



Genesis of South Sudan's Engagement with China

The Dilemma of Non-Interference in the Face of African Agency

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Introduction

The relationship between what would become South Sudan and China started with the signing of the Comprehensive Peace Agreement (CPA) in 2005 between the old Sudan and Sudan People's Liberation Movement/Army (SPLM/A). Oil, a major trigger of the Second Sudanese Civil War (1983–2005), continued to fuel the violent conflict, which led to the partition of the largest country on the African continent. Driven by the opening-up policy as an important vehicle of the Chinese reform trajectory, China found itself drawn into the Sudanese conflict. Underpinned by its scramble to invest in the oil industry overseas and to acquire energy to fuel its booming economy, China took part in the conflict by supporting the government of Sudan militarily, economically and politically against the SPLM/A. As soon as the CPA was signed, China started to court the SPLM and newly formed Government of Southern Sudan (GoSS) led by the SPLM in Juba. Surprisingly, the leadership of the SPLM overlooked the belligerent past and opted for cooperation with China. Why?

This paper will discuss a handful of issues: the pragmatic approach to cooperation in the light of the opening-up policy of China and its role in the war of liberation of South Sudan; how the realities of The Comprehensive Peace Agreement drove China's quest to court the SPLM and GoSS during the interim period; how oil became a double-edged sword in the context of African agency; and role of China in the partition of old Sudan and the challenge to the doctrine of non-interference. This paper has mainly utilized data collected during fieldwork research in the form of interviews with so-called elites and the review of official documents.

The Opening-Up Drive and Blood Oil

On 18 August 1955, three months before the declaration of the independence of Sudan, a southern military garrison in the town of Torit mutinied against the central government in Khartoum, marking the outbreak of the First Sudanese

“China, as an active, willing supporter of Khartoum, was a wartime enemy.” (Daniel Large, 2011, p. 4).

Civil War. In 1972, the Government of Sudan and the South Sudan Liberation Movement (SSLM), with its military wing known as the Anya-Nya I (Southern rebels that fought the war against the north from 1955-1972), signed the Addis

Ababa Accord, ending 17 years of bloody conflict (Bangul, personal interview, December 8, 2015). The accord brought a brief period of relative peace (1972-1983), but soon the country reverted into another long conflict because of violations of the accord by the central government in Khartoum (Shinn, 2004, p. 239-259). On 16 May 1983, a Sudan Armed Forces (SAF) garrison (mostly composed of former soldiers of the Anya Nya I who were inducted into Sudan Armed Forces as per the Addis Ababa Accord) mutinied in Bor, Jonglei state (led by Major Kerubino Kuanyin Bol), and formed the Sudan People's Liberation Movement/Army (Manifesto of the SPLM/A, 1983, p. 12-13). Alongside many other factors, the civil war was triggered by the discovery of oil in Southern Sudan. China later became heavily involved, both in the oil exploitation and the war over it.

In 1981, an American multinational energy giant, Chevron Corp., discovered abundant commercial reserves of oil, but within three years suspended Adar oilfield operations, eventually selling to Sudanese interests, because of security issues presented by the SPLM/A. Soon after, a number of Western oil firms emerged, including Talisman, AGIP and Lundin. However, these newcomers also quit the fields – this time the result of a global human rights campaign against SAF atrocities in the area leaving the vacuum to be filled by Chinese oil firms. By 1999, China National Petroleum Corporation (CNPC) had purchased a majority of

shares in Sudanese oil (Exploration and Petroleum Sharing Agreement, 1997, p. 94). As a state-owned firm, the CNPC was not susceptible to Western human rights campaigners. Besides the open-door policy of Deng Xiaoping – paramount leader of the People’s Republic of China from 1978 through 1992 – as part of Chinese reforms in 1978, oil giant CNPC was part of the larger trend of the going-out policy. As such, the Chinese government was encouraging Chinese State-Owned Enterprises (SOEs) to invest and acquire assets overseas, backed by the country’s abundant foreign exchange reserves (China Hands, 2015). Furthermore, China’s adventure into a troubled Sudan was not only underpinned by the acquisition of crude oil, but aimed to establishing a foothold in Africa. In oil sector investment, Chinese investment in Sudan was the first of its kind, making it a showcase for future investment in the sector overseas, particularly on the African continent. With its long experience from Daqing oilfields in northeast China, CNPC was able to provide the best oilmen and managed to achieve a great deal in developing the Sudanese oil industry (Patey, 2012, p. 94). Filling the vacuum left by Western oil majors in a challenging environment, the CNPC’s achievement consolidated strategic relations between Sudan and China.

