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An Analysis of the EU-China Relationship: The Role and Implications of the EU's Fundamental Values

Master's in Political Science and International Relations, Security and Defence

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Abstract

In the EU's current Strategic Outlook to China, the country is officially characterised as a "systemic rival". It is an unavoidable actor on the global scale, due to its status as the largest trading partner of the EU – and vice-versa – which illustrates the necessity for the two entities to work with one another. As European Council's President Charles Michel stated in the G20 Conference in Indonesia, in November 2022, it is imperative to "*rebalance the relationship, listen to each other, develop a better understanding*" (Reuters, 2022a). The Union's positioning regarding China is often clear in criticism in some fields, while concomitantly being vague or uncompromising in others – a clear summation of this complex relationship, where a constantly shifting balance between pragmatism and idealism takes place, in search of the ideal compromise.

The differences between the two entities are profoundly rooted in their contrasting core values, a vital assessment when trying to reach a deeper understanding of their relationship. As such, this research addresses the EU's fundamental values as a starting point, counterposing them with those which deemed to be the pillars of the Chinese Communist Party's ideology, in order to paint a clear picture of how the guidelines of these two entities compare to one another. Fundamental divergencies are then identified, with a particular focus on opposite and antagonistic ideals.

In order to understand how the EU's stance on China has evolved until the present day, a selection of official EU documents related to China were submitted to discourse analysis. This, in turn, revealed underlying patterns or behavioural tendencies related to particular periods of time and particular subjects. The research has focused on the time period between 2012, when the agreement to negotiate the Comprehensive Agreement on Investment (CAI) between the EU and China was reached, and 2022.

For each of the facets of the bilateral relationship, represented by categories of documents, the objective will be to understand the extent to which the EU's fundamental values are referred to, defended, used as justification or upheld in countering opposing views from China, in order to infer if different types of issues display a different behaviour. The method of Critical Discourse Analysis, as developed and characterised by Norman Fairclough (Fairclough, 2013), will provide the theoretical basis for discourse analysis. The resulting analysis helps uncover tendential patterns, related to subjects, contexts or time periods, which were then applied in characterising the current state of the bilateral relationship.

Keywords: EU, China, EU-China bilateral relationship, fundamental values, discourse analysis

Table of Contents

<i>Acknowledgements</i>	1
<i>Abstract</i>	3
<i>Table of Contents</i>	5
<i>List of Tables</i>	7
<i>List of Figures</i>	7
<i>List of Abbreviations</i>	7
1. Introduction	9
2. Methodology	11
2.1. Research Subject and Research Question	11
2.2. Methodological Framework	11
2.2.1. Critical Discourse Analysis	11
2.2.2. Document Selection	14
3. Framework and Contextualisation	17
3.1. European Union – Fundamental Values	17
3.2. People’s Republic of China – Ideology and Values.....	20
3.3. Karl Popper’s Critique of Marxism <i>versus</i> Liberalism	22
3.4. An Overview on the EU-China Relationship.....	25
3.4.1. Upcoming Partnership	25
3.4.2. Turning Point – A new paradigm?	28
3.4.3. Current State of Human Rights in China	32
4. Document Analysis	35
4.1. EU-China Summits	36
4.1.1. The First Phase – 2012 to 2015	37
4.1.2. Strategic Shift – 2016 to 2019	39
4.1.3. The Pivotal Moment – 2020.....	42
4.2. EU Strategy on China	46
4.2.1. Elements for a new EU strategy on China (2016)	46
4.2.2. EU-China – A strategic outlook (2019)	49
4.3. European Parliament Resolutions	53
4.3.1. Xinjiang and Tibet	56
4.3.2. Hong Kong	60
4.3.3. Bilateral Relationship	62
4.3.4. Others	70
5. The Role and Implications of the EU’s Fundamental Values	75
5.1. The Current State of the Bilateral Relationship	75

5.2. General Overview	78
6. Conclusion	83
7. Bibliography.....	85
Appendix	91

List of Tables

Table 1 - Publication of Joint Statements in EU-China Summits (Yes/No)	36
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List of Figures

Figure 1 - Number of EP Resolutions on China related to the EU's FV.	54
Figure 2 - Number of EP Resolutions on China by subject, per year.....	55

List of Abbreviations

CAI – Comprehensive Agreement on Investment

CCP – Chinese Communist Party

CDA – Critical Discourse Analysis

EP – European Parliament

EU – European Union

FV – Fundamental Values

HR – Human Rights

MEP – Member of the European Parliament

MP – Member of Parliament (National)

PLA – People’s Liberation Army

PRC – People’s Republic of China

ROL – Rule of Law

SDGs – Sustainable Development Goals

UN – United Nations

UNCLOS – United Nations Convention on the Law of the Sea

US – United States

WTO – World Trade Organisation

1. Introduction

The European Union's relationship with China represents one of the most important aspects of its external action, due to the current deep interdependencies between both entities and China's growing role in the international system. In this context, China's political ideology arguably determines it to be the biggest challenge for the EU, by openly challenging the liberal western values, as described in the UN Charter, which the EU was founded on.

The investigation of the EU's stance on China through the analysis of the manner in which it upholds its founding values is a vital task, given their fundamental importance as both sustaining pillars and a crucial part of the declared purpose of the Union's very existence. Such an analysis seeks to probe the deepest level of the EU's foundations by addressing its bilateral approach to an increasingly antagonistic authoritarian regime, in the face of what could predictably become one of the greatest challenges to the current rules-based global order, built under the guidance of what were overwhelmingly deemed to be Humanity's universal rights and fundamental values by UN member-states.

In order to approach this subject, the present research will seek to perform textual analysis on official EU discourse on China over a specific period of time. Due to the understanding of the importance of context in international diplomacy, documents related to different EU entities with different contexts (internal, bilateral and unilateral publications) will be separately analysed, as to adequately identify tendential stances over the relevant time period.

The structure of the present document intends to accurately represent the logical sequence which was applied when carrying out the associated research. After an initial presentation of the used approach and methodology, the subject is contextualised by providing a theoretical introduction. Then, discourse analysis is performed on a selection of official EU documents, after which the main conclusions are addressed in a final analysis.

The initial presentation of the research question is an essential starting point to the research itself, as to clearly frame its purpose, together with the methodological framework that will be used to achieve it. The following theoretical introduction seeks to highlight the fundamental ideological divergencies between the EU and China, finalised by an evocative reference to Popper's critique of Marxism as an initial consideration of the implications of the EU's values on this bilateral relationship. After the necessary contextualisation of this relationship, the application of critical discourse analysis on a selected group of documents – divided into categories related to their associated EU entity/context – provides the necessary insight to identify tendencies in the EU's stance on China, regarding its fundamental values, in different contexts. As a conclusion, the final analysis combines all the tendencies and conclusions identified along the document analysis section into a comprehensive full picture that answers the research question, finalised by an extrapolation towards the EU's approach to China in the coming decade.

2. Methodology

2.1. Research Subject and Research Question

The present research will focus on analysing the EU-China relationship through the EU's point of view, in order to understand the impact of its fundamental values in this crucial bilateral relationship. For the purpose of this analysis, it is important to both address how these values have been upheld (thus, their role) and what their implications are, due to their own definitions. The acknowledgment of the Treaty of Lisbon as the constitutional basis of the EU illustrates the depth of such implications by clearly characterising these fundamental values as those which “the Union is founded on” (as addressed in section 3.1.). Therefore, the research question has been defined as:

“What are the role and implications of the EU's fundamental values in its relationship with China?”.

A brief initial analysis of the most recent developments indicates that already existing divergencies have been gaining preponderance, as demonstrated by a significant deterioration in the bilateral relationship. This is evidenced by a growing number of diplomatic conflicts, economic disputes and political tensions between the two sides, suggesting that the relationship has become increasingly strained, with growing challenges to an effective cooperation.

Thus, these considerations have contributed to the understanding that, while the EU's fundamental values have historically had an important role in the bilateral relationship, their role has gained increased relevance in recent years, as clear, public divergencies have arisen and the relationship has soured. This formulation constitutes the hypothesis that will be evaluated throughout this research, by analysing official EU documents on China from the 2012-2022 period, through the application of the theoretical framework of Critical Discourse Analysis. In order to obtain a comprehensive view on the EU's discourse and actions, while additionally providing the means to analyse its stance in different contexts, the selected documents represent different EU entities (European Parliament, European External Action Service, European Commission, among others).

2.2. Methodological Framework

2.2.1. Critical Discourse Analysis

The methodology that will be used to perform discourse analysis on the selected documents was originally described by Fairclough, first mentioned in the 1989 book *Language and Power* (Fairclough, 1989). The author was the main contributor to the development of Critical Discourse Analysis (CDA), a qualitative methodology which consists of the application of a framework designed to study discourse under a multi-

layered approach (Fairclough, 2013). The application of CDA methodology enables a deeper level of interpretation of text, by investigating the underlying motivations and context within the discourse. In this particular research, CDA will be a very helpful tool to analyse the purpose and effects of the particular use of language in official EU documents, within their specific context. The complexity of bilateral relations between states, and, in this particular case, the EU-China relationship, demand a tool which can provide the necessary depth to the analysis.

In order to address and obtain an objective interpretation of the CDA, as to apply this analysis framework in this particular research, in-depth discussions on CDA and its applications will provide useful resources (Blommaert and Bulcaen, 2000; Jorgensen and Phillips, 2002). In addition, Krippendorff's research is an important guideline on objective critical content analysis (Krippendorff, 2004).

One thesis using CDA in analysing political discourse is a stand-out contemporary application of this methodology, and will provide a valuable reference for this research (Gomes, 2022). An additional important example of the application of discourse analysis is a research project on the EU-China relationship, titled "*Assessing the practical implementation of the EU's values in EU-China dialogues*" (Taylor, 2021). Here, the author identified key discourses across EU officials' interview accounts, which are argued to inform their value promotion or mainstreaming behaviour in EU-China dialogues. The methodology followed Milliken's 1999 study, titled "*The study of discourse in international relations: A critique of research and methods*" (Milliken, 1999).

The CDA framework is a particular type of discourse analysis focused on analysing discourse under a socio-political lens. According to Fairclough, "*language is power*" (Fairclough, 1989), and the devised framework provides the necessary tools to understand text as a projection of power and influence. Analysing power dynamics is one of the main objectives when using this methodology, a goal which cannot be adequately fulfilled by employing simple text analysis. Thus, CDA goes beyond traditional textual and linguistical analysis by approaching discourse analysis on a three-layer approach. These three main dimensions contain textual analysis, discursive practice and social analysis.

Within textual analysis, the focus is on analysing grammar, structure and vocabulary, focusing on understanding how adjectivisation and the use of active/passive voice takes place. Here, the main tools for this linguistic approach are modality, evaluation and transitivity. Modality represents the author's attitudes and stance toward the subject, and is mainly identifiable through the presence of modal verbs. Nevertheless, it should not be oversimplified as the presence or absence of these modal verbs – or which ones are used – as the grammatical context in which the verb is placed is also a valuable indicator of modality. In turn, evaluation is closely related to modality by representing the author's approval of the subject at hand, usually through adjectivization, as it showcases the author's consideration of values, whether explicitly or implicitly. Finally, transitivity analyses the application of active or passive form as a direct representation, to a degree, of the author's ideological stance on the subject.

The second layer, discursive analysis, refers to the particular context in which the text was delivered or produced. Here, the main analytical tools will be intertextuality and assumptions, intrinsically linked. In particular, intertextuality will be a common occurrence in the analysed EU documents, as each single document belongs to a category, related to the context in which it was produced, which will inevitably be but a single piece of the fully interconnected puzzle that is the EU-China bilateral relationship. In this particular research, this second layer of analysis will mostly reside on the setting and authors of the document, be it joint or unilateral declarations related to bilateral summits or European Parliament resolutions.

Finally, the third layer, social analysis, is related to the broader socio-political context. It requires analysing non-discursive elements, in a comprehensive, multidisciplinary approach, going beyond textual analysis. Here, it is crucial to analyse the impact of the text in the social status quo, its consequences in the socio-political environment and how it contributes to shifting power relations. This overhead analysis on the geopolitical context and other broader circumstantial considerations will provide the necessary context in achieving a more comprehensive discourse analysis (Blommaert and Bulcaen, 2000; Jorgensen and Phillips, 2002; Gomes, 2022).

This research focused on analysing different categories of documents, with the goal of identifying existing tendencies regarding rhetorical evolution over time. Therefore, the three layers of CDA were addressed simultaneously, in a comprehensive approach that intends to provide a clear analysis on what could arguably be characterised as particularly context-dependent interpretations, with a high level of intertextuality. Thus, the analysis employed the conceptual framework of CDA, without a rigid adherence to a particular structural model, supported by the necessary identification of core themes with a cross-textual scope.

Taking the fundamental values of the EU into account, as originally listed in the Lisbon Treaty (addressed in section 3.1.), four main themes have been defined – Human Rights, Environment, Fundamental/Liberal-Democratic Values, Rule of Law/International Order. All of these themes seek to encompass similar fundamental values, as well as their representation in topical subjects for modern society. The first two themes, Human Rights (HR) and Environment, are self-explanatory and clearly convey the scope of the respective categories. Specifically, Human Rights refers to explicit mentions of the two words, usually related to concerns over HR abuses by China, as well as dialogue mechanisms. On the subject of Fundamental/Liberal-Democratic Values (FV), the category represents explicit mentions of the words “fundamental values”, as well as mentions to democracy, liberal-democracy, liberal values and related subjects. The final theme, Rule of Law/International Order (ROL), refers to specific mentions of the words “rule of law”, as well as the global, rules-based international order based on supranational entities with the United Nations (UN) at its core.

In addition to this qualitative methodology, a number of quantitative methodologies were also applied as to provide complementary information that further enriched the analysis. The number of official communications, mentions of fundamental values and joint

declarations associated with China, among other variables, proved to be circumstantially representative indicators of the evolution of the bilateral relationship.

Finally, the researcher must address his personal bias on the subject. The initial assumptions regarding the EU's fundamental values are dependent on, and reflect his personal beliefs, as a defender of western liberal values and Human Rights as described in the UN Charter. This bias is mitigated, since this research does not intend to critically address the nature of these values, but to understand both their theoretical implications and practical implementation in EU foreign policy. Thus, it is an academic imperative to conduct this research with impartiality, based on the understanding that it is a prerequisite to obtain the necessary objectivity and clarity in performing discourse analysis. The chosen methodology was deemed to be the most suitable approach to achieve the goal of analysing the role and implications of the EU's fundamental values in its foreign policy – any conclusions and claims regarding this analysis ought to be regarded through the interpretivist and critical approach represented by the application of the CDA methodology.

2.2.2. Document Selection

The EU's relationship with China has evolved significantly during the past decade. In order to obtain a deeper understanding on this evolution, and its present state, this research focused on performing textual analysis in official EU documents related to this subject. The application of the CDA methodology on a selected group of documents was intended to obtain an improved understanding that would, in turn, provide crucial insight in achieving this goal. Here, the group of documents selected by the European Parliament's Delegation for the People's Republic of China as the most relevant regarding the bilateral relationship (containing speeches, strategy documents, summits, institutional and commercial agreements, among others) provided both a useful timeline and database (European Parliament Delegation for the People's Republic of China, 2022).

The chosen timeframe for this analysis was the past decade (2012-2022), due to the significance of the year 2012 as having witnessed two EU-China Summits, as well as, most importantly, the political agreement to start negotiating an unprecedented trade agreement between the two entities – the Comprehensive Agreement on Investment. In order to provide structure and clarity, in addition to allowing the analysis to focus on the main contexts in which the bilateral relationship unfolds, the documents have been divided in four categories, as follows:

- EU-China Summits.
 - Held annually, since 2012 until 2022, with the exception of 2021 (Council of the European Union, 2012, 2015b, 2016a, 2017, 2018a, 2022a; EU-China 2020 Strategic Agenda for Cooperation, 2013; European Commission, 2014; Keqiang, Tusk and Juncker, 2018b; Leyen and Michel, 2020).

- The EU's Strategy on China, laid out in "*Elements for a new strategy on China*" (2016) and its 2019 update, "*EU-China – a Strategic Outlook*" (European Commission, 2016, 2019).
- EU Parliament resolutions (selected documents – see section 3.3.):
 - "*EU-China Relations*" (European Parliament, 2015).
 - "*The Cases of the Larung Gar Tibetan Buddhist Academy and of Ilham Tohti*" (European Parliament, 2016c).
 - "*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*" (European Parliament, 2020a).
 - "*Chinese countersanctions on EU entities and MEPs and MPs*" (European Parliament, 2021b).
 - "*on a new EU-China Strategy*" (European Parliament, 2021a).
 - "*Violations of fundamental freedoms in Hong Kong*" (European Parliament, 2022g).
 - "*Chinese government crackdown on the peaceful protests across the People's Republic of China*" (European Parliament, 2022a).

Chapter 5 will contain a contemporary overview, complemented by the analysis of a selection of EU public statements in response to particular issues/events, among other documents. These documents are as follows:

- "*Statement of the European Union's Delegation to China on the 2022 International Human's Rights Day*" (Delegation of the European Union to China, 2022).
- "*EU-China Relations factsheet*" (European External Action Service, 2022a).
- "*EU-China Relations in Challenging Times*" (Jochheim, 2021).

The complete document list can be found in the Appendix.

3. Framework and Contextualisation

3.1. European Union – Fundamental Values

The European Union is a unique supranational entity composed of a multiplicity of democratic member states, which aims to work as a democratic representation of their interests, largely based on consensus, in accordance to shared values. The fundamental values of the Union are laid out in the Treaty of Lisbon, which amended both the Treaty that established the European Community and the Treaty of the European Union, in December 2009 (Official Journal of the European Union, 2007).

In the amended Treaty, the values of the EU are listed in Article 1a, which states that “*The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail.*”.

In Article 2, Point 1 states that “*The Union’s aim is to promote peace, its values and the well-being of its peoples*”. It is, then, explicit in stating the purpose of the EU, the reason for its creation, among the initial lines of the document. Point 2 then declares that “*The Union shall offer its citizens an area of freedom, security and justice*”, while Point 3 refers “*a high level of protection and improvement of the quality of the environment.*”, as well as indicating that the EU “*shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men*”.

The aforementioned values and actions upholding them are carried towards Point 5 of the same Article 2, which dictates that “*In its relations with the wider world, the Union shall uphold and promote its values and interests and contribute to the protection of its citizens. It shall contribute to peace, security, the sustainable development of the Earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and the protection of human rights, in particular the rights of the child, as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter.*”.

The quoted segments clearly establish the fundamental values of the European Union, while providing a strong framework for its external action. This fundamental role is carried out by the European External Action Service (EEAS), whose core guidelines are laid out in Point 5 of Article 2. These follow the same lines as the previous quoted segments, thus establishing the defence of the fundamental values in the EU’s foreign affairs as a constitutional obligation. The defence of these values, as quoted on Article 1a, can be summarised as the defence of Human Rights, inherent and indivisible from other values. In fact, the EU’s core values are contained, *ipsis verbis*, in the United Nation’s Universal Declaration of Human Rights (Draft Committee of the United Nations Assembly, 1948). Upholding these values requires equality, justice, free political

participation and an adequate political representation, which can only be assured by a liberal, democratic society.

The European Union's self-appointed role as a defender and promotor of liberal democratic values in the world stage is the epitome of a long history of western philosophical thought, tracing back to Ancient Greece. In order to understand the depth to which the roots of these fundamental values reach, and how different ideas flourished into today's liberal democratic values, a brief overview of their history is presented in the following paragraphs.

