



CHINA AND AFRICA: HUMAN RIGHTS PERSPECTIVE

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Abstract

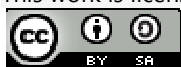
At the turn of the 21st century, China emerged as a major player in Africa's international relations. This emergence has attracted a lot of attention in literature on what it portends for Africa. Many of the past studies have maintained that China undermines human rights in its engagements with Africa. Of important note was China's support for the Sudanese government even in the face of human rights abuses; its unconditional aid to Angola, that have helped the government to shun accountability and transparency; its support for inhuman practices meted to the citizens of Zimbabwe by the government, among others. Against this background, this paper examined China-Africa contemporary relations from the human rights perspective. It explored, among others, China's stance on human rights issues and the rights that China undermines in Africa. The paper argued China's stance on human rights in Africa, and possibly internationally has a link with its domestic human rights situation. Being that human rights in China are abysmal, ordinarily China would not promote human rights in Africa more than what it does at home. The author concludes that although China may not be labelled a 'saint' in human rights abuses in Africa, it still cannot be labelled a 'sinner' in many human rights abuses by African governments.

Keywords: China, Africa, Human rights, Civil and Political Rights, Economic Rights

Introduction

One of the major noticeable changes that have taken place in the 21st century international systems is the ongoing economic shift from North to East. The contemporary shift of economic power given the emergence of China is noteworthy. China is now the second largest economy in the world, behind only the United States. With the economic reform that the People's Republic of China (PRC) started in 1978, the Chinese economy has been witnessing positive economic growth in the 1990s, growing at the rate of almost 10 percent annually. As a result of China's economic boom, Africa became of great interest to China.

Lots of concerns have been raised on China's contemporary engagement with Africa. One dominant issue that continues to resurface in literature is the issue of human rights. China has been portrayed as not just a new external power that is after Africa's raw materials, and resources but also a non-respecter of human rights in Africa. For instance, Western officials and human rights organizations express alarm at China's willingness to invest in countries with questionable human rights records (Hanson, 2006). China's policy that maintains non-interference in internal affairs of other states, even in the face of human rights abuse has received criticisms. Tull (2006) argues that China's non-interference principle is an irresponsible 'see no evil' approach which is bound to undermine human rights in Africa as well as undermine European efforts to promote human rights values. China's non-interference policy was





said to have ‘emboldened Sudan and undermined international efforts to stop the then continuing atrocities in Darfur’ (Wang, 2006).

The criticisms levelled against China in the area of human rights drew the attention of the Chinese government to explain its stance on human rights issues. China has emphasized the government’s commitment to the principle of non-interference in the internal affairs of other countries as a key tenet of its foreign policy (Duncan and Mingjie, 2006). Chinese officials have repeatedly argued that attempts by other countries to link positions on democracy and human rights in external relations, especially at this time of economic integration, violate the rights of sovereign countries (Baseda et al, 2008). This position is seen to be reflected in the comments of China’s Deputy Foreign Minister, Zhou Wenzhong, when interviewed on China’s position on the then Sudan conflict and he pointed that “business is business for China, and Chinese government tries to separate politics from business...” (French, 2004).

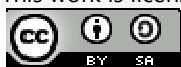
Given the controversies and concerns regarding China’s engagement with Africa and human rights, this study examines China-Africa relations from the perspective of human rights. It tends to illuminate, among others, China’s position on human rights and how this is reflected in its relations with Africa. This paper also made a classification of rights to ascertain the rights that China undermines in Africa: is it civil and political rights or economic rights? Or does China undermine both rights? All these are examined in the sections that follow.

With the Introduction as Section 1, the remainder of this paper proceeds as follows: Section 2 examined the concept of human rights and the varied interpretations. Section 3 examines China and human rights issues in Africa. Section 4 looks into the aspects of human rights (civil and political rights or economic rights) which China undermines in Africa. Section 5 draws the conclusions.

