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U.S. - China Relations and Darfur

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Abstract

This Essay will begin by first assessing China's economic stakes in Sudan. While economic interests and priorities remain important, it does not sufficiently explain China's shifting position on Darfur. The Essay will then examine the critical factors shaping China's expanding role in Africa, more broadly, as an important context in understanding its evolving approach to Sudan and the Darfur crisis. It will then delve more deeply into Beijing's accommodating shifts on Darfur, illustrating and mapping out the subtleties exhibited in China's diplomatic and economic engagements with the United States on the Darfur question.

U.S.-CHINA RELATIONS AND DARFUR

*Chin-Hao Huang**

In spite of the widely acknowledged important economic ties between China and Sudan, and notwithstanding Beijing's strict adherence to the principles of sovereignty and non-interference, a more nuanced analysis of recent trends indicates growing accommodation and subtle shifts in China's approach to Sudan. Increasingly there is a perceived willingness from Beijing to raise the issue of Darfur with senior Sudanese leaders, and an emerging consensus with Washington that moving forward with the "Annan Plan,"¹ United Nations ("U.N.") Secretary-General Kofi Annan's plan to send a joint U.N./African Union ("A.U.") peacekeeping force to Darfur, is critical to achieving durable peace and stability in the conflict-stricken region.

China's Assistant Foreign Minister for African and Middle East Affairs Zhai Jun and the special envoy for Darfur Liu Guijin's timely visits to Sudan in April 2007 and February 2008 respectively, drew considerable press attention.² These steps are illustrative of Beijing's acute sensitivities and perceived need to make a much higher diplomatic investment in managing the un-

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1. The November 2006 Addis Agreement (also known as the "Annan Plan") called for a three-step expansion of an African Union ("A.U.)/United Nations ("U.N.") hybrid force in Darfur and for Khartoum to commit to a ceasefire in the region. See *Sudan 'Backs' Darfur Force Plan*, BBC NEWS, Nov. 17, 2006, <http://news.bbc.co.uk/2/hi/africa/6153208.stm>.

2. See Helene Cooper, *China Acts on Sudan After Hollywood Push*, INT'L HERALD TRIB., Apr. 14, 2007, at 2; Mark Silva & Paul Salopek, *U.S. Adds to Sudan Sanctions*, CHI. TRIB., May 30, 2007, at C1; Jim Yardley, *Chinese Envoy to Sudan Defends Policy on Darfur*, INT'L HERALD TRIB., March 7, 2008.

folding crisis in Darfur. At this early stage, however, there is no guarantee for success with Beijing's approach. While Khartoum has expressed its intention to comply with the Annan Plan, its commitment to follow through is uncertain.³ As such, Beijing remains vulnerable to continued criticism from advocacy groups concerned with Darfur for enabling Khartoum's intransigence.

Much more needs to be done, however, beyond the narrow focus on Beijing's inadequate pressures toward Khartoum. There needs to be a realistic understanding that the United States, and much of the West, will continue to differ on respective assessments of the situation in Darfur and on the appropriate measures to pursue in its resolution; the critical challenge is to build on China's emerging openness to play a more constructive role in Darfur.

To illuminate these arguments, this Essay will begin by first assessing China's economic stakes in Sudan. While economic interests and priorities remain important, it does not sufficiently explain China's shifting position on Darfur. The Essay will then examine the critical factors shaping China's expanding role in Africa, more broadly, as an important context in understanding its evolving approach to Sudan and the Darfur crisis. It will then delve more deeply into Beijing's accommodating shifts on Darfur, illustrating and mapping out the subtleties exhibited in China's diplomatic and economic engagements with the United States on the Darfur question.

I. *CHINA'S ECONOMIC STAKES IN SUDAN*

The statistics are familiar to most observers following China's economic interests in Sudan. Since the late 1990s, China's expansive economic engagement in Sudan has been concentrated in the energy sector, and Chinese oil companies have made significant headway in constructing pipelines, refineries, and securing exploration and production rights in seven major blocks throughout Sudan.⁴ For one, the China National Petroleum Corporation ("CNPC") has a forty percent equity

3. See Dafna Linzer, *Sudan May Allow U.N. Force in Darfur*, WASH. POST, Dec. 27, 2006, at A08.

4. See *Arms, Oil, and Darfur: The Evolution of Relations Between China and Sudan*, SMALL ARMS SURVEY, July 2007, at 2 [hereinafter *Arms, Oil, and Darfur*].