Aristotle may have been the first contributor to liberalism, particularly when regarded in direct opposition to the ideas of his mentor, Plato. Aristotle notably classified a particular form democracy as the best among imperfect regimes, and that the government should strive to provide happiness to its citizens. Another remarkable contribution was the notion that private property was advantageous to the polity, in clear disagreement with Plato, who argued for a collectivist society. In direct criticism of his mentor, Aristotle argued that such a social structure would harm the diligent in favour of the lazy, who did not have an incentive to work in order to receive its rewards (Colen, 2020b). Moving on towards early modern Europe, in the seventeenth century, the Englishman John Locke is a crucial author, whose influence in developing liberal thought cannot be understated. His work was directly influenced by countryman Thomas Hobbes, albeit in direct criticism of this author's views. Hobbes, in *Leviathan*, argued for the existence of an all-powerful state, with absolute control over society, as the only way to assure the individual of protection, not only against one another but external threats, thereby granting it the right to dictate life and death in the name of all (Vieira, 2020). For Hobbes, the concept of natural rights, or natural liberties, is not derived from natural law, but from a primordial freedom of action in search for the most basic and reasonable desire of the individual, that of self-preservation. This concept was accepted by Locke and incorporated in his own views (though with widely diverging and antagonistic conclusions), specifically applied as an argument for countering the legitimacy of an all-powerful state. Given the primordial nature of the fundamental natural rights, these may not be forfeited to the government on any grounds. Thereby, absolutism curbs fundamental rights derived from the nature of human beings, by effectively enslaving them. Thus, the ruler must not only aspire to protect the life, but also the property and freedom of its subjects – any government which cannot fulfil those requirements loses its legitimacy and can be rightfully challenged (Rivero, 2020).

The Dutch philosopher Baruch Spinoza, Locke's contemporary, has similarly been heavily influenced by Hobbes. As with Locke, Spinoza came to different, incompatible conclusions, particularly regarding the legitimacy and role of the state. The state was the sum and representation of the "potency" of the crowd, the sum of the will of every single individual composing that society. Thus, in order to accurately and justly represent society, it must not act on the principle of curbing individual thought as a justification to prevent violence, but should, instead, create and maintain institutions for that very purpose. These must be subjected to, and influenced by the concrete reality of the society they represent, instead of amplifying the ruler's power. In order to fulfil its purpose, the

institution must empower citizens by serving as a means of political representation through which the individual can participate in decisions that influence his daily life. According to Spinoza, only when such a structure is in place can a society reach its maximum potential, through the principle of democratic representation. In an endless tug-of-war, the influence of institutions is limited by the power of the crowd, while representing the materialisation of its political power. This balance of power accurately represents the multitude of ideas and opinions of the society it represents, while also keeping the ruler under permanent surveillance by the crowd (Aurélio, 2020).

The next important reference in the evolution of liberal thought is the German philosopher Immanuel Kant, who viewed reason as the source for morality, and the only necessary prerogative for the individual to intuitively understand what was right. This conclusion led to the understanding that an appeal to the individual's reason alone was enough to achieve a harmonious existence as a society. Thus, Kant idealised a possible culminating stage of Humanity – his famous concept of “perpetual peace” – which could be achieved through the reasoned cooperation of every individual, not only within nations but internationally. Perhaps Kant's most important contribution to liberal thought is the notion that individual liberty is only limited by the individual liberty of all others, from which it becomes clear that the liberty of one individual must be respected up to the point where it affects that of another. This is also the founding principle of formal theory of law, and, together with the central role in human nature attributed to reason, led Kant to the understanding that the only rational type of government would be the republic. According to the philosopher, a republican constitution is the only one which encompasses the necessary respect for individual liberty and political representation of the individual, while also being the only structure of government to provide the necessary framework to construct a federation of states (Costa, 2020).

Considered to be one of the founders of modern liberal thought, the 19th century English philosopher John Stuart Mill has formulated the highest normative principle of morals in direct opposition to Kant's, stating that “*actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness*”. This utilitarian view provides a clear assessment of the role of the state, in acting in the pursuit of the citizens' happiness. In order to do so, the state must strive to provide the best conditions for the individual's qualities to develop, mainly through education and using institutions created for that very end. According to Stuart Mill, freedom of expression and association, universal suffrage and gender equality are logical results of a society composed by educated individuals, through the utilitarian lens (Campos, 2020).

This journey along the evolution of liberal political thought will reach its destination in the 20th century with two scholars – Isaiah Berlin and Karl Popper, both contemporaries of the European Union. Berlin's *Two Concepts of Liberty* has provided a novel approach on the concept, by dividing it into two opposite sides. The author associated the concept of positive liberty to a paternalist, controlling state, exerting authoritarianism under the assumption that coercion and imposition were necessary to curb mankind's negative side, and effectively “liberated” individuals. On the other hand, the concept of negative liberty was associated with a liberal state, where individuals were given maximum freedom with

no restraints from the state. The particular caveat to individual liberty in the latter view is that of Immanuel Kant, a pre-requisite for a society where each individual could be equally free (Espada, 2016b). Karl Popper is the final, and perhaps most important author in this analysis, due to his comprehensive approach to the fundamental differences between open societies and authoritarian regimes, in *The Open Society and Its Enemies* – arguably one of the most influential books in the 20th century. Popper is a fierce defender of freedom of speech, particularly criticism, as an indispensable requirement for progress. This freedom of criticism can only exist in an open society, and is the fundamental difference to closed societies. In open societies, the freedom of criticism enables a gradual evolution in law, as society evolves, whereas closed societies view laws and customs as immune to criticism by the individuals, therefore, immutable. The author has also stated that modern democracies are the result of a long evolutionary process in which initial collectivist and closed societies in Ancient Greece (and other contemporary civilizations), have gradually become more open. Starting with the traditional question on the search for the best political system – trying to understand *who* should rule – Popper suggests a different approach to the issue, by shifting the focus towards understanding how to assure swift and peaceful transitions of power in an effort to prevent tyranny. Here, the necessity to establish a system of checks and balances becomes apparent, which would take shape as a structure of rules that limit the government’s power. Here, the existence of a representative (democratic) government is but one of the requirements, and must be accompanied by a clear separation of powers and a set of legal measures preventing abuse of power by the incumbent. Karl Popper’s comprehensive and devastating critique of Marxism will be addressed in chapter 3.3. (Espada, 2016a, 2020).

3.2. People’s Republic of China – Ideology and Values

The PRC is a presidential republic under the exclusive political leadership of the Chinese Communist Party (CCP), whose full authority over all branches of government classifies China as an authoritarian state. The highest state entity is the National People’s Congress, headed by the President of its Standing Committee – Xi Jinping. Xi also holds the position of Secretary-General of the Communist party, and acts as the *de facto* head of state, notwithstanding Premier Li Keqiang’s status as the constitutional head of government. The President’s growing influence was apparent in the 20th National Congress of the Chinese Communist Party, where former premier Hu Jintao was unexpectedly and forcibly escorted out of the premises (Reuters, 2022b), which further cemented his power through constitutional amendments (Tian and Baptista, 2022).

Xi Jinping’s personal ideology is characterised as “*a Leninist ideology with Chinese characteristics that include experience of a social system that recognises a central authority free from checks and balances generally associated with legitimate rule of law.*” (Garrick and Bennett, 2018). It is deeply influenced by one of the Chinese Communist Party’s (CCP) top ideological theorists, Wang Huning, and is reflected in every major initiative associated with Xi (Lyons, 2021).

Xi Jinping's report to the 20th National Congress of the Chinese Communist Party provides a clear perspective on the Chinese ideology in his opening remarks, by stating that the goal is to act "*holding high the great banner of socialism with Chinese characteristics, fully implementing the Thought on Socialism with Chinese Characteristics for a New Era, carrying forward the great founding spirit of the Party, staying confident and building strength, upholding fundamental principles and breaking new ground*", working towards the "*the noble cause of peace and development for humanity*". Xi clearly indicates the ideological motivations for the CCP's initiatives, achieved by "*adapting Marxism to the Chinese context and the needs of our times (...) providing us with fundamental guidance for advancing the cause of our Party and our country in the new era*". Throughout the report, there are numerous mentions of the CCP's concept of "socialism with Chinese characteristics" applied to a diverse set of initiatives in different fields, displaying a comprehensive and ideologically uniform approach to governance (Jinping, 2022).

Marxism is but the outcome of a long history of the evolution of the collectivist approach, indivisible from authoritarianism. In order to provide the necessary context, this section will present a brief overview of some of the main philosophers related to this ideology. The first relevant philosopher is Plato, already mentioned in the previous chapter when counterposed with his disciple, Aristotle. In his work *Republic*, Plato proclaimed aristocracy as the ideal government type, while directly criticising democracy as the rule of the unprepared low class. Democracy provides the means for the lower class to gain preponderance, and, given their inability to act wisely, soon cause demagogues to rise to power. These are morally flawed, thus fundamentally unfit to rule. The demagogue resorts to exploiting the population for personal gain, instituting tyranny and causing society to descend into chaos. In Plato's view, the aristocracy is the natural ruling class, as it is composed of virtuous and educated individuals. The same logic justifies his preference for a collectivist society where private property is abolished and all goods are shared equally, under the wise rule of the aristocracy (Colen, 2020a).

Centuries later, Thomas Hobbes, as a proponent of the all-powerful state, had a very important role in cementing authoritarianism as a legitimate political approach to society. Hobbes justifies his assumption that society would descend into chaos without a centralised ruler by referring to his concept of the state of nature, causing unavoidable war. He characterizes the concept of social contract where each individual willingly abdicates their personal freedom, transferring it to the single ruler who then obtains absolute power to protect all his subjects. In exchange for giving up their liberty, each member of the society would be assuring their survival in a state of peace and stability, without having to protect themselves from the necessarily harmful intentions of their neighbours in the state of nature (Vieira, 2020). In 1762, the French philosopher Jean Jacques Rousseau published *The Social Contract*, where he developed Hobbes' concept of the state of nature into a very different assumption: that which states that man is "*naturally good*". He further develops this assumption stating that, even though the use of land and exploitation of natural resources is necessary and natural, their appropriation is not, only legitimised under the existence of some political entity. Rousseau argues that

the appropriation of natural resources is the main source of the state of conflict that justifies the creation of the ruler in Hobbes, thus indicating his alternative in the form of a Social Contract based on the “common will” of the people. Here, the citizen achieves “moral freedom” by obeying a set of laws established by his own will – effectively achieving the maximum level of liberty for every individual in the same society. Thus, the author outlines the conceptual foundation for a political order based on popular sovereignty rather than monarchy, a concept which will directly influence Karl Marx (Merrill, 2020).

Marx was born in 1818, and worked closely with Friedrich Engels in developing several publications presenting and refining their common ideology – among which *The Communist Manifesto* stands out as one of the most influential books in History. Heavily influenced by radical revolutionary figures from the French Revolution, Marx characterised the history of society as “*the history of class struggles*”, namely, between the *bourgeoisie* and the proletariat, the oppressors against the oppressed. In his work, Marx argued that the industrial revolution turned workers into just another type of commodity who was exploited by those who controlled both the capital and the means of production. In order to overcome such oppression, the working class needs to present a united front against the *bourgeoisie*, necessarily escalating towards a violent revolution with the ultimate objective of eliminating social classes. Marx regarded this outcome as inevitable, a product of the inexorable passage of time and evolution of human societies towards the utopia of communism that would eventually replace capitalism. Marx’s *Capital* provides a complementary layer to the political ideology by addressing the social consequences of capitalism. The growing power of the *bourgeoisie* in the capitalist system, fuelled by the industrial revolution, gradually erases all social classes while inflating their power. This phenomenon simultaneously creates an uncrossable chasm separating it from the proletariat, thereby effectively eliminating social mobility by accumulating the entirety of the available capital in the ruling class. In the capitalist system, both goods and workers are increasingly regarded in a simplistic view focused on their exchange value in the market. Additionally, as technological advancements increase production efficiency, workers receive increasingly less pay relative to the value they produce (Moreira, 2020).

3.3. Karl Popper’s Critique of Marxism *versus* Liberalism

Karl Popper is a key author in this context. His strong and comprehensive critique of Marxism directly counterposes its fundamental assumptions with those of an open society. By directly addressing the “*three enemies of open societies*” in historicism, relativism and collectivism, core components of the Marxist ideology, Popper delivers a comprehensive analysis with detailed argumentation which directly juxtaposes those which are nowadays, respectively, the EU’s and China’s core values. In this segment, Professor Carlos Espada’s extensive and comprehensive analysis of the subject will be the main reference (Espada, 2016a, 2020).

In *The Open Society and Its Enemies* (Popper, 1945), the author shows sympathy for the basic moral presuppositions of Marxist philosophy. Namely, the struggle between the people (proletariat) and the rich social class, the bourgeoisie, which owns the means of production and exploits the workers. However, Popper strongly criticises the ideological component of Marxist philosophy due to the aforementioned three clear enemies of the open society, which, in his view, are present in Marx's ideology (influenced by Plato). According to Popper, the long process of the transformation of closed societies into modern liberal societies can be considered as one of the most profound revolutions of humanity, which is still taking place. Such characterisation is justified by the assessment that it enabled the development of civilisation, through the promotion of scientific advancement, which in turn resulted in the development of societies at a fundamental structural level of organisation.

Historicism, the “first and clearest” enemy of open societies, is characterised as the intellectual attitude that attributes a predetermined nature to history, not susceptible of alteration or influence by individuals, on any level. This assumption is a key point in Marxist ideology, with Marx asserting that socialism, as a universal social condition, is inevitable in the future, and that the role of each individual is to contribute to this ultimate end being achieved as quickly as possible. Moreover, any event that goes against the advent of socialism, namely its replacement by democratic capitalism, can be discredited as only a bump in the road to the ultimate, inevitable end state of universal socialism. This makes it clear that this Marxist claim can never be a scientific theory, but only a belief, due to the impossibility of challenging an outcome that can be indefinitely postponed. Popper points his finger at historicism, identifying it as guilty of corrupting the good moral presuppositions of Marxism, insofar as, by relativising the present moment as only a step towards the ultimate and inevitable end, removes all moral component from the acts of men, which in turn makes justifiable any act that is done in the name of the socialist utopia.

Historicism removes moral responsibility from individuals by transferring it to the collective entity, leading to collectivist egoism as the generalised attitude among citizens, where loyalty to the collective is placed in first place. Popper asserts that collectivism, the cult of the collective, legitimises any sovereign (since there must be an individual who speaks for all, on behalf of all) to have the absolute power. This level of control is necessary to carry out oppression of any kind of individual initiative that is contrary to the established ideology, thus creating the necessary conditions for the establishment of tyrannical authoritarian regimes.

Relativism, in the form of ethical naturalism, attempts to reduce norms to facts by claiming that there are no other norms than those that have been positivised, that is, enshrined in law. This kind of approach is at the heart of what characterises a closed society, since it refutes any kind of critical opinion on existing laws and norms, in an attempt to refute and change them, thus preventing any moral challenges. Laws become immutable, eternal dogmas, derived from already identified ideological maxims, thereby rendering any criticism unnecessary. Ethical naturalism gradually leads to the disappearance of the moral responsibility of the individual, along with historicism and

collectivism. From this observation, Popper concludes that the free exchange of opinions between individuals is essential for both the existence and progress of an open society. This freedom of speech, the critical freedom of the individual, is essential both to detect errors in scientific contexts and to promote certain moral standards over others, in a process of trial and error.

Plato's classical question on understanding who should rule was similarly addressed by Marx. It focuses on choosing the individuals (or individual) best suited to govern, making no mention of establishing a system upheld by rules with the purpose of the preservation of the system itself. Popper states, then, that the best starting point from which to build the democratic system is to understand the best way to constitute the state in such a way that guarantees peaceful transitions of power, while avoiding the establishment of tyrannies. To this end, he stresses the absolute necessity of a government which does not possess absolute power, limited by law. The separation and balance of powers is then the key to enable the necessary competition of diverse ideas and points of view, for the scientific and moral progress of society. In conclusion, the Marxist utopian perspective on social engineering has no place in an open and democratic society. It represses any kind of exposition and debate featuring opinions which are critical of the general ideology. With such an approach, any failure is justified with the unfinished nature of the ongoing process of establishing universal socialism (Espada, 2016a, 2020).

In the context of the present research, Karl Popper provides a particularly fitting concept to address the wide ideological divergencies between both China (Marxism) and the EU (Liberalism). In light of the already addressed necessity of mutual engagement, the situation begs the question – where should the EU's tolerance to China's incompatible values end? In *The Open Society and Its Enemies*, the author introduces the apparently self-contradicting formulation that unlimited tolerance would lead to the submission of the tolerant to the intolerant, resulting in a perfectly intolerant society. The author named the concept “paradox of tolerance”, having defined it as follows:

“(...) the paradox of tolerance: Unlimited tolerance must lead to the disappearance of tolerance. If we extend unlimited tolerance even to those who are intolerant, if we are not prepared to defend a tolerant society against the onslaught of the intolerant, then the tolerant will be destroyed, and tolerance with them.”.

Such a statement might be used to justify a plethora of possible courses of action, if left open to interpretation. Thus, in order to provide clarity, the author then offers a complementary characterisation of the impositions of this paradox, together with its possible misinterpretations:

“In this formulation, I do not imply, for instance, that we should always suppress the utterance of intolerant philosophies; as long as we can counter them by rational argument and keep them in check by public opinion, suppression would certainly be most unwise. But we should claim the right to suppress them if necessary, even by force; for it may easily turn out that they are not prepared to meet us on the level of rational argument, but begin by denouncing all argument; they may forbid their followers to listen to rational

argument, because it is deceptive, and teach them to answer arguments by the use of their fists or pistols.”

Here, Popper draws a clear line that may not be crossed, where tolerance becomes excessive and self-detrimental. By ignoring this threshold, intolerance is allowed to flourish and metastasize, creating a nefarious environment where tolerance becomes increasingly harder to advocate for and defend, in a vicious cycle. The end of tolerance towards the intolerant is thus legitimised:

“We should therefore claim, in the name of tolerance, the right not to tolerate the intolerant. We should claim that any movement preaching intolerance places itself outside the law and we should consider incitement to intolerance and persecution as criminal, in the same way as we should consider incitement to murder, or to kidnapping, or to the revival of the slave trade, as criminal.”

The duality that characterizes the European Union’s relationship with China represents a situation where this paradox’s relevance cannot be understated. Both entities are inevitable to one another on the world stage, as two of the three major global powers, together with the United States. Cooperation is then both inevitable and desirable, in the contemporary international structure of deeply rooted interdependencies. As a result, both the EU and China are extensively interlinked in trade, despite actively upholding opposing and often conflicting ideals. In the light of this assessment, the Paradox of Tolerance is a crucial concept to critically address the Union’s stance on China, as an ever-shifting delicate balance between realist pragmatism and strict ideological coherence, in constant evolution.

3.4. An Overview on the EU-China Relationship

3.4.1. Upcoming Partnership

The People’s Republic of China was founded in 1949. In 1959, eight years after the occupation of Tibet, tensions in the region erupted, originating the conflict that became known as the Tibetan uprising. Suppressed by China’s People’s Liberation Army (PLA), the clashes caused around ninety thousand dead and effectively ended the occupied region’s resistance, with the exception of sparse guerrilla warfare which lasted for three additional years.

In 1995, in the twentieth anniversary of the establishment of China-EU bilateral relations, the European Commission released *“A long term policy for China-Europe relations”*, as a recognition of China’s meteoric rise to a prominent position on the world stage. The unforeseen economic growth fuelled by Deng Xiaoping’s revolutionary reforms was apparent in the evolution of bilateral trade – from 1978 to 1995, the total bilateral trade volume increased by a factor of thirty. A mere six years after the Tiananmen Square Massacre, this document directly addresses Human Rights concerns as instrumental to

the EU's engagement with China. Section B.2 contains mentions to sanctions imposed directly after the "*Tiananmen Square events*", among which an arms embargo that is yet to be lifted to this day. The same section contains the indication of "*reports of human rights violations by authorities at every level*" and "*severe restrictions on the rights of citizens*", while stating that the "*respect for the distinct cultural, ethnic, linguistic and religious identity of minorities also remains wholly inadequate*". Further into section B.3, the document identifies the transfer of the sovereignty of the territories of Macau and Hong Kong to China as one key aspect of the strategic engagement, highlighting the importance of assuring the continuity of the territories' special status and high degree of autonomy, as stated in the related Treaties. The document's final recommendations strongly advocate for the establishment of a stable and strategically construed long-term bilateral relationship. The road for constructive cooperation would be built on the shared objectives of "*progress towards full integration in the world market economy, strengthening of civil society, poverty alleviation, environment protection, human resource development, scientific and technological development, the information society, trade and investment cooperation*". The defining statement would be the EU's support for China's membership of the World Trade Organisation (WTO), if "*clear commitments to create a fully-fledged market economy*", as well as active improvements to improve Human Rights related records, were consistently made (European Commission, 1995).

