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Legal and Economic Implications of China's Utilization of the Right to Development (RTD) In Africa to Further its Debt-Trap Diplomacy

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Abstract

This article investigates the nuanced interpretation of the Right to Development (RTD) in Africa within the dependency theory framework and China's expanding impact through debt trap diplomacy. The discourse on development rights in Africa has transformed and is influenced by historical, political, and economic factors. Dependency theory, which postulates that exploitative relationships with the Global North perpetuate the underdevelopment of the Global South, has provided a critical perspective through which Africa discerns its development challenges. China's engagement in Africa, primarily through infrastructure projects and loans, has sparked worries about debt trap diplomacy.

Africa's response to this issue is often perceived as helpless due to its failure to address it with a proactive and multi-faceted approach. Africa perceives the Right to Development as the right to infrastructural development for its people, representing progress, competition with the global north, and overall development. The authors contrast China's approach with that of the Bretton Woods institutions, which impose structural adjustment programs that do not align with Africa's development priorities.

The authors further use dependency theory to analyze the unequal and exploitative dynamics between China and Africa and provide examples of how China has threatened or undermined the sovereignty of several African nations by seizing or controlling their strategic assets and resources in case of debt default or distress. The authors believe that China's loans to Africa have both positive and negative effects. While they have improved Africa's infrastructure, they have also trapped African countries in perpetual debt and made them vulnerable to losing their independence and sovereignty.

Keywords: Law, Right to Development, Dependency, China, Bretton Woods, IMF, World Bank, Africa, Business and Human Rights, Corporate Law, Business Law, International Law, Case Laws, Loans, Djibouti, Uganda, Kenya, Sierra Leone, Diplomacy, Power, Economy, UN.

Introduction

China has a long history with Africa, spanning from the 1950s up to the early 2000s, when it was finally cemented with the establishment of the Africa–China Forum in 2000 [1]. This bilateral trade agreement brought China even closer to Africa, and this was apparent in how President Xi Jinping acted immediately after he assumed the presidency [2]. President Jinping decided to visit Africa as his first overseas visit, which was indicative of China's plans regarding its relationship with Africa. China gradually established itself as a frontrunner for Africa's unending natural resources, while it has also been exploiting the young human capital that Africa brings to the table [2]. This notwithstanding, it is also true that China has created job opportunities and helped build Africa's infrastructure and agribusiness and provided grants and loans.

In recent years, much speculation has been about China's increasing involvement in Africa and its underlying motives. Chinese state-owned financial institutions are taking advantage of Africa's focus on infrastructure development, driven by the

Right to Development (RTD) concept. Many African nations see infrastructure growth as crucial to their overall development, viewing it as a necessary step toward economic progress and improved living standards [3]. This has sparked a growing debate about the potential long-term implications of China's investment and influence in the region.

China's significant progress in infrastructure development, particularly in transportation, energy, roads, bridges, and communication, has prompted scholars to reexamine the dependency theory. Initially conceptualized to advocate for a more balanced economic and developmental landscape among nations, this theory is being reconsidered in light of China's pseudo-developmental strides on the African continent [3]. This reevaluation reflects the need to understand the implications of China's infrastructure advancements on global economic dynamics and the traditional theories that have shaped our understanding of international development.

The Chino–Africa Association has been strengthened since the 2000 Africa–China Forum, which was more about economic cooperation. Many African and other developing countries have tended to side with China because it has maintained its "no regime change policy" contrary to what the Western powers pride themselves on; the theory of regime changes [4]. China believes in economic and political cooperation, resonating with many African countries, especially those with fragile democracies or dictatorial regimes. For such countries, siding with China helps them obtain aid that the Washington and International Monetary Fund (IMF) conditionalities cannot allow them to obtain from the West [5].

According to many, China has capitalized on the weak infrastructural development in Africa and some other developing nations to advocate for Foreign Direct Investment (FDI) desperately needed by these nations [5]. Recently, China has come under fire regarding how some of these loans or investments are conducted. For instance, China often leases lands from these countries for hundreds of years in return for economic investment and prosperity [6]. 2013 President Xi Jinping announced the Belt and Road Initiative (BRI), a trade relationship between China and some developing or creeping economies. Although the BRI is an excellent economic initiative, it is also seen as one of the tools China uses for its grip on the African continent [7].