***“For decades, China has provided Sudan with billions of dollars in financial, diplomatic and military support in exchange for the African country’s vast oil reserves.”
(Morgan Winsor, 2015)***

As such, China was ready to support the government of Sudan in its quest to control oilfields at all costs and without regard for human rights or any other social impact of oil activities. In the 1990s, the National Islamic Front government – as a new regime in the region seeking to consolidate its power in Khartoum – pursued the creation of a cordon sanitaire, "a place devoid of civilian life," in areas around oilfields in the Western Upper Nile by implementing a scorched-earth military campaign to clear out civilian populations. This paved the way for Chinese oil companies to expand oil exploration (Patey, 2012). China’s economic support was not confined to oil revenues but included arms sales to the SAF to sustain and expand its policy of clearing civilians and SPLA away from oilfields. According to Morgan Winsor (2015, p. 1), “For decades, China has provided Sudan with billions of dollars in financial, diplomatic and military support in exchange for the African country’s vast oil reserves.”

For these obvious reasons, the SPLM/A continued to consider oil installations as legitimate military targets, intending to deny the government in Khartoum its oil revenues. The government spent oil revenues on weapons to gun down the civilian population and inflict casualties against the SPLA (Winsor, 2015). Since 1999, oil revenues tilted the military balance of power on the battlefields across

Southern Sudan, Nuba Mountains and Blue Nile. The SPLA was subjected to defeat after defeat, particularly in the southern part of the country where the movement was confined to the borders of the Democratic Republic of the Congo, Uganda and Kenya (SPLA Officer, personal interview, 2015). Without its charismatic leader John Garang¹, the SPLM/A was heading toward the fate of the Tamil Tigers of Sri Lanka when they were defeated on the battleground and lost the civil war in 2009. Despite condemnations from human rights groups, China clung to its “principle of non-interference in Sudan’s internal affairs, paid little attention to Southern Sudan’s poor human rights, and has not exerted any diplomatic pressure on Khartoum.” (Hui, 2015, p. 376; Human Rights Watch, 2003, p. 13) Instead of oil bringing joy and development to the communities where it is extracted, it brought only disaster as people were expelled and killed. With the CPA in place, Southern Sudan and China faced the new realities.

Realities of The Comprehensive Peace Agreement, (CPA)

With the signing of the key protocols of The Comprehensive Peace Agreement (CPA), the stage was set for both the SPLM/A and China to chart a realist approach. Based on the Machakos Protocol, governance in Sudan was based on a one-country, two-systems structure during the six-year interim period (The Machakos Protocol, 2002, p. 3). The SPLM/A was set to form an autonomous Government of Southern Sudan (GoSS) in Juba with functions to conduct international relations, including agreements on economic matters. Thus, it was high time for the SPLM/A leadership to think differently in adapting to the new era of transition from liberation movement to government, as this new reality would require new approaches. On the other hand, China realized that the majority of oilfields, which were clearly central to its interests in Sudan, were located within Southern Sudan (A. Nyok, personal interview, May 24, 2016). As such, new approaches were warranted from Chinese leadership to safeguard its interests, especially given the difficult past between the two sides. In the end, mutual interests required South Sudan and China to adopt a pragmatic decision to engage instead of continuing along a path of confrontation.

In an unexpected move, the SPLM leadership dispatched a high level delegation to Beijing to turn over a new leaf of positive engagement. In March 2005, barely three months after the signing of the CPA in the Kenyan capital, Nairobi, a delegation led by the then-Deputy Chairman of the SPLM and Chief of Staff of the SPLA,

¹ Dr. John Garang was killed in helicopter crash in July 2005, just 21 days after his swearing in as 1st Vice President of Sudan and President of the Government of Southern Sudan respectively.

and currently the President of the Republic of South Sudan, Salva Kiir Mayardit, landed in Beijing with a number of key messages for the Chinese (A. Arop, personal interview, September 15, 2017). Prime among his key messages was the role which China should play in the implementation of the CPA and issues of socioeconomic cooperation (N. Nhial, personal interview, February 5, 2016). The role of China in the socioeconomic development of Southern Sudan was welcome as Nhial Deng Nhial, senior member of delegation that visited Beijing in 2005, stated that “We discussed with the Chinese their role in bolstering the peaceful coexistence between Sudan and Southern Sudan and we also discussed with them economic development assistance as well as investment by China in Southern Sudan” (N. Nhial, personal interview, February 5, 2016). The visit marked the first departure from past antagonistic relations during the war.

