

# Multiple Principles for Multilateral Interventions: The EU and China's policies on the Darfur Crisis

Zhun ZHONG<sup>1</sup>

The United Nations established an institution that managing issues of security in a multilateral fashion, and requiring the coordination of great powers: in 1945 were United States, Soviet Union, United Kingdom, France and China who possess privileged permanent membership on the with veto power until now. As suggested in the UN Charter, shared principles such as preventing aggressive war, promoting human rights and social/economic progress, should be the cornerstones of multilateralism in UN. However, a problem immediately arises as these various principles increasingly intertwined, heated debates in UN are inevitable and the consensus of UN member states is more difficult to reach: When different principles and rules are in conflict in a case, which one is suitable? A typical example is the debate about humanitarian interventions: Should we lift the general prohibition on the use of force (e.g. the Article 2(4)) to intervene a sovereign UN member states for the exception of protecting their people from wholesale human rights violations such as genocide (e.g. the 1948 Genocide Convention)?

The intervention aiming at humanitarian crisis becomes the most frequent but also controversial case of intervention since 1991. It is frequent because intra-state conflicts between regimes, ethnical and social groups have mushroomed in the third world in the aftermath of Cold War. Sometimes they are labeled as 'wars of the third kind' (Holsti 1996), which often result unacceptable violations of civilian human rights such as pillage, rape, deportation and even massacre in Rwanda, Kosovo and Darfur. It gives rise to the attempt to correct the situation from international community in particular countries are more sensitive to the intensification of refugee flows and media effects. While, it is controversial because there are various standards or legal definitions of humanitarian intervention, including divergences in (1) whether humanitarian intervention is limited to cases where there has been explicit UN Security Council authorization for action; and (2) whether humanitarian interventions is limited to instances where principle of sovereignty is respected, say, an consent from the host state.

Concerning the first question of who should intervene, both China and the EU preferred multilateral solutions either in regional level or global level, to a unilateral

---

<sup>1</sup> Erasmus Mundus (GEM) PhD Fellow, LUISS Guido Carli University & Université libre de Bruxelles

military intervention in the wake of the Iraqi War in 2003. For example in Darfur, both China and the EU supported the leading role of African Union, and the fundamental role of United Nations to deal with the crisis. This is an important consensus between China and the EU considering international intervention, as the foundation to further their cooperation in the future crisis managements, in particular in Africa. However, what separate the EU and China is the second debate of principles on which multilateral intervention should be based. Considering the humanitarian crisis and possible multilateral intervention in Darfur, arguably, China emphasized the need to respect Sudan's sovereignty which means the requirement that Sudan consent to an international intervention, while EU demonstrated its commitment to human rights and the emerging norm of the responsibility to protect in Darfur.

The purpose of the paper is not describing the whole sequences of the tragedy of Darfur again. Instead, my work mainly examines responses of international society, in particular from Europe and China, and explains why they adopted significantly different approaches in Darfur, and to what extent and in what respect their policies were influenced by their claimed principles. After an introduction of the crisis and the initial regional intervention from the African Union, three specific fields of multilateral intervention that China and EU (including member states) were deeply involved will be analyzed: (1) economic intervention, sanctions or proposals of sanctions against Sudan; (2) the declaration of 'genocide' and the judicial intervention of the International Crimes Court, and (3) the military intervention of the United Nations and European Union peacekeeping forces.

### **(I) The Crisis of Darfur and the African Union on the ground (2004-2007)**

Darfur, literally means the land of Fur, is a less developed region in western Sudan, suffered from the desertification and drought. The tension between the sedentary Fur and the semi-nomadic Arabic tribes over the scarce resources of land and water has long existed, but seemed invisible to international society who was more attracted by the Sudanese Civil war in the south. Arabic-dominated Sudanese government concentrated in the Nile Valley and failed to develop the economy of Darfur since it has been part of the country in 1916. As a political and economic marginalized region, plus the ethnic difference and structural inequity between the Black African Muslim and the Arabic Muslim, Darfur inevitably became a hotbed of rebellion movements.

The Sudan Liberation Movement (SLM) and Justice and Equality Movement (JEM) in

Darfur successfully carried out unprecedented raid against government in 2003. The incompetent Sudanese government troop was unable to suppress the rebels who using guerilla tactics in desert, thus unleashed and armed the Arabic militia Janjaweed, who is notorious for its massacre of Fur, Masalit, Zaghawa and other so called 'African' tribes with the connivance of Sudan government. The increasing number of civilian victims and internal displaced people during 2003 to 2004 finally triggered the concern of international society, through the explosive media reports and activist movements in the West from 2004 onwards. It was not an ordinary African civil war, but a severe humanitarian crisis demanding prompt solutions rather than only modest humanitarian assistance.

The first effort of intervention was made by the regional actor - African Union, which established on 9 July 2002 to replace its predecessor - Organization of African Unity (OAU). While OAU bore the mark of decolonization and thus narrowly focused on securing the sovereignty of its member states even governed by dictators, AU has a brand new Charter which notably incorporated the principle of human rights. For example, probably learned from the tragedy of Rwanda, the fundamental *Constitutive Act of the African Union* granted the AU a right to intervene in respect of certain 'grave circumstances'.<sup>2</sup> Therefore, the humanitarian crisis in Darfur was the first crucial test for the newborn African Union. However, the AU council did not activate the article of humanitarian intervention, but followed a traditional approach of peace keeping in deal with the case of Darfur.

In 2004, the April 8 Humanitarian Ceasefire Agreement between the Sudanese government and the two rebel groups was achieved with the mediation led by the African Union (AU) and the neighboring Chad, who received most of refugees from Darfur. AU formed a Ceasefire Commission (CFC) to monitor observance of the April ceasefire<sup>3</sup>. Soon after, AU initiated the African Union Mission in Sudan (AMIS) in July 2004, originally sent 150 Rwandan soldiers and soon added another 150 Nigerian soldiers with the consent of Sudan. As the only external peacekeeping force, the AMIS was welcomed by Darfur people at least in the initial stage. The leading role of African Union was also endorsed by UN resolution 1556 and 1564.

AMIS soon faced challenges on the ground due to its shortcomings. First, the

---

<sup>2</sup> See Article 4(h), "the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely: war crimes, genocide and crimes against humanity." Lome, 11 July 2000

<sup>3</sup> African Union, Press Release 51/2004, Addis Abeba, 28 May 2004

ceasefire agreement was a hasty action with fatal shortcomings such as lacking maps and existing two versions (Flint and de Waal 2008:174-175), which undoubtedly increased the difficulties of the AU peace-keeping. Besides, obviously 300 peace-keepers was radically insufficient, and they lacked adequate material resources, transport, logistics and even administrative mandate to protect civilians. According to Jon Pronk's subsequent monthly reports to UN after the resolution 1564, in Darfur the situation had continuingly deteriorated, despite there had undoubtedly been progress on the political negotiation and humanitarian assistance.<sup>4</sup> Consequently, with the endorsement of UN in resolution 1574 in Nairobi,<sup>5</sup> and logistic support from UN member states, AU decided to increase the scale of AMIS to 3,320 personnel. And eventually the number reached its peak in April of 2005 as 7,000.

The limit capacity of the AU exposed in Darfur called for urgent assistances from the International society. In June 2005, under the influence of France, the European states chose the EU rather than NATO as the coordinated institution to support AMIS (Reichard 2006:272). The EU took a joint action to provide a consolidated package of civilian and military measures to support AMIS from July 2005 to December 2007.<sup>6</sup> Considering the AU's serious lack of peace-keeping budget, The EU provided over EUR 300 million to AMIS through the instrument of African Peace Facility. In respect of the logistic support, the EU member states airlifted for over 2000 AMIS personnel. Besides, The EU deployed several dozen of military and police advisors to assist AMIS in training and coordination.<sup>7</sup> The same as the EU, China encouraged the 'African solutions to Africa problems'. Beijing praised the leading role of the AU in solving the Darfur crisis in different diplomatic occasions. Besides the generous words, China also dominated 1.8 million dollars to the AU.

