

August 3, 2006

China in Sudan: Underwriting Genocide

Testimony by Eric Reeves before the US-China Economic and Security Review Commission: "China's Role in the World: Is China a Responsible Stakeholder?"

There is in all of Africa no more destructive bilateral relationship than that between China and Sudan, certainly when viewed from the perspective of US interests and those of the people of Sudan. Beijing's relentless military, commercial, and diplomatic support of the National Islamic Front regime has done much to ensure that Sudan remains controlled by a vicious cabal of genocidaires. This is so despite the Comprehensive Peace Agreement, signed by the National Islamic Front (which has innocuously renamed itself the "National Congress Party") and the southern Sudan People's Liberation Movement/Army, on January 9, 2005. Designed to bring to power a "Government of National Unity," this political arrangement has done exceedingly little to diminish the National Islamic Front's monopoly on national power and wealth.

The National Islamic Front (NIF) came to power by military coup in June 1989—deposing an elected government and deliberately aborting the most promising chance for a north-south peace agreement since Sudan's independence in 1956. This brutal regime quickly purged the military, civil society, and economic spheres of all opponents, and developed a ruthlessly efficient security network. The NIF is responsible not only for ongoing genocide in the western Darfur region, but also for previous genocides in the Nuba Mountains of southern Kordofan Province (beginning in 1992) and the southern oil regions (primarily in Western and Eastern Upper Nile Province).

Since the mid-1990's, China National Petroleum Corporation (CNPC) has been the dominant player in both exploration and production in Sudan's oil reserves, the vast majority of which lie in southern Sudan. China became a partner with the NIF when it appeared that commercially viable oil reserves in the south would become secure enough for extraction activities. The 1991 split within the ranks of the southern rebel movement led to the disastrous 1997 "Khartoum Peace Agreement," which brought Riek Machar—the senior military leader from the Nuer tribe in the south—into the NIF government. Though Riek would fulsomely apologize years later, his decision to join the NIF effectively removed southern military opposition to oil exploration, which subsequently devastated those regions of Upper Nile Province in which the Nuer predominate.

China's behavior in oil exploration has from the beginning of its operations been marked by deep complicity in gross human rights violations, scorched-earth clearances of the indigenous populations in the oil regions, and direct assistance to Khartoum's regular military forces.

This assistance has taken many forms, including the building of a vast network of elevated all-weather roads that are dual-use: they serve to move heavy oil exploration and extraction equipment, but have also permitted the rapid movement and deployment of Khartoum's military resources. Moreover, these roads were constructed, primarily by Chinese labor and engineering, with no regard for environmental consequences, for flooding during the heavy rainy season (the roads were constructed without culverts), or for the consequences of blocking traditional cattle migration routes. This is true both in Western and Eastern Upper Nile Province.

Airstrips belonging to the oil development consortia, and involving Chinese construction, have also been used by Khartoum's military aircraft, including deadly helicopter gunships. These fearsome weapons of human destruction have been implicated in hundreds of deadly attacks on civilian, even humanitarian targets. For example, in the village of Bieh (Western Upper Nile) the UN reported on February 21, 2002 a brutal attack by helicopter gunships on women and children gathered to receive from the UN's World Food Program:

“A Sudanese army helicopter fired five rockets at thousands of civilians at a UN food distribution point, leaving 17 people dead, World Food Program officials and Sudanese rebels said Thursday. [] ‘Such attacks, deliberately targeting civilians about to receive humanitarian aid, are absolutely and utterly unacceptable,’ WFP chief Catherine Bertini said in a statement. ‘This attack—the second of this kind in less than two weeks—is an intolerable affront to human life and humanitarian work.’” (Associated Press [dateline: Nairobi], February 21, 2002)

Bieh lies in the center of the oil region most aggressively being cleared of civilians in 2002-2003. Beyond the casualties reported, many other civilians died of their wounds or lack of food, as WFP was forced to conduct an emergency evacuation. Again, this was but one of hundreds of such attacks.