stake in the northern oil fields of the Nile.⁵ In the other major oil production area, the Dar field in the south, CNPC has a forty-one percent stake.⁶ It also has a ninety-five percent share of a separate block that mainly supplies Khartoum's refineries.⁷ The less-trumpeted fact, however, is that Sudan's contribution to China's total energy needs is important but not strategic. In fact, in the last five years, Chinese imports of Sudanese oil have been declining.⁸ Sudan accounts for five to seven percent of China's total oil imports, and less than one percent of China's total energy consumption.⁹ Sudan's producing oil fields are aging, and its proven oil deposits modest by global standards. Production is projected to decline in the next decade. There have been some recent new discoveries, but not on a scale to sustain current production (at approximately 500,000 barrels per day (bpd)) indefinitely.¹⁰

It is also important to recognize that there are other increasingly active actors mixed in this complex picture. In both of Sudan's main oil-rich regions, oil companies from India, Malaysia, and the United Arab Emirates also hold important partnerships and stakes.¹¹ Japan has also fast-emerged as one of the largest consumers of Sudanese oil, importing nearly half of CNPC's Sudanese oil in 2006.¹²

5. *See id.*

6. *See id.*

7. *See id.*

8. *See* Globaltimber.org.uk, China Crude Oil Imports, <http://www.globaltimber.org.uk/ChinaCrudeOilImports.htm> (last visited Feb. 13, 2008).

9. Oil accounts for roughly twenty-one percent of China's total energy supply, half of which is imported. Sudan accounts for five to seven percent of China's oil imports, which represents less than one percent of China's total energy consumption. *See* DANIEL H. ROSEN & TREVOR HOUSER, CHINA ENERGY: A GUIDE FOR THE PERPLEXED 19-22 (2007) (describing extent of China's energy dependence on oil and gas); David Blair, *Oil-Hungry China Takes Sudan Under Its Wing*, TELEGRAPH (London), Apr. 23, 2005, available at <http://www.telegraph.co.uk/news/main.jhtml?xml=/News/2005/04/23/wsud23.xml> (estimating that China is dependent on Sudan for seven percent of all oil imports).

10. *See, e.g.*, Opheera McDoom, *Darfur Scares European Investors Off Sudan's Oil*, REUTERS, Aug. 3, 2007, available at <http://www.reuters.com/article/email/idusmcd133755>.

11. *See Arms, Oil, and Darfur, supra* note 4, at 6.

12. *See id.* at 7.

TABLE 1: SUDANESE OIL PRODUCTION AND EXPORTS TO CHINA¹³

	2002	2003	2004	2005	2006
Sudan oil production, in tons	11.5	12.6	16.1	18.7	20.7
CNPC's share (estimated), in tons	4.6	5.0	6.8	8.2	9.3
China's imports from Sudan, in tons	6.4	6.3	5.8	6.6	4.8
China's imports, share of Sudan's production, %	39	50	36	35	23
China imports, share of CNPC production, %	139	124	85	80	52

Source BP Statistical Review of World Energy, China Customs
In tons a year = 20,000 barrels a day

China is also Sudan's largest export market and biggest source of foreign investment.¹⁴ Aggregate sunken investment as of late 2005 stood at an estimated US\$15 billion, making China the largest foreign investor in Sudan.¹⁵ According to Chinese officials, bilateral trade amounted to US\$2.9 billion in the first eleven months of 2006.¹⁶ This is in a context in which total two-way Chinese trade with Africa reached US\$55.5 billion in 2006, and is projected to reach US\$100 billion by 2010.¹⁷ Sudan also accounted for US\$145 million, or nearly half of China's total outward (non-financial institution) investment in Africa in 2004.¹⁸ Chinese officials estimate that of the 8,100 Chinese employed in Sudan (out of an official total of 45,000 Chinese employed throughout Africa), approximately 3,000 work for Chinese companies implementing contracted projects in Darfur.¹⁹

13. Arthur Kroeber & G.A. Donovan, *Sudan Oil: Where Does it go?*, in Linda Jakobson, *The Burden of "Non-Interference"*, CHINA ECON. Q., Q2 14, 18 (2007).

14. See *Arms, Oil, and Darfur*, *supra* note 4, at 6-7.

15. See Yitzhak Shichor, *Sudan: China's Outpost in Africa*, CHINA BRIEF, Nov. 4, 2005, available at <http://www.asianresearch.org/articles/2754.html>.

16. See Opheera McDoom, *China's Hu Visits Sudan*, WASHINGTONPOST.COM, Feb. 2, 2007, <http://www.washingtonpost.com/wp-dyn/content/article/2007/02/02/AR2007020200325.html>.

17. See *China-Africa Trade Links*, REUTERS, Feb. 3, 2007, available at <http://www.alertnet.org/thenews/newsdesk/L01887144.htm>.

18. See HARRY BROADMAN, *AFRICA'S SILK ROAD: CHINA AND INDIA'S NEW ECONOMIC FRONTIER 100* (2007); Jian-Ye Wang, *What Drives China's Growing Role in Africa?* 11 (Int'l Monetary Fund, Working Paper WP/07/211, 2007), available at <http://www.imf.org/external/pubs/ft/wp/2007/wp07211.pdf>.