The publication of this document marked the end of six years of frozen bilateral relations, EU sanctions and UN resolutions condemning China's Human Rights issues, in reaction to the Tiananmen Square Massacre. Some sanctions were then lifted due to China's proposal for the establishment of a bilateral dialogue mechanism addressing Human Rights, the EU-China Human Rights Dialogue, which has been held annually since then. This mechanism "*represents the sole dialogue dedicated to promoting an EU value*" (Taylor, 2021), through which the EU advocates for the defence of Human Rights, as part of a comprehensive strategy of constructive engagement with China. The practical implementation of the Human Rights Dialogue is deemed to be lacking, with unsatisfactory results that can be partially attributed to a high level of incoherence between the theoretical value-based normative approach and the impositions of practical interests by EU member-states (Mattlin, 2012). In a recent study, the EU's method of operation in diplomatic context is addressed and highlighted as one contributing factor. According to the author, "*while the dialogue is significantly weakened by China's systematic obstruction, the EU plays a key role in facilitating this, with ineffective diplomatic approaches and insufficient political backing by member states*" (Taylor, 2022).

In the year 2001, China joined the WTO. It is arguably the defining moment of the beginning of the 21st century, since it represented the creation of a new power balance – which hasn't been reset by the COVID-19 pandemic – by effectively enabling China's official participation in the global market. The EU-China relationship had taken a step further only three years before, in 1998, with the first Annual EU-China Summit (Jochheim, 2021). Shortly after, in 2003, the EU and China signed the Strategic Partnership agreement, a comprehensive, long-term strategy that represented an

important step forward in the increasingly cooperative relationship. This agreement was the precursor for the current bilateral strategic dialogue architecture, based on three fundamental conceptual pillars and their respective dialogue mechanisms: economy (High Level Economic and Trade Dialogue, since 2007), politics (High Level Strategic Dialogue, since 2010) and societal issues (High Level People-to-people Dialogue, since 2012) (Sajdak, 2014).

The Annual EU-China Summits represent the most important bilateral dialogue mechanism in this relationship, acting as the centre of gravity around which all parallel technical dialogue mechanisms revolve. Held every year since 1998 – with the exception of 2021, due to high discrepancies and little chance of progress in key areas – it is the prime regular diplomatic setting in the bilateral relation, in which the highest representatives address the most critical and topical issues. As a result of the sustained growth in bilateral trade volume and increasing institutional cooperation, both sides announced an agreement to negotiate a comprehensive trade partnership in February 2012, at the 14th EU-China Summit (Council of the European Union, 2012). The bilateral trade volume had been steadily rising, but the problematic nature of uneven market access remained – heavily favouring China, with severe restrictions on European companies to operate in the country. Among other issues, such as intellectual property theft and the opaque nature of Chinese internal economic bureaucracy, the situation was exacerbated by the existence of twenty-five outdated bilateral treaties between China and EU member-states, concluded before the 2009 Treaty of Lisbon largely placed external investment within the EU's jurisdiction (Jochheim, 2021). As a new comprehensive framework for bilateral investment, *“the CAI was intended to go far beyond traditional investment protection, to cover market access, investment-related sustainable development, and level playing field issues, such as transparency of subsidies, rules on state-owned enterprises, and forced technology transfer”* (European Parliament Research Service, 2021).

Thus, the Council of the EU approved the establishment of a negotiating mandate for the new trade agreement with China, in October 2013. The CAI would be the largest and most ambitious trade agreement between the EU and China to date – two of the three biggest economies in the world, representing 35.9% of the total global GDP in 2014, according to the World Bank. Such an achievement represented a remarkable step forward in the bilateral relationship, due to its unprecedented scope and ambition (Council of the European Union, 2012). The negotiations for the CAI progressed slowly in the initial years, with the first round of negotiations only taking place in January 2014, close to a full two years after the political agreement. Two more years would then be necessary for an agreement to be reached on the scope of the agreement, resulting in the establishment of a joint negotiating text, in January 2016. In the 21st EU-China Summit, in 2019, a formal commitment was made to conclude negotiations and sign the CAI by the following year. In the last month of 2020, both sides fulfilled that commitment by signing an agreement in principle, which has not yet been ratified and was put indefinitely on hold in 2021 (European Commission, 2022b).

During the negotiations of the CAI, the bilateral relationship evolved and became associated with an increasing number of official mechanisms for cooperation, with further

reach and depth. The 2020 Strategic Agenda for Cooperation, an update of the 2003 Comprehensive Strategic Partnership Agreement, would be signed in 2013, as the highest joint-level document providing guidance over the EU-China Comprehensive Partnership (*EU-China 2020 Strategic Agenda for Cooperation*, 2013). In 2016, the European Commission published a joint communication to both the European Council and the European Parliament, containing elements for a new EU strategy on China. It was presented as the first dedicated document to the EU's strategic approach to China, a necessity that was highlighted by the fact that *“the EU needs its own strategy, one which puts its own interests at the forefront in the new relationship; which promotes universal values; which recognizes the need for and helps to define an increased role for China in the international system; and is based on a positive agenda of partnership coupled with the constructive management of differences”*, as stated in the communication's executive summary. Thus, this document represented the recognition of the need to establish a well-defined strategy that would act as the framework to chart a clear course to successfully navigate an increasingly complex relationship, with an equally increasingly powerful authoritarian government. The most pressing issues were related to the impositions on achieving practical advancements on China's reform process while fostering a growingly mutually beneficial relationship, through the application of a comprehensive constructive approach. In order to achieve this, it would be imperative for the EU to maximise its internal cohesion, so that, as a united front, it could equally achieve maximum effectiveness when dealing with China. Admittedly, the wide divergences on fundamental values represented both an obstacle to, and a reason for the construction of a successful strategic approach to China. The promotion of sustainable development, respect for Human Rights and the rule of law, both within China and internationally, would invariably represent a crucial aspect of this engagement (European Commission, 2016).

3.4.2. Turning Point – A new paradigm?

In the EU's comprehensive Strategy Policy on China, published in March 2019, the country has officially been described as a *“partner, an economic competitor and systemic rival”*, simultaneously and in different policy areas (European Commission, 2019). This document, titled *“EU-China – a strategic outlook”*, a joint communication by the European Commission to both the European Parliament, the European Council and the Council of the EU, arose from the necessity to update the official strategic framework on China introduced in 2016, as a recognition of the rapidly evolving nature of the bilateral relationship. It is presented as the *“cornerstone of EU engagement”* on China, with the goal of *“providing the basis for delivering a further EU policy shift towards a more realistic, assertive and multi-faceted approach”*. Particular emphasis is placed on pursuing a pragmatic approach, based on the EU's interests and principles, with the recognition for the need to adapt to the global changing paradigm. As some of the key suggested actions, the ability to sustain a constructive dialogue on Human Rights and environmental sustainability are deemed to be essential, as well as representing an effective representation of the quality of the bilateral relationship. Here, the UN

framework is key – the Sustainable Development Goals translate the EU’s fundamental values into practice, and are mutually praised as effective tools for bilateral cooperation. An additional highlight is the issue of China’s duality regarding international law and regional security – such as maritime claims in the South China Sea, refusing arbitration rulings issued by the United Nations Convention on the Law of the Sea (UNCLOS) in 2016, as well as the One-China Principle, related to Taiwan’s sovereignty and claims for independence.

The chosen characterization of China in the Strategic Outlook – with particular emphasis on the words “systemic rival” – is closely related to the main schism between the two entities, related to their respective approach to Human Rights. This fundamental divergence is clear in China’s Foreign Minister Wang Yi’s intervention in the 46th United Nations General Assembly, on February 22nd of 2021, who sought to introduce China’s own particular view of Human Rights. The Minister’s definition characterized these fundamental rights as “*peace, development, equity, justice, democracy and freedom*”, in an alleged “*people-centred*” proposition that indicates the individual’s “*sense of gains, happiness and security*” as “*the fundamental pursuit of human rights*”. The implications of placing the concepts of development and sense of gains at the forefront of this definition are made clear when analysing China’s rhetoric when addressing economic growth and Human Rights – the common stance of referring to the explosive economic growth in Xinjiang in the light of Human Rights concerns appears to suggest that the former justifies and trumps the latter (Tiezzi, 2021).

In 2019, parallel to the publication of the Strategic Outlook on China, the EU’s Sakharov Prize for Freedom of Thought “*is the highest tribute paid by the European Union to human rights work*” was awarded to Ilham Tohti, an outspoken advocate for the Uyghur people against systematic discrimination by the Chinese government, who has been serving a life sentence in China, since his conviction in 2014, on “separatist” charges (European Parliament, 2019b). Notable laureates for this prestigious award include Nelson Mandela, Malala Yousafzai, Denis Mukwege and Nadia Murad, who went on to win the Nobel Prize (European Parliament, 2022c).

On December 17th of 2020, the European Parliament (EP) overwhelmingly approved a resolution on “*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*” (European Parliament, 2020a). One could argue that this document represents a pivotal moment in the bilateral relation, due to both the timing of its publication and the unprecedented clarity in the condemnation of China’s treatment of the Uyghur ethnic group in an official EU document. In a series of considerations which meticulously characterize China’s actions on this regard, thereby presenting a comprehensive exposition of the extent of the issue, the Members of the European Parliament (MEPs) characterize the regime’s treatment of these individuals as to “*violate their human dignity, as well as their rights to freedom of cultural expression and religious belief, to freedom of speech and expression, and to peaceful assembly and association*”. The depth of the EU’s constitutional impositions on coherent external action, regarding

its fundamental values, is clearly rooted in the assumption that *“human rights are deemed to be indivisible from its other values, especially rule of law and liberal democracy, which serve to enable them”* (Taylor, 2021). The nature of the language used in this resolution reveals an acute awareness of such a fact – In point 3, MEPs state that the European Parliament *“deeply deplores the continued persecution and the serious and systematic human rights violations that amount to crimes against humanity”*. As an additional measure, in line with this resolution, the EU imposed sanctions on four Chinese individuals holding political offices in Xinjiang, as well as the entity managing the detention centres in the region, *“because of the atrocious human rights violations for which they are responsible”* (Bütikofer, 2021; Emmott, 2021). In March 2021, the European Parliament adopted a resolution on *“The crackdown on the democratic opposition in Hong Kong”*, as a response to a series of arrests under China’s novel National Security Law on Hong Kong, passed on June 30th, 2020. The resolution highlights major Human Rights violations under this law, with a particular focus on curbing freedom of speech – any manner of support of Hong Kong’s secession from China is deemed unlawful, under purposefully broad and unclear definitions of “terrorism” and “colluding with foreign organisations” which were indiscriminately applied on protesters (European Parliament, 2021d).

In March 2021, China retaliated with countersanctions targeting a number of individuals, among which Members of the European Parliament (EP), members of several EP Committees – such as the EP’s Subcommittee on Human Rights – as well as researchers, who were both forbidden from entering and doing business in Chinese territory, officially including the Special Administrative Regions of Hong Kong and Macau. This decision was based on the perception that the European Union was *“flagrantly violating international law”* by displaying a *“gross interference”* in China’s internal affairs. In addition, Chinese authorities claimed that the accusations were *“based on nothing but lies and disinformation”* (BBC, 2021; Reuters Staff, 2021). Towards the end of the same year, the European Union approved the renewal of the aforementioned sanctions on four Chinese individuals and one entity, reinforcing the firm stance against the identified Chinese Human Rights abuses (Emmott, 2021). Amidst the rapidly deteriorating bilateral relationship, the CAI – then pending ratification after having been agreed upon, on principle, at the end of 2020 – was officially and indefinitely put on hold on May 2021. The European Parliament’s resolution of the 20th of May 2021 on *“Chinese countersanctions on EU entities and MEPs and MPs”* was approved with 599 votes in favour, 30 votes against and 58 abstentions. In the document, the MEPs state that negotiations on the CAI have *“justifiably been frozen because of the Chinese sanctions in place”*, while implicitly placing Human Rights at the forefront of the Union’s external approach by informing the European Commission that *“that Parliament will take the human rights situation in China, including in Hong Kong, into account when asked to endorse the CAI”* (European Parliament, 2021b; Jochheim, 2021). Even though Human Rights are not explicitly placed within the scope of the CAI, the nature of the EU’s constitutionally imposed value-driven external action – as seen in Point 5, Article 2 of the Treaty of Lisbon (Official Journal of the European Union, 2007), as addressed in section

3.1. – dictates its fundamental values must be upheld at all times. The European Parliament has drawn a clear red line that must be taken into account when negotiating an agreement on lifting mutually imposed sanctions, a pre-requisite for the CAI's negotiations to be resumed (Hu, 2021).

Since the institution of Deng Xiaoping's reforms, the growth rate of the EU's economy has been consistently far behind China's. Data from 2022 indicate that, while China has suffered a major decrease in growth, directly related to the effects of the COVID-19 pandemic, which struck particularly hard in the country, its GDP has surpassed that of the EU, for the first time in history. Regardless of the wide difference in GDP *per capita* – the EU's stands over three times larger, due to the difference in population numbers – this achievement cannot be understated. According to current predictions, China is in the path towards equalling, then surpassing the United States as the world's largest economy, by the end of the decade (Eurostat, 2022; Zhang, 2022). China's transformation into a global economic power has been developing at a neck-breaking pace. In the contemporary, deeply interlinked international market, the world's nations are mutually reliant and economic isolationism is not an option. Where economic power comes, political power follows, thus China is an unavoidable global power, and one which must be given full and particular attention, as an authoritarian state. The new paradigm of the EU-China bilateral relationship, where the deep schism in fundamental values has become more visible, with substantial political and economic consequences, represents a new challenge for policymakers with an added layer of complexity and difficulty.

Institut Montaigne's 2022 report on “*Rebooting Europe's China Strategy*” (Bond *et al.*, 2022) frames the issue as a succinct question, displaying the deep inherent complexity of the subject: “*Can Europe avoid an economically decoupling from China and maintain mutually beneficial ties while still remaining true to itself?*”. Here, an increased EU strategic autonomy and sovereignty is an essential tool towards increasing its metaphorical weight in external affairs. While China is ruled by the Chinese Communist Party, it will pose a major threat to liberal democracies – thus, to the fundamental values of the European Union, headed by Human Rights, as analysed in section 3.1. In the present, mutually dependent economic bilateral relationship, EU policymakers and leaders face contradictory incentives that often result in extremely complex and impacting dilemmas. In a 2021 resolution, the European Parliament has taken a clear position on the manner in which the EU should approach its external action with China, in light of the shifting paradigm of the bilateral relationship. On September 15th of 2021, the resolution on “*A new EU-China strategy*” was adopted. MEPs called the EU to “*develop a more assertive, comprehensive and consistent EU-China strategy... With the defence of our values at its core and promoting a rules-based multilateral order*” (European Parliament, 2021a; Jochheim, 2021).

The EU-China Strategic Agenda for Cooperation expired in 2020. In the 2020 bilateral summit (22nd edition), both sides failed to reach an agreement on what the subsequent framework for this expired agreement would be – a demonstration of the polarization of the plethora of dividing issues between them. In the following year, for the first time since the first edition in 1998, an EU-China Summit was officially postponed, due to the

realisation that the chances of achieving progress in key areas of cooperation was slim, with the frozen CAI agreement as a clear standout. Traditionally representing the ideal setting for addressing common concerns and objectives while managing differences in a constructive manner, seeking mutually beneficial arrangements, the implications of the souring state of the relationship lowered expectations below the minimum threshold for both parties to agree sitting at the same table (Lo, Mai and Bermingham, 2021). The 2022 Summit (23rd edition) took place in April, in the midst of the Russian invasion of Ukraine. China's position as a *de facto* enabler of the conflict, demonstrated by its refusal in issuing a public condemnation of Russian aggression and unlawful military actions, as well as unwillingness to join international sanctions against the country, placed this issue as the number one priority for the EU at the Summit. Chinese propaganda, traditionally heavily antagonistic of the US/NATO apparatus, would easily follow the Russian narrative along those very same lines. Thus, a change of course in Chinese tacit support for the Russian invasion was a crucial point in EU demands, at the potential cost of harming the economic ties between both parties – China's public addresses should contain clear condemnation, and China would both join the EU's sanction package on Russia and offer humanitarian access to the people of Ukraine. In turn, Beijing sought to shift the mutually acceptable goals towards avoiding public compromise and maintaining ambiguity, in an effort to avoid concessions, rendering EU's efforts on this regard to fall short (Dûchatel, Stanzel and Szczudlik, 2022).

The EU-China bilateral relationship shows clear signs of deterioration, and the inability to find the necessary common ground for the establishment and nurturing of a comprehensive partnership may suggest a deeper inability to successfully maintain any type of constructive partnership. Nevertheless, both parties display a willingness to maintain dialogue – China has accepted to resume the bilateral Human Rights dialogue, as well as indicating some level of willingness to attend further high-level dialogues with EU representatives (Poggetti, 2021). In a parallel program, the EU has been maintaining Human Rights consultations with Taiwan, having held the fifth edition in October 2022 (European External Action Service, 2022b).

3.4.3. Current State of Human Rights in China

The current state of China's Human Rights situation has been widely and extensively addressed by a number of different entities, each contributing towards the common understanding that it has been steadily deteriorating. It has been widely reported and addressed by numerous Non-Profit Organisations, EU institutions and UN bodies, thus the goal of this section is not to delve into an in-depth discussion of the subject, but to provide a brief overview on some of the major related issues.

The standout violations are referred by previously mentioned official EU communications, such as on Xinjiang Human Rights abuses (European Parliament, 2018a, 2020a, 2022e), attacks against freedom of speech in Hong Kong (European Parliament, 2020b, 2021d, 2022g) and oppression and containment of millions of citizens under Xi Jinping's signature policy "COVID Zero" (European Parliament, 2022a) – largely used as a

political tool for enforcing control. Arbitrary or loosely justified arrests and unchallenged legal action by an omnipotent single party state on individuals have been part of the *modus operandi* of the Chinese Communist Party (CCP) for decades.

In its 2021/2022 Report on Human Rights, Amnesty International highlights an increasing number of Human Rights abuses in China, stating that “*human rights lawyers and activists reported harassment and intimidation; unfair trials; arbitrary, incommunicado and lengthy detention; and torture and other ill-treatment for simply exercising their right to freedom of expression and other human rights*”. Regarding the Xinjiang Autonomous Region and China’s treatment of Uyghurs, the report refers that “*the government continued a campaign of political indoctrination, arbitrary mass detention, torture and forced cultural assimilation against Muslims living in Xinjiang*”. In addition, restraints on freedom of speech are mostly connected to the crackdown on Hong Kong protesters, under the National Security Law, resulting in hundreds of arrests and lengthy prison sentences, as well as media restrictions – the only pro-democracy newspaper in Hong Kong was forced to cease operation, while the public broadcaster Public Television Hong Kong was heavily censored and restructured (Amnesty International, 2022).

Human Rights Watch’s 2022 Report and Amnesty International’s report heavily overlap on key issues, reaching similar conclusions. China’s clear and aggressive repression of pro-democracy movements in Hong Kong is given a particular emphasis, together with various Human Rights abuses in Xinjiang. It underscores the existence of so-called “*re-education camps*” in the province, officially used to “*combat terrorism*”, are used as modern concentration camps that systematically forcefully imprison Uyghur individuals on little to no justification. The report accuses Xinjiang authorities of “*mass arbitrary detention, torture, enforced disappearances, mass surveillance, cultural and religious persecution, separation of families, forced returns to China, forced labour, and sexual violence and violations of reproductive rights*”. Censoring and curbing freedom of expression and religious identity, while submitting citizens to massive surveillance are commonplace. In particular, internet monitoring and censorship often takes the shape of social media post deletion, with associated legal accusations and convictions under dubiously worded charges – such as “*spreading rumours*”, “*picking quarrels and provoking trouble*”, as well as “*provoking the country’s leaders*”. The removal of the online profiles of prominent figures, such as actors and singers, who promote public criticism of the Communist Party or its actions, is commonplace (Human Rights Watch, 2022).

