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THE ISSUE OF STATE'S HUMAN RIGHTS ABUSE IN INTERNATIONAL RELATIONS: IS ECONOMIC POWER EXONERATING CHINA?

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ABSTRACT

It is quite known that the issue of human rights maintenance in many states of the world remain abysmal. Thus, violations of human rights of citizens in countries of the world, have continued to receive criticisms, and in some cases sanctions from other states in the international system. For instance, during the Darfur conflict, human rights abuse received so much criticism that Western countries such as United States had to withdraw their firms from Sudan and opted for sanctions against the Sudanese government. Nevertheless, human rights violations still persist in different countries of the world. China, for instance, is known to have one of the worst human rights abuses in the world. Right from the Great Leap Forward Policies, the Cultural Revolution, the 1989 Tiananmen Massacre of Chinese students and intellectuals, to the present time of its economic reform, China's human rights remains appalling. Despite its poor human rights record, China's rapid economic growth has made China to become the El Dorado of the world, as both developed and developing countries (particularly, Africa) seek either to invest in China or for China to invest in their countries. In other words, other countries' pursuits of economic gains in or with China have continued despite human rights violations in China. It is against this backdrop that this paper seeks to address this major question; is the gain of economic power exonerating China from developed countries' 'isolation' or 'detachment', as was seen in Africa?

KEY WORDS: Human Rights, Issues, States, International Relations, Economic Power, Exonerating, China

INTRODUCTION

Human rights maintenance in many states of the world remains abysmal. Thus, violations of human rights of citizens in countries of the world have continued to receive criticisms, and in some cases sanctions from other states in the international system. For instance, during the Darfur conflict, human rights abuse received so much criticism that Western countries such as United States had to withdraw their firms from Sudan and opted for sanctions against the Sudanese government. Nevertheless, human rights violations still persist in different countries of the world. China, for instance, is known to have one of the worst human rights abuses in the world. Concerns have been expressed from different quarters on China's neglect of human rights, both domestically and in

external relations. Domestically, human rights issues have not been fairing well with the Chinese government; starting from the Great Leap Forward Policies, Cultural Revolution, to the Tiananmen Massacre of Chinese students in 1989, China's human rights remains appalling.

Despite its economic reforms, the Communist party still retains control over all important levers of economic activity, as political reform remains elusive. Even though reform and opening brought widening 'economic' freedoms and rising wealth, the government still meet any challenge to its authority with harassments, threats, beatings, and arrests (Nathan and Scobell, 2009). The Chinese government has claimed that opening fire on peaceful demonstrators in June 1989, imprisoning political dissidents, persecuting

religious minorities, arresting independent labor organizers and curtailing information on the internet are necessary to maintain stability and social order (Xiaorong, 2009).

In its external policies, China's principle of non-interference in the domestic affairs of other states that disregard human rights has met with criticisms. Until 2007 when China 'shifted' its stance in Sudan, the assertion was that Sudanese government repression and abuses of its citizens in Darfur continued because China gave its blessings through vetoes at the United Nations. China's economic modernisation and growth seems to have given China a great advantage in international economic relations, as China has become the El Dorado of the world; both developed and developing countries (particularly, Africa) seek either to invest in China or for China to invest in their countries. In other words, countries' pursuits of economic gains in or with China have continued despite continual human rights violations in China.

It is against this backdrop that this paper seeks to address this major question; is the gain of economic power exonerating China from developed countries' sanctions and 'detachment', as was seen in Africa? This paper is then structured as follows. Section 1 is the Introduction. Section 2 gives a brief explanation on the concept of human rights and made references to China's human rights issues. Section 3 discusses China's contemporary economic status and other countries 'desire and pursuit' for co-operation with China despite its human rights abuses. Section 4 arrives at conclusion.