The Right to Development (RTD) and its Legal Framework for China's Loans to Africa

The right to development is a complex and multifaceted human rights concept that includes economic, social, and cultural aspects of development. It focuses on participation, equity, and sustainability principles, emphasizing the importance of inclusive processes and fair distribution of benefits [8]. This right acknowledges the interdependence of national efforts and international cooperation in creating an environment where individuals can reach their full potential [9]. It highlights that development is about economic growth and improving well-being and quality of life.

The Right to Development was first introduced in the 1986 United Nations Declaration on the Right to Development as an inalienable right, declaring that everyone is "entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized" [10]. This declaration marked a significant milestone in recognizing development as a fundamental human right. It acknowledged the importance of development and emphasized the need to create an enabling environment where all human rights can be fully realized.

Various international instruments and entities support the Right to Development, signifying its global significance. The United Nations, specifically through the work of the Human Rights Council and the High Commissioner for Human Rights, actively promotes and monitors the implementation of the Right to Development, underlining its commitment to fostering inclusive and sustainable development for all.

The Legal Framework of the Right to Development (RTD)

The Right to Development (RTD) is a concept rooted in more than how Africans view their interrelationship with other parts of the world but also serves nationalistic purposes. As discussed above, after careful consideration, the United Nations (UN) General Assembly finally adopted the resolution on the RTD in 1986 (Arjun, 2017). The resolution's preamble states, "Confirming the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations [8]." While the resolution was signed by 146 nations, the United States of America had a 'No' vote with eight abstentions [11]. This resolution emphasizes that all countries are responsible for ensuring their people have RTD [7]. This, however, remains one of the most contested international laws, especially in politics and practice.

Many African countries have used the RTD as a justification for the relationship that they have forged with China. The African Charter on Human and Peoples' Rights incorporated the RTD into the Charter. Article 22 (1) of the Charter states: "All peoples shall have the right to economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind". It further says, "States shall have the duty, individually or collectively, to ensure the exercise of the right to development" [12].

Article 22 of the Charter makes the state the duty bearer of the RTD [13]. Just like the UN General Assembly regarded the RTD as an inalienable right that every citizen of a nation should enjoy, the African Charter makes it clear that it is one of the fundamental human rights that needs to be respected regardless of the state or country [13]. The charter refers to "freedom and identity" as pivotal in the RTD highlighting that economic cooperation is one of the ways a nation can fully realize its RTD. It is against this basis that the China–Africa relationship can be understood [14]. While the United States refused to sign the RTD, other continents like Australia and other European countries like, Austria, the Federal Republic of Germany, Belgium, Ireland, Norway, and the United Kingdom chose abstention, China was at the forefront of signing the RTD resolution alongside its African trading partners [15].

The Concept of the Right to Development in African Context.

The concept of RTD has been crucial in the Western context. Africa, on the other hand, has not only conceptualized it but has also determined to actualize the embedded concepts in RTD.

While this was not a priority to most European countries and the United States, it was one of the most important agendas for African nations [16]. Sided by China, the African countries included RTD in a human rights instrument, the African Charter on Human and Peoples' Rights [15].

While Western financial institutions like the IMF and the World Bank have not been too keen on infrastructural development in Africa, China has shown great interest in this area of the RTD. It is important to note that the RTD is not just about infrastructural development but also has much to do with cultural and national identity. Unfortunately, this issue of the national identity of the RTD is quickly eroding due to the activities of either multinational corporations operated by China or Chinese development banks, as illustrated below [17].

The African perspective on the right to development is deeply rooted in the continent's historical experiences and obstacles to contemporary development. African nations emphasize the need for a comprehensive, inclusive, and equitable approach to development. They stress the significance of international cooperation and adopting fair global practices to support their pursuit of development objectives. African countries have consistently voiced their support for the Right to Development, recognizing its pivotal role in addressing the multifaceted development challenges unique to the continent and in promoting sustainable and equitable growth [16]. Many African nations have included RTD in their national development plans and legal frameworks, demonstrating their commitment to the concept.

