html](http://www.innercitypress.com/r2p1evans091708.html)

found throughout the history.

“It would be a good idea.” That was what Gandhi allegedly responded when he was asked about the opinion of the Western civilization. The same goes to the humanitarian intervention, it would be a good idea, if it is truly the case. But the reality is the notion always works as a double sword. The most mentioned example in the post-Cold War area is the fact that during the whole period of Kosovo’s tragedy, the Turks population in the Southeast Turkey suffered shocking humanitarian crisis, but those two cases were treated completely different.

As I said before, just as the idea of resorting to war to support individual that suffering from unjust is quite old, the dark side of humanitarian intervention goes way back. According to Sean D. Murphy, there are at least 3 examples of how the doctrine of humanitarian intervention may be severely abused in modern history. First is in September 1931, when Japan invaded Manchuria. The second is Mussolini’s conquest of Ethiopia, and the third happened when Hitler took over Czechoslovakia<sup>14</sup>. They all claimed for humanitarian reasons, protect civilization and general welfare.

This inherent problem of humanitarian intervention still casts its shadow on international politics up till today. However, on that note, Murphy holds a different view he believes that with humanitarian intervention is legitimate, it is the UN’s practice of this idea that has flaws. He thinks the state’s consent is not suitable for humanitarian intervention, and the case-by-case basis that currently used by the Security council is a way to have “as little control by the UN as possible<sup>15</sup>”

Similar arguments have been held by other scholars. Justin Morris said that “ however high profile, operationally difficult and politically, sensitive these cases might be, they are ill-served by prevarication and half measures.<sup>16</sup>” Chris Brown has argued that

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<sup>14</sup> Murphy, Sean D. *Humanitarian intervention: the United Nations in an evolving world order*. Vol. 21. University of Pennsylvania Press, 1996. 60-63

<sup>15</sup> Ibid.

<sup>16</sup> Morris, Justin. "Libya and Syria: R2P and the spectre of the swinging pendulum." *International Affairs* 89.5 (2013): 1282.

“there are no half-way houses in matters of this kind ...that “protection” is something that can be carried out a-politically without taking sides ...is clearly wrong.”<sup>17</sup> Those are the topic that I would like to try to argue for the next 2 chapters.

R2P is a norm established through the 1990s and across the 2000s. It made some advance over time, but still conservatively and selectively functioned. Therefore, it seems reasonable to conclude that the practice of humanitarian intervention is more based on debate and political negotiations than the guidance of the R2P norm. After the Cold War, China gradually became an essential part of this debate. And that is where the next chapter begins.

## **Chapter 2: The 1990s, adapting to the debate**

This Part examines China’s acts and official pronouncements during seven humanitarian crises of the 1990s. These cases are typically cited by scholars when considering the international legal status of humanitarian intervention: 1.the northern and southern no-fly zones over Iraq after the first Gulf War; 2. Somalia; 3.Haiti; 4. East Timor.

### **2.1 Iraq**

Five months after Iraq invaded Kuwait in August 1990, with UN authorization, the United States-led forces expelled Iraqi armies from stationed in Kuwait. Later that month, the coalition force of the US, UK, and France established “no-fly zones” on the south and east of Iraq but without UN authorization. Although one could argue “to use all necessary means” to effect the withdrawal of Iraqi troops from Kuwait

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<sup>17</sup> Chris Brown, ‘Difficult decisions lie ahead over Syria’, 9 Feb. 2012, <http://blogs.lse.ac.uk/politicsandpolicy/2012/02/09/syria-decisions-turkey-uk/>, accessed 13 June 2016.



Security Council<sup>18</sup>” as was stated in Security Council Resolution 678 and 660 did left some ambiguity.

Over more than 50 UNSC resolutions addressing this humanitarian intervention throughout the 1990s , though the absence of UN authorization made the NFZs less legitimate to be considered as one, some China’s votes and speeches revealed its attitude of this first post-Cold War humanitarian intervention case.

China favored the Resolution 666, which condemns the invasion and demands Iraq withdrawal unconditionally and immediately. But it abstained on Resolution 678 which basically authorized the use of force by stating that “all necessary means to uphold and implement Resolution 660”. This abstention revealed Beijing’s reluctance to the notion of the authorization of the use of force to a state under Chapter VII by the Security Council.

China’s abstention in Resolution 688 which demands Saddam to end the repression of its citizen is another indicator of its stance on sovereignty, and the fact that the Resolution 688 is not a Chapter VII resolution makes it even more distinct. China explained its abstention during the Security Council debate that “ the Security Council should not consider or take action on questions concerning the internal affairs of any state.” Despite China’s condemnation towards Iraq’s wrongdoing and it was a non-Charter VII method, to a broader extent, China still considered the Resolution 688 as a matter of an external actor interferes a state’s internal affairs that violates a state’s sovereignty.

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<sup>18</sup> United Nations Security Council, Resolution 678,  
[http://www.un.org/en/ga/search/view\\_doc.asp?symbol=S/RES/678\(1990\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/678(1990))

Also, the Resolution 688 was the first time of the UN history that the SC considered a humanitarian crisis as a threat to international peace and security.<sup>19</sup> For a state like China that holds a very strong, some say absolutist version of sovereignty<sup>20</sup>, would worried that this acknowledgement would set a dreadful precedent.