THE CONCEPT OF HUMAN RIGHTS/CHINA'S HUMAN RIGHTS ISSUES

The concept of human rights is grounded on the idea that men have rights simply because they are human (Osondu-Oti, 2016). The starting point of universality of rights is found in the 1948 United Nations Universal Declaration of Human Rights to which member states subscribe to. The universality of human rights means that human rights apply to every single person by virtue of their humanity; it applies to everyone equally, because everyone is equal in simply being human. Support for universal human rights are either based on the theory of natural law, the theory of rationalism, or the theory of positivism. The natural law theory bases its argument on the fact that individuals have certain inalienable rights of the highest order granted to all individuals by God or Providence and that human-made laws are just, insofar as they do not conflict with the eternal natural laws governing the universe (Weinreb, 1987 cited in Osondu-Oti, 2016). The theory of rationalism is of the idea that that human rights are held by each human being, in an individual capacity, due to the universal

capacity of all humans to think rationally. And the theory of positivism is based positive response of states on the international law shown in the treaties by States in support of human rights.

Although the universality of human rights is still widely accepted by many nations, it is sometimes challenged by developing countries in Asia and Africa, who argues that some human rights standards are in disregard of their cultures. At the 1993 UN Conference on Human Rights held in Vienna, a delegation led by China, Syria and Iran officially challenged the universality of Human Rights when they put forward the conclusions that human rights as currently defined are not universal but based on Western morality and disregard their cultural differences and perceptions of what is right and wrong (Osondu-Oti, 2016).

Indeed, the concept of universal human rights is a concept very much contested issue and it is a well-known fact that developed countries such as United States, and developing country such as China have had dissenting views on the international intervention and sanctions in the case of human rights abuses. Where United States for instance, opted for sanctions, detachment or withdrawal as seen in Darfur, China vetoed such sanctions, and moved into the country for economic cooperation. For instance, it is in Sudan that China has the largest investment in energy sector in Africa.

While China's stance has been argued to be based on its principle of non-interference, that the Chinese government seeks to uphold, there is also the issue of China's bad human rights records at home, which means that China cannot offer Africa 'what it does not have' (in this case, 'total human rights protection'). It has been argued since the Communist Party ascension into power that China has not made significant steps in human rights protection, except in the area of economic rights (there is a belief that China's economic reform might impact positively on economic rights of the people), ignoring other aspects of rights such as civil and political rights. For example, it was pointed that Mao-Tse Tung era was quite authoritative and repressive and human rights were increasingly violated (Qinglian, 2007). These violations were explained as 'partly because of functional requirement of its autarkic, totalitarian development model, and partly because the Party's internal political struggles morphed into violent mass movements like the Cultural Revolution that caused hundreds of millions of people to be persecuted, tortured, sent to labor camps, or killed (Qinglian, 2007). Mao's that initiated the Great Leap Forward¹, and Cultural

¹ The Great Leap Forward began in 1957 by Chinese leader Mao Tse Tung to bring China into the forefront of economic development. Mao wanted China to

Revolution² that caused untold hardships on Chinese citizens and deprived them of their basic human rights. With Deng Xiaoping rise to power, big relief was brought to the Chinese citizens as their welfare was considered. However, despite the transition from Maoist orthodoxy to “economic development,” the Party’s sights have remained much more closely focused on developing a strong nation than a wealthy citizenry, completely excluding human rights-related concerns from their policy considerations (Qinglian, 2017). It was during Deng Xiaoping leadership, for instance, that the Tiananmen Square Massacre of 1989 happened.³ In China, repressive state control ensures

become a leading industrial power and to accomplish this goal, landowners were stripped of their lands and were forced to work in agricultural cooperatives to help to pay for industrialisation. In one year, 750, 000 collective farms were merged into 24, 000 communes, each of which was composed of dozens of villages and on average 5,000 households. The government spent huge sums into development of heavy industry, but this ended up producing what is called ‘Great leap famine, and not Great leap forward’, as such policy ended up causing famine. It was estimated that between 16.5 million and 40 million died before the experiment came to an end in 1961, making the Great Leap Famine the largest in world history.