## **(II) Division on sanctions against Sudan within UN**

Compared to African Union, the United Nations potentially has much stronger ability to intervene. The Security Council officially began to concern the situation in Darfur in 2004. The first official involvement was made by the presidential statement which expressed its deep concern at the continuing reports of large-scale violations of human rights in Darfur.<sup>8</sup> While welcoming the ceasefire agreement of 8 April, the

---

<sup>4</sup> See S/2004/763, S/2004/787, S/2004/881.

<sup>5</sup> UN Security Council, S/RES/1574 (2004), 19 November 2004

<sup>6</sup> EU Council Joint Action 2005/557/CFSP, 20 July 2005.

<sup>7</sup> EU Council Secretariat Factsheet, "EU support to the African Union Mission in Darfur – AMIS", 1 January 2008

<sup>8</sup> UN Security Council, S/PRST/2004/18, 12 May 2004.

Security Council urged all parties to observe it.<sup>9</sup> Then the Report of the Secretary-General highlighted the continuing fighting and catastrophic situation in Darfur and other areas was regard as an obstacle to implement the comprehensive peace agreement between the government and the Sudan People's Liberation Movement/Army (SPLM/A) in the region of South Sudan. Kofi Annan reported that "A meaningful agreement on Darfur will be fundamental to the success of a future United Nations role in the Sudan".<sup>10</sup>

UK made a draft resolution which endorsed the conclusions of the Secretary-General with regard to the situation in Darfur and urges the parties to the April 8 Ceasefire Agreement to conclude a political agreement without delay. However, there was a divide within Security Council. According to the report of CNN, "about a third of the council thought the resolution should just concentrate on the peace process, while the remaining two-thirds thought it should cover the peace process and the situation in Darfur." said Sir Emyr Jones Parry, UK ambassador to the United Nations. An anonymous source told that China, Algeria and Pakistan lobbied by Sudan, were unwilling to discuss Darfur at the beginning. "But we got a letter from the secretary-general last week saying we cannot ignore the western part, and so we reached an agreement to include it." (Wald 2004) Abdallah Baali, the Algerian ambassador to the United Nations admitted. The draft was eventually adopted unanimously on 11 June 2004 as the resolution 1547. This resolution mainly welcome the achieved peace agreement in southern Sudan, and mentioned Darfur with a brief reference urged both parties to bring an end to the violence in the Darfur region, the Upper Nile and other areas.<sup>11</sup>

However, UN's promised success in Sudan could not be easily achieved. The Government of Sudan as well as rebels had not fully complied with the ceasefire agreement, even after the joint communiqué between the government of Sudan and the UN Secretary-General on 3 July. The violence was continuing and the UN needed to respond. In addition to support African Union on the ground, another non-military tool of intervention the UN can adopt was imposing sanctions. However, Security Council divided about the use of coercive measures on Sudan. In all four UN Security Council resolutions involving sanctions, we can clear observe that European states and U.S energetically promote sanctions against Khartoum, while China was highly reluctant to use its extensive leverage over the Sudanese government.

---

<sup>9</sup> UN Security Council, Press Release SC/8104 of 25 May 2004.

<sup>10</sup> See paragraph 20 and 22. UN Security Council, S/2004/453, 3 June 2004.

<sup>11</sup> UN Security Council, S/RES/1547(2004), 11 June 2004.

### *Resolution 1556*

The U.S. and UK drafted a resolution which included some mandatory measures to pressure the Sudanese government.<sup>12</sup> China frowned upon this practice by arguing that “such (mandatory) measures cannot be helpful in resolving the situation in Darfur and may even further complicate it”. Instead, China believed that the government of Sudan will actively honor its commitment of disarming Janjaweed and other illegal armed groups. The immediate concern of international society should be providing further humanitarian assistance to relieve the suffering of Darfur.<sup>13</sup> The amendment added the concern of humanitarian assistance, while the U.S, all four European states (U.K, France, Germany and Romania) and Chile insisted to submit a draft resolution which included arms embargo acting under the Chapter VII and other potential coercive measures (not involving the use of armed force) if Sudan still fail its commitment.<sup>14</sup> In the end the resolution 1556 was approved by 13 Council members, with Brazil’s claim of no need to trigger the Chapter VII. China and Pakistan abstained to express their disapproval on coercive measures. Sudan, without voting right, was against the resolution vociferously.

### *The Resolution 1564*

According to the report of Jan Pronk, Sudanese government made some progress since Resolution 1556, while the government had not met its commitments of protecting civilians from militia attacks and punishing perpetrators.<sup>15</sup> However, Security Council members divided on two aspects: (1) whether the limited progress Sudan had achieved was acceptable at the moment; (2) whether a further sanction or threat of sanctions can facilitate Sudan to cooperate. The U.S and European states were quite unsatisfied, in particular with recent helicopter attacks by government and assaults by the Janjaweed militia against villages. They believed Sudanese government only act under the international pressures, thus further pressures could yield further progress. Germany, Romania, Spain, U.K and U.S drafted a new resolution which considered expanding the sanctions to petroleum sector in order to obtain a full compliance of Sudan. However, China, together with Russia, Algeria and Pakistan, doubted the effect of threat of sanction, and abstained. Wang Guangya, Chinese ambassador to UN, reiterate “the fact that China’s position against sanctions remains unchanged.”<sup>16</sup> Finally the resolution 1564 was passed with 11 affirmative

---

<sup>12</sup> UN Security Council, S/2004/611, 28 July 2004

<sup>13</sup> UN Security Council, S/PV.5015, 30 July 2004

<sup>14</sup> S/RES/1556(2004), 30 July 2004

<sup>15</sup> UN Security Council, S/2004/703, 30 August 2004

<sup>16</sup> UN Security Council, S/PV.5040, 18 September 2004

votes and 4 abstentions. However, the UN did not implement the sanctions on Sudanese oil business in practice.

#### *Resolution 1591 and 1672*

Then again, when international sanctions such as asset freeze and travel ban were included in the U.S-drafted resolution 1591, China, Russia and Algeria abstained to express their disagreement about sanctions.<sup>17</sup> The reason China given was the same: we should be very cautious about adopting the sanctions; probably a rash sanction is unhelpful for resolving the Darfur issue. Ambassador Wang Guangya emphasized it was China's consistent view on Darfur.<sup>18</sup> Resolution 1672 was the first time imposing travel and financial sanctions on individuals: two high ranking officials of Sudanese government and two rebel leaders.<sup>19</sup> China, Russia and Qatar abstained to express their reservations about the application of sanction against individuals. China emphasized that sanctions usually cannot reach expected results but jeopardize civilian populations. And that is the same reason China abstained all 4 resolutions including sanctions against Sudan. Besides, China claimed the sanctions lacked of convincing evidence and may disturb the parties in the Abuja Peace Talks.<sup>20</sup>

#### *Accounting for China's reluctant position on sanctions*

Economic sanction was presumed to modify the behavior of target state by imposing its economic costs. As the largest trade partner of Sudan since 2002, China was expected to use its huge leverage to divert Khartoum's tough approach to Darfur. However, far from imposing sanctions against Sudan, China's foreign aid to Sudan was not halted during the crisis. In the 2006 Sino-Africa Summit, Hu declared that China would double the assistances to Africa by 2009.<sup>21</sup> In the February of 2007, Chinese president Hu Jintao visited Africa included Sudan. On the day before Hu's visit, Chinese Ministry of Commerce announced to forgive 33 least developed African countries' debts to China before the end of 2007.<sup>22</sup> Sudan was one of the beneficiaries, released from a Chinese debt of 80 million dollar and received an assistance of 13 million dollar for the construction of infrastructure. Although Hu also pledged 40 million Yuan for the humanitarian assistance in Darfur, China's actions of

