EU China Relations:
Viewed through a Human Rights Lens

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Relations between the European Union and China: Viewed through a Human Rights Lens.

By

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Suzie Meehan, for NEVER hounding me.

Elizabeth Marieke, for the "wisdom of age".

But most of all, for their friendship.
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Sinéad Meehan, for NEVER humouring me,
Elizabeth Meilak, for the “wisdom of age”,
But most of all, for their friendship.
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<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tr>
<td>AI-</td>
<td>Amnesty International</td>
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<tr>
<td>ASEM-</td>
<td>Asia-Europe Meeting</td>
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<td>CCP-</td>
<td>Communist Party of China</td>
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<td>CEIBS-</td>
<td>China Europe International Business School</td>
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<td>CFSP-</td>
<td>Common Foreign Security Policy</td>
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<td>CoCom-</td>
<td>Co-ordinating Committee for Multinational Export Controls</td>
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<tr>
<td>EEC-</td>
<td>European Economic Community</td>
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<td>EFTA-</td>
<td>European Free Trade Area</td>
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<td>EIDHR-</td>
<td>European Institute for Democracy and Human Rights</td>
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<td>EMU-</td>
<td>Economic and Monetary Union</td>
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<td>EP-</td>
<td>European Parliament</td>
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<td>ETDZ-</td>
<td>Economic Technology Development Zone</td>
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<td>EU-</td>
<td>European Union</td>
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<td>FDI-</td>
<td>Foreign Direct Investment</td>
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<td>FTC-</td>
<td>Foreign Trade Co-operative</td>
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<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<td>HRW-</td>
<td>Human Rights Watch</td>
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<td>IPR-</td>
<td>Intellectual Property Rights</td>
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<td>MEP</td>
<td>Member of the European Parliament</td>
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<td>MFA-</td>
<td>Ministry of Foreign Economic Relations and Trade</td>
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<td>MIDZNAT-</td>
<td>National Industrial Development Zones for New and Advanced Technology</td>
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<td>MOFERT-</td>
<td>Ministry of Foreign Economic Relations and Trade</td>
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<td>Abbreviation</td>
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<tr>
<td>NPC-</td>
<td>National People's Congress</td>
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<td>OECD-</td>
<td>Organisation for Economic Co-operation and Development</td>
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<td>SEA-</td>
<td>Single European Act</td>
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<td>SEM-</td>
<td>Single European Market</td>
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<td>SEZ-</td>
<td>Special Economic Zone</td>
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<td>SOM-</td>
<td>Senior Official Meeting</td>
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<td>STI-</td>
<td>Sexually Transmitted Infection</td>
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<td>TB-</td>
<td>Tuberculosis</td>
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<tr>
<td>ToA-</td>
<td>Treaty of Amsterdam</td>
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<td>TEU-</td>
<td>Treaty on European Union (Maastricht Treaty)</td>
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<td>TVE-</td>
<td>Township Village Enterprise</td>
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<tr>
<td>UDHR-</td>
<td>Universal Declaration of Human Rights</td>
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<td>UN-</td>
<td>United Nations</td>
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<td>UNCHR-</td>
<td>United Nations Commission for Human Rights</td>
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<td>WTO -</td>
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Introduction:

The European Union’s policy in relation to China was outlined in the Commission document *A Long Term Policy for Europe China Relations* published in 1995. These goals related to:

- engaging China further on the world stage, through an upgraded political dialogue with the international community.
- supporting China’s transition to an open society based upon the rule of law and respect for human rights.
- integrating China in the world economy by bringing it more fully into the world trading system, and by supporting the process of economic and social reform that is continuing in China.
- making Europe’s funding go further.
- raising the EU’s profile in China. CEC (1995)

Due to space constraints, only one of these issues shall be addressed, i.e. supporting China’s transition towards a more open society. This study endeavours to raise issues pertaining to human rights violations in China and how far the EU is prepared to or able to promote change.

Chapter one examines the historical development of the relationship between the EU and China from the 1960s. A comprehensive examination of which, is deemed necessary, to facilitate a better understanding of the contemporary difficulties, in relation to the issue of human rights. Initially, both China and the EU had their own agendas in pursuing relations with each other. These links were formed out of necessity, strategic geo-
economic concerns and a desire to gain greater importance on an increasingly multi-polemic stage. When assessing the relationship between the two today, it is beneficial to do so against the backdrop of history, as with the continuation of links between the two, it became more and more difficult for the EU to gain distance from China in order to criticise their human rights record.

Chapter two aims to assess the EU’s human rights policy, its difficulties and criticisms. It also outlines Commission proposals for creating more coherence in this area. There exist many questions in relation to this area. Is the EU capable of promoting change in China with its current inadequate approach to human rights, not only evident in its relations with third countries but also within the Union itself? Are trade concerns an obstacle to the goal of improving human rights?

Chapter three deals more concretely with China. It aims to examine the differing values Asian and Western cultures have in relation to human rights. Does universality exist? It examines also the possibility that the EU is being ethnocentric in its endeavour to ‘impose’ European values on Asian culture. The chapter also presents a case study of the EU’s inaction towards motioning a United Nations (UN) Resolution in relation to China’s human rights record, examined against a backdrop of economic developments between China and EU Member States at the time. Due to space constraints, however, this analysis will cover the period 1996 to 1999 inclusively.

Chapter four deals with assessing EU funded Development projects in China. Since the 1980s there has been a move by the EU and other donors - like the World Bank, to support the development of human rights and democratisation. The rationale for such a
move is that human rights and democratisation are in themselves good policies to promote, as they improve the lives of many citizens through the introduction of more accountable governance and political representation, they also promote the notion that human rights and democracy are important in sustaining social and economic development. Development projects in China are the tangible part of the EU’s policy and fit in with the Chinese concept of human rights i.e. the right to development. The chapter seeks to assess the impact these projects have had in China and explore the criticisms surrounding the type of projects employed and the potential areas to which project aid could be extended.

The issue of human rights in China is, as shall be explained at a later stage, politically sensitive and the extent to which they may be influenced by outside actors is very difficult to assess. This paper does not seek to provide definitive answers regarding the influence states, or international organisations may have on human rights in China, on the contrary, it proposes to encourage questions relating to this issue. The only definitive statement is that the area of human rights is ‘grey’, it is impossible to embark upon a truly universal study on this issue, as –which will be explored at a later stage – human rights are specific to a culture or society. Whether this is accepted as a vindication of human rights abuses worldwide or if they provide only an excuse to mitigate the behaviour of repressive governments leaves much room for speculation.
Chapter 1.

1Political Development of the Relationship between China and the European Union:

1.1 Chinese attitudes to Western Europe from 1960-1990: Economic Partner or Strategic Adjunct to China’s Geopolitical Objectives?

The purpose of this section is to trace the development of the relationship between China and the European Union. Initially, politics and economics were the driving forces behind their relationship and human rights concerns were attributed little or no attention. China, as shall be discussed in the proceeding section, welcomed the development of an integrated Europe as it posed a new dimension to the bipolar global structure.

The relationship between the EU and China can not be compared to the importance of the relationship China has with Japan or the USA, nor can it be compared to China’s own importance within the Asian region, however Europe has been and indeed still is of great importance to China. Yahuda (1994:267) Western Europe was initially a very significant factor in how China conducted relations with the two superpowers of the cold-war era, i.e. the USA and USSR. The relationship progressed from the field of foreign relations as China realized Europe’s potential as a major source of advanced technology and as an economic partner. This served to aid China’s modernization process.

China’s growing relationship with Europe has also served to advance and enhance China’s own image of itself on the international stage. Along with addressing these
issues in turn, this section seeks to examine the historical development of Europe’s relationship with China, taking the 1960s as a starting point for two reasons; firstly it was soon after China’s decision to “open up” to the rest of the world and end its period of isolation, secondly it was shortly after the establishment of the European Economic Community (EEC).

China’s interest in the EEC since the 1960s has been influenced by both internal and external factors. Internally China had just come out of its self-imposed period of isolation and the failure of Mao’s Great Leap Forward, and externally China viewed the EEC as an integrated unit, an economic and political entity capable of reducing the leverage exerted by the superpowers. Kapur (1985:104) identifies the period of the 1950s and 1960s as the first phase in the relations between the two. Yahuda typifies this phase as being “constrained by bipolarity”. Yahuda (1994:268) Western Europe belonged to what Mao called “The Second/Intermediate World”, which constituted an area with which it was ideologically permissible to have relations with. Chinese spokespeople have often spoken of a multipolar world with Europe and China occupying both polar ends. Interesting to note, is that there was no reference made to the ideological differences (socialism versus capitalism) between the two blocs, nor to any liberal-democratic values adhered to by Europeans, or to any problems or opportunities underlying European development.

1 Of course it must be noted that relations between the two span back centuries, which still, to some extent, bare significance to the contemporary relationship between the two, however this falls beyond the scope of this study.

2 The “Great Leap Forward” heralded a series of economic changes being implemented, these aimed to revitalize all sectors of the economy. The plan emphasized decentralized, labour-intensive industrialization, typified by the construction of steel furnaces instead of steel mills. Unrealistic planning and a poor harvest in 1959 caused mass starvation and resulted in the failure of the “Great Leap Forward”.