19. Figures drawn from interviews with Chinese officials. For further estimates, see Barry V. Sautman, *Friends and Interests: China's Distinctive Links With Africa* (Ctr. on China's Transnat'l Relation, Working Paper No. 12, 2005-2006), available at <http://www.cctr.ust.hk/articles/pdf/WorkingPaper12.pdf>; Shichor, *supra* note 15.

II. THE CONTEXT OF CHINA'S EXPANDING ROLE IN AFRICA

Beijing's proactive engagement with Africa, more broadly, is grounded on several key factors that undergird the new Chinese approach. First and foremost, China's quest to build a strategic partnership with Africa fits squarely within Beijing's global foreign policy strategy and its vision of the evolving international system. Africa is seen as integral to Beijing's strategic ambition to advance a "new security concept" that can ensure China's peaceful rise as a global power and strengthen relations with key neighbors and regions.²⁰ More specifically, through its overarching global approach, the leadership in Beijing seeks to sustain China's internal development and political stability at home, legitimize within the international community the historic benefits of China's rise, and achieve its longer-term goal of a more multi-polar international system where it will have a greater and more influential voice.

As such, China's hard national interests and strategic needs bind it increasingly to the continent. In earlier decades, expressions of political solidarity and altruism dominated Chinese discussions of Africa. These are still relevant today but take a back seat to hard national interests.²¹ China increasingly turns to such African countries as Chad, Equatorial Guinea, Nigeria, and Sudan for resources to fuel China's development goals, for markets to sustain its growing economy, and for political alliances to support its aspirations to a peaceful rise on the global stage.²²

The historical amity and linkages between China and Africa continue to play as important factors. The close connection between Beijing and Khartoum is part and parcel of China's long-standing history of friendly, respectful, and helpful political linkages with Africa, which appears to provide a durable foundation

20. See David M. Finkelstein, *China's "New Concept of Security"*, in *THE PEOPLE'S LIBERATION ARMY AND CHINA IN TRANSITION 197, 197-210* (Stephen J. Flanagan & Michael E. Marti eds., Ctr. for the Study of Chinese Mil. Affairs 2003) (describing China's "New Concept of Security" as an indication that China was leaning forward in international community to offer alternative for how nations should pursue national security in the post-Cold War order).

21. See generally Jean-Christophe Servant, *China's Trade Safari in Africa*, *LE MONDE DIPLOMATIQUE* (Fr.), May 2005, available at <http://mondediplo.com/2005/05/11chinafrica> (describing China's motivations in becoming more economically and politically active in Africa).

22. See Michael Sheridan, *China Builds African Empire*, *TIMES* (London), Nov. 18, 2007, at 1 (discussing China's growing economic relationship with African nations).

for a future strategic partnership. The Chinese leadership is often heard touting the fact that over the past fifty years, Beijing has established a legacy of political solidarity and development assistance in partnership with Africa, at a time when China was internationally isolated, impoverished, and beset by major internal challenges.²³ Reflecting principles dating to the Bandung Conference of developing nations in 1955, Beijing staunchly supports the inviolability of African state sovereignty, non-interference in internal affairs, and the need for postcolonial nations to stand up to external “bullying” and “hegemonism.”²⁴ Chinese leaders also recognize that its relationship with Africa has earned China momentous diplomatic dividends. Beijing has not forgotten that Africa’s support in the early-1970s was vital to Beijing gaining its seat in the United Nations.²⁵ Today, Beijing assiduously courts those remaining African countries that continue formally to recognize Taiwan in an effort to further isolate Taiwan in the international community.²⁶

Beijing’s comparative advantage vis-à-vis the West derives from the fact that Chinese leaders and strategists believe China’s historical experience and development model resonate powerfully with African counterparts. China emerged from colonial encroachment, internal chaos, and economic destitution to achieve spectacular economic growth and infrastructure development. In the past two decades, its achievements have lifted over 200 million Chinese citizens out of poverty.²⁷ In the

23. See *China’s Role in Darfur Positive*, CHINADAILY.COM.CN, Feb. 18, 2008, http://www.chinadaily.com.cn/olympics/2008-02/18/content_6461925.htm.

24. The Bandung Conference was instrumental in the creation of the Non-Aligned Movement, and addressed common problems of colonialism, economic development, and the maintenance of peace in the third world. See No-Hyoung Park, *The Third World as an International Legal System*, 7 B.C. THIRD WORLD L.J. 37, 45-46 (1987).

25. See ELLING N. TJØNNELANT ET AL., CHR. MICHELSEN INST., CHINA IN AFRICA: IMPLICATIONS FOR NORWEGIAN FOREIGN AND DEVELOPMENT POLICIES 49 (2006) (noting that China often points out that it restored its Security Council seat in 1971 with the affirmative votes of twenty-six African countries, more than one third of the total).