² The Great Proletarian Cultural Revolution, usually known as Cultural Revolution was a social upheaval that began as a struggle between Mao Tse Tung and other top party leaders for the dominance of the Chinese Communist Party, and went on to affect all of China with Mao’s call for continuing revolution. Due to the government of Mao Tse Tung losing ground after the Great Leap Forward, Mao feared that that the Party officials and planners were abandoning the commitment to the values of communism and revolution, and he instructed the Red Guards to attack and kill everything that does not fit into socialist system and proletarian dictatorship. It lasted from 1966-1976. In the autumn and winter of 1966, schools and universities were closed so that students could dedicate themselves to revolutionary struggle. They were encouraged to destroy the ‘four olds’-old customs, old habits, old culture and old thinking. This Revolution left deep scar upon the Chinese society, as people left important job and schools to attack each other

³ Also called the Tiananmen crackdown that took place on June 4th 1989; it was the crushing and shooting down of Chinese University students and intellectuals that engaged in national protest asking for political reform, freedom of speech, press freedom and imbibing in democratic values by the government; the students

the silencing of any criticisms of its policies (Hom, 2005). The Chinese Communist Party believes repressive control is necessary to guarantee any uprising so critical to its legitimacy and retaining of power (Hom, 2005). The Chinese government for instance, claimed that opening fire on peaceful demonstrators in June 1989, imprisoning political dissidents, persecuting religious minorities, arresting independent labor organizers and curtailing information on the internet are necessary to maintain stability and social order (Xiaorong, 2009).

While China continued economic reform, its reform is devoid of political reform. This could explain why China has refused to ratify the International Covenant on Civil and Political Rights, which it signed in October 1998 but signed and ratified the International Covenant on Economic, Social and Cultural Rights in 1997 and 2001 respectively. While China included human rights promotion in its first Constitution in 1954 and in 2004, added Human Rights Protection in amendment to its Constitution and it is a member of the UN Human Rights Council, many of the steps taken by China to show respect for human rights are not implemented.

In its external policies, China has either vetoed or abstained from United Nations Resolutions on intervention in conflict zones. For example, on 31 August 2006 China abstained from voting on the adoption of UNSC Resolution 1706 on the deployment of the AU-UN hybrid operation in Darfur, maintaining that it was necessary to obtain the consent of the Sudanese government for such operation not to undermine the sovereign power of the country. Also, the United Nations Security Council (UNSC) could not pass Resolution 1559, which declared support for free and fair elections in Lebanon, and called for the withdrawal of foreign forces, because China (as well as Russia) abstained. China’s representative at the UNSC stated that respect for sovereignty, independence, territorial integrity and non-interference in internal affairs constituted the centre-piece of China’s foreign policy and are also principles of the United Nations, and since the draft resolution concerned Lebanon’s internal affairs, it maintains that it had nothing to do with the UNSC. China is not the only country that has vetoed UNSC proposals on human rights protection, United States and Russia have also applied vetoes at

supported by Chinese residents were numbered over a million. The government saw their actions as a threat and ordered the military (People’s Liberation Army) to crack down the demonstrators; the number of casualties could not be ascertained as many deaths were witnessed. More information could be sourced from China Rights Forum, <http://www.hri.com>

different times. It depends on where the interests of each country lies. Moreover, countries are often out to support their allies. United States recently vetoed the UNSC Resolution on the issue of Palestine and Israel, and the other 14 members of the Security Council rejection of United States decision to move its embassy to Jerusalem. While China could be said to be a complicit in human rights violation in Africa, United States cannot claim to be 'a saint' in the issue of human rights violations in its external relations. However, this work is centered on China and not on United States' human rights issues abroad.

Notwithstanding that China's human rights issues have attracted world attention, China is still witnessing increasing interests from other countries (the Western countries inclusive) for economic co-operation. The next Section analyses other countries' desire and pursuit for economic co-operation with China despite human rights shortcomings. It is the Section that provided answer to the study question, is the gain of economic power exonerating China from developed countries' 'detachment'

OTHER COUNTRIES' DESIRE FOR ECONOMIC CO-OPERATION WITH CHINA

When Deng Xiaoping assumed leadership in China, China's role in the world market was insignificant; its share of world trade was barely half of 1 percent, much lower than in the 1920s, or even in the 1950s, and ranked 30th in the league table of exporters (Cable and Ferdinand, 1994). With the ascension of Deng into power, Chinese economy that had once run an isolated economy began to open up and go global (or what China called *zou chu qu*). Before the reform and opening, China was a closed or semi-closed state with little economic interaction with the international community (Bei and Gang, 2010: 4).