5

In the 1960s China began to view a change in the Western World, the capitalist world was seen for the first time as comprising of fragmented subgroups, i.e. EEC, European Free Trade Area (EFTA) etc. It was seen as a symbol of European resistance to the USA’s hegemonic position on a great many issues. Kapur (1985:73) Christopher Dent takes a very different view on how the Chinese viewed an increasingly regionalized Europe, he was of the opinion that Beijing was very sceptical of the regional intentions of Western Europe, viewing the Common Market as nothing more than “an internal cartel organized by monopolistic groups of the six Western European countries”. Dent (1999:131) However, the fragmentation of the imperial world coupled with the emergence of an integrated unit capable of representing a real challenge to the global bipolar structure in existence, were some reasons which caused China to turn its attention toward the EEC.

Western Europe was also considered an important player in China’s diversification strategy. In the mid-60s Europe constituted an important supplier of industrial plants for China, further to this Europe was China’s most important trading partner; accounting for about one quarter of its imports and exports. Dent (1999:129). However, according to Dent, this relationship to Europe developed out of necessity rather than choice, due the bad state of the relationships between China and the superpowers at that time. Dent (1999)
However, that must not diminish the importance of the relationship between the EEC and China. As China came out of isolation it was imperative that it establish itself as an international player. Western Europe was of even greater importance to China due to its relationships with the superpowers during that time period; the USA had cut off all ties with China after the accession of Mao to power and also endeavoured to restrict the importation of sensitive products into China via the Paris Co-ordinating Committee (COCOM). This US embargo caused China to look towards Europe as a vital source of technology, markets and capital. Dent (1999:129). Europe was thus seen as a viable alternative to one of the superpowers for products, this was not the first time this was evident: in 1954, at the Geneva Conference on Korea and Indochina, the then Chinese Premier and Foreign Minister Zhou Enlai sought to extend commercial links with Western European countries in areas where the Soviet bloc was weak, i.e. rubbers, medicines etc. Dent (1999:129) At that point in time it is perhaps logical to assume that China had anticipated a Sino-Soviet split as relations between the two had rapidly declined since Stalin’s death. Evidently, this split did materialize in 1960, by which time, “China’s dependency on Western Europe […] increased with the souring of relations between Beijing and Moscow.” Dent (1999:129)

In spite of increasing economic ties between both parties, political ties remained weak. This can be attributed to the cultural, ideological and geographical distance between them. Dent (1999:131) De Gaulle’s attempts to encourage closer political ties with China in 1964 constituted a “false dawn”. Yahuda (1994:268) for China as it did not herald a new period of China-West Europe relations as Mao had hoped, nor did de
Gaulle’s plan to push West Europe as a global power through his pursuance of closer political ties with China have much success. (ibid)

1.1.1 The 1970s and the First Enlargement:
The 1970s, considered by Yahuda as the “second phase” Yahuda (1994:268) of West European Chinese relations, were characterised by a Chinese attempt to develop an international anti-Soviet front. Yahuda (1994) The Chinese viewed European integration in the 1970s as a major move towards global multi-polarity. In light of this, it was no surprise that the 1973 enlargement of the EEC was welcomed by China, as it represented a new and stronger challenge to the bipolar status quo. Dent (1999:131). China was in the 1970s very well disposed to an enlarged EEC as it helped further Chinese desire as an aid to resist potential Soviet aggression. According to Van Altin “Peking’s positive attitude towards the EEC was motivated more by political than economic reasons” van Altin (1974:100). The enlargement was perceived by China as a real European desire for more independence from the superpowers.3

In addition to the political advantages associated with enlargement, China was also aware that economically Europe now represented a powerful entity capable of posing a challenge to the USA, as not only had the EEC enlarged, a Free Trade Area was established between the Member States, Sweden, Switzerland and other States. van Altin (1974:101).

3 Indeed even prior to the EEC’s enlargement West Europe did not support the USA’s attempt to block China’s admission to the UN. This left China with the impression that greater European integration was the only way to combat American-Russian tendencies to reach agreement without consulting other leaders. (Altin).
As well as representing an emerging economic entity, and a regionally integrated entity resisting the bipolar structure, it was also engaging with third world countries, i.e. the LOME Convention of 1975 and the Euro-Arab Dialogue of 1974 Dent (1999:132). This demonstrated a new diplomatic independence of the EEC, which was capable of engagement with entities other than, and away from the auspices of the superpowers Kapur (1985:81).

With the unofficial invitation of the European Commission Vice-President Christopher Soames to China in 1972, China displayed a willingness to engage in what Kapur called “operational diplomacy” with the EEC. Kapur (1985) The meeting scheduled for May 1975, represented a critical juncture in EEC/China relations. The main topic for discussion was related to Taiwan and to what extent the EEC wanted to pursue relations with the Taipei government. Once it was established that the EEC recognized the so-called “One China” principle, discussions progressed to focus on trade and the Chinese desire to establish official relations with EEC. Kapur (1985:85)

This reassurance of the adherence to the “One China” principle, by what was considered to be a weighty global entity was of great significance to China. Diplomatic recognition of the Beijing government enhanced China’s sense of identity on a global stage. White (2000).

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4 The EEC delegation that travelled to Beijing were unaware of the itinerary of their visit prior to travelling, thus allowing China a certain amount of leverage in how a political agenda could be pushed. If the issues were deemed too contentious a cultural “back up” plan could be pursued.

5 Adhering to the “One China” principle means China is seen as one country with one government. The Beijing government is recognized as the official government of China, and not the Taipei government in Taiwan.
During the 1970s West Europe supplied military and militarily related technology to China and accounted for 20% of China’s total trade but China accounted for less than 1% of European trade Yahuda (1994:269). A preferential trade agreement was signed in 1977 between the EEC and China. 1979 saw the signing of the “Textile Agreement” between the two, which was later, amended by the 1984 Agreement. Textiles were a significant export for China but were in structural decline in the EEC. Dent (1999:132) The 1979 Agreement saw the EEC making concessions with China beyond those negotiated with other developing countries under the then existing Multi-Fibre Agreement (MFA) Dent (1999:134)

But EEC protectionism became apparent in other sectors and manifested itself in the increasing number of anti-dumping investigations made by the Commission on China’s state-trading producers (ibid). The intensification of the protectionism measures by the EEC coincided with the Chinese economic reforms that began in 1978. China’s exports to the EEC increased from Ecu 628 million in 1975 to Ecu 1.786 million in 1980 and rose to Ecu 3.936 in 1985 (ibid) EEC exports into China also expanded during that period from Ecu 1.089 million in 1975 to Ecu 1.724 million in 1980 to Ecu 7.181 million in 1985. (ibid)

In spite of this rapid growth, the EEC’s importance to China as a trade partner was decreasing, which could be attributed to many factors; the normalization of Sino-American relations from the early 1970s and the easing of the COCOM restrictions, saw the American companies compete with European rivals for their share in Chinese trade,
secondly Hong Kong became rapidly industrialized and became a major source of imports for China, Yahuda (1999:269) and thirdly China became more orientated towards the Asia-Pacific.(ibid) Kapur attributes this drop in trade between the two to the fact that economic relations between them had reached a “plateau”, he also attributes the fact that some EEC Member States were less competitive in the exports which China needed and also that interest rates on European loans were higher than loans from other countries. Kapur (1985:100)

1.1.2 The Relationship in the 1980s

In spite of the drop in the EEC’s share of trade with China, this was an interesting era in EEC-Sino relations. Not only did China feel free of security pressures from the superpowers, which manifest itself in a desire for China to pursue its own independent foreign policy, it also seemed to have learned to appreciate the importance of an integrated Europe in an increasingly multi-polar global context. Yahuda (1994) China no longer seemed to engage in an almost frantic, desperate attempt to gain recognition from Europe in response to hostilities with other parties, or in a bid to avoid being cast into isolation. The strong need to gain an ally in the face of international adversary did not appear as evident during this period as during the previous decades. China’s attitude towards Europe seemed to have taken on a more relaxed atmosphere, few conflicts were evident between the two sides and there existed a belief on both sides that with increasing multi-polarity the possibilities for co-operation would increase. China was aware of European aspirations in relation to its own future and endeavoured to encourage the EEC to emerge as an independent power to increase global stability and reduce the leverage exercised by the superpowers. (ibid)
China was determined to continue to develop links with Western Europe. Kapur (1985:100) China developed what Kapur called a “two-pronged policy” (ibid) towards the EEC with the orientation of policy towards the Member States bilaterally while simultaneously pursuing relations with the institutions of the Community. China signed economic, technological and scientific agreements with many Member States. The most important countries for China were Italy, Belgium, Germany, France and Britain and the most dominant sector, at that time, was energy. Agreements with France were signed in the 1980s, for offshore petroleum exploration, coal-mining equipment and thermal power stations, and with West Germany for petro-chemical plants, on the establishment of research laboratories for the utilization of solar energy, wind-power and biogas in rural areas. China also developed institutional relationships with the EEC at this time; the Commission was viewed as a practical component to the development of Sino-EEC relations. (ibid) Kapur has argued that the Commission has acted like a catalytic agent towards the development of the relations between the two, as it has the resources to organize meetings between European and Chinese experts, and help expose China to the full potential of Europe by running training programs to the benefit of Chinese participants. The Commission is also of great strategic value to China, as it possesses expert know-how i.e. in the field of management training, energy programs etc necessary for Chinese modernization. Kapur (1985:102/103)

The Council is a further European institution that received great attention from China in the 1980s. In 1983, Beijing proposed regular consultations with the Council on issues related to political co-operation. The proposal was accepted at the Stuttgart Summit in
1983 and agreement was reached on consultations between the director of the foreign Ministry of the Member State holding the Presidency of the Community and Chinese Ambassador accredited to the country holding the Presidency. The relationship between the European Parliament and China may currently be problematic in respect to China and human rights but in the 1980s China viewed the Parliament as having anti-Soviet tendencies Kapur (1985:103), which fit quite well into China’s own worldview.