---

<sup>17</sup> UN Security Council, S/RES/1590(2005), 29 March 2005

<sup>18</sup> UN Security Council, S/PV.5122, 29 March 2005

<sup>19</sup> UN Security Council, S/RES/1672(2006), 25 April 2006

<sup>20</sup> UN Security Council, S/PV.5423, 25 April 2006

<sup>21</sup> "Hu Jintao said that China will expand its aids to Africa", *Xinhua Agency*, 4 November 2006

[http://news.xinhuanet.com/world/2006-11/04/content\\_5288695.htm](http://news.xinhuanet.com/world/2006-11/04/content_5288695.htm)

<sup>22</sup> "China plans to forgive 33 African countries' debts before the end of 2007" *Xinhua Agency*, 29 Jan 2007 [http://news.xinhuanet.com/world/2007-01/29/content\\_5669614.htm](http://news.xinhuanet.com/world/2007-01/29/content_5669614.htm)

expressing friendship was regarded as being unserious in seeking to persuade Khartoum (Keith 2007: 158).

Implementing an economic sanction is a double-edge sword could also cost the civilian people and trade partners of the target state. Although Beijing's justification used in UN was placed on the cost of Sudanese people, it was generally believed that China's closer economic relation with Sudan in particular in petroleum sector, led to Beijing's deep reluctance to economic sanctions against Khartoum. Since Sudan had been sanctioned by U.S from 1997, China's trade volume with Sudan rocketed mainly due to China's increasing oil import. Besides the oil trade and oil infrastructure investment implemented by state-owned oil companies, China also had several large-scale projects of infrastructure construction in Sudan since 1980s, and considerable arms trade with Khartoum since 1990s. Therefore, China indeed afraid that the UN sanctions against Sudan, in particular on petroleum sector as threatened in the resolution 1564, would be paid at the expense of China's substantial economic interests. This point even made Chinese public opinion more suspicious of the Western intentions of sanctions, as a competitive strategy against China (Wang 2004). Another Chinese analyst suggested that China's abstentions on above resolutions were insufficient to protect China's interests in Sudan (Wang 2005: 38). Chinese government publicly answered the domestic concern. Ambassador Wang Guangya promised to protect the oversea interests of Chinese companies, which would be untouched by the resolution 1564. For, the resolution was significantly revised under China and other countries' pressures, by deleting the suggestion of sanction Sudan automatically. Instead, any sanction should be further discussed and approved by Security Council before its implementation.<sup>23</sup>

However, Chinese economic concern may be overestimated by the public opinion at home and abroad. The economic interdependence between China and Sudan was unbalanced. China was the most vital partner of Sudan, while Sudan was far from being a critical partner of China in a relative term (Shichor 2007). Even regarding the oil import, Sudan never ranked in the top 3 largest oil supplier to China. The Sudanese share of China's crude oil imports are summarized in the following table. Although the stable oil import from Sudan was important for reducing China's reliance on Middle East oil, the share of China's oil import from Sudan will be inevitably further reduced because of the interdependence of the oil-rich South

---

<sup>23</sup> China's Ministry of Foreign Affairs, "Ambassador Wang Guangya talked about the new UN resolution on Darfur", 20 September 2004, [http://www.fmprc.gov.cn/mfa\\_chn/wjdt\\_611265/zwbdt\\_611281/t158100.shtml](http://www.fmprc.gov.cn/mfa_chn/wjdt_611265/zwbdt_611281/t158100.shtml)

Sudan in 2011. The prospect of South Sudan's independence was becoming increasingly clear since 2005 when the Naivasha Agreement set a referendum in 2011. During the Darfur crisis, Beijing should know that Khartoum's weight in the world oil business would significantly decline in a near future.

Sudan's share in China's crude oil imports (2000-2010)											%
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Share	4.7	8.3	9.3	6.9	4.7	5.2	3.3	6.3	5.9	6.0	5.3
Rank	6	4	4	6	6	7	8	6	6	5	6

Source: Tian (2001-2011)

China's rationale was probably not only based on its direct oil business with Sudan, but also related to a long-standing policy. Comparing other global economic actors like the EU and U.S, China's trade and aid policies toward Africa countries were characterized by its non-conditionality in political terms (Zhang 2009). The principle of non-conditionality in Chinese foreign aid policy could be traced back to 1964, when China aimed to ally with African newborn nations to confront Soviet Union and United States. The principle of non-conditionality is none the less used today,<sup>24</sup> even China's logic behind was largely transferred from geopolitical game to economic reciprocal. For, on the one hand, condition-free trades, loans and aids are welcomed by African governments thus could benefit the China-Africa trade relations; on the other, attaching political strings to economic agreement was regarded as a western-style interference on domestic affairs, which was long criticized by China's official discourses.

Hence, wielding the economic leverage over Sudan to achieve political or even humanitarian goals would not only directly damage the strong China-Sudan economic tie in a short-term, but also break China's accountability in 'non-interference', which may undermine China's traditional close relations with Africa and other developing countries in a long-term. The timing also could be a key to making more sense to China's calculations. In 2006, 'the year of Africa' for China's diplomacy, Beijing prominently strengthened its close relationship with Africa by President Hu Jintao and Prime Minister Wen Jiabao's separate visits to Africa, hosting the China-Africa Summit in Beijing, and publishing *China's Official Policy Document on Africa*.<sup>25</sup> Based on this reasoning, China's trade and aid policy toward Sudan

<sup>24</sup> State Council of China, "Chinese Foreign Aid", April 2011, [http://www.gov.cn/zwggk/2011-04/21/content\\_1850553.htm](http://www.gov.cn/zwggk/2011-04/21/content_1850553.htm)

<sup>25</sup> The full text in Chinese [http://news.xinhuanet.com/world/2006-01/12/content\\_4042333.htm](http://news.xinhuanet.com/world/2006-01/12/content_4042333.htm)

during the Darfur Crisis had followed the established practice of non-conditionality, in order to avoid the risk of breaking promises to Africa.

#### *Explain EU's approach of sanctions*

All of the EU member states in UN Security Council voted in favor of the four resolutions, which included the content of sanctions against Sudan as the measures to pressure Khartoum to comply with the peace process. In fact, European states were often the co-drafters of these resolutions. The EU supported the UN sanctions by Common Positions<sup>26</sup> and rapidly implemented them through a series of Council Regulations. During the Darfur crisis and UN debates on sanction against Sudan, the EU announced its basic principles of sanctions policy in 2004.<sup>27</sup> The EU refereed the sanction as 'restrictive measures', which was "an important way to maintain and restore international peace and security in accordance with the principles of the UN Charter and of our common foreign and security policy". On the one hand, the EU promised to fully implement the UN authorized sanction; on the other, if necessary the EU could impose autonomous EU sanctions, in pursuit of countering terrorism and WMD proliferation, upholding respect to human rights, democracy, the rule of law and good governance.

This normative goal of sanction was echoed by the EU's white paper 'Strategy for Africa' in 2005,<sup>28</sup> released shortly before China published its white paper toward Africa. The EU's normative ambition stands sharp in sharp contrast to China's concentration on economic cooperation. While Chinese vision put its emphasis on the economic mutual benefits, the EU strategy highlighted the political agendas such as improving good governance and human rights. Regarding their principle in dealing with their relationship with Africa, while China confirms its promise of non-interference in domestic affairs, in the European perspective, the Europe-Africa partnership should be based on the international law and human rights.