African nations consider the Right to Development (RTD) crucial for addressing persistent poverty and inequality. They advocate for development models prioritizing social welfare, healthcare, education, and infrastructure [18]. Initiatives such as the New Partnership for Africa's Development (NEPAD) align with the principles of RTD, focusing on sustainable development, poverty eradication, and integration into the global economy. Africa's approach to RTD is consistent with the United Nations' Sustainable Development Goals (SDGs), emphasizing the interconnectedness of economic, social, and environmental development [10].

How China Utilizes the Right to Development (RTD) to Its Advantage

As stated above, both the UN solution on the RTD and the African Charter make the state the duty bearer of those inalienable rights to development. It is the state's responsibility to ensure that in the economic corporation they are engaging in with other nations, the interest of their people is paramount [12]. Unfortunately, we have witnessed Chinese multinational corporations engaging in serious human rights abuses in Africa, often with the support of the state, which is the responsible party. According to the Business and Human Rights Report of 2021, about 181 human rights allegations were linked to Chinese multinationals in Africa. These violations include land pollution, land degradation, and forced labor. This runs contrary to the RTD as enshrined in the RTD documentation that the rights of citizens should be respected within the economic corporation encouraged by the RTD [19].

China has used the RTD, a primary priority for many African countries, as a means to an end. The IMF and World Bank conditionalities have driven most African countries to Chinese arms because the IMF and World Bank structural adjustment programs do not prioritize some of the dire needs of the African nations, and most of the conditionalities are not practical in the African context [20]. If a loan from the IMF requires a budget cut, say for education, how can that work be in the best interest of Africa's creeping educational system? If Western institutions are not ready or willing to help, this ushers in China, which is prepared to give out their loans with little or hidden conditions [21].

Some of these Chinese loans have proved to be double-edged swords, but their need is so grave that some African leaders are ready to risk it all to attain them [21]. These loans can colloquially be compared to the fruits from the poisonous tree, where the fruit looks tempting for consumption but serves as a poison.

In Kenya, for example, the contract with China for building a railroad stipulated a condition that any logical government would be weary of committing itself to. The contract has a whole port of a country as the collateral of security should the Kenyan government fail to pay the loan. The contract stipulates that the Chinese bank that provided the money would take over the port. The people involved in the negotiations were aware of the risks but were willing to leap because they wanted to show the people that the government was committed to development [22].

A country's infrastructural development is one of the parameters that determine how developed that country has become. The leaders of most African countries feel like they have been left behind in infrastructural development and are ready to take any contract, no matter the risks, that China is prepared to offer them.

The contrast: Chinese financial institutions vs. Bretton Woods financial institutions.

China's actions reflect a strategy that draws parallels with Western practices. According to Sharma, international institutions, such as the International Monetary Fund (IMF) and the World Bank, provide financial aid and loans to African nations. Sharma states that the primary distinction between China and these Bretton Woods institutions lies in China's provision of loans with limited or no accompanying monitoring mechanisms. In contrast, the Bretton Woods institutions implement structural adjustment programs that have yielded little benefits for Africa [23].

IMF bailouts are common in developing countries and even countries termed 'developed economies' with more prevalence in countries perpetually seeking financial assistance through loans. The IMF usually gives out these loans with conditions explicitly attached to ensure that countries seeking a loan take measures that prevent them from looking to borrow again [5]. Drastic budget cutting is one such condition that most countries struggle with. How can these countries achieve economic growth and prosperity if they cut their budget? However, as far as the IMF is concerned, that is one of the conditions a country must fulfill while it advises strengthening the public finance management system [23].

However, with the global corruption crisis, it is hardly possible to meet the conditions of developing countries. Nevertheless, the IMF and the World Bank usually implement these structural adjustment programs to prevent countries from getting loans [24].

In such cases, most of these countries go to China instead, where the state owns most of the banks and has the BRI in place for economic development [4].

China's Loans to Various African Countries are not Practically Sustainable.