Politically the Single European Act (SEA) of 1986 was received in a very positive light by Beijing, as it once again- by merit of laying the foundation of the Single European Market (SEM), firmly represented the regional integrational intentions of Western Europe which constituted yet again a challenge to the bipolar geopolitical global structure. Dent (1999:136)

To conclude this examination of the development of Sino-EEC relations, reference is made again to the differing driving forces, which motivated both parties to pursue relations. Much debate exists as to whether political or economic concerns were at the forefront of Chinese considerations. From a review of the existing literature it seems that China was motivated by political concerns, influenced largely (however not exclusively) by external political factors, to engage with Western Europe. Western European integration was seen as a challenge to the hegemonic position of the USA while simultaneously counterbalancing any perceived Soviet threat. The practical economic advantages offered as an adjunct to the pursuance of political gains were availed of. This was especially evident in relations to the importation of certain products.
and the aiding of Chinese modernization. The EEC, on the other hand was initially motivated mainly by internal economic considerations, China constituted a very large market to be exploited at a period characterised by the economic expansionist endeavours of the EEC. Obviously there were many gains to be had by Europe in relation to China but the feeling does exist that in the period 1960 to 1990 Europe, while being in a state of internal reorganization, was very willing to extend relations to China in an attempt to propel itself forward as a global player – both politically and economically.

1.2 EU China relations post-1989-the advent of ‘economic diplomacy’

In the post cold war era, which saw the end of the US-Soviet conflict, China did loose some of its strategic importance in geopolitical terms, i.e. the USA no longer needed China’s support against the USSR McDougall (1997:29). This was coupled with an improvement in US-Soviet relations, serving to further undermine China’s strategic significance. These developments, together with the fact that China no longer felt it faced any external security threat gave it a renewed confidence on the global stage. In this shifting geo-economic environment relations with European countries became increasingly important. (ibid).

This section proposes to examine what Dent called “economic diplomacy” between the EU and China in the 1990s.

1994 saw the beginning of a political dialogue between China and the EU, started initially by the exchange of letters, which was a response to China’s emergence as a global power on the international stage. It aimed at encouraging Chinese participation in
global affairs, manifesting itself in meetings between Chinese Ministers and the EU Troika6 and through high-level consultations with the Commission. Dent (1999:141). Senior Official’s Meetings (SOM) have also since, 1994 brought together officials from both sides to discuss policy areas of mutual interest, i.e. ASEM, Taiwan etc. In 1995, “A Long-term Policy for China-Europe Relations” (CEC 1995) was published, which articulated this new strategy and proposed to, in recognition of the EU and China being “major global players”, sustain comprehensive long-term dialogue. (ibid).

The EU outlined its goals towards China to include- dialogue on security issues, encouraging Chinese engagement in the international community, support of the reform of the public management system based on civil society and the rule of law, develop coordinated cooperation in legal and judicial fields, and to support the principles of the joint declaration governing sovereignty transfers to Macao and Hong Kong. (ibid).

The EU’s interest in China stemmed, from a desire to promote Chinese involvement in international fora on security, environmental and economic matters in order to forge greater understanding between the two. The EU endorsed China’s entry into the World Trade Organization (WTO), as it would dismantle State controls in China which impede market access. Dent (1999:143). Reiterating the EU’s own commitment to human rights and fundamental freedoms, the paper outlines how it aims to pursue human rights related issues on three levels; to liberalize Chinese life, to raise human rights issues in bilateral dialogue with China and to engage the International Community in dialogue with China.

6 The EU Troika comprises of the current, past and next presidents of the Union
While representing a new policy initiative for Europe vis a vis China, it did highlight the many obstacles that lay ahead. These mainly refer to China’s lack of understanding concerning the EU’s supranational identity. The Chinese experienced confusion with regards to the EU’s internal power structure. The principle of subsidiarity, enshrined in the Maastrict Treaty (TEU), by which levels of responsibility are negotiated at the level best equipped to deal with them, has been a cause for concern among Chinese officials who are unsure of what level i.e. the national or the supranational, has competence to best cope with relevant issues. The issue of national sovereignty, being subservient to the supranational in relation to common policies regarding foreign policy has also been difficult for the Chinese to grasp. Dent (1999:142).

However, problems regarding decentralization were not only issues of concern for the Chinese authorities; decentralization under Deng had European policy makers confused as to where authority in regards regulatory issues lay. Dent (1999)

A further complication, after the publication of this policy document came from the European Parliament (EP) which, in accordance with its rules of procedure, issued a resolution in response to the 1995 Communication which called for greater European involvement in sensitive areas i.e. human rights, Tibet, Macao etc. This highly contentious EP resolution annoyed their Chinese equivalent the National Peoples Congress (NPC), which issued a statement on June 13th 1997 stating that China was unjustifiably vilified and involvement in human rights related areas constituted only an interference into the internal affairs of China, further to this it stated that the resolution
only server sour relations between the EU and China and to disturb their progression. White (2000). The NPC, was quoted as stating the “MEP’s should disregard the Cold-War mentality, conform to the trend of the times and do something useful for the healthy development of China Europe relations” In: Agence Europe (19/06/1997)

Relations between the two parties have since recovered and in 1998, “Building a Comprehensive Partnership with China” was published. This policy paper introduced no new initiatives but did observe the changes that took place in China since 1995 and how these developments would influence the way EU-China relations would mature. Dent (1999:143). These relate to China’s intent to accelerate its economic reforms, with the endorsement in 1997 of a social and economic reform agenda to span 5 year, China also expressed commitment to Asian development and experienced the smooth handover of Hong Kong among other issues and these displayed China’s increasing assertiveness and responsibility on a global stage. The Asian financial crisis, while China remained largely unaffected by it, did serve to reinforce the importance of further economic liberalization. The EU had itself experienced internal transformation, with preparation underway for economic and monetary union (EMU) and the eastward enlargement gave the EU a new sense of significance on the world stage (CEC 1998).

Sir Leon Brittan spoke of the rationale of this document, stating that the 1995 Communication had stood the test of time but transitions in the internal affairs of the EU and China necessitated a more active relationship. (Agence Europe 4th February 1998)
The EP, again in line with its rules of procedure issued its response to this Communication, acknowledged the usefulness of the human rights dialogue between the EU and China but expressed concern that it had not yielded any tangible results, of great concern to the EP was the high number of public executions in China and the harvesting of organs from executed prisoners, the continued use of torture and called for the lifting of restrictions to using the internet. In relation to Tibet the EP called on the Chinese authorities to respect the fundamental rights of the Tibetan people, including their right to religious freedom. (European Parliament Report, 2002) In 1998, the EU China political dialogue was upgraded with the first EU-China Summit, which was held in London. The EU is committed to the dialogue on human rights and doing so through its human rights related programs i.e. village governance scheme etc.

1.3. The EU China Human Rights Dialogue:

The EU is very quick to point out that China is more receptive to dialogue over confrontation and the EU China Human Rights Dialogue is a very significant part of the EU’s political dialogue with China. According to the General Affairs Council (GAC) in 2001, it is the Unions preferred medium through which to engage China in improving its human rights record. Within this dialogue matters relating to human rights are discussed. This dialogue has also been criticised by NGO’s, who believe that it is nothing more than empty rhetoric with unlikely prospects as long as the Chinese government continue to represses fundamental freedoms internally (Open Letter to EU Member States). The EU is continuing to develop its cooperation programme, which aims to improve human rights in China. These programs and their impact shall be examined at a later stage.
Chapter 2

Human Rights: An Issue for the EU

2.1 European Union Human Rights Policy

This section seeks to trace the development of EU human rights policy. It examines the problems evident in and criticism of such a policy. These issues have both internal and external dimensions. In spite of the inherent difficulties in this area, the Commission has sought to address these problems in order to increase its coherence. There is also much debate concerning how important human rights are within a primarily - although rapidly changing - economic Community. The Community has also faced criticism due to its inaction concerning human rights abuses in the face of economic concerns.

2.2 Tracing the Development of Human Rights Policy

With the development of the Union from an economic to a political entity, it is no surprise that human rights have gained momentum, in the internal and external activities of the Union. The Treaty of Amsterdam (ToA), by inserting Article 6 into the TEU, made a significant contribution to the field of human rights in Europe. The aforementioned article refers to the idea, that the EU is rooted in “[…] the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law […]”. (Article 6 TEU)

The importance of adherence to democratic values, which were indeed anchored in Western culture through centuries of economic development, was thus enforced. This respect for human rights has moved into the forefront of EU policy in its dealings with third countries. Accession to the Community is now dependant on adherence to the
third countries. Accession to the Community is now dependant on adherence to the Copenhagen Criteria, which specify the importance of respect for human rights, the stability of institutions guaranteeing democracy, respect for minorities and fundamental freedoms etc. In: Agenda 2000 (2000) In relation to the EU’s external relations, many declarations have been adopted emphasising the importance of human rights, and many of its initiatives concerning development possess human rights components. Alston and Weiler (1999).