China's economic transformation is making China to become the world's El Dorado. There is now increase in countries seeking economic co-operation with China. Apart from the advantage of 'free market access' as member of World Trade Organisation which China has gained on its accession in 2001, China's market is also being increasingly sought for. Over the decades, China has been the fastest growing market for United States exports. China is currently the second largest U.S. trading partner, its third-largest export market, and its biggest source of imports (Morrison, 2011).

Companies in the Western, European as well as other Asian countries are relocating to China either to manufacture or assemble their products. Some U.S. firms, such as Ford automobile use China as the final point of assembly for their products, or use Chinese-made inputs for production in the United States, and have been able to lower costs and become more

globally competitive. Asian companies, most especially Taiwan owned firms have established significant presence in Chinese market, and their exports to other countries have helped to increase China's stake in international market; given that their goods are made in, and exported from China. According to Morrison (2011) various products that used to be made in places such as Japan, Taiwan, Hong Kong, etc., and then exported to the United States, are now being made in China (in many cases, by foreign firms in China) and exported to the United States (Morrison, 2011). For example, Taiwan, one of the world's leaders in sales of information technology, now produces over 90% its information hardware equipment (such as computers) in China (Morrison, 2011). Thus, in many instances, U.S. imports from China are really imports from many countries (Morrison, 2011) that are based in China.

But that is not to underestimate the presence of U.S, European and African firms (though may be small in number compared to the number Asian firms). In the area of investment, 'U.S. foreign direct investment (FDI) in China is said to be higher than China's FDI in the United States' (BEA, 2008 cited in Morrison, 2011). China's large population (1.3 billion people, the world's number one) with the available cheap labour, and developed infrastructure have become great attractions for profit making ventures, that need not only higher returns on investment, but have to compete with cheap products exported from China in their markets. Its growing middle class with high purchasing power have also given China an edge over countries in market attraction. According to a report by the Boston Consulting Group, (2009 cited in Morrison, 2011), China had 148 million "middle class and affluent" consumers, defined as those whose annual household income was 60,000 RMB (\$9,160) or higher, and that level is projected to rise to 415 million by 2020.

Chinese manufactured goods and Chinese investors are also penetrating other markets. For example, Africa has become a major destination of Chinese manufactured goods. Also, Chinese firms, ranging from telecommunication (such as Huawei), to construction (such as China Civil Engineering Construction Company) and oil-production related firms (such as CNOOC, CNCP and Sinopec) are now making great impacts in Africa. Indeed, the today's 'modernised' China has achieved an economic power that countries (developed and developing) find difficult to ignore. Despite its poor human rights record domestically, and its veto of human rights sanctions for other countries (as discussed above), countries seemed not to be detaching from China, but rather are increasingly attaching. Even the main campaigners for human rights promotion, the Western world are no exceptions. For example, United States of America, the main proponents of active sanctions policy of the

Security Council (Oette, 2002) have strong economic ties with China. Thus, the question, is economic power exonerating China from Western sanctions and detachment despite human rights abuses? (discussed above).

It is important to note that economics and human rights are distinct and largely self-contained fields (International Council on Human Rights Policy, 2010). For those working in human rights promotion, the realisation of human rights is an end in itself, and all human rights are considered to be equal in status, universal and inalienable. From the economic thinking/ground, human welfare comes first, and human rights are only a tool or method to be adopted where they have practical value (International Council on Human Rights Policy, 2010). Thus, some economists consider human rights to be a means (that is, a tool) that can be instrumentalised to achieve less distorted or corrupt markets or more equitable development (International Council on Human Rights Policy, 2010). It is in line with these distinct perspective on economics and human rights, that different views emerged among states in the international system on which one should come first; human rights or economic development. While developed country like United States believe strongly in Civil and Political Rights (freedom of expression, right to vote and democracy) which it has ratified; developing country like China pursues economic and social rights (human survival, right to food geared towards poverty reduction, or what is called in Nigeria today, ensuring 'stomach infrastructure').