26. See, e.g., *Analysts Debate: Should U.S. Let China Take Taiwan By Force?*, 9 SPACE & MISSILE DEF. REP. NO. 6, Feb. 11, 2008 (quoting John Tkacik, senior research fellow in Asian Studies Center of the Heritage Foundation, as saying that China is attempting to “isolate Taiwan and strangle it”).

27. See ASIAN DEV. BANK, CHALLENGES TO REDUCING POVERTY IN THE PEOPLE’S REPUBLIC OF CHINA (2007), available at <http://www.adb.org/PRF/knowledge-products/PRC-4222-reducing-poverty.pdf>; Sukant Chandan, *Africa United Against E.U. Arrogance*, HERALD (Harare), Dec. 18, 2007 (noting that China has won U.N. awards for its poverty alleviation).

meantime, China can claim that it has achieved solid political stability and increasing international clout. Such a national narrative, it is asserted, has a powerful resonance in Africa.

In Beijing's perspective, Africans and Chinese thus find common ground in the view that the West's historical experiences in achieving development are too remote from the African experience, offer fewer transferable lessons, and that the Western economic model has generated few dramatic success stories in Africa. In a stark contrast to the West's moralizing, bureaucratic, and conditional development approaches, Beijing unabashedly claims to provide development aid with little to "no political strings attached" and with greater emphasis on political stability and economic development.²⁸

Chinese strategists further maintain that Africa is on the verge of a developmental take-off—another idea that is well-received in the continent—creating an opportune moment for a more expansive Chinese role. According to this view, Africa has realized a period of relative stability and calm as compared to the dark days of the 1990s when protracted conflicts raged in more than a dozen countries.²⁹ Chinese interlocutors recognize that while pockets of conflict still persist and require close international engagement in such areas as Sudan, Somalia, the Democratic Republic of Congo, and Ivory Coast, the broader Chinese view is that Africa, by and large, has emerged into a continent of relative peace and stability, poised to make major developmental gains. As such, Beijing is keen to get in on the ground floor and

28. See Chandan, *supra* note 27 (stating that Africans favor relations with China in comparison to the West because "China will not criminalise you, starve your country with sanctions and possibly blitz and occupy your country, whereas the West might"); Leander Schaerlaeckens, *China-Africa Bond Worries U.S., E.U.*, WASH. TIMES, Feb. 14, 2008, at A17 (recognizing that China has invested in areas such as infrastructure and roads in Africa, while the European Union ("E.U.") and United States have not); Hugh Williamson, *African Affront as the "Rich Club" Leaves Aid Pledges Unmet*, FIN. TIMES (London), Oct. 15, 2007, at 9 ("China is often quicker to act and does not apply governance or human rights standards common in the West when offering loans or development aid.").

29. See, e.g., Tom Porteous, *Resolving African Conflicts*, WAR IN AFRICA, Oct. 2004, http://www.crimesofwar.org/africa-mag/afr_01_porteos.html ("[B]y the end of the 1990s, any political and even economic progress since the end of the Cold War had been overshadowed by a series of old and new wars that now engulfed many parts of the continent and were tipping whole regions into instability and poverty."). For an in-depth study of conflicts in Africa over the past fifty eight years, see CSP CENTRE FOR SYSTEMIC PEACE, *CONFLICT TRENDS IN AFRICA, 1946-2004* (2006), available at http://www.crimesofwar.org/africa-mag/afr_01_porteos.html.

be an integral part of Africa's impending political and economic transformation.

China's policymakers are also confident that a state-centric approach to Africa will build strategically on Beijing's core advantages and align with the stated preferences of African countries. For Beijing, such an approach plays to its strengths. Its Africa policy is not complicated by private domestic constituencies and interest groups, allowing for quicker and more decisive action. China's largest economic and business activities in Africa are dominated by state-owned and/or state-influenced companies, giving official Beijing another leg up in political and economic competition in Africa. China lacks well-developed, independent business and civil society sectors, which for now leaves the full lead responsibility for carrying forward its vision in the hands of state leaders and official diplomats.