The EU upholds the importance of civil, social, economic, cultural and political human rights, as was affirmed by the 1993 World Conference on Human Rights in Vienna, further to this, the EU promotes the universal values as laid down in the Universal Declaration of Human Rights (UDHR) and both the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights (European Union Annual Report on Human Rights, 2001:7). Respect for the values enshrined in these Covenants is, according to the EU, a precondition for successful development in a society. The expression of these values manifests itself through dialogue, cooperation and partnership, and the Union is “[…] without prejudice […] to speak out in clear terms against violations of human rights.” (ibid). The EU seeks to promote pluralist democracy and the rule of law and also fight against poverty (CEC 2001).

However, with the internal development of the Union, with the impending enlargement etc. and the ensuing implications these developments will inevitably have on human
rights, the Union is now in more need than ever of having a comprehensive and coherent approach to dealing with them.

In 1997, to mark the beginning of the 50th Anniversary of the Universal Declaration of Human Rights, the EU, at the Luxembourg European Council called on all Member States to increase their efforts to improve human rights by,

- acceding to international instruments to which they are not yet party with a view to achieving the objective of universal ratification of the international treaties and protocols concerning human rights;
- ensuring more stringent implementation of those instruments;
- strengthening the role of civil society in promoting and protecting human rights;
- promoting activities on the ground and developing technical assistance in the area of human rights;
- strengthening in particular training and education programmes concerning human rights. Luxembourg European Council

The Council stressed the universality of human rights and recalled its Human Rights Declaration of June 1991 reaffirming that respect for human rights is an important factor in international relations.

Since the 1990s, the EU has included a “human rights clause” in its co-operation and trade Agreements with third countries. In May 1995, a Council decision extended the human rights clause to all bilateral agreements of a bilateral nature, excluding sector
specific agreements i.e. agreements on textiles etc. Since the mid 1990s, more than 20 such agreements have signed, this figure may be added to more than 30 agreements which were signed previous to 1995, which while have a human rights clause do not necessarily follow the model pursued since 1995. (Taken from EU Human Rights and Democracy Website)

In 1998, the Union has taken a stance on strengthening its international activities to oppose the death penalty. In countries where the death penalty exists, the EU is to call for its use to be restricted and carried out in accordance to minimum standards. (ibid)

In recent years, the Commission has issued a number of documents laying out new strategies and goals to enhance the consistency and coherence of the EU’s approach to human rights. In 1994, the EP created Budget Chapter B7-7 entitled “European Initiative for Democracy and Human Rights” (EIDHR); this accumulated all budget headings concerning human rights. Council Regulations 957/1999 and 976/1999 of 1999, provide the legal basis for external action in relation to human rights and democratisation and the use of funds under the EIDHR.

2.3 Lack of a Coherent Human Rights Policy

In spite of its rhetoric concerning human rights, the EU still does not have a coherent human rights policy. A possible reason for this lies in the practicality of the Union being not a state in itself but a collection of states with differing domestic needs to satisfy and with different political and economic interests to pursue. Foreign policy, within which human rights in relation to third countries fall, remains a fervently guarded instrument
for the use of sovereign governments. States occupy differing foreign policy positions, which are determined by issues relating to economic interest, historical ties with various regions in the world and the protection of national sovereignty. Clapham (1999) According to Alston, a coherent EU human rights policy would be unequivocally committed to the promotion of human rights while possessing an effective political structure capable of implementing these commitments. Alston, Weiler (1999: 66).

However, a central issue pertaining to EU attitude to human rights is the paradoxical relationship between the rhetoric of the EU in relation to this subject and its action. Rhetoric on the subject of human rights; while being an important part of political life, is often rendered ineffective, by conflicting arguments pertaining to the political merits which may be achieved, leaving the real issues relating to suffering due to violations, on the periphery. Koskenniemi (1999). This paradox is further underlined by the fact that the EU is a avid defender of human rights both internally and externally but it lacks not only a coherent policy but also many of the institutions doubt their competences in a wide range of human rights issues which arise out of Community policies.

The policy of promoting human rights and the merits of democratisation with third countries seems hypocritical when human rights abuses within the territory of the Union are rife. Coherence may only be attained in regards external relations when it successfully achieved within the Union. Credibility, coherence and consistency are necessary elements of internal policy before the Union can hope to successfully transmit any of its ‘values’ externally.
2.4 Reasons for a lack of a coherent Human Rights Policy?

The pertinent question here refers to why the manifestation of a coherent policy has not occurred, given the Commissions rhetoric on the subject and the possible avenues for improvement given by critics? A more cynical argument concerning EU’s lack of a coherent human rights policy is the extent to which it actually holds human rights as a priority. As many observers, such as Chomsky (2000) have argued, trade concerns are prioritised and human rights are often held ransom to economic concerns. China, according to Chomsky, is often threatened with trade sanctions for not adhering to the USA’s protectionist trade demands, yet the USA is very reluctant to criticise China on human rights abuses. Chomsky (2000)

Indeed one of Clapham’s criticisms of human rights policy in the Union refers indirectly to this point; the EU is more willing to proceed carefully and avoid strong criticism of the human rights record of some countries, i.e. China, whereas it can be very vocal in relation to others i.e. Cuba. According to Clapham, this may to attributed to the Unions “fear” of a negative reaction to such a move- perhaps an economic backlash? Clapham (1999:646). Clapham holds the opinion that “... economics of the European Community are never very far from the surface as the foreign policy on human rights is executed”. Clapham (1999:646)

The human rights policy of the EU may be further discredited by its activities within the United Nations (UN). The EU’s relationship with the UN has grown over time and both are actively concerned with the same issues, i.e. protection of human rights, promoting
international peace and stability, environmental protection and fighting poverty. The visible human rights policy of the EU is executed at the UN. The Institution (UN) has been described by Amnesty International (AI) as the world's human rights monitor and is the forum within which a country's co-operation on human rights issues is scrutinized and failure to meet international standards is criticized.

Any statement made by the EU at the UN is made on behalf of all Member States. The advantages of presenting a united statement, is that its combined weight may give it a sense of urgency or of greater importance. However the combined might of such a statement may also work to a disadvantage, as it may be more critically diluted than would a foreign policy statement from one State. Clapham (1999) This may be attributed to the link some States may have with the subject of the statement in question and the Member State would seek to have the allegations lessened so as to prevent or diminish a potential backlash. (ibid). In the case of a common human rights policy within the EU, States willing to take an action against a country would be prevented from doing so if it were against the common consensus. Clapham (1999:647)

The UN could perhaps constitute a starting point for the EU to gain confidence in acting coherently in relation to human rights, while also furthering its image as an integrated entity on the world stage, however this has not been the case.

2.5 Recommendations by the Commission:

In defence of EU policy in this area, the Commission, recognizing the internal dynamic of the Union itself, has in its communication entitled “The European Unions Role in
promoting Human Rights and Democratisation in Third Countries” (CEC: 2001) sought to remedy these shortcomings by identifying 3 areas, which would render Commission action more effective.

Firstly, a more coherent policy is deemed necessary, which would facilitate greater coherence between EC policies themselves, and within policies between the EU and the Member States. The Communication outlines the many instruments available to the Union in its power to promote human rights, these include, demarches, sanctions- to be used in extreme cases-, traditional diplomacy and intervention in UN. CEC (2001). The role of the EP is also recognised as an important component of the democratic process, which could also transmit democratic values to third countries. In order to increase coherence between the EU institutions, the EP and the Commission should exchange views and the Commission should reflect what the EP prioritises. The Commission is also in a position to encourage consistency between the actions of the Community, the Union and the Member States. The Community Co-operation Framework for Country Strategy Papers, adopted in May 2000, encourages greater coherence in policy implementation in this area as they provide an analysis of human rights changes, both positive and negative, which occur in a country. Further to this the Commission spoke of placing a higher priority on human rights related issues, in its relations with third countries and utilizing the opportunities trade and political dialogue offer to take a more “pro active” approach. Finally the Commission could act more effectively by matching its commitment to human rights and democracy to its projects and programs.
A second initiative is to integrate respect for human rights and democracy into all aspects of EU external policies. The Communication stresses the importance of constructive dialogue with governments of third countries, in a bid to secure sustainable reform. However, the communication continues to stress the prerequisite for reform is a desire on the behalf of the third party government to reform, if this is not evident the EU should resort to "negative measures" CEC(2001:8) and sanctions as a last resort. Dialogue with third parties should be, not only transparent, but also linked to the EC's assistance programs. The dialogue should encourage third party partner governments to pursue peace and stability as part of their development programs.

Thirdly, the Communication outlines an initiative to mainstream the promotion of human rights and democracy into EC assistance programs. This entails the Commission examining the possibility of systematic and regular analysis of co-operation projects, in order to assess their impact, both positive and negative. In order to achieve this, Commission staff would have to undergo human rights training, to enable them to provide accurate assessments of a given situation.

The EIDHR, while it received acknowledgement from the EP for its contribution to the promotion of human rights and democratisation, the initiative has been criticised for its lack of focus on priorities and lack of sustainability of actions. CEC (2001:13) However, reform of the EIDHR is underway: management is to be made more transparent, reports are to be published outlining activities undertaken and guidelines are
to be established in order to assess how project proposals are selected and assessed. (2001:14)

In relation to the study on China, the reform of the EIDHR could prove the most useful tool in promoting democracy and protecting human rights in the country. The new strategy should be based on what the Commission calls the “added value” of the organization, which refers to the differences the EIDHR has over other EU instruments. The EIDHR may be used without the consent of the host government, or when EU activities have been suspended. It also forms an essential part of the EU’s Common Foreign and Security Policy (CFSP) objectives in relation to human rights, democratisation and conflict prevention. It may also take more political risks than and donors affiliated with a particular Member State that may have commercial or economic interests. In relation to human rights in China, this could be very advantageous as it would support the alleviation of human rights violations in a way that would not interfere in a Member States vested economic interest.

