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China's Voting Practice at the UN Security Council, Its Legal and Political Interpretation: Case of Syria

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Abstract

This article examines intersection of three contemporary issues that occupy academic thought intensively: China's global politics, its changing voting practice at the United Nations Security Council (UNSC), and the international response to the civil war in Syria. The aim of the article is to provide quantitative and qualitative analysis of China's voting practice in the UNSC regarding the civil war in Syria, to outline a legal and political interpretation of its voting patterns and to conceptualise China's politics in the UNSC regarding this issue. The article argues that reasons behind China's rapidly growing use of the veto in the UNSC regarding Syria are vaguely related to the case of Syria itself, but directly reflect the primacy of China's domestic politics and its strategic aspirations to reshape global governance. Growing concern within the international community about the human rights abuses taking place on a mass scale against Uighurs in Xinjiang is the most prominent catalyst that enables and provokes China's systemic reaction. Therefore, although China has neither geopolitical nor strategic interests in Syria, Syria's case serves as a battleground for China's attempts to transform the collectively accepted interpretation of multilateralism, democratic values, and norms. This aspect underlines the necessity to observe China's politics from the perspective of social constructivism. Methodologically, this article draws on political discourse analysis theory, examines China's arguments in the UNSC and argues that China's voting behaviour in the UNSC regarding Syria focused on reinterpretation of two grand concepts of international law: state sovereignty and non-interference.

Keywords: China, Security Council, Syria, United Nations, veto.

Introduction

The Syrian civil war has been on the UNSC agenda since 2011. If compared to other United Nations Security Council (UNSC) agenda items, it could be characterised as one of the most complex, and the list of international security issues regarding this case includes deaths of hundreds of thousands of people, the use of chemical weapons by Bashar al-Assad's regime, the humanitarian situation, sanctions, military engagement of third parties and clashing interests of UNSC permanent members. Nevertheless, the case of Syria has been a regular subject of a veto in the UNSC by Russia and China (a "tandem veto") or by Russia with China abstaining. In no case has China exercised a "lone veto". Moreover, Syria's case is the turning point in China's voting behaviour in the UNSC: since 2011, it has cast the veto 13 times, and only one of these vetoes has not been related to the case of Syria.

This article examines the radical shift in China's voting practice in the UNSC and gives a legal and political interpretation of it. Traditionally, when observing atypical international behaviour, geopolitical, economic, or strategic interests of the involved party are being sought in a particular country or region in a manner of neo-realism and from the point of view of the balance of power. Nevertheless, there is no evidence of China's direct interests in Syria. China's specific voting behaviour since the very beginning of the crisis in Syria has been regarded as unclear. This article, by conducting political discourse analysis of UNSC meeting records, shows that the answer is not to be sought in the light of neo-realism and the balance of power theory, but rather in the domain of social constructivism, which emphasises the aspect of value systems, norms and ideas that determine state behaviour and mutual relations in the international environment.

The article is structured in three parts that lead from quantitative analysis of the voting behaviour in the UNSC to qualitative political discourse analysis explaining China's vote and analytical conclusions about the motivation that stands behind China's international politics regarding the Syrian civil war and dramatic change of voting behaviour. First, the article outlines that the quantitative view can lead to the conclusion that the case of Syria illustrates and exposes a convergence of China's and Russia's interests or even worldviews. Nevertheless, the second part of the article shows that China's behaviour is characterised by a noticeably clear emphasis on the principles and interpretation of aspects of multilateralism and international norms, therefore China's voting practice in Syria's case must be observed in a wider perspective and separately from Russia's politics towards Syria. Third, this article emphasises that China's motivation behind the voting practice in the UNSC is related to its domestic politics and a possibility to reinterpret two grand concepts of international law: state sovereignty and non-interference in a way that helps maintain stability at home.

1 Use of the Veto in the UN Security Council Regarding the Syrian Civil War: The Quantitative Aspect

The veto power of the five permanent members of the Council is the term commonly used with regard to the provision of Article 27, para. 3 of the Charter of the United Nations, which provides that:

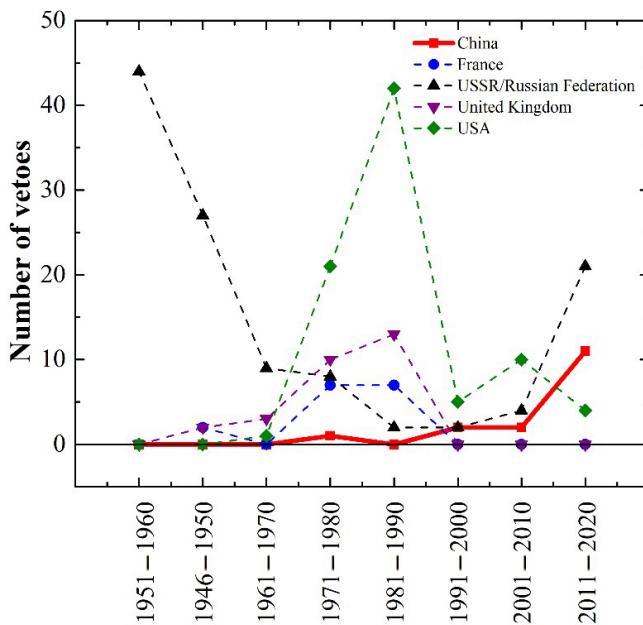
“Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members” (United Nations Charter).