Beijing has an interest to engage third parties on Africa on such issues of common concern as Darfur, but it will proceed cautiously, slowly, and with serious reservations. Chinese senior officials have indicated their openness to collaboration with the United States, and Chinese scholars and experts on Africa further acknowledge the value of drawing on U.S. and other Western expertise and knowledge of Africa, including engagement with African civil society, business partners, and regional organizations.³⁰

However, China remains wary of and highly sensitive to U.S. discussion of its approach in Africa, reflecting Beijing's continuing concern with perceived U.S. hegemony and the related fear that Washington's long-term intention is to contain China's ambitions to become a global power and competitor. Such thinking is rooted in proud Chinese nationalism that bristles at overreaching American power, influence, and sermonizing in Africa and elsewhere around the world. The defeat of the China National Offshore Oil Company's ("CNOOC") bid for the U.S.-owned energy firm UNOCAL in 2005 is a relevant case in

30. In a U.N. briefing in September 2007, Chinese Ambassador Liu Guijin noted China's cooperation with the E.U. and stated that China "wished to collaborate with any other country that sought to assist in the development of Africa." See Briefing, Office of the Special Advisor on Africa & Permanent Mission of the People's Republic of China, China-Africa Relations (Sept. 20, 2007), available at <http://www.un.org/africa/osaa/press/China%20Africa%20Briefing%20September%202007.pdf>.

point.³¹ Chinese analysts have asserted that this was further indication of the U.S. determination to prevent the rise of a Chinese global energy firm and that the outcome directly prompted Chinese authorities to intensify its push for a strategic partnership in Sudan and other energy-rich regions of Africa.³²

III. CHINA'S EVOLVING APPROACH TO THE DARFUR CRISIS

The question of responding to humanitarian crises such as Darfur has become one of the most formidable challenges for Beijing in translating its vision of a strategic partnership with Africa into a sustainable reality. It is facing persistent pressures to support humanitarian interventions, and Beijing has begun to realize that adhering to a formal policy of non-interference and putting it into consistent practice will be difficult.

U.S. critics often focus narrowly on China's pursuit of energy as the best explanatory lens through which to understand China's policies in Sudan. Some American voices argue that the Chinese engagement in Africa is predominantly a form of crude mercantilism and political interventionism that directly threatens U.S. interests and hence calls for confrontation, condemnation, and containment.³³

An array of human rights advocacy groups and non-governmental organizations, for example, place intense pressure on the U.S. government to take decisive, punitive measures in response to the situation in Darfur, including calls for forced humanitarian intervention and branding the 2008 Beijing Olympics as the "Genocide Olympics."³⁴

In fact, China's expansive engagement in Sudan (and in Af-

31. In 2005, the U.S. Congress effectively blocked state-owned China National Offshore Oil Company ("CNOOC") from acquiring U.S. oil producer UNOCAL by adopting legislation that would have required a lengthy review process. CNOOC abandoned the transaction on August 2, 2005. See generally James A. Dorn, *U.S.-China Relations in the Wake of CNOOC*, POL'Y ANALYSIS, Nov. 2, 2005, available at <http://www.cato.org/pubs/pas/pa553.pdf>.

32. For example, in response to U.S. Congressional efforts to block the CNOOC transaction, the Chinese foreign ministry stated: "We demand that the U.S. Congress correct its mistaken ways of politicizing economic and trade issues, and stop interfering in the normal commercial exchanges." Matt Pottinger et al., *CNOOC Drops Offer for UNOCAL, Exposing U.S.-Chinese Tensions*, WALL ST. J., Aug. 3, 2005, at A8.

33. See, e.g., Schaarlaeckens, *supra* note 28.

34. See, e.g., Editorial, *China and Darfur—The Genocide Olympics?*, WASH. POST, Dec. 14, 2006, at A30.

rica on the whole) is a complex new reality which we only partially grasp: fast moving, multidimensional, and long-range in its various impacts. The Darfur issue, in particular, is a case in point where Chinese policy has seen subtle, incremental shifts. China faces increasing debates and complexities in its policy choices.³⁵ Progressives in the Chinese policy-making elite argue that Sudan's oil assets are not worth pursuing in the long run, and have suggested scaling back relations with Khartoum in an attempt to burnish China's image and international reputation. Inversely, there is a tendency among Chinese conservatives to argue that the United States and other Western countries are merely trying to force China out of Sudan to get to its oil.³⁶ The Chinese critics are also quick to point out that the United States—by dealing closely with such countries as Equatorial Guinea³⁷—is just as likely to engage in an uncritical embrace of autocratic, corrupt, and unstable regimes.

Chinese views on Darfur are also increasingly reflective of African opinion. A majority of the African states are frustrated with Khartoum's lack of sincerity to follow through with its international commitments; as a result, the African Union has refused to allow Sudan to take on the role of the organization's presidency for two consecutive years. Many leaders in sub-Saharan African states further find Khartoum's actions in Darfur offensive on human rights, religious and racial grounds.³⁸ Khartoum's full compliance to accept the Annan Plan is questionable, and the inability of the international community to bring greater stability to Sudan means in practice that African Union peacekeeping forces, including troops from South Africa, Rwanda and Nigeria, remain under grave strain, cannot be reliably sustained and for these reasons are placed at considerable

35. See generally *The Escalating Crisis In Darfur: Are There Prospects For Peace?: Hearing Before the H. Comm. on Foreign Affairs*, 110th Cong. 4-17 (Feb. 8, 2007) (written statement of J. Stephen Morrison and Bates Gill, CSIS), available at <http://foreignaffairs.house.gov/110/33109.pdf>.