In spite of all the recommendations and the rhetoric concerning a human rights policy in the EU, the Union has to render its policies credible, it has to prove; in its internal, and external activities that it’s policy is based on the principles enshrined in Article 6 of the TEU. It has furthermore to demonstrate its commitment to the respect of human rights by protecting the rights of the citizens within the Union as well as the rights of citizens of third countries, with which the EU has economic or political connections. The establishment of an impartial and independent body to assess and investigate human
rights violations, both internally and externally, would show not only a commitment to the promotion and protection of human rights but also substantiate the Union's claim of adherence to respect of these rights and fundamental freedoms. If one uses China as a case study, the many difficulties in achieving this policy become apparent, as do the criticisms that the EU is interested more in economic issues than the protection of fundamental human rights. The next chapter aims at investigating these criticisms and difficulties.
Chapter 3.

The Merits of Dialogue over Conflict?

3.1 Asian versus Western Values:

The EU has often come into criticism from human rights groups like Amnesty International (AI) for “caving into pressure from the Chinese government not to criticise the country’s human rights record” Amnesty International (1996) in the midst of voicing serious concerns about human rights violations in China. The EU has been accused of being “gagged by China” especially where “lucrative trade deals” are on the agenda. (ibid) AI has on many occasions chided the EU for not working for a resolution to call for an end to torture, to release all “prisoners of conscience”7, to end unfair trials, arbitrary arrests and the death penalty. Indeed it may seem that these concerns are being ignored by the EU, which, is also guilty of giving a clear message that it has no real intention of demonstrating any pressure on China to discuss these issues. Trade Commissioner Pascal Lamy, compounded this view during the World Trade Organization (WTO) negotiations with China, when he stated, “we told the Chinese that we were not going to try to go into your political no-go zone” Taken from White (2000:8)

The debate concerning Human Rights in China is as complicated as it is contentious. Many commentators – such as Human Rights groups and independent observers- are quick to point out China’s bad human rights record, however before a discussion about this record and the EU’s input towards improving the situation is embarked upon, it is

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7 A “prisoner of conscience” is according to Amnesty International a prisoner incarcerated due to his/her political, religious or sexual identity and one who has at no time advocated or been involved in violent activity.
necessary to firstly examine the underlying concept of Human Rights within a global context.

In the European or indeed Western State, protection of human rights has its basis in the paramount importance of the individual, who finds expression in a liberal democratic state which serves its citizens. Leben (1999:73) However even within the Western tradition, it cannot be said that human rights are universal. In spite of many similarities concerning the rights of the individual, differences are evident between the United States and the European Union, both Western, liberal democratic economies that differ on very basic issues pertaining to human rights. The death penalty is generally abhorred within the EU, and membership to the Union is conditional on *inter alia*, the non-use of the death penalty, whereas in the US it is perceived as a measure necessary to protect the rights of innocent citizens. A further difference between the two is the opposing opinions concerning “the right of the people to keep and bare arms” (Article two of the Bill of Rights) - something which would not be readily acceptable in Europe but which is considered a fundamental right in the USA. Leben (1999:76). This serves to enforce the fact that a homogeneous approach to human rights in the Western world is lacking.

Indeed it is not only among States that the problem of universality presents itself. In the 1970s, one of the leading global human rights groups - AI –experienced difficulty in achieving consensus on an issue concerning the broadening of their mandate. AI was engaged in a debate whether they should broaden their authorization to include securing the release of those imprisoned due to their homosexuality. Western groups favoured
this move but found opposition in the Asian, African and Latin-American sections of the organization, who viewed homosexuality as an illness necessitating medical attention with nothing to do with a violation of these individuals rights.

If fundamental differences exist in the West, it is conceivable that a non-Western country may express human rights in a way particular to its culture, history, geographical location and society. Is it then possible to translate Western values to areas that do not share our traditions? This inherent cultural difference has been identified as an impediment to the pursuance of a Universalist approach to human rights. It is a reality that human rights demand a universality, which does not exist in the world today. Sen (2000)

Per Fischer- the German Ambassador to Beijing from 1984 to 1987- argued that Human Rights are not the same in Asia as they are in Europe. He reduces his argument to what he calls Asian and Western values, and quotes many Asian leaders as having attributed individualization and the definition of human rights in absolute terms to the decline of Western society. This, he compares to the Asian tradition, which perceives the common good as granting the right of development over the right of the individual, in other words, the individual is seen as the “cog in the wheel” and is of utmost importance for the successful functioning of the society/community as a whole. Herein lies the main difference. The smooth functioning of the community is of paramount importance to China.
This is essentially a debate about human rights and Asian values. The central issue here is whether there can be a universal doctrine of human rights equally applicable to peoples of all nations and cultures. To what extent can culture make or justify a difference in the application of human rights ideology, discourse and standards in different countries? For example, are there particular elements in human rights thought and discourse in the West that are culturally specific to the West and less applicable to a cultural tradition like that of China?

An interesting thesis put forward by Philosopher and Sinologist Francois Jullien in an interview with Le Monde in 1997 In: Leben (1999:79) mirrors somewhat the argument Huntington (1998) proposes in his book “The Clash of Civilizations”. Jullien believes that as societies begin to realize the importance of the protection of the rights of the individual they do not necessarily have to follow the path laid down by the West. In: Leben (1999:79) Indeed Huntington’s theory centres around the notion that modernization does not have to mean conforming to Western ways and continues with the assertion that Asian modernization has been a product of holding on to their culture, and non-western values and traditions. Huntington (1998) Indeed this has been true for China, which has followed its own path of modernization; by opening up to western trade it has allowed itself to industrialize while simultaneously holding on to its political system.

In China after the “Cultural Revolution”, the government realized that the only way to protect the 1.1 billion citizens was to strictly adhere to the socialist model of the market-
economy and to promote and enforce socialist democracy Hainian (1996:22). The Chinese concept of human rights stem from its diverse cultural history i.e. Confucianism, the Marxist victory and the establishment of socialism. The idea of the collective being superior to the individual is a tenant of Confucianism and refers to groups within the society such as ethnic minorities, children or women. Central to the Chinese concept of human rights is the right to survival and development. Sen (2000) refutes this concept of Asian values differing from those from Western countries, believing Asian values provide an excuse for government repression. He furthermore holds the belief that Confucius writing is not at odds with human rights as a basis of development at all. Sen (2000)

Human rights are an issue of national sovereignty for the Chinese, which they believe cannot be evaluated without consideration of the implications historical development has had on the country. China vehemently defends its right to sovereignty in the area of human rights, deviating attention from discussions on human rights by stressing how development is fundamental to poorer countries, whose primarily concern is to encourage economic development in order to feed its people and satisfy their material needs.

Chinese Vice Foreign Minister Wang Guangya 8Beijing Times (2002) "emphasized that economic and social development is the foundation for the full enjoyment of human rights." And continued to stress that "[d]ue to their differences in history, culture, social system and the stage of economic development, it is only natural that countries adopt

8 Beijing Times, 03/03/2002. "Senior Chinese Official urges co-operation in Human Rights clauses"
various ways, approaches and processes in realizing human rights”. An argument mirrored by Wang Shunzhu and Qiao Mu, in an article entitled *Summary of opinions on the Relationship between Human Rights and Social Development and Stability*, which maintains that human rights vary, not only from country to country but within a country itself, and at various historical periods in a country. In: Human Rights in China Website.

When considering the EU’s involvement in the area of human rights in China, one must firstly imagine the difficulty involved in transmitting Western/European values to Asia when differences exist on the most fundamental, ideological issues of what human rights are. Is the EU being ethnocentric expecting Chinese modernization to encompass the same value system that we have? Slim (2001) argues that human rights is essentially a Western concept that is ethnocentric in character However, Shuurman (2001) points out that civil society in the West was built on the struggle for human rights which continues even today. It is not possible to argue that Europe can be complacent in its protection of human rights; Northern Ireland and the treatment of illegal immigrants both pay testimony to that. Shuurman (2001) He proposes that both poor and rich nations are in the human rights struggle together.

As previously demonstrated the very concept of human rights and its universal application leaves room for much debate within the western world and even within human rights organizations themselves. Or is the EU’s inaction on the behalf of human rights in China not a result of cultural sensitivity but the consequence, of what AI and
The input of Non-governmental Organisations (NGO’s) into this debate, also poses many questions. Are human rights groups guilty of making unrealistic aims in their pursuance of human rights improvements? One must consider the ease, with which an NGO can criticise a country’s human rights record, when it is so far removed from diplomatic relations with a country. Their approach could be described as ineffective as they lack the capabilities of promoting much change. Are their demands thus compatible with realistic measures which can be implemented? Are they guilty of ignoring the fundamental concept of ‘state sovereignty”? Could it also be claimed that they too are being ethnocentric?

These are difficult ideological questions when considered within the context of the enormity of human rights abuses in China. One possible answer could be that the EU, given these cultural differences, is doing all it can with its sponsored projects which are aimed at a community level in China to improve human rights – in conjunction with Chinese standards - by improving education, judicial and environmental issues. The Trade relationship between the two has also allowed for Chinese modernization and industrialization to occur, thus improving social and economic rights.

