

## R2P IDEAS in brief



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Asia Pacific Centre for the Responsibility to Protect

## China and the Responsibility to Protect

Sarah Teitt, University of Queensland

### Introduction

China's enduring commitment to uphold sovereignty while fulfilling its international responsibilities are central to understanding the tensions and dilemmas at the heart of China's policy toward the responsibility to protect (R2P), and to China's priorities for the R2P implementation agenda. China's official stance on R2P is committed but cautious. China has repeatedly affirmed its support for the underlying principle that the international community should take action to prevent and halt atrocity crimes, and has indicated that China "stands ready to work together with the international community to fully implement the objective laid out in the 2005 World Summit Outcome Document."<sup>1</sup> However, China stresses that R2P should be implemented with respect to sovereignty and national ownership, and China continues to resist what it labels 'confrontational' approaches to managing protection crises or holding state leaders accountable for atrocity crimes. As a permanent member of the UN Security Council and a leading world economy, understanding China's policy toward R2P is of critical importance to improving global cooperation to protect populations in crisis situations and to devising effective long-term strategies for realising the preventive aspirations of R2P.

There is now a relatively small but insightful body of literature that elucidates how China has responded to and influenced the normative development of R2P over critical stages since 2001.<sup>2</sup> For this reason, this policy brief focuses less on China's role in shaping the scope and content of the norm, and instead asks: what arguments lie at the root of Chinese caution on R2P, and what influence does R2P have on China's foreign policy behaviour? The first two sections of this policy brief analyse these questions in turn, while the concluding section examines China's potential role in and priorities for the future implementation of R2P.

### Understanding China's Caution on R2P

Chinese foreign policy is guided by the Five Principles of Peaceful Co-existence (FPPC), which enshrine the defence of sovereignty as a central pillar of Chinese foreign relations. Originally enumerated in 1954, these principles include: mutual respect for each other's territorial integrity and sovereignty, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful co-existence. Chinese leaders appeal to these principles as the basis for China's insistence that each state should enjoy the equal right to independently choose its own social and political systems free from the encroachment of external actors.



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Beijing's allegiance to sovereignty and non-interference also derives from and is reinforced by China's national identity as an aggrieved post-colonial developing country and (re)emerging major power whose international mission is to offer an alternative to US hegemony and Western imperialism. In the decade following the Tiananmen crackdown of 1989, China's ruling elite and official policy routinely invoked China's experiences during the 'century of humiliation'—the period that began with the First Opium War of 1839, continued through China's invasion and occupation by Western and Japanese forces, and lasted until external powers officially renounced all extraterritorial rights in China in the 1940s—to portray the defence of sovereignty as central to upholding human rights and protecting people from the deleterious effects of external interference.<sup>3</sup> Though less prominent in China's official policy statements in recent years, narratives of historical victimhood and strong nationalist undercurrents in Chinese foreign policy discourse continue to act as powerful rhetorical devices for China's semi-official state media to question the motives behind Western intervention in the developing world, to refute humanitarian justifications for intervention as window dressing for advancing US/Western hegemonic interests, and to justify China's intense protests over international censure in the field of human rights.

As a matter of ideology, China's commitment to defending sovereignty is also an extension of China's distinct conception of human rights that prioritises state-centred collective socioeconomic rights over individual rights. In a departure from Western liberal traditions which view the human subject as an abstract moral entity bearing inalienable rights to be protected from incursions of the state, both China's traditional and Maoist articulation of rights view citizen rights as granted by the state, and define people's rights as the benefits enjoyed by fulfilling obligations to contribute to the good of the Chinese nation.<sup>4</sup> As Elizabeth Perry points out, the Chinese word for citizen (*gongmin*) literally translates to 'public person', which "connotes collective membership in the polity, rather than a claim to individual or inalienable rights *vis-à-vis* the state".<sup>5</sup> In this thinking, the core duty born by the government to its citizens is to ensure their decent and secure livelihoods. China's collective rights tradition privileges the supremacy of state rights over individual rights, and defines the legitimacy of the state based on its ability to maintain stability and foster conditions conducive to people's socioeconomic well-being. The consequence of this thinking is a strong bias in China on the primacy of the state, and—particularly since Deng Xiaoping's Reform and Opening Policy of 1978—a conviction that state-led economic development is the key means for upholding people's rights and for ensuring peaceful state-society relations.