36. See Simon Robinson, *Time Running Out*, TIME.COM, Sept. 10, 2006, <http://www.time.com/magazine/article/0,9171,901060918-1533376,00.html>.

37. See, e.g., Justin Blum, *U.S. Oil Firms Entwined in Equatorial Guinea Deals*, WASH. POST, Sept. 7, 2004, at E01 (describing relationship between U.S. oil companies and the corrupt government of Equatorial Guinea).

38. See Stephanie McCrummen, *Struggling Chadians Dream of a Better Life—in China*, WASH. POST, Oct. 6, 2007, at A17 (noting that African leaders are troubled by China's role in enabling problematic governments such as Sudan's).

risk. China, for its part, is vulnerable to being called to account within Africa for enabling Khartoum's intransigence and impeding the A.U.'s efforts.

As a result, a gradual shift in Chinese thinking is exhibited in several concrete actions taken by Beijing to exert additional pressure on Khartoum. The Chinese ambassador to the United Nations, Wang Guangya, became very active and was widely credited in gaining Sudanese acceptance for the Annan Plan in November 2006.³⁹

In February 2007, there were unrealistically high hopes that President Hu might forcefully press President Bashir to accept the hybrid force. In public, China continued to emphasize its economic ties with Sudan and made new pledges of support, including aid in building a presidential palace.⁴⁰ Understandably, these announcements drew international opprobrium.

In private, Hu reportedly intervened personally to press President Bashir to stick to his commitments. Prior to leaving Sudan, President Hu delivered a rare public statement that outlined "four principles" as the basis for an international approach to Darfur.⁴¹ The first, not unexpectedly, reaffirmed the principle of non-interference.⁴² But the fourth principle seems to contradict the first, saying: "it is imperative to improve the situation in Darfur and living conditions of local people."⁴³ That is about as close as a Chinese leader has come publicly to supporting the emerging notion in the United Nations and the broader international community that governments have a "responsibility to protect" their citizens from harm.

Furthermore, in March 2007, the National Development and Reform Commission, China's main economic planning agency, released a public document in conjunction with the Ministry of Foreign Affairs and the Ministry of Commerce, noting that Sudan had been removed from the latest list of coun-

39. See Edward Cody, *China Given Credit for Darfur Role*, WASH. POST, Jan. 13, 2007, at A13 (noting that Wang Guangya was "critical" to securing Sudan's participation in placing A.U. peacekeeping forces in Darfur).

40. See Save Darfur Coal., *China and Sudan Fact Sheet*, http://www.savedarfur.org/newsroom/policypapers/china_and_sudan_fact_sheet (last visited Feb. 15, 2008).

41. See *Hu Puts Forward Principle on Darfur Issue*, XINHUA NEWS AGENCY (BEIJING), Feb. 5, 2007, available at http://chinadaily.com.cn/world/2007-02/05/content_801432.htm.

42. See *id.*

43. See *id.*

tries with preferred trade status.⁴⁴ According to the announcement, Beijing will no longer provide financial incentives to Chinese companies to invest in Sudan.⁴⁵ This latest move appears to be a signal of Chinese disaffection with President Bashir's unwillingness to comply with his commitments to implement the Annan Plan.

The announcement was welcomed by the U.S. State Department and came shortly before Chinese Assistant Minister Zhai Jun arrived in Washington to meet with U.S. Assistant Secretary of State for African Affairs Jendayi Frazer for the second round of U.S.-China subdialogue on Africa in March 2007.⁴⁶ The inaugural dialogue was formally launched in November 2005 under the auspices of the U.S.-China Senior Dialogue process initiated by former Deputy Secretary of State Robert Zoellick.⁴⁷ While the first bilateral meeting on Africa focused largely on formalities, the second subdialogue in early March 2007 focused on the specific issues of debt sustainability, peacekeeping operations, Chinese companies' reputational risks in Africa, and transparency in the extractive industries. On Sudan, the Chinese side reportedly acknowledged the need for the international community to step up efforts and become more active in leveraging their respective influences on Darfur.

In April 2007, Assistant Minister Zhai Jun visited Sudan to get a fuller understanding of the tense political relations be-

44. See Richard McGregor, *Iran, Sudan, Nigeria, Off China Incentive List*, *FIN. TIMES* (London), Mar. 2, 2007, at 6.

45. See *id.*

46. See Ruth A. Davis, U.S. Dep't of State, U.S.-Africa Policy, Address at East China Normal University (Sept. 11, 2007), available at <http://www.state.gov/p/af/rls/rm/93172.htm> (highlighting China's favorable response to Assistant Secretary Frazer's suggestion at the second subdialogue that China provide engineers to support peacekeeping operations in Darfur).