It was clear that Khartoum's behaviors in Darfur had violated human rights and international humanitarian law, which could justified the EU sanction on Sudan during the Darfur crisis according to above principles embedded in EU documents. In fact, the EU sanctions never cover all countries which threatened the peace or

---

<sup>26</sup> European Union, *Council Common Position 2004/31/CFSP*, 9 January 2004 and *2005/411/CFSP*, 30 May 2005.

<sup>27</sup> Council of the European Union, "Basic Principles on the Use of Restrictive Measures (Sanctions)", 10198/1/04 REV 1, 7 June 2004

<sup>28</sup> European Union, *EU Strategy for Africa: Towards a Euro-African pact to accelerate Africa's development*, COM(2005) 489 final, 12 October, 2005

violated the human rights and democracy (Brummer 2009), so the selection of target states is inevitable and sometimes criticized as double standards. However, Sudan was first caught by the UN without much controversy, because the atrocity in Darfur was no longer endemic, but too severe to be ignored by the mass media and international community, thus the inaction of EU sanction would be blamed as outright denying its claimed principles as well as the UN resolutions.

Compare to the US broad sanction against Sudan,<sup>29</sup> the EU sanction was limited in embargos on arms and related materials, travel ban and assets frozen on several Sudanese individuals. In despite of the call for EU to increase its sanctions on Sudan (Beatty 2007), the European sanction was refrained from expanding to the EU-Sudan trade throughout the crisis. In the light of the EU basic principles on sanctions, such a limited 'target sanction' could reduce the side-effects on innocent people and neighboring countries of the target state. But this is not the whole story. Even though the established principles and norms encouraged the EU to sanction Sudan, the scope and intensity of the EU sanction could adopt always need to takes into account the possible detrimental economic and political consequence for the EU and member states.

Although the EU's share in Sudanese exportation had been significantly decreased from 28% in 1999 to 2% in 2007, due to the boom of the Sudanese oil exportation (in particular to China) since the late 1990s, the total values of Sudanese exportation to the EU, as well as the importation from the EU still had increased during the period. Therefore, a full scale trade embargo from EU could harm the Sudanese economy on the one hand, by reducing the Sudan's GDP by 2.3% according to a simulation, on the other hand, the economic cost for the EU was losing an important trade partner in Africa and the embargoed Sudan-EU trade probably would further shift to China and other East-Asian countries (Siddig 2011). For this reason, a far-reaching comprehensive economic sanction on Sudan was hard to achieve the unanimity among the EU member states. For example, France also had significant oil interests in Sudan and objected the extended sanctions on Sudan suggested by U.S in 2004.<sup>30</sup>

### **(III) Genocide or not? ICID report and the judicial intervention from ICC**

The word of 'Genocide' in Darfur had haunted in world media since 2004. The UN

---

<sup>29</sup> Office of Foreign Assets Control, "Effectiveness of U.S. economic sanctions With Respect to Sudan", Report to Congress January 2009,

[http://www.treasury.gov/resource-center/sanctions/Documents/sudan\\_report\\_030509.pdf](http://www.treasury.gov/resource-center/sanctions/Documents/sudan_report_030509.pdf)

<sup>30</sup> "France opposes UN Sudan sanctions", *BBC*, 8 July 2004,

<http://news.bbc.co.uk/2/hi/africa/3875277.stm>

co-coordinator for Sudan Mukesh Kapila compared the Darfur with Rwanda; the only difference was the scale (Kapila 2004). Activists in U.S working with some Congressmen pushed the U.S government to declare it as genocide. Different teams or commissions of investigation from U.S State Department, AU and even Sudanese government published their own reports, which were profoundly different especially concerning whether genocide was taking place in Darfur. The U.S declared it was genocide while AU did not use the G-word, not mention the partial conclusion of Sudanese government. Besides, the EU had not declared the Darfur conflict as an act of genocide and China explicitly refused to declare that. Finally, it was turn to United Nations. According to the resolution 1564, an international commission inquiry was rapidly established to investigate reports of violations of international humanitarian law, and determine whether or not genocide has occurred.<sup>31</sup> The choice of discourse regarding the essence of the Darfur crisis was important, which established the legitimate boundaries of possible action. The 1948 Genocide Convention, as well as the lesson from the well-know genocide in Rwanda, would demand a more robust intervention from international community to suppress an ongoing genocide.

The UN International Commission of Inquiry on Darfur (ICID) submitted its report to the Secretary-General in January 2005.<sup>32</sup> Considering the violations of international humanitarian law and human rights law, the report concluded that “the government of Sudan and the Janjawiid are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law”. The use of military force by Sudanese government was disproportionate to any threat posed by the rebels, but deliberately and indiscriminately directed against civilians in most cases. While considering genocide, “the crucial element of genocidal intent appears to be missing, at least as far as the central government authorities are concerned”, said by the report. Besides, the ICID identified a list of 51 suspected individual perpetrators and recommend hand over the list to a competent prosecutor. The ICID strongly called on the Security Council immediately refer the situation of Darfur to the International Criminal Court (ICC). The ICDC report was criticized by some activists for refusing to character the crimes in Darfur as genocide and thus downplay the catastrophe. The report was regarded as deliberately avoid invoking the Genocide Convention. (Udombana 2006).

Nevertheless, the UN Security Council decided to refer Darfur to the ICC in resolution

---

<sup>31</sup> See Paragraph 12, S/RES/1564(2004), 18 September 2004

<sup>32</sup> *Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General*, Geneva, 25 January, 2005

1593,<sup>33</sup> which was drafted by U.K and supported by other European states in Security Council. It was the first time the Security Council referred a situation to the ICC, even though Sudan was not a party of Rome Statue and strongly against the Security Council referral. The legal ground of the resolution is that ICC may exercise its jurisdiction if “A situation in which one or more of such crimes appears to have been committed is referred to the Prosecutor by the Security Council acting under Chapter VII of the Charter of the United Nations”, according to the Article 13 (b) of Rome Statue states.<sup>34</sup>

However, member states divided again within Council and 4 abstentions were noticed. United States continued to “fundamentally object to the view that the ICC should be able to exercise jurisdiction over the nationals, including government officials, of States not party to the Rome Statute.” China, as a non-contracting party of the Rome Statute, shared some views of ICC with U.S. Besides, China emphasized the respect for Sudanese national juridical sovereignty, and unexpected consequence of the resolution.<sup>35</sup> It is worth noting that Khartoum expected Beijing’s veto against the resolution and felt quite dissatisfied with only an abstention.<sup>36</sup> It reflected that China did not respond to every request from Khartoum.

The ICC formally opened an investigation on 6 June 2005, and eventually issued an arrest warrant for the Sudanese president Omar al-Bashir on 4 March 2009. The international responses to the ICC’s intervention in Darfur were mixed. The supporters argued that the involvement of ICC was necessary because it first brought justice to Darfur by ending impunity for the perpetrators. Besides, it was believed the activity of ICC, together with economic sanctions, could positively pressure the Sudanese government to change its criminal policy in Darfur such as supporting Janjaweed (Kastner 2007). On the contrary, the skeptics disagreed with the expected consequence of ICC involvement. The inopportune ICC indictment did upset Sudanese top officials as well as rebel leaders, thus may bother rather than facilitate the ongoing peace negotiation between Khartoum and rebels, because generally the amnesty deal is necessary in a peace negotiation. Besides, the court’s intervention provoked a broad backlash from African governments, because all of ICC investigations had only targeted on Africa since the court established in 2002 (Bosco

---

<sup>33</sup> UN Security Council, S/RES/1593(2005), 31 March 2005

<sup>34</sup> UN General Assembly, A/CONF.183/9, 17 July 1998. The Statute entered into force on 1 July 2002.

