

China's Diplomatic Practice from the Perspective of International Law

-- Taking the Mediation of Saudi-Iran Reconciliation as an Example

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Abstract

The world is currently in a great change unseen in a century. As a global energy base for oil, natural gas, etc., the Middle East has been plagued by constant conflicts. As the two major powers in the Middle East, the diplomatic discord between Saudi Arabia and Iran has triggered a series of problems. China timely intervened, mediated the relations between the two countries in accordance with public international law, facilitating the reconciliation between Saudi Arabia and Iran, made great contributions to Middle East peace, and created better opportunities for China's own development.

Keywords

Saudi-Iran Reconciliation; China's Great Power Diplomacy; Public International Law.

1. The Relationship between China's Foreign Policy and International Law

In the conduct of its foreign policy, China has all along comply the framework of international law and remained committed to practicing multilateralism with resolve. The evolution of the foreign policy and its integration with international law reflect China's role transformation in the international community and its contribution to global governance. Since the reform and opening up, China's foreign policy has undergone a strategic adjustment from "keeping a low profile" to "peaceful development," placing greater emphasis on integration with and compliance with international law. China has not only established the image of a responsible major power in the international community but also demonstrated the maturity and stability of its foreign policy in practice.

In accordance with international law, China has always adhered to the "Five Principles of Peaceful Coexistence," namely mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence, and actively participated in multilateral diplomacy. Of course, China not only follows the fundamental principles of international law, but also uses international law tools. In the reconciliation between Saudi Arabia and Iran, China promoted problem-solving by leveraging public laws such as the Charter of the United Nations and the General Protocol for the Pacific Settlement of International Disputes. China not only considered regional stability and the strengthening of international law principles but also reflected the forward-looking nature of its foreign policy, that is, resolving disputes through peaceful means and promoting the construction of a community with a shared future for mankind. As General Secretary Xi Jinping emphasized, "Peaceful development is the theme of the era, and win-win cooperation has become the trend of times." The evolution of the foreign policy in China and its integration with international law are precisely the embodiment of this trend of the era.

In addition, China's diplomatic practice within the framework of international law is also reflected in its active participation in international dispute settlement mechanisms. Guided by international law, the evolution of China's foreign policy has also adapted to the expectations and needs of the international community. China not only follows the basic principles of international law but also actively participates in the formulation and improvement of international law. China is a member of multiple international organizations and multilateral treaties, such as the World Trade Organization (WTO), a Party to the Paris Agreement, and a Party to the Antarctic Treaty, etc. Of course, China has taken the lead in establishing the Shanghai Cooperation Organization, the Asian Infrastructure Investment Bank (AIIB), etc., to strengthen international cooperation. The operations of these organizations and treaties are all based on international law principles, constructing new dispute settlement mechanisms.

2. Background and Process of Saudi-Iran Reconciliation

The conflicts between Saudi Arabia and Iran have complex and diverse roots, involving multiple dimensions such as religion, geopolitics, and energy interests. First, religious factors are an important cause of the tense relations between the two countries. Saudi Arabia is the center of Sunni Muslims, while Iran is the representative country of Shiite Muslims. This religious divide has historically repeatedly escalated into political opposition. The relations between the two countries have gone through a complex evolution from cooperation to confrontation and then to reconciliation. In the 1970s, the relations between the two countries were relatively friendly. Saudi Arabia and Iran cooperated within the Organization of the Petroleum Exporting Countries (OPEC) to jointly influence international oil prices [1]. However, after the 1979 Iranian Islamic Revolution, the relations between Saudi Arabia and Iran began to deteriorate, mainly because Saudi Arabia was concerned that the Islamic revolutionary ideas exported by Iran would threaten its domestic stability. Second, there are serious geopolitical conflicts between the two. The competition between Saudi Arabia and Iran in regional affairs, such as the competition for proxy influence in Syria, Yemen, and Iraq, has further strained the relations between the two countries [2].