After the formation of the GoSS, it was essential for both sides to adapt to the new reality created by the CPA. China’s biggest overseas oil investment was at stake, and so a rational approach was required in dealing with the two Sudans. This new reality perhaps posed one of the most challenging balancing acts for China in its burgeoning engagement with the African continent (Large, 2008, p. 102). Maintaining an old ally in Sudan, whilst simultaneously cultivating a new relationship with the SPLM leaders who had been at war with Khartoum, put the long-standing Chinese foreign policy doctrine of non-interference to the test. China’s huge investment in developing the Sudanese oil industry pushed it to take bold decisions throughout the interim period (Large, 2008).

The CPA, by and large, made it easier for the Chinese to follow a soft intervention policy, particularly through the one-country, two-systems approach. During the visit of Special Envoy and Assistant Foreign Minister Zhai Jun to Juba, China’s Consulate General was opened on 1 September 2008 to cater to Chinese interests in the southern part of Sudan (M. Semaya, personal interview, September 1, 2017). On the surface, China was dealing with the south within the context of one country, but behind the scenes it was, in fact, dealing with a quasi-state that was widely expected to be heading toward full independence via a referendum in 2011. While Chinese officials continue to shy away from admitting the difficulty in maintaining the doctrine of non-interference, discourse and debate has already begun within Chinese academia on the need to gradually soften this policy (Z. Tong, personal interview, September 4, 2017). Despite the recurring rhetoric of Chinese officials, China’s actions, particularly in the Sudans, speak volumes about its decision to begin backing away from the doctrine. The doctrine has proved to be challenging to maintain in the face of China’s evolving political and economic interests as it “goes global” as a rising power. Thus, it could be argued that the pragmatic approach taken by the GoSS/SPLM and China was one of classic “realpolitik.”

The visit of the Chinese President Hu Jintao to Sudan in 2007 was an important step in consolidating the growing engagement between the two sides (Southern Sudan and China). During the visit, President Hu and the first vice president of Sudan, Salva Kiir, met and discussed the deepening of bilateral ties and possibilities for further pragmatic cooperation between China and GoSS (N. Nhial, personal interview, February 5, 2016). At the meeting, President Hu invited Kiir to visit Beijing later that year to discuss the role that China could play in the development of Southern Sudan (N. Nhial, personal interview, 2016). At the meeting, President Hu invited Kiir to visit Beijing later that year to discuss the role that China could play in the development of Southern Sudan (N. Nhial, personal interview, 2016). This meeting marked the defining moment between China and South Sudan, as both sides walked the fine line of “one-country, two-systems.”

“The implementation of the CPA will be more difficult than its negotiation.” (John Garang, 2004)

Backdoor diplomacy was now in full swing after the first meeting between Hu and Kiir in Khartoum. In 2007, Kiir visited Beijing with a key message for Chinese leadership: The Southern Sudanese delegation made it categorically clear that smooth implementation of the CPA would guarantee stability in the country, and the peaceful process leading to the referendum at the end of the interim in 2011 was particularly vital (A. Itto, personal interview, September 8, 2015). From the outset after the signing of the CPA, Garang, a signatory to the agreement, voiced his belief “the implementation of the CPA will be more difficult than its negotiation” (J. Garang, 2004).

Thus, winning over Beijing was critical in order to pressure Khartoum for peaceful implementation. The SPLM was aware of how much leverage China wielded over Khartoum, as the latter was isolated and considered a pariah state in the eye of the international community (A. Nyok, personal interview, May 24, 2016). On other hand, China was well aware that the violations of the Addis Ababa Accord of 1972 were among the key reasons for the outbreak of the Second Sudanese Civil War in 1983 and led to the departure of Chevron from Sudanese oil fields in 1984. The clarity of the message kept Chinese leadership on top of the issues and was a positive factor throughout the implementation of the CPA. The invitation extended to President Kiir of the GoSS by Chinese President Hu Jintao demonstrated the substantive and prominent rise of South Sudan in China’s foreign policy agenda. Despite the Chinese leadership carefully navigating the blurred lines of one-country, two-systems, South Sudan was able to have its voice heard through the visit of Kiir to Beijing in 2007. In the same year of Kiir’s visit to the Asian capital city, China started its contribution in the health sector by helping to combat one