In addition to latent scepticism grounded in China's pluralist worldview and nationalist political discourse, the most common explanations Chinese officials and analysts offer for China's conservative stance on R2P rest in five key arguments: (1) intervention does more harm than good; (2) interveners fail to take adequate responsibility for post-intervention peacebuilding; (3) R2P is inconsistently invoked and is susceptible to double standards and

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ulterior motives; (4) the pressure R2P raises to act against states results in imprudent response measures; and (5) despite assurances that R2P rests in three equally important pillars, R2P advocates pay mere lip service to the preventive role of state capacity building and development assistance. While the first three issues pertain mostly to China's apprehensions regarding coercive military intervention, the latter points relate to a broader set of prudential concerns regarding 'confrontational' approaches to managing crises, and to the priority China places on socioeconomic development as key to conflict prevention and societal peace.

On the first point, Chinese analysts and media commentators argue that large-scale military intervention is not a suitable policy response for improving security outcomes for local populations, but rather further inflames conflicts and only exacerbates civilian vulnerabilities. As evidence, analysts draw attention to the continued turmoil and civilian death toll associated with Western intervention in Iraq and Afghanistan, as well as the security vacuum and ongoing tribal conflict in Libya. This relates to a second common point of contention, namely that Western leaders are plagued by short-term vision, and the initial enthusiasm or capacity for intervention is not matched by the staying power or wherewithal to carry out necessary long-term peacebuilding. As Ruan Zongze, a Vice President of the China Institute of International Studies (the think tank of China's Ministry of Foreign Affairs) pithily summarized, "the West has a very short attention span to start a war, feel tired, and leave in exhaustion".<sup>6</sup>

A third explanation for China's caution on R2P lies in the apparent lack of genuine humanitarian motives on the part of states who claim to be concerned with preventing mass atrocities. Chinese analysts point to the US' unwillingness to hold Israel to account for attacks in Gaza, and the overwhelming concern over the repressive tactics of the regimes in Syria and Libya as opposed to Bahrain in 2011, as evidence that geopolitics rather than the nature of state violence determines the targets of Western criticism and intervention.<sup>7</sup> Perceptions that NATO overreached its civilian protection mandate to pursue a policy of regime change in Libya was fuel to the fire of this grievance, and sparked heated criticism in China that humanitarian justifications for intervention are easily manipulated, and are prey to Western self-interest.

A fourth point regularly raised by Chinese commentators is that the impetus to hold state authorities accountable for atrocity crimes can lead to ill-advised or imprudent response measures that enact liberal values, but defy well-reasoned conflict analysis. For example, a leading *Global Times* article published at the outset of the intervention in Libya questioned Western support for the Benghazi-based rebel movement, as it was not primarily a democratic force but a composite of "heterogeneous political forces" that share the "same temporary objectives to subvert [the] Gaddafi regime but no long-term plan to build a true democracy". Ascribing the rebel forces with a sense of "deep tribalism", the article warned that external intervention that led to the swift collapse of the Gaddafi regime would augur

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“endless civil wars over the leadership of the country”.<sup>8</sup> Similar words of caution circulated in Chinese media regarding the P3’s “politics of confrontation” in Syria. According to a People’s Daily article published in March 2012, by pressing for sanctions and power transition in Syria, leaders in the West were “indulging provocation and nurturing the armed struggle”, as they gave Bashar al-Assad no face-saving exit from power and encouraged the opposition to make unrelenting demands.<sup>9</sup> The article forewarned that the “American version” of a “Syrian Solution” would further militarise the conflict until “Syria sinks into the quagmire of civil war”, which would lead to the destabilisation of the Middle East, and allow for the infiltration and expansion of al-Qaeda and other violent extremist groups amidst the resulting chaos.<sup>10</sup> Consistent with this analysis, a dominant interpretation among Chinese officials is that the refugee problem and recent terrorist attacks in Europe are a consequence of Western diplomacy in Syria and US intervention in the Middle East. In the words of Wu Sike, China’s former Special Envoy to the Middle East,

The war in Iraq sowed the seeds of instability and the US-led military intervention in the ‘Arab Spring’ spread turbulence across the region, turning it into the hotbed for terrorism. Though the refugee crisis broke out recently, its root cause can easily be traced to America’s self-righteous actions and foreign policy mistake.<sup>11</sup>

While Wu’s statement reflects the propensity among Chinese officials to downplay the Assad regime’s atrocities and place the blame for current crisis on external actors, it also embodies a deeply held conviction in China that Western, primarily US, efforts to spread democracy and liberal values in the Middle East have resulted in misguided policy choices that have de-stabilized the region, given rise to violent extremism and resulted in new global security challenges.