3.2 EU, China and the UN: A Dysfunctional Triangular Relationship?

Lui Chongde has identified 2 periods in the EU-China relationship regarding Human rights. The first of which was the period 1989-after the Tien An Men massacre until 1995 when the EU took an adversarial, critical view of the Chinese human rights record. However the futility of confrontation was acknowledged in 1995 after adopting the “Short-term Policy for EU-China Relations” when the attitude changed from one of
confrontation to one of seeking dialogue and co-operation. What prompted this shift in attitude? Had the EU realized that human rights values are not universal and acknowledged the ethnocentricity of taking a tough stand on the issue, signalling that dialogue was the best way forward towards understanding the differences which exist within a global context or, on a more cynical level, is the EU, as Amnesty International stated, being “gagged by lucrative trade deals”? Amnesty International (1996)

There has been substantial evidence to substantiate and support this AI statement. In 1996, the then Chinese Premier, gave a very clear message to both the EU and the USA, stating that “if the Europeans adopt more co-operation with China, not just in economic areas but also in political and other areas, I believe the Europeans can get more orders from China” Financial Times (11.06.1996)

A further interesting example, substantiating AI’s claim, was in May of the same year when a human rights dialogue between the EU and China was interrupted when the EU tabled a motion at the United Nations Commission for Human Rights (UNCHR) calling for China to be censured due to its human rights record. The Italian Foreign Minister, Lamberto Dini, proposed sending an EU Troika mission to Tibet to identify progress in human rights. This was opposed by France and Germany after, according to AI, discussions regarding trade deals with China were held at the EU/Asia Summit in Bangkok shortly before the resolution was to be tabled. Amnesty International (1996) After which Li Deng travelled to France and signed a substantial order with Airbus. (ibid)
Again in 1997 the EU Member States could not reach agreement on a resolution critical of China at the UNCHR, as the resolution was not supported by France, Germany, Italy or Spain. Agence Europe (05.04.1997) and China was accused of “drive[ing] a wedge between European Union members by attacking Denmark's decision to sponsor a United Nations (UN) resolution condemning Beijing's human rights record”. Financial Times (08.04.1997)

In September of that same year there was an attempt to re-launch the Human Rights Dialogue with China, which had been suspended by China in response to Denmark; along with the support of many Member States, sponsored a resolution at the UNCHR. The EU proposed to finance the training of lawyers and prison guards which aims to facilitate trade by supporting China's development of a modern and system for the protection of intellectual property rights (IPR). This initiative was cautiously welcomed by HRW, which warned that this would have very little impact on short-term improvements. HRW (1998a) The Chinese trade off for re-launching the dialogue was conditional on the EU not backing any future UN resolution on human rights abuses in China. Agence Europe (26.09.1997)

Since then the EU has not co-sponsored or co-tabled any resolution at the UNCHR which could be deemed critical of China's human rights record, using dialogue as its alternative, and stressing advances being made on the issues of human rights violations as its reasoning. This comes after intense criticism of the EU from AI, blaming France, which in a bid to increase business with China, is “prepared to break with Europe’s
which in a bid to increase business with China, is “prepared to break with Europe’s supposed long-standing commitment to promote and protect human rights throughout the world”. Amnesty International (1996)

Human Rights Watch (HRW) was also very critical of the EU’s dialogue with China on human rights issues. HRW believed that this dialogue was a clever way for the EU to avoid publicly criticising China’s bad human rights record. Agence Europe (26.09.1997) HRW also stated that the threat of openly working towards tabling a UN resolution had previously yielded some results. Agence Europe (08/09.09.1997)

In 1998, it was evident that the EU had learned the lesson of 1997 i.e. not to co-sponsor any resolution at the UN criticising China’s human rights record. The refusal of the EU to co-sponsor or co-table a motion at the UNCHR was defended by the Commission as a reflection “of the new willingness by China to engage in dialogue on human rights”. Agence Europe (25.02.1998) This move was taken after a series of visits by European businessmen to China and by Sir Leon Brittan, who spoke of intensifying the relationship between the EU and China. Agence Europe (25.02.1998)

The Danes expressed optimism regarding the progress made by China in this area, as China had signed the UN International Covenant on Economic, Social and Cultural Rights and had invited the UN High Commissioner for Human Rights into the country. AI was once again quick to criticise the EU’s inaction stating that even with the signing of the aforementioned Covenant, no mention was made as to when it would be ratified or how it was to be implemented. Agence Europe (25.02.1998) The Dutch, who were
to say about the decision not to table a UN resolution. This conspicuous lack of a reaction can be attributed to one of two possibilities; firstly they believed that the progress made by China was genuine and displayed a definite desire on behalf of China to improve the rights of their people, or they were muted by the signing of the largest funded foreign venture in China by Royal/Dutch Shell, just days before the Council meeting scheduled to discuss the EU’s position. (ibid)

This inaction came about after HRW had published an account of a large-scale attack on religious freedoms in China. The government had authorized a crackdown on religious leaders in China, believing that religion constituted a threat to political stability and are channels for foreign infiltration and influence. HRW (1997)

It may be thus deduced that too many economic interests were at stake for the EU to antagonise China in any way. It could be said, as AI have claimed, that the EU was held hostage to China’s demands, there was no real change in the human rights situation in China, at least according to Marika Radstaake of AI “no improvements on the ground” were evident. Agence Europe (25.02.1998). AI further criticized EU policy which advocated dialogue behind closed doors with China and asserted its claim that the UN was and should be viewed as the “worlds human rights body”, and claiming that any bilateral, private discussions only serve to undermine the effectiveness of the UN (ibid) HRW were also quick to respond critically to the EU’s decision to engage in bilateral dialogue with China vis a vis human rights. Agence Europe (12.03.1998)
The third EU-China dialogue in February 1999 was described by Agence Europe as “...making progress but stuck on issues of penal law and minorities.” Agence Europe (15.02.1999) Al expressed dissatisfaction with the Summit due to its lack of transparency. A frequent issue of contention with human rights groups has been the EU’s decision to engage China in bilateral private discussions in relation to human rights. The reasons behind this stem from the fact that bilateral talks away from public scrutiny prevent China from censure from international fora. According to Al, dialogue should be a “means to an end and not an end in itself”. Amnesty International (1999) It was not only NGO’s who expressed concern about the EU-China Summit; even the EU institutions were critical of its lack of outcome. Per Gahrton, President of the European Parliaments delegation to China, admitted that the dialogue had failed, but contended that a pragmatic approach was necessary and stressed that there should be no fear of putting pressure on China as it could not isolate itself from the rest of the world. Agence Europe (06.02.1999)

With the preceding case-study regarding how the EU has endeavoured to engage China on issues relating to human rights, it is evident that economic concerns are never too far from the surface. This is obviously not something readily admitted to by EU officials who rather portray policy as a more tactical choice rather that as a bid to secure trade and not to antagonize. Clapham (1999) As was noted in the communication “A long-term policy for China-Europe relations” CEC(1995/279) “The key criterion for pursuing human rights initiatives must be effectiveness [...] there is a danger that that relying solely on frequent and strident declarations will dilute the message or lead to a
knee-jerk reaction from the Chinese government) It is of course of vital importance to avoid any “knee-jerk reactions” but human rights policy should not be held hostage to economic concerns. It also serves to perpetuate the conflict between the economic concerns of the Member States and a commitment to human rights. Clapham (1999:646). A further issue which causes concern, is that the common commitment to pursuing a particular policy in relation to China, not only undermines the sovereignty of Member States favouring a confrontational approach, but also could cause internal tensions between the Member States. Clapham (1999) Of course tensions between Member States in relation to a particular policy is by no means a new concept, the issue becomes more problematic when internal tensions become evident within a multilateral forum such as the UN. Apart from the millions of people in China each year who suffer gross human rights violations, the policy of inaction brings EU human rights policy into global disrepute.

The question must be asked as to how effective the EU can hope to be in the international arena if it is afraid to act in accordance with its own convictions? Al also posed the interesting question as to how the situation appears to the citizens of China? The EU, which wants to raise its own profile in China is transmitting the message to the Chinese people that it condones the violations suffered by so many of them, often for expressing fundamental rights i.e. the right to free speech or assembly, whereas the EU will and frequently has, spoken publicly about human rights abuses in Cuba. Clapham (1999)
In regard to the many criticisms the EU faces in relation to its non-action on serious human rights abuses in China, thought must be given to an alternative reason why the EU has failed to bring about any real change. As explored in chapter 2, the EU’s human rights policy is almost non-existent, it does not currently have the capacity or the internal cohesion to enforce or oversee any measures which would serve to bring about any significant improvements. As previously mentioned China places great emphasis on development, which it equates with a fundamental human right. Indeed development does facilitate change in the political, social and economic environment. In respect of this the EU could be perceived to aid human rights improvements, as the standard of living for many people has, through EU sponsored programs, been improved. Commission Delegation Beijing Website.

The next chapter seeks to discuss the EU’s role in advancing development in China and insofar as it is possible, assess the impact this has had on improving the human rights situation in China.
Chapter 4:
Development:

4.1 EU and Development in China

"Neglecting economic, social and cultural rights and the right to development is, in essence, the denial of developing countries' legitimate demand on the issue of human rights," said Chinese Ambassador Sha Zukang to the ongoing 58th session of the United Nations Commission on Human Rights in 2002. People's Daily (2002). It is, at this point, important to reiterate the great emphasis China places on both the right to development and on economic liberation, which were prioritised in the Chinese Government's White Paper of 2001. China, while acknowledging the importance of United Nations Covenants and the Universal Declaration of Human Rights, holds the view that human rights and their protection is an ever-evolving issue which depends on the social, economic, cultural and historical background of a nation, and these national differences form the path upon which human rights will develop.