<sup>35</sup> UN Security Council, S/PV.5158, 31 March 2005

<sup>36</sup> “China defends decision not to veto Darfur ICC referral”, *Sudan Tribune*, 10 November 2009, <http://www.sudantribune.com/spip.php?article33085>

2013).

The EU is a staunch supporter of ICC in the case of Darfur. The EU member states played an active role in UN to refer the case to the ICC and the Council of the EU adopted the same position. When ICC attempted to arrest Bashir the EU reiterated its full support and called on Sudan to cooperate with ICC (EU 2010: 24). Since the principles and objectives of ICC are fully in line with that of EU, the EU has embedded its commitment to ICC in a series of documents. For example, the Council Common Position on the ICC promised the support from the Union and member states,<sup>37</sup> the Action Plan specified the steps and sections the EU can contribute to the ICC.<sup>38</sup> Regarding the EU's external relation with African, Caribbean and Pacific countries, the Cotonou Agreement includes an ICC-related clause and serves as a binding legal instrument. Sudan was a party of the Cotonou Agreement in 2005, but when the amendment suggested introducing the Rome Statute and related instruments to all parties, Sudan withdrew from the agreement in June 2009, because ICC just issued an arrested warrant for Bashir on March.<sup>39</sup> For the EU, supporting ICC in Darfur was a policy for realizing principles and thus benefitting the EU's prestige, but without clear political or economic costs.

Regarding the role of ICC in Darfur, China was belonged to the camp of skepticism. China is not a party of Rome Statue and generally disagrees with several principles guided ICC such as the universal jurisdiction, so that Beijing was never be a full supporter of ICC investigations even before the Darfur. In the case of Darfur, not only principles but also the considering of consequences made China became a vocal critic of the ICC intervention. One consequence China claimed in UN was that ICC's arrest warrant for the Sudanese president had adverse effect on the situation in Darfur by disturbing the peace process. This argument was shared by the African Union, the Arab League, the Organization of the Islamic Conference, and members of Non-Aligned Movement. Therefore, another consequence China must be aware was that the ICC indictment was unwelcomed by the third world where China always stands with, not mention Beijing's oil ally Khartoum. So China claimed to support the efforts in UN Security Council to suspend the ICC indictment for Bashir according to the Article 16 of the Rome Statute from 2008 to 2009.<sup>40</sup> However in practice, China

---

<sup>37</sup> European Union, 2003/444/CFSP, 16 June 2003

<sup>38</sup> European Union, Document 5742/04, 28 January 2004

<sup>39</sup> "Sudan formally withdraws from Cotonou Agreement amendments", *Sudan Tribune*, 23 June 2009, <http://www.sudantribune.com/spip.php?article31608>

<sup>40</sup> "China supports the UN Security Council to suspend the ICC indictment for Sudanese leaders", Xinhua Agency, 2 August 2008

avoided invoking the Article 16 in Security Council, because Beijing had to balance the international pressure from the other side, which criticized China's inaction in solving the Darfur Crisis. The next part will demonstrate how the growing international pressures had modified China's calculation.

#### **(IV) The transition from AU to UN (2006-2009): peacekeeping operations in Darfur and neighboring regions**

In the beginning of 2005, Security Council members adopted unanimously resolutions 1585, 1588 and 1590 about Sudan. The three resolutions were not including the threat of sanctions, but mainly extending the mandate of the United Nations Advance Mission in Sudan (UNAMIS),<sup>41</sup> and then transferring its responsibilities to the new established United Nations Mission in Sudan (UNMIS),<sup>42</sup> which was requested to be co-operated with AMIS. In 2006, the looming failure of AMIS pressured UN to deploy its own blue helmet peace-keepers to take over the African Union's green berets, who was suffered from the attacks from militias and rebel groups since 2005. Resolution 1679 in May mentioned a follow-on United Nations operation in Darfur.<sup>43</sup> The resolution was approved without dissent, but with China's statement of "a basic principle and precondition for deployment of all UN peacekeeping operations": Must obtain the agreement and cooperation of the Sudanese Government.<sup>44</sup>

In August, the following resolution 1706 aimed to expand the mandate and the force of UNMIS, up to 17300 military personnel and 3300 civilian polices, to enforce the Darfur Peace Agreement signed on May 5th. Considering the cross-border conflict, the resolution also broadened the mandate of UNMIS to the neighboring Chad and Central Africa Republic. It was the first UN Security Council resolution explicitly reaffirmed the Responsibility of Protect endorsed in 2005 UN World Summit outcome document.<sup>45</sup> However, the resolution was adamantly rejected by the Sudanese government, asserting the Western 'colonial' ambition behind. Khartoum's genuine concern was: the multinational force presence could not only restrict Sudan's military campaign in Darfur, but also assist the ICC to investigate and even arrest the indicated Sudanese officials. China abstained with Russia and Qatar due to

---

[http://news.xinhuanet.com/world/2008-08/02/content\\_8905093.htm](http://news.xinhuanet.com/world/2008-08/02/content_8905093.htm)

"Chinese envoy: ICC's arrest warrant disturbs Sudan's stability", Xinhua Agency, 5 March 2009,

[http://news.xinhuanet.com/english/2009-03/05/content\\_10951598.htm](http://news.xinhuanet.com/english/2009-03/05/content_10951598.htm)

<sup>41</sup> UN Security Council, S/RES/1585(2005), 10 March 2005; S/RES/1588(2005), 17 March 2005

<sup>42</sup> UN Security Council, S/RES/1590(2005), 24 March 2005

<sup>43</sup> UN Security Council, S/RES/1679(2006), 16 May 2006

<sup>44</sup> UN Security Council, S/PV.5439, 16 May 2006

<sup>45</sup> UN Security Council, S/RES/1706(2006), 31 August 2006

the non-consent of Khartoum. Chinese Ambassador Wang Guangya emphasized that requiring the consent of host country is a 'fixed and standardized phrase' when deploying UN peace-keeping operations. Thus, China's abstention was 'principled reservations'.<sup>46</sup> Although resolution 1706 was passed, UN peace keepers could not be deployed in practice in the absence of consent of Sudan.

#### *Beijing's involvement in implementing the UN intervention*

China's persistent position of non-interference was broadly criticized as encouraging Sudan's intransigency, thus obstructed a swift and robust multilateral intervention in UN framework. Although China never vetoed any resolution concerning Darfur, it was reported that China had used its veto threat to thwart a more coercive version of resolution 1706 (Reeves 2006). For this reason, global advocacy groups, who failed to push U.S or EU to take a decisive intervention in last 3 years, began to link the responsibility for continuing Darfur crisis to Beijing. The 2008 Beijing Olympics provided them an opportunity window to pressure China, who had paid much attention to shape its international image of responsible power, thus could be more easily influenced by international public opinions than Sudan.

A striking fact was that China had been lobbying Sudan to accept the UN peace keeping two weeks after its abstention to resolution 1706. According to the testimony from Ambassador Wang Guangya to Reuters, China informed Sudan that China agreed with the idea of the transition to UN peace-keeping, but it would be up to Sudan. "From the beginning it is always our position," Ambassador denied China shifted its standpoint, "We said it is a good idea to have the U.N. taking over. But in the meanwhile, I think it is a general practice that when the U.N. sends troops, you have to have the consent of the government, so now we need the second part."<sup>47</sup> It was clear that what China disagreed was not the consequence of resolution 1706, the UN peacekeeping operation *per se*, but the way of initiate a forcible peace-keeping by imposing a resolution on the target state.