In addition to these concerns, China’s conservative stance on R2P is attributed to differences in Chinese versus Western interpretations of the root causes of and appropriate remedies for large-scale humanitarian crises, which renders China generally resistant to ‘confrontational’ approaches to civilian protection. Policymakers in the West tend to view the lack of human rights accountability and state repression as core causal factors leading to civil conflict and atrocity crimes, and call for coercive measures as necessary tools for compelling states to abide by international human rights and humanitarian law. Chinese foreign policy actors, by contrast, are inclined to attribute large-scale humanitarian emergencies primarily to problems associated with poverty, underdevelopment and deep-seated ethno-religious conflict, and overwhelmingly privilege persuasive forms of crisis diplomacy. For example, as Liu Tiewa and Zhang Haibin have noted, China’s Special Envoy to Darfur, Liu Guijin, portrayed the crisis in Darfur as a result of tribal conflict and resource scarcity, and “repeatedly emphasised that the key problem in Darfur is development and poverty as opposed to genocide”.<sup>12</sup> When it came to addressing the crisis, China rejected Western policies of “blaming, threatening, criticizing and sanctions” not only on principled grounds, but also based on the pragmatic argument that any UN intervention in the crisis

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ultimately relied on working with authorities in Khartoum, which in turn required a “certain degree of basic trust” and a “sound atmosphere” to garner Omar al-Bashir’s compliance.<sup>13</sup> China’s approach to the crisis in Darfur was indicative of Beijing’s strong preference for more subtle efforts to induce state authorities to exercise restraint and embark on reforms, as opposed to outwardly coercing them to comply with external demands. This is consistent with China’s pledge to deal with other states on ‘equal footing’ irrespective of China’s rising power, and reflects a deep sense of risk aversion among Chinese diplomats, who tend to place great purchase in gradual, long-term reform and be quite wary of pushing for swifter or more forceful measures.

Finally, Chinese foreign policy actors express concern that R2P advocates tend to privilege a narrow civilian protection agenda, while insufficient attention is paid to state capacity building, poverty alleviation and economic development as sources of domestic resilience and conflict prevention. This point of contention relates to the causal relationship Chinese leaders ascribe to peace and development, and to China’s preference for buttressing peace processes with quick impact infrastructure projects and economic assistance as opposed to the Western emphasis on good governance and human rights accountability. Ambassador Liu Jieyi, China’s current Permanent Representative to the UN, offered a cogent summary of this position in 2014:

In post-conflict peacebuilding, the international community has long emphasized human rights, the rule of law and security sector reform without paying adequate attention to the economic and social development of the countries concerned and with limited input in that regard. We call on the international community to focus more on the economic and social development of the counties concerned. Only through rapid economic recovery and reconstruction will the affected populations be able to enjoy the dividends of peace and will a solid foundation for political reconciliation, the stabilization of security and the establishment of a political basis for the peace process be laid.<sup>14</sup>

While Chinese officials and analysts are apt to portray economic development as panacea for all grievances leading to conflict and leverage these arguments to contest the liberal intervention agenda, this position also reflects deeply ingrained thinking among Chinese leaders that economic development is key to maintaining peace and achieving civilian protection. The point being, it is difficult to divorce China’s conservative stance on R2P from China’s reservations toward dominant approaches to preventing conflict and building peace within the broader liberal human protection regime.

### **R2P and China’s Policy Toward Atrocity Crimes**

Despite the concerns raised by Chinese officials and analysts regarding R2P, China at times demonstrates greater openness to a wider range of R2P response measures than its official

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rhetoric or expert analysis suggests. Though China's official policy requires the consent of the host state, China abstained on Resolution 1973 which authorised coercive intervention to protect Libyan populations from Gaddafi's onslaught in March 2011, and voted in favour of Resolution 1975 which strengthened the mandate of the UN operation in Cote d'Ivoire to protect civilians under the heavy artillery of state security forces that same month. The most common explanations for China's flexibility in these situations relate to China's desire to protect its international image as a responsible power, and China's reluctance to override the requests of regional leaders.