Against this background, in 2016, Saudi Arabia executed a prestigious Shiite cleric, Nimr, on charges of terrorism. He had been arrested by Saudi Arabia for repeatedly criticizing Saudi policies, and 46 others were executed together with him. This triggered large-scale protests in Iran, and the relations between the two countries deteriorated sharply. Then, Iran's Supreme Leader Khamenei announced a "sacred revenge" against Saudi Arabia, and angry Iranian demonstrators attacked the Saudi embassy in Iran. Thus, with the Nimr incident as a fuse, on January 3, 2016, Saudi Foreign Minister Al-Jubeir announced that Saudi Arabia had severed diplomatic relations with Iran. Then in September 2019, two important oil facilities of Saudi Aramco were attacked by drones, resulting in a daily reduction of 5.7 million barrels in Saudi crude oil supply. This was a great blow to the cornerstone of the "oil for security" alliance between Saudi Arabia and the United States. Then-US President Trump said: "This is an attack on Saudi Arabia, not on the United States". Such a statement was undoubtedly a betrayal of the ally. In this situation, Saudi Arabia intended to ease relations with Iran and strive to independently guarantee national security. Given that both sides were willing to improve relations and had direct talks in 2021 and 2022, China timely intervened. When the President Xi Jinping visited Saudi Arabia in December 2022, the Saudi Arabia side proposed that it hoped China would mediate the Saudi-Iran talks. China played an active role in this process. Through diplomatic efforts based on international law, China promoted Saudi Arabia and Iran to sign an agreement on March 10, 2023, and officially resume diplomatic relations on April 6.

3. The Crucial Role of International Law in this Mediation

In international law, there are various ways to resolve international disputes, including negotiation and consultation, good offices and mediation, arbitration, and judicial settlement, etc. The normalization of state relations often relies on a series of international legal principles and mechanisms, such as sovereign equality, non-interference in internal affairs, and the pacific settlement of disputes. Taking China's mediation of the reconciliation between Saudi Arabia and Iran as an example, international law not only provides the legal basis for diplomatic interaction but also provides a platform for reconciliation between the two sides.

China skillfully applied the principles of international law to resolve disputes in the process of mediating the reconciliation between Saudi Arabia and Iran, providing legal and moral support for the normalization of relations between the two countries. These international law tools provided a platform for dialogue and negotiation for the conflicting parties. Through the use of these international law tools, China not only promoted the reconciliation between Saudi Arabia and Iran but also demonstrated its ability and determination to resolve disputes within the framework of international law.

Specifically speaking, China fully utilized the diplomatic consultation mechanism established by the Vienna Convention on Diplomatic Relations in the mediation process, incorporating Saudi Arabia and Iran into a commonly recognized international law procedure by establishing a trilateral dialogue framework. This dialogue model based on international rules not only avoids the legitimacy controversy of unilateral pressure but also ensures that the demands of both sides are programmatic guaranteed through a regular consultation mechanism. In the design of mediation strategies, China referred to the non-mandatory characteristics of the "good offices, mediation, and conciliation" clauses in the Understanding on Rules and Procedures Governing the Settlement of Disputes (Article 5) and combined the phased achievements with Chapter VI "Pacific Settlement of Disputes" of the Charter of the United Nations to form a feasible implementation plan.

Then according to Article 33 of the Charter of the United Nations, when an international dispute arises, methods for the pacific settlement of the dispute should first be sought, which provides a legal basis for the two countries to resolve their differences through dialogue rather than conflict. In actual operations, China applied the principles of mediation and good offices in international law, and through bilateral or multilateral negotiations, prompted the two sides to gradually resume diplomatic relations on the basis of respecting mutual fundamental interests and major concerns. In addition, the principles of mutual non-aggression and respect for human rights in international law also provided moral and legal support for the normalization of relations between the two countries. Through such diplomatic efforts, China has not only demonstrated its image as a responsible major power but also made positive contributions to regional and even global peace and stability.