“If the Sudanese leader can no longer count on the Chinese to back him in clinging to the south, his options become far more limited” (Alan, Boswell, 2010).

of the most lethal diseases in Africa, malaria. On 4 November 2007, China offered a grant worth \$394,348 for anti-malaria medicines (L. Chengwen, personal communication, November 4, 2007; Z. Oingyang, personal communication, December 21, 2009).

As the socioeconomic cooperation picked up, the referendum leading to the divorce of old Sudan was imminent.

The Referendum and the Divorce of Old Sudan

At the time of the referendum, the unity of Sudan was in the balance, as were China’s oil interests in the region, if the government of Sudan obstructed the vote. The Machakos Protocol stipulated the conduct of the referendum at the end of the six-year interim period (Machakos Protocol, 2002, p. 2). For those with vital interests in Sudan, such as China, a peaceful referendum was vital to avert a slide into what could have been a more bitter, violent and devastating war than those that had come before. At this juncture, many major players in Sudan’s internal affairs, such as the troika (Norway, United Kingdom and the United States), were worried about the prospect of the two sides of the CPA reverting to conflict. By then, the South Sudanese were more determined than ever to carry on with the vote regardless (S. Alley, personal interview, 2017).

As the referendum approached, Chinese oil companies faced deep uncertainty over the future of their huge investment in the oil sector. The SPLM, conscious of the role it expected from China in implementing the CPA, was quick to reassure China that “its investments in the semi-autonomous region will be protected if southerners vote for independence in a January 9 referendum.” (Gurtong, 2010, p. 1) These assurances were not altruistic; indeed, several strings were attached. As such, Ann Ito, then deputy secretary general of the SPLM, conditioned the protection of the Chinese investment interests, stating, “if they want us to protect their assets, the only way is to develop a very strong relationship with the government of Southern Sudan, respect the outcome of the referendum, and then we will be doing business.” (A. Itto, personal interview, September 2015)

As it was evident, the most vital component of the CPA for the SPLM and the people of Southern Sudan was, in fact, the conduct and the outcome of the referendum. Conversely, China’s vital interest was the continuation and safety of its investment in the Sudanese oil industry. Thus, both sides had reason to support each other’s vital interests through working toward a peaceful and fair referendum. The

process posed a serious dilemma for China, given its long-standing foreign policy objective of adherence to sovereignty and non-interference. China was left with no other rational option but to contend with the realities of the CPA.

The possibility of violence drew closer as Khartoum remained something of a wild card and would surely ignite violence if it chose to obstruct the referendum process. As the major trading and developmental partner of Sudan, China wielded considerable influence to both persuade and pressure Khartoum to allow a free and peaceful referendum. Furthermore, China remained as the only major power protecting Sudan at the United Nations Security Council, particularly President Omar al-Bashir, who had been indicted by the International Criminal Court on charges of crimes against humanity and war crimes. Thus, China had more leverage in prevailing over Sudan than any other major power. Furthermore, as a rising power, China's willingness to steer Sudan toward a vote in a peaceful referendum was viewed by the international community as a test to its credibility.

China, cognizant of the safety of its interests and as expected, set out to play a positive role in engaging both parties of the CPA. Both sides of the Sudanese divide were engaged in "an arms race since the inception of the CPA." (Senior SPLA Officer, personal interview, 2016) China had only a limited time to avoid the worst outcome; constructive engagement with the Sudanese parties was the only optimal option to pursue. With numerous visits to both sides of the Sudans, Chinese leaders were busy during the run-up to the vote. Preventing an outbreak of violence between Sudan and Southern Sudan was the best possible approach for China to protect its interest in the Sudans.

In July 2010, with the referendum less than six months away, China dispatched a special envoy for Africa, Liu Guijing, to both Khartoum and Juba to relay the message of the Chinese leadership. After meeting with Sudanese Foreign Minister Ali Karti, Liu stated that his government "would be delighted to see Sudan remain united following the 2011 referendum in the south, but Beijing will nonetheless respect choices made by Southerners." (Sudan Tribune, 2010) Karti further added, "At the same time, whatever happens, whatever the result of the referendum will be, we hope and we believe that peace and tranquility will prevail." These were the recurrent messages from China of the importance of a peaceful referendum, which concurred with the views of other members of the international community. China did not limit its role to only pushing for a peaceful referendum, but it was involved in the actual process.