Although the helicopter gunships used on this particular occasion appear to have been of Russian manufacture, many of the helicopter gunships in Khartoum's arsenal were purchased from China, and many of these were purchased using anticipated revenues from oil extracted in the very regions being attacked in southern Sudan.

Arms To Sudan From China

Indeed, at the same time that oil-hungry China was establishing itself as the dominant partner in both Upper Nile oil exploration and production consortia—the Greater Nile Petroleum Operating Company in the west and Petrodar in the east—it was and has remained engaged in an extremely active arms trade with Khartoum. Though China is largely secretive in its arms

shipments, Refugees International recently found that:

“China National Petroleum Corporation contributes Chinese-made tanks, fighter planes, bombers, helicopters, machine guns and rocket-propelled grenades, firearms, and ammunition to the Sudanese military and SSDF [the Khartoum-backed militia forces in southern Sudan]. China has also established three arms factories in Sudan.” (Refugees International, “Sudan: Oil Exploration Fueling Displacement in the South,” June 14, 2006)

A recent Amnesty International report confirms yet again the intimate connections between China’s oil interests and arms dealing: “China’s arms exports, estimated to be in excess of [US]\$1 billion a year, often involve the exchange of weapons for raw materials to fuel the country’s rapid economic growth.” (“People’s Republic of China: Sustaining conflict and human rights abuses: The flow of arms accelerates” [AI Index: ASA 17/030/2006], June 2006)

China’s shipments of weapons to Sudan continue despite the clear evidence that such weapons fuel genocide in Darfur. Amnesty International also reported in June,

“More than 200 Chinese military trucks—normally fitted with US Cummins diesel Engines—[were] shipped to Sudan in August 2005, despite a US arms embargo on both countries and the involvement of similar vehicles in the killing and abduction of civilians in Darfur.”

“Throughout the massacres in Darfur in 2004, Amnesty International and other human rights monitors noted that military trucks were being used to transport both Sudanese military and Janjawid militia personnel, and in some cases to deliver people for extrajudicial execution. In April 2004, Amnesty International reported the extrajudicial execution of 168 people from Wadi Saleh, in the west of Darfur, near the Chad border. The men were seized from 10 villages by a large force of soldiers, military intelligence officers and Janjawid militiamen, blindfolded and taken in groups of about 40 in army trucks to an area behind a hill near Deleij villages. They were ordered to lie on the ground and were shot dead.”

There have been many such reported mass executions. In this case the men and boys assembled and executed were all from the Fur, a non-Arab (African) tribal group. Trucks and aircraft have also been reported to have moved bodies from the sites of execution to remote locations in order to obscure evidence of genocidal actions.

A UN panel of experts, charged with monitoring the arms embargo that came into effect with UN Security Council Resolution 1591 (March 2005), recently found that:

“China has been, and continues to be, a major supplier of light weapons to the government of Sudan and many of the neighbouring states,’ said Ernst Jan Hogendoorn, one of four UN experts on a panel which recommended 17 players in the Darfur conflict be sanctioned for obstructing peace. [Hogendoorn] said [the panel] found no evidence China was defying the embargo and supplying arms directly to Darfur. But weapons they had sold to Khartoum were likely to end up there.” (Reuters [dateline: Khartoum], June 19, 2006)

In fact, small arms shipped to Khartoum by China have been the regime’s primary means of providing weapons to its deadly Janjaweed Arab militia, which are responsible for so much of the human destruction and displacement in Darfur.

But the arms trade with a regime actively engaged in genocide goes back many years. For China, desperate since the mid-1990s for offshore sources of oil because of burgeoning domestic consumption, has always been willing to engage in both secretive and in-kind arms trading (oil revenues and anticipated oil revenues for arms). Human Rights Watch reported (1998):

“Weapons deliveries from China to Sudan since 1995 have included ammunition, tanks, helicopters, and fighter aircraft. China also became a major supplier of antipersonnel and antitank mines after 1980, according to a Sudanese government official. The SPLA in 1997 overran government garrison towns in the south, and in one town alone, Yei, a Human Rights Watch researcher saw eight Chinese 122 mm towed howitzers, five Chinese-made T-59 tanks, and one Chinese 37 mm anti-aircraft gun abandoned by the government army.”