4. The Great Significance of Saudi-Iran Reconciliation

The reconciliation between Saudi Arabia and Iran not only marks the normalization of relations between the two countries but also has a profound impact on the stability of the Middle East. First, from the perspective of geopolitics, as regional major powers, the relaxation of relations between Saudi Arabia and Iran helps reduce regional tensions and the possibility of conflicts. According to the "security dilemma" theory in international relations theory, when there is a lack of communication and trust, countries will launch security competitions for the sake of their own security. Such security competitions between countries often lead to arms races and the escalation of conflicts, while the reconciliation and communication between Saudi Arabia and Iran provide a possible solution to the regional security dilemma [3]. Second, the

reconciliation helps stabilize the international energy market, especially the impact on the global oil supply. Both Saudi Arabia and Iran are important members of the Organization of the Petroleum Exporting Countries (OPEC). The improvement of relations between the two countries helps coordinate oil policies and stabilize oil prices, which is of great significance for the stability of the global economy. As the American statesman Kissinger once said: "Without a stable Middle East, there can be no stable international order" [4]. Therefore, the reconciliation between Saudi Arabia and Iran has a non-negligible role in maintaining regional and even global stability.

Of course, the reconciliation between Saudi Arabia and Iran also has far-reaching significance for international law. It greatly embodies and strengthens the principles of public international law. First, this diplomatic achievement reflects the principle of respect for state sovereignty and territorial integrity, which is one of the cornerstones of international law. In the process of reconciliation, Saudi Arabia and Iran resolved their differences through dialogue and negotiation, avoiding the escalation of conflicts, which is in line with the spirit of the Charter of the United Nations advocating the pacific settlement of international disputes. Second, the mutual respect and cooperation in the process of reconciliation have strengthened the principles of equality between states and non-interference in internal affairs in international law. Through the mediation of China as a third party, both sides were able to rebuild mutual trust on an equal footing, which provides a positive case for the international community to resolve disputes through diplomatic means. In addition, the reconciliation has also promoted regional stability, in line with the principle of maintaining international peace and security in international law. The reconciliation between Saudi Arabia and Iran helps reduce tensions in the Middle East and creates favorable conditions for regional cooperation and economic development. When talking about the contact with Iran, Saudi Foreign Minister Faisal said: "The policy of national leaders is very clear: economic prosperity and national construction come first. You cannot achieve these goals without regional stability" [5]. The reconciliation between Saudi Arabia and Iran is precisely the embodiment of this concept in the practice of international law.

5. The International Influence and Evaluation of China's Diplomatic Mediation

Since Saudi Arabia and Iran severed diplomatic relations in 2016, the tension in the Middle East has continued to escalate, greatly affecting the global energy market and the geopolitical pattern. China promoted the two countries to resume diplomatic relations in 2023 through mediation, which helped ease regional tensions and created favorable conditions for dialogue and cooperation between regional countries. In this process, China used the principles of international law to provide a common interest intersection for both sides, thus finally facilitated the reconciliation after the failures of other countries such as Syria and Oman in 2021 and 2022. It should be seen that the world pattern is currently undergoing great changes. China is taking the road of peaceful rise, while Western countries such as the United States regard China as a "threat" or "enemy." China is in urgent need of using such diplomatic practices to demonstrate the image of a responsible major power, show the world that China has both the determination and the ability to promote world peace and development, maintain global peace and stability by peaceful means, and actively act as a builder of world peace, a defender of the international order, and a mediator of hot-spot issues, thereby greatly enhancing China's international status.

In the tripartite interaction between China, Saudi Arabia, and Iran to promote the resolution of the Saudi-Iran reconciliation issue, China's demonstrated strategic coordination ability has also aroused international discussion. A report by the European Council on Foreign Relations

emphasized that the China-Saudi-Iran Beijing joint statement shows that China is willing to assume greater responsibility for international peace, bringing new hope to the international community for cooperation for common interests in the context of global zero-sum games. Using multilateral diplomatic mechanisms, Beijing has effectively bridged regional differences by constructing a non-confrontational dialogue platform. Specifically, the Chinese diplomatic team adopted a "two-track approach": on the one hand, relying on the spirit of the Charter of the United Nations to emphasize sovereign equality; on the other hand, leveraging the framework of the Shanghai Cooperation Organization to promote trust-building. It is worth noting that China applied international dispute settlement mechanisms, organically combining the Vienna Convention on Diplomatic Relations with regional security mechanisms to form a composite solution. In the book *World Order*, there is such a sentence: "Excellent diplomacy is often reflected in the dimension of institutional innovation."