## **2.2 Somalia**

During the period of Somalia crises in the 1990s, China supported all SC resolutions from 1991 to 1994. One of the most significant one was in 1992 when China went along with other UNSC member states and adopted the Resolution 794.

“Determining that the magnitude of the human tragedy caused by the conflict in Somalia, further exacerbated by the obstacles being created to the distribution of humanitarian assistance, constitute threat to international peace and security,” the Council, acting under Chapter VII, authorized member states “to use all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia.”<sup>21</sup>

Somalia gives some further insides of China’s attitude regarding humanitarian intervention in the early phase of the post-Cold War era. First of all, this case is indeed has some remarkable features. It was the first time that the UNSC authorized a military intervention under the Chapter VII without consent of the host state. Moreover, it was the first occasion that such mission was authorized solely based on the humanitarian concerns of the “magnitude of the human tragedy caused by the conflict in Somalia”<sup>22</sup>

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<sup>19</sup> Österdahl, Inger. "Max Hilaire. United Nations Law and the Security Council; Catherine Denis. Le pouvoir normatif du Conseil de sécurité des Nations Unies: portée et limites." *European journal of international law= Journal européen de droit international* 17.5 (2006): 218

<sup>20</sup> Carlson, Allen. *Unifying China, integrating with the world: securing Chinese sovereignty in the reform era*. NUS Press, (2008): 24.

<sup>21</sup> SC/RES/794, 3 December 1992.

<sup>22</sup> Welsh, Jennifer M. 2008. "The Security Council and Humanitarian Intervention." In: V. Lowe et al. (eds.) *The United Nations Security Council and War*. Oxford: Oxford University Press, 541.

Though China's vote greenlighted all the UN military operation in Somalia during the 1990s, it repeatedly argued that they had supported that resolution agreeing to intervene because there was in fact, no responsible governmental authority in place to give consent. For China, that makes the intervention "an exceptional action in view of the unique situation in Somalia"<sup>23</sup> Later in 1993, another Charter VII resolution, the Resolution 814 were adopted to expanding the mandate and size of the military. During the meeting, China again emphasize the "the unique situation of the absence of any effective, functioning government in Somalia"<sup>24</sup> Clearly China was drawing a red line for humanitarian intervention that the host state consent is an indispensable requirement.

What's more, regarding the Resolution 749, even under the circumstance of the absence of a legitimate government, which circumvented China's red line, and China in fact did support the UNITAF intervention, similar to the case of Iraq, it still holds concerns over the act of Security Council authorizing member states to use force for humanitarian purposes<sup>25</sup>. Again, in 1993 the adoption of the Resolution 814, in spite of its voting support, China repeated its reservations about the invocation of Chapter VII in a humanitarian peacekeeping context. The uneasiness reflected China's deep concern about legitimize the use of force, even under the circumstances of humanitarian interventions.

### **2.3 Haiti**

Although the 1994 intervention in Haiti by a UN-authorized, U.S.-led multinational force was more than just a humanitarian mission,<sup>26</sup> China's stance on two important

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<sup>23</sup> U.N. Doc. S/PV.3145, 3 Dec, 1992

<sup>24</sup> U.N. Doc. S/RES/814 (Mar. 26, 1993)

<sup>25</sup> S/PV.3145, 3 Dec, 1992

<sup>26</sup> S/RES/940 31 July, 1994

Security Council resolutions regarding the Haiti intervention provides insight into its early post-Cold War position on the principle of noninterference. Haiti plunged into chaos following a September 1991 *coup d'état* that drove its democratically elected president, Jean-Bertrand Aristide, into exile.<sup>27</sup>

By 1993, humanitarian conditions had deteriorated drastically, leading to an exodus of refugees that put immense pressure on the Security Council to address the ongoing political and humanitarian crisis.

In June 1993, acting under Chapter VII, the Security Council unanimously adopted Resolution 841, imposing a fuel and arms embargo on Haiti and freezing the financial assets of the new Haitian government.<sup>28</sup> During the Security Council's debate on that resolution, Beijing characterized the crisis in Haiti as "essentially a matter which falls within the internal affairs of that country, and therefore [one that] should be dealt with by the Haitian people themselves."<sup>29</sup> Still, China supported the resolution based on "the unique and exceptional situation in Haiti"—an apparent reference to the fact that the sanctions had been requested by the "legitimate" Haitian permanent representative to the United Nations (i.e., the representative of Aristide's exiled government) in a letter to the UN Secretary-General. China also indicated that the Security Council's consideration of the matter was proper given similar requests by the Organization of American States. As in the case of Somalia, China emphasized that its support did not constitute a change in its position on the principle of noninterference.