As a final remark, it is important to address the non-profit organisation Freedom House’s report on China. It classifies China as “not-free”, assigning the country 9 out of 100 points related on its Freedom Index, in the 2022 report. China is considered to be a “surveillance state”, where citizens are constantly monitored by a system of surveillance cameras that covers most of the Chinese cities. In addition, the government possesses a tight grip on the country’s internet landscape, while controlling all of the national media. Independent sources of information, such as international media organisations, are largely banned. Carefully curated by the “*Propaganda Department*” of the Chinese Communist Party, it assures that the common citizen looking for unbiased information faces a nearly

impossible task. In addition, China's authoritarian government makes use of a technologically advanced surveillance apparatus to achieve an unprecedented level of monitorization and control of each individual (Freedom House, 2022).

Despite these issues, the Chinese government has consistently maintained that it respects human rights and has made progress in this area. It points to improvements in areas such as healthcare, education, and poverty reduction as evidence of its commitment to improving the lives of its citizens, equating these with its own interpretation of human rights, as discussed in the previous section (3.4.2). However, many human rights organizations and governments around the world remain sceptical of China's claims and continue to call on the country to address its human rights abuses. The international community has been closely monitoring and acting towards improving China's human rights record, and is predicted to continue to do so in the coming years. As addressed in this specific section, the European Union stands out as one of the most prominent entities. Accordingly, the purpose of the following chapter is to examine the way in which the EU acts on this regard, in accordance with its fundamental values, by analysing official documentation related to China.

4. Document Analysis

In this chapter, textual analysis has been performed in a selection of documents which were deemed to be representative of the evolution and present state of the bilateral relationship. These were divided by the three categories presented in section 2.2.2: EU-China Summits, EU Strategy on China and EU Parliament Resolutions. The decision to divide the analysis into these three divisions is based on the understanding of the implications of each particular context, particularly reflected in the type of language that was used. It is, thus, an approach that seeks to address comparable documents in order to objectively characterise the evolution of the EU's stance and discourse in the different platforms of its interaction with China, which will then be combined in a general, comprehensive characterisation.

The methodological approach comprised mixed methodology, with the combination of qualitative and quantitative methods. The application of Critical Discourse Analysis (CDA) constituted the qualitative approach, which theoretical framework is presented in section 2.2.1. In addition to CDA, a selection of quantitative methodology was applied to further enrich the analysis. Depending on the particular context, methods such as word count, number of topics and number/type of documents were used as complementary tools for this research's comprehensive analysis on the bilateral relationship.

As part of the necessary initial considerations regarding the application of the CDA methodology, the first task was to identify the major themes or subjects of interest in the analysed texts, in order to provide a substantiated structure to the analysis by enabling an understanding how different parts of the text relate to one another and how the text itself fits into larger discourses or debates. In addition, identifying these themes proved to be a valuable help in identifying power dynamics or biases in the text, as well as to highlight the ways in which language and discourse are used to construct and maintain social identities and power relations. Overall, the purpose of defining text themes in CDA is to gain a deeper understanding of the meanings and implications of the text, as well as to explore the ways in which language and discourse shape and are shaped by social and political contexts. This was particularly important for this research, as the four categories were deeply connected and often documents will cross-reference one another, as part of common or relevant contexts during the ten-year period that will be analysed.

For each of the document categories, a number of documents was analysed using the CDA method, with the previously defined themes of Human Rights, Environment, Fundamental/Liberal-Democratic Values and Rule of Law/International Order as codes (see section 2.2.1.). The use of themes in this particular research constitutes a helpful approach with two major advantages – not only it helps to clearly identify the areas of the text where fundamental EU values are referred, but it also enables an adequate categorization of the types of values that are being addressed. This second point will prove to be crucial in identifying underlying trends regarding specific EU values in this bilateral relationship, over the selected period of time.

During the document analysis, in the following sections, both *italic* and/or underline will be used to highlight words or expressions in quotations that are of particular interest

within the presented context, with varying meanings, depending on the particular analysis, and clearly characterised. The application of the three conceptual levels comprising the framework of the CDA methodology – as addressed in section 2.2.1. – will be done simultaneously and interchangeably for each document, as to enable the necessary fluidity in analysing text that possesses a heavy contextual component, often with the use of cross-referencing over other documents, be it in the same category or one of the three others. This fluid and comprehensive approach will be maintained throughout the subsequent sections, complemented by the addition of qualitative methodology where applicable, as to provide a clearer view on the subject and further enrich the analysis.

4.1. EU-China Summits

This section will analyse documentation related with EU-China Summits, since 2012. Both joint declarations and unilateral press releases will be analysed, as well as other relevant documents related to specific summits – which can include summit statements or remarks – in order to provide a more comprehensive overview on each of the events.

Table 1 summarizes the publication of joint statements in each of the annual bilateral EU-China summits. The nature of a joint statement necessarily represents the existence of a substantial level of cooperative intentions, based on shared points of view. Thus, the presence or absence of this document as the conclusion of a summit is a particularly strong indicator of the state of the bilateral relationship at that specific point in time. Notwithstanding, when analysing Table 1, the main highlight is the absence of the 2021 Summit. This edition was postponed due to the mutual assumptions that, based on clear indications and publicly stressed divergent points of view, the possibility of partaking in any type of constructive discussions and reaching significant consensus in matters of interest was too low. Thus, the absence of this summit represents the lowest possible point of a bilateral relationship that is deemed to be “cooperative”, as the minimum threshold of consensus has not been reached – for both parties to agree on simply sitting at the same table.

Table 1 - Publication of Joint Statements in EU-China Summits (Yes/No)

Summit (Year)	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Joint Statement	Y	Y	Y	Y	N	N	Y	Y	N	No summit	N

For the first four years of the analysed time frame, all of the summits resulted in the publication of a Joint Statement. Although the parties did not publish an official Joint Statement for the 2013 Summit, the publication of the EU-China 2020 Strategic Agenda for Cooperation at the conclusion of that same event constitutes a significant joint initiative which can be deemed to, at the very least, be equivalent to a joint statement,

representing a major step forward in the bilateral relationship (*EU-China 2020 Strategic Agenda for Cooperation*, 2013). However, the 2016 summit broke away from the positive pattern by representing the first which did not result in the publication of a document of this nature. From this year onwards, joint statements have only been published in two editions, out of a total of six. In this particular year of 2016, in the month before the summit, the EU published its strategy policy paper “*Elements for a new EU strategy on China*” (European Commission, 2016), with the goal of defining a clear strategy to deal with China. This document addressed the admittedly increasingly complex bilateral relationship, where the wide divergences on fundamental values represented the duality of both hindrance to and reason for the construction of a successful strategic approach to China, in which the values of the EU would be fundamental guiding principles.

The previously mentioned absence of a summit in 2021 is conspicuously representative of the downturn in the bilateral relationship since 2020, where the Strategic Agenda for Cooperation expired without the parties having reached the necessary consensus for the approval of its subsequent agreement. In understanding the visible downturn in the bilateral relationship in 2019/2020, it is important to mention several indicators. The publication of the updated strategic document on China, “*A strategic outlook*”, in 2019 (European Commission, 2019), where China is designated as a “*systemic rival*”, as well as the publication of the stand-out resolution by the European Parliament on Human Right’s abuses in Xinjiang in 2020, titled “*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*” (European Parliament, 2020a), together with mutually imposed sanctions by each of the parties in that period of time, make 2019/2020 a pivotal moment in the bilateral relationship.

In general, the absence of a joint statement after a summit could indicate that the two sides were unable to reach any agreements or consensus on the issues being discussed, which, in turn, may have been caused by significant differences of opinion or disagreement between the two sides, resulting in the inability to find common ground. This understanding is crucial to address the evolution of the bilateral relationship over the decade in focus, in addition to the application of the textual analysis methodology described in section 2.2.1.

4.1.1. The First Phase – 2012 to 2015

The initial phase of this analysis comprises four summits, with their respective joint statements and related documents. Here, the nature of the language and addressed subjects does not represent a striking evolution in the EU’s rhetoric and stance on China, and these documents are characterised by a large focus on environmental cooperation.

The 2012 summit’s joint statement (Council of the European Union, 2012) is the first document analysed in this section. It represented the landmark political agreement to begin negotiations on an EU-China agreement on investment (the previously mentioned CAI). The five-page long joint declaration addresses the bilateral relationship under the premise that both sides:

“share *broad* common interests, and *where differences remain* these should be discussed and handled in a spirit of mutual respect and equality”.

The highlighted words and expressions convey the positive, cooperative approach that both parties wish to put into practice. While acknowledging differences, the use of the word *broad* serves to emphasise the large overlap in each of the parties’ respective interests and objectives, overshadowing disparities of opinion. Thus, it sets the stage for a constructive approach towards resolving the acknowledged divergencies, *where differences remain*. In this light, the document contains a standard reference to the mutually promoted defence for HR, as one of its thirty-two points. As for the theme Environment, it has a much larger presence in the document, as it is explicitly present in six out of the thirty-two points. In addition, ROL is addressed under the guidance of the UN’s SDGs. The used language is inclusive and reinforces the existing and reiterated power dynamics between the two entities – all affirmations refer to “the two sides” or “both sides” as the active agent, thus ascribing equal agency in the numerous mentioned agreements and cooperation mechanisms.

The 2013 summit represents a major peak in the bilateral relationship by announcing the official launch of the negotiations for the CAI and the release of the Strategic Agenda for Cooperation (*EU-China 2020 Strategic Agenda for Cooperation*, 2013). This document’s foreword explicitly imputes agency in both the EU and China as to “share responsibility for promoting peace, prosperity and sustainable development for the benefit of all”, as partners. This document’s major emphasis is on Sustainable Development, extensively featuring the Environment theme by addressing areas of cooperation between both parties, as equals. In addition, EU FV are implicitly addressed through the concepts of “humanitarian principles”, further expanded by references to “decent work” and “counteract discrimination”, none of which were present in the 2012 summit’s joint declaration. Finally, ROL is addressed with references to the UN as the mutually accepted central entity in global affairs and promoter of the establishment of a rules-based system. HR are also addressed under non-committing terms – “*deepen* exchanges on human rights (...) on the basis of equality and mutual respect”.

In **the 2014 summit’s** joint statement (European Commission, 2014), both parties state that they “are willing to *deepen their understanding* of each other’s *development choices*”. This interesting choice of words may refer to the parties’ widely different types of government and their implications for a mutually desired, increasingly constructive and interdependent relationship, as the complexity of such a predicament unfolds into practice. The short, three-page document contains twenty points, among which the standard point on HR, as well as the Environment and ROL, with mentions to the importance of the UN as the central entity in international affairs and the maintenance of a system based on the rule of law.

The 2015 summit represented the first edition attended by the current Chinese Premier, Li Keqiang, together with Presidents Juncker and Tusk. This summit resulted in the first joint press conference after a summit in Brussels (Council of the European Union, 2015c), together with the publication of both a joint statement (Council of the European Union,

2015b) and a special joint statement on Climate Change (Council of the European Union, 2015a). The joint statement on climate change represents an entire document related to the Environment theme, addressing common issues and cooperation mechanisms, attributing full agency to both parties, in a partnership of equals. In turn, the main joint statement contains additional mentions to Environment under the same light. ROL was addressed by the standard reference to the UN and the international system based on the rule of law, emphasizing the topical question of the conflict in Ukraine (Russian invasion of Crimea).

Regarding the remarks by president Tusk in the joint press conference, due to the nature of the statement and its context, as a unilateral declaration, particular emphasis will be given to its analysis. Out of the document's ten paragraphs, two are explicitly related to HR. The following quotes represent the major points for analysis:

“We also discussed how we could further improve cooperation on human rights”.

“I expressed our concerns on freedom of expression and association in China, including the situation of the persons belonging to minorities such as Tibetans and Uyghurs”.

In the first quote, there is a clear intent to extend mutual agency and foster the existence of a productive relationship, made evident by the use of the pronoun we and the positive approach. The second quote contains the first instance of prerogative language in a document related to a bilateral summit within the selected timeframe for this research. The word *concerns* conveys a divergent opinion and identifies what one party considers to be a problem on the other party's behaviour – while both sentences illustrate the EU's intent on seeing it resolved. The use of the euphemism *situation* to describe HR abuses against minorities by the Chinese government similarly represent the positive approach described in the first quote, while reflecting the emphasis in the second quote. In addition, the specific mentions of oppressed minorities in China constitute the first instance of identification and criticism of particular issues related to HR, in the analysed timeframe.

On the subject of ROL, president Tusk addresses the topical issue of the South China Sea disputes and UNCLOS by stating that: “*States* should pursue the settlement of maritime disputes in accordance with international law”, where the use of passive voice represents a clear intention in not directly referencing China at a moment of heightened tensions related to the ongoing judicial process (2013–2016). On a final note, the subject of Environment was addressed using the same constructive approach while providing agency to both parties, in cooperation for shared goals.

4.1.2. Strategic Shift – 2016 to 2019

In June 2016, the European Commission published the strategic policy paper titled “*Elements for a new EU strategy on China*” (European Commission, 2016). The following month, that year's edition of the bilateral summit was concluded without the publication of a joint statement, for the first time in the relevant time frame for this research. When analysing this year's summit, it is crucial to take this context into account,

given the importance of the publication of an updated, dedicated China strategy. Specifically, the shift in the EU's approach is clear when considering statements such as the following: "*the EU needs its own strategy, one which puts its own interests at the forefront in the new relationship*" (as analysed in section 3.4.1.). This excerpt contains a clear indication of the necessity of injecting the current approach with additional pragmatism.

Regarding **the 2016 summit**, this analysis will focus on two important documents: statements by President Tusk before (Council of the European Union, 2016c) and after the summit (Council of the European Union, 2016b). In the first document, 5 out of the 10 total paragraphs implicitly address fundamental EU values. President Tusk makes numerous references to ROL and the Environment using constructive, inclusive language, thus providing agency to both the EU and China, as equal partners with assumedly common goals related to the international system. Nevertheless, HR and ROL are addressed in a different light, as displayed by the following quote:

"As in every mature partnership *we may sometimes have differences of opinion* (...). That is the case, for example, with our discussion of human rights and the rule of law. *I stress the importance for the European Union* of the freedom of the press, the freedom of expression, association and assembly, including for minorities".

There is an apparent intention to diplomatically refer to the wide divergences regarding HR and the ROL as *differences of opinion*, included in the standard constructive approach by the EU to these subjects, in the context of the summits. Notwithstanding, the use of the word *stress*, followed by the enumeration of specific issues, reveals the EU's consideration of the increasingly pressing situation, due to the lack of success in achieving meaningful progress. In the press remarks after the summit, President Tusk acknowledges and addresses the existing disagreements between both parties, by stating that:

"a global order based on common rules is in our mutual interest but *clearly we have our differences* in what it means in practise".

"It is *not always easy* to have such talks because the stakes are high and *real differences persist*".

The use of the adverb *clearly* stresses the divergence in views regarding how the global order should be structured, further illustrated by the affirmation that *real differences persist*. The adjective *real* provides a vivid characterisation and a clear indication of the extent to which the respective points of view continue to stand apart from one another (hence the word *persist*, indicating a long-term struggle). In the same light, regarding HR, the speaker states that "*there is no doubt that there are disagreements* on this issue". The setting of these remarks, at the conclusion of the summit, provides some context as to analyse the language and content, allowing to infer on the apparent lack of progress on the resolution of the mentioned issues.

The 2017 summit did not result in the publication of a joint statement, similarly to the previous edition. In President Tusk's statement after the summit (Council of the European Union, 2017), when criticising several "unfortunate decisions" by the US President

(headed by the decision to leave the Paris Agreement), he chooses to highlight bilateral cooperation with China in that regard. However, he also refers to ROL and FV by addressing the strength of the EU-US relationship as the:

“*best guarantee* that the people and nations who *advocate freedom and peaceful order* will not be left helpless or alone”.

Given the context, the highlighted words are not unintentional, and arguably imply that China is not the *best guarantee* of such. In addition, the affirmation implicitly juxtaposes the EU’s FV with China’s, particularly when considering the previous summit’s statement, where President Tusk mentions the existence of *real* differences. Likewise, the document addresses HR with the implicit characterisation of the situation as problematic: “I expressed our *concern* about (...)”, followed by the enumeration of specific issues, in tone with the previous year’s statements.

The 2018 summit represented the return of the publication of a joint statement, complemented by an additional Statement on Climate Change and Clean Energy, containing 16 points addressing concrete future projects or directives for bilateral cooperation in the field (Council of the European Union, 2018b). The standard joint statement has a strong presence of the ENV theme, with the standard point about HR and the standard references to ROL, with the UN as the central pillar for the rules-based international order. One particular highlight is a point about the UNCLOS – in light of the decision against China regarding its claims in the South China Sea – with the appeal for dialogue as the preferred method to solve disputes between relevant parties. President Tusk’s statement at the end of the summit (Council of the European Union, 2018c) heavily focused on ROL, in the topical issue of the WTO reform, as part of an effort to “improve” the world order, filling most of the document. However, one mention of HR stands out:

“it is not *always easy* to find agreement as differences *persist*. But *we agreed to enhance exchanges*”.

It should be noted that the choice of words is identical to that of the concluding statement at the 2016 summit, denoting a coherent line in the discourse that is applied when addressing the persistent divergencies between the EU and China, over several summits.

In this section’s last summit, **the 2019 edition** was concluded with the publication of a joint statement (Council of the European Union, 2019a). This document contained the standard, neutral references to ROL, with mentions of the UN and international law, with the addition of a point on the UNCLOS containing calls for dialogue among relevant parties. References to the reform of the WTO are also found, as well as support for the denuclearisation of North Korea, together with the usual focus on cooperation and issues related to the Environment. Nonetheless, the reference to HR differs from previous statements by the inclusion of descriptive language: “The EU and China reaffirm that *all human rights are universal, indivisible, interdependent and interrelated*”. This statement’s implications have been previously mentioned in section 3.1. It is important to place this summit in the following weeks after the publication of the EU’s updated

strategic policy paper on China, “*EU-China – A strategic outlook*”, where China was characterised as a “strategic rival” (European Commission, 2019).

Accordingly, in President Tusk’s closing remarks on what would be his last summit, (Council of the European Union, 2019b), there is a clear shift when addressing HR when compared to the previous summits:

“we *did not forget* about human rights. As *I have stressed many times before*, human rights are – from our, European point of view – as important as economic interests. This is why today, *just like in previous meetings*, I underlined the need to maintain the EU-China Human Rights Dialogue. I expressed *again* the EU’s serious concerns as regards human rights, and raised a number of individual cases.”.

The sense of continuity and urgency is made clear by the highlighted segments in *italic*, with the use of the verbs “forget” and “stress”, together with repeated allusions to this continued effort, without results. The underlined segments reveal a new level of assertiveness in the discourse regarding Human Rights, in the context of the bilateral summits. By stating that HR are as important as economic interests, President Tusk is making an implicit reference to China’s priorities, counterposing them with the EU’s. In addition, the use of the adjective serious regarding the word concerns, commonly used in previous statements of this kind, represents a strengthened opposition to China’s conduct.

4.1.3. The Pivotal Moment – 2020

The 2020 summit took place in the midst of the global COVID-19 pandemic, by videoconference. Amid worsening bilateral relations, the EU’s stance had been shifting towards an increased assertiveness and pragmatism in upholding its Fundamental Values. Such can be seen in the publication of the new strategic outlook (European Commission, 2019), as well as the poignantly critical European Parliament resolution from December 2019, titled “*Situation of the Uyghur in China*” (European Parliament, 2019d).

Predictably, this summit did not result in the publication of a joint statement. Presidents Michel and Von der Leyen released two press statements after event – joint remarks (Leyen and Michel, 2020) and a statement by President Michel (Council of the European Union, 2020). The joint remark addressed the EU’s FV in unprecedented clarity and assertiveness:

“we have to recognise that we do not share the same values, political systems or approach to multilateralism. We will engage in a *clear-eyed and confident* way, *robustly defending EU interests and standing firm in our values*”.

This quote represents the most assertive affirmation regarding the defence of EU FV in all editions of the bilateral summits up to this particular edition, for the relevant time frame. The usual use of euphemisms such as “differences” or “divergencies” is put aside for the clear statement that values are not shared, together with an assertive defence of both the EU’s strategic interests and values. In addition, the use of the words *robustly defending* evokes the vivid image of a conflict between antagonistic political ideologies,

while *clear-eyed* and *confident* further contribute to a colourful characterisation of the EU's new assertive and pragmatic approach to discourse regarding its FV. In this statement, the references to HR are equally incisive:

“On Hong Kong, the EU *reiterated its grave concerns* at steps taken by China (...) and considers those steps *not in conformity* with Hong Kong Basic Law and China's international commitments, and *put pressure* on the fundamental rights and freedoms of the population *protected by the law* and independent justice system”.