A compromise was the Annan Plan of three stages operations, made in November 2006. The first stage of UN sending material assistance and near 200 advisors to AMIS was smoothly completed. However, Sudanese government was not cooperative on the second stage of increasing UN troop proportion in the peacekeeping operation, and the third stage of deploying a large scale UN-AU hybrid peacekeeping

---

<sup>46</sup> UN Security Council, S/PV.5519, 31 August 2006

<sup>47</sup> "China Pushes Sudan to Let UN Troops into Darfur", *Sudan Tribune*, September 15, 2006  
<http://www.sudantribune.com/China-pushes-Sudan-to-let-UN,17596>

force under the command of UN. In response, U.S threatened to impose further sanctions labeled as 'Plan B' (Kessler 2007) while UK wanted a non-fly zone against Sudan, if Khartoum still refused the deployment of UN peace-keepers (Borger 2007). Meanwhile, UN, AU and China had undertaken various coordinating and mediating efforts to facilitate the Annan Plan. Finally, Sudan agreed to implement the second stage in April and the third stage in June 2007, with following conditions: (1) the commander of the hybrid-force should be African; (2) Most of the peacekeeping soldiers should come from Africa, then Asia and Latin America.

With Sudan's consent, The African Union-United Nations Hybrid Operation in Darfur (UNAMID) was unanimously approved by resolution 1769. The mandate is for a force of up to 19,555 military personnel and 3,772 police. The resolution also confirmed that UNAMID "should have a predominantly African character and the troops should, as far as possible, be sourced from African countries".<sup>48</sup> Despite the unanimity, U.S warned that Sudan's failure to cooperate would lead U.S "move for the swift adoption of unilateral and multilateral measures"; while China emphasized that the resolution's goal was not pressuring or sanctioning Sudan, but launching a hybrid operation.<sup>49</sup> Due to varied technical obstacles, the hybrid peacekeeping force was not fully recruited and deployed until the beginning of 2009.<sup>50</sup>

China was a key player in persuading Khartoum to accept the UN peacekeepers since 2007. Beijing's effort was even recognized by the U.S' envoy to Sudan Andrew Natsios, who praised China began to play an important behind-the-scenes role to go along with its more visible peacemaking efforts after the international appeals for China's action in Darfur (Sullivan 2007). Two reasons may explain China's notable position change in 2007: (1) the rising international pressure. A number of Western politicians and human rights campaigners planned to call on the world to boycott the Beijing Olympics. Chinese government was sensitive to the Olympics event and China's international image. Ambassador Liu Guijin, the full-time Chinese special envoy to Darfur appointed in 2007, even met the directors of the Save Darfur Coalition, who explicitly expressed their purpose of urging China to pressure Sudan.<sup>51</sup>

---

<sup>48</sup> UN Security Council, S/RES/1769(2007), 31 July 2007

<sup>49</sup> UN Security Council, S/PV.5727, 31 July 2007

<sup>50</sup> UNAMID aimed to reach 65 % deployment by the end of 2008, and 85 percent by March 2009. Secretary-General's Press Conference, 7 October 2008

<sup>51</sup> Saving Darfur Coalition, "Save Darfur Coalition Urges Continued Chinese Engagement on Darfur Crisis",

[http://ww20.savedarfur.org/index.php/pages/press/save\\_darfur\\_coalition\\_urges\\_continued\\_chinese\\_engagement\\_on\\_darfur\\_crisis](http://ww20.savedarfur.org/index.php/pages/press/save_darfur_coalition_urges_continued_chinese_engagement_on_darfur_crisis)

(2) China's economic interest. The Darfur rebel JEM attacked Chinese-run oil facilities in the neighboring Kordofan region for warning Chinese to leave in 2007 (Osman 2007). It reflected that Sudanese government was unable to stabilize the situation and secure China's assets on its own. As a trade partner China sincerely welcomed the deployment of UN peacekeeping force to bring a quick restoration of peace and stabilization in the western Sudan. In sum, these events significantly modified China's calculations by increasing China's visible cost of non-intervention as both its reputation and investment were at risk. Therefore, the rational choice for Beijing was pushing forward the UN peacekeeping force in Sudan, and demonstrating its contributions in solving the Darfur crisis.

But to what extent China's approach toward Darfur had been evolving? Beijing still avoided to endorse a precedent of international intervention without the consent of the target state, which would deviated too far from China's orthodox principle of non-interference. With the constraint, the only approach of engagement Beijing can choose was persuading rather than compelling Khartoum. A typical example was Hu Jintao's visit to Sudan in February 2007. On the one hand Hu was duly attempting to change Sudan's rejective position toward UN peacekeeping operation. On the other, Hu declared four principles regarding dealing with the Darfur issue: (1) Respect the sovereignty and territorial integrity of Sudan; (2) insist a peaceful solution though dialogues; (3) confirm the constructive role of AU and UN; (4) stabilize the Darfur region by a comprehensive ceasefire and improve the living condition of local people.<sup>52</sup>In sum, China cautiously shifted its position to Khartoum while kept on defending its policy as being conformity with their principles.

#### *European Union's military intervention led by France*

When China was busy with addressing the international pressure and persuading Sudan to accept UN peacekeeping force in Darfur, collaborated with UNAMIND, the EU contributed troops to tackle with the Darfur crisis in Chad and Central Africa Republic (CAR), which were involved with the fights crossing the border from Darfur since mid-2006. The EU regarded the mission as a part of its regional approach to the crisis, by assisting to maintain order in the refugee camps close to the border with Darfur. The initiative of deploying a peacekeeping force in Chad could be traced back to resolution 1706 in 2006 and in early 2007 the Security Council proposed 10900 troops.<sup>53</sup> However, the Chadian president Idriss Déby rejected an UN military force,

---

<sup>52</sup> "Hu Jintao talked with Sudanese president al-Bashir", *Xinhua Agency*, 2 February 2007  
[http://news.xinhuanet.com/world/2007-02/02/content\\_5688877.htm](http://news.xinhuanet.com/world/2007-02/02/content_5688877.htm)

<sup>53</sup> UN Security Council, S/2007/97, 23 February 2007

which was labeled as an illegitimate interference in Chad's domestic affairs (Lanz 2008:40), but only accept civil police officers.<sup>54</sup> This was probably because these camps were used by Chad as important recruitment bases for the Chadian army and Chad-supported Darfur rebel groups, and the proposal of mission included a political mandate (Seibert 2010: 8). As Khartoum blocked the UN peacekeeping operation in Darfur, a parallel peacekeeping in eastern Chad was also unlikely without the consent of N'Djamena.

The position of Chadian leadership changed under the influence of France, which actually initiated all EU missions in Africa before. The new-elected French president Nicola Sarkozy became active in solving Darfur crisis because of his commitment made in the 2007 France president campaign. Chad had a longstanding military cooperation with France, which has an ongoing military presence in Chad under the Opération Épervier since 1986. Based on the cooperation, France provided logistical and intelligence support to Chad to tackle with the rebel movements backed by Sudan. Thus a France-led EU force was more easily acceptable for Chad. In order to launch the military operation through the CSDP framework, France needed to convince other member states. Most of them were skeptical on France's motivation: whether it aimed to protect civilians and humanitarian workers as Elysée Palace claimed or defend its ally Déby from the offensives of rebel groups (Tull 2008). Although later France managed to gain enough political supports within EU for establishing the operation, there were less military supports from the member states. Only Ireland, Poland, Austria and Sweden contributed more than 100 troops. The other big 2, U.K and Germany, did not contribute any troop or airlift capability to the EU operation.