Since the late 1990s, Chinese leaders have attempted to burnish China's image as a responsible power that is constructively part of the solution to global problems. China's reputational concerns emerged in part from Beijing's interests in dispelling fear that China's rise and expanding global footprint would destabilize the dominance of neoliberal political and economic policy, and posed a threat to Western values and interests. Since then, Chinese officials and commentators have routinely pointed to China's contribution to UN peacekeeping, peacebuilding and its more active role in managing humanitarian crises as evidence that China is a status quo power that complies with existing international norms and regimes, and upholds common standards of responsible behaviour.<sup>15</sup> For audiences outside the West, China has leveraged its contribution to conflict management in Africa in particular to demonstrate that China is not singularly motivated by self-regarding economic interests, but is also committed to making a contribution to peace and stability to benefit local populations. Whether a means to assuage Western anxieties that China's rise threatens liberal norms of global order or to offset criticism over China's 'neo-colonial' exploitation of developing world markets, China's foreign policy discourse has helped define China's constructive contribution to managing armed conflict and diffusing major humanitarian crises as a key credentials of China's status as a responsible power.

Reputational concerns appear to render China sensitive to international criticism and reluctant to be singled out as for obstructing action in the UN Security Council. Widespread international condemnation of China's defence of the government of Sudan despite Khartoum's complicity in crimes against humanity in Darfur from 2004 deepened the perception in China that Beijing's image as a responsible great power was connected to its diplomacy in humanitarian crises. International criticism is widely seen to have compelled China to apply subtle pressure on the Sudanese government and take measures to help alleviate the crisis in Darfur. As Chengqiu Wu notes, Beijing "deliberately played a visible role in pressuring the Sudanese government, in order to improve its national image that [was] undermined by the Darfur issue".<sup>16</sup> A number of prominent foreign policy analysts in China connected the criticism China faced over its diplomacy toward Sudan to normative shifts associated with the development of R2P. The articulation of a collective expectation for the United Nations Security Council (UNSC) to take action to halt mass atrocities has led to a greater conviction among some Chinese officials and analysts that "resistance to...interventions by invoking the principles of absolute sovereignty and non-intervention,

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either in legal terms or on moral grounds, cannot be justified, nor will such resistance be widely recognised, sympathised with or supported”.<sup>17</sup>

To offset international criticism for blocking or resisting efforts led by Western countries to hold state leaders accountable for widespread human rights abuses, China has often relied on the opinions and positions of regional leaders. China’s deference to regional leaders is linked to China’s sense of solidarity with the developing world, and the common portrayal of China’s veto as a “collective veto” that is “for all developing states”.<sup>18</sup> Such conviction has relatively deep historical roots, and traces to Beijing’s attempt since its entry into the UN to project China as a moral and benign power that acts on behalf of the interests of the developing world and counters a so-called Western/US interventionist agenda. A more recent articulation of China’s camaraderie with developing countries came in 2003, when the Chinese Foreign Ministry issued its first position paper on South-South Cooperation. The paper called on developing countries to “strengthen solidarity, closely cooperate in international affairs and coordinate with each other”, on the basis that “[o]nly through uniting themselves, can the developing countries elevate their position in the South-North dialogue to preserve their own interests to the fullest possible extent in the process of globalization”.<sup>19</sup> In line with this South-South policy, China has routinely called on the UNSC to heed to the opinions of regional leaders in their decision-making, including President Hu Jintao’s urging the UNSC to pay “closer attention to African concerns” at its High Level Summit in 2005.<sup>20</sup> China’s South-South policy and anti-hegemonic political discourse appears to impact China’s voting in the UNSC, and in general, China is less likely to block measures in the UNSC when regional organizations make their preferences clear, enjoy widespread support among UNSC members and specifically lobby China to endorse their position, as was the case regarding Libya and Cote d’Ivoire in 2011.