The right to a veto was granted to the permanent members of the Security Council with the aim to prevent the UN from acting in cases of opposition expressed by superpowers, and the initial debate was more focused on the scope of this right, and not on the question whether the superpowers should be granted veto power (Kennedy, 2006). Although recently the UN celebrated its 75th anniversary, this right has not been abolished despite the tectonic changes in the international system, the collapse of bipolarity, numerous reform attempts and claims concerning its non-democratic nature.

The use of the veto at the UNSC has historically reflected evolutionary phases of the organisation (for example, admission of new members), events taking place in the international environment and permanent members' geopolitical and strategic aspirations *vis-à-vis* one another and regarding specific regional and international conflicts. After the Cold War, the veto powers were used very rarely, and, up until 2011, their use in most cases was related to the conflict in the Middle East – the Israel-Palestine conflict (Security Council – Veto List, 2021). Nevertheless, the dynamics of the use of the veto rights since 2011 have changed again (Fig. 1), and the Syrian civil war is the conflict where permanent members' positions clash.

The new veto dynamics that have emerged with respect to the Syrian civil war preoccupy the minds of academic and political circles because of the China factor. Unlike Russia (formerly the USSR), historically China has been the UNSC permanent member that has chosen to use its veto rights in exceedingly rare cases – only once during the Cold War (the resolution on admission of Bangladesh as a new UN member state), and two times in the period till 2000 (the resolutions on the situation in the former Yugoslav Republic of Macedonia, and with regard to Central American efforts toward peace and stability in Guatemala (Security Council – Veto List 2021). Nevertheless, in 1997, a change in the pattern became visible with blocked resolutions on the situation in Zimbabwe and Myanmar. The outbreak of the civil war in Syria in 2011, however, proved to be the turning point in China's voting behaviour at the UNSC. During the last ten years, China has used the veto rights in the UNSC a total of 11 times (Table 1), and 10 of those have been focused on a single conflict – the civil war in Syria. The only exception from this predominant tendency is the US resolution on the situation in the Bolivarian Republic of Venezuela, which China blocked in 2019 (U.N. Doc S/PV.8476).

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Source: Author's calculations based on Security Council – Veto List (2021).

Figure 1. Use of the Veto in the United Nations Security Council (1946–2020)

This trend in voting behaviour is accompanied by another one – the tandem veto by China and Russia. Since 1999, China has never cast a lone veto. All of China's 10 vetoes which have been clustered on Syria's case were cast in tandem with Russia. In addition, all the other Russian vetoes with regard to Syria and the ongoing conflict there are complemented with China's abstention (Fig. 2). From the point of view of a legal interpretation, as the International Court of Justice has declared, voluntary abstention by a UNSC permanent member does not have the same effect as a negative vote (a veto) and the adoption of resolutions with a permanent member abstaining has become a customary practice at the UNSC and it is considered an integral part of UN constitutional law (Legal Consequences for..., 1971; Bailey, 1974; Stavropoulos, 1967). Although China's abstention alone cannot block the adoption of the decision, the tendency to vote together with Russia stands out.

Therefore, from a quantitative point of view, a remarkably simple algorithm is observable with no deviations regarding vetoed resolutions in Syria's case: China and Russia either vote together, or China abstains when Russia blocks. This clear tendency has prompted conjectures about coordinated action and policy between China and Russia, common regional or global geopolitical interests.

It must be noted that China or Russia have not vetoed all resolutions concerning the Syrian civil war – less than half of them were vetoed (Fig. 2), while a majority were adopted, and that leads to the necessity to analyse the reasons for negative votes.

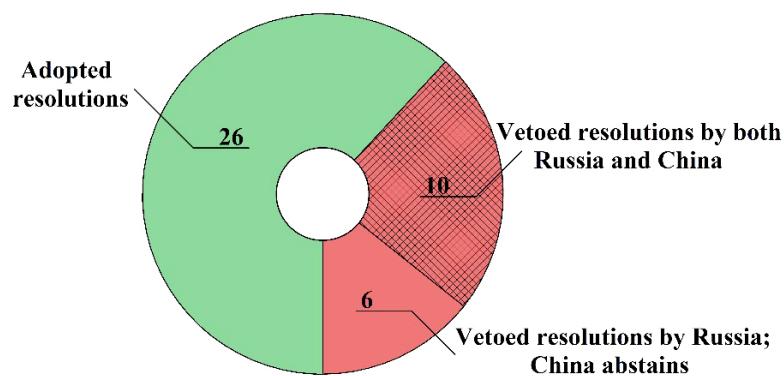
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Table 1. Vetoed UNSC resolutions on the Syrian Civil War (2011–2020)