47. At the official level, the United States and China in 2005 began to take some steps to think through their increasingly complex and interdependent relationship in a more constructive and strategic way. This effort, known at the "senior leaders' dialogue," was led on the U.S. side by then-Deputy Secretary of State Robert Zoellick, who called for China to join the United States in becoming a "responsible stakeholder" in the international system. Both sides agreed to hold bilateral subdialogues on key regional issues. The door was thus opened in Washington to begin thinking more seriously about an effective U.S. strategy for engaging China on Africa. See Press Release, U.S. Dep't of State, Bureau of Public Affairs, *The U.S.-China Senior Dialogue: Building A Strong Framework for Mutual Trust* (June 22, 2007), available at <http://www.state.gov/r/pa/scp/87166.htm>.

tween Darfur and government leaders in Khartoum.⁴⁸ Zhai was also the first senior Chinese official to visit the internally displaced persons (“IDP”) camps and to meet with a wide range of faction and military leaders as well as local refugees in Darfur.⁴⁹ The visit has allowed Beijing officials to engage in a dialogue with the concerned parties and to get a clearer assessment of the current realities of the humanitarian situation in Darfur.

Shortly after Zhai’s visit, Beijing announced the appointment of Ambassador Liu Guijin as the special envoy to Africa.⁵⁰ Liu, a seasoned diplomat, has taken on the Darfur issue as a top priority. Liu visited Sudan at least twice immediately after his appointment in 2007 and conducted diplomatic consultations with concerned parties in Addis Ababa, Brussels, Paris and Pretoria to help move the agenda forward in Darfur.⁵¹ Following Khartoum’s acceptance of an expanded peacekeeping force in Darfur in June 2007, Liu reportedly stated that Beijing had been using “very direct language” as well as its own wisdom to persuade Khartoum to accept the A.U./U.N. hybrid force.⁵²

At the fourth round of the U.S.-China Senior Dialogue held from June 20 to 21, 2007, Deputy Secretary of State John Negroponte and Vice Foreign Minister Dai Bingguo covered a range of key bilateral and global issues, including Darfur.⁵³ A couple of constructive developments resulted from this meeting. First, the State Department’s official statement at the end of the dialogue acknowledged the Chinese characterization of Darfur as a “humanitarian crisis” (as opposed to genocide).⁵⁴ Second, the two sides agreed that the various subdialogues, including on Africa, should continue in order to deepen mutual understanding and enhance collaboration in areas of common concern.⁵⁵

In September 2007, Beijing reportedly committed a US\$200 million loan to Sudan to help finance the bulk of a compensa-

48. See generally Helene Cooper, *Darfur Collides with Olympics, and China Yields*, N.Y. TIMES, Apr. 13, 2007, at A1.

49. See *id.*

50. See Alec Russell & William Wallis, *China Puts Private Pressure on Sudan*, FIN. TIMES (London), June 19, 2007, at 2.

51. See *id.*

52. See *id.*

53. See Media Note, U.S. Dep’t of State, *Conclusion of the Fourth U.S.-China Senior Dialogue* (June 21, 2007), <http://www.state.gov/r/pa/prs/ps/2007/jun/86997.htm>.

54. See *id.*

55. See *id.*

tion payment Khartoum pledged to make to Darfur shortly before the talks in Libya between rebel factions and Khartoum in October 2007.⁵⁶ Beijing has a tendency to provide loans for trade and infrastructure projects; this development marks an important departure in its traditional foreign assistance practices.⁵⁷

In November 2007, China dispatched an advanced party of 135 engineers to Darfur, as part of a contingency of 315 engineers in support of the hybrid peacekeeping force.⁵⁸ The arduous negotiations that took place behind the scenes for this arrangement shed light on the perceived growing frustration by Chinese policymakers with Sudanese officials. The deployment was delayed for more than a month, with Beijing insisting that a small number of force protection unit military personnel be included to help monitor peacekeeping activities in the region as well as to protect Chinese peacekeepers on the ground.⁵⁹ The recent killings of A.U. peacekeepers in late September 2007 alarmed Beijing.⁶⁰ Khartoum, however, refused this request. Following intense weeks of negotiation, armed Chinese combatant forces were not deployed, and the Sudanese agreed to let Chinese peacekeepers into Darfur.⁶¹ This friction has led Chinese negotiators to acknowledge in private that relations between China and Sudan are fraught with growing mistrust.

With Chinese engineers physically on the ground, they are also becoming targets of criticism by local rebel factions in Darfur.⁶² The Justice and Equality Movement ("JEM") has indicated their strong opposition to the presence of Chinese

56. See Barney Jopson, *Beijing to Back Darfur Payment*, *FIN. TIMES* (London), Oct. 4, 2007, at 5.

57. See *id.*

58. See *China Opposes Public Threat to Security of Chinese Peacekeepers in Darfur*, *CHINA VIEW*, Nov. 28, 2007, http://news.xinhuanet.com/english/2007-11/28/content_7159769.htm.