“Weapons deliveries since 1995 include ammunition, tanks, helicopters, and fighter aircraft. According to at least one published report, in late 1995 China supplied the government of Sudan with fifty Z-6 helicopters, a hundred 82mm and 120mm mortars, and other equipment by Iran. In 1997, the government of Sudan also was reported to have a new type of Chinese-made, lightweight antitank weapon in its arsenal---probably a Chinese copy of the Russian SPG-9---mounted on two wheels that could be pulled by hand by soldiers. One Sudanese army defector, formerly with an air defense unit, claimed he witnessed Chinese experts assembling Chinese-supplied jet fighters at the Wadi Saydna base north of Omdurman in 1993.” (“Arms Transfers to the Government of Sudan,” Human Rights Watch [1998], <http://www.hrw.org/reports98/sudan/Sudarm988-05.htm>)

The large majority of weapons in Khartoum’s arsenal are of Chinese manufacture, including not only light weapons, but also medium and heavy arms, including military aircraft. Moreover, as oil came on line (the first export cargo left Port Sudan in August 1999), China continued to assist Khartoum in developing a domestic armaments production capacity. The result is that Sudan is now increasingly self-sufficient in small and medium-sized arms, and the NIF regime also builds a range of heavy weapons, including Chinese-model tanks, in large industrial sites such as the vast GIAD complex outside Khartoum.

The lack of transparency in China's oil production and revenue accounting assists the National Islamic Front in its own refusal to open up the books of the key Ministry of Mining and Energy, which includes the petroleum portfolio. This lack of transparency, by both China and Khartoum, has led to very serious tensions between the northern regime and the nascent Government of South Sudan, which is entitled to half the revenues from oil production in southern Sudan. To date, the desperately poor and underdeveloped south of Sudan has been denied hundreds of millions of dollars in desperately needed oil revenues.

At the same time, the National Islamic Front senses that it will enjoy virtually complete diplomatic protection from China and other international actors, and that the Western nations that helped bring the Comprehensive Peace Agreement (CPA) to fruition are not sufficiently engaged to ensure that key terms of the CPA are respected. This is extremely dangerous and may well lead to renewed war in the south, possibly in the near term. For example, Khartoum's refusal to accept the findings of the distinguished international Abyei Boundary Commission creates of the oil-rich Abyei enclave a potential flash-point for renewed violence. Though the Government of South Sudan seems determined to seek international arbitration in its effort to force Khartoum to abide by the terms of the CPA, many in the SPLM have made clear that continued intransigence on Khartoum's part could lead to war, which will almost certainly be the most violently destructive phase of a civil war that began in 1955, on the eve of Sudan's independence from Anglo-Egyptian colonial rule.

In understanding why Khartoum feels so emboldened in its flouting of the CPA and many other agreements with Sudanese parties, over many years, it is important to understand the canny survivalism that defines the NIF. The senior members of the NIF, including President and Field Marshal Omar el-Bashir and Second Vice-President Ali Osman Taha, are the same men who came to power by military coup in 1989. Although the agenda of extremist Islamicization and Arabization for Sudan has been adjusted to accommodate international perceptions, particularly after the terrorist attacks of September 11, 2001, these brutal men remain committed to that same agenda. They also remain committed to a domestic security policy of genocidal counter-insurgency warfare, as evidenced in Darfur.

None of this has mattered to the Chinese, who have not on a single occasion criticized the National Islamic Front regime for its vast and ongoing human rights abuses, for its ruthless arrogation of national power and wealth, or for a policy of severe political and economic marginalization throughout the peripheral areas of Sudan (geographically, Africa's largest country). Indeed, the Chinese have been conspicuously contemptuous of human rights concerns for the consequences of oil development in southern Sudan. This oil development, in which construction efforts have been overwhelming Chinese, has required brutal civilian destruction and clearances, creating a vast cordon sanitaire for oil operations. Nobel Peace Prize-winning Doctors Without Borders/Medecins Sans

Frontieres reported in detail on one particular part of this deadly enterprise, the notorious oil road south of Bentiu (the epicenter of oil development in Western Upper Nile):