The Concept of Human Rights and the Varied Interpretations

The concept of human rights is grounded on the idea that men have rights simply because they are human. Until the Second World War, the protection of human rights was seen as a sovereign prerogative of state and not an international concern. The atrocities of the Second World War were what changed that original belief. The globalization of human rights began when the world was awakened to the crimes committed under one government (Hitler), and the need for a more universal system of accountability and responsibility (Javas, 2010). At present, the argument is that individuals should not be left at the mercy of domestic legal system; that more protection should be accorded to individuals when states’ tend to abuse their rights. This was the justification for the United Nation’s enactment of international regime of universal human rights.

Thus, the starting point of universality of rights is found in the 1948 United Nations (UN) Universal Declaration of Human Rights to which member states subscribe to. Its preamble presented itself as “a common standard of achievement for all peoples and nations.” Article 1 of the UN Declaration says “that all human beings are born free and equal in dignity and rights.” The UN Universal Declaration of human rights is regarded as the cornerstone of the international human rights system. From it grew the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and other international instruments on the protection of human rights. The Covenant on Civil and political Rights and the Covenant on Economic, Social and Cultural Rights contained what is usually called ‘core rights’ meaning “they are indispensable for an existence in human dignity and therefore need absolute protection (Baehr, 1999). The idea of the universality of rights has gained prominence in the circle of international relations and its proponents and supporters are now known as Universalists.





Traditionally, universalists have based their argument for universal human rights on the theory of natural law, the theory of rationalism, and the theory of positivism. The natural law theory argues that individuals have certain inalienable rights of the highest order granted by God or Providence, and it also argues that human-made laws are just only acceptable insofar as they do not conflict with the eternal natural laws governing the universe (Weinreb, 1987). The theory of rationalism is of the idea that human rights are held by each human being, in an individual capacity, due to the universal capacity of all humans to think rationally. Rationalists have a belief in the human capacity to reason and think rationally (Donnelly, 1989). The theory of positivism is centered on the aspect of international law and treaties signed by states as justification for universal human rights acceptance. Donnelly (1989) reinforces the argument of positivism saying that ‘it is increasingly the practice of states to accept human rights through ratification of international instruments.’ Overall, the universalists’ positions on human rights posit that human beings can use natural law, reason or international law to justify basic rights, inherent to them.

Although the universality of human rights is still widely accepted by many nations, it is increasingly exposed to competing claims of legitimacy from various cultures, subcultures and countries. In other words, the influence of cultural relativism is to some extent undermining the universal human rights claims. For the cultural relativists, universal human rights are impossible in a world with diverse cultures. As Pollis and Schwab (1979) asserted, universal human rights norms are impossible to defend in such a richly diverse world. Among those that have challenged the notion of universality of human rights are Asian groups and numerous third world countries.

For instance, 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; they argued that human rights should not be imposed as norms on non-western societies in disregard of those societies’ historical and economic development, and in disregard of their cultural differences and perceptions of what is right and wrong. They argued that the imposition of one’s standard on another culture is unjust and imperialist in nature. Also at the eve of that important World Conference, African and Asian groups of nations had met to put forward their views. In the Tunis Declaration, African groups while admitting the universality of human rights declared that “no ready-made model can be prescribed at the universal level since the historical and cultural realities of each nation and the traditions, standards and values of each people cannot be disregarded” (World Conference on Human Rights, 1992). In furtherance of their argument, Parekh (1999) was quoted thus:

Different societies throw up different systems of moral beliefs depending on such things as their history, traditions, geographical circumstances, and views of the world; we have no means of judging them for there are no objective and universal criteria available for the purpose, and even if there were, we would be too deeply conditioned by our own society to discover them.

Prasad (2004) also pointed that by negating the diversity amongst global cultures and by promoting a monolithic set of social values, the mere notion of universal human rights reinforces neo-colonialist arguments by obliquely signifying Western hegemony over the developing world.

Indeed, the debate on the universal validity of human rights is still ongoing even though human rights have apparently achieved global coverage. Almost all sovereign countries are members of United Nations and have incorporated human rights in their constitutions which is a good step to acceptance of universality. Thus, if some countries that have accepted membership of international institutions such as United Nations and have agreed to work towards the realization of human rights are among the groups that argue on the issue of universality of human rights, then universalism and cultural relativism arguments are not irreconcilable. What is unclear is, if differences in culture is really the basis for the





controversies surrounding universality of human rights or there exists underneath quest for dominance and contest for power among the states or groups that contest the validity of human rights. Be as it may seem, this is an area for further research.