No	Date	Resolution	Vote*	Veto	Abstention
1	10.07.2020	S/2020/667	13-2-0	China, Russia	
2	07.07.2020	S/2020/654	13-2-0	China, Russia	
3	20.12.2019	S/2019/961	13-2-0	China, Russia	
4	19.09.2019	S/2019/756	12-2-1	China, Russia	Equatorial Guinea
5	10.04.2018	S/2018/321	12-2-1	Russia (Bolivia voted against)	China
6	17.11.2017	S/2017/970	12-2-1	Russia (Bolivia voted against)	China
7	16.11.2017	S/2017/962	11-2-2	Russia (Bolivia voted against)	China, Egypt
8	24.10.2017	S/2017/884	11-2-2	Russia (Bolivia voted against)	China, Kazakhstan
9	12.04.2017	S/2017/315	10-2-3	Russia (Bolivia voted against)	China, Ethiopia, Kazakhstan
10	28.02.2017	S/2017/172	9-3-3	China, Russia (Bolivia voted against)	Egypt, Ethiopia, Kazakhstan
11	05.12.2016	S/2016/1026	11-3-1	China, Russia (Venezuela voted against)	Angola
12	08.10.2016	S/2016/846	11-2-2	Russia (Venezuela voted against)	Angola, China
13	22.05.2014	S/2014/348	13-2-0	China, Russia	
14	19.07.2012	S/2012/538	11-2-2	China, Russia	Pakistan, South Africa
15	04.02.2012	S/2012/77	13-2-0	China, Russia	
16	04.10.2011	S/2011/612	9-2-4	China, Russia	Brazil, India, Lebanon, South Africa

* Votes cast: For-Against-Abstention

Source: Author's calculations based on Security Council – Veto List (2021).



Source: Author's calculations based on Security Council – Veto List (2021).

Figure 2. Adopted and Vetoed UNSC Resolutions with Respect to the Syrian Civil War (1946–2020)

In addition, the so-called “pocket veto”, or the threatened use of veto, is not included in the statistics, as such records are available fromly in a case when a draft resolution is circulated as a UNSC document and followed by a discussion in the UNSC. Nevertheless, the pocket veto has a considerable impact on the UNSC’s ability to act effectively.

2 China's Vetoes Regarding the Case of Syria: Political Discourse Analysis

Three aspects dominate in the UNSC regarding the case of Syria – political, humanitarian, and use of chemical weapons, and all of these have been a subject of veto cast by China. Clarifications provided for a veto or abstention related to UNSC votes with respect to the civil war in Syria have been more general and more concise from China than from Russia. Nevertheless, this does not mean that China lacked arguments.

2.1 First Vetoes: the Political Aspect

Without a doubt, China's first vetoes regarding the conflict in Syria came as a surprise to the international society. Since then, there have been many attempts to explain this manifest shift in voting behaviour, and the searches have predominantly been directed towards the domain of China's eventual political, geostrategic or economic interests in Syria. Other directions of inquiry have been related to possible joint geopolitical efforts and common interests with Russia. Nevertheless, presumptions and inferences were imbued with the spirit of realism and the idea of the balance of power, and they have not provided valid answers.

In fact, China's basic arguments regarding the resolution of the Syrian crisis were outlined already alongside its first vetoes in 2011 and 2012, and they have not changed at their core during the coming years. These principles are state sovereignty, non-interference, territorial integrity, and the imperative to seek political settlements to conflict, accompanied by claims and assertions concerning China's firm position on each of these principles:

“[...] it [the *international community* – auth.] should fully respect Syria's sovereignty, independence and territorial integrity. Whether the Security Council takes further action on the question of Syria should depend upon whether it would facilitate the easing of tension in Syria, help to defuse differences through political dialogue and contribute to the maintenance of peace and stability in the Middle East. Most important, it should depend upon whether it complies with the Charter of the United Nations and the principle of non-interference in the internal affairs of States [...] The Chinese Government's position on those questions has been consistent and firm.” (U.N. Doc. S/PV.6627)

For the full picture, China's attitude on sanctions must also be considered; since the very outbreak of the crisis in Syria, China has adamantly opposed sanctions and the threat of sanctions, and this aspect must also be seen in the context of the stated principles. With its first vetoes, China made it clear that it does not see sanctions as

a tool for conflict resolution, since it puts pressure on a certain government. Instead of sanctions or restrictive measures, it prefers mediation as a tool towards a political solution to a conflict:

“Mr. Annan’s mediation is an important and realistic way forward towards a political solution of the Syrian issue. [...] However, the draft resolution essentially undermined the consensus reached at the Geneva meeting and seriously disrupted the new round of mediation efforts undertaken by Joint Special Envoy Annan.” (U.N. Doc. S/PV.6810)