China’s concern over protecting its international image and discomfort with overriding the requests of regional leaders continues to shape its policy.<sup>21</sup> However, intense domestic criticism over the Libya intervention, along with Xi Jinping’s more assertive foreign policy and greater strategic coordination with Russia since 2012, strengthened China’s resolve to withstand Western pressure and disregard regional requests regarding Syria. From 2011-2014, China joined Russia in weakening then jointly vetoing four draft resolutions, which would have signalled to the Assad regime that Syrian authorities were accountable for their attacks against populations in Syria, and applied measures to compel warring factions to address the severe vulnerability of civilians.

Despite China’s obstructionism in the UNSC, China went to significant lengths to communicate that its policy represented responsible action in Syria, and considered the protection needs of local populations. A People’s Daily article published under the byline *Zhong Sheng* (‘voice of China’) after China cast its second veto on Syria in February 2012, clarified that China’s vote “does not mean that China will sit by and watch the sad situation going on”, but that China was “responsible for the fundamental interests of the Syrian

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people”.<sup>22</sup> In four separate paragraphs, the article outlined how China’s UNSC vote qualified as responsible action toward Syrian people and regional stability, suggesting that China was compelled to justify its position with reference to norms of sovereign responsibility, and acknowledged a special responsibility of the UNSC to respond to the protection needs of Syrian populations.<sup>23</sup> Moreover, from early 2012 China repeatedly dispatched special envoys to the Syrian conflict, which represented unusually vigorous Chinese diplomacy that had only been witnessed in China’s proactive approach to conflicts in Darfur and South Sudan. Wu Sike and Gong Xiaosheng, China’s special envoys to the Middle East, engaged in shuttle diplomacy between Syrian factions, regional leaders and Western powers to coordinate and promote a political solution. Wu Sike characterised China’s efforts to promote a peace process as an extension of China’s “principled stance” on Syria, and manifestation of “China’s sense of responsibility as a permanent member”.<sup>24</sup> As Joel Wuthnow argued, China’s active diplomacy appeared to be signalling that China wanted to be perceived to be part of the solution in Syria and to “show the world that it can play a constructive role in any solution to the conflict”.<sup>25</sup>

It is worth noting, as well, that China endorsed UNSC Resolution 2139 (22 February 2014), which demanded unfettered humanitarian access in Syria, and later supported Resolution 2165 (14 July 2014), which strengthened this mandate to deliver aid across four border crossings into rebel-held areas without the consent of the Syrian government. With regard to the latter, though China joined Russia in rejecting the resolution as falling under a Chapter VII mandate, China was seen to be more “supportive and constructive” in negotiations for the UNSC to authorise humanitarian aid delivery into besieged areas without Assad’s prior approval.<sup>26</sup> As in many of the Council’s debates on Syria from early 2012, Chinese diplomats “appeared cautious rather than obstructive or adversarial”, and appeared to be acting on principles and in solidarity with Russia rather than simply defending Damascus.<sup>27</sup> According to a prominent Chinese international relations academic, although China was more assertive in rejecting Western-led UNSC action on Syria, China’s support for good offices and humanitarian assistance were aimed at “sending a signal to the world that China was enacting its R2P in Syria”.<sup>28</sup>

Just as China’s posture toward Syria defies overly simplistic labels of R2P rejectionism, attempts within China to constructively engage in the R2P agenda amidst intense criticism of the Libya intervention speak to China’s commitment to the principle while also attempting to shape R2P in a manner that responds to China’s concerns. Ruan Zongze’s “responsible protection” (RP) proposal is perhaps the most prominent example of what Chinese analysts deem ‘constructive engagement’ with the R2P agenda.<sup>29</sup> Ruan presented RP as a proposal to help “make humanitarian interventions more acceptable” by providing criteria to guide UNSC decision-making on military intervention, and to ensure that the UNSC retains oversight and accountability on any future coercive action it authorises. The core elements of RP largely mirrored Brazil’s ‘responsibility while protecting’ (RwP) concept introduced in November 2011, which proposed tighter regulations and criteria for military

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intervention and called for enhanced procedures to monitor and assess the implementation of UNSC mandates.<sup>30</sup> Although RWP initially provoked concerns that Brazil might, intentionally or not, erode the normative standards R2P sets for the UNSC to authorise decisive military action in extreme cases, it was later badged as a timely initiative to address political fallout from the Libya intervention. As Oliver Stuenkel argued, Brazil's initiative should be understood as "an important framework for emerging powers who seek to strike a balance between protecting threatened populations while reducing the negative implications of military intervention" and an initiative to "bridge the gap between an overly trigger-happy NATO and excessively resistant China and Russia".<sup>31</sup> Similarly, the guidelines for military intervention that Ruan proposed recognised that military action under Pillar 3 of the R2P framework may be necessary to protect civilians "albeit under a more restrictive set of conditions than Western powers tend to follow".<sup>32</sup>