Overview of the State of Human Rights in China

The Communist Party of China (CPC) has been in control of the Chinese government for more than five decades now. Since the Communist Party gained power in China and established the People's Republic of China in 1949, authoritarian rule has been the norm (Anup, 2010). Human Rights issues have not been faring well with the Chinese government, starting from the Great Leap Forward Policies, the Cultural Revolution, to the popular Tiananmen Massacre of Chinese students and intellectuals in 1989, 'China generally has an appalling human rights record' (Sautman and Hairong, 2007).

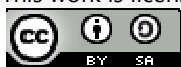
Despite China's economic reforms, the Communist party still retains control over all important levers of economic activity and political reform remains elusive. Political reform has been bifurcated from economic reform policy and debates, while repressive state control ensures the silencing of any criticisms of policies (Hom, 2005). Even though reform and opening brought widening personal freedoms and rising wealth, the government had met any challenge to its authority with harassments, threats, beatings, and arrests (Nathan and Scobell, 2009). For instance, the Chinese government has claimed that opening fire on peaceful demonstrators in June 1989, imprisoning political dissidents, persecuting religious minorities, arresting independent labour organizers and curtailing information on the internet are necessary to maintain stability and social order (Xiaorong, 2009). Nonetheless, China has made some laudable efforts to accepting the importance of human rights protection. China included human rights protection in its first Constitution in 1954. In 2004, China added Human Rights Protection in amendment to its constitution although it is yet to establish a National Commission on Human Rights. China is a member of the UN Human Rights Council. Some of these steps taken by China to improve human rights are clearly stated on paper, but yet to receive practical implementation.

China and Human Rights Issues in Africa

China's engagements with Africa since the last two decades have drawn attention of scholars, both in and outside Africa. The explanations for these are not far-fetched. China since 1990 has emerged as one of the fastest growing economies in the world. Following its economic reform that began in 1978, China has averaged Gross Domestic Product (GDP) growth of almost 10% per year- the fastest in the world over this period (Moskow and Lemieux, 2006). Given Africa's great economic potentials (natural resource endowment such as crude oil, copper, timber, diamond, platinum etc), market advantage (the second largest continent, after Asia, where 14 percent of the world population live) and possibly, political leverage in international arena (Africa pulls a greater number of votes in United Nations), China sets its sight on Africa.

Today, Chinese are seen all over Africa from constructing projects, manufacturing, trading (retailing and wholesaling) to agricultural development and extracting crude oil. In carrying out its activities with Africa, China's respect for human rights has surfaced. For instance, Council on Foreign Relations (2005) Report charged that China protects 'rogue states' like Zimbabwe and Sudan and deploys its influence to counter Western pressures on African states to improve human rights and governance. This view is not particular only to Council on Foreign Relations. It has been argued that the effect of China's investments in African countries with questionable human rights record is that 'it legitimizes and encourages Africa's most repressive regimes, thereby increasing the likelihood of weak and failed states' (Brookes and Shin, 2006). In Zimbabwe, Xinhua News (2007) reported that in 2004, despite the US and EU arms embargo against Zimbabwe, China sold to Zimbabwe fighter aircraft and military vehicles worth

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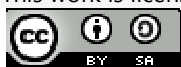


US\$200 million. For countries with poor human rights records, China's deals are tempting alternatives to the investment packages offered by international financial institutions and other foreign governments, which often require standards of transparency and accountability (Human Rights in China, 2005), as shown in the case of Angola. Also, in respect to the then crisis in Darfur, China's strategy was to dilute the language of United Nations Security Council (UNSC) resolutions and frequently to abstain from voting (Large, 2007).