59. Initially, the Chinese peacekeepers were scheduled to arrive in Darfur in October. See Edward Cody, *In China, a Display of Resolve on Darfur*, *WASH. POST*, Sept. 16, 2007, at A14.

60. See *Darfur Rebels Attack Base, Kill 10 Peacekeepers*, *CNN.COM*, Sept. 30, 2007, <http://edition.cnn.com/2007/WORLD/africa/09/30/darfur.peacekeepers/index.html>.

61. See Sara Hassan, *Chinese Peacekeepers Arrive in Darfur*, *GLOBAL INSIGHT*, Nov. 26, 2007 (noting that approximately 130 Chinese peacekeepers arrived in South Darfur in late November, 2007).

62. See *Darfur Rebels Spurn Chinese Force*, *BBC NEWS*, Nov. 24, 2007, <http://news.bbc.co.uk/2/hi/africa/7111206.stm>.

peacekeepers.⁶³ It has also attacked Chinese-managed oil facilities and threatened to kidnap Chinese civilians and workers to alert Beijing that it should refrain from intervening and maintaining close ties with Khartoum.⁶⁴ As a result, the Chinese peacekeeping support unit for the hybrid force deployed in Nyala (southern Darfur) has faced great difficulties in conducting its field operations.

Chinese officials are thus increasingly concerned with the safety of its nationals in Sudan; Beijing now appears more in tune to the deteriorating situation on the ground and will be prepared to take a more accommodating approach regarding “non-interference” when its interests are at stake.

Acknowledging the need to address growing criticisms of Beijing’s Darfur policy, Ambassador Liu Guijin has pursued a more active diplomatic outreach in recent months. In December 2007, Liu participated in a track-two dialogue on China-Africa-U.S. relations in Washington, DC with his U.S. counterpart Andrew Natsios and the A.U. Director for Peace and Security Sam Ibok. Liu accepted the need for greater alignment of its policies toward Darfur with the West, and his counterparts publicly acknowledged Beijing’s constructive efforts in the lead up to the deployment of the first batch of peacekeepers to support the Annan Plan.⁶⁵

Subsequently, in late February 2008, prior to visiting Khartoum, Liu made a stopover in London and delivered a high-profile public speech at an academic conference. Liu announced that Beijing has been “forced” to take a more open and direct approach on the situation in Darfur.⁶⁶ In Khartoum, Liu reportedly pressed the Sudanese Foreign Minister Deng Alor that patience is thin with Sudan on Darfur and urged the regime to amend its behavior so as to avoid sanctions.⁶⁷ Such a stern warn-

63. *See id.*

64. *See generally Threats to Darfur Peacekeepers From Sudanese Rebels Will Not be Tolerated, China Warns*, INT’L HERALD TRIB., Nov. 28, 2007, <http://www.ihl.com/articles/ap/2007/11/28/asia/AS-GEN-China-Darfur.php>.

65. For more information see the Report of the second round of the “U.S.-China Forum on Africa” hosted by CSIS and organized in partnership with SIPRI and the China Institute for International Studies (“CIIS”) (forthcoming 2008).

66. For transcript of Ambassador Liu Guijin’s speech at the Chatham House, see <http://www.chathamhouse.org.uk/events/view/-/id/752/>.

67. *See China Speaks Out on Darfur Crisis*, CHRISTIAN SCI. MONITOR, Feb. 25, 2008, at 1.

ing reflects the growing impatience in the Security Council. The possibility of renewed calls to impose sanctions on Sudan may become more likely following an extensive on-the-ground international inspection visit to the region in April to assess and gain first-hand assessment of the current difficulties behind the full implementation of the hybrid force.

IV. *LOOKING AHEAD*

It appears that there is now greater consensus on hot spots in Africa such as Darfur, in part because there is congruence in Beijing's evolving approach and Washington's outlook. It would be wishful thinking that China will do what needs to be done in Sudan solely because it wishes to please the international community. It will not overtly undermine its policy of "non-interference" and respect for sovereignty, even with Sudan. But, it will begin to amend its approaches as it recognizes that continued alignment with a staunch defense of Khartoum could further damage its international reputation.

As such, continuing to see China's economic, political, or diplomatic activities there as a zero-sum game would be counter-productive. The emerging trend is an encouraging sign in this early debate; the challenge will be for Washington to make a stronger commitment to sustain this momentum at a high diplomatic level to understand the subtleties behind China's evolving perspective, continue to test Beijing's intentions systematically, and enlarge its commitments to play a more constructive role in Darfur.