In the years following its first string of vetoes, China stuck to this position. Moreover, already in 2012, China signalled that it opposes the international pressure on Bashar al-Assad’s regime not only in the form of sanctions, but it opposes sanctions in general. Nevertheless, the argumentation does not contain any sign of sympathies towards the regime in question, but rather it concentrates on the principle of non-interference, and stability of other regional governments:

“First, the draft resolution is seriously flawed, and its unbalanced content seeks to put pressure on only one party. Experience has shown that such a practice would not help resolve the Syrian issue, but would only derail the matter from the political track. It would not only further aggravate the turmoil, but also cause it to spread to other countries of the region, undermine regional peace and stability, and ultimately harm the interests of the people of Syria and other regional countries.” (U.N. Doc. S/PV.6810)

It must be noted that while China has no particular interests in Syria and that China’s voting behaviour is not oriented toward or targeted at Syria or the civil war there, it remains a grand battleground in which principles and understanding of contemporary international relations are at stake, and this was outlined very explicitly in 2012. Such a detailed explanation did not appear again in later statements by China and seemed to be forgotten by the international community since the focus of concerns was directed at China’s aggressive economic policy, rapid growth, and aspirations for global power:

“[...] sovereign equality and non-interference in the internal affairs of other countries are the basic norms governing inter-State relations enshrined in the Charter of the United Nations. China has no self-interest in the Syrian issue. We have consistently maintained that the future and fate of Syria should be independently decided by the Syrian people, rather than imposed by outside forces. We believe that the Syrian issue must be resolved through political means and that military means would achieve nothing. That is China’s consistent position on international affairs. It is not targeted at any specific incident or moment. Our purpose is [...] to protect [...] the basic standards that govern international relations.” (U.N. Doc. S/PV.6810)

The political rhetoric that appeared in 2012 and which persists to this day also concerns China’s involvement in the process as a permanent member, and signals the necessity to consider China’s position and the principles it highlights more seriously, otherwise adoption of a particular resolution can and will be blocked. This situation characterises the aspect that in legal literature is described as the threat of a veto or a pocket veto,

and it is often as effective as an actual veto as it conveys an unambiguous message to participants in the process of drafting a resolution:

“[...] the sponsoring countries failed to show any political will or cooperativeness, adopting a rigid and arrogant approach to the reasonable basic concerns of other concerned countries and refusing to make revisions. It is even more regrettable that, in circumstances where the parties were still seriously divided and there was still time for continued consultations, the sponsoring countries refused to heed the calls for further consultation made by China, some other Council members and Joint Special Envoy Annan [...] and pressed for a vote on the draft resolution. China is strongly opposed to such practices.” (U.N. Doc. S/PV.6810)

Russia and China engaged in a tandem veto of a resolution in which the issue of Syria would have been handed over for examination by the ICC (the International Criminal Court). All other UNSC members voted in favour of the resolution, supporting the need for accountability when war crimes and atrocities have taken place. This resolution had 65 co-sponsoring countries. In its argument, China did not go into much detail but it did repeat its usual references to state sovereignty as well as the principle of complementarity, thereby questioning the legitimacy of the ICC itself as an institution:

“China is not a State party to the Rome Statute. China always has reservations concerning the referral by the Security Council of particular country situations to the ICC. This is our principled position. [...] In the current circumstances, to forcibly refer the situation in Syria to the ICC is not conducive either to building trust among all parties in Syria or to an early resumption of the negotiations in Geneva.” (Explanatory Remarks by..., 2014)

Therefore, with its very first vetoes, a reference to state sovereignty and non-interference can be clearly seen in China’s argumentation. Nevertheless, China’s interpretation of these principles is the most important part of its behaviour, but the reasons and *modus operandi* become clearer only with the next vetoes and abstentions in combination with the resolutions that China supported. Thus, by learning on the ground, the international community has become familiar with the interpretation of multilateralism that China favours and supports or vice-versa – blocks and rejects.

2.2 Vetoes Regarding the Humanitarian Situation

The strongest disappointment and negative reaction have been observed after China blocked resolutions on delivery of humanitarian aid and improvement of the humanitarian situation in Syria. China carefully considers how each move the UNSC makes fits in with its understanding of the principles and it gives unmistakeable signals about its readiness to use the veto under certain circumstances, as well as that the result will be positive for all if countries fall in line.