China has been a significant funding source for infrastructure projects in Africa, providing loans for building roads, railways, ports, and other essential infrastructure. These loans are part of China's Belt and Road Initiative (BRI), which aims to boost global trade and drive economic growth across Asia and other regions. Many African countries have taken on significant debt to finance these infrastructure projects. Concerns arise when these countries need more revenue generation or economic challenges to repay their debt. There is a fear that high levels of debt could lead to a debt crisis, where countries cannot meet their repayment obligations without jeopardizing their economic stability.

Zambia and Chinese Loans

Recently, countries like Zambia, which failed to meet some of these IMF conditionalities, turned to China for immediate assistance. This assistance in the form of loans has caused the country to face debt distress. Zambia completed an airport project with a loan from China, which cost a whopping $400,000,000 [25]. Currently, it owes about $27 billion in foreign and local debt. Out of that $27 billion, it owes more than $5.5 billion to Chinese banks directly linked with the state.

Zambia's debt to China is 20% of its GDP [25]. For instance, in 2011, Zambia was denied a loan with low interest rates because the World Bank considered the country a lower middle–income country [26]. Henceforth, Zambia turned to China to get loans at meager interest rates and sometimes with no interest rates. However, this generosity of China does not come for free. If these loans are not repaid within a specified time, China might take over the infrastructure the country has built with the loans [27].

Djibouti and Chinese Loans

Djibouti has been no exception to China's debt trap. Djibouti is strategically located in proximity to the Middle East and on the energy transit road to many countries and continents, which makes it attractive to world powers. Unsurprisingly, China established one of its largest military bases in Djibouti in 2017, China's first overseas military base. China has also established a trading partnership with Djibouti through the BRI program for economic corporations [28].

Through this, China built a $3.4-billion railway line from Addis Ababa, Ethiopia, to Djibouti's capital, Djibouti [29]. The railway facilitates an easy economic route between Ethiopia and Djibouti. Despite this development, many believe that the railway's cost far surpasses its financial viability. About $14.4 billion has been invested in Djibouti by Chinese banks to support the country's ambitious infrastructural goals. Furthermore, the government signed a $350-million deal with Chinese banks to transform its port into an international business and shipping hub. These loans are considerably large and paying them back becomes arduous for the country. Many analysts believe Djibouti has fallen into China's debt trap [30].

Uganda and Chinese Loans

Let's take Uganda, for example. The country agreed on airport renovation and construction of new terminals with China's Export-Import Bank [30]. The project cost $200 million, and the loan was supposed to be paid back in 20 years [31]. However, the contractual agreement placed Uganda's airport in the hands of the Chinese bank in so far as three important clauses called into question the country's sovereignty [32]. The contract states that the Ugandan government must make provisions for an escrow account where monies would be deposited for security [33].

The account was to be created exclusively for the bank; if the government failed to pay the loan, the bank could seize the money in the escrow account [33]. Secondly, the contract requires all revenues generated by the Ugandan airport to be used to repay the loan; the loan payment from the revenues generated should be a priority [34]. Finally, the bank was free to accept or reject the annual operational budget that the country's Civil Aviation Authority (CAA) presented to them. These provisions seriously interfere with the sovereignty of Uganda as a nation, where the lenders dictate how the whole ministry of a country should be run [34].

One of the most obscure aspects associated with these loans is that the public needs to be privy to these provisions. Governments make it difficult to make these contractual agreements accessible to the general public. Some of these provisions are replete with ambiguity, making them subject to many interpretations by the lending Chinese banks; furthermore, some of the contracts are subject to kickbacks from both China and the country receiving the loan [33].

Dependency Theory and Africa's Indebtedness

According to Zartman, dependency theory presents a critical framework for examining global economic inequalities by emphasizing the exploitative dynamics between developed and developing nations. It advocates for fundamental systemic reforms to cultivate more equitable development [35]. The theory offers a comprehensive perspective for comprehending various countries' economic growth and underdevelopment within the global economic system.

Originating in the mid-20th century, primarily from the work of Latin American economists and sociologists such as Raúl Prebisch, Fernando Henrique Cardoso, and Theotonio dos Santos, dependency theory emerged as a compelling critique of modernization theory and neoclassical economics [35]. It posits that the global economic system is designed to favor a limited number of affluent, developed countries to the detriment of a substantial number of less affluent, developing countries.