According to Wang Zhuqian, socialism is not poverty but prosperity and China has embarked on its own route towards modernization, which focuses on the building of a socialist economy with distinctly Chinese characteristics. This entails, economic development leading to general development, which in turn promotes human rights based on development. The very nature of the economic reform process has been driven by initiatives at various levels, i.e. central, local, individual, and regional, resulting in the creation of a system which is of a non-western character. Dent (1999:121).
This sentiment in mind, it must be stated that the EU plays a role, in not only economic, but also social development in China. The EU sponsored development projects aim to facilitate the improvement of human rights in many parts of China and may be the most tangible elements of EU policy in the country. The EU claims to have committed itself to promoting reforms and liberalization through its co-operation activities and recognizes the importance of promoting and supporting co-operation projects relating to the rule of law and respect for human rights as part of the EU’s broader China strategy. Country Strategy Paper (2002-2006)

Indeed it aims to aid China in this quest for development, without denouncing their human rights record - as understood within a Western or European context. Therefore, could one assume that the EU is defying universalism in relation to human rights?

For the EU, development programs are a way through which it can implement its principles concerning human rights and democracy. IDHR Program Document (2002-2004:4). The projects have moved beyond traditional aid and are in line with the EU’s policy on poverty reduction. (Taken from EU China Website)

The next section examines the Chinese economic reforms that helped Chinese development, and facilitated fundamental rights for its citizens.
4.2 Overview of China’s economic reforms and their implications for social development:

In order to accelerate Chinese development, a series of ambitious economic reforms were embarked on in 1978 under the leadership of Deng Xiaoping. The intent to modernize and develop represented a move away from Mao’s economic management system and resulted in very profound changes for all sections of Chinese society. Fukasaku (1994).

Indeed the economic reforms of the late 1970s did foster a climate conducive to encourage future economic development. The task in hand was to achieve the “Four Modernizations” i.e. of agriculture, industry, science and technology and national defence. This would require foreign investment and the importation of foreign technology. To facilitate modernization, there was a call by the Communist Party of China (CCP) - the ruling party since 1949 - to decentralize economic control of the party and reverse the policy of self-imposed economic isolation. Modernization was to take place under the four cardinal principles i.e. CCP Leadership, socialism, democratic dictatorship and under the auspices of Marxist-Lennist-Mao-Zedong thought. Fukasaku (1994:24)

China initially targeted the agriculture sector for reform due to its low level of productivity and its potential for freeing up resources for other parts of the economy; thus paving the way for changes in the industrial sector Taylor (1990:37). The ‘liberation’ of the forces of production i.e. the farmers, was the first step, as they were
aware of what hindered economic development and their creativity was given free reign, argues Wang. Human Rights In China Website. The CCP realized that the centrally planned system needed review and in 1981 a 4-year restructuring of the agricultural sector began. Taylor (1990:33). In order to attain crop diversification, farmers were given more say in the types of crops grown on collectively owned land. The contract responsibility system was implemented in order to meet the aims of reform, this was a scheme, originally implemented in 1979 in the Anhui Province, which allowed a grouping of households to make contracts with other groups of households for quantities of products sold at state prices. When this order and state obligations were met, the surplus produce could either be sold to the state at a pre-arranged price or sold on the market (ibid). According to the 6th Five Year Plan, (1981-1985) agricultural reform had been a prerequisite for industrial reform, and as crop diversification and rural responsibility increased so too did the need for industrial products and industrial expertise. Taylor (1990:34).

A further priority for the Government was opening up to Foreign Direct Investment (FDI), which took the form of the “Open Door Policy”. This saw the opening up of coastal regions to inward FDI. Dent (1999:121). The blueprint for this project was laid out in the 10 Year Development Plan, published in 1978, which set out the targets for trade growth and FDI in the Chinese economy. Fukasaku (1994:25). By 1980, 4 Special Economic Zones (SEZ’s) were established at Zhuhai, an area close to the Macao boarder, in Xiamen in the Fujian province and the town of Shenzhen in the Bao-An
county which boarders Hong Kong and was given “Special Municipality” status. Fukasaku (1994:42)

These zones were established so as to allow foreign investment into China, within a highly regulated framework, thus limiting the political implications of such a move. (ibid). It was no coincidence that these SEZ’s bordered, or had close proximity to neighbouring, dynamic economies, i.e. Hong Kong, Macao etc, as it was China’s intention to develop closer ties with these economies Dent (1999:121). Ideologically these SEZ’s represented a desire to move away from Mao’s distaste of foreign trade and technology, argued Dent, as it was hoped that in return for tax and customs duty exemptions, offered to foreign investors, that technology transfers would increase, which would in turn raise the intensity of China’s technology exports. Dent (1999:121).

Roughly based on the SEZ’s model and, with the intention to generate foreign capital, expertise and technology in a selection of designated areas, was the Coastal Development Strategy. Dent (1999:121) The underlying idea behind this was to distribute the benefits acquired through foreign contact gradually through the whole economy Reardon, In Dent (1999:121). 1984 saw 14 coastal cities being designated the status of “Open City”. In most of them Economic and Technology Development Zones (ETDZ’s) were created. The main purpose of these was to acquire new technology and learn from foreign management practices. Dent(1999:121). In 1988, National Industrial Development Zones for New and Advanced Technology (NIDZNAT’s) were established in 21 coastal cities in a bid to help improve China’s indigenous technology capabilities. Dent (1999:121)
Reforms of China’s State Owned Enterprises (SOE’s) also took place, in a move towards facilitating price liberalization and the separation of ownership and management. Dent (1999:121)

Trade policy was also a target for reform, with the loosening of the Ministry of Foreign Economic Relations and Trade (MOFERT) control over import trade from 1984, local and provincial branches of Foreign Trade Co-operatives (FTC’s) were given greater independence. Dent (1999:121).

In 1994, a unified exchange rate system was introduced and the China Foreign Exchange Trading System was established to facilitate easier foreign trading.

Township and Village Enterprises (TVE’s) which were mainly involved in manufacturing, were good examples of how Deng’s modernization of the agricultural sector allowed structural change and product diversification occur, as their evolution could be attributed to freed up resources from agricultural reform. These TVE’s are controlled by representatives from local government, private companies and foreign investors and the managers are answerable to the Government. Dent (1999:123).

In spite of the high growth rate in China’s economic sector, China’s social sector is in much need of reform. Professor Zho Xuejin (2000) argues that this could pose a threat to China’s long-term growth. Indeed the World Bank acknowledges that the social sector provides a challenge for China. World Bank (2001). Rates of poverty has increased in 2001 in both rural and urban areas, in rural areas (where approximately 60%
of the population live) the poverty index, based on consumption, shows an increase in rural poverty between 1996 and 1999. Based on household consumption since 1999, rural areas have experienced stronger growth, however this does not mean that rural distress is lessening or that the rural – urban divide is closing according to the World Bank. (Ibid) The health sector is another serious issue facing China. Professor Zho Xuejin (2000) spoke of the deteriorating situation concerning the Chinese welfare system, within the scope of which health care and education fall. He stresses the importance of reform, as investment in this area can directly contribute to human capital, a vital factor in sustaining growth. Xuejin (2000)

The World Bank statistics highlight the growing problem of HIV/AIDS, other sexually transmitted infections (STI’s) and the increase of tuberculosis (TB), which will stretch the capabilities of the health sector. World Bank (2001)

It must be said that the agricultural reforms did foster an improvement in their standard of living and achieve the success of ‘liberating’ the rural workers and allowing them the possibility of pursuing an alternative way of life. However decades after the reforms began, rural residents are still deprived of the basic rights of education, health, legal aid centres, social organizations to name but a few. Promoting Human Rights in China, (2001). Indeed Professor Zuo Xuejin, put forward the argument that great urban-rural differences occur in relation to the social sector and that this in the long term is a vital component to sustain long-term growth. (2000). With continued liberalization of the agricultural sector, China is in great need of domestic policy reform and structural
development to enable it to dispatch its 150 million redundant farmers. OECD (1996-1999:17)

4.3 EU Sponsored Development Projects:

The EU has shown great commitment to supporting China’s opening up to the rest of the world, and its reform, this commitment is evident in the 40 projects with an overall budget of 270 million euro. The EU has broadened the scope of its projects to include, not only traditional projects associated with development but also projects which support legal and judicial reform, education, environment, social reform.

Education is by far the main recipient of EU development assistance. 110,465,975 million euro is allocated to the improvement of education. The China Europe International Business School (CEIBS), which aims to promote training and international business practices in China, thus providing the possibility to open China up to Western business practices. Other projects include; EU China Higher Education program, which aims to promote a greater understanding of the EU in China. The EU China Junior Managers Program contributes to EU China trade and economic development by training Europeans in the Chinese language and business environment.

15 million euro from the aforementioned budget is allocated to the EU China Basic Education program, which aims to assist the Gansu Provincial Government to implement a nine-year basic education program in 41 poverty-stricken areas, this involves the training of teachers, education research and training of administrators. This is the only educational program that is of benefit to rural people. Basic education is
obviously important for the maintaining of long term development in China and also as a fundamental right of the people. However, a considerable problem in China is the lack of resources available to the private sector, basic education in rural areas is under-funded. With an emphasis on short-term gains, Chinese officials are more concerned with investing in roads, power plants etc than in projects which take longer to mature. Zho Xuejin (2000) This is an area which the EU could perhaps concentrate more on in order to help alleviate the urban-rural divide and improve the future standard of living for many people.