China's rising profile in Africa as a development partner has also been controversial, not only because of the speed with which China has emerged as a significant donor to Africa, but also because 'China's aid policies and priorities are not necessarily in line with those of the traditional aid donors' (Burke and Corkin, 2006). Its aid with no *quid pro quo* is believed to not just to be an alternative to Western aid (Tull, 2006), but would encourage non transparency and non-accountability by African leaders, as shown in the case of Angola, which dramatically shunned the IMF's conditioned aid package in 2005 in preference for Chinese unconditional aid (Kurtlantzick, 2008). Even though benefits abound for Africa in terms of gaining in infrastructural development that Chinese aid is often tied to, and acquisition of knowledge and technical skills from Chinese experts, China's transfer of skills to Africans have not gone without concerns. It has been argued that through China's training programmes for African technocrats, Beijing could indeed promote its authoritarian development model to a continent where democracy still has shallow roots (Kurtlantzick, 2008). It is also argued that the Chinese approach, which is founded on two principles that is, bilateral engagements organised through political elites, and ignoring the domestic record of governments, could have adverse consequences for democracy and development because so many of the regimes China engage with are authoritarian and unresponsive to the concerns of their citizenry (Habib, 2007).

In the area of Chinese firms' activities and investments in Africa, criticisms have also been levelled against China's disregard for environmental protection. China's contemporary involvement with Africa is seen as one which would likely pose threat of environmental pollution, especially in the area of mining and oil extraction. It has been pointed that environmental safety and labour standards on execution of projects in Africa are being ignored by China (Freschi, 2010). The major argument is that Chinese domestic environment fares no better and it could be replicated in China's relations with Africa. According to an April 2007 World Bank report, 16 of the 20 most polluted cities in the world lie in China (The Rockefeller Foundation, 2009). How could one expect Chinese mining companies in Africa to comply with environmental and safety laws if the mines they operate in China are considered the most dangerous in the world? (Horta, 2010).

Although China has often insisted that it maintains the principle of non-interference in its relations with Africa, which is a principle upheld in international law, there might be a number of ways in which China might be culpable for abuses committed by or in another states (Chandra and Brown, 2007). These could be first, through passive support for abuses (such as sales of arms that may be used to attack citizens); second, through active support for abuses (if state security forces attack civilians or displace people to facilitate Chinese operations, China would be seen as active participant in abuses); third, through commission of abuses by Chinese agents (Chinese government could be held responsible for acts by its own agents, such as employees of its government or state-owned enterprises that involve in direct commission of abuses such as massacre, torture, use of slave labour undertaken in support of economic enterprises such as oil exploration) and last, through shielding of the abusive government (where China's veto or threats of veto result in watering down or halting a resolution, and many lives may be lost in the process of conflict, in that case China may be morally responsible, although it cannot be said that China is legally responsible for the acts of the abusive state).





The views of Chandra and Brown (2007) found their bases on the 2001 International Law Commission Draft Articles on Responsibility of States for Internationally Wrongful Acts, Article 16 which states that:

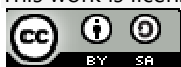
A state which aids or assists another state in the commission of an internationally wrongful act by the latter is internationally responsible for doing so if: (a) that state does so with the knowledge of the circumstances of the internationally wrongful act; and (b) the Act would be internationally wrongful if committed by that State.

That is to say that for China to be brought in into human rights abuses in Africa, it must be well established that China is really 'responsible' or 'culpable' for aiding such abusive governments. The study by U.S Department of State, Bureau of Democracy did not fail to point out that even without China human rights standards maintained in a majority of African countries fare no better. In Nigeria, for instance, there are prevalent human rights violations such as human trafficking for the purpose of prostitution and forced labour; societal violence and vigilante killings; child labour and exploitation; discrimination based on sex, ethnicity, region and religion, and; restrictions on freedom of assembly, movement, press, speech and religion (U.S Department of State, 2009), which China has not contributed to or supported. It stands to say that China cannot take all the blame.

Nonetheless, they must have been ways China have committed or aided human rights abuses in Africa that made accusing fingers to be pointed at China. For example, China's labour practices and poor working conditions that have ignored the human rights of African citizens have been sources of concern, and in that case, the issue of Zambian Copper Mine was pointed. The Chambishi Copper Mine, in the heart of Zambia's copper belt, had been closed for more than a decade when the China Non-Ferrous Metals Corporation (CNMC) bought 85 percent of the Mine in 1998 for \$20 million (Brautigam, 2009). The project was hailed as a prime example of how foreign investment can bring jobs and new technologies to Africa. But, in April 2005, an explosion at the Mine killed fifty-one Zambian workers due to poor safety standards. A year later, after the Chinese had banned union activity and began paying Zambian employees less than the \$67-a-month minimum wage, six Zambian workers were shot at a labour demonstration by a Chinese supervisor (French, 2004). Even though it is estimated that at least 20,000 Zambian jobs were created in the Copper Mine and support industries (Belk, 2011), poor working conditions of Chinese firms that ignored the rights of workers by not providing safety standards, constituted human rights violations.