Over the years, issues of human rights have gained prominence in the international community. With the United Nations Universal Declaration of Human Rights and the UN doctrine and invocation of states' responsibility to protect (R2P), the Western world, United States in particular, believe that human rights issues in one state, should be an issue for all states to tackle, if possible, impose sanctions to achieve desired result. It is a known fact that United States is the major proponents of sanctions (often invoked on the ground of human rights abuses, and non democratization), among other members of the UNSC. When it has to do with co-operation/congruence, United Kingdom (UK) is a good partner. According to Lynch (2009), congruence between the UK and the US is very strong, when sponsoring resolutions at United Nations Security Council. Oette (2002) affirmed that United States of America and United Kingdom are the two major proponents of active sanctions policy of the Security Council. It is either, they are sponsoring resolutions together or the United Kingdom is supporting United States' imposition of sanctions proposals. For example, with regards to human rights in issue in Myanmar, both United States and United Kingdom sponsored the proposal for sanctions, which

was targeted to make the government to cease violence against civilians and ethnic minorities, make tangible progress towards democracy, and release Daw Aung San Suu Kyi. The same applied to human rights issues in Africa- Zimbabwe and Sudan.

China is not free from such human rights abuses, and it seems its human rights issues are not being sanctioned. It should be recalled that Amnesty International found that China has had the highest number of reported executions of any country in the world every year since 1993 (Cited in Xiaorong, 2009). While such arguments that many of these human rights sanctions that United States have sponsored came in times of conflicts (for example invocation of the UN doctrine of R2P in times of crisis that comes with human rights violations) can hold water, economic sanctions in non conflict situations, such as withdrawal of firms, imposing of financial and travel bans on leadership and those among the leadership involved in the human rights abuses have been invoked, seen in the case of Zimbabwe. For example, financial sanctions and travel bans were imposed on the Zimbabwe leadership by the United States during the government crackdown and repression on its citizens.

In the case of Zimbabwe, United States was quick to invoke sanction on Mugabe's repression on its citizens, which China (and its partner Russia) vetoed. The United States delegation, who sponsored the resolution, was bitterly disappointed, saying that 'China and Russia stand with Mugabe against the people of Zimbabwe. If such sanctions were sponsored by United States in the past (even though it was vetoed), why is the same not happening to China today? Even if such economic sanctions may not be as effective as planned, sanctions will help send a signal of international concern, and disapproval of China's human rights abuses. What could be the reason (s) China is not receiving sanctions or detachment? Is it China's economic power? Or are they other factors?

First, the advantage China gains from being a member of United Nations Security Council cannot be underestimated. Being a member of the UNSC, China can veto any of such proposals, with the help of its partner, Russia. Moreover, it is a fact that both China and Russia have many human rights problems at home and are uncomfortable with a majority in the Security Council that wanted much international activism on human rights questions; hence that makes resolution on intervention on states' human rights issues difficult to see the light of the day.

It should be recalled that in 2007 China and Russia cast a double veto on a Council draft resolution that would have pressured Myanmar (Burma) on human rights matters. The rationale for the vetoes was more than what was put forward that is, 'the situation was an internal matter and did not entail a threat to international peace and security' (Forsythe, 2012).

Such vetoes also show that as China takes strong action against Western criticism of or intervention in places like Zimbabwe, Sudan or Myanmar, 'it also sends a clear signal that if the Council cannot change a country like Myanmar, it certainly cannot hope to change China (Lynch, 2009), a holder of veto. That is to say that if China can use its veto power to save other countries, China definitely cannot fall short of saving itself.

Thus, even though human rights abuses, such as executions, crackdown and repression on citizens, including torture and unlawful imprisonments, still continue in China's domestic environment, sanctions might be difficult for the United States, as it is aware that China would see human rights sanction as imposition of Western standard, which China is often ready to challenge at any time. China has often argued that Western model is not flawless. Moreover, with the advantage of veto power, each permanent five (P5) members are to a great extent free from human rights sanctions. In other words, the veto power makes it difficult for Council resolution to 'address human rights defects in the P5 states themselves or their key allies in any muscular fashion' (Forsythe, 2012).