There is a clear accusation against China, regarding ROL – not respecting the Rule of Law in HK, as well as not respecting China's commitments under multilateral entities, contrary to the commonly reinforced stance by the country in these subjects. Here, the reference to fundamental rights and freedoms are implicitly described as threatened by the Chinese government (under *pressure*).

“The EU *raise its concerns* on the *deteriorating human rights situation*, including the treatment of minorities in Xinjiang and Tibet, and of human rights defenders, as well as restrictions on fundamental freedoms. (...) EU leaders raised *a number of individual cases*, including (...)”.

The presence of the word *deteriorating* is significant, as the first instance in which it was used in a summit's press remarks. Its application is further exemplified by listing a number of examples that reinforce it, explicitly bringing them to light. This approach differs from that in previous summits, where concerns about HR were typically addressed as a whole, without referencing specific instances.

President Michel's statement follows similar lines to those present in these joint remarks when addressing HR and ROL, on topics such as Hong Kong. In this subject, one standout is the following quote on European companies in HK:

“*we will not accept* pressure being brought to bear to undermine the political neutrality of these European companies established in Hong Kong”.

The use of the verb *accept* is a clear example of the new approach to discourse, with a firm, unwavering stance regarding fundamental European interests. Following this line, the speaker's approach to FV is unprecedented:

“This type of videoconference is an opportunity to *promote the European values in which we believe*: democracy, the rule of law, respect for human rights, and the protection and defence of minorities. We conducted this dialogue openly, directly and frankly”.

This quote represents the first explicit reference to *European values* in a bilateral summit. Furthermore, the underlined segment is another example of the shift in the EU's official discourse regarding the defence of its fundamental values, in line with the directives issued in the 2019's new strategic outlook on China, which called for a “more flexible and pragmatic” approach, “enabling a principled defence of interests and values” (European Commission, 2019). Thus, President Michel makes an unforeseen reference to mutual trust, challenging the established power dynamics between the two parties:

“Ensuring trust means we must tackle cybersecurity threats and fight all the disinformation techniques that erode trust, because as a component and factor *trust is absolutely vital*”.

The continued lack of progress in issues related to the defence of fundamental EU values, in spite of constant official commitments by China in that regard (HR, Environment, ROL), in every joint statement throughout the years, has contributed to the erosion of mutual trust and the rise of a new, more assertive EU rhetoric. Thus, 2020 can be seen as a pivotal moment in this bilateral relationship.

Two years later, **the 2022 summit** was held via videoconference, as the previous edition. The state of the bilateral relationship was at its lowest point in the analysed time frame, after the cancellation of the 2021 summit and the imposition of mutual sanctions. Predictably, this summit did not result in the publication of a joint statement. As in the 2020 summit, Presidents Michel and Von der Leyen published two separate documents – joint press release (Council of the European Union, 2022a) and a statement by President Michel (Council of the European Union, 2022b).

As President Michel declares, at the beginning of his statement, that “today’s summit is not business as usual, because this is a war-time summit”. Indeed, the content of both documents related to the summit feature ROL, on the war in Ukraine, as the main subject, with a particular focus on the threat to the established world order and the role of China in the conflict.

“We call on China to *help* end the war in Ukraine. China *cannot turn a blind eye* to Russia’s violation of international law. These principles are enshrined in the UN Charter and principles *sacred* to China.”.

The quote in question contains an implicit strong accusation of China’s stance on the conflict, by effectively implying that China is indeed turning “*a blind eye* to Russia’s violation of international law”, while exposing China’s dissimulated behaviour on upholding the fundamental principles contained in the UN Charter – standard theoretical commitments versus contradictory practical actions. However, President Michel offers China the possibility to make amends, by affirming that “positive steps by China to help end the war would be welcomed by all Europeans and by the global community”. President Michel’s direct accusations represent a type of discourse that has not featured in any statement before the 2020 summit, and embody the already identified new approach to this bilateral relationship. As customary, the statement contained references to the Environment and HR. In particular, the speaker stated that “we can and we must do more” on acting against climate change, explicitly stating that additional measures were necessary, while implying that China was not doing enough.

Regarding HR, a number of specific situations were listed, as in the previous summit. Expressions such as “raised our concerns about China’s treatment of minorities”, “crackdown on human rights defenders”, “expressed our regret at”, as well as “raised individual human rights cases” feature in one paragraph, and serve to illustrate the increasingly detailed and assertive posture regarding China’s abuses on this matter. One

final mention should be done to the reference to Taiwan, amid escalating cross-strait tensions.

Under the same guidelines, the joint press release places its major emphasis on ROL by addressing the conflict in Ukraine. Here, the EU and China are addressed as equals:

“We have a *common responsibility* to maintain peace and stability, and a safe and sustainable world. Key international norms and principles *must be respected*. We count on China’s support (...).”.

The references to both entities as signatories of the UN Charter, whose values are regularly upheld in joint statements, serve to underline China’s incoherent behaviour when counterposing words and action. In addition, the text contains an implicit criticism of China’s inaction regarding the EU’s efforts to end the conflict:

“No European citizen would *understand any support* to Russia’s ability to wage war.”.

“the EU called on China to support efforts (...) *consistent* with China’s role in the world as a permanent member of the UN Security Council, and its uniquely close relations with Russia”.

The first quote implies that China is indeed supporting Russia, to whichever degree, denoting such actions as unacceptable. Moreover, the second quote starts by appealing to China’s coherence and responsibility in the mutually praised UN, while the underlined section intends to highlight China’s major capacity in effectively pressuring Russia into stopping the conflict, given its uniquely close relations.

As a conclusion, the text makes note of China’s sanctions to several EU individuals, as a retaliation of EU’s sanctions against individuals and companies related to HR abuses in Xinjiang:

“The EU noted its *disappointment* with China’s *unjustified sanctions* (...). It called on China to *cease* such actions for a more productive engagement that would benefit both sides.”.

The selected quote contains an explicit criticism of China’s *unjustified* actions, with the implicit consideration that maintaining a productive engagement would be challenging. The use of the word *unjustified* is particularly interesting in this context, given the understanding that these were put in place in retaliation for sanctions initially imposed by the EU. In turn, those sanctions were preceded by the publication of the 2020 EP resolution on human rights abuses in Xinjiang (European Parliament, 2020a). The EU makes it clear that it is within its right, and indeed right, to sanction the individuals and entities which were directly involved with those actions. This classification of China’s sanctions as *unjustified* encapsulates the European Union’s renewed discourse in this bilateral relationship: acting according to its fundamental values, placing them as priorities in its external action and assuming a more assertive and pragmatic stance in their defence.

4.2. EU Strategy on China

For the relevant time period for this research, the EU's strategy on China has been described in two documents:

- “*Elements for a new EU strategy on China*” (European Commission, 2016).
- “*EU-China – A strategic outlook*” (European Commission, 2019).

These contain the general guidelines for the EU's engagement in this bilateral relationship, while the 2016 document was replaced by the updated 2019's Strategic Outlook, which is currently in effect. Both documents have been designed and presented by the European Commission to both the European Parliament and the Council, having then been approved and adopted into the Union's legal framework.

By performing an in-depth analysis of the discourse in both communications, it will be possible to understand how these documents shaped the EU's external action. After identifying common subjects in both documents, a direct comparison will be crucial in shedding light on the manner in which the used rhetoric has evolved from one to the other. In turn, that understanding will enable a more comprehensive analysis and overview on the EU's stance on China throughout the summits, as previously analysed in section 4.1. The analysis will follow the methodology laid out in section 4.

4.2.1. Elements for a new EU strategy on China (2016)

The document in question, “*Elements for a new EU strategy on China*” (European Commission, 2016), is structured in the following sections:

- I. Introduction.
- II. Principles of Engagement.
- III. The prosperity and reform agenda.
- IV. Finding common interests on foreign policy and security.
- V. Global governance and working together in the multilateral context.
- VI. A more joined-up approach towards China.
- VII. Next steps.

The document's core propositions are addressed in section I, where the fundamental premises are clearly laid out:

“The EU needs its own strategy, one which *puts its own interests at the forefront* in the new relationship; which *promotes universal values*; which recognises the need for and helps to define an increased role for China in the international system; and is based on a *positive agenda of partnership* coupled with the *constructive management of differences*.”

“The EU’s engagement with China should be *principled, practical and pragmatic*, staying true to *its interests and values*.”

The standard preposition for a cooperative partnership, always present in EU-China joint statements, is accompanied by a new understanding of the necessity to incorporate a more *pragmatic* approach, as a response to the implications of China’s own growth and increasing influence. Furthermore, by addressing the promotion of *universal values* and the EU’s *interests and values*, the text makes a clear reference to the EU’s FV, which can be directly applied to the mentioned *constructive management of differences* with China. The second quote contains a direct indication of the imposition of increased pragmatism that had not been seen before in this type of document. As a communication by the European Commission, due to its executive powers and role in initiating and proposing EU legislation, it is particularly significant when compared to documents such as European Parliament resolutions (Bomberg and Stubb, 2003).

Among this document’s eight initial propositions, five contain explicit mentions of three of the four identified themes, related to the EU’s fundamental values: Environment, ROL and HR.

Section II addresses the principles of engagement in this bilateral relationship, starting with the understanding that, “given the rapid pace of change in the EU and China over the past decade, it is time to reassess and reaffirm the principles underlying the relationship.”. The nature of the proposition is clear when stating that:

“the EU’s external action is governed by the principles that inspired its own creation: democracy, the rule of law, human rights and respect for the principles of the UN Charter and international law.”.

“The promotion of human rights will continue to be a *core part* of the EU’s engagement with China.”.

Here, Point 5 of the Treaty of Lisbon’s Article 2 is clearly and directly put into practice (see section 3.1.), in line with this policy document’s initial proposition for an increased pragmatism in upholding these fundamental rights in this bilateral relationship. Along these lines, China’s behaviour on the subject of HR is addressed as such:

“China’s *crackdown* on defence lawyers, labour rights advocates, publishers, journalists and others for the peaceful exercise of their rights, with a new and *worrying* extraterritorial dimension, *calls into question* China’s stated commitment to the rule of law and its respect for international obligations.”.

“The EU should also continue to *urge* China to release political prisoners, ensure fair trial and *fulfil its international commitments* in terms of protecting the rights of people belonging to minorities, not least in Tibet and Xinjiang.”.

The discourse in these quotes is one of clear criticism, unlike the nature of the language used by President Tusk in his statements after the bilateral summits in this period. Here, the EU levels a clear accusation against China, of not fulfilling its formal pledges to uphold HR and international law in accordance with the UN Charter. The characterisation

of China's actions through words such as *crackdown* and *worrying* reflects the level of criticism, while the haste associated to the necessity to address the issue is made clear by the use of the verb *urge*. In this regard, the EU's new level of assertiveness is undeniable: "The EU will *hold China to account* for its human rights record."

Section V addresses bilateral cooperation in the international context in direct references to both ROL and HR, where it is stated that:

"A rules-based international order based on respect for international law, including humanitarian and human rights law, is a *fundamental prerequisite* for securing international peace, security and sustainable development. Accordingly, the EU should work with China to promote the *universal advancement* of human rights (...)."

Throughout the document, numerous references to upholding the international rules-based order can be found, encompassing all sections and related to all addressed subjects. There is an evident assumption of the universality of the EU's fundamental values, enshrined in the UN Charter – which is officially supported by China. This simple predisposition is one of the main pillars for the multilateral, constructive approach continuously pursued by the EU, while, at the same time, being the source of an increasingly visible impatience and dissatisfaction regarding China's incoherent actions in this regard (as previously addressed).

Perhaps the most significant and successful aspect of this partnership has been the Environmental cooperation. The following quote leaves no doubts about the scope and difficulty of the task at hand, to:

"(...) resolve China's *immense* environmental problems (whose effects will be felt by the EU)."

At this document's publishing date, in the year 2016, China accounted for a quarter of the world's greenhouse gas emissions, being the single most impactful country in the world in this regard. Bilateral dialogue and cooperation in this field had been heavily featuring in bilateral summits since early in the relationship, before the analysed time frame, and can be considered to be, among the four themes in this analysis, the one where the EU's discourse has been consistently pragmatic and focused on practical solutions. Expressions such as:

"EU know-how can help support China's efforts to develop the appropriate policies and regulatory frameworks to move towards a green, low carbon and circular economy."

"The EU should share best practices (...)", "The EU should work with China to improve ocean governance (...)", "Cooperation on water issues (...) should be reinforced".

These quotes, among others, clearly demonstrate a more concrete, technical and result-oriented approach, focused on achieving results as fast as possible, when compared to the discourse used addressing other issues. The evident urgency of dealing with environmental issues and climate change justifies such an approach.

The conclusion that the EU should take a more pragmatic and assertive approach can be directly traced to the understanding that it “must also *deal with the reality* that China is a one-party system with a state-dominated model of capitalism.”.

Here, *dealing with the reality* seems to refer to the necessity to face the facts, in understanding that the archetype, true cooperation among equals may be regarded as too idealistic, in the sense that the imbalance between interests and values of both parties may represent a schism that limits cooperation to a certain degree. Consequently, the implication is that:

“Mutual economic and commercial interests are strong but should not prevent the EU from *upholding its values* in its relations with China.”.

The key to approach this bilateral relationship is, then, to:

“successfully to *handle differences* over respect for the international order, law and human rights, especially in the light of increased Chinese external assertiveness and internal repression.”.

“The EU should *continue to insist* that China *complies* with its international legal and human rights *obligations*, both within China and abroad, and should work with China to this end.”.

The expression *continue to insist* represents both the understanding of the constant, reiterating stance regarding HR – implicitly acknowledging the lack of progress in that front – and the tacit admittance that, nevertheless, it must continue to be pressed. China must *comply* with its *obligations*, both due to its own official commitments and both the validity and importance of the fundamental values in question.

The final consideration of the EU’s message in this strategy document might be that the core of the bilateral relationship with China is to successfully *handle differences*.

4.2.2. EU-China – A strategic outlook (2019)

Three years after the publication of “*Elements for a new EU strategy on China*”, the “*EU-China – A strategic outlook*” (European Commission, 2019) was published, representing the current EU strategic framework for this bilateral relationship. This document is composed of the following sections:

- I. Introduction.
- II. Cooperating with China to support effective multilateralism and fight climate change.
- III. Commitment to international peace, security, and sustainable economic development.
- IV. Achieving a more balanced and reciprocal trade and investment relationship.
- V. Strengthening the Union’s competitiveness and ensuring a level playing field.

- VI. Strengthening the security of critical infrastructure and technological base.
- VII. Conclusion.

When directly comparing the sections of both the former and the current strategic documents, it becomes apparent that a shift in discourse took place. The first clear difference is the presence of explicit references to the EU's values in points II and III, related to the Environment and ROL. In addition, all content-related points call for action in their respective subjects, starting with cooperation (II and III), then assertiveness and pragmatism (IV, V, VI). The latter points contain implicit references to the EU's necessity to firmly defend its interests faced with an admittedly uncooperative partner – to the desired extent – through the use of expressions such as “more balanced and reciprocal”, “ensuring a level playing field”. Here, point VI is particularly interesting by referencing the necessity to strengthen the “security” of the EU's capabilities, denoting both an implicit awareness and distrust of China's already identified disruptive covert actions against the Union.

The document's first section begins with the acknowledgment that:

“there is a growing appreciation in Europe that the balance of challenges and opportunities presented by China has shifted”.

Thus, it follows that the 2016 strategy on China should be used as:

“the basis for delivering a *further EU policy shift* towards a more *realistic, assertive, and multi-faceted* approach”.

This quote provides clear directives for the EU's approach to China, which, as the analysis of the 2020 and 2022 summits has shown, have been put into practice by shifting the official discourse accordingly. In the same initial section, China has been further characterised as “a cooperation partner (...), an economic competitor (...) and a *systemic rival* promoting alternative models of governance”. This characterisation has been previously analysed, and constituted a landmark step in officially establishing the new EU stance on the bilateral relationship. The new level of pragmatism in the approach is further apparent in the affirmation that:

“The EU should use linkages across different policy areas and sectors in order to *exert more leverage in pursuit of its objectives*”.

The highlighted segment displays an unforeseen level of clarity and directness, particularly evident by the use of the word *leverage*. This same principle can be seen in additional quotes, such as:

“The EU should *robustly* seek to more balanced and reciprocal conditions governing the economic relationship (...) in order to *maintain its prosperity, values and social model* over the long term, there are areas where the EU itself needs to *adapt to changing economic realities* and strengthen its own domestic policies and industrial base”.

Here, two important indications can be identified – both the inherent pragmatism and assertiveness, through the use of the adverb *robustly*, and the acknowledgment of the necessary means to gain the identified leverage, in the form of economic power. The reasoning for such action could not have been stated more clearly, while absence of action would bring dire consequences: a threat to the EU’s own FV.

The strategic document implicitly addresses all of the four identified themes for this analysis in all segments, as the underlying acting principles for the framework of external action, as indicated in its very first paragraphs. The analysis will now focus on explicit addresses to these themes.

In a similar fashion to the 2016 document, the present iteration addresses the Environment as a prime subject for concrete cooperation, in section II. Here, China is characterised as a “strategic partner on climate change and the clean energy transition (...) given the sheer size of its emissions”, representing over one quarter of the global tally at the time of publication. In this segment, a direct accusation of China’s diverging actions and stance can be found:

“The EU welcomes the role of China as one of the main brokers of the Paris Agreement. At the same time, China is constructing coal-fired power stations in many countries; this *undermines* the global goals of the Paris Agreement.”.

China’s position as the world’s most polluting state establishes the imperative to, based on the understanding that action is necessary sooner rather than later, renovate the existing cooperation mechanisms on this field by creating action-based, concrete and efficient operations reflecting the appropriate sense of urgency. These actions should be based on the UN’s SDGs and the Paris Agreement, the two main frameworks providing guidelines for climate action. In this regard, failure to act decisively will come at the potential cost of causing irreversible damage on a planetary scale. The EU’s stance on Environment along this strategy document is, accordingly, the essence of pragmatism.

The EU’s engagement with China is concomitantly developed under the existing international framework, based on the international law and centred on the UN (ROL), while upholding HR as a fundamental pillar:

“The EU will strengthen cooperation with China to meet common responsibilities across all three pillars of the United Nations – Human Rights, Peace and Security, and Development.”.

“The ability of EU and China to engage *effectively* on human rights will be *an important measure of the quality* of the bilateral relationship.”.

In the second quote, there is an implicit distinction between standard engagement and *effective* engagement on human rights. Based on addresses made to the subject on multiple occasions on analysed EU documents (particularly when referencing the EU-China Human Rights Dialogue, as exemplified by the 2016 strategy document on China) for an effective engagement to be made on HR, significant changes would necessarily have to occur – specifically, on China’s side. As with several other official documents along the preceding years, up this publication, the text refers that:

“the human rights situation in China is *deteriorating*, notably in Xinjiang and regarding civil and political rights, as witnessed by the *continuing crackdown* on human rights lawyers and defenders. The human rights of EU and other foreign citizens *must be protected*. The high degree of autonomy enshrined in the Hong Kong Basic Law *needs to be respected*.”.

The word *deteriorating* is a common occurrence in official EU texts when characterising the HR situation in China (particularly EP resolutions, but also present in the 2020 Summit joint statement, the 2022 EU-China Relations Factsheet, among others), as well as the word *crackdown*, present in the 2016 strategy document. The use of the word *continuing* in association, however, denotes the implication that the situation has not changed, thus requiring a different approach. That approach is made clear by the presence of the modal verbs *must* and *need (to)*, which considerably harden the presented stance. This is the clearest instance of modality associated with assertiveness in all of the previously analysed documents, and clearly represent the EU’s shift towards effectively demanding that fundamental values (FV) are upheld, short of using the word “demand” itself. An additional criticism on this subject is made when addressing China’s investment in third countries, stating that:

“these investments *frequently neglect* socioeconomic and financial sustainability (...). This *compromises efforts* to promote good social and economic governance and, most fundamentally, the rule of law and human rights.”.