When China has used its veto power or abstained, the explanation for its vote refers to non-interference in matters concerning Syria’s sovereignty and actions taken in a manner so that there will be no infringement on the principle state sovereignty. In

effect, China has politicised humanitarian assistance while at the same time criticising and reproaching other countries for doing the same. China emphasises that it is necessary also with deliveries of humanitarian assistance to respect Syria's sovereignty and territorial integrity and to cooperate fully with the regime of Bashar al-Assad:

"All categories of humanitarian issues in Syria should be considered in a comprehensive manner and be addressed in a balanced way, instead of only selectively focusing on certain issues, much less to politicise humanitarian issues. The international community must fully respect the sovereignty, independence, unity and territorial integrity of Syria; fully listen to the views of the Syrian government; and seek a comprehensive solution to the Syria issue through political means." (Statement by Ambassador..., 2019b)

This argumentation represents the very essence of China's position: sovereignty, non-interference, coordination with the official government even in situations where the official government is an authoritarian regime that is directly engaged in repressions of its own people as well as employing chemical weapons. China is using this massive humanitarian catastrophe as a case which is in the spotlight of the international community's attention and can be instrumentalised to communicate to the international community an understanding of China's principles and how they will be applied.

In the explanations provided for the use of its veto power, China underlines the need to lift unilateral sanctions against Syria and to evaluate the impact of sanctions on the humanitarian situation in Syria. In this way, China clearly points to its interpretation and perspective on how sanctions represent violation of sovereignty and interference in another country's internal affairs. When China talks about sanctions, they are presented as "illegal sanctions" or "unilateral coercive measures":

"It must be pointed out that unilateral coercive measures have further aggravated the economic and humanitarian crisis in Syria. Years of illegal sanctions have had immeasurable impact [...]. The unilateral coercive measures have also severely undermined Syria's capacity to respond to COVID-19. [...] China proposed amendments to the draft resolution. It is disappointing that the draft resolution submitted by copen-holders completely ignores China's amendments and does not contain a single word about unilateral coercive measures. China is compelled to vote against such an unobjec-tive and unbalanced draft resolution." (Explanation of Vote..., 2020a)

China diligently promotes its understanding of sovereignty and territorial integrity, by urging acceptance of a Syrian-led and Syrian-owned political process:

"China has been working tirelessly to help bring about a solution to the issue of Syria, supports the United Nations as the major player in terms of good offices and has been facilitating finding a settlement among the parties that is acceptable to all through peaceful negotiations and based on the principle of a Syrian-owned and -led process." (Statement by Ambassador, 2017a)

China's understanding of multilateral cooperation, which it promotes by threats of a veto, is a regular element in the UNSC debates. For example, in spite of the pressure from the international community to find solutions to the escalating humanitarian

catastrophe in Syria without delay and in spite of the siege and bombing of Aleppo by the Syrian government, the UNSC was still unable to agree at its meeting on the 8th of October about how to address the crisis. At that time, China abstained, offering its standard argument with the combination of sovereignty and territorial integrity as well as what it calls a non-inclusive approach:

“The draft resolution submitted by France and Spain [...] contains a number of humanitarian situations and enhanced efforts to combat terrorism. However, some of the draft resolution’s provisions do not fully respect the sovereignty, independence, unity and territorial integrity of Syria. Moreover, the constructive views of some Security Council members were not incorporated.” (Statement by Ambassador..., 2016)

Therefore, the Chinese discourse is focused on preserving multilateralism but in a reformulated version, and with a process of consultations among countries which filters and excludes contradictory views and diversity of opinions.

2.3 Explanation of the Veto: Resolutions on the Use of Chemical Weapons in Syria

The most complicated question, in which interests of UNSC members were opposed, was the determination of the responsibility in 2017 for the use of chemical weapons in Syria and the extension of the mandate of the joint investigative mechanism (JIM) of the OPCW (The Organisation for the Prohibition of Chemical Weapons). The UNSC failed in adopting a resolution that would impose sanctions for the use of chemical weapons in Syria because Russia and China voted in tandem to veto it. China’s argument was compact; once again, China appealed for unity at the UNSC while, at the same time, breaking that unity with its veto:

“At present, investigations on the use of chemicals as weapons are ongoing, and it is therefore too early to reach a final conclusion. The Council should preserve its unity and continue to support the Organisation for the Prohibition of Chemical Weapons–United Nations Joint Investigative Mechanism so that it can carry out its investigations in a professional, objective and fair manner and in accordance with the mandate that was conferred to it by resolution 2319 (2016).” (Statement by Ambassador..., 28.02.2017a)

With its interpretation of multilateralism and its pressuring to speak with one voice, China also waved the draft resolution on the chemical weapons attack on 4 April in Khan Shaykhun (S/2017/315). This was the eighth time that Russia used its veto power on a question related to Syria, and, in this case, China abstained. China informed others of its position by saying that the resolution was put forward even with the knowledge that there was no way that it would be supported by all UNSC members:

“It has been our long-standing hope that the Security Council would speak as one voice on the chemical weapons issue in Syria. [...] We deeply regret the failure to reach such a consensus on the draft resolution. The attempt to push through a draft resolution in which serious division still remained among Council members was destined to undermine Council unity and impair efforts to seeking a political solution.” (Statement by Ambassador..., 2017a)