Second, the fact that China has important stake in United States' economy is another major factor. China's holdings of U.S. securities are significant. These include U.S. Treasury securities, U.S. government agency (such as Freddie Mac and Fannie Mae) securities, corporate securities, and equities (such as stocks). The U.S. Treasury securities, which help the federal government finance its budget deficit, are the largest category of U.S. securities held by China (Morrison, 2011). China's purchases of U.S. Treasury securities stood at nearly \$1.2 trillion at the end of 2010 and there is the concern that such large holding of U.S securities may give it leverage over the United States (Morrison, 2011). While this may not be totally to China's advantage, as dropping of such large holdings will also impact on Chinese economies, another fact that cannot be ignored is that United States' firms are now finding 'profitable' market in China, which is likely to contribute to China's advantage and cover from United States' sanctions.

Many countries of the world, including United States are enjoying the benefit of China's large market and booming economy. Thus, United States detaching from China, as was seen in Sudan might cause harm to the United States' economy, since most of its firms have relocated to China for cheap labour, and for their products to gain patronage in international market (since Chinese products are often cheap).

Many Western companies have relocated to China and are enjoying cheap labour. Even though China has large market in the West for its manufactured goods, and will not want to lose that, United States and European companies might experience a huge economic loss, if forced to close

down or relocate for what could be called human rights 'gospel.' The importance of Chinese market for countries like United States cannot be overemphasized. It will not be untrue to say that even with China's relatively poor record on protecting intellectual property rights (IPR), and 'its extensive use of industrial policies and discriminatory government procurement policies to subsidize and protect domestic Chinese firms at the expense of foreign companies' (Morrison, 2011), Western firms still remained undeterred. Also, despite Chinese government restricted FDI policies (in many cases, the level and scope of FDI in China is restricted in order to prevent foreign firms from dominating any sector) Western firms continue to push and urge for liberalization to help them expand into the market. Moreover, if United States decide to detach, the impact of such detachment on China may be insignificant (or minimal) since there are many other countries seeking for Chinese market. Studies have noted that sanctions are most likely to be effective when the sanction has the potential to inflict large losses on the target (Hufbauer, Schott and Elliot, 1990 Cited in Sykes, 2003). It is arguable whether United States' trade sanctions against China can succeed at imposing large losses on the latter's economy. Unless such sanctions are coordinated widely in a multilateral fashion, the one or two nations that decide to impose sanctions on China may simply see China divert its trade to other nations (Sykes, 2003).

Indeed, from the points and arguments above, it is clear that the position (economic and political) a state occupies in the international system matters in the issue of sanctions or detachment as the case may be. For example, a state with booming economy and great attractions, and non reliance on Western aid could possibly not get 'disturbed' for human rights sanctions, compared to a state on a 'life support'- dwindling economy, and reliance of external support. Economic sanctions on a country such as China with high economic attractions and political positions within the comity of nations may boomerang, which could possibly be one of the reasons Western powers are not imposing sanctions for its human rights abuses.

In addition, the issue of national interest cannot be ruled out in United States' not imposing sanctions on China. As Forsythe (2012) noted states foreign policies usually reflect mixed motives, some of which are not fully and publicly displayed. One cannot rule out completely that there exist ulterior motive for countries to engage or not to engage in human rights sanctions, (which could be political or economic motivations). Using the case of Sudan as an example, the United States, in an attempt to make countries to see it as champion of human rights might propose sanctions for human rights abuses. China being a latecomer in energy sector in Africa and non campaigner of human rights then seized such

opportunity to penetrate the Sudan energy sector, with the Western firms' withdrawal. That is to say that national interest is coming into play; China want to compete or even overtake the Western powers in Africa, and with the Western powers interests in sanctions, China in a bid to pursue its national interest objectives, will use its veto power to block the sanctions.

Also, China, being a country that has been against Western hegemony and imposition of its ideology on developing countries, and would want to be seen as champion of the cause of the Third World countries by applying its veto power. In such cases, China would be seen to argue along the line of interference in internal affairs of a sovereign state, or sometimes along the line of considering economic development of developing countries first, before the Western human rights gospel, but underneath could be another motive: to make itself to be seen as the champion of the interest of the developing countries.