Finally, with the authorization of France-drafted UN resolution 1778,<sup>55</sup> and the consent of host countries after several concessions, the EU conducted a 16-months military bridging operation (EUFOR Tchad/RCA) in Chad and CAR during the 2008 to 2009. France contributed 2100 troops in the 3700-personnel EU force, and paid more than half of the budget. The mission was basically successful in regard with fulfilling its limited mandates. In 15 March 2009, a UN force took over under the mandate of United Nations Mission in the Central African Republic and Chad (MINURCAT), while a number of Member States and third countries remained on the ground and rehated their troops to the UN (Ireland, Austria, Finland, Poland, France, Albania,

---

<sup>54</sup> "Chad rejects a UN military force", *BBC*, 28 February 2007, <http://news.bbc.co.uk/2/hi/africa/6405543.stm>

<sup>55</sup> UN Security Council, S/RES/1778(2007), 25 September 2007

Croatia and Russia).<sup>56</sup> However, the hand-over from the EU to the UN was not smooth in practice, when member states were ready to exit according to the plan, the UN was not sufficiently prepared to replace EU's mission at that time (Seibert 2010: 35).

An excellent analysis attributed France's rationale to the French domestic politics (Marchal 2009). The president Sarkozy had a strong influence on the French presidential government in particular in foreign affairs, and his Foreign Minister Bernard Kouchner was an enthusiastic advocate of humanitarian intervention. Pushing for a France-led European intervention in Darfur crisis could help themselves and the new government to gain more credits in domestic, European and international levels. Since in 2007 Sudan had already accepted the deployment of UNAMID in Darfur where no western troop was allowed, France needed to find alternative option to demonstrate its effort of intervention. Kouchner's first plan was to establish a 'humanitarian corridors' to facilitate the humanitarian aid to Darfur. However, the plan was rejected by both UN and humanitarian organizations as unnecessary. Consequently, the neighboring and affected countries Chad, and to a less extend, Central Africa Republic were selected by Paris, despite the fact that the European military operation there had minimal influence to mitigate the conflict in Darfur. In brief, the EUFOR Tchad/RCA was characterized by the French cost-benefit calculation. But it is hard to conclude that the primary motivation of France was to pursue its geopolitical interests in its former colonies, since Chad and CAR were only selected as a plan B.

The ideational factor played a causal role to bring out the European intervention by modifying the cost-benefit calculations of policy-makers. For France, without the embedded human rights idea in French society, Sarkozy and Kouchner would not regard a humanitarian intervention initiative as a popular policy pleasing electorates, media and relevant NGOs such as the coalition '*Urgence Darfour*'. A counterexample was the Chinese leadership, who did not have this incentive to intervene on a humanitarian crisis because saving strangers would not be recognized by the Chinese society as a great achievement of the government. The same reason probably also suitable for Brussels and other European capitals. Xavier Solana, the High Representative of the EU, also demanded a public visibility of the EU in the Darfur crisis to fulfill EU's commitment in the regional crisis management (Hainzl and Feichtinger 2011:8). Being aware of the Paris' hidden agendas and thus reluctant to

---

<sup>56</sup> European Union, "EU Military Operation in Eastern Chad and North Eastern Central African Republic (EUFOR Tchad/RCA)", March 2009

contribute, other member states still accept the French proposal within EU in 15 October 2007. This compromise was not only for avoiding a direct tension with France, but also considered the benefit of confirming the image of the EU as an ethical power in relation to Darfur with only an one-year mission (Olsen 2009: 256). Conversely, the cost of blocking an initiative of humanitarian intervention was clear. "Nobody wanted to appear as not doing much to help Darfur" (Marchal 2011: 26). A fresh lesson could be draw from China, who was suffering from huge international pressures because Beijing baffled a robust intervention proposal on Darfur within UN Security Council in 2006.

Ultimately, the input/outcome ratio of UMAMID as well as EUFOR Chad/CAR was questionable. When the international community eventually managed to gain enough political supports and spent huge money to implement military interventions in 2008, the climax of slaughter in Darfur was long gone. The complicated situations on the ground were the proxy-conflict between Sudan and Chad, the rebel groups against the authoritarian regimes in Khartoum and N'djamena, and the displaced people in a desperately poor region. Neither UN nor EU mission had the mandate of political transformation and further resources of development aid to resolve these problems. Without a national reconciliation and economic development, the humanitarian improvement and relatively peaceful situation in today's Darfur and its neighboring regions are still reversible in future.

#### **(V) Conclusion**

There existed significant policy differences between the EU and China in the three fields the paper examined. Considering economic sanctions, the EU agreed to sanction Khartoum and halted its aid to Sudan, whereas China opposed the proposal of sanctions and continue its close economic tie with Sudan. The EU endorsed the judicial intervention of ICC, which never gain the support from Beijing. Finally, regarding the deployment of multinational military force on the ground, Beijing was pressured to push Khartoum to accept the UN force in Darfur, while the EU was led by France to launch a mission in neighboring Chad and CAR.

How to explain their policy outcomes? My answer begins with their rational cost-benefit calculations. Protecting and promoting the national interests, or more specifically the government-defined interests, are always the primary concerns of the European and Chinese policy makers. In a realistic perspective, the first-order interest of a state is the national security. However in this case, since Sudan is far away from the EU and China's borders, the turmoil in Darfur and the subsequent

military intervention were not imposing a direct security threat against China and European States. The possible indirect security concern was also rare: For the EU, the number of Darfur refugees flowed into Europe was minimal. For China, there was no evidence that Beijing was afraid the 'domino effect' of a UN-authorized intervention in Darfur would lead to a future international intervention on Tibet, Xinjiang or Taiwan. Therefore, the more clear costs and utilities involving the EU and China with the Darfur crisis were their economic interests, and the prestige of the government.

Neither China nor the EU took the crisis in Darfur as an opportunity to gain economic benefits, but they needed to calculate the potential material costs for them and their policy options. China had a strong oil tie with Sudan before the crisis, although it was far to say that China's oil importation was depended on Sudan. So China was cautious about its established economic advantages in Sudan, and made very efforts in UN to restrain the proposed multilateral economic sanctions against Sudan from expanding to oil trades. Finally the UN resolutions only implemented the arms embargo and freezing assets of individuals, and China's core oil interests in Sudan was protected. To a lesser extent, several EU member states such as France also had notable economic interests or potentials in Sudan. Therefore, the EU was unable to reach an agreement to pose an American-style full sanction against Sudan, which is economic costly at least for some member states. Another material factor the EU considered was the cost of EUFOR peacekeeping mission in Chad and CAR. The French initiative was accepted because it was only a one year mission and did not require other member states, in particular Germany and UK, to contribute large troops.

The prestige, reputation or image of the government was certainly important for Chinese and European governments. Upholding the claimed principles, fulfilling the established commitments would increase the prestige both in domestic and international level. The domestic prestige is even crucial for the legitimacy of government at home. On the contrary, breaking a promise in public was detrimental to their prestige. However, regarding the international intervention, China and the EU claimed different principles and made different promises before the Darfur Crisis. The EU endorsed principle such as Human Security and the Responsibility to Protect, plus the influential humanitarian social movements and media reports within European societies, had made the European intervention on Darfur became such a policy which could bring more prestige even legitimacy to the EU and member states. In this respect, inaction would get no credit and thwarting an action would down the marks. Imposing targeted sanctions, supporting the ICC indictment, and deploying troops in neighboring areas served as to protect and promote the prestige of the EU

and member states, such as Sarkozy's France.

Meanwhile, Chinese government and society had not embedded such a strong universal human rights principle like Europeans. Therefore, the same internal excitation mechanism for humanitarian intervention did not work for Beijing. Nevertheless, China had established some other principles the European did not have. For example, the non-intervention of domestic affairs without the consent of host state has been insisted by Beijing for decades. In order to demonstrate its principle of non-interference in domestic affairs and non-conditionality in trade relations as a long-term commitment made for Sudan and other African countries, China abstained for all UN resolutions involving economic or legal sanction against Sudan, and the UN military intervention proposal objected by Khartoum. The Chinese abstention and expressed reservations in UN was better to understand as a practice to show its position and principle, rather than a substantial help for Khartoum who needed a veto to these resolutions. As the paper discussed above, Beijing explicitly informed Khartoum that China welcomed the UN peacekeeping force in Darfur, and refused the request of Sudan to stop the intervention of ICC early in 2005.