Dependency theory gained prominence in the world's economic order in the 1960s and 1970s, but it is still relevant when analyzing the economic relationship between nations and how they mutually benefit [35]. As espoused above, dependency theory indicates a situation where underdevelopment is caused by the peripheral positioning of the developing South and the developed and industrialized North [36].

In other words, the North-South relationship hinges on some interdependence, where the developing countries provide cheap labor and raw materials to the developed nations, and in return, the developed nations produce finished goods and bring them back to the underdeveloped nations to be sold at exorbitant prices [35]. Many development experts see the relationship between China and Africa as fostered by dependency theory. Chinese banks loan money to African nations, but Africans rely on Chinese industries to fix their infrastructures, and all that money comes back to China [21]. However, this is not always the case, as there are instances when the China–Africa relationship is more interdependent than dependent.

China Uses Dependency Theory for Debt Trap Diplomacy

Africa's dependence on Chinese aid and loans cannot be viewed with a myopic analysis. There is more to the huge reliance on Chinese loans than one might assume. Africa had a great relationship with the West toward the end of the 20th century as there was a need to invest in many sectors of the African economy. By the start of the 21st century, structural adjustment programs shifted the investment priority of the United States and other Western powers to areas the Africans did not consider a priority [37].

For example, in collaboration with the World Bank, the United States Agency for International Development reduced the grants they provided for agricultural developments in the early 1990s. The Western powers have thus not been too interested in investing significantly in infrastructural developments in Africa. They have been pouring a lot of money into human capital development deemed necessary to them. Thus, the start of the 21st century saw a power change [38]. The dynamics of power politics shifted drastically, especially with China's ascendance to prominence as one of the leading world powers. As a longstanding trading power in Africa, China was looked to for help that the West or the structural adjustment programs could not provide [31].

In recent years, China has invested more in most African countries' manufacturing industries, agriculture, and infrastructures than any other developed nation [39]. Because Africa is still at the embryonic stage of competing with the international economy, their priorities in terms of development are quite the opposite of what the West has been pushing for in recent times [40].

Some African countries want infrastructural development as a priority rather than the goals of the structural adjustment programs from the IMF and the World Bank [41]. China has understood the economic priorities of these African nations and cemented its relationship with Africa [42]. However, we must examine the nature of this relationship. Is Africa gaining sufficiently, or is China gaining more than Africa in this relationship? The answer to this question is more complicated than one can fathom.

China has recently invested billions of dollars in the manufacturing industries in Africa, electric and power generation, telecommunications, roads, and water and sanitation. These are the most urgent priorities of the African continent. For example, roads connecting urban areas and rural towns in most African countries tend to be dilapidated. By the start of the 20th century, many African countries started seeing the need to fix their roads and bridges [43].

China responded to these dire needs, which made their loans and grants appealing to the African continent. But this came at a considerable cost. Many countries are on the brink of losing their statehood to these Chinese banks and industries [43]. Countries like Uganda, which have taken significant loans from Chinese banks, need help to repay them. It is believed that, per the contractual agreement, China could take over Uganda's airport [31].

China Shrewd Economic Policies in Africa

China is not very interested in interfering in the geopolitics of these African nations, which is an advantage for those corrupt and dictatorial presidents in power in Africa. Moreover, China is not questioning the morality of its democracy, and neither is it calling for any regime change in these countries [44].

Although this might not be in the best interest of the people of these countries, the political operatives at the helm of affairs are encouraged by China's noninterference stance [45]. Since China is not a country that believes in democratic principles, it does not have the moral high ground to question what these benevolent despots in Africa are doing. This fits quite well in the narrative that the Africa–China relationship is unequal; Africa stands to lose more than China [46].

Corruption is one of the key menaces of the African continent since the issue of corruption cuts across every sector. Corruption has kept the African continent dependent on international saviors and stunted growth in every sphere of life [47].

China has been able to bank on the fact that these government officials are corrupt and has made provisions for kickbacks in these contracts to the detriment of ordinary citizens [48]. Some of these contracts signed between the governments in Africa and Chinese investment banks need to be more specific and clearer, and the banks tend to subject them to interpretation [49]. Sometimes, these contracts are made to put some more money in the pockets of corrupt politicians, and China mostly turns a blind eye to it [50].