As John Stoessinger has noted, when approaching security or human rights issues at the UN, states do not jettison their usual concerns with their own particular prerogatives and aspirations for power, influence, independence, national security, and material gain (Stoessinger 1977 cited in Forsythe, 2012). In Forsythe's (2012) argument, if we assume the United States was genuinely interested in utilizing the UNSC to stop atrocities in Syria in 2012, we should probably also assume Washington would be satisfied that the fall of the Bashar al-Assad regime would deprive Iran of a principal ally. In that same case, if we assume Russia was genuinely interested in a proper interpretation of the UN Charter, we should probably also assume Moscow would want to prevent the fall of the Assad government, its only open ally in the Arab world (Forsythe, 2012). The Security Council, according to Forsythe (2012) is primarily a political body, and only secondarily, a legal one. It is an arena, where politics is strongly played out among the permanent five members, protecting their interests and that of their allies, and showing their ideological and non ideological inclinations. In the case of United States, sanctions are tools to effect its foreign policy (Oette, 2002).

Undeniably, countries have their interests, and to pursue, and achieve those interests, they choose the 'possible' tool; it could be carrot or stick. In the case of China's human rights abuses, using carrot may be difficult for the United States, because of its' interest in China, (primarily economic as explained above). See for instance, the case of Resolution 1593, passed in March 2005, which was to refer the conflict in Darfur to the International Criminal Court; in that Resolution, United States joined China in abstaining. It was clear that United States did not want its peacekeeping personnel falling under the jurisdiction of the

International Criminal Court (ICC), as it has had issues with ICC. Hence, it abstained on the ground that it believed some kind of hybrid tribunal in Africa would have been a more appropriate forum, but there is bigger issue with ICC that it never wanted to bring to the table.

International relations have never falling short of double standards, and the case of China is no exception. What can be deduced from the above with regards to Security Council's human rights sanctions, mainly proposed by United States are: sanctions are meant to be imposed on states that lack the power of imposition or the power to veto. Sanctions are meant to be imposed on states that are not allies. Sanctions are meant to be imposed on states that the 'imposers' have little or no economic interest. Sanctions are meant for the weaker states, or states relying on external aid/support. And, finally sanctions are not for states that have achieved economic power as such sanctions may never have any impact. In the case of China, the first, third and last points apply. China has veto; almost all countries are sourcing for economic co-operation with China, or have established economic interest in China, and China has achieved great economic power, and that means that sanctions are bound to boomerang. It is true to say that China's economic power is playing a great role in shielding it from Western sanctions and detachment; although other factors exist.

CONCLUSION

Human rights issues have continued to receive attention among the international community. Within the auspices of the United Nations Security Council, sanctions have been invoked by the Western powers, led by the United States on countries with questionable human rights records, as was seen in Zimbabwe, Myanmar, Lebanon and Sudan. While human rights abuses exist in countries, such as China (known as the country that has one of the worst human rights record in the world), sanctions are yet to be seen. From the information gathered, it is clear that even though China has major shield, which hinges on its economic strength; its veto power has also played important role in exonerating China.

REFERENCES

1. Anup, Shah. 2010. 'China and Human Rights', *Global Issues*, <http://www.globalissues.org> (Accessed 6 December 2012)
2. Aytton-Shenker, Diana. 1995. "The Challenge of Human Rights and Cultural Diversity", Published by the United Nations Department of Public Information, DPI/1627/HR
3. Baehr, N. 1999. *Guide to Human Rights Practice*, New York: Transnational Publishers
4. Bei, Jin and Gang Li. 2010. *The Road to Development: The Journey of the Chinese Economy*, Beijing: China Intercontinental Press
5. Cable, Vincent and Ferdinand, Peter. 1994. 'China As An Economic Giant: Threat or Opportunity?' Royal