“According to [civilians from the road area], whose accounts were consistent, road clearing first began in 2000, often preceded by Antonov bombings and helicopter gunship activity. Then the government of Sudan and Nuer troops, along with Chinese laborers, brought bulldozers to clear the site of the road and the surrounding area. After the bulldozers cleared a track, troops arrived in vehicles and burned all the tukuls in the path alongside the road. Government garrisons were then established at 30-minute intervals along the road.” (Doctors Without Borders/Medecins Sans Frontieres, “Violence, Health, and Access to Aid in Unity State/Western Upper Nile,” April 2002)

This hand-in-glove operation, involving Khartoum’s regular and militia forces, along with Chinese engineering and construction teams, has been standard operating procedure since 1998.

It is important to understand that China has a clear interest in sustained conflict in Sudan, at least at levels that do not threaten operations. Potential Western competitors for oil development contracts, concessions, and other parts of the rapidly growing oil industry have been loathe to do business with a government conducting genocidal counter-insurgency warfare against the indigenous populations of the primary oil regions (these include not only the Nuer tribal populations, but also the Dinka, Shilluk, and others). In the case of the US, comprehensive trade and economic sanctions imposed by former President Clinton (November 1997) preclude activity by US oil companies.

Western oil companies also realize that domestic political concerns will eventually overtake any profitability in southern Sudan. This was the experience of Talisman Energy of Canada, which was forced to sell its 25% stake in the Greater Nile Petroleum Operating Company in 2002 because of civil society protest and activism, including a targeted divestment campaign that brought share price down by as much as 35% and forced Talisman to initiate a C\$500 million share buy-back in an attempt to stabilize share price. Talisman’s presence in southern Sudan was also a public relations nightmare that continues to this day, as it faces a massive lawsuit in US federal court, brought on behalf of southern Sudanese victims.

China has none of these concerns: it is accountable to no domestic political pressures; it has demonstrated complete contempt for all efforts to improve human rights in Sudan; and is not concerned if a few of its national workers should come home in body-bags—something Western companies could not tolerate (the killing of several US-national Chevron workers in 1984 precipitated the withdrawal of the American company).

In short, China views Sudan exclusively through the lens of very rapidly increasing need for off-shore petroleum sources. Though Iran provides a greater share of China's oil imports, China has no significant role in the Iranian oil industry. The case is quite the opposite in Sudan, where China is the dominant player in oil exploration, extraction, and infrastructure development. Indeed, Sudan is China's premier source of controlled off-shore oil production, without a close second in current activities. This elevates Sudan to a position of geostrategic importance in China's perceptions of national interest, and China's diplomatic performance, particularly at the UN, reflects this extraordinary importance.

Darfur

As genocide continues to unfold in Darfur, a wide range of international actors are desperately seeking a means of extending protection to some 4 million conflict-affected civilians in Darfur and eastern Chad, as well as to some 13,000 humanitarian aid workers who are operating amidst intolerable levels of insecurity. Indeed, Jan Egeland, head of UN aid operations, has repeatedly warned that large-scale withdrawal of humanitarian workers could occur at any moment. This would leave no means in place for providing food, clean water, medical services, maintenance of sanitary latrines, shelter, and other desperately needed humanitarian services. Hundreds of thousands will die---these in addition to the almost 500,000 who have already died from violence as well as disease and malnutrition.

From the beginning of the Darfur crisis, China has engaged in relentless obstructionism. Although seven Security Council resolutions have been passed to date, none has had any effect in stemming the violence or in moving toward a peacemaking force that might be able to protect civilians and humanitarians, and to separate and disarm combatants. The currently deployed African Union force is widely understood to be desperately under-manned, under-equipped, without the necessary training, and inadequately funded. The only hope for halting what the US government has broadly determined to be genocide is the introduction of a robust UN force, supplemented aggressively by "first-world" military assets, logistics, intelligence, transport, and communications. Such a UN deployment must be under the authority of Chapter VII of the UN Charter.