This mediation practice not only verifies the leapfrogging of China's ability to participate in global governance but also demonstrates a new path for the creative combination of international law norms and geopolitical reality.

6. The Future of China's Diplomacy: Prospects within the Realm of International Law

With deepening of globalization and the multi-polarization process of the whole world, the international pattern is undergoing profound adjustments. Against this background, the future direction of China's foreign policy will place more emphasis on the principle of multilateralism to build an all-round and multi-level network of new international relations and a community with a shared future for mankind. Through institutional innovations such as leading the establishment of the Asian Infrastructure Investment Bank and participating in the G20 Common Framework for Debt Treatments, China is gradually improving the institutional supply of the global governance system. The diplomatic practice of successfully mediating the resumption of diplomatic relations between Saudi Arabia and Iran in 2023 not only demonstrates China's ability to carry out the "Chinese-style approach to resolving hot-spot issues" adhering to the purposes of the Charter of the United Nations but also indicates that China will play a more creative role in complex issues such as the mediation of the Israeli-Palestinian conflict and the Russia-Ukraine conflict.

In the ten-year practice of promoting the Belt and Road Initiative, Chinese enterprises have completed more than 3,000 landmark projects such as the Mombasa-Nairobi Railway, the China-Laos Railway, and the Port of Piraeus. According to statistics, these projects have driven an average annual growth of 6.4% in trade volume of the countries along the route. This development-oriented cooperation model not only conforms to the core essence of the 2030 Agenda for Sustainable Development but also cultivates a new paradigm of cross-border industrial chain collaborative development through innovative forms such as production capacity cooperation parks and the Digital Silk Road. China has continued to make efforts in maintaining the multilateral trading system, has signed 21 free trade agreements, and its stock of outward direct investment has exceeded 2.8 trillion U.S. dollars, injecting certainty into the global economic recovery.

At the 2023 High-Level Dialogue between the Communist Party of China and World Political Parties. As President Xi Jinping emphasized: "The concept of civilizations living in symbiosis and common prosperity and the values of balancing righteousness and interests have become the philosophical foundation of China's participation in global governance." Facing the future, China's diplomacy will focus on strengthening three dimensions: deepening the transfer of technology and development of capacity under the framework of South-South cooperation; promoting the adaptive reform of international law in emerging fields such as climate change

and cyberspace; and constructing a more representative multipolar pattern through institutional innovations such as expansion of the BRICS countries and the Shanghai Cooperation Organization. This evolution of foreign policy based on practical needs and focusing on institutional innovation will surely provide Chinese solutions for solving the deficits in peace, development, security, and governance [6].

7. Conclusion

Facilitating the reconciliation between Saudi Arabia and Iran through mediation is a major event in China's diplomacy in 2023 and also a major event in China's diplomatic history. China has resolved the Saudi-Iran dispute through active mediation and peaceful negotiation, maintained peace in the Middle East, and demonstrated good international influence and credibility, making more and more countries believe that China is a responsible and capable major power. It can be seen that China is taking a peaceful path and doing righteous things.

The Middle East countries have suffered from the troubles of war and conflict. The five Middle East wars, the Gulf War, the Iraq War, etc., have devastated the people of the Middle East. The situation is not optimistic. The people of the Middle East are in urgent need of peaceful and stable development and great reconciliation among countries, nations, and religions. This time, China's facilitation of the reconciliation between Saudi Arabia and Iran has set a good example for the peaceful development of the Middle East. However, reconciliation cannot solve all the problems between Saudi Arabia and Iran, including those in the Middle East. The Middle East still needs further efforts to truly achieve stability and peace. Nevertheless, overall, the success of this mediation has brought new opportunities for the development of the Middle East and China-Middle East relations and has also strengthened and developed the principle of the pacific settlement of disputes in international law.

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