To support the process and mitigate some of the challenges, China was one of the members of the international community to offer funding, paying USD 500,000 to the Southern Sudan Referendum Commission (B. Jock, personal interview, 2015;

Dyer, 2014). During the vote, China sent an observation team to Sudan to provide its own assessment of the process. Shortly after the announcement of the result by the Southern Sudan Referendum Commission, China was quick to respond. In the words of the Chinese Foreign Ministry spokesman, Hong Lei: “China respects the results of South Sudan referendum” (Shasha, 2011).

The announcement of the referendum result, and its acceptance by Sudan, was a relief to China as well as other members of the international community. Thus, it could be argued that China was a positive force in this particular case, unlike its resistance to the international community’s attempts to resolve the war in Darfur in early 2003. This swift move by China in confronting its strategic ally Sudan to peacefully allow the referendum for the separation of the Sudans was unprecedented. This has led many analysts to question the validity of China’s long-standing foreign policy of non-interference (M. A-Hassen, personal interview, September 2015). However, interference comes in difference forms, both coercive and soft. China adopted the soft approach. In the case of the referendum for the independence of South Sudan, China interfered considerably in the most vital internal affairs of a country, namely its territorial integrity. Perhaps without China’s role, South Sudan would have gained its independence in different circumstances.

From this point, the GoSS/SPLM had achieved one of the key objectives that informed their pragmatic decision to engage rather than confront China after the CPA. With about 75 percent of Sudanese oil wells located in South Sudan, such huge investment could not easily be overlooked or abandoned by Beijing. While old Sudan employed oil to garner China’s support against the SPLM/A during the war, South Sudan/SPLM equally used the oil during the CPA for the peaceful implementation of the agreement. Subsequently, the highly-sought-after resource became a double-edged sword for the two Sudans relative to the independence referendum.

On July 9, 2011, South Sudan declared its independence and became the world’s newest country. At the celebration, China was represented by its special envoy, Jiang Weixin, while President Hu was among the first world leaders to congratulate President Kiir. In a phone conversation, Hu stated, “Although China and Republic of South Sudan are separated by thousands of miles, the two peoples have a deep traditional friendship and common wish to enhance friendly exchanges,” adding, “China’s establishment of diplomatic ties with South Sudan has opened a new chapter in relations between the two countries.” (Blanchard, 2010, p. 1-2) On the same day of independence, Deng Alor Kuol, South Sudanese minister of foreign affairs, and Jiang Weixin, the Chinese envoy, signed the establishment of diplomatic relations (Agreement to Establish Diplomatic Relations, 2011). The

new chapter – one that separated it from a difficult past, and one that carefully navigated the complexities of the CPA’s interim period in the direction of more equal, free and mutual relationship – was now open between the Republic of South Sudan and the People’s Republic of China.

Conclusion

South Sudan’s engagement with China was necessitated by the resolution of the conflict in the old Sudan. In light of the strategic relations between the old Sudan and China, engaging the latter became an imperative for the leadership of the SPLM/South Sudan. The anticipated challenges of implementing the CPA were key to the SPLM/South Sudan’s practical decision of engagement in 2005 and beyond. Cognizant of the fallout from the implementation of the Addis Ababa Agreement, the SPLM sought to avoid the repeat of another tragedy by involving China. Given its significant leverage over the leadership of old Sudan, China was one of the well-placed major powers that could successfully prevail in steering the Sudanese leaders in Khartoum toward the peaceful implementation of the CPA and the referendum in particular.

The role of China in the peaceful implementation of the CPA was of paramount importance to South Sudanese leadership. Thus, the SPLM/GoSS’s sensible, bold and carefully calculated decision to engage with China was well-considered. The pragmatic approach pursued by the leadership of the SPLM/South Sudan in engaging China, and the adaptive approach taken by China in return, has paid off handsomely for both sides. The oil industry became a positive element in the engagement after 2005, as opposed to the destructive role it played during the war for the liberation of South Sudan. The engagement between the two countries exemplifies classical *realpolitik*, underpinned by growing African agency and China’s going-out policy.

About the Author

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