Implicitly stating that China *compromises* the EU’s and like-minded partners’ *efforts* on upholding fundamental values, the quote characterises these actions as *frequent* – thus, strategic and not fortuitous – in one of the many direct criticisms to China’s nefarious duality in the bilateral relationship, while pointedly contradicting its formal commitments under several bilateral and multilateral fora. The acknowledgement of China’s *modus operandi* is present across all of the segments in this document, with particular emphasis on the concluding chapter. Here, the strategy paper summarises its content in 10 concrete actions, with 8 in particular focus:

- a) 3 actions explicitly address fundamental EU values, namely, HR, ROL and the Environment.
- b) 1 action describes the EU’s proposed stance in order to defend its interests.
- c) 4 actions are directly related to China’s dissimulated antagonistic actions towards the EU.

Subject b) is addressed through the statement that “the EU will apply *more robustly* the existing bilateral agreements and financial instruments”, in line with the aforementioned new, more assertive and pragmatic stance. In turn, subject c) is apparent through the use of expressions such as:

“the EU *calls on China to deliver* on existing joint EU-China commitments”.

“to fully address the *distortive* effects on foreign state ownership and state financing in the internal market, the Commission will (...) fill existing gaps in EU law.”.

“To safeguard against potential *serious security implications* for critical digital infrastructure (...).”.

“To detect and raise awareness of *security risks posed by foreign investment* in critical assets (...).”.

The first quote points out at China’s inability to act in accordance with official commitments, coming short of identifying its agency in this regard. The subsequent quotes address China’s actions towards the EU, implicitly characterising it as harmful to the Union’s cohesion and effectiveness. China is not directly mentioned in these three actions, but the use of indirect references using expressions such as “foreign state ownership” and “foreign investment” leaves no doubt of the subject in question, given the context. The discourse used in the concluding actions is representative of the new, more assertive and pragmatic response and engagement with China, present throughout the analysed text. In effect, the guidelines that have been laid out have largely influenced both the EU’s stance in joint summits and the state of the bilateral relationship in the subsequent years, as examined in section 4.1.

The current strategy on China was addressed by the European Parliament in a resolution approved on September 16th, 2021 (European Parliament, 2021a), two years after the publication of the document in question. Here, the EP calls for the renewal and update of the existing strategic framework, through the implementation of “*a new EU-China strategy*”. This document will be analysed in section 4.3.3.

4.3. European Parliament Resolutions

In the present section, this research will focus on analysing the EU’s discourse and stance on China as presented by the European Parliament, through the publication of resolutions. These documents contain a particular structure that must be identified – contextualisation, initial considerations and conclusions/recommendations. In accordance with the timeframe presented in the EP’s Delegation for the PRC’s document list as most relevant, (from 2015 to 2022) the analysed timeframe for this section was adapted accordingly (European Parliament Delegation for the People’s Republic of China, 2022). As the scope of this research is focused on understanding the role of the EU’s fundamental values in influencing its official discourse, only resolutions which fit into this category will be addressed, among the wider number of EP resolutions regarding China. After this pre-selection, the total number of identified documents amounts to 24.

Due to the high number of relevant documents, a further selection of specific resolutions which were deemed to be of particular importance and representative on specific subjects and contexts was made. In addition, this discourse analysis will be complemented by the application of qualitative analysis methodology addressing all the documents.

The seven selected documents are as follows:

- “*EU-China Relations*” (European Parliament, 2015).

- *“The Cases of the Larung Gar Tibetan Buddhist Academy and of Ilham Tohti”* (European Parliament, 2016c).
- *“Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region”* (European Parliament, 2020a).
- *“Chinese countersanctions on EU entities and MEPs and MPs”* (European Parliament, 2021b).
- *“on a new EU-China Strategy”* (European Parliament, 2021a).
- *“Violations of fundamental freedoms in Hong Kong”* (European Parliament, 2022g).
- *“Chinese government crackdown on the peaceful protests across the People's Republic of China”* (European Parliament, 2022a).

Before moving on to analysing the identified resolutions, this section will address the entire relevant timeframe on the macro level, using qualitative methodology, in order to try to identify possible tendencies. Figure 1 represents the number of EP resolutions on China directly related to the EU’s fundamental values, for the relevant timeframe, per year.

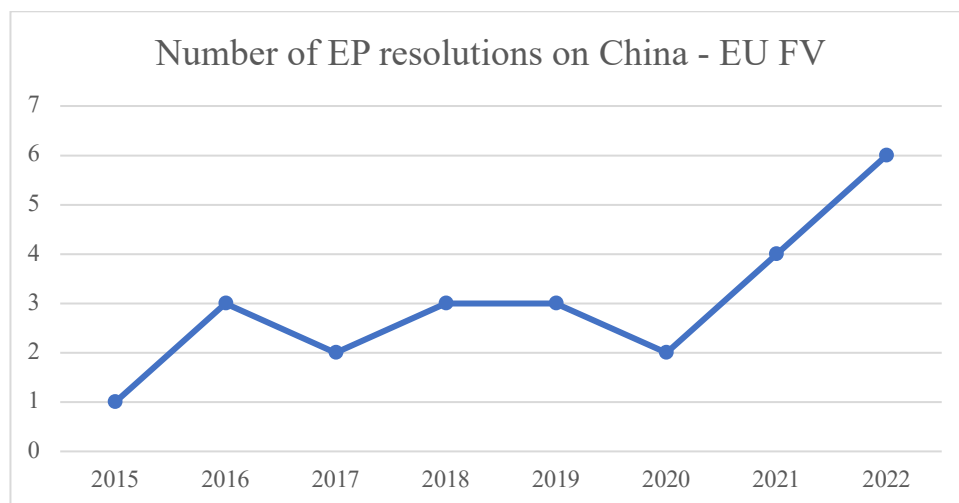


Figure 1 - Number of EP Resolutions on China related to the EU's FV.

For the 2015-2020 period, the number of resolutions per year remained relatively constant, oscillating between two and three, apart from the first year. From 2020 onwards, there is a sharp increase in the number of resolutions per year – specifically, from two, to four, then six. Another representation of the discrepancy between the two periods is the total number of resolutions for each: using 2020 as the pivotal point, the number of resolutions in the previous five years amounts to 12 (2.4 per year, on average), while the resolutions published in the two subsequent years, 2021 and 2022, amount to 10 (5 per year, on average).

The identification of 2019/2020 as a pivotal point has been previously addressed in this research, justified by the publication of several documents: the updated strategic document on China, “*A strategic outlook*”, in 2019 (European Commission, 2019), where China is designated as a “*systemic rival*” and the publication of a resolution by the European Parliament on Human Right’s abuses in Xinjiang in 2020, titled “*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*” (European Parliament, 2020a), having caused mutually imposed sanctions by each of the parties in early 2021.

Figure 1 illustrates the pivotal moment in the relationship, as well as the implications of the shift in the EU’s approach to China in the EP’s increased activity. This conclusion falls under the same previously identified tendencies in sections 4.1 and 4.2, specifically, when analysing documents related to EU-China joint summits and the EU’s strategy to China.

Figure 2 further develops Figure 1 by dividing the 24 total resolutions under appropriate categories – 6 on issues related to “Individuals”, 12 over “Regional Issues” (Xinjiang, Tibet and Hong Kong), 3 over “Government Actions”, as well as 3 on the “Bilateral Relationship”.

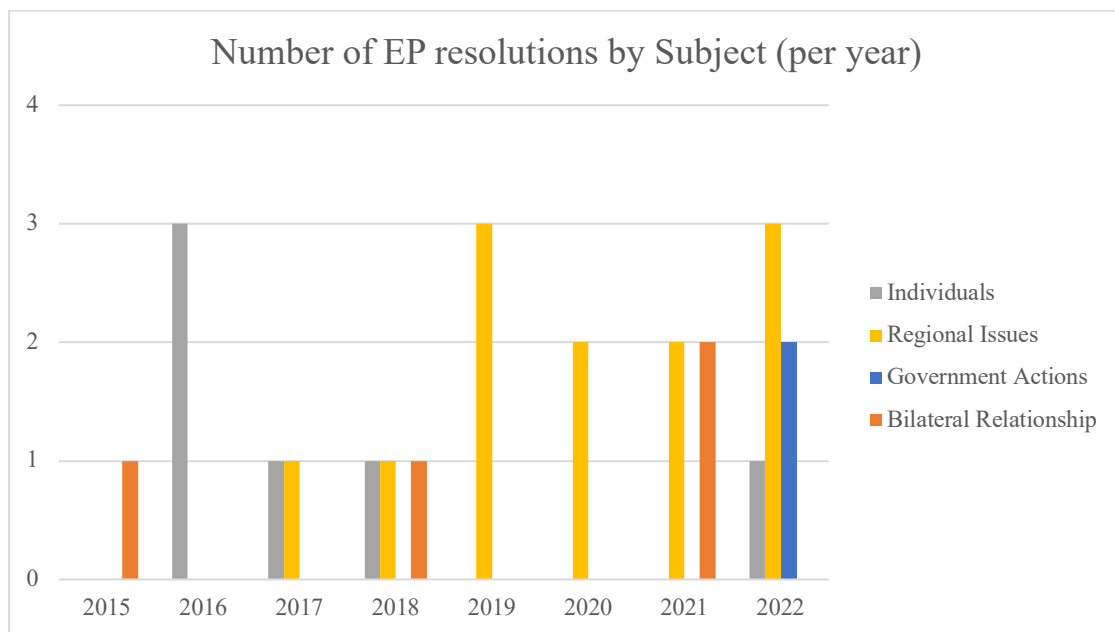


Figure 2 - Number of EP Resolutions on China by subject, per year.

A major tendency can be identified by analysing Figure 2, regarding the scope of the published documents. Focusing on the number of resolutions related to specific individuals (grey), it is clear that the initial prevalence diminishes as years advance (five resolutions before 2019, while only one was published in the following years). Simultaneously, the opposite tendency may be observed regarding the publication of resolutions on regional issues, related to Xinjiang, Tibet and Hong Kong (yellow), who observe a clear increase from 2019 onwards. The identified replacement of highly focused

resolutions with those of a broader scope may be justified by the increasingly strategic approach to China, translated into a more systemic analysis. Thus, resolutions on individual cases – such as “*The Cases of the Larung Gar Tibetan Buddhist Academy and of Ilham Tohti*” (European Parliament, 2016c) and “*The cases of human rights activists Wu Gan, Xie Yang, Lee Ming-che, Tashi Wangchuk and the Tibetan monk Choekyi*” (European Parliament, 2018c) – have tendentially given way to resolutions such as “*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*” (European Parliament, 2020a) and “*Violations of fundamental freedoms in Hong Kong*” (European Parliament, 2022g). It would not be correct to assume these individual cases have been ignored or given less importance, rather, these have been included as key pieces of the comprehensive analysis of the systemic issues China presents in relation to human rights and the rule of law. Lastly, the category related to “Government Actions” (blue) refers to resolutions where the Chinese Government is directly addressed on subjects unrelated to individuals or regional issues.

Due to the large number of documents on both individuals and regional issues in Xinjiang, Tibet and Hong Kong, the structure of the following sections was designed accordingly, in order to provide the necessary conditions to analyse the evolution of the official stance and discourse in different subjects. Thus, the analysis will be divided into Xinjiang and Tibet (1), Hong Kong (2), Bilateral Relationship (3) and Others (4).

4.3.1. Xinjiang and Tibet

The earliest resolution related to Xinjiang or Tibet in the analysed time frame is related to “*The Cases of the Larung Gar Tibetan Buddhist Academy and of Ilham Tohti*” (European Parliament, 2016c). This document will be analysed in this section, in addition to the 2020 resolution on “*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*”, approved on December 17th. The latter is perhaps the most influential EP resolution regarding China, due to its direct connection to the mutual imposition of sanctions by the EU and China, starting a chain of events that included the cancellation of the 2021’s EU-China Summit, as well as the indefinite suspension of the ratification of the CAI.

In this section, the total number of associated resolutions amounts to seven (listed in the Appendix). Out of these, the aforementioned two will be thoroughly analysed, as these were deemed to be representative of both the evolution of the EU’s discourse and the subjects themselves.

The 2016 resolution on “*The Cases of the Larung Gar Tibetan Buddhist Academy and of Ilham Tohti*” (European Parliament, 2016c) is simultaneously related to Xinjiang and Tibet. It refers to the forced demolition of Larung Gar, a major Buddhist monastery in Tibet, resulting in the eviction of its 4600 residents, as well as the unlawful imprisonment of the Uyghur scholar Ilham Tohti, a human rights activist from Xinjiang. In point A, on the initial considerations, the document states that:

“the promotion of and respect for human rights, democracy and the rule of law *should remain at the centre* (of) the long-standing partnership between the EU and China, in line with the EU’s *commitment to uphold these values* in its external action and China’s *expressed interest in adhering to these same values* in its own development and international cooperation”.

In line with the discourse presented in joint statements and the EU’s strategy on China at this period, the selected quote mentions the EU’s *commitment to uphold* its fundamental values, while implicitly addressing China as a partner who has *expressed interest in adhering to these same values*. The words *these same values* leave no doubt as to the equally shared goals, while, at the same time, counterposing the EU’s *commitment* with China’s – vaguer – *expressed interest*.

In this light, China’s progress in upholding these values in its internal affairs is further characterised as “limited”. Some provided examples include the consideration that “no progress has been made” in resolving the Tibetan crisis, with mentions of suicides by self-immolation by Tibetans and the justifications provided by the Chinese authorities regarding the demolition of Larung Gar as “correction and rectification”.

Regarding the lifetime prison sentence imposed on the Uyghur scholar Ilham Tohti (imprisoned since 2014), the Parliament calls for an “immediate and unconditional release”, due to “the allegations that the due process of law was not respected”. The use of verbs conveying a strong disapproval is common throughout the text, with a number of examples where the verbs “deplore” and “condemn” are used. In addition, China’s measures regarding Tibetans and Uyghurs are characterised as creating an “increasingly repressive regime”.

The conclusion of this document leaves no doubt as to China’s demonstrated ill-intentions and failed commitments, by stating that:

“China has *opted into* the international human rights framework by signing up to a wide range of international human rights treaties, and therefore calls for dialogue to be pursued with China to *live up to these commitments*”.

In this quote, China is directly addressed as an active agent which has willingly made the commitment to uphold human rights as presented in the international HR framework, according to the UN Charter. In conclusion, by stating that dialogue should be pursued, the text places a shared responsibility on both parties on this regard – China’s failed *commitment* to uphold HR should be met with the corresponding effort by the EU to solve the issue.

In the subsequent years, several other resolutions regarding either Xinjiang, Tibet, or both, were published. Through 2018 and 2019 (2 resolutions for each year, 4 in total), the number of resolutions regarding the Uyghur minority and Xinjiang increased and the subject gained prominence. The two resolutions published in 2020 and 2022 addressed Xinjiang. Out of the 7 resolutions in this section, the subject Uyghurs/Xinjiang is the main subject of 3, while being addressed in 6.

The previously identified pivotal moment in the bilateral relation, in 2019/2020, is also visible in the macro analysis of these EP resolutions, provided the necessary contextualization. 2019 marked the year in which the EU's Sakharov prize for Freedom of Thought was awarded to Ilham Tohti, addressed in the analysed 2016 resolution. In this same year, the EU published the current strategic framework for the bilateral relationship, "A strategic outlook", analysed in section 4.2.2. – to which the EP resolutions on the "*Situation of the Uyghur in China (China-cables)*" (European Parliament, 2019d) and "*China, notably the situation of religious and ethnic minorities*" (European Parliament, 2019a) are now added, further displaying the importance of this period as a turning point.

The 2020 resolution on "*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*" (European Parliament, 2020a) represents the stand-out publication in this pivotal period. Since then, the subject has been addressed anew in 2022, in the publication titled "*The human rights situation in Xinjiang, including the Xinjiang Police Files*" (European Parliament, 2022e). Nevertheless, due to the importance of the 2020 resolution, it was selected as the most relevant document to be analysed in the present section.

The 2020 resolution is built upon the progress established by the aforementioned resolutions since the beginning of the relevant timeframe, and shares the initial consideration (point A) with the analysed 2016 resolution. One important difference, however, is the replacement of the word "partnership" with "relationship" in this document – the use of a more generic word to characterise the bilateral relationship is a direct indication of its deterioration.

Point B states that the situation in Xinjiang "has rapidly deteriorated", mentioning "arbitrary detention, *egregious* restrictions on religious practice and culture, and a digitalised surveillance system so pervasive that every aspect of daily life is monitored."

The use of the word *egregious* represents the first application of language denoting severe criticism, characterising a situation as especially shocking or offensive, in all documents analysed in this research up to this point. It is an unmistakable representation of a principled defence of fundamental human rights by the EU, which will be a central element throughout this resolution.

Point D states that "credible research shows that the Chinese authorities have implemented an official scheme of targeted birth prevention measures against Uyghur women (...) whereas such measures to prevent births within the Uyghur population could meet the criteria for belonging to *the worst crimes against humanity*."

The highlighted section epitomises the shifting assertiveness in the EU's stance on China's HR abuses. It represents the most serious formal accusation and condemnation used in an analysed official EU document to date, on this issue, and heavily contrasts with the language used in the previously analysed 2016 resolution. The document refers Michelle Bachelet's words, as UN High Commissioner for HR, noting the "*deeply disturbing* allegations in so-called re-education camps across Xinjiang", while stating that

China's "freedom of religion and conscience has reached a *new low point* since (...) the late 1970s". The official UN point of view is explicitly being shared in an official EU document, highlighting the complete overlap and common stance in shared values between the two entities, in contrast with China's blatant disregard – and active opposition – to the very same commitment.

The document further builds the case that Uyghur forced labour is being used in several industrial sectors, whose factories and companies are integrated in the global market, reaching the EU. Thus, as an example, products "made with Chinese cotton are at extraordinarily high risk of being *tainted* with forced and prison labour.". In terms of modality, the adjective *tainted* reveals a deep level of criticism and condemnation, deliberately used in place of a generic synonym, such as "associated" (with).

In the final considerations, China is, thus, characterised as "*dismally failing* to guarantee basic international standards of human rights and fundamental freedoms.". The used adjectivisation falls along the document's line of deep condemnation, which establishes the context for the recommendations.

The EP denounces the "*increasingly oppressive* regime" which violates the "human dignity" of minorities, "deplores the worsening human rights situation" and "*systematic* human rights violations that amount to *crimes against humanity*" committed by the CCP. China is unmistakably characterised as pursuing an agenda of oppression and criminal activity against minorities, in clear disregard of the mutually committed preservation of human rights as established by the UN Charter. Throughout the recommendations, the stance is coherent in several mentions of the EP's "deep concern", as it "strongly condemns" a number of identified harmful actions by China. Point 19 represents the conclusive argument supporting the final recommendations:

The EP "urges the Commission, the Council and the Member States to *take all necessary measures* to persuade the Chinese Government to close the camps and to end all human rights violations in Xinjiang and in other places, such as Tibet."

The call to *take all necessary measures* represents an unprecedented level of clarity and assertiveness in an official EU document regarding China. It presents the justification for the proposed final recommendations, which shaped the future of the bilateral relationship:

"the Comprehensive Agreement on Investment with China *must include adequate commitments* to respect international conventions against forced labour."

"the approach taken and tools used by the EU so far *have not yielded tangible progress* in China's human rights record, which has only deteriorated over the last decade (...) urges the Commission to devise and implement a holistic EU strategy with a view to securing *genuine progress* on human rights in China".

"calls on the Member States and the High Representative of the Union for Foreign Affairs and Security Policy to *swiftly evaluate the adoption of sanctions* against the Chinese officials and state-led entities (...).".

The quoted segments in this resolution, published in December 2020, had deep repercussions in the bilateral relationship. Due to the lack of *adequate commitments* by China in resolving its HR issues, the CAI has been permanently put on hold, while, in diplomatic meetings, the EU's approach to China on human rights has taken a clear shift towards a more assertive and pragmatic discourse, as previously observed in section 4.1. The reference to *genuine progress* on HR in China refers to China's claims *vis a vis* its actions, counterposing its standard discourse in light of the HR abuses in Xinjiang. Progress must not be measured by official declarations and documents, but by tangible, measurable changes towards eliminating its systematic violations of HR against minorities, such as the Uyghurs.