On July 31, 1994, the Security Council, acting under Chapter VII, adopted Resolution 940, authorizing a U.S.-led multinational force "to use all necessary means to facilitate the departure from Haiti of the military leadership . . . [and] the prompt return of the legitimately elected President and the restoration of the legitimate authorities of the Government of Haiti." The Security Council's language makes clear that Resolution 940 was motivated by more than simply humanitarian aims. Although

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<sup>28</sup> S.C./ RES/841, 16 June, 1993

<sup>29</sup> U.N. Doc. S/PV.3238, 16, June, 1993

Resolution 940 cited grave concerns about “the significant further deterioration of the humanitarian situation in Haiti,” the Security Council’s objectives extended to “the restoration of democracy in Haiti and the prompt return of the legitimately elected President, Jean-Bertrand Aristide, within the framework of the Governors Island Agreement.” In authorizing this unprecedented mission to reestablish a democracy, the Security Council highlighted “the unique character of the present situation in Haiti and its deteriorating, complex and extraordinary nature, requiring an exceptional response.”

China abstained from voting on Resolution 940.<sup>30</sup> Up to that point, China had supported all Security Council resolutions on Haiti, including all sanctions measures. Here, however, China strongly objected to the Security Council’s invocation of Chapter VII to authorize member states to use force to resolve the situation in Haiti, and it noted that the resolution was “disconcerting because this would obviously create a dangerous precedent.”<sup>31</sup> As with Resolutions 678 and 688 on Iraq, China emphasized its preference for “a peaceful solution” over “the resort to pressure at will or even the use of force.”

Yet, while noting that military action in Haiti did not conform to the UN Charter’s preference for the peaceful resolution of disputes, China refrained from invoking sovereignty or noninterference principles in the Security Council debate. This is especially puzzling given that Resolution 940 represented the first and only time that the Security Council has authorized the use of force to restore democracy in a member state.<sup>32</sup> One explanation, however, may be that the intervention came at the request of the “legitimate” government of Haiti in exile,<sup>92</sup> thus providing an element of consent. China sought to clarify its position in November 1994, when it explained its favorable vote on Resolution 964, which authorized the strengthening of an advance team of the UN peacekeeping mission, the UN Mission in Haiti (UNMIH).<sup>33</sup> In a statement before the Security Council, China’s representative highlighted the principle of

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<sup>30</sup> U.N. Doc. S/PV.3413, 31 July, 1994

<sup>31</sup> S/PV.3413 31 July, 1994

<sup>32</sup> Sebastian von Einsiedel & David M. Malone, *Haiti*, in *THE UN SECURITY COUNCIL: FROM THE COLD WAR TO THE 21ST CENTURY*, 467,

<sup>33</sup> S/PV.3470, 29 Nov, 1994

noninterference:

“China has consistently... opposed interference in the internal affairs of other countries and the use or threat of the use of force in international relations. We expounded this position when the Council adopted Resolution 940 (1994), which authorized military action in Haiti. Still less should resolution 964 (1994), which has just been adopted, be understood as an affirmation of this so-called formula.”<sup>34</sup>

In light of this record, China’s position on the intervention in Haiti perhaps should be viewed as an exceptional case in which China’s muted opposition to, or acquiescence in, the intervention can be attributed to the presence of the consent of Haiti’s “legitimate” government in exile. In any case, the example of Haiti demonstrates Beijing’s concern that such intervention could set a precedent that would lead to the eventual erosion of the noninterference principle.

## **2.4 East Timal**

China’s support for the UN-authorized, Australian-led humanitarian intervention in East Timor in 1999, as well as the subsequent UN peacekeeping operation, offers an interesting counterpoint to its opposition to NATO’s intervention in Kosovo earlier that year. Following a May 1999 agreement between Indonesia and Portugal on how to settle the status of East Timor, the Security Council, with China’s support and Indonesia’s consent, established the UN Mission for East Timor (UNAMET) in order to assist with a referendum that would decide whether the East Timorese desired independence or a relationship of special autonomy with Indonesia.<sup>35</sup> Nearly 80 percent of East Timorese voters endorsed independence in the UN-sponsored plebiscite.<sup>36</sup> Almost immediately, armed militias, backed by the Indonesian military, began a campaign of violence to reverse the decision.

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<sup>34</sup> S/PV.3430, 29 Sept., 1994

<sup>35</sup> S/RES/1246, 11 June, 1999

<sup>36</sup> Seth Mydans, *In East Timor, Decisive Vote for a Break from Indonesia*, N.Y. TIMES, Sept. 4, 1999, A1.

As violence spread and the refugee population grew, it became apparent that the Indonesian government was unwilling or unable to control the situation or protect East Timorese civilians and UNAMET convoys from attack. Initially, Jakarta resisted international pressure either to improve security or to accept an international peacekeeping force. For its part, China took the position that any international intervention would require the consent of the Indonesian government. In a Security Council debate on September 11, 1999, China noted its grave concern “over the continuing violence and resulting humanitarian crisis in East Timor.”<sup>37</sup> However, China stated its two preconditions for support of an international intervention: “The deployment of any peacekeeping force should be at the request of the Indonesian Government and endorsed by the Security Council.”