Debt distress has become typical among Chinese lenders and most African countries [51]. Some countries take this money and need help to repay the loans due to unsustainability [26]. Debt distress is best defined as "where a country is unable to fulfill its financial obligations and debt restructuring is required" [52]. Defaults can cause borrowing countries to lose market access and suffer higher costs, harming growth and investment [53]. This is where some African countries now find themselves entrapped. Some of these vast loans taken from Chinese development banks have not been used judiciously, and the proceeds are not there to be seen, but the entire country stands to pay back those debts or be at risk of losing their national infrastructure to the Chinese banks [54].

China's Economic Dealings in Africa Are Far from Being Symbiosis

Debt distress is widespread in East African Countries [26]. For example, Kenya agreed with China to build a railway from Nairobi to Mombasa. This railway project cost $4.7 billion, as the project was extended to another city [55]. From all indications, the railway project has not been a success for the government of Kenya ever since its establishment [55]. In fact, from the reports of the Ministry of Transportation, the project has been more of a loss to the government than a profit [33].

This is why many thinkers have questioned the project's economic viability. They believe the project was overpriced, and Kenya was not supposed to go ahead with it. A report from the Transport Ministry indicates that in three years, the railway has generated about $230.7 million, while its running and operational costs are at $430.5 million. Since its inception, the government has lost about $200 million [33]. This indicates that sustaining that project for the long run is not feasible. In the contractual agreement, the port of Mombasa was listed as the security collateral should Kenya renege on paying the loan [56]. Therefore, if Kenya fails to meet the loan obligation, it risks losing their seaport to China, and the banks will seize it to return its investment.

The relationship between China and some African countries is based on something other than the ideal win-win situation. These countries tend to lose much more, as their hands are tied whenever they enter this business transaction. This is because they urgently need these loans and are ready to accept whatever conditions may accompany them. Some politicians are so corrupt that they need kickbacks from these loans and are always prepared to take them no matter the consequences [56].

Because of the reasons highlighted above, ranging from the Western powers not committing themselves to provide grants or loans for infrastructural development, the corrupt systems in these countries, and the West's refusal to help with agricultural grants, all these have driven Africa into the nets of the Chinese banks, hence enforcing the disparity in these agreements [56].

Regardless, China's debt diplomacy has not helped the developing countries much [57]. Instead, it has left them in a perpetual debt trap. Some countries have taken exorbitant amounts of money they cannot afford to repay [57].

The contracts are so vaguely drafted that it leaves room for Chinese banks and the BRI program to seize national infrastructures if the country fails to pay the loans. This has been seen in Djibouti, Kenya, Tanzania, Sierra Leone, Uganda, and many more, where national infrastructure has been on the verge of being overtaken by China. However, this diplomacy mode is not limited to Africa, as Sri Lanka has suffered a similar fate at the hands of China's debt diplomacy [57].

Legal Implications of Chinese Economic Soft Power in Africa

State sovereignty is "the supreme, absolute and uncontrollable power by which an independent state is governed and from which all specified powers are derived; the intentional independence of a state, combined with the right and power of regulating its internal affairs without foreign interference." [58]. The legal definition of state sovereignty has always been a controversial issue. From the above definition, enjoying full sovereignty in today's global village is challenging if one is a developing country [69].

It is a massive task for a state to exist without foreign interference in its internal mechanisms. For example, the IMF and the World Bank give out grants and loans with specific instructions as to when and how those grants and loans should be used. That counts as interference in a nation's sovereignty [60]. Indeed, those institutions (IMF and World Bank) do not obtain physical institutions from a state and superimpose their rule over such institutions. However, quite the opposite is happening between Africa and China. Chinese financial institutions are taking over some of the internal institutions of some African countries, such as seaports and airports. When loans are not paid, Chinese financial institutions threaten to take up institutions in the states where they operate [61].