The final consequence is the application of the recommendation as observed in quote 3. In 2021, the European Union applied sanctions on both individuals and entities related to Human Rights abuses in Xinjiang, immediately causing the counter-imposition of sanctions by China on several EU representatives (as addressed in section 3.4.2.). This situation was addressed in the EP resolution titled "*Chinese countersanctions on EU entities and MEPs and MPs*" (European Parliament, 2021b), which will be addressed in section 4.3.3.

Upon comparing the discourse in both resolutions analysed in the present section (dated from 2016 and 2020, respectively), there is a clear observation of the evolution of the official stance towards an unprecedented level of assertiveness, criticism and condemnation. The characterisation of China's actions using expressions as "crimes against humanity" constitutes the strongest example of such a shift in discourse. It follows the previously identified tendencies in other types of official EU documents, albeit with a distinguished approach, as a unilaterally published document, authored by the European Parliament.

4.3.2. Hong Kong

The sovereignty of Hong Kong was transferred from the United Kingdom to the PRC in 1997, under the terms established in the 1984 Sino-British Joint Declaration. Under this framework, the agreed Hong Kong Basic Law established HK's independent legislative system and fundamental individual freedoms for its citizens, as a Special Administrative Region of China, by establishing the "One country, two systems" principle. However, these rights have not been properly upheld by China ever since (BBC News, 2022).

Yet to have universal suffrage, HK has been the stage for massive pro-democracy demonstrations in 2014 and 2019. The latter took place against the then approved Extradition Law, which gave Beijing the power to forcefully send criminal suspects to mainland China to be submitted to trials controlled by the PRC. This situation was addressed in the EP resolution titled "*Situation in Hong Kong*" (European Parliament, 2019c), where the EP called for the respect for the HK Basic Law. China did not shift course. In 2021, the PRC published the National Security Law (NSL) for HK, addressed in the EP resolution titled "*The PRC national security law for Hong Kong and the need*

for the EU to defend Hong Kong's high degree of autonomy” (European Parliament, 2020b). This new law was unilaterally introduced by Beijing under the assumptions of “targeting separatism, subversion of state power, terrorism and foreign influence in Hong Kong” (as stated in the mentioned EP resolution). Under this national security plan, China would place HK’s sovereignty under check by enabling its military and security forces to operate freely in the region, in a clear violation of the HK Basic Law. As an answer to the massive scale of the demonstrations, the PRC deployed riot police using crowd control measures and acting with unnecessary brutality. This situation warranted yet another EP resolution, titled “*The crackdown on the democratic opposition in Hong Kong*” (European Parliament, 2021d).

For the relevant timeframe, the EP published 8 resolutions explicitly related to HK, and, in order to understand the current stance of the EU regarding China’s strategy when dealing with HK, the latest resolution on the subject, titled “*Violations of fundamental freedoms in Hong Kong*” (European Parliament, 2022g), will be analysed.

The initial consideration follows along the same lines as the two resolutions analysed in the previous section, on Tibet and Xinjiang. Here, point A shares the use of the word “relationship” with the 2020 resolution on Xinjiang, in place of the word “partnership”, used in the 2016 resolution on Xinjiang and Tibet, due to the same reasons. In this initial segment, it is stated that “peaceful political expression has been disproportionately restricted and even criminalised under the NSL”, as it “*flagrantly violates* the ‘One Country, Two Systems’ principle and the Sino-British Joint Declaration”. The fundamental principles of this system are “on the verge of being irreversibly undermined”.

The implications of the PRC’s NSL are plainly stated, and China is directly condemned by breaking previously agreed terms, in violation of the fundamental rights of the citizens of HK. As a consequence of this law, the “political opposition in Hong Kong was effectively *obliterated*”, while it is “impossible for human rights organisations to work freely and without fear of serious reprisals from the government”. The use of the verb *obliterate* is a particularly strong indication of the implications and devastating effects of such a law, by effectively eliminating the possibility for the existence of a democratic regime, as agreed upon under the Basic Law.

Throughout the text, expressions such as “deeply regrets”, “condemns in the strongest terms” and “deplores” are commonly used to characterise the EP’s stance on a number of regretful Chinese actions in this regard. One particular example is the “attempt to erase history and collective memory”, related to the removal of a HK monument dedicated to the victims of the Tiananmen Square Massacre.

The imposition of the HK NSL is considered to be an attack on democracy and fundamental freedoms for HK citizens, as well as a blatant violation of agreed terms upon a treatise. Consequently, the text states that “the NSL *prevents* a relationship of trust between China and the EU, which is *undermining* future cooperation and leading to a further erosion of Beijing’s credibility on the international stage (...)”.

China is implicitly referred to as untrustworthy. Its unlawful actions, “under international law”, establish it as an unviable partner, whose credibility is decreasing with each such action. It seeks to “legitimise its *authoritarian* system internally and externally by co-opting, redefining and *distorting* a number of political ideas, including the principles of democracy, through such notions as ‘democracy with Hong Kong characteristics’ (...) and regards such attempts as *a political farce*.”.

China’s regime is directly characterised as *authoritarian*, in clear distinction from the EU’s fundamental democratic regimes, while being further accused of *distorting* the principles of democracy. Under the EU’s fundamental values, these actions are considered to be hostile and threatening, increasingly deplorable, and analogous to a *political farce* – the use of vivid and emphatic language shows that the EP considers that any attempt to rewrite fundamental human rights is, by principle, unacceptable.

In light of these considerations, point 14 refers to the CAI, in light of the previously stressed principle in the analysed 2020 Xinjiang resolution. Here, the EP “reiterates its previous position that any ratification of the EU-China comprehensive agreement on investment must take into account the ongoing human rights situation in Hong Kong.”.

The approval of the CAI is, once more, linked to the EU’s respect for its fundamental values. The new shift towards a more pragmatic approach on China is apparent in the succeeding calls for the agreement to be halted and made contingent on the confirmation of “genuine progress” by China, regarding its HR violations.

Finally, given the implications of the PRC’s actions in HK, the document refers to the EP’s “calls on the Commission, the Council, the Member states to cooperate with international partners to help secure democracy in Taiwan”. In light of its greater autonomy, level of sovereignty and healthy democratic regime, Taiwan is regarded as the final supporter of democracy and staunch ally of the EU in the struggle to stop China’s HR abuses.

4.3.3. Bilateral Relationship

In order to analyse the progression of the EP’s stance on the bilateral relationship, two resolutions which directly address this relationship will be analysed (“*EU-China Relations*” (European Parliament, 2015) and “*on a new EU-China Strategy*” (European Parliament, 2021a)), in addition to a third resolution on the specific issue of “*Chinese countersanctions on EU entities and MEPs and MPs*” (European Parliament, 2021b).

The two aforementioned resolutions on the state of the bilateral relationship were published in light of the enforced EU strategy at the time. In this context, it is also important to mention the existence of an intermediate resolution on the subject, which will not be analysed as the referenced, more recent resolutions were deemed to be more relevant to analysis (“*State of EU-China Relations*” (European Parliament, 2018b)).

The 2015 resolution was published in December, six months before the publication of the policy document “*Elements for a new EU strategy on China*” (European Commission,

2016), then establishing the framework for this bilateral relationship, analysed in section 4.2.1. Throughout this document, references to the subjects of FV, ROL, Environment and HR are widespread.

This resolution establishes its stance on the subject of HR in the initial page, where it references President Donald Tusk's statement in the 2015 EU-China Summit, on China's HR concerns (analysed in section 4.1.1.). China's duality in this subject is addressed by stating that "the Chinese Government acknowledges the importance of the universality of human rights, but is *lacking in tangible results* as regards improving its human rights record.". Given the time of this document's publication, when compared to previously analysed documents from the same period, this consideration stands out as a direct criticism of both China's incoherency and its actions, in contrast with the standard statement expressing the EU's "concerns" by President Tusk in the summit.

The ongoing negotiations for the CAI were addressed, through the affirmation that it should be "based on trust, transparency and respect for human rights". The EP's line on upholding the EU's FV gives every indication of remaining constant throughout the analysed timeframe, and is further underlined by the recommendation to "ensure that human rights are high on the agenda in relations and dialogues with China". Here, the role of the EU is deemed to be necessary, acting "through constructive dialogue aimed at encouraging China's transition to the rule of law and respect for human rights".

This resolution contains a section exclusively addressing HR (13 out of the 65 total points), while directly addressing the subject in 11 other points. Here, points 34 and 35-37 are particularly important, by directly addressing Xinjiang and Hong Kong, respectively. In point 34, the MEPs accuse Beijing of "increasingly responding to social unrest with repression", while deploring the "marginalisation of Uighur culture in Xinjiang", referring travel restrictions related to Tibet and Xinjiang, which were imposed on foreigners, while Chinese citizens were not affected. Published in the year before the 2016 resolution on Larung Gar and the Uyghur Ilham Tohti, the text highlights these restrictions with concerns for the implicit goal of avoiding international exposure of the repression taking place in these regions by the PRC.

In point 35-37, MEPs express "sympathy and solidarity with the people of Hong Kong in support of democratic reforms", while stating that they "deplore the fact that the reform of the electoral law (...) could not be completed". Here, China is then directly addressed and urged to "abide by its obligations to the people of Hong Kong to preserve their rights and freedoms, under the terms of the Sino-British Joint Declaration signed in 1984". This particular point has been present in the previously analysed resolution on HK from 2020, in the previous section, as the EP's stance on the subject has been consistently present throughout the analysed timeframe.

Further into the document, in line with the previously analysed EP resolutions, the MEPs note that "a *strong contradiction* exists between the official Chinese aspiration to the universality of human rights and the worsening human rights situation". This affirmation is further substantiated by stating that "in the official Chinese view socio-economic rights continue to be prioritized over individual civil and political rights, whereas in the

European understanding these rights are considered *fundamental* and equally important and economic development and human rights go together, reflecting *differences* in European and Chinese perceptions of human rights that are visible in official positions.”.

This quote embodies the fundamental divergence between the EU and China, through a type of discourse that was not found in previously analysed documents related to joint summits or strategy from the same period. Here, the discrepancy between the fundamental values upheld by each party is neutrally characterised as *differences*. Inserted in the context of evaluating the EU’s constructive role in the relationship, in the midst of the negotiation of the CAI, the noncommittal use of this characterisation appears to avoid highlighting the wide divergency in values, by addressing avenues for cooperation in its stead.

China’s role in the international order (related to the topic of ROL) is addressed in several points of this text, following a coherent approach to its potential as an influential lawful actor, if acting according to its own international commitments. The EP “underlines the *need for a world power like China* to contribute” to “attaining a multilateral order that respects international law, universal values and peace”, “acting according to the *rules set for all*”, a world order “founded on the *universal values* of human rights, democracy and human security”.

China’s global influence is stated as a matter of fact. Thus, its participation in the existing global international order is both inevitable and necessary, under the framework of the UN and following the principles of the UN Charter – the *universal values* which both China and the EU pledged to uphold. These *rules were set for all*, in a way that the vast majority of existing countries have willingly officially accepted them, and are thus expected to act accordingly. China’s belligerent and unlawful actions in the vital region of the South China Sea, together with its close partnership with the authoritarian regime in North Korea (amid calls for denuclearization) are some of the examples provided as indication of how China’s behaviour at the international stage is falling short of its constructive potential.

Six years after the adoption of the 2015 resolution on EU-China relations, in March 2021, the EU and China mutually imposed sanctions on both individuals and entities. The EU’s sanctions were directed towards individuals and entities responsible for serious human rights violations, while China’s – announced in the same day – targeted prominent individuals and entities related to the EU’s, for “severely harming China’s sovereignty and interests and maliciously spreading lies and disinformation” (Ministry of Foreign Affairs of the People’s Republic of China, 2021).

The resolution on “*Chinese countersanctions on EU entities and MEPs and MPs*” (European Parliament, 2021b) was adopted two months after, in May 2021, as a direct response to the imposed sanctions. It represents the most openly critical document analysed in this research project, as the epitome of the new pragmatic and assertive EU stance on China.

In an unprecedented level of clarity and openness, the MEPs declare that “the Chinese measures constitute an *attack against the European Union and its Parliament* as a whole, the *heart of European democracy and values*, as well as an attack on freedom of research”.

In addition, the EU’s sanctions are characterised as “legitimate and proportionate measures embedded in international law”, in opposition to China’s sanctions, which “lack any legal justification, are entirely unsubstantiated and arbitrary and target the criticism of such human rights violations, whereas the sanctions are clearly an attempt to deter the EU from continuing its work and action against human rights abuses in China.”.

The language used in the first quote represents the greatest level of condemnation used in any analysed document, on a figurative level. By referring to the EP as *the heart of European democracy and values*, the MEPs are explicitly stating that China is attacking European democracies and values – the EU’s ideological pillars and reasons for its existence, in accordance with Article 2, Point 1 in the Treaty of Lisbon (addressed in section 3.1.). Hence, by definition, the used language implies that there cannot be a more destructive type of non-military attack towards the EU.

China’s human rights situations is further characterised as being “at its worst since the Tiananmen Square *Massacre*”. Xinjiang’s “political re-education” centres are provided as an example, being characterised as “the largest mass incarceration system in the world”, in an effort to “*eradicate*” the Uyghur’s identity. Furthermore, directly referencing the EP resolution on Xinjiang from 2020, MEPs indicate that “*violations in Xinjiang amount to crimes against humanity*.”.

The use of the word *massacre* heavily contrasts with the previous reference using the euphemism *event* in the 1995 document “*A long term policy for China-Europe relations*” (addressed in section 3.4.1.), as the first such mention in any analysed document in this research. China’s actions are further condemned by the affirmation that they *amount to crimes against humanity*.

Furthermore, the EP “reaffirms that fundamental freedoms, freedom of expression, free participation in decision-making processes, academic freedom and the defence of human rights are pillars of our democracies and that these values *will never be compromised* in EU-China relations.”. In addition, MEPs state, in a rare use of the first-person narrative, that “we will continue to actively and *unabatedly* denounce and work on human rights violations and breaches of international law, and to urge the EU to keep respect for human rights at the core of all its external policies; considers these attacks from China to be a manifestation of the systemic rivalry dimension of EU-China relations”.

The first quote exposes a clear, firm stance on upholding the EU’s fundamental values, in line with the discourse presented in EP resolutions and other previously analysed documents from this period. The use of absolute language (will *never* be compromised) stands out, as presenting an unyielding stand on this regard that is, nevertheless, not common in other similar documents. In addition, the use of the first-person narrative by the MEPs denotes the aforementioned understanding of China’s sanctions as a personal attack, thus meriting a personal, more emotional response – explicit in the use of the

adverb *unabatedly*, displaying unwavering resolution in the face of these unacceptable actions.

In light of the events that prompted this resolution, the MEPs declare that “this is the latest episode of a gradual move of the Chinese Communist Party (CCP) leadership towards a *confrontational* approach (...), while EU-China relations are increasingly strained (...), given that the existing EU-China Strategy has revealed its limitations, EU-China relations *may not continue business as usual*.”. Furthermore, it “highlights the *urgent need to re-balance* EU-China relations through the adoption of a toolbox of autonomous measures” including “additional target measures under the EU Global Human Rights Sanctions Regime, as necessary”.

The considerations present in this group of quotes resulted in the publication of the resolution “*on a new EU-China Strategy*”, four months after the present resolution, which will subsequently be analysed. In a rare instance, China’s leadership is characterised as *confrontational*, in direct opposition of the standard “constructive partnership” often declared bilaterally in EU-China summits. Consequently, by taking all the aforementioned considerations in this resolution into account, the MEPs conclude that the present EU-China strategy is no longer an adequate framework to guide the EU’s relationship with China. In order to pursue a necessarily more assertive and pragmatic approach, the EU must equip itself with appropriate tools, such as specifically designed legislation and internal reorganisation to better deal with the threats posed by China.

In this context, the role and impact of the CAI as a major tool in the EU’s strategy towards China is explicitly addressed. MEPs consider that “the ability of the European Parliament to duly analyse the CAI is significantly hindered by the Chinese sanctions”. Moreover, they consider “it is not acceptable to deal with trade and investment relations outside the general context of human rights issues and the broader political relations”.

The CAI must not be negotiated as a stand-alone agreement, due to the major significance of China’s actions in direct conflict with the EU’s fundamental values. Furthermore, MEPs state that “any consideration of the EU-China Comprehensive Agreement on Investment (...) has *justifiably* been frozen because of the Chinese sanctions in place”. As previously addressed, the imposition of sanctions was characterised as an attack on the heart of European democracy and values. This understanding has *justifiably* resulted in the unilateral freeze of the negotiations, as the sanctions were deemed an unacceptable offense.

In line with this stance, MEPs urge the Commission “to use the debate around the CAI as *leverage* to improve the protection of human rights and support for civil society in China, and remind the Commission that Parliament will take the human rights situation in China, including Hong Kong, into account when asked to endorse the CAI”. Here, the potential of this agreement as a tool to uphold the EU’s values is presented in two dimensions – both to be used externally in direct negotiations with China and as an internal benchmark for the Commission’s behaviour on this regard, to be taken into account by the Parliament.

The resolution “on a new EU-China Strategy” (European Parliament, 2021a), adopted in September 2021, is the most recent EP resolution addressing the EU’s strategy on China. It was published two years after the approval of the strategy document it addresses (“*EU-China – A strategic outlook*” (European Commission, 2019)), the current framework in place regarding this bilateral relationship. It seeks to evaluate the validity of the strategy at the time, in light of the clear deterioration of the bilateral relationship, and shares a number of considerations and recommendations with the previously analysed resolution, in the present section.

The title provides a clear indication to the main conclusion of this resolution – that a new, updated strategy is necessary. Thus, the proposed new strategy is presented by establishing the following six fundamental pillars:

1. Open dialogue and cooperation on global challenges.
2. Enhanced engagement on universal values, international norms and human rights.
3. Analysis and identification of the risks, vulnerabilities and challenges.
4. Building partnerships with like-minded partners.
5. Fostering open strategic autonomy, including in trade and investment relations.
6. Defence and promotion of core European interests and values by transforming the EU into a more effective geopolitical actor.

Pillars 2 and 6 contain clear references to ROL, HR and the EU’s FV. The defence of the EU’s fundamental values is established both as a clear necessity and major objective. Based on the gained understanding that the EU’s approach to China, on this regard, has been lacking tangible results, point 6 explicitly refers the need to turn the EU “into a more effective geopolitical actor”. Point 4 provides an additional insight into the strategic approach to dealing with China, by referring to the necessity of building partnerships with “partners” – not countries, as to implicitly include Taiwan – in order to increase effectiveness in this context. Thus, the EP stresses the need for the development of:

“a more *assertive, comprehensive and consistent* EU-China strategy that unites all Member States and shapes our relations with China in the interest of the EU as a whole, with the *defence of our values at its core* and promoting a rules-based multilateral order.”.

“China is a cooperation and negotiating partner for the EU, but is also an economic competitor and a systemic rival in an *increasing number of areas*”.

The first quote represents the main basic prerequisite for the entirety of the recommendations presented in this resolution. For the EU, it is imperative to preserve the framework of a rules-based multilateral order, centred on the UN, by upholding the very same values enshrined in the UN Charter – the EU’s own *values*. China’s antagonistic role in this regard is made apparent through the consideration that, *in an increasing number of areas*, its actions and influence are divergent from, and even contrary to these fundamental values.

Pillar 1 addresses the necessity of establishing a new strategic framework that “involves China in a *principled and interest-oriented dialogue* on global challenges, such as human rights, by developing an *ambitious, holistic and results-oriented strategy* for human rights

in China as part of this new EU-China strategy, the environment and climate change, nuclear disarmament, the promotion of economic recovery from COVID-19, the fight against global health crises, and the reform of specific multilateral organisations.”.

In this quote, all of the four main themes for this analysis are covered (ROL, Environment, HR and FV). The primary focus is on the necessity to devise a more pragmatic strategy, particularly on HR, given the acknowledged lack of tangible results. The often-mentioned weight that China represents in the global emissions of greenhouse gases leads to the inevitability of tackling this issue with China as a partner, as the consequences will affect Humanity as a whole. The increased assertiveness identified in the quote is coherent with the stance shift towards a more pragmatic and principled approach post 2019/2020, as previously addressed in this research.