- Institute of International Affairs, Vol. 70, No.2, pp. 243-261* <http://www.jstor.org> (Accessed 15 January 2010)
6. Congress Research Service. 2006. 'Social Unrest in China', Report for Congress, <http://fas.org/sgp/crs> (Accessed 17 December 2009)
 7. Duncan, Sue and Mingjie, Wang. 2006. *China 2006*. Beijing: Foreign Language Press
 8. Forsythe, David P. 2012. *The UN Security Council and Human Rights: State Sovereignty and Human Dignity*, FriedRich Ebert Stiftung, International Policy Analysis
 9. Hale, David. 2006. 'China's Economic Takeoff: Implications for Africa', BrentHurst Discussion Paper, 2006. <http://www.brenthurst.org> Accessed 14 October 2009
 10. Hanson, Stephanie. 2006. 'China in Africa: Strictly Business' Council on Foreign Relations, <http://www.cfr.org> (Accessed 19 October 2008)
 11. Hom, Sharom. 2005. 'Trade, Investment and Human Rights: China's Window of Opportunity' *China Rights Forum*, No. 3
 12. Hu, Ping. 2009. 'Massacre and Miracle' <http://www.hrichina.org>, (Accessed 2 January, 2010)
 13. Hui, Qin. 2009. 'China's Low Human Rights Advantage', *China's Rights Forum*
 14. Human Rights in China. 2005. 'China's Strategic Global Influence', <http://www.hrichina.org> (Accessed July 10, 2008)
 15. International Council on Human Rights Policy. 2010. 'Human Rights in a Global Economy: Report from a Colloquium', <http://www.ichrp.org> (Accessed February 5, 2015)
 16. Javas, Bigambo. 2010. 'Bigambo, Javas "Debating Universalism and Cultural Relativism for Human Rights in the 21st Century"', *Word Press*, <http://bigambo.wordpress.com> (Accessed 18 July, 2011)
 17. Large, Daniel. 2006. 'Arms, Oil and Darfur: The Evolution of Relations between China and Sudan' *Sudan Issue Brief*, <http://www.smallarmssurvey.org-sudan> (Accessed 15 August 2009)
 18. Lynch, Katie. 2009. *China and the Security Council: Congruence of Voting Between Permanent Members*, China Newzealand Contemporary Research Centre, *China Papers*, No.5
 19. Morrison, Wayne M. 2011. 'China-U.S Trade Issues', *Congressional Research Service Report for Congress*, <http://www.crs.gov> (Accessed January 28, 2015)
 20. Nathan, Andrew J and Scobell, Andrew. 2009. 'Human Rights and China's Soft Power Expansion' *Human Rights in China*, <http://www.hrichina.org> (Accessed 20 June 2010)
 21. Qinglian, He. 2007. 'Human Rights: The True Gold Standard', *China's Rights Forum*, No.3
 22. Oette, Lutz. 2002. 'A Decade of Sanctions Against Iraq: Never Again! the End of Unlimited Sanctions in the Recent Practice of the UN Security Council', *EJIL*, Vol.13, No.1, 93-103
 23. Osondu-Oti, Adaora. "China and Africa: Human Rights Perspective", *Africa Development*, Vol. XLI, No.1 (2016): 49-80
 24. Sautman B and Hairong Y. 2007. 'Friends and Interests: China's Distinctive Links with Africa' *African Studies Review*, Vol.50, No.3
 25. Sykes, Alan O. 2003. *International Trade and Human Rights: An Economic Perspective*, Chicago John M. Olin Law and Economics Working Paper Series, No.188, <http://www.law.uchicago.edu/Lawecon/index.html> Accessed February 5, 2015
 26. Tjonneland, Elling N, Bjorn Brandtzeag, Ashild Kolas and Garth Le Pere. 2006. 'China in Africa: Implications for Norwegian Foreign and Development Policies', <http://www.emi.no/publication> (Accessed August 15, 2008)
 27. Tull, Dennis M. 2006. 'China in Africa: European Perspectives and Responses to the Chinese Challenge', *School of Advanced International Studies*, <http://www.sais-jhu.edu/academics/regional-studies/africa> (Accessed 10 May, 2009)
 28. United States Census Bureau. 2008. 'Country Summary: China', *International Data Base*, <http://www.census.gov> (Accessed 5 June 2010)
 29. Wang, Carol K. 2006. 'Fueling Ethnic Cleansing in Darfur', *China Rights Forum*, No. 2
 30. Weinreb, L.L. 1987. *Natural Law and Justice*. Cambridge, Mass: Harvard University, Press
 31. Xiaorong, Li. 2009. 'International Attention to China's Human Rights Practices Post 9/11: Myths, Challenges and Opportunities' *Human Rights in China*, <http://www.hrichina.org> (Accessed 5 September 2010)