In 2018, the atmosphere at the UN Security Council became particularly heated after the use of chemical weapons at Douma. Immediately following that event, the United States decided to put forward a resolution to create an independent investigative mechanism. Russia, for its part, organised a vote on a proposal for an alternative investigative mechanism and a new resolution supporting the OPCW investigative mechanism with respect to Douma. Russia vetoed the U.S. resolution but China abstained. China said it supported an investigation but that accusations of guilt cannot be made till investigation is completed:

“There should be no prejudgment of the outcome or arbitrary conclusions. [...] The draft resolution that was just put to the vote in the Security Council (S/2018/321) had elements of consensus [...]. However, on some specific measures, it does not take full consideration of some of the major concerns of certain Security Council members on improving the mechanism’s working methods and ensuring an objective and impartial investigation. (Statement by Ambassador..., 2018)

It is worth adding that on the question of chemical weapons, the UNSC has managed to adopt resolutions and that not all were blocked. For example, considering the reports of the OPCW Mission, in 2015, the UNSC adopted a resolution which created JIM (U.N. Doc. S/RES/2235). In March 2015, the UNSC adopted a resolution in which it condemned the use of toxic chemicals and chemical weapons in Syria, but this was done without pointing a finger at the likely perpetrators (U.N. Doc. S/RES/2209).

3 China's Position Regarding the Syrian Civil War: The Motives

The political discourse analysis of Chinese statements and explanations of the vetoes cast at the UNSC regarding the Syrian civil war show that, from the very beginning of that conflict, China refers to two grand concepts of international law – state sovereignty and non-interference. In addition, coordination with the official government is regarded as the optimal way to approach crisis regulation, but achieving an indisputable univocality within UNSC is deemed the only tolerable atmosphere and technique for decision-making in the sphere of international peace and security.

In its statements given at the time that votes were cast, China clearly conceptualises the idea of state sovereignty and non-interference in a very rigid and outdated manner, thus trying to push the international society many decades back, when the concepts of human rights and international criminal law were not yet so prominent. This behaviour fits into a larger Chinese ideological area which is called “global competition over the means of governance” (Starling et al., 2021) and an “all-encompassing game plan for survival in a turbulent world” (Kirchberger et al., 2021).

Stability maintenance is a complex concept with an aim to ensure the status and positions of the Chinese Communist Party (CCP) and President Xi Jinping. A very important element of this concept is, the so-called, social stability management which includes

harsh laws and human rights breaches against different social groups that are regarded as destabilising powers. The most prominent example is ethnic Uighurs in Xinjiang, which are treated as terrorists and placed in, the so-called, Uighur education training centres that are merely concentration camps. Nevertheless, the concerns about Chinese human rights violations are even broader, encompassing repressions against Chinese intellectuals, numerous issues including surveillance and scrutiny of regular citizens, forced sterilisation, abortion, and other coercive population control measures (Roth, 2019).

The issue of human rights abuses against Uighurs and other Muslims in the Xinjiang region has already been raised in a closed UNSC meeting in 2019, and during heated debates China's claim was that the UNSC has no rights to dispute this issue since it is an internal matter of China (U.S., Germany slam..., 2019). In other words – in the face of growing international attention on human rights abuses, China has adopted a firm stance that such scrutiny is not just unwanted but also an unjustifiable interference in their internal matters and a violation of state sovereignty, endangering the CCP course toward stability maintenance.

Clearly, interpretation of the concepts of state sovereignty and non-interference is at the core of this principled discord. In international law and international relations in general, the principles of non-interference and state sovereignty go hand in hand. Article 2(7) of the United Nations Charter speaks about the principle of non-intervention and links it with “matters that are essentially within the domestic jurisdiction”:

“Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.” (United Nations Charter)

Analysis of China's argumentation in the UNSC clearly shows that China interprets the international community's interest about CCP activities against societal groups in China as “matters that are essentially within the domestic jurisdiction” and therefore, in the light of the UN Charter – as violation of sovereignty, although nowadays international human rights and international law, including international criminal law have limited the concept of sovereignty dramatically. China's international behaviour and attempts to reinterpret the content of the concept of sovereignty therefore have the potential to restore the academic discussion and debates in the practice of international relations. For nearly two decades, the concept of sovereignty has been acknowledged as problematic, and more complex and hierarchical than a classic understanding of it would involve (Lake, 2003), but China's case today brings this debate to the forefront of global governance and the domain of war and peace in an operational sense.

Political discourse analysis shows that China opposes actions of the international community at large and the UNSC in particular in situations that it perceives as an external pressure in favour of regime change in Syria, since it has the potential to create

a precedent and destabilise the socio-political situation in China and abroad (Jafarova, 2014). Therefore, striving for the stability of the regime and the existing political order goes hand in hand with China's global aspirations.