Regarding Pillar 2, the EP assertively determines its stance on the defence of the EU’s FV in face of the Chinese sanctions, by stating that it “*condemns in the strongest possible terms* the baseless and arbitrary sanctions imposed by the Chinese authorities, which amount to an *attack* on freedom of speech, on academic freedom and on the international commitment to and understanding of universal human rights (...) considers that sanctions imposed by the Chinese authorities *further erode trust and hinder bilateral cooperation*.”.

The language used in this quote to address Chinese sanctions on EU citizens represents the *strongest possible* level of condemnation in any of the analysed documents in this timeframe, through the use of self-explanatory terms. Furthermore, the use of the expressions *further erode trust* and *hinder bilateral cooperation* are particularly meaningful. The adverb *further* implies that the EU’s trust on China had already been eroded, while the sanctions have further contributed to that. By referring to the *cooperation* between the two parties, the MEPs underline the constant predisposition to engage in a constructive partnership towards common objectives. Here, China’s actions are implicitly recognized as the major hindrance to this goal.

One major objective in the bilateral cooperation is the approval of the CAI. The EP is clear when stating that the process for the ratification of the CAI “cannot start until the Chinese sanctions against MEPs and EU institutions have been lifted”. Going beyond this statement, the text further presents clear guidelines for action on this regard, by urging the Commission to:

“*use all the tools at its disposal* and the debate around the CAI as *leverage* to improve the protection of human rights and support for civil society in China.”.

Moreover, it “reiterates its very serious concerns about the various human rights abuses in China and recalls that *full respect for universal values is essential, regardless of the differences between both systems*.”.

The first quote is one of the most clearly representative of the EU’s new level of pragmatism in its approach to China, in the analysed documents, using direct, concise and assertive language. The expression *use all the tools at its disposal* directly implies that the urgency of the situation justifies the use of any means necessary to solve it. The CAI, previously addressed and characterised as the most significant trade agreement between

both parties in history (while being each other's main trading partner) is presented as a source of *leverage* on China, acknowledging its valuation of economic prosperity above human rights as described in the UN Charter. The EU's stance on this regard is unbending, as upholding *universal values is essential* and independent from the political regime in question. China's own ideology is explicitly condemned, and its own understanding of fundamental values is disregarded, invalid in the face of universal (implicitly deemed as undeniable) values.

Further into the document, China's human rights abuses are individually addressed. It "urges the UN High Commissioner for Human Rights to launch independent legal investigations into alleged *genocide*, alleged crimes against humanity and human rights violations."

This quote represents the first use of the word *genocide* in any of the analysed documents. The figurative weight it carries is indisputable, as the worst possible crime against humanity, and its application in a formal EU document regarding China is undeniably impactful. The minorities in Xinjiang, Tibet and Inner Mongolia are explicitly mentioned as targets of "human rights abuses", as well as Hong Kong, which is further addressed by referencing the National Security Law for HK in 2020. Here, the EP:

"calls for targeted measures under the EU Global Human Rights Sanctions Regime, as necessary, in order to address repression in Hong Kong".

Having imposed sanctions on Chinese entities and individuals directly related to human rights abuses in Xinjiang, the EP now expresses explicit support for the applications of sanctions, under the same regime, of likewise related entities to the situation in HK. Side by side with Taiwan, HK is mentioned as a "like-minded partner on the protection of human rights", while defending "liberal democracy in the world", with which the EU must look to build a closer relationship.

Regarding bilateral trade, the EP "considers that the volume of trade between China and the EU *will require* a rules-based and value-driven framework which *needs to be* rooted in international norms; stresses that respect for human rights is a *prerequisite for engaging in trade and investment relations with the EU* and urges China to comply with its international obligations and to commit to respecting human rights."

In this quote, the message is clear: China's status as the EU's main trade partner cannot make it an exception to the *prerequisite* of respecting human rights in order to be able to trade with the EU, further reinforcing this by stating that "trade relations do not take place in a vacuum". The use of emphatic verbs such as "*will require*" and "*needs to be*" further reinforces the already identified new assertive and pragmatic approach.

Nonetheless, the deep complexity of this bilateral relationship is not disregarded, as the EP recognises "the need to maintain an open dialogue on common challenges such as the global fight against climate change", in order to "foster a more sustainable development, promote the green transition". Here, the CAI is indicated as a crucial part of the "EU toolbox", by containing a sizeable section on sustainable development. In light of the aforementioned concerns, criticism and condemnations of China's actions, on several

issues, the EP assertively states its intention to “scrutinise the agreement thoroughly”, while requesting the Commission to “consult with the Parliament before taking any steps towards the conclusion and signature of the CAI”. In this context, the Parliament plays an advisory role to the Commission, but its influence as the closest representative of the EU citizens, through the direct election of MEPs, cannot be understated.

This analysis will be finalised by addressing the resolution’s references to the integration of China’s telecommunication network technology in EU member-states. The MEPs underline the necessity to eliminate “the risks that NATO members may be exposed to with the integration of China’s 5G technology, as such action could *erode the future of democratic governance*”. In this regard, the presented solution is to work “in partnership with key strategic partners that share the EU’s liberal and democratic values”.

The explicit acknowledgment that Chinese influence could hinder democratic governance in other countries is a significant indication of the EP’s stance, in clear openness towards displaying the MEPs’ understanding of China’s nefarious intentions in an official EU document. China’s influence in this regard is further characterised as a vector for “digital repression”, in light of how digital surveillance, censorship and monitoring tools are applied in the country.

When compared to the previously analysed strategy documents (section 4.2.), while acknowledging the different context in which they were produced, this EP resolution contains an unprecedented number of references to the EU’s fundamental values and Human Rights, in which the level of directness and pragmatism of the used discourse stand out. The document was approved by the responsible committee (Committee on Foreign Affairs) with a high approval rate (58 votes for, 8 against, 4 abstentions), while the Committee asked for Opinion (Committee on International Trade) recorded an all the more favourable result, with 38 votes for and 3 abstentions.

The scale of the challenge to balance all the competing interests, common goals and unyielding defence of the EU’s fundamental values is apparent in this resolution, which sets the stage for a new iteration of the EU’s strategy on China which is adequately suited to the current state of the bilateral relationship.

4.3.4. Others

As the final section on EP resolutions, the focus for the present chapter will be directed towards the analysis of the most recent EP resolution regarding China, on the “*Chinese government crackdown on the peaceful protests across the People’s Republic of China*” (European Parliament, 2022a), published in December 2022. An additional relevant resolution, in this context, is the May 2022 resolution on “*Reports of continued organ harvesting in China*” (European Parliament, 2022b), also heavily focused on HR abuses by the Chinese government.

The issue of Taiwan, which merited the adoption of two resolutions after the pivotal point in 2019/2020 (2021 and 2022, respectively), will be addressed in the next chapter, due to

the particularly relevant nature of this issue for the present state of the bilateral relationship, as a highly topical subject.

The resolution on the “*Chinese government crackdown on the peaceful protests across the People's Republic of China*” (European Parliament, 2022a) comes in a context of country-wide lockdowns and heavy restrictions imposed under Xi Jinping’s signature COVID-19 management policy – zero-COVID – since 2020. The extreme level to which the restrictions were enforced was widely seen as disproportionate, in comparison with the rest of the world. One prominent example is the extended total lockdown starting in March 2022, which affected 345 million citizens in 50 cities, with heavy repercussions to the Chinese economy. Here, Shanghai (with 26 million residents) represents the most distinctive case, where the city experienced a total of two months of full lockdown (White, Yu and Leng, 2022).

The adoption of this resolution, in December 2022, arose from the violent repression of country-wide peaceful protests by Chinese citizens against zero-COVID on the 26th of November, in demonstrations unseen since the Tiananmen Square protests, in 1989. It represents a direct criticism to the actions of the PRC’s government regarding its own citizens in a rare instance of a resolution not focused on either individuals or regional issues.

Xi’s zero-COVID policy is characterised as “seriously curtailing people’s freedom and rights”. Its extremely strict measures contained the “strict enforcement of lockdowns”, where “emergency exits were sometimes sealed off”. The MEPs refer to a fire in a residential building in the city of Urumqi, Xinjiang, with an official death toll of at least ten people – even though “local sources and numerous social media posts have suggested a much higher death toll of up to 40 casualties”. At the time, the city had been on complete lockdown for over one hundred days, while “inhabitants of this building were allegedly locked in their apartments and firefighters were delayed, probably because of restrictions imposed by the zero-COVID policy”.

This situation is but the latest example of the “*systemic persecution of the Uyghur people*”, which the EP recognised as “constituting crimes against humanity and representing a *serious risk of genocide*”. The expression *systemic persecution* can be directly related to *genocide*, which, albeit separated by an order of magnitude, shares the same fundamental predispositions. Furthermore, this occurrence represents the second instance of the use of the word *genocide* in an official EU document analysed in this research, after the resolution “*on a new EU-China Strategy*” (European Parliament, 2021a), in the previous section.

The present resolution further addresses the tragedy by establishing a direct connection with the country-wide protests, where “inter-ethnic solidarity has been expressed with the victims of the fire in Xinjiang, since China’s Han population has not previously reacted significantly to the terrible fate of the Uyghurs over the past six years”. Thus, these protests represent an unprecedented public approximation between Chinese ethnic groups against the Government, potentially representing an indication of progressive future social tendencies. The crimes against Uyghurs in Xinjiang merited the adoption of a

number of resolutions, addressed in section 4.3.1., and constitute the most pressing issue regarding China's violations of human rights.

The use of pervasive surveillance technology is characterised as a tool used to “heavily restrict fundamental freedoms in a generalised fashion, or even massively violate human rights”. As an example, the MEPs state that, in the wake of the country-wide protests of the COVID-related restrictions, “authorities immediately began to track, on a massive scale, messaging applications, social media and mobile phone data they consider suspicious, as well as the use of virtual private networks, in order to identify, intimidate and harass people allegedly organising and participating in the protests.”.

The acknowledgment of these oppressive measures is further addressed by the MEPs, who “condemn in the strongest terms the fact that freedom of expression, freedom of assembly and freedom of the press of social media are restricted in China”. Together with human rights violations in Xinjiang, this resolution uncovers and explicitly describes the systematic censorship and full control of the information flow in the country's digital networks by a state-wide apparatus that was created for that very same purpose. The explicit condemnation by the MEPs is expressed with clarity and a characteristic lack of subjective expressions – as an example, China's fundamental contradictions on this regard are uncovered by comparing its actions compromising the legislation in place, “as enshrined in the Chinese Constitution and international human rights law”.

Consequently, the EP “urges China to put an immediate end to the *suppression and intimidation* of peaceful protesters and to guarantee fundamental rights for everyone”, while it “strongly condemns the extensive use of mass surveillance and the current censorship of social networks”. China's actions are considered to be unlawful, and their scope is further uncovered through the condemnations of “the conduct of Apple Inc. in China during the protests, as it effectively worked hand in glove with the Chinese Communist Party to suppress the dissemination of footage over the peaceful anti-lockdown protests”. For the first time in any analysed document in this research, a specific foreign company is referred as explicitly contributing to the PRC's pervasive actions inside China, effectively functioning as a working arm of the state surveillance apparatus.

Consequently, the EP “stresses that the fact that companies can be held hostage by the Chinese Communist Party and enable *ruthless* human rights violations should be a wake-up call for western governments to put forward legislation that would encourage western companies to *double down on their efforts to reshore production from China*”.

In this quote, the Parliament explicitly calls for the acceleration of the industrial decoupling between the EU and China, while extending the call to the EU's western partners. This is particularly significant when considering the economic interdependence between the two parties, as each other's largest trading partner, further amplified by the ongoing – albeit frozen – negotiations for the CAI, the largest, most extensive trade agreement in the bilateral relationship's history.

The final message of this resolution in the explicit assertive stance made apparent by the statement of the “EU's determination to react to an escalation of the repression against

protesters by raising the issue in international organisations and to *possibly impose additional sanctions, if necessary*". In light of the deterioration of the bilateral relationship after the previously identified turning point in 2019/2020, where the 2020 resolution on Xinjiang stands out, the implications of the mutually imposed sanctions in 2021 provide valuable insight on envisaging possible consequences of additional sanctions, assumedly contributing to the further deterioration of this relationship.

5. The Role and Implications of the EU's Fundamental Values

5.1. The Current State of the Bilateral Relationship

The analysis of official EU documents throughout chapter 4 has enabled a deeper understanding on the evolution of the EU-China relationship over the past decade, through discourse analysis. The present section will address the current state of the bilateral relationship by combining this gained insight with the analysis of a number of official EU statements and communications on topical issues.

The characterisation will commence by referring to a short document published by the European External Action Service in April 2022, titled “*EU-China Relations factsheet*” (European External Action Service, 2022a). Here, a brief overview on the state of the relationship is presented by highlighting key facts, as well as the most pressing issues.

The document characterises the bilateral relationship as having deteriorated, due to an increasing number of “irritants”, largely related to the fact that, while the EU’s commitment to cooperation and a constructive approach remained constant, China’s conduct has been shifting and increasingly dissonant. Consequently – in line with previously identified discourse in other official EU documents – due to the “broader political context”, the ratification of the CAI is not considered to be “favourable”.

As a general overview, the chosen content stands out – the section dedicated to the most pressing issues occupies the second half of the document. These include HR, WTO reform, cyber security and environmental issues, common themes throughout the multiple analysed documents in this research work. Here, HR are given particular emphasis, by referring to the EU’s Global HR Sanctions Regime (directly mentioning the sanctions against individuals and entities related to Xinjiang), as well as other regions where HR abuses are taking place (Tibet, Hong Kong and Inner Mongolia). Furthermore, a section on foreign policy addresses China’s role in the Ukraine conflict, as well as its belligerent actions in the South China Sea.

In this document, China is consistently not addressed as the subject, but as the object. It is implicitly characterised as a “problem” to be solved, an issue that the EU must address. Thus, the used language implies that the bilateral relationship with China is not regarded as a partnership, in which both parties can cooperate and address existing problem, but an unavoidable relationship that must be addressed. The EU is then placed at the forefront, as the decision-maker and the main actor in this document, which must find “solutions to long-lasting concerns”.

One particularly important issue between the EU and China is the situation in Taiwan, which has evolved significantly in 2022. In order to better understand the present situation, a brief historical overview will be presented in the subsequent text.

The Chinese Civil War was waged between the government of the Republic of China, led by the Kuomintang, and the Chinese Communist Party, between 1927 and 1949. From

1945 to 1949, in the second phase of the Civil War, the CCP's forces gained the upper hand, forcing the incumbent government to flee Beijing towards the island of Taiwan, thus initiating a stand-off that is yet to be lifted at the date of this document's publication. While armed hostilities have ceased in 1979, the conflict is not officially terminated, as no peace treaty was signed between the factions. With the arrival of Xi Jinping to power, Taiwan increasingly became a pressing issue, towards which China's stance has similarly become more assertive.

Following the visit of the Speaker of the United States House of Representatives Nancy Pelosi on the 2nd of August, China escalated its threatening and belligerent posture to levels unseen since 1979, by launching a number of live missiles entering Taiwan's Air Defence Identification Zone, accompanied by military drills and the simultaneous establishment of both a naval and an aerial blockade (Lee and Wu, 2022). These manoeuvres were further complemented by the publication of a white paper on Taiwan on the 10th of August, titled "The Taiwan Question and China's Reunification in the New Era" (The Taiwan Affairs Office of the State Council and The State Council Information Office, 2022), which reflected China's posture on the subject:

"We are one China, and Taiwan is part of China. This is an indisputable fact supported by history and the law. Taiwan has never been a state; its status as part of China is unalterable."

As mentioned in the previous section, this issue merited the adoption of two EP resolutions – "*EU-Taiwan political relations and cooperation*" (European Parliament, 2021c) and "*The situation in the Strait of Taiwan*" (European Parliament, 2022f), together with several references in a number of additional official EU documents, as previously addressed. Furthermore, the EU's European External Action Service officially co-authored a document by all G7 member-states on the issue, titled "*G7 Foreign Ministers' Statement on Preserving Peace and Stability Across the Taiwan Strait*" (G7 Foreign Ministers, 2022). This document addressed the "threatening actions" taken by China, which "risks increasing tensions and destabilizing the region".

Both the aforementioned EP resolutions address the increasingly aggressive posturing by China regarding Taiwan, while the latest ("*The situation in the Strait of Taiwan*", (European Parliament, 2022f)) was adopted in September of the same year in response to China's escalation of military intimidation in August. Here, the MEPs state their understanding that "the PRC's continued military belligerence poses a grave threat to the status quo and may lead to dangerous, even unintended, escalation with a severe impact on global stability and peace". Furthermore, the PRC is accused of voiding previous assurances regarding Taiwan in the aforementioned white paper. Here, Taiwan's future status after a hypothetical reunification was reviewed, while former assurances regarding its sovereignty and coexistence of different political systems were removed. The MEPs reaffirm that "the status quo in the Taiwan Strait must not be unilaterally changed and insist on opposing the use or threat of force". In order to rebalance the situation and stop the erosion of the status quo, the EU must "assume a stronger role" with the "diplomatic island of Taiwan", to "promote common values and principles".

In this resolution, the used discourse clearly presents Taiwan as an active agent, which can be regarded as a partner for the both the present and the future, making further calls for the approximation of the already close relations between the two parties. In line with the already identified shift in stance and discourse, towards a more assertive and pragmatic defence of fundamental values, the EU's actions are apparent in this situation. Its fundamental values are regarded as the main priority, and the EU indisputably sides with Taiwan against its most significant trading partner, and one of the major global powers. Here, the duality of the bilateral relationship is apparent in the acknowledgment that, while China is an unavoidable partner at the global stage, "the PRC's provocative actions against Taiwan and in the South China Sea must have consequences for EU-China relations, and that the possibility of contingency planning must be considered".

In light of the improved understanding of the heavily addressed topic of Human Rights violations, through the analysis of numerous documents addressing the issue throughout this research, the current state of the bilateral relationship has been heavily influenced by the subject. Here, the "*Statement of the European Union's Delegation to China on the 2022 International Human's Rights Day*" (Delegation of the European Union to China, 2022), published on the 9th of December, provides a clear overview on the issue. This document is of particular relevance, having been published by the Delegation of the EU to China – thus, the diplomatic representation of the EU in Beijing.

The entire scope of the HR abuses in China is addressed by the document, with a factual description of the main instances in each category, sharing explicitly critical language, similarly to what is present in several EP resolutions. Issues related to the Uyghur population in Xinjiang are classified as "serious human rights violations", while stating that these "may constitute international crimes, in particular crimes against humanity". This level of clarity and assertiveness is unprecedented in official EU documents outside the scope of EP resolutions, and is an additional representation of the new EU stance regarding China, assertively upholding its fundamental rights. Along the same lines, the document addresses issues related to freedom of expression, gender equality and respect for the rule of law, with a particular focus on regional issues in Xinjiang, Hong Kong, Tibet and Inner Mongolia. The conclusion of this message is, again, coherent with the EU's standard stance regarding China – not contradicting an assertive defence of its fundamental values, the Union consistently prioritizes a constructive engagement as part of a mutually beneficial partnership based on shared goals:

"Nevertheless, despite systemic differences between the EU and China regarding Human Rights, the EU believes that bilateral dialogue can and should be used to discuss about those differences and to cooperate in areas where there is potential for engagement".

5.2. General Overview

What were, then, the role and implications of the EU's fundamental values over the past decade? How has the chosen stance and applied discourse impacted the current state of the relationship?

This final section will address the insights provided by the comprehensive analysis which took place throughout this research, in order to present a viable perspective on the research question.

The first recognized conclusion is related to the identification of a pivotal moment in 2019/2020, as addressed in a number of sections in this document. The publication of the current strategic framework on the EU-China relation, "*EU-China – A strategic outlook*" (European Commission, 2019), acknowledged the rapidly changing nature of the relationship with the understanding that the challenges posed by China were increasingly difficult to manage. That same year, the EP resolution titled "*Situation of the Uyghur in China*" (European Parliament, 2019d) was the precursor of the noteworthy resolution on "*Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region*" (European Parliament, 2020a), which, in turn, justified the unilaterally imposed sanctions by the EU on a number of individuals and entities deemed responsible for HR violations in Xinjiang. China's countersanctions put in place as an immediate response