On September 12, in a dramatic reversal of its position three days before, the Indonesian government consented to the deployment of international peacekeepers in East Timor.<sup>38</sup> Beijing praised Jakarta’s decision as “rational, respectable and responsible,” and on September 15, China voted in favor of Resolution 1264, a Chapter VII measure authorizing the establishment of an Australian-led, multinational peacekeeping force—the International Force in East Timor (INTERFET)—to restore peace and security in East Timor.<sup>197</sup> Two days later, China announced its intention to contribute up to two hundred civilian police to a future UN mission in East Timor, marking China’s first participation in a UN peacekeeping operation since 1992, in Cambodia.<sup>39</sup> China deployed the police contingent after the Security Council, in Resolution 1272, authorized the establishment of the UN Transitional Administration in East Timor (UNTAET).<sup>40</sup>

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<sup>37</sup> U.N. SCOR, 54th Sess., 4043d mtg. at 13, U.N. Doc. S/PV.4043 (Sept. 11, 1999)

<sup>38</sup> Seth Mydans, *Indonesia Invites a U.N. Force to Timor*, N.Y. TIMES, Sept. 13, 1999, at A1

<sup>39</sup> *China: Nation to Send Police to E. Timor*, CHINA DAILY, Sept. 17, 1999, at 1.

<sup>40</sup> S/RES/1272 Oct. 25, 1999

Some commentators suggest that Beijing's support for humanitarian intervention in East Timor demonstrated a relaxation of its position on sovereignty and noninterference in other states' internal affairs. This interpretation, however, ignores the fact that the intervention received both Indonesia's consent and the Security Council's authorization, both of which were prerequisites for China's support.

To be sure, Indonesia's dramatic about-face indicates that significant pressure was applied in order to convince Jakarta to accept an international peacekeeping force. Thus, to the extent that China proved willing to accept "induced" consent as legitimate consent to intervention, the case of East Timor reflects a degree of flexibility in China's previously strict insistence on noninterference, although this flexibility is less evident than some commentators have suggested.

### **Chapter 3: The modest shift: China's flexible approach and on humanitarian intervention.**

The Chinese People's Liberation Army (PLA) has increased its participation in a broadening array of multilateral security arrangements in recent years. One of the most high-profile aspects of this trend is the dramatic expansion in Chinese peacekeeping deployments (of civilian police, military observers, engineering battalions and medical units) to UN operations: since 2000, when China deployed fewer than 100 peacekeepers, there has been a dramatic 20-fold increase in its contributions. As of December 2008, China was the fourteenth largest contributor to UN peacekeeping operations, providing more troops, police and observers to UN operations than three other permanent members of the UN Security Council—Russia, the United Kingdom and the United States. Nearly three-quarters of China's contributions are concentrated in Africa, and the Chinese Government plans new and



even more significant increases to its contributions in such strife-torn regions as the Democratic Republic of the Congo, Haiti, Liberia and Sudan.<sup>41</sup>

### **3.1 Myanmar**

In 2006, the conflict between Myanmar Army and the Karen National Union resulted in the displacement of hundreds of thousands of civilians in Karen States.

In January 2007, China and Russia double vetoed a draft resolution made by the US and the UK that “Deploing the continued attacks by members of the Myanmar military in ethnic minority regions”<sup>42</sup> This draft marked China’s first veto in the post-Cold War area. In later that year, China again blocked the proposal of condemning Myanmar in the UN Security Council<sup>43</sup>

China expressed its view on this matter in a Security Council meeting with a strong reference of self-determination and noninterference “The current situation does not pose any threat to international or regional peace and security. The future of Myanmar lies in the hands of its people and its Government, and their problems will be addressed properly through consultations.”<sup>44</sup>

However, during the whole period of Myanmar crisis, China did not simply “shielding it from United Nations Security Council action and other foreign sanctions.”<sup>45</sup> according to some scholars. In fact, China begin to play the role of mediator between the UN and the Myanmar military junta in both 2006 and the aftermath of the Saffron Revolution. Brokered talks between Eric John, US Deputy Assistant Secretary of State for East Asian and Pacific Affairs, and two Myanmar ministers in Beijing in

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<sup>41</sup> Gill, Bates and Chin-Hao Huang, “China’s Expanding Peacekeeping Role: Its Significance and the Policy Implications.”, SIPRI, Stockholm, May 28, 2009. <https://www.sipri.org/commentary/essay/thu-05-28-2009-14-00/jan-09-china-s-expanding-peacekeeping-role>

<sup>42</sup> UNSC, draft resolution, “United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution”, 12 January 2007

<sup>43</sup> Lague, David. 2007. “China Braces for Prospect of Changes in Myanmar.” New York Times, September 27th.

<sup>44</sup> UNSC, Security Council meeting, “The situation in Myanmar”, 5 October 2007,

<sup>45</sup> Lee, Pak K., Gerald Chan, and Lai-Ha Chan. “China’s ‘Realpolitik’ engagement with myanmar.” China Security 5.1 (2009): 105-126.

June 2007. China successfully made the junta grant Gambari access to meet with the senior generals and the leader of the opposition party, Aung San Suu Kyi<sup>46</sup>. After the trip to Myanmar, Gambari praised the role of China in the process of negotiation and the conduct of China regarding the crisis management on the Myanmar issue<sup>47</sup>.

In the same year when Cyclone Nargis hit Myanmar, China was one of a few Asian countries which successfully dispatched relief supplies to the country. US Secretary of State Condoleezza Rice made an appeal for China to press the military, French even citing the R2P to try to open up Myanmar's border. However, out of the will of avoiding over politicizing the natural disaster issue, China resisted putting pressure on Myanmar.