### **China and R2P Implementation**

What does this tell us about China's future engagement with the R2P agenda? The current thinking in Beijing is generally open and committed to R2P, but keen to shape the implementation to accord with Chinese principles and accommodate China's protection priorities. In this regard, Chinese officials appear intent on demonstrating that China is normatively committed to preventing mass atrocities and actively engaged in helping to address humanitarian crises. Examples of this include China's offer to host high-level delegations from the Syrian government as well as opposition following the UNSC's unanimous endorsement of Resolution 2254 of December 2015, which called for talks between the government and opposition that would lead to negotiations for a nationwide ceasefire. Following these meetings held in Beijing, in March 2016 China made a rare decision to appoint a special envoy to the crisis, naming seasoned diplomat Xie Xiaoyan as China's Special Envoy to Syria. As trialled in China's proactive diplomacy in Sudan and South Sudan, China appears increasingly intent on playing a more active role in facilitating peace processes as evidence that China is not merely blocking measures, but offering alternative strategies for achieving civilian protection.

Similarly, China's recent high profile commitments to peacekeeping and peacebuilding communicate China's intention to be more active in supporting peace and resolving crises. President Xi Jinping's announced at the UN in September 2015 that China would set up a permanent peacekeeping force of 8,000 police personnel; provide \$100 million to the African Union to create a standby force to respond to emergencies; contribute \$1 billion to set up a UN-China 'peace and development fund'; commit a helicopter squad for peacekeeping operations in Africa; and train 5,000 peacekeepers from other countries over the next five years. This followed China's dispatching an infantry battalion of 700 soldiers in April 2015 to South Sudan under the UN mandate to protect civilians, UN personnel and humanitarian workers.

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China's recent commitments adhere to the position voiced in its 2014 statement to the General Assembly dialogue that R2P should be implemented in a manner that respects sovereignty and national leadership, but that states should also make efforts to "increase their investment in prevention and in conflict resolution and to mediate conflict and resolve differences".<sup>33</sup> As an official in China's Ministry of Foreign Affairs reflected, China's shares the common aspiration and end goal espoused in the Secretary-General's R2P implementation strategy:

The hope should be to transplant R2P in [the government's] own system [and] to get a situation where each government has to fulfil its own responsibility to protect rather than fear external intervention or ask for military force to protect...this is the goal.<sup>34</sup>

However, it is equally clear that China will not easily veer from its principled commitment to sovereignty, and is seeking to shape the agenda around good offices, political processes and consent-based measures as opposed to more coercive approaches.

The challenge ahead is how to marry the vision of R2P with China's state-led economic development approach to peacebuilding, and to best utilize China's recent commitments to peace and security in Africa in the service of atrocities prevention and civilian protection. While these are no small tasks, the very fact that Chinese foreign policy actors continue to voice support for R2P and seek to justify their positions as responsible to local populations and global norms suggests that there are now relatively stable collective expectations that sovereignty entails a responsibility to protect domestic populations, and that the international community, and particularly the UNSC, bears a responsibility to halt mass atrocities. These normative developments make it more difficult for China to simply defend the sovereignty of abhorrently abusive regimes, and render China more concerned with being seen as constructively and proactively engaged in protecting populations from mass atrocities.

Dr. Sarah Teitt is Deputy Director and Researcher at the Asia Pacific Centre for the Responsibility to Protect in the School of Political Science and International Studies, University of Queensland, and leads the Centre's Northeast Asia research and outreach program.

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<sup>34</sup> Interview with official from China's Ministry of Foreign Affairs, Beijing, December 2011.



AP R2P

Asia Pacific Centre for the Responsibility to Protect

Building 39A, Level 4  
School of Political Science and International Studies  
The University of Queensland  
St Lucia Brisbane QLD 4072 Australia

Tel: +61 (0) 7 3346 6435  
Fax: +61 (0)7 3346 6445  
Email: r2pinfo@uq.edu.au  
<http://www.r2pasiapacific.org/index.html>