Despite the clarity of what is militarily required, and the explicit endorsement of such humanitarian intervention by UN Secretary-General Kofi Annan, China has refused to allow progress to be made on an authorizing resolution. (China has had in this refusal substantial diplomatic support from Russia, which also has a very large arms trading arrangement with Khartoum, including the recent sale of more than a dozen MiG-29s, the most advanced fighter aircraft in the Russian arsenal). In voting for a May 16, 2006 UN Security Council resolution that compelled Khartoum to allow a UN Department of Peacekeeping assessment mission

into Darfur, China made clear that it would vote for no more resolutions under the required Chapter VII authority. Immediately following the vote, China's deputy ambassador to the UN declared that this vote, adopted under Chapter VII authority, "should not be construed as a precedent for the Security Council's future discussion or adoption of a new resolution against [sic] Sudan." Moreover, China was instrumental in forcing the removal of language from the resolution that would have allowed some UN peacekeepers from the large force already in southern Sudan to move to Darfur.

China and Russia have subsequently had an easy time in obstructing forceful UN deployment, as the US and other international actors continue to insist that any deployment be consensual, i.e., that Khartoum accede to the entrance of a UN peace support operation. It has become inescapably clear that the regime has no intention of allowing the required force into Darfur, and the vigorous determination that informs this decision cannot be understood apart from China's expressed willingness to use its Security Council veto to obstruct non-consensual deployment.

This unconditional support from a veto-wielding member of the Security Council has encouraged the NIF to believe that it may with minimal consequences realize its genocidal ambitions in Darfur. The hopelessly inadequate African Union force has been funded through September, but there is no prospect of any significant improvement in performance. On the contrary, violence is accelerating, the AU is mounting fewer patrols, and (dangerously) seems to have sided with Khartoum and one particularly brutal faction of the Sudan Liberation Movement/Army (which, while signing the Darfur Peace Agreement [DPA], has subsequently engaged in extremely destructive attacks against those that refuse to support the DPA, including civilians).

A major escalation of fighting is imminent, and yet the international community is intimidated by the threat of a Chinese veto. Unwilling to force a vote that would reveal UN Security Council impotence in responding to what has widely been described as the world's greatest humanitarian crisis, the UN Secretariat, the European Union, and the US have all indicated that they will wait to secure Khartoum's consent.

This UN paralysis is conspicuously not in the interest of either the organization itself or of the US, which in the wake of the Iraq war is even more dependent upon UN authority in acting abroad. Yet China's powerful influence and interests in a range of international issues of geostrategic concern to the US—North Korea, Taiwan, Iran, international terrorism, trade, and arms Dealing—have so far paralyzed the US, as well as its European allies. Unless there is a significant diplomatic, political, or economic cost to China for its brutal obduracy, Beijing will remain convinced that Darfur is of only marginal interest to the West.

Here it is important to recall that the US, all the nations of Europe, Canada, and Japan are signatories to the 1948 UN Convention on the Prevention and Punishment of the Crime of Genocide. These nations are contractually obligated to “prevent genocide” (Article 1). The US Congress voted in July 2004—in a unanimous, bipartisan, bicameral resolution—to declare the realities in Darfur genocide. The President, as well as the former and current Secretaries of State, has determined that genocide is occurring in Darfur. The Parliament of the European Union voted (566 to 6) in September 2004 to declare that the realities in Darfur are “tantamount to genocide”; senior officials of both the British and German governments have determined that genocide is occurring in Darfur, as have numerous human rights, religious, and scholarly organizations.

There is a tremendous cost if this document, born out of the ashes of the Holocaust of World War II, loses the force of both moral and legal obligation. And yet acquiescing before China’s protection of its client state—or more particularly the security cabal that rules in Khartoum—now takes the form of a conspicuous abandonment of this fundamental international obligation under the Genocide Convention. Moreover, the emerging norm of an international “responsibility to protect” civilians who are unprotected in their own countries is also being flouted by Chinese obduracy. At the September 2005 UN World Summit, all member states declared that they were,

"prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the UN Charter, including Chapter VII, on a case by case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly failing to protect their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law." (Summit Outcome document, Paragraph 139)

Darfur makes clear that this statement is utterly vacuous.