China's policy regarding Myanmar during this period of time suggests a delicate balance. Although China firmly opposed to intervention in and sanctions imposed on Myanmar, on the other hand, China's active engagement mediation or as Chiung-Chiu Huang call it the "half-way intervention"<sup>48</sup> did play a crucial role in addressing the humanitarian crisis.

Pursuing a stable relationship, or as what Chinese call it "guan xi", with other regime is always one of China's diplomatic compass. During China's mediation, it managed to put pressure on Myanmar government several times but still somehow maintained their relationships.

Gaining respect by being a mediator and building up the reputation of "responsible great power" is another goal China tried to achieve. "Mian zi" which means face or reputation, gaining it also contributes a very important part of China's foreign policy.

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<sup>46</sup> Ian Storey, "China, Burma and the 'Saffron Revolution,'" China Brief 7, no. 19, October 2007, [http://www.jamestown.org/programs/chinabrief/single/?tx\\_ttnews%5Btt\\_news%5D=4485&tx\\_ttnews%5BbackPid%5D=197&no\\_cache=1](http://www.jamestown.org/programs/chinabrief/single/?tx_ttnews%5Btt_news%5D=4485&tx_ttnews%5BbackPid%5D=197&no_cache=1) (accessed May 7, 2016).

<sup>47</sup> Kleine-Ahlbrandt, Stephanie and Andrew Small. "China's New Dictatorship Diplomacy: Is Beijing Parting with Pariahs?" Foreign Affairs 87, 2008, 38–56.

Acting as mediator demonstrates that China is in a good relationship with that particular state and that China is capable of managing disputes through discussion and negotiation. Moreover, it refers to legitimacy and responsibility.

### 3.2 Darfur

In early 2003, armed clashes erupted between Sudanese government forces and rebel groups in Darfur. The conflict expanded quickly, leading to burning, rape, and ethnic cleansing against Darfur's black African population.<sup>49</sup> According to Jan Egeland, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief, Darfur crisis was "one of the worst humanitarian crises in the world."<sup>50</sup>

Security Council have adopted 23 resolutions since 2003 seek to settle this humanitarian atrocity. 4 of them demonstrate China's stance on this matter most evidently. In July 2004, the Security Council adopted Resolution 1556, "endorsed the African Union's proposed deployment of a protection force to Darfur and demanded that Khartoum disarm the Janjaweed militias and bring to justice those responsible for violations of human rights and international humanitarian law, as well as other atrocities."<sup>51</sup> and the Security Council stated its intention to consider further actions, including actions pursuant to Article 41 of the UN Charter, in the event of Khartoum's noncompliance.<sup>52</sup>

China abstained from the vote on Resolution 1556<sup>53</sup> because of the resolution's mandatory provisions. China argued its stance on the Security Council debate, calling for "a comprehensive agreement based on respect for the Sudan's sovereignty and territorial integrity..." "China believe that the Government of the Sudan bears primary responsibility for resolving the Darfur situation and that the international. China

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<sup>49</sup>Samantha Power, *Dying in Darfur: Can the Ethnic Cleansing in Sudan Be Stopped?*, NEW YORKER, Aug. 30, 2004, 56

<sup>50</sup> *Humanitarian and Security Situations in Western Sudan Reach New Lows, UN Agency Says*, UN NEWS SERV. (Dec. 5, 2003), <http://www.un.org/apps/news/story.asp?NewsID=9094&Cr=sudan&Cr1=&Kw1=Humanitarian+and+security+situations+in+western+Sudan+reach+new+ lows&Kw2=&Kw3=>

<sup>51</sup> S/RES/1556, 30 July, 2004

<sup>52</sup> Id.

<sup>53</sup> S/PV.5015, 30 July, 2004

repeated this mantra when it abstained from voting on subsequent Darfur-related resolutions, always objecting that pressure on Khartoum would undermine progress toward a political settlement and make matters worse.<sup>54</sup>

China repeated this concern in explaining its vote in favor of Resolution 1679 in May 2006, which endorsed the African Union's decision to transition to a UN peacekeeping force in Darfur as soon as possible.<sup>55</sup> "China still has reservations concerning the resolution's invocation of Chapter VII of the Charter. The heading of Chapter VII reads "Action with respect to the threats to the peace, breaches of the peace, and acts of aggression". The contents of resolution 1679 (2006) are clearly inconsistent with that wording."<sup>56</sup>

In August 2006, China's strict insistence on the Sudanese government's consent to any intervention in Darfur led it to abstain from voting on Resolution 1706,<sup>57</sup> which aims at expanded the size and mandate of the UN Mission in Sudan (UNMIS). The operation had Khartoum's consent in advance. Yet, Beijing sought the language of resolution, that "required," rather than "invited," the Sudanese government's consent prior to authorizing a UN deployment. So far China's role in this humanitarian intervention was not so much more than expressing concern over resolution's mandatory nature and insisting the importance of host government's consent.