China has two instruments for financial assistance to Africa: loans and grants [61]. They use banking institutions and the BRI to further their relationship with African states. The Chinese banking institutions are ready and willing to fund programs that the BRI presents to them [62]. Their key area of interest is the construction of roads, ports, and railways, which is urgent in many African nations. After independence, many African countries saw no need to retain specific infrastructures reminiscent of their former colonial masters [63]. Some got rid of the railway system, and some needed a better maintenance culture and let their railways fall apart.

This has become a problem in the 21st century when railways are pivotal to development in the transportation sector [46]. The underdeveloped road network in Africa is another critical area that these institutions are targeting, similar to the case of airports [64]. Some of these airports are the ones that the colonizers left some 70 to 100 years ago; some are old-fashioned and need either an overhaul/renovation or rebuilt entirely. The Chinese institutions have appealed to the needs of the African countries, which the IMF and the World Bank's policies do not support [64].

China's Economic Policies Threaten African Countries Sovereignty

As stated above, these nations' infrastructural urges have not come without a price. For example, the last government of President Ernest Bai Koroma of Sierra Leone entered an agreement with China to construct a new airport for $400 million [65]. From all indicators, the country did not need a new airport but rather a bridge connecting the central city, Freetown, and the town of Lungi, which houses the airport, or a renovation of the existing airport. Although the IMF and the World Bank warned against taking such a massive loan from China, the contract was signed.

When the new government of President Maada Bio assumed office, they rescinded the contract and did not go ahead with it [65]. Some African governments seem to sign these loan agreements not in the country's best interest but rather to get the kickbacks. Some of these loans are way more than what the project requires to be completed. The rest of the money goes to private pockets, especially of politicians at the forefront of making these deals [66]

According to Liu, countries are losing their sovereignty in the bid for the RTD agenda. Angola is one of the African countries that has almost lost its sovereignty to the Chinese financial institutions [67]. This South African nation has the highest Chinese loan at $25 billion. These loans were given to Angola through the FDI and the BRI to help with infrastructural development [5]. Being blessed with a vast natural resource base, Angola used this to lure more loans from China. The country has a vast oil reserve and is one of Africa's leading oil exporters [5].

As a result of the massive loan the country now owes to China, they are forced to sell their oil to the Chinese market even at a loss, primarily due to price fluctuation. To upset the loan, the oil has to be supplied to China, and whatever remains can be sold to other countries [68]. This is a direct limit to a nation's sovereignty. Any country should be free to transact business with whomever they choose, but this is not the case with Angola. According to a local newspaper, Expansão, every Angolan owes China $754 [69]. This shows how the continent is losing its sovereignty as citizens move freely but are in chains controlled by China. The actions of Chinese firms, financial institutions, and the BRI are questionable. The amount of funds China is willing to pour into Africa is unprecedented.

China has taken center stage in the relationship between Africa and other countries. Chinese presence dominates all African countries. They leverage their economic power and want their political presence to be felt [70]. They are not interested in directly interfering in the local politics of these nations, but they are interested in their citizens' presence in these countries to protect their gains [68]. They have opened doors to many African students traveling to China to study and learn the Chinese language (Mandarin).

Human rights are not much of a concern for their operations. In Zimbabwe, for example, in 2019, a lawmaker called Temba Mliswa accused Chinese companies of serious human rights violations [2]. He argued that Chinese industries do not respect local laws or the rights of the citizens of Zimbabwe who work for them. He ascribed their work to environmental degradation, serious human rights abuses, and corrupt practices in their dealings with the country [2]. This is not limited to Zimbabwe, as many other African countries risk losing their sovereignty to China if they withdraw from paying their debts [71].

The Belt and Road Initiative is a Tool Used to Advance the Chinese Expansionist Agenda.

China has used the BRI to expand its influence not just in Africa but also in other developing nations around the world. Ethiopia stands second to Angola in the African countries with the highest Chinese loans [72]. The country has a loan amount of $13.7 billion, which it owes to China. This is the case, even though Ethiopia is one of the most developed countries in Africa in terms of infrastructure. This comes at a very high price to the country, as almost every sector or industry is occupied by Chinese contractors [72].