The Darfur crisis also raises important issues of regional stability, particularly in eastern Chad, where genocidal violence is now rapidly spilling into this region immediately to the west of Darfur. Khartoum’s brutal military proxies—the Arab Janjaweed militias—are engaged in widening civilian targeting of the non-Arab or African tribal populations of eastern Chad, as they have in Darfur for more than three years. Equally worrying, Khartoum is supporting rebels seeking to overthrow the Chadian government of Idriss Deby (the rebels are armed primarily with weapons of Chinese manufacture). There is little that holds this rebel coalition together, and while Deby is a corrupt and cruel leader, his violent removal under present circumstances may well usher into Chad an era of what one regional observer has called “Somaliaization.” Violence in eastern Chad has already created instability in northern Central African Republic, and could conceivably be destabilizing to Cameroon to Chad’s

west (the two share in an important oil pipeline project).

A refusal to confront the security demands in Darfur and eastern Chad also makes it difficult to convince Khartoum that it must honor the various terms of the north/south Comprehensive Peace Agreement. As indicated, many of the critical benchmarks stipulated in the CPA have not been met by Khartoum. Here again the regime calculates that for all the Western commitment to the Naivasha (Kenya) peace process that secured the agreement, there will be no excessively punitive measures if Khartoum continues to renege. The National Islamic Front, which controls all oil concession and operating contracts, counts on Chinese protection at the Security Council. Without a willingness to challenge this reflexively protective response by China, the UN will be unable to impose or enforce serious sanctions against Khartoum, as the Darfur crisis has already demonstrated. Renewed war in southern Sudan would not only be extraordinarily violent and destructive of human life, but poses its own threat to regional security.

Conclusions

Oil development in Sudan will improve the lives of the Sudanese people only if there is a much more equitable distribution of oil wealth. But so long as Khartoum is convinced that its ruthless political tyranny, including genocidal warfare, will not be challenged by the international community, it has no incentive to change its behavior. No single consideration weighs more heavily in Khartoum's calculations about the likelihood of any such challenge than China's uncompromising and unqualified support for the regime at the UN Security Council.

No solution to the Darfur crisis is possible without the introduction of a forceful international force under UN auspices; but China, understanding Khartoum's vehement opposition to such deployment, has clearly signaled that it will block any authorizing resolution from the Security Council for a UN peace support operation. In the form of China, Khartoum's genocidaires effectively wield a veto themselves in the Security Council. If the 1948 Genocide Convention is to retain meaning, the key obligation specified ("to prevent genocide") must outweigh a reluctance by the US and other Western powers to confront China over its willingness to give unconditional diplomatic support to Khartoum.

Regional stability must play a much greater role in US thinking about the consequences of letting ethnically targeted violence continue to bleed into eastern Chad, with potential effects on the central government in N'Djamena, Central African Republic, Cameroon, and possibly other neighboring countries

Nor can peace be sustained in southern Sudan in the absence of full compliance

with the terms of the Comprehensive Peace Agreement. And yet China continues to support Khartoum in those military actions in southern Sudan that violate key terms of the security protocol within the CPA. Ongoing violence in the oil regions—recently escalating in several locations—is sustained in part by China’s refusal to adhere to any human rights standards, its refusal to criticize Khartoum’s atrocious human rights record, and through China’s role in expanding the military infrastructure that threatens an ever-greater number of southern civilian populations in Upper Nile Province. In the increasingly likely event of renewed war, Khartoum’s rapid deployment of mechanized military force will produce extreme violence, with massive civilian destruction and displacement.

The US invested a great deal of diplomatic capital and energy in the CPA; this risks being lost if Khartoum does not feel much greater pressure to abide by its terms. Ultimately this will entail demanding more of the UN Security Council, including the possibility of targeted and highly punitive sanctions on leading members of the National Islamic Front.

China will not easily be moved from its present position of unqualified support for Khartoum in all actions; international acquiesce to date has only made the task harder. But unless there is a willingness to confront China over the critical issues facing Sudan, the current National Islamic Front regime will continue in its ruthless and brutally destructive ways.