31,613,000 million euro is allocated to projects falling under the Rule of Law and Good Governance heading. Intellectual Property Rights (IPR), which were considered a barrier to trade as stated in the Long- term Policy for Europe China CEC (1995) relations are being addressed under this heading. The objective of this program is to facilitate trade by supporting Chinese attempts to implement international standards of IPR protection. The EU China Legal and Judicial Co-operation Program, aims to strengthen the rule of law in China by training lawyers and judges in Europe.

The EU China Training Program on Village Governance, aims at promoting and strengthening village self-government, electoral procedures and village management. Village governance schemes allow villagers ‘elect’ their leaders without influence from the central party. It is by no means a new phenomenon, as it was implemented first in the 1980s, nor can it be said to constitute a real move towards a more open society. The Economist (2001) Criticisms of this scheme concern the fact that these schemes tend to
strengthen rather than slacken central control over the villages. The ‘elected’ officials often lack expertise necessary to make important decisions; in fact most villages continue to be led by party secretaries. The Economist (2001) Given the apparent flaws in this approach to democracy, there is much work the EU could engage in, to make the system more credible.

4.4 The Future of Development Programs in China:

One of the criticisms of development policy is that its impact and evaluation are hard to assess Simma et al (1999:615), especially in the short term. Simma et al (1999:616). Strategies and methodology aimed at evaluating and improving development initiatives are also lacking. These tools could be useful in identifying and avoiding potential problematic areas in the future. Simma et al (1999:618) As impressive as the sample of EU funded projects in China may sound, the real issues necessary for development are not being tackled. China is currently concerned with the narrowing of the gap between the richer eastern and southern regions and the poorer inland, Northern and Western regions. The EU is no stranger to regional disparities and has within its own territory had great success in bridging the gap between poorer and richer Member States and it is in this area that the EU could have a real impact. White (2000) No such program has been directly implemented for China. It must also be noted that the programs receiving substantial funding are very beneficial to the Union itself. White (2000) Many programs aim at inadvertently dismantling trade barriers.

It could be asked what impact the EU development programs have had on human rights in China? This question does prove difficult to answer as, like the Chinese government,
the EU seems to be mainly interested in generating short-term gains. As regards education, the size of the budget may imply upon first glance, to be beneficial to many children and adults in poorer regions. This is however not the case, when the various projects are assessed. The main beneficiary of the projects seems to be the EU itself.

White (2000)
Conclusion

This dissertation has offered an analysis of the relationship between China and the EU, viewed though a human rights focus. However, it does not provide any definitive answers. Indeed it could be said that instead of this, it serves to pose even more questions: Is the EU doing all it can to help alleviate human rights abuses in China? Is a country justified in pursuing norms and practices, in relation to human rights, which are culturally specific? Is it ethnocentric to endeavour to impose Western values on Chinese culture? Is the EU afraid of the potential negative effects criticism of China’s human rights record could produce? Do trade and commercial concerns obscure moral judgement? Indeed, do economic concerns serve to undermine and diminish the EU’s own rhetoric? Paradoxically, while the EU endorses moves towards democracy, it simultaneously engages with a government that suppresses any domestic challenge to the status quo. Is the EU’s desire to improve human rights hampered by a lack of internal coherence in its human rights policy? This study, however, aims, not at answering the questions outlined above, but at highlighting and raising them as possible areas for further exploration.

An obstacle to the assessment of the EU’s impact on human rights in China lies in the very concept of human rights itself. Divergent expressions of human rights within cultures compromise the central principle of sovereignty in our world. States create organizations like the UN, yet, it remains their prerogative to decide what limitations or obligations they accept from these organisations. This is very appropriate in the case of
China, which has managed to successfully avoid UN censure, and sign, but not ratify UN Conventions. The EU has not been able to attain consensus within its ranks to either co-table or co-sponsor a UN Resolution. Or has the EU not wished to push for a Resolution due to an overwhelming desire to pursue or maintain commercial links? This is another difficult question to answer.

The relationship between the EU and China has progressed from one which was mutually beneficial, into one that is, in relation to the scope of this study, one-sided. China seems very aware of EU’s ‘weakness’ - the extent to which it values the Chinese market, and Europe’s lack of internal cohesion, in relation to human rights policy. Evidence to support this view may be seen in the case study presented on the EU’s lack of criticism of China at the UN. Alternatively, as the conclusion one draws is highly subjective, it could be said that European inaction was a result of cultural sensitivity coupled a firm belief that China was responsive to dialogue and displayed a willingness to address human rights issues.

The only real tangible aspect to the human rights and democratisation initiative of the EU in China is the Development programs. These programs, while endeavouring to promote change in China, coincide with the Chinese perception of human rights. China upholds the notion of the collective being paramount to the individual. The development programs are aimed at the collective level in China. However whether they actually aid human rights or not again leaves much room for speculation. As previously discussed,
the impact these programs have are difficult to assess. A further criticism of these programs is that they are in many cases are of more benefit to Europe than to China. However, in spite of the difficulty in analysing the impact the EU, in itself, has had on human rights improvements in China – as improvements may be attributed to a great number of factors⁹ - the overall situation has deteriorated. In relation to the repression of the spiritual movement Falun Gong, which was outlawed in 1999 as it was claimed to be a threat to the political stability on the Chinese government. Legislation was used retrospectively to convict alleged Falun Gong leaders on politically motivated charges. Many followers of the movement – at least 93 – have died in police custody since 1999. (Amnesty International 2001) Another cause for concern is the increased use of the death penalty, according to AI statistics, more than 1,000 people were executed in 2000, however the official number may be substantially more. (ibid) A further violation is the harvesting of prisoners organs to be sold to the West, this issue was discussed by Harry Wu, in his speech to the EP in 2000. Other issues concern Tibet, the ‘forced labour camps’, which generate revenue for the Chinese economy – in fact a large portion of tea and rubber products imported into the West originate in these camps. The repression of political dissidents continues, as does the clampdown on Internet usage. Those found using the Internet to spread sensitive political views are imprisoned. (HRW 2001)

The EU, in its relationship with China, is perhaps not doing itself any favours. The apparent lack of a coherent human rights policy is an issue that needs addressing as the level of integration within the Union proceeds. Viewing the relationship between China

⁹ An example of this may be seen in 1997, with the release of Wei Jingsheng, which was attributed to international pressure, individual campaigns and the Clinton administration, according to HRW (1997)
and the EU through a human rights focus, enforces the view that, the EU is hampered by its own lack of a human rights policy and is therefore incapable of facilitating much change. If this is the main reason for the EU failing to implement much changes in human rights in China, then it needs to address this issue in a concerted and meaningful fashion. However, one must bear in mind that interference in State sovereignty is not tolerated by China. The EU in its diplomatic relations with China is perhaps doing everything within its power to facilitate a change in relation to the respect for human rights, fundamental freedoms, democracy and the rule of law.

The methodology employed in this dissertation drew on a diverse collection of available sources and the arguments were based on a qualitative approach. The main sources consulted were Commission documents, newspaper articles and reports and letters from Amnesty International and Human Rights Watch. These combined to provide factual evidence necessary to analyse the contemporary modalities of the EU’s relationship with China.

The main limitation of this study concerned the sensitivity of information regarding China. It proved very difficult to uncover Chinese information relating to their domestic affairs, apart from what was available on the Internet. This information, due to the internal political situation in China, was obviously biased and controlled. A further drawback, relating to this subject was the fact that although there is a wealth of information on economic relationship between the two and indeed on the economic reforms in China, there is relatively little written on the current political relationship
between the EU and China. To further compound this problem, many sources drew on the same authors, i.e. Dent and Kapur, resulting in a duplication of a considerable amount of material. 10

10 Total Word Count: 14,676
Bibliography:


**Commission Documents:**

Communication of the Commission: A Long term Policy for China Europe Relations
Com(1995)279/final

Building a Comprehensive Partnership with China
Com(1998)/181

EU Strategy towards China: Implementation of the 1998 Communication and Future steps for a more Efficient Policy.
Com(2001)265/final

20.12.2001. REV 1-Final

The European Unions Role in Promoting Human Rights and Democratisation in Third Countries.
Com(2001) 252

Newspapers:

The Economist

Agence Europe

The Financial Times

Reports and 'Letters' Speeches:

http://web.amnesty.org/ai.nsf/print/ASA170651999

Amnesty International: EU must not shy away from chance to speak up for China's oppressed.

Amnesty International: Open Letter from Amnesty International to EU Governments concerning the EU-China Human Rights Dialogue

Country Strategy Paper
http://europa.eu.int/comm/external_relations/china/csp/02_06en.pdf

HRW 1998 European Union should endorse China Resolution

HRW 1997 China tightens control on religious freedom

The World Bank and China:
http://lnweb18.worldbank.org/eap.nsf/Countries/China/6DEAF1C89A29A3C88525

Promoting Human Rights in China


The EU and China: Hedging bets or groping in the dark? William White, 2000, Institute for European Affairs, Dublin

Chinese Websites:

Beijing Globe
@ http://www.beijingglobe.com/

Commission Delegation Office Beijing
@ http://www.delchn.cec.eu.int/en/Co-operation/General_Information.htm

World Tibet Network News
@ http://www.tibet.ca/wtnarchive/1997/4/

Human Rights in China
@ http://www.humanrights-china.org/