In May 2006, the violence was escalating and spilling across the border into neighboring Chad. Pressure was mounting on China to play a constructive role in the humanitarian crisis, including some international pressure on the possible boycotting of the 2008 Beijing Olympics. Later that year, China took an active turn in influencing the then pre-divided Sudan and mediating between the then Khartoum regime and the UN.

In February 2007, President Hu Jintao visited Khartoum and reportedly putting

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<sup>54</sup> S/PV.5423, 25 Apr, 2006

<sup>55</sup> S/RES/1679, 16 May, 2006

<sup>56</sup> S/PV.5439, 16 May, 2006

<sup>57</sup> S/RES/1590, 24 Mar, 2005

political pressure on Omar Hassan al-Bashir to cooperate with the United Nations and accept the deployment of a UN peacekeeping force.

In April, Chinese Assistant Foreign Minister Zhai Jun and its special envoy to Africa, Liu Guijin, visited Khartoum, to persuade Khartoum and connect the Sudanese government with both the UN and the African Union, the mission resulted in an agreement for the deployment of three thousand UN peacekeepers to Darfur, including a contingent of Chinese military engineers.<sup>58</sup>

In July 2007, Security Council adopted Resolution 1769 unanimously, authorizing the deployment of hybrid UN–AU peacekeeping force in Darfur.<sup>59</sup> During the Security Council meeting, China emphasized that Khartoum's consent was crucial to its vote.

Some scholar believe that China's conservative attitude in humanitarian intervention in Darfur is linked to its pursue of national interests since Sudan has been an important supplier of oil and gas to China. However, a series of private mediation contributing to Sudan's cooperated attitude suggest made by China may suggest a different explanation. China toughen its lines, again, in its stance on the consent of the host state's view, yet, acted as a mediator and played a crucial role in reaching an agreement between the UN and Khartoum. Thus, the realistic national interest theory may not be very applicable.

Comparing to the conservative behavior pattern in the 1990s, it seems that China have consciously taken a step further in this particular field, it express its attitude in a more explicit form of language, it participating the UN peacekeeping mission more actively, one evident pattern is it began to use its veto power to engage in the decision process rather than use abstention to express its alternative position.

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<sup>58</sup> Stephanie Kleine-Ahlbrandt & Andrew Small, *China's New Dictatorship Diplomacy: Is Beijing Parting with Pariahs?*, FOREIGN AFF., Jan.–Feb. 2008, 38

<sup>59</sup> S/PV.5727, 31 July 2007

there are mainly two critics about UN's respond, first is the evolution from a peacekeeping operation to a regime change mission, and such mission was possibly made things worse. The second is the inaction or at least insufficient intervention afterwards.

### **3.3 No-fly zone in Iraq and veto pattern**

China's response towards the Iraq "no-fly zones" is another evidence to this shift. Although the context of intervention of 1991 and 2003 is not exactly the same, one is arguable a humanitarian mission the other is more about overthrowing Saddam's regime, western's justifications to the establishment of NFZs during the two period of time nonetheless remain consistent, which aimed at preventing Saddam from suppressing its civilian population, whether in general or refer to some minority groups.

Despite China's opposition to the interference in Iraq's internal affairs back in 1991, it did not raise any objections at the time when the "no-fly zones" were established, only later expressed its concerns at meetings. Even after December 1992, when the US air force fired a missile and killed an Iraqi fighter, China did not voice a its objection to the enforcement of the NFZs by the use of force to but still voice its uneasiness by reiterate its stance over territorial integrity and sovereignty<sup>60</sup>.

However, China's protest became more explicit overtime. In 2004, Beijing strongly condemned the action of establishing the NFZS in Iraq "violate the UN Charter" and

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<sup>60</sup> Iraq 'No-Fly Zone' China 'Concerned,' XINHUA GEN. OVERSEAS NEWS SERVICE, Aug. 31, 1992.

were “trampling on Iraq’s sovereignty<sup>61</sup>” And the humanitarian motive of this operation is merely an “excuse<sup>62</sup>”.

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<sup>61</sup> The Iraq Issue, EMBASSY OF CHINA IN ISR. (Sept. 21, 2004), <http://il.chinaembassy.org/eng/zt/dqwt/t159726.htm>.

<sup>62</sup> Ibid.

<sup>63</sup> Iraq ‘No-Fly Zone’ China ‘Concerned,’ XINHUA GEN. OVERSEAS NEWS SERVICE, Aug. 31, 1992.

<sup>64</sup> The Iraq Issue, EMBASSY OF CHINA IN ISR. (Sept. 21, 2004), <http://il.chinaembassy.org/eng/zt/dqwt/t159726.htm>.

<sup>65</sup> Ibid.

China's voting record shows a very conservative pattern back in the 1990s and even more so the time before that. Throughout the 1990s it vetoed only twice, both were somehow related to Taiwan, which was and still is one of China's prior interests. So it is reasonable to conclude that China's abstention from a UNSC resolution back in the 1990s demonstrates a fair amount of negative attitude towards the issue. And though China joined the giant debate of humanitarian intervention, it didn't use the veto power to express its view. However, over the past 15 years, China vetoed 6 times, among them there were 4 vetoes refer to Syria, the other two was used for the purpose of objecting resolution for Myanmar and Zimbabwe. Notably, in February 2012, China's first time objected the draft resolution regarding to Syria, was with the understanding that Russia is already decided to veto, so the resolution was not going to be adopted anyway. Under such circumstances, vetoing against the draft resolution demonstrates is more of toughen its lines and express its stance in a more stronger way than simply want to struck it down.