Conclusions

The Syrian case affirms the enormous power granted for the permanent UNSC members, as well as the wide spectrum of possibilities for the eventual use of veto rights. The political discourse analysis of China's statements in the UNSC on the Syrian issue shows that China has become very vocal and more aggressive in its rhetoric. China uses the case of the Syrian civil war in the UNSC to shape global governance in a way that satisfies CCP interests both internationally and domestically. The article shows that China's voting behaviour in the UNSC regarding the Syrian civil war is consistent and pragmatic. It is focused on reinterpretation of two grand concepts of international law: state sovereignty and non-intervention.

China sees the state-owned and state-led process and a rigid concept of inviolability of state sovereignty and territorial integrity as the most appropriate solution of the case of Syria, by opting out of a military intervention, and all the decisions must be made in close cooperation with the government – the regime of Bashar al-Assad. Breach of state sovereignty, in China's view, can also occur in a form of strong condemnation of the regime or threats of sanctions.

China's motivation for such international behaviour is related both to its rise as a global power generally, and a possibility to shape the understanding about core principles of the international system and international cooperation in a way that helps maintain stability at home. For China, it is not the situation in and around Syria that raises a reaction, it is the situation in Xinjiang, Hong Kong, and Tibet, and other issues directly related to violations of international law and human rights that already have caught attention of international society and have the potential to destabilise the regime.

Therefore, in analysis of China's voting behaviour in the UNSC regarding the Syrian civil war three main aspects stand out. First, Syria's case obviously serves as a battle-ground for China's larger political ambitions, which are vaguely related to the case of Syria itself. Second, since the very beginning the political discourse analysis of China's argumentation and explanation of its voting outlines the very nature of this battlefield, and it falls into category of values and interpretation of principles of multilateralism. China's voting behaviour in the UNSC must be observed as a serious attempt to revisit and consolidate different borders for the governing principles of the international system. Therefore, it must be assessed from the point of view of social constructivism, although it also has characteristics of neorealism, which sees international organisations as tools at the disposal of states, the elements of the balance of power theory or even neoliberal institutionalism. Third, this case is a proof of the old principle "foreign policy begins at home" or the German principle of "Primat der Innenpolitik" (primacy of domestic

politics) – China's active attempts to reshape the principles of non-interference and sovereignty are directly related to its domestic policy and the eventual response of international society to the situation in China.

Bibliography

1. Bailey, S. (1974). New Light on Abstentions in the UN Security Council. *International Affairs (Royal Institute of International Affairs 1944-)*. 50(4), 554–573. <https://doi.org/10.2307/2615923>
2. Explanation of Vote by Ambassador Zhang Jun on the Security Council Draft Resolution on the Mandate Renewal of Cross-border Mechanism in Syria. (2020a). *Permanent Mission of the People's Republic of China to the UN*. <http://chnun.chinamission.org.cn/eng/hyyfy/t1795828.htm>
3. Explanation of Vote by Ambassador Zhang Jun on the Security Council Draft Resolution Presented by Copenholders on the Mandate Renewal of Cross-border Mechanism in Syria. (2020b). *Permanent Mission of the People's Republic of China to the UN*. <http://chnun.chinamission.org.cn/eng/hyyfy/t1796920.htm>
4. Explanatory Remarks by Ambassador Wang Min after Security Council Voting on Draft Resolution on the Referral of the Situation of the Syrian Arab Republic to the International Criminal Court. (2014). *Permanent Mission of the People's Republic of China to the UN*. <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/2014/t1161566.htm>
5. Jafarova, E. (2014). Solving the Syrian Knot: Dynamics within the UN Security Council and Challenges to its Effectiveness. *Connections*. 13(2), 25–50. <http://www.jstor.org/stable/26326356>.
6. Kennedy, P. (2006). *The Parliament of Man: The Past, Present, and Future of the United Nations*. New York: Random House.
7. Kirchberger, S., Binnendijk, H., McPartland, C., Danoy, J., Kramer, F., Starling, C., & Tatlow, D. (2021). *The China Plan: A Transatlantic Blueprint for Strategic Competition* (pp. 8–23, Rep.). Atlantic Council. <http://www.jstor.org/stable/resrep30709.5>
8. Lake, D. (2003). The New Sovereignty in International Relations. *International Studies Review*. 5(3), 303–323. <http://www.jstor.org/stable/3186572>
9. *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*. (1971). *Advisory Opinion, I.C.J. Reports 1971*, p. 16. [053-19710621-ADV-01-00-EN.pdf \(icj-cij.org\)](https://icj-cij.org/053-19710621-ADV-01-00-EN.pdf)
10. Luck, E. C. (2006). *UN Security Council: Practice and Promise*. Routledge, New York.
11. Roth, K. (2019). China. Events of 2018. World report 2018. *Human Rights Watch*. <https://www.hrw.org/world-report/2019/country-chapters/china-and-tibet>
12. Security Council – Veto List (2021). *Dag Hammarskjöld Library*. <https://research.un.org/en/docs/sc/quick/veto>
13. Sievers, L., Davis, S. (2014). *The Procedure of the UN Security Council*. 4th ed. Oxford: Oxford University Press.
14. Starling, C., Tatlow, D., Binnendijk, H., Kirchberger, S., Danoy, J., & Kramer, F. (2021). *The China Plan: A Transatlantic Blueprint for Strategic Competition* (pp. 24–49, Rep.). Atlantic Council. <http://www.jstor.org/stable/resrep30709.6>