Chinese contractors finance and run the country's railway, roads, hydropower dams, and airport. One of the leading banks in China, Eximbank, refused to release $339 million to Ethiopia for fear that the country had taken too much of a loan that they were struggling to pay back. China Export and Credit Insurance Corp scaled down its investment in the country, hoping it would not get the loans back [73]. This has left the country seriously indebted to China.

Chinese companies are acquiring land in Africa at an unprecedented rate [26]. Djibouti suffers severe consequences if it cannot repay its loan agreement. Kenya is on the verge of losing its seaport to China if the loans are not paid according to the contractual agreement between the two nations. Like in Sri Lanka, Uganda is at a high risk of losing its airport to China [26]. In these ways, some African countries slowly lose their internal and territorial sovereignty to China.

African nations have had an admirable trading relationship with China since the 1950s, which still exists but on a larger scale. China has used its financial institutions through trade relationships, financial assistance, and infrastructural development to infiltrate the very heart of Africa's sovereignty. Most of these deals are hardly transparent and vaguely drawn, which can be subjected to many interpretations by Chinese lenders [74]. Transparency is one of the biggest challenges African countries struggle with in their loan relationship with China, leading to many debt-trapped [5]. This issue of transparency is not just on the part of the people giving out the loan but even the ones receiving it. Many government officials in these African countries want the kickbacks they get from signing these multimillion-dollar contracts [46].

China Has overtaken the Bretton Woods institutions in Africa.

Some African countries have struggled to take these loans due to their economic and long-term effects, while others are ready to eat the fruit of the poisonous tree because they have yet to find an alternative [75]. Western institutions, especially the IMF and the World Bank still need to support specific initiatives these African nations present to them.

They are stuck in the structural adjustment programs that seem to not currently work with the African developmental agenda Grants, aids, and loans designed for Africa are tied to the strict adherence to these conditionalities that are not working in the people's interest [75]. On the other hand, China's approach seems to be the most practical one for these African countries' agenda [76]. China has tackled the complexities or bureaucratic failings of the West with their simple mandate of giving out loans, spending on infrastructure through FDI in exchange for natural resources, or even taking over some institutions in these countries [77].

Countries like Uganda currently need help with their sovereignty due to such deals. The government is on the brink of losing its airport to China for defaulting on its loan payment. Although they know China's fruit is from a poisonous tree, they are willing and ready to eat from it. The airport was built for Uganda but with severe caveats: an escrow account was created where monies were to be deposited. Should Uganda fail to pay the loan, the funds in the escrow account would be seized by the Chinese lending bank [78]. Furthermore, all revenues generated from airport use should be paid toward the loan payment. As such, China determines how a nation's aviation industry should operate [79]. This is a stark example of limited sovereignty.

Kenya is another country struggling with these bad deals, leaving African countries debt-trapped. Kenya might lose its lucrative port in Mombasa to the Chinese because the port was placed in the agreement as the collateral of security, and should they fail to pay the loan, it could be seized, just like in Sri Lanka [80]. The countries or these African nations can be autonomous, but their political and economic dependency on foreign influence makes them vulnerable to losing their independence and even their sovereignty [81]. The RTD has been used to promote various development agendas, leading African countries into a debt trap and making them vulnerable to China [82, 83].

Conclusion

In Africa, different countries have experienced varying economic outcomes in their relationships with China. For instance, Zambia has faced significant challenges due to its debt to China, which has raised concerns about its economic sovereignty. On the other hand, Ethiopia has benefited from the infrastructure improvements funded by China but also grapples with rising debt levels. Critics argue that China's lending practices could make African countries overly reliant on Chinese financing. If these countries cannot repay their loans, China could gain leverage over them, leading to control over strategic assets or political influence. Additionally, there are concerns about the need for more transparency in the terms of the loans.

Some agreements could be clearer, making it easier for the public and even governments to understand their commitments entirely. High interest rates and strict repayment terms can worsen the debt burden. While there are valid concerns about the sustainability of Chinese loans to Africa and the potential for debt traps, the issue is complex and has many aspects. The impact of these loans varies by country and project, and the result depends on how well these loans are managed and used. African countries must negotiate fair terms, maintain transparency, and implement solid economic policies to manage their debt responsibly. Additionally, international cooperation and support can help ensure that infrastructure development does not come at the expense of economic stability.

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