Comparing China's statement regarding setting up an no-fly zone, the pattern echoed the conclusion that China's attitude towards humanitarian intervention became more clear and definite

The attitude, however does not shifting to the other side, China still sit in the right of the spectrum, and most certainly will continue to do so. What is changes over the past decades is that China restrictedly adapted to the western norm which from China's view it basically means pro-intervention solutions and went against China's the core value and deepest concern. But not in a sense of going for a head-to-head confrontation, which is another practice that goes against China's value and probably ended up fruitless, but by figuring out a way that can circumvent the confrontation in practice, and still manage to achieve a reasonable or at least acceptable outcome.



Confronting with the problem as complicated as humanitarian intervention, maybe that is the best outcome we can hope for.

Whether this adaptation will generate appreciable results is still up to debate, but it definitely will not happen without China adopt a more active engagement mode of issues like humanitarian intervention, favor or objection.

## **Chapter 4: China's restricted adaptation: why adapt and why restricted?**

For the past 2 decades, China has found itself in a two-way process. On the one hand, it became a growing power and started to have global interests. Naturally, it wants to be respected and integrating to the World, on the other hand, it was caught up in the tide of debates like humanitarian intervention and received some expectations. It took a modest shift to issues like humanitarian intervention.

It is quite common for people to analyze China's behavior in realistic terms. Peter Brookes of The Heritage Foundation has therefore asserted that "... nothing is driving China into Africa more than its quest to satisfy its insatiable appetite for oil and gas."<sup>66</sup> David Lampton argues that Beijing "make friends with every regime that has energy in the ground (whether or not the partner regime observes internationally recognized human rights, and whether or not new relationships intrude into sensitive regions)."<sup>67</sup>

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<sup>66</sup> Peter Brookes, "Into Africa: China's grab for influence and oil," Heritage Lectures, no. 1006, February 9, 2007, 2, <http://www.heritage.org/research/Africa/hl1006.cfm> (accessed March 1, 2009).

<sup>67</sup> David M. Lampton, *The Three Faces of Chinese Power: Might, Money, and Mind* (Berkeley, CA: University of California Press, 2008), 246.

The realistic theory leads them to attribute China's behavior to its national interests pursue. These interests include economic benefits; the acquisition of resources such as raw materials and energy; the cultivation of strategic allies; the spread of ideological values; and physical stability along China's borders.

As I said on the last chapter. Those arguments may seem reasonable sometimes, but in area like humanitarian intervention, a realistic view could be self-contradicted.

Because even under the presumption that state always acting based on its interests, realistic interests may not always fit in China's pursuing agenda. China is accustomed to taking a much longer-term and yet less tangible view of its national interests; and these realist national interests do not seem to be influential in the Chinese calculus. For example, that China's cooperation in the Darfur crisis and in the independence of East Timor both go against the abovementioned realist explanation.

Sudan has been an important supplier of oil and gas to China, and, according to the realist explanation, support for the UN-authorized peacekeeping mission in Darfur can hardly have done anything but harm to China's interests in Sudan.

In the case of East Timor, Indonesia has been of essential geostrategic value for China since the end of the Cultural Revolution; and Beijing has been developing unofficial relations with Jakarta since the 1980s to finally formalize their diplomatic ties in 1990.

There are some interests were defined by China score value. Values like sustainable relationship (Guan-Xi), reputation (Man zi), avoiding conflicts, balance of relationship, long-term interest, and non-interference, which since its establishment in 1990 in the Bandung Conference, has been an inseparable part of China's foreign policy.

So during this two-way process. China is trying its best to find a halfway solution in difficult problems in a sense that protect its interests which could be based on its values, but ended up going against Western values, yet, still manage to forge an

acceptable result for everyone without conflicts.

Some of those indeed seems to be opportunistic approaches. Since it is trying to find a way to explain and justify disposition and somehow hedge its bet. There are there are 3 points I want to make for this opportunistic approach.

The first is about the position of the US. Because the Chinese often contemplate where they stand in reference to where the US stands. In some way, the US is providing a certain amount of coverage in this debates like R2P. Although the US is sometimes strongly sometimes negatively, associated with humanitarian intervention, sometimes for humanitarian reason sometimes not. And even more recently, its reluctant to become too directly involved in the Arabs spring suggests there is no ultimacy for US in reference to R2P. Certainly there is likely to be a lot of domestic pressure for the US to take a formal action. Nevertheless, there is a strong desire within the country's executive branch to sustain some sort of autonomy over decisions that may involve the use of force. So like China, the US is very reluctant to see any detached codification over the circumstances, under which you might intervene in the affairs of other nations.

Secondly, China's policy has been influenced by the Institute institutional setting of the UN, where negotiations about R2P or more broadly speaking, humanitarian interventions often happened. There is no other global politics have the authority. Whatever we may think about the UNSC's executive power, its structure gives a privilege to permanent members like China because of the veto power. so the actual veto or the anticipated one, can be a very important vehicle for states as they drafting security council resolution or humanitarian interventions. For China, it can block them, but it might not need to do that if China makes it clear where its redline have drew.