15. Statement by Ambassador LIU Jieyi at the Security Council after Voting on the Draft Resolution on Syria (2016). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/2016doc/t1422400.htm>
16. Statement by Ambassador LIU Jieyi After Voting on the Security Council Draft Resolution on Syria. (2017a). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/2017slkj/t1443647.htm>
17. Statement by Ambassador LIU Jieyi after Voting on the Security Council Draft Resolution on Syria. (2017b). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/2017slkj/t1460453.htm>
18. Statement by Ambassador WU Haitao after Voting on the Japanese Draft Resolution on JIM. (2017c). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/2017slkj/t151473>
19. Statement by Ambassador WU Haitao after Voting on the US Draft Resolution on JIM. (2017d). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/2017slkj/t1518900.htm>
20. Statement by Ambassador WU Haitao after Voting on the US Draft Resolution on Syria. (2018). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/weraw123/t1556275.htm>
21. Statement by Ambassador Zhang Jun after the Voting on a Draft Resolution on the Humanitarian Issue in Syria. (2019a). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/lhghyywj/smhwj/20190211/t1699447.htm>
22. Statement by Ambassador Zhang Jun in the Security Council after the Voting on Draft Resolutions on the Mandate Renewal of Cross-border Humanitarian Relief Mechanism in Syria. (2019b). *Permanent Mission of the People's Republic of China to the UN.* <http://chnun.chinamission.org.cn/eng/hyfy/t1726675.htm>
23. Stavropoulos, C. (1967). The Practice of Voluntary Abstentions by Permanent Members of the Security Council Under Article 27, Paragraph 3, of the Charter of the United Nations. *The American Journal of International Law.* 61(3), 737–752. <https://doi.org/10.2307/2197464>
24. U.N. Doc. S/2017/315. (2015). *United Nations Security Council.* <https://undocs.org/en/S/2017/315>
25. U.N. Doc. S/PV.6627. (2011). U.N. SC, 6627th meeting. *United Nations.* <https://undocs.org/en/S/PV.6627>
26. U.N. Doc. S/PV.6711. (2012). U.N. SC 6771st meeting. *United Nations.* <https://undocs.org/en/S/PV.6711>
27. U.N. Doc. S/PV.6810 (2012). U.N. SC 6810th meeting. *United Nations.* <https://undocs.org/S/PV.6810>
28. U.N. Doc. S/PV.8476. (2019). U.N. SC, 8476th meeting. *United Nations.* <https://undocs.org/en/S/PV.8476>
29. U.N. Doc. S/RES/2118 (2013). *United Nations Security Council.* [https://undocs.org/S/RES/2118\(2013\)](https://undocs.org/S/RES/2118(2013))
30. U.N. Doc. S/RES/2165 (2014). *United Nations Security Council.* [https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2165\(2014\)](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2165(2014))
31. U.N. Doc. S/RES/2170 (2014). *United Nations Security Council.* [https://www.undocs.org/S/RES/2170%20\(2014\)](https://www.undocs.org/S/RES/2170%20(2014)).
32. U.N. Doc. S/RES/2209 (2015). *United Nations Security Council.* [https://undocs.org/en/S/RES/2209\(2015\)](https://undocs.org/en/S/RES/2209(2015)).

*Gunda Reire. China's Voting Practice at the UN Security Council,
Its Legal and Political Interpretation: Case of Syria*

33. U.N. Doc. S/RES/2235 (2015). *United Nations Security Council*. [https://undocs.org/S/RES/2235\(2015\)](https://undocs.org/S/RES/2235(2015)).
34. U.N. Doc. S/RES/2393 (2017). *United Nations Security Council*. [https://undocs.org/en/S/RES/2393\(2017\)](https://undocs.org/en/S/RES/2393(2017)).
35. United Nations Charter. *Repertory of Practice of United Nations Organs*. <https://legal.un.org/repertory/art1.shtml>
36. U.S., Germany slam China at U.N. Security Council over Xinjiang: diplomats. (2019). *Reuters*. <https://www.reuters.com/article/us-china-usa-rights/us-germany-slam-china-at-un-security-council-over-xinjiang-diplomats-idUSKCN1TX2YZ>
37. Webb, P. (2014). Deadlock or Restraint? The Security Council Veto and the Use of Force in Syria. *Journal of Conflict & Security Law*. 19(3), 471–488. <https://www.jstor.org/stable/26291298>