Also, there are other issues cited. In April 2013, Nigerian workers at Dura Pack, a Chinese company that produces nylon bags embarked on strike to protest the death of their colleague from electric shock 'due to what they called unsafe working environment and lack of safety tools' (Vanguard Newspaper, 2013). In Namibia, South Africa, and Zambia it was found that Chinese managers repeatedly ignore local minimum wage laws and affirmative action requirements, while refusing to pay social security and allowances (Jauch and Sakaria, 2009). Also, in Sudan, Chinese investment in Sudan's oil sector and money accrued from oil were said to have helped Omar Al-Bashir's government fuel crisis and fund ethnic cleansing through acquiring of weapons, also from China. China was said to have sold \$100 million worth of aircraft and small arms to Sudanese President Omar al-Bashir between 1996 and 2003 (Brautigam, 2009). The arms include jets and helicopter gunships that were said to have been used for repression of civilians in the South, which had rather made China complicit in abuses of the government.

Although Chinese government insist that they are not selling arms destined for Darfur, Amnesty International reported that small arms and aircraft supplied by China and Russia have been sighted in Darfur, and that such aircraft have been used by the Sudanese military to support janjaweed attacks on civilians (Chandra and Brown, 2007). While Chinese weapons might have assisted in attacking and





abusing civilians in Darfur conflict, it is still important to distinguish between those abuses for which China is clearly responsible or complicit (as seen in sale of weapons used to attack citizens), and those that international community or some states might merely wish China to constrain or prevent through its veto power (which China's readiness or non-readiness to act cannot be attributed to the reasons for abuses).

In the case of Zimbabwe, while it is clear that Zimbabwean government has been repressive against its citizens, there are no allegations of Chinese agents directly committing abuses or of China actively supporting violations; unlike its Sudanese counterpart, the Zimbabwean government has not used Chinese weaponry to bomb villages or forcibly displace their entire population (Chandra and Brown, 2007). Truly, China has shielded Mugabe's regime from international sanctions with its veto power. But China seems not to be benefitting much from Mugabe, shown in its expressed concern about the possible negative impact of its factory's invasions and chaotic land reform policies against its economic interests in Zimbabwe and concerns on whether its loans to Zimbabwe would ever be repaid which made it signal its intent to limit future involvement to humanitarian assistance (Chandra and Brown, 2007).

However, a divergent view has emerged to point that even if China has been seen an underminer of human rights in Africa, it is not the only kid on the block of human rights abusers in Africa. China as well as the European Union (EU) is also said to be guilty of 'environmental abuses' throughout Africa by being large purchasers of illegal African timber (Horta, 2010). Aside the EU participating in environmental abuses, 'the United States, Britain and France have continued to protect Israel (against the Palestinians) just as Russia and China are protective of the beleaguered governments in Sudan and Burma' (Anup, 2010). Also, in the area of engaging in military activities in Africa, China is not the only 'black sheep.' For instance, the United States has a strong military base in Djibouti; it has established an African Force - the Africa Command (AFRICOM) on the continent, made two air strikes against Southern Somalia in January 2007 and generally plays a much more forceful role on the continent than does China (Schoeman, 2007). Besides, the United States government and its oil-based companies were closely involved with the authoritarian regime of Equatorial Guinea's Teodoro Obiang Nguema, among the worst violators of human rights on the continent (Chandra and Brown, 2007).

One thing that makes China's dirty linen more exposed than others is its insistence and pronouncement of non-interference policy in the face of human rights abuses. China's non-interference policy even in human rights issues that seems to be more attracting factors than anything else (Abbas and Niyiragira, 2009). China's stance seen as indifference and silence to human rights issues in Africa led to the assertion that 'China's silence gives a confusing picture of a smiling dragon with arms stretched to Africa, at once welcoming, friendly and yet dangerous' (Teke, 2007).

In the area of aid, China has consistently expressed that any aid that is 'conditional' means interference in the affairs of states, which runs contrary to China's principle of assistance to other developing nations. In the 2006 Forum on China-Africa Cooperation (FOCAC), President Hu Jintao addressing 48 African countries represented at the Great Hall of the People at the Summit in Beijing pointed out that China is committed to pursuing mutually beneficial cooperation with Africa in order to bring the benefits of development to their peoples (China Daily, 2006). Undoubtedly, the development China refers to is nothing short of economic development, which is geared towards the achievement of economic rights of its people. This was well captured by Chinese Foreign Ministry Spokesman, Liu Jianchao, when he posed the questions below to the African leaders present at the 2006 FOCAC Summit in Beijing:





When China is building roads and schools and providing health infrastructure and agricultural technology to African countries, are we damaging human rights in Africa? Are we hurting good governance in those countries?(China Daily, 2006).

No doubt, Africa is benefiting from Chinese projects and investments. China finances more infrastructure projects in Africa than the World Bank and provides billions of dollars in low-interest loans (Condon, 2012). For China, economic rights take precedence over all other rights. At the moment, China is making great efforts to sustain its economic development, with its ‘own characteristics’, and consistently professes its willingness to help Africa through its aid and sophisticated technologies. Thus, in its relations with Africa, is it likely that China will undermine economic rights as well as civil and political rights? This leads to the question, which of the rights does China undermine in Africa?

Which of the Rights is China Undermining in Africa? - Civil and Political Rights or Economic Rights?

The 1948, United Nations (UN) Universal Declaration of Human Rights (UDHR) which was adopted by almost all countries of the world, including China, marked the beginning of international human rights. Emerging from the 1948 Declaration were two important documents classifying aspects of rights: The International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). These two documents came into force in 1976. China is a signatory to all the Covenants. Although being a signatory, human rights issues in China remain a source of worry. The debate surrounding China’s relationship with international law has placed deserved emphasis on human rights, most notably China’s continuing failure to ratify the International Covenant on Civil and Political Rights, which it signed in October 1998 (Lewis, 2009), while it signed and ratified the International Covenant on Economic, Social and Cultural Rights in 1997 and 2001 respectively (Kampf, 2007). This could explain China’s following of the path of economic reform after the death of Mao Tse-tung in 1976.

Deng Xiaoping’s rise to power after Mao Tse-tung was seen as ‘messianic in nature’, as it brought in the ‘modern or new China.’ This ‘new China’ has been characterised with strong economic growth, and it is now a global economic power. Thus, with its economic transformation, a big relief has been brought to the Chinese citizens as their welfare has increased, taking care to a great extent their economic rights. Then the major issue in China’s human rights is the promotion of civil and political rights, which China is yet to ratify. It has been argued that even with the transition from Maoist orthodoxy to economic transformation, the Communist Party’s sights have remained much more closely focused on developing a strong...., completely excluding human rights-related concerns from their policy considerations (Qinglian, 2007).

In the 21st century Africa, China’s presence in trading and investment activities cannot be ignored, even with the human rights concerns. For instance, in Nigeria, China is currently constructing the Abuja light rail project (connecting Abuja to Kaduna) with \$600 low-interest loan from Chinese Exim Bank, and also its firms is constructing 700 MW Power Plant in Zungeru, Niger State, Nigeria, put at a cost of almost \$1.5 billion financed by Chinese EXIM Bank. China has completed the African Union building in Addis Ababa, Ethiopia. In 2008, the Congolese government brokered a deal with Beijing for the construction of massive cobalt and Copper Mine; 1,800 miles of railway; 2,000 miles of roads; hundreds of clinics, hospitals and schools and two new universities, and in exchange, China has the right to extract 12 million tons of copper and cobalt over the next 25 years; the total value of investment reached \$6 billion, around half of Congo’s GDP (French, 2010). For China, economic development (with targets on infrastructural development) is what Africa needs and in the spirit of third world solidarity,





China abstains from imposition of any conditionality but bases its assistance on friendship and mutual benefit (win-win co-operation).

What is worthy of note is that China's insistence on economic development at home is being carried forward in its relations with Africa. Today, African countries have benefited (are still benefiting) in China's aid tied to infrastructural development. For instance, in Angola, notwithstanding the criticisms of non-transparency and non-accountability of the Angolan government due to Chinese loans, these loans are currently being used to restore three rail lines that are essential to Angola's mineral exports, construct a new airport, and build low-income housing (Taylor, 2006). China's development approach revealed that economic rights and civil and political rights are pursued differently. This is affirmed in the author's interview with Mr Frank, China's Country Attache at the Embassy of the People's Republic of China, Lagos on November 5, 2011. Frank pointed out that China places more importance on putting food on the table for its citizens. To Mr. Frank, China's cares more about developing its economy and feeding its more than 1.3 billion population because China believes that survival comes before right to vote and freedom of expression. Thus, China is offering Africa what it has and that is economic development. According to Tull (2006), if China supports human rights or 'democracy' in Africa, it would logically imply that China's Communist leaders would dent their domestic political legitimacy, which is one of the reasons why Beijing doggedly clings to the dogma of non-interference in its relations with Africa.

Clearly, the way China deals with Africa's human rights issues cannot be completely distanced from its human rights issues domestically, which is genuine, because China cannot give what it does not have. China has often emphasised on win-win cooperation with Africa and human rights should not be an exception. Apparently, human rights issues in China-Africa relations should also be 'mutual and win-win.' Africa shares in China's technology, aid, investment and should also share in 'no regard for poor human rights', if that should arise.

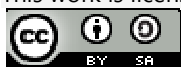
China is an advocate of economic development (what it called survival of its citizens by placing food on the table) before political development (the right to vote). While China is not offering Africa its Communism or 'authoritarian style', it is offering Africa the opportunities to share in its economic growth 'testimonies' which could be embraced through Africa's own characteristics (China's development is development based on Chinese characteristics) or any other characteristics that Africa chooses, since apparently China would not interfere in the 'way' of Africa. The dream that China's economic liberalisation will someday lead to political reform is yet to come to reality and until then, China's focus is on economic development, and that is what China is offering Africa. Indeed, China could not have been undermining both economic and political rights in Africa; China believes economic rights should be first protected in developing countries.

Conclusion

Human rights issues in China's contemporary engagement with Africa have continued to resurface. For China, human rights are relative to countries and no other country has the right to interfere in affairs of any other sovereign nation even in the face of human rights abuses.

However, this work argues that China's stance on human rights in Africa, and possibly internationally has a link with its domestic human rights situation. Being that human rights in China are abysmal, ordinarily China would not promote human rights in Africa more than what it does at home. Although China accepted that human rights exists as shown in the inclusion of human rights in its Constitution and ratification of some other international instruments, it accords more importance to development of its economy (economic rights) and feeding of its large population. Thus, in China-Africa relations, China believes that what is important is the 'business' that would trigger the development of

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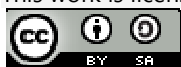
Africa, and the economic rights of its citizens, and not the ‘gospel of freedom and right to vote’ (political rights) which does not place food on the table. For China, ‘freedom starts with survival and it is only after survival that other rights could follow.

China may not have a clean slate as regards human rights issues in its involvement with Africa, but China has been assisting African countries in its development agenda by providing its aid tied to infrastructural development, and without strings attached. It is obvious that China has its interest to pursue in Africa just like all other countries; and in doing so, China might have stepped on some toes. While China may not be labelled a ‘saint’ in human rights abuses in Africa, it still cannot be labelled a ‘sinner’ in many human rights abuses by African governments.

Accordingly, China promotes economic rights. China has not argued against the fact that human rights are not undermined in Africa but what China has maintained is that it does not interfere in internal affairs of Africa. For China, its country has chosen the path of economic development (with or without human rights) and Africa should be allowed to choose its own path.

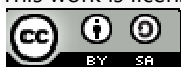
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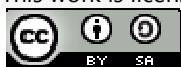


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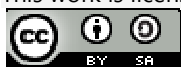




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