The last point about China's so called opportunistic method is what China has been criticized for a long time, which is maintaining a good relationship with regions that

have been internationally condemned, and turns out using that relationship in humanitarian intervention if there is one and making a deal out of it, as a result, ended up with International appreciation for its contribution and gaining its own good. That's why China set up some lines of communication with Syrian opposition and has invited certain Syrian opposition forces to come to Beijing.

But what if China's way is a more proper way to practice humanitarian intervention? As a result of 2003 in Iraq as well as the western involvement of human rights abuses whether in situations like Iraq, Afghanistan or Guantanamo bay, liberal states have somewhat lost authority. The Liberian intervention also became controversial and to some degree began to lose its legitimacy once NATO action appeared to expand beyond the mandate to enforce a no-fly zone and became more about overthrow of the regime of Gadhafi.

As what Peter Maurer, the President of International Committee of the Red Cross has said about Syria: "When political intervention comes into humanitarian sphere, the whole thing just becomes counterproductive. If a humanitarian negotiation is as directly as political one, we will have the reverse effect"<sup>68</sup>

That was very close to what China has been suggested. China supports the line that Kofi Annan was negotiating. It argued that mission needs more time. Because its complex environments in which Annan was operating is going to take a long time before he can forge any kind of settlement to this crisis.

The basis for China's justification for non-action and its veto on February 2012, the first veto occurred to a UN resolution that urged Syria leader Bashar Al Assad step

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<sup>68</sup> Harvard Institute of Politics, Humanitarian Intervention in Syria, April 7, 2016  
<https://www.youtube.com/watch?v=VEni9gw5wPI>. June 2, 2016

down. China again argued that the UN need to give more time to negotiation to brae fruit. It is not simply a cover for inaction. I think China is trying to avoid regime change, the US style democracy promotion, and mandate started in limited form like NFZs but then extended into other areas. Perhaps without the Libyan mandate, there would not have been veto in Syrian resolution.

I think this modest shift have 2 dimensions, the first is that methods became more flexible, cases like Myanmar and Sudan indicated that shift. The other one is it starts to use its leverage, veto power in Syria for instance, toughen its lines. Or simply put, it's voice became louder.

But yet, the shift is still a modest one. China remain set in the conservative side of the political landscape. Throughout the 1990s and a decade after R2P's establishment, never had China ever proposed a humanitarian intervention, It always on the defensive side. Apart from the fear of it may one day being subjected to the humanitarian intervention norm as some may argue, I think the culture of China, the culture of avoiding conflicts, balancing a relationship, building a stable relationship, gaining reputation also contribute to China's long standing on non-interference.

## **Conclusion**

Noninterference, in its strict form is extraordinary difficult for a country to sustain, including China, especially when it started to have global interests and perceive global influences and when anticipation is rising about the role that you will play in global diplomacy.

But as I said before, this is not solely about China adopting to a global norm, it is also about China practice its value into the political environment in such a way to make it more compatible with its preference. It took a very cautious approach and has tried to

ensure the case that come before the UNSC are considered on a case by case basis in an attempt to prevent the establishment of precedent.

In practice China is trying to find ways to sustain a definition of intervention includes host state concern. Even if their concerned is grudging in this form. China prefer nonmilitary form of intervention, and they will argue very strongly for it. They also want a very prominent role for UN security Council. They don't want any circumvention of the UN Security Council.

In 2005, China released an official document claiming its position on R2P. I find the sentences below represents a reasonable summary of Chinese official position on humanitarian intervention:

“When a massive humanitarian crisis occurs, It is the legitimate concern of the international community to ease and defuse the crisis. Any response to such a crisis should strictly conform to the UN Charter and the opinions of the country and the regional organization concerned should be respected. It falls on the Security Council to make the decision in the frame of UN in light of specific circumstances which should lead to a peaceful solution as far as possible. Wherever it involves enforcement actions, there should be more prudence in the consideration of each case.”<sup>69</sup>

So they move beyond a debate about an absolutist principle of state sovereignty and no and noninterference of Internal affairs. And they come to assess the conditions under which some form of involvement may be justified. And they try to lay down some ground rules involving the rule of UNSC regional organizations in the

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<sup>69</sup> Xinhua, China's Position Paper on UN Reforms (full text) Updated: 2005-06-08 11:35  
[http://www.chinadaily.com.cn/english/doc/2005-06/08/content\\_449696\\_6.htm](http://www.chinadaily.com.cn/english/doc/2005-06/08/content_449696_6.htm)

preference for host state consent and alike. And they definitely try to slow the train of coercive intervention whenever or wherever it shows signs of picking up speed. Since it is a two- way process. the modest shift that China has adopted undoubtedly influence the way that interpret R2P through its participation. Although the first chapter concluded that R2P maybe functioned little in practice, but, as I said before, humanitarian intervention has never been far away, so does the debate. And as a growing power, china's longstanding political culture begin to show its influences on China's foreign policy in the area of humanitarian intervention, in both the dimension of the method, and the severity of its action's result.

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