Why China was reluctant to use the veto and paid more efforts to persuade Sudan after 2007? The audience of Beijing's foreign policy was beyond Chinese people and a number of developing countries which shared China's principle, since China rose as an emerging global power and further integrated in to the international community after the Cold War. Compare to Mao and Deng's periods, the modern China was more care about its image in the broader world including the West. As the idea of human rights protection became an emerging global norm in recent two decades, China was no longer open an entire opposition on it. Instead, China increasingly participated in the UN peacekeeping operations with the emphasis on some specific principle guided a multilateral intervention such as the consent of target state. Therefore, vetoing a humanitarian intervention proposal in UN would go too far and also damage China's prestige. Considering the slight change of China's position, the upcoming Beijing Olympics in 2008 had brought more weight to Beijing's concern of its international image. The major protests against Beijing Olympic broke out during 2007 and 2008 in West, as well as the political pressures from the U.S and European governments, increased the 'prestige cost' for Beijing's continuing inaction.

The role of principles in Chinese and European foreign policy-makings about Darfur was distinct, when their non-material prestige, in particular domestic prestige was defined by their own established principles. Therefore, the different principles

provided different roadmaps for China and Europe in their pursuits of prestige. Besides, the European states needed to coordinate their policy in the EU level, during which the EU institutionalized principle could serve as the cohesion glue, whereas China's principle of non-interference functioned as a long-lasting bond with the developing world. Nevertheless, the rise of global norm of human rights protection in UN since 1990s (Wheeler 2000), had an influence for both the EU and China, by shifting their dilemma of choices from whether intervene to how to intervene a humanitarian crisis.

### **Bibliography**

Beatty, A (2007), "EU urged to increase sanctions on Sudan", *European Voice*, 14 June 2007, <http://www.europeanvoice.com/article/imported/eu-urged-to-increase-sanctions-on-sudan/57680.aspx>

Borger, J (2007), "Blair wants no-fly zone enforced over Darfur", *Guardian*, March 28 <http://www.guardian.co.uk/world/2007/mar/28/sudan.politics>

Bosco, D (2013), "Why is the International Criminal Court picking only on Africa?", *Washington Post*, 29 March, [http://www.washingtonpost.com/opinions/why-is-the-international-criminal-court-picking-only-on-africa/2013/03/29/cb9bf5da-96f7-11e2-97cd-3d8c1afe4f0f\\_story.html](http://www.washingtonpost.com/opinions/why-is-the-international-criminal-court-picking-only-on-africa/2013/03/29/cb9bf5da-96f7-11e2-97cd-3d8c1afe4f0f_story.html)  
!

Brummer, K. (2009). "Imposing sanctions: The not so 'normative power Europe'", *European Foreign Affairs Review*, 14(2): 191-207

European Union (2010), *The European Union and the International Criminal Court*, Expert Series, Belgium.

Flint, J and de Waal, A (2008), *Darfur: A New History of A Long War*, Zed Books Ltd

Feichtinger, W and Gerald, H (2011), "EUFOR Tchad/RCA Revisited – A Synopsis", in Feichtinger, W and Gerald H (eds.): *EUFOR Tchad/RCA Revisited*. Vienna, Institut für Friedenssicherung und Konfliktmanagement, pp. 19-34

Holsti, K. (1996), *The State, War and the State of War*, Cambridge University Press.

Kapila, M (2004), "Mass rape atrocity in west Sudan", *BBC*, March 19 <http://news.bbc.co.uk/2/hi/africa/3549325.stm>

Kastner, P. (2007). "ICC in Darfur-Savior or Spoiler", *ILSA Journal of International & Comparative Law*, 14: 145-188

Keith, A (2007), "The African Union in Darfur: A African Solution to A Global Problem", *Journal of Public and International Affairs* 18: 149-164

Kessler, G (2007), "Bush Approves Plan to Pressure Sudan", *Washington Post*, February 7

<http://www.washingtonpost.com/wp-dyn/content/article/2007/02/06/AR2007020601935.html>

Lanz, D. (2011), "The EU and the "Darfurisation" of Eastern Chad", *Building Peace across Borders Accord*, (22): 39-42

Marchal, R (2009), "Understanding French policy toward Chad/Sudan? A difficult task", June 4,

<http://africanarguments.org/2009/06/04/understanding-french-policy-toward-chadsudan-a-difficult-task-1/>

----- (2011), "An assessment of EUFOR Chad/CAR, in Feichtinger, W and Gerald, H (eds.): *EUFOR Tchad/RCA Revisited*, pp. 19-34

Olsen, G. R. (2009). "The EU and military conflict management in Africa: for the good of Africa or Europe?", *International Peacekeeping*, 16(2):245-260.

Osman, M (2007), "Darfur Rebels Attack Oil Field, Warn Chinese to Leave Sudan", *The Washington Post*, October 25

<http://www.washingtonpost.com/wp-dyn/content/article/2007/10/25/AR2007102502510.html>

Reeves, E (2006), "Push China, Save Darfur", *Boston Globe*, December 17

[http://www.boston.com/news/globe/editorial\\_opinion/oped/articles/2006/12/17/push\\_china\\_save\\_darfur/](http://www.boston.com/news/globe/editorial_opinion/oped/articles/2006/12/17/push_china_save_darfur/)

Reichard, M (2006), *The EU-NATO Relationship: A Legal and Political Perspective*, Ashgate.

Seibert, B (2010), *Operation EUFOR TCHAD/RCA and the EU's Common Security and Defense Policy*, Strategic Strategy Institute monograph

Shichor, Y (2007), "China's Darfur Policy", *China Brief*, The Jamestown Foundation, May 1 <http://www.asianresearch.org/articles/3039.html>

Siddig, K. (2011). "From Bilateral Trade to Multilateral Pressure: A Scenario of European Union Relations with Sudan". *Middle East Development Journal*, 3(1):55-73.

Sullivan, A (2007), "U.S. envoy to Darfur praises Chinese role", *Reuters*, September 19 <http://www.reuters.com/article/2007/09/19/us-usa-darfur-idUSN1930145320070919>

Tian, C (2001-2011), "Annual Analysis of China's Oil Import and Export", *International Petroleum Economics*

Tull, D (2008), "The Chad Crisis and Operation EUFOR Chad/CAR", *SWP Comments 2*

Udombana, N (2006), "An Escape from Reason: Genocide and the International Commission of Inquiry on Darfur", *International Lawyer* 40(1): 41-66

Wald, J (2004) "Security Council endorses resolution on Sudan: plan aims to end conflicts in south, Darfur region", *CNN*, June 11 <http://edition.cnn.com/2004/WORLD/africa/06/11/sudan.un/>

Wang, C (2004) "U.S and Europe proposed to sanction Sudan and China's possible loss of its significant interests", *China Youth News*, August 10

Wang, M (2005) "Crisis Management: The Challenge and Opportunities of China's Foreign Policy in the Case of Darfur", *World Economics and Politics* 27(6): 35-40 王猛:《达尔富尔危机: 中国外交转型的挑战与契机》,《世界经济与政治》2005年第6期。

Wheeler, N. (2000). *Saving Strangers: Humanitarian Intervention in International Society: Humanitarian Intervention in International Society*, Oxford University Press

Zhang, H (2009) "China's Non-Political Conditionality Aid Principle: Theory and Significance", *Journal of Contemporary Asia-Pacific Studies* 18(6): 93-105 张海滨:《论中国援外不附加政治条件原则的理论基础及现实意义》,《当代亚太》2009年第6期。