Abstract

As we have seen, the foreign policy of states and their relation is governed by the national interest and code of conduct in which each state need to objectively achieve, protect and govern their interaction. Securing one’s advantage and national interest of states, their foreign policies mostly hang-on their national interest and comparative advantage in any interaction. Hence, the foreign relation guided by foreign policy of states affects the economic, social, political and moral values of either each or non-dominant partner states that are in relation. For example, the lately developed Asian state, China, had got an overwhelming investment and aid provision in African states since the late 21 centuries. China’s footprint on the African continent had been increased alarmingly and become big and bold. But, the China-Africa relation had face so many criticisms from the perspective of human right issues. In Aftermath of the coming of China, the issues of human right violation in Africa were intensely and frequently raised. Therefore, under this study, the paper seeks to address the effects of China’s foreign policy and relation on the human right protection and promotion of selected African states (Ethiopia & Uganda). In doing so, secondary documents like, journal articles, books, Magazines and reports were used. Data’s were also collected from different Medias and newspapers to get the full picture of the study issue.

Key words
Foreign relation, Foreign policy, China-Africa relation, Human rights

1. BACKGROUND OF THE STUDY

1.1. Introduction

The paper seeks to address the correlation of foreign policy of states on human right in general and the foreign policy of Chinese on the human right situation of Africa in particular with reference of two (Ethiopia and Uganda) selected African states. The paper tries to specify why the African states welcomed China and push out Europeans and USA, which are the most coercive states for human right and democratization than China. It also seeks to overview China’s approach to human rights in it foreign relation juxtaposition with the human right situation of selected African countries (Ethiopia & Uganda) before and after the coming of China in the continent. In doing so, the paper tries to critically analyze the ‘place’ of human rights in China’s foreign policy and relation and its effect on the human rights promotion and protection of Ethiopia and Uganda. The human right situation of these countries before and after the coming of China as main companion of foreign relation and investment were used to substantiate the effect of China’s foreign policy on human rights.

During investigation, the qualitative research approach is deployed by going through different literatures like, Journal Articles, books and magazines, periodic reports, media’s, status records of states, reports of international and national human right instruments as well as NGO’s concerning human rights as the basic sources of data throughout the paper. To properly investigate the case; two African states namely, Ethiopia and Uganda were selected. In their experience of partnership of foreign investment and development cooperation with China, the two African countries had been received the highest and lowest aid and investment share from China than the rest African countries. Ethiopia receive 1.5 million dollar per year which place the country on fourth place from the continent while Uganda remain have insignificant relation with China beginning from 2011GC(Kampf, 2007)(Ofodile, 2009). In their human rights record, the two countries had vivid disparities since 2011, while Ethiopia’s human right record deteriorates, the Uganda had better place in accordance with the
report of World Freedom House record. So, the article tries to comparatively assess the human right situation of these two African states for endorsing the effect of China’s foreign policy on human rights.

1.2. An Overview China Africa Relation

As David Forsyth states, as well see the global, regional, national, and sub-national actors for international human right, we will see, time to time again, that liberal norms have indeed been injected into international relations, and that: the notion of human right is here to stay in international relations, human rights as ‘soft law’ is important and pervasive, private actors (Forsyth, 2000). Yet, there is variation among states in how seriously they take international human rights instruments, in which obligations they accept, and in the extent to which they attach reservations and other conditions to their acceptance (Forsythe, 2000). For example, even though China’s rapid and consistent economic growth has increased its presence and relevance in world affairs (Kampf, 2007), according to Thomas Lum & Hannah Fischer, the State Department’s annual Country Reports on Human Rights Practices stated that China’s human rights record remained poor in 2007 (Fischer, 2008). China has regularly spoken out against interference on human rights grounds in its internal affairs and those of other states, and it is often assumed that its ascendancy as a global power is threatening to this part of the international system (Breslin, 2012). China’s hunt for natural resources has been a boon for some countries in Africa. The relationship is allowing resource-rich states in the continent “to exploit untapped resources to gain leverage and to negotiate better deals with older customers” (Ofodile, 2009). Arguably, the partner states affirm that there is opportunity in which both sides benefited from the relation (Ofodile, 2009). However, it is still debatable that the China-Africa cooperation is a win-win situation. The apparent absence of human rights considerations in China’s Africa policy is also another concern of critics. One important critics of Beijing’s resource-based foreign policy has little room for morality and ‘naturally entrenched’ human rights (Ofodile, 2009).

Nevertheless, the China’s investment policy is welcomed by most African states and in contrary USA and European get a retreat from the African concern proportionally than before the coming of China (Tull, China's Engagement in Africa: Scope, Significance and Consequence, 2009). Africa, which always blamed by UN and USA in violation of human rights over their citizens is seems like that using China as an alternative for aid and support. That is why Denis Tull argues that China has presented an attractive alternative to conditional Western aid, and gained valuable diplomatic support to defend its international interests to most African states (Tull, China's Engagement in Africa: Scope, Significance and Consequence, 2006). Most African states like Egypt, Ethiopia, Nigeria, Sudan, Kenya etc. are the most five top investment areas of China in Africa (Tull, China's Engagement in Africa: Scope, Significance and Consequence, 2006). Like their donor, these African countries except Kenya have a worst human right record in accordance with the Human Right Council World Report of 2009-2013. For example, the world human right record of Ethiopia under 2008 (p: 170-182), 2009 (p: 71-76), 2010 (p: 118-123) and 2013 (p: 114-121) clearly stipulate the deterioration of human right from time to time while the interaction and relation with China increased alarmingly from 9 million dollar per year to 1.5 billion dollars annual aid and support for economic and social developments (Chris Alden, Dan Large and Ricardo Soares de Oliveira, 2008).

Know a day’s China become one of the world’s largest states in terms of economy that have GDP of 8.227 trillion USD (Chris Alden, Dan Large and Ricardo Soares de Oliveira, 2008). Chinese trade and commerce have exploded over the last decade; they have been an economic boon to many developing countries, correspondingly boosting China’s clout in countries as remote from Beijing as Angola, Ethiopia, and Uzbekistan (Chris Alden, Dan Large and Ricardo Soares de Oliveira, 2008). This economic power makes China more influential in the world, ‘side to side’ with the world’s super power called USA. While USA becomes the typical example and put itself as the defender of human right in the world, China remains reluctant on the case. More than this, USA and other European states always blame China as the violator of human right in the world (Kampf, 2007). Despite this, the principle of human right in the world is consider as the major principle of democracy and the fundamental motive for achieving development in which economic cause is one part, China’s approach is mostly blamed.
that it is indifferent to the issues of human rights for its effort of development. According to IPS, in 2009, China pledged to give Africa 10 billion dollars in concessional loans over the next three years and is accelerating its drive to pour vast sums of money into developing infrastructure in many African nations. This has been welcomed by African leaders. So, it seems that Africans should be cautious about China’s interests in Africa, but also be aware that criticism levied against China by various Western countries may also have double standards and be part of a wider agenda whereby the rich countries are feeling threatened by the rise of a potential economic competitor. Western standards of human rights and raising this as an issue are a good thing, but their own aid policies have often been with their own interests in mind, so caution is probably warranted for anyone bearing gifts. But, as Nicholas Kristof, New York Times columnist tries to state about, as China’s power and influence grow, the Chinese government now finds itself weathering criticism for its support of cruel regimes around the world. But in many places, China has purchased its clout at the cost of maintaining warm ties with murderous governments, from Burma, North Korea, perhaps most prominently, Sudan while the two U.S. presidents, George W. Bush and Barack Obama, have accused Omar Hassan al-Bashir's regime of genocide. Chinese government defending its long-standing principle that national sovereignty should reign supreme, seeking natural resources to fuel its red-hot economic growth, or offering a new model of international development and diplomacy.

With standing the problem, there are many controversial reports and writings on the issues of China’s human right approach and the human right situation of China locally. It is the world view that China’s human rights are deteriorated over and over; evidently China’s economic progress is very radical and had a significant influence over the world economic politics.

1.3. Understanding foreign policy

The definition of foreign policy is very difficult that every state of the world used their agreed understanding for themselves. But for the sake of this paper it better to use the most commonly used definition of foreign policy from Britannica encyclopedia. It says;

Foreign policy is a policy, strategy or guiding principles for states for outside (foreign) contact and relation with any other states, individuals and non-governmental organizations which consists of self-interest strategies chosen by the state to safeguard its national interests and to achieve its goals within international relations in the world (Britannica).

When we look this definition, foreign policy is the reflection of the national interest of states that used to direct the relation of states outside the territorial boundary. So, foreign policy is the reflection of the internal (domestic) policy of states to the outside world for achieving certain necessary goal or national interest. Some scholars like Juliet Kaarbo, Jeffrey S. Lantis, and Ryan K. Beasley argues that “Contemporary politics and globalization have blurred the line between what is foreign and what is domestic” (Juliet Kaarbo, Jeffrey S. Lantis and Ryan K. Beasley) policies in the state. This fusion of the two policies make very difficult to differentiate foreign policy from domestic policies. As a result of this; what states need for their internal objective and able not achieve internally will impose to the external world to fill their deficiency that they face internally. For example as Juliet Kaarbo, Jeffrey S. Lantis, and Ryan K. Beasley; “Economic groups often have an interest in foreign relations as they seek to promote their foreign business adventures abroad or to protect markets from competitors at home.” (Juliet Kaarbo, Jeffrey S. Lantis and Ryan K. Beasley) In other words, economic groups can shape the principle of states in their foreign relation. In this case; the economic need of individuals as well as states especially for developing state become the major challenge to be redirecting their foreign policy in accordance with their host states for economic gain in form of aid and technical assistance.

1.4. Foreign policy and human rights

Beginning from the 19th century, human rights are always critical issues in foreign policy matter that states are used to take as their duty in their foreign relation with any outside states. For example, as
Ruby Gropas argues about, “a declaration which set a new standard of civilization which human rights have entered international law (UDHR) with an unprecedented level of standard-setting and development of monitoring and reporting mechanisms” (Gropas) is basic benchmark which introduced human right into the world politics.

This incorporation of human rights in international relation makes human right law and principle as part and parcel of international foreign policy of state as the international duty that they discharge. But these international human rights mostly affected by the domestic policy of states. That is why even David P. Forsythe argues that “……….most foreign policy decisions on human rights usually reflected to some degree various domestic influences beyond the calculations of national interest held by foreign policy officials” (Forsythe, 2000). So, states may use human rights as a pretext to intervene on the internal matters of other states for their domestic objective. Minding this, Anuradha Chenoy argues that “the problem on the issue of human rights and foreign policy has arisen because the way the question of human rights has been often used by states to intervene in other states for their own geostrategic interests” (MChenoy, 2013).

For example, US intervene in Indo-China war, in concept of ‘saving Vietnam’, was blamed that it targeted to protect the expansion of communist rule which hundreds of thousands killed in the process (Forsythe, 2000). As a result of this; the implementation of human rights in international arena loses its credibility.

1.4.1. China’s foreign policy

In ancient period of time, China was the regional hegemony with an imperial dominance which guided by the values of ‘Confucianism’ which have strong political and cultural influences in both the neighboring countries such as Japan, Korea and Vietnam and on the northern ‘nomadic tribesmen’ the ‘Mongols’. According to Zhang “the Japan and western (inferior barbarian for China) aggression on China made Beijing administration more ambiguous attitude and indignation on Japan and western world” (T., 2004). Even though that China’s ambiguous attitude and indignity leads the state to lose international acceptance (especially from the west including USA), the government of Beijing seems like to be successful by achieving fast economic development. For example, according to World Competitiveness Report of 2013-2014, China becomes the world super power in terms of economy with 6,628,086 US $ GDP next to USA which have 15,097,089 US $(the Global Competitiveness Report, 2013-2014). This fast economic development of the state increased the oil and mineral needs of states for initiating and keeping up the growth. The fast-economic development and increased need of investment area of China made the state more attractive and sensitive in foreign policy of states in the world community. Sonya Sceats and Shaun Breslin also states, “Propelled by its newfound economic might, China has become a pivotal player within the global economic system and a potential role model for many developing states eager to replicate its growth” (Sonya Sceats and Shaun Breslin, 2012).

In according to China’s foreign policy, cited under Heine Dietz and Kyriako (2012), the overall goal of China’s pursuit of peaceful development is to achieve modernization and common prosperity for its people. As stated under the china’s foreign policy and hereof cited Heine Dietz and Kyriako, China in order to fulfill its goal has adopted and implemented, since 1970s, a three-step strategy for achieving modernization (Heine Dietz and Kyriako, 2012). The first step was to double the Gross National Product (GNP) of 1980, the second step was to redouble the output of 1980 and achieve initial prosperity by the end of the 20th century, and both targets have been met (Heine Dietz and Kyriako, 2012). The third step aims to make the per capita GNP reach the level of that of the medium-developed countries, by 2049 the 100th year anniversary of CPC (Heine Dietz and Kyriako, 2012). So, China’s foreign policy is one direction and targeted to meet the economic necessity of its own citizens and fill the increasing oil needs of the country by either bilateral or multilateral relation without or with little consideration of partner states.
1.4.2. China’s foreign policy and human rights

The increased economic development and critical oil necessity for China’s economy are highly motivated to shape its own foreign relation purely economic and human right issues are the subsidiary concerns of the foreign policy of China. For China’s foreign policy; human rights laws and issues are the concern of the domestic national government which narrowly interprets what “non-interference” principle of states under the ‘Westphalia treaty’. “China has regularly spoken out against interference on human rights grounds in its internal affairs and those of other states, and it is often assumed that its ascendancy as a global power is threatening to this part of the international system” (Breslin, 2012). So, China understood human right is used as pretext for having access to involve in internal matters of states especially by western states in different context. More than this, as it tries to explained above, because the foreign policy of China is targeted to achieve three goals (doubling GNP, redoubling GNP and attains medium developed state levels), the human rights and their international application is not put into consideration in their foreign interaction.

Due to this fact, China’s foreign direct investment and aid that it provides is mostly acted without consideration of human right of that state which receive aid and that foreign direct investment. For example, even though it overturned by the court decision of South African states; the China’s government sell ammunition which contain 777 tone weapons to Zimbabwe in 2008 through the coast of South Africa when Zimbabwe was in political turmoil which takes the life of so many peoples (Bromley, 2013).

Principles of equal treatment, a respect for sovereignty, non-interference, mutual benefit and co-development have endured. China is highly sensitized to notions of sovereignty and equality among nations. This is largely due to the fact that violations of China’s sovereignty by other major powers and the intervention of outside powers into China’s internal affairs have been salient diplomatic threats since the foundation of the P.R.C (Chris Alden, Dan Large and Ricardo Soares de Oiveira, 2008).

1.5. An overview of Africa China relation

African countries have always been an important component of China’s independent foreign policy of peace which it consumes proportionately large amounts of natural resources for economic development. In 1970, when trade relation increases up, African states helped China to become member of the UN and get a permanent seat on the UN Security Council. In return for this Africa, in addition to all the trade, China has provided no-strings aid to Africa with no political involvement. Because mostly the West including USA fascinate their aid and technical assistance by the situation of human right and principle of democracy as their guiding principle; African states welcomed the presence of China in their continent as best alternative. China has been seen as more courageous than European countries in the matter of investing in Africa. This assistance has helped Africa to improve its infrastructure and develop its economy. China has helped by creating economic zones, providing agricultural support and investing in mines, while also building highways, schools, hospitals and power-stations. China has also provided technological assistance particularly in the area of resource exploration and extraction. Currently, the relationship is broadening in scope, taking in such sectors as banking, tourism, air transportation and environmental protection.

From the establishment of the P.R.C. to its economic opening (1949-1978), China’s Africa policy was heavily influenced by ideology. During this period, China’s foreign policy was deeply impacted by the unique international environment of the time and placed itself on the front line of the struggle against colonialism, imperialism and revisionism in the Third World (Anshan, 2001).

However, this period is a period of cold war that divides the world in two (socialist and capitalist) an as socialist state China tries to get more satellite states from Africa and Asia to limit the expansion of US lead capitalist ideology. This computation seems like to open a faire ground for most African states to get better aid and technical assistance alternative. China always announces its interest
in Africa and inaugurates the interaction of the China and Africa as the beginning of new era on both sides.

In January 2006, China issued her first ever African Policy Paper, announcing to the world China’s intention to develop a new type of strategic partnership with Africa, featuring political equality and mutual trust, economic win-win cooperation, and cultural exchange. Such a strategic partnership is based on the following principles: sincerity, friendship and equality; mutual benefit, reciprocity and common prosperity; mutual support and close coordination; learning from each other and seeking common development (Qiang, 2012).

But after the disintegration of USSR, Africa-China relation takes different form and shape than before. Beginning from this period, China highly focuses on the economic developments rather than just keeping ambitious expectation of the socialist ideology. As Ricardo Soares de Oliveira’s argument, “The overarching driver has been the Chinese government’s strategic pursuit of resources and attempts to ensure raw material supplies for growing energy needs within China, in part reflecting the country’s position as a center of global manufacturing” (Chris Alden, Dan Large and Ricardo Soares de Oliveira, 2008). So, the government of Beijing, with an increased raw material and investment place motivates to inter to the economic and political competition of the world community, becomes more aggressive in getting investment places, more market, and oil which is the critical problem of Chinas economy. Mostly China’s interest in Africa in present world community is justified by the following major reasons; the Material need, access to the new market and investment place and political influence through case study of Taiwan.

1.5.1. The material needs
When the economy of China increased up rapidly with an annual growth rate of around 8% and its citizens become wealthy and wealthy; the oil need of China become the critical issues that must be addressed in the country for sustaining this progress (Looy, 2006). As a result of this; the government of China highly devoted to search a state which either potentially or practically export oil to China which latter they sought Africa (owns around 8% of the world’s oil reserves and 11% of world oil production (Frauke Urban, Johan Nordensvard, Yu Wang, Deepika Khatri and Giles Mohan, 2011)) as better place than any else. Then latter, China’s largest oil import was from African states in which they themselves deploy their citizens to search oil in African soil. “New deep-water oil discoveries have been made by China companies in the Gulf of Guinea, more specifically in Nigeria, Angola and Equatorial Guinea” (Looy, 2006). As the Sanders Moody, “Chinese companies are sucking up oil from Angola and Sudan, cutting down timber in Guinea and mining copper, zinc and other minerals in Congo” (Moody, 2012). The discoveries of oil in Africa were also very attractive news for Africans to get foreign exchange and attraction of investors from different corner of the world including the super power USA. So, the foreign relation of China with Africa is highly motivated by oil and mineral need.

1.5.2. Access to new market and investment areas
The material need is not the only motive for China Africa relation. Next to the material need the fastest economic development of China also needs additional market for the product of the economy and the wealthy citizen of China also need to get additional investment area outside their states. “China is currently investing in agriculture, fisheries and related secondary production in Africa and has already signed contracts with Sierra Leone, Gabon and Namibia to allow Chinese fishermen to fish in their coastal waters” (Looy, 2006). Because Africa is the best place in which leaders themselves welcomed such investors, China’s investment policy seems like get a good opportunity that different corporations and firms actively involved in Africa. “Since 1995 African exports and import to and from China have grown approximately from $2.5 to $5 billion USD and approximately from $1.3 to $5.8 billion USD” respectively (Moody, 2012). This shows how much
Africa China relation increased up time to time especially after end of cold war period of times and African states turn their face from the western to eastern groups especially China.

1.5.3. Political Influence

The relation between China and Africa is date backed to the 1950’s. Today, China has diplomatic and economic ties with 53 countries in Africa which interest in expanding South-South cooperation. China always instigates most the African states and most Asians to support one and each other for common and mutual benefit of states in district. “Beijing’s vision is that through active cooperation, developing countries can change the present rules of the game in the international system”(Ofodile, 2009). Especially in the past twenty years China was in a very clear competition with western states in economic, social and political issues. “While Europe and the US continued to marginalize Africa’s place in the world in the late 1990’s and early twenty first century, China embraced the continent as its developing brother”(Dempsey, 2010). This an increased recognition of China in Africa does not see positively by USA and Europeans. “China’s growing international power will increasingly rival the USA in its potential to influence ‘the power statuesque’ outside its border”(Kampf, 2007).

1.5.4. Case of Taiwan

China’s projection of influence in some previously unfamiliar regions of the world continues to grow up in central Asia and some part of Europe. China’s relationship with the Caribbean is complex, as this region is particularly important to Beijing’s foreign policy goals regarding Taiwan, which has some of its greatest supporters there. Because, several Caribbean states currently recognize Taiwan as an independent republic, China sought African as best friends that recognize the China’s dominance on Taiwan. “Taiwan’s Foreign Affairs Minister, James Chih-fang Huang, had toured Taiwan’s five African allies (plus Chad) in July 2007 to carry the torch for Taiwan’s annual attempt to join the UN while Beijing-supporting African governments have spoken out against the bid”(Chris Alden, Dan Large and Ricardo Soares de Oliveira, 2008). When their economic interaction increased up in mutual benefit China thought that African may easily recognize that Taiwan belongs to China in exchange African get high technical and material assistance for Africa to protect themselves from imperialism and hegemonies domination by western states.

1.6. The place of human rights in Africa-China foreign relation

The position of human rights in China-Africa relation was directly shaped by the China’s domestic human right conception. The base for China’s human right discourse is ‘state sovereignty’ in which if the sovereignty of state were affected by internal and external factors which directly or indirectly threatens the human rights of individual citizens and the credibility of the state. The well-known British researcher Sonya Sceats and Shaun Breslin explains that “a country’s sovereignty is the prerequisite for and the basis of the human rights that the people of that country can enjoy”(Sonya Sceats and Shaun Breslin, 2012). They also state that, “when the sovereignty of a country is put in jeopardy, its human rights can hardly be protected effectively”(Sonya Sceats and Shaun Breslin, 2012). According to them, the official conceptions of China on human right summarizes by the following points.

1.6.1. Prioritization of economic and social rights

China always ranked first primarily in giving due consideration on the economic and social rights over the civil and political rights in which the inverse becomes true for western states. The government of Beijing always argues that the social and economic rights are among the first and critical rights that we can achieve the civil and political rights especially in economically less developed states like Asia, Africa and Latin America. “For developing countries, economic, social and cultural rights should be put as the first priority so people can lead a decent life and to realize the Millennium Development Goal”(Sonya Sceats and Shaun Breslin, 2012) So, according to the Beijing
government, this development becomes the bridge to achieve the “luxurious” and “prosperous” rights that is civil and political rights.

1.6.2. The development paradigm

According to Beijing government human rights are the goal that provide by state in accordance of the level of development in which it can determine the level of human rights that we can enjoy in our live time. According, “Human rights are viewed as a ‘noble goal’ or cause’ be pursued by a state according to its level of development, rather than a set of binding International legal obligations”(Sonya Sceats and Shaun Breslin, 2012)says the British researchers Sonya Sceats and Shaun Breslin. So, China sought that the civil and political rights entitled to human beings based on the level of developments that the individuals have. Similarly,David Kampf also state that the lesser developed states will enjoy their citizens lesser civil and political rights and the higher developed states enjoy their citizens higher civil and political rights, that is why the west primarily focuses on the civil and political rights, because they are efficient in economic and social rights and have not any economic problems(Kampf, 2007).To achieve these economic and social rights, improving the economic situation of the country and individual is mandatory.

1.6.3. Focus on group right

The main intention of the China’s government is to develop a communal rights and solidarity which used to create social harmony. That is why Sonya Sceats and Shaun Breslin argues,“China has persistently pushed back against the individualistic orientation of the human rights framework by promoting instead collective rights vested in peoples (or the state) such as the right to development and the right to self-determination in the struggle against colonialism”(Sonya Sceats and Shaun Breslin, 2012).Unlike the western individualistic approach for human rights, China didn’t recognize that human rights are only individual values but also the group solidarity or collective rights that sought cultural, collective and societal interests differently as a virtue that pursuing social harmony, peace and order, collective and communal interests, if necessary, should prevail over individual interest(Dempsey, 2010).

1.6.4. Stability as a precondition

The prime concern of China’s government is keeping peace and promoting security. While protecting and promoting human right is a luxury issue that may think off after these primary concerns. “China views the maintenance of public order as a paramount obligation of the state even at the expense of the most fundamental rights of dissidents as its unyielding defenses’ of the Tiananmen Square killings and subsequent crackdowns illustrate”(Sonya Sceats and Shaun Breslin, 2012). Accordingly, china’s government argues that the violation of human right can be justified by the popular stability and the restoration of peace if necessary to act against human rights as human right values are taken as luxury things that can be claimedonly in time of peace and order. “China understood that the creation of the Human Rights Council was both a threat and an opportunity for its agenda to avoid censure and it engaged heavily in the institution-building negotiation”(Sonya Sceats and Shaun Breslin, 2012). Because stability and peace are the ground for the enjoyment of human rights, stability and peace is above everything for China’s understanding.

1.6.5. Why China succeed in Africa?

The China-Africa relation is based on the five principles of peaceful coexistence; mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference each other on their internal affairs, equality and mutual benefit, and peaceful coexistence. From these major five principles of Africa China relation, there is no any area that clearly stipulate where and how human rights were addressed in this case. China clearly announces that human rights are the concern of domestic national governments. Due to this approach, China become the best alternative for African states which provide aid and technical assistance regardless of the human right situation and
democratic suppressions of African states on their own citizens. “For those states with poor human rights policies, China is easier to deal than the United States and Europe as there are no transparency requirements and intrusive prerequisites on corruption” (Kampf, 2007). Because African states had the political social and economic problems and very poor human right record, whether socio-economic or civil and political rights, most of the time, the UN human right council and the west states, as a role model democracy and safe guarder of human rights, fascinated the aid and technical assistance that they provide to African states. This mechanism dissatisfied most African states as they suspect as mechanism that the west uses to interfere on internal matters of the sovereign country. In contrary with this China also provide a technical and material aid to African states to trigger them from the influence of African state from the west. “Following the conference, China supported African countries with economic, technical and military support in an attempt to restrain the dominant western powers and create a new political and international order” (Looy, 2006). Then the China’s foreign policy becomes interesting and attractive for the African states and China succeeds in Africa in which a very strong economic and social tide creates among them.

1.6.6. How human rights affected?

As the goal of China’s foreign policy is mainly economic and the human right understanding of the country is relative which provides freedom to every country to define human right by themselves, the ‘authoritarian’ or ‘non-democratic’ stats of Africa can use the aid and technical assistance of China for suppression and strengthening their political power. Especially if the existing government has good position for economic need of the China’s government, they never cared about the human right situation of the country. For example, the China’s government does not take any necessary action when the government of Sudan kills so many peoples in Darfur. Surprisingly the foreign affairs of China in Sudan made a speech as follows as Dr. UcheOfodile sites it “regarding the crisis in Sudan, China’s Deputy Foreign Minister is quoted as saying: “[b]usiness is business. We try to separate politics from business. Secondly, I think the internal situation in Sudan is an internal affair, and we are not in a position to impose on them.” (Ofodile, 2009)

The impact of China’s foreign policy and relation has not only an indirect impact like the above example, but also direct violation of human rights by its own organizations and citizens in foreign African states. For example, according to 2006 Amnesty International report states that the exploitation of oil in Unity and Heglig Oil Fields in Southern Sudan was accompanied by mass forced displacement and killing of the civilian population living there.

The principle of “developmentalism” as a policy in Ethiopia is also assumed to be designed from the principle of China’s foreign policy which prioritizes the economic and social rights than that of the civil and political rights. With the motive of economic development in Ethiopia, the government of Ethiopia tries to strengthen the involvement of China in the country’s economy through investment. Beyond this policy influence, China also had direct involvement and take a share in human right violation in African states. For example, China’s contractors and organizations in Ethiopia are the major areas that vast human right violations occurred. Additionally, miss-treatment of local workers by some Chinese supervisors, low salaries, rape and displacement of local citizens without appropriate compensation payment are some among the human right violation by China in Ethiopia (World Human Right Report, 2013).

2. THE INVESTIGATION OF THE IMPACT OF CHINA’S FOREIGN RELATION IN ETHIOPIA AND UGANDA

2.1. Human right experience of Ethiopia

Legally speaking, the concept of human right in Ethiopia is a recent phenomenon that introduced with the development of constitution and modern government structure beginning from the period of Emperor Haile Sillasie in 1931. It is very clear that this period come to Ethiopia with the first written constitution for the country. Even though the then government is monarchical government, concept of international human right was recognized by the constitution with a serous of duties and
responsibilities. This simple inculcation of human rights concept in the constitution was further broaden its content and concept in the 1955 revised constitution of Ethiopia by internal and international enforcements on monarchical government of Ethiopia.

But after the fall of the monarchical regime, even though the Dergue government comes up with new radical and liberal constitution with modern concept of human rights, the military government continues with mass violations of human right the human right violation reaches its highest pick in this military regime when the government kill indiscriminately individual citizens in Addis Ababa in 1974G.C which is known as “Red Terror”. “Despite much rhetoric on the part of the Mengistu government to the contrary and an entire chapter of the 1987 constitution devoted to “basic freedoms and rights,” Ethiopia under Mengistu had one of the worst human rights records in the world”(Goo16). In this period the foreign relation of the military regime was with the former Socialist Russia which more or less similar with China’s policy to enforce such kind of mass human right violation. The human right record of this was the worst of all periods.

Then after the 1990, the new democratic government of Ethiopia (EPRDF) comes to power with a legible federalist and democratic constitution. The government set-out major principles under the FDRE constitution like; self-determination, equality, political decentralization etc. as political administration system. The human right situation of Ethiopia in the aftermath of the coming EPRDF government was good and has better human right record for at least consecutive 10 years. The freedom house index put Ethiopia under partially free groups in this period. But this situation does not continue for a long period of time and the human right situation began to worsen down and the freedom of individuals began to deteriorated and violated by the government as it clearly shown in freedom house index that Ethiopia is sub grouped under not free groups.

This period is a period popular uprising and movement was made in the aftermath of the 1997 election and new different proclamations like Anti-terrorist law, civil society cod and land lease proclamation was made by the government. These proclamations are blamed by the international community and individual citizens of the country that it clashed with the international human right law. The proclamations that issued by the government are highly criticized that it is against major human rights like freedom of expression association and assembly. In accordance with world human right report of 2013, veteran journalist and blogger EskinderNega was sentenced to 18 years imprisonment after the new Anti-terrorist law was issued by the government. So, in accordance with the report the anti-terrorist law of Ethiopia clearly violates the freedom of expression and freedom of free press.

2.2. China’s investment intention and impact on human right in Ethiopia

Ethiopia and China have enjoyed long historical friendship relation based on the common values of civilization and level of development and aware of their ancient civilizations and their long histories. However, the diplomatic relation of China and Ethiopia were only established in 1970 by the leading principle of mutual respect, non-interference in the internal affairs of each other’s, and peaceful coexistence.

The China- Ethiopia relation increased from time to time and their investment and trade interaction increased from 500 million US dollar in 2000 to 1.5 billion US dollar in 2009. In this period China become the leading state of the world that Ethiopia grasps and follows its development policies and strategies in domestic level. “China has also provided an impressive development program to Ethiopia on the basis of mutual respect and understanding and on the principle of non-interference”(NORRAG, 2009). Know this period is a new period in which little shift of Ethiopian policy were seen from west to the east and the human right record of the country was beginning to decline in accordance with the World Freedom House records that it shifts from ‘partially free’ of 2010 to ‘not free’ after 2010. The period of 2005 up to now is marked in Ethiopia as the period of China in especially in economic arena and remarkably Ethiopia sought in having a paradigm policy shift from the West to East. “Unlike the Western investments, which have overtone of various forms of conditionality, such as the formation of free trade, building private companies, or loosening of government regulations, the
Chinese investments in Ethiopia’s infrastructure rejuvenation and the various types of venture investment projects are claimed to be based on flexible soft loans and are tailored to lift the overall economic performance of Ethiopia” (Desta, 2013). More than its reluctant nature the China’s officers and contractor officials in the infrastructure construction in Ethiopia are the major human right violators of human right in the country. For example, the forced villagization and displacement of the indigenous Gambella peoples in the lower Omo River is motivated by the China’s company to produce sugar in the river valley of Omo. According to the World Human Right report of 2013: -

“In South Omo, around 200,000 indigenous peoples are being relocated and their land expropriated to make way for sugar plantations. Residents reported being moved by force, seeing their grazing lands flooded or ploughed up, and their access to the Omo River, Essen Extrajudicial Executions, Torture and other Abuses in Detention” (World Human Right Report, 2013)

In this region many people are tortured, hilted and raped by the government militaries and China officers. In the other case most, Ethiopian workers which employ in China lead contract highly complain about the low payment and inhuman treatment in work place. We can take as an example the VOA news in around march 2013 that around 12 female workers are raped in the Dessie to Bahir Dar road construction of Ethiopia which constructed by China contractors. From the other broadcasting service AtoKeffyalew Gebremedhin says again; the labor union’s complaints were released to ESAT today by CDCA labor union President Kurabachew Firew, alleging that management staff and Chinese workers are involved in beatings of workers, rape of women workers and residents, murders, kidnapping and in general mistreating of Ethiopian workers, according to the news broadcast on ESAT (Forward video, play from 4:50).

The West (USA and Europe) condemned the China’s inhuman and uncivilized action on Ethiopians even though that this condemned have not any significance to avert the China inhuman action and serious violation of human right against the international law. But as China’s policy and strategy well recognized by the Ethiopian government, the influence of the west and international organization decreased down by making China responsible for things that happen in Ethiopia and they shift from lobbing Ethiopian government to blaming the government of Beijing in international human right meetings and institutions. For example, CNN reports that the president of USA, Obama, highly criticize the approach of China to developing states like Ethiopia and its inhuman treatment in countries UPR countries report in June, 2013 (forward video play from 1:30-1:45).

This situation also affects the human right institutions and activists to perform their own duties and day to day activities in the country. According to the world human right report of 2013 Ethiopia’s most important human rights groups have been compelled to dramatically scale-down operations or remove human rights activists from their mandates and an unknown number of organizations have closed entirely. More than this, because the development policy and approach of China used by the Ethiopian government a lot of human rights and freedoms are restricted by this policy. We can take as an example the millennium development goal that targeted to restructure cities and towns and villages in the country particularly Addis Ababa. In Addis the urbanization process results the enforce clearance of slum (literally “Solomie”) houses especially around “4 kilo”, “5 kilo”, “6 kilo” and some part of “Shero’o Meda” which made poor people without shelter. Here it does not mean that urbanization is bad and such house are good rather such clearance of slum houses need to be done by appropriate alternative provisions of the poor peoples to be sheltered.

The world human right report of 2013 reported that “The environment is equally hostile for independent media: more journalists have fled Ethiopia than any other country in the world due to threats and intimidation in the last decade—at least 79, according to the Committee to Protect Journalists (CPJ)” (World Human Right Report, 2013). This clearly shows that how-much human right in Ethiopia highly deteriorated from time to time. This deteriorative period also highly collides with the coming of China and its domination in Ethiopian as economic activist and investment initiators. World report of 2013 also announces that “On January 26, a court in Addis Ababa sentenced both deputy editor Wubshet Taye and columnist Reeyot Alemu of the now-defunct weekly Awramaba...
Times to 14 years in prison. Reeyot’s sentence was later reduced to five years upon appeal and most of the charges were dropped”(World Human Right Report, 2013). During this period the China’s government does not take any necessary measures when west including USA highly blame the action as violation of human right and suppression of free press while China sustainably provide aid and technical assistance for the government regardless of the situation in the country.

2.3. Human right experience of Uganda

After British granted independence to Uganda in 1961, Uganda made a serious of elections and policy change from time to time within centralized state and traditional tribal kingdom. But after five years’ experience Uganda proclaimed the first democratic constitution in kind with a clear supervision of British government in 1967. After certain period of time a cope was made by General Idi Amin in 1971, which is responsible for the deterioration of human right, economic development and democratization process of the country. Different rebellion and national movements emerged and began to fight the Idi Amin’s government which causes mass killing and atrocities of human right until it over thrown by Obote for three years and political competition and turmoil continue in Uganda until a strong government by Yoweri Museveni comes to power in 1985.

The Yoweri Museveni’s government has largely put an end to the human rights atrocities and abuses of earlier governments, initiated political liberalization and general press freedom, and instituted broad economic reforms after consultation with the International Monetary Fund (IMF), World Bank, and donor governments. This period is the period of flourishing of Ugandans which tries to organize different national human right institutions including the strongest institutions, Ugandan human right commission, and the strong culture of human right meeting and discussion program which is known as human rights Barraza. But the war provoked in northern Uganda, Karamoja, becomes the new concern that begins human right violation and human atrocities in the disarmament process by the Yoweri Museveni government. The world human right report of 2009 says that “In Karamoja, where the availability of firearms has aggravated cattle-raiding, the Ugandan army continued a campaign to disarm residents, but in the process committed human rights violations”(World Human Right Report, 2009). In this period of time the dominant states USA and their former colonizer state British with the ICC plays a great role for developing peace and negotiation of the two groups even though that the leader of the NRA, Joseph Kony, did not sign the final peace accord.

The cultural discrimination of gays, lesbians, and trans-sexual individual also further intensified the human right situations of the country next to the war between Yoweri Museveni and LRA in northern Uganda. In accordance with the world human right report of 2012, “Homosexuality itself is not technically illegal in Uganda, but sodomy laws from the British colonial era are still on the books and there is a strong social bias against homosexuality”(World Human Rights Report, 2012).

No matter how this problem is Uganda had a very strong human right commission which either directly or indirectly assisted by the world human right council and the ICC with USA for its effort to protect and promote human rights in the country. For example, the cost and budget of the human right Baraza is annually supported by the British and USA government with the advisory of the international human right watch. “In 2004, USAID provided $56 million of emergency food and $9 million of emergency non-food assistance, mainly for the conflicted affected people of the north. In 2005, emergency food aid distributed by the World Food Program for IDPs and refugees in Uganda was valued at $47.5 million and approximately $12 of emergency non-food assistance focused on water and sanitation services”(USAID, 2001).

Because of Uganda had a very strong human right commission that even had a direct contact with international human right institutions like UNHRC and HRCJ, the commission become very successful in lobbying the government’s action and provide information about the human right situation of the country to the concerned international human right associations. For example, in accordance with the 2011 world human right report, with the help of the Ugandan human right commission and supervision of ICC, the Ugandan War Crime Division of Supreme Court expected to made a binding
decision on the lord resistance army leader, Thomas Kwoyelo, even though the court released him without trial.

The Uganda’s Human Right Commission also provides an annual report to the state departments and organs to see their previous practice and plan for improving to the future. “The Uganda Human Rights Commission submits its annual reports to Parliament to recommend effective measures to promote human rights(Sekaggya, 2007)”. So, the legislative organ of the government debated over the report and if necessary proclaimed proclamations for improving human rights situation of the country.

The commission also had a direct contact with the executive organ of the government. According to Margaret Sekaggya, the appreciation of the complimentary role of the Commission in the promotion and protection of human rights in relation with the Executive are cordial(Sekaggya, 2007).As the executive is the strong organ of the government, the relation of the commission is highly threatened to submissive position because the budget of the commission is sated by the executive branch. The judiciary is the best coupled branch of the government for the protection and promotion of human right in the country side to side with the commission with direct or indirect technical assistance of the HRCJ and the United Nation Human Right Council as the World Human Right Report of 2011(World Human Right Report, 2011).

When we see the freedom house index of Uganda for the past 10 years except little fluctuation the freedom house index of Uganda ranked to “partially free” subgroups. “That latter comes as “free” in 2011 and returned to “partially free” in 2012 and 2013”(World Human Rights Report, 2012-13). This relative good record from the rest African countries is due to its strong national human right institution and the oversight influence of USA and the rest Western countries accompanied by international human right institutions.

2.4. China’s Investment Intention and Impact on Human Right in Uganda

The coming of China in Uganda is too late when we compare with the rest part of African states. The China Uganda relation where established in 1962 in which their trade worth over US$400 million in 2011. Its influence over the country’s economic, social and humanitarian issues is as such insignificant in before of 2011 even though their interaction increased alarmingly. The minimal influence of China on Uganda is not a matter of interest but because of the historical dominance of Western states Britain and USA.

After the coming of China economic activity and trade in between the two countries increased and China become the increased investor in Uganda. But as China’s major goal is to find oil and minerals in Africa China construct a huge oil producing company in Uganda which always blamed by international human right institution for the violation of human rights and results forceful displacement of local peoples. OkowaBosnii, the world human right researcher, explains that:

Followed by future developments in the industry, most notably a Ugandan refinery introduces the human rights concerns that often surround the oil industry, including case studies of oil’s thorny relationship with human rights in other countries and explores human rights and other social or environmental issues that are vulnerable to neglect or damage in Uganda as a result of the oil industry(Bosnii, 2012).

Surprisingly the in the aftermath of the inauguration of China-Uganda relation the issue of human rights were taken everywhere domestically and internationally. Because their interaction is as such not strong and the existence of strong national human right the impact does not able to change the human right status of Uganda even though there is human right violation by China’s firm and domestic government.

In the other side there is also the influence of Western states like Britain and USA that always initiate their action on human right situation of the country with conditional aid and technical assistance. For example, in accordance with the world human right report the “Warrants issued by the ICC for LRA leaders in 2005 remain outstanding”(World Human Right Report, 2009). This warrant is to assure the safety of the suspect not to be inhumanly and illegally treated by any group.
3. FINDINGS FROM THE TWO CASES

When we are looking the two case studies, in Ethiopia, China had a high control and dominance in economic aspects; China is the investor, donor, and technical assistance provider as well as policy guide for economic development of Ethiopia. This all assistance and cooperation is without the preconditions of the human right situation of the country and democratic situation. More than this China were not in a position to follow and chuck up where these aids is used by the government because human rights are the internal matter of the state.

Then again, the China’s who are in Ethiopia also taking share directly for the human right violation of the country by raping, less salary payment biting in humanely. Lastly, the development policy of China that adopted by Ethiopian government, which give little consideration of human right, highly affects the human right situation of the country.

Because of the China’s domination in Ethiopian investment areas, the rest parts of the world, especially the West, did not get chance to enforce the concerned bodies against the violation of human right in Ethiopia. So, the mechanism that the west used to enforce human right laws may not be effective because Ethiopia may use China as alternative means for any necessary technical and material aid.

However, in case of Uganda, China lately comes to the country after the strong human right commission introduced. Then every inhuman and illegal treatment in the country leads to legal punishment by the initiation of the commission. Since the West are still the dominant trade partner of Uganda, their human right institutions also have a power to influence the action of the government and governmental officials not to violate human rights in the country through trade sanction, aid and technical assistance. Hence, it vividly how as that the west has a direct relation for Uganda’s good human right records.

4. CONCLUSION

The common colonial history accompanied by economic problem made a significant influence over Africans states to follow China’s policy as role model for development since China register fast economic progress. As China’s policy had little consideration for human right, the African development policy also began to incline to China’s style. The consideration of human rights under their policies and strategies were eroded from time to time. This shows that the China’s presence in Africa leads to the change of policies and strategies which have high concentration on economic issues and little consideration on human rights. As the case specifically provides a critical evidence how much the Ethiopian human right situation worsens with the coming of China and the good record of human freedom in Uganda without China, the China’s foreign policy and investment relation as well as development policy highly redirect the country to economic issues that result little consideration of human rights. Due to this fact, the number of national human right institutions in Ethiopia closed and reduced to very little number because of the policy and strategy change of the country and an insignificant budgeting for human right issues projects.

The excessive oil and mineral need of China used to drive African states by providing development assistance that even results a dramatic economic change and improvement in the country. But, this economic progress driven by China’s government convinces African states to develop China oriented ‘solitary economic policy’. This approach and policy developed by some African states (like Ethiopia) leads to scratch political rights and freedoms which considered as the base and negative rights as per the human right understanding of western states.

Beyond this, China also takes a share of human right violation directly in person. Chinas’ investment policy always planned to have at least one Chines man as manager in every investment activities. However, as this Chines man have little recognition of human right in their understanding, a lot of women workers are rapped, killed and tortured in work place as we see in case study of Ethiopia.

China’s aid and technical assistance for African states is given regardless of the practice and adherence of democratic values and human rights in the country. They see their investment and trade relation purely economic interaction. This clearly show that China is reluctant to consider the impact of
this aid and investment on human right of the respective countries. Even, China are not in a position to understand and consider that the non-democratic governments can use this aid and assistance to suppress human rights and freedoms of peoples of their own country.

But, as we can see in some African state in which China’s economic policies and investments projects were not influenced yet, in case of Uganda, they do have better human right records with strong human right institutions and activists that even carry the human right violations to the international human right institutions and international court of justice to set an appropriate punishment.

However, unlike Chines, Europeans and USA will at least set human right situation and democratic process as requirement and precondition either to continue their aid and technical assistance or used to enforce the government to stop or protect human rights and improve democracy in the country. Or much of their assistance will be in name of human right and democracy of the country. So, the host country will either motivated or enforced to improve human rights either to get aid and technical assistance or to develop internal prosperity and peace through promoting and protecting human rights.

Generally speaking, China’s foreign policy have given very little room for human right and freedoms either by cultural or historical reason and its influence on human right situation of Africa is uncountable and significant. As this situation had direct impact on the presence of Europeans and USA and leads to retreat back from the African states, the violation of human rights will increase radically as alternatives for complaining the human right situation to these countries will be also lost.

5. BIBLIOGRAPHY

A. BOOKS

- Nalinilley and Bonnie Zare, Other Tongues Rethinking the Language Debates in India, Amsterdam - New York, NY 2009
- Zeng Qiang, Research Prof, Sino-African Relations at a New Stage of Development, October 2012
- Denis M. Tull, China’s engagement in Africa: scope, significance and consequences, 2006
- Anuradha M chenoy, Human rights and foreign policy: 2013
- Frauke Urban, Johan Nordensvärd, Yu Wang, Deepika Khatri, Giles Mohan; China and the African oil sector: channels of engagement, motives, actors and impacts, 2011
- Zhang, T.'Self-Identity Construction of the Present China', Comparative Strategy, 2004
- Margaret Sekaggya, Chairperson of Uganda Human Rights Commission; Experiences of the Uganda Human Rights Commission in fulfilling its mandate, February 2007
- Juliet Kaarbo, Jeffrey S. Lantis, and Ryan K. Beasley: The Analysis of Foreign Policy in Comparative Perspective, September 2000
- Heine Dietz and Kyriako: China’s Foreign Policy in Sub-Saharan Africa through Material and Ideational perspectives, MAY 2012
- Chris Alden, Dan Large and Ricardo Soares de Oliveira: China Returns to Africa: Anatomy of an Expansive Engagement, December 2008
- Amartya Sen, Development as Freedom, New York 2000
- Okowa Bosnii, the coming of China and human right in Uganda, 2012
- David P. Forsyth, human right in international relations, Cambridge university press, 2000
- Ruby Gropas; Is a Human Rights Foreign Policy Possible? The case of the European Union, 2012
- Sanders Moody, CHINA IN SUB-SAHARAN AFRICA: Demand Extracting Supply; 2012
- Desta, Asayehgn; Chinese Investments in Ethiopia: Political Warfare Operations or South-South Cooperation? 2013
- Siobhan C. Dempsey; THE IMPACT OF CHINESE FOREIGN AID ON HUMAN RIGHTS IN AFRICA; 2010
- Anuradha M chenoy, Human rights and foreign policy: 2013
Siobhan C. Dempsey, The Impact of Chinese Foreign Aid on Human Rights in Africa, University of Pittsburgh 2010
Sonya Sceats & Shaun Breslin, China and the International Human Rights System, October 2012
Dr. Uche Ofodile, Trade, Aid and Human Rights: China’s Africa Policy in Perspective, University of Arkansas School of Law, 2009
David Kampf, China’s Rise and the Implications for International Human Rights, 2007
Gustavo A. Flores-Macías & Sarah E. Kreps, The Foreign Policy Consequences of Trade: China’s Commercial Relations with Africa and Latin America, 1992—2006

B. Journals

C. World human right report
World human right report 2009-2013
Freedom House index 2006-2013
The Global Competitiveness Report 2013 - 2014

D. Websites
http://americans-world.org/digest/global_issues/human_rights/PromotingHR.cfm
Fact on USAID from American people, USAID Website: http://www.usaid.gov, 2001
http://fpif.org/us_human_rights_policy_toward_China/
http://www.foreignpolicy.com/articles/2011/02/22/human_rights_last
http://memory.loc.gov/frd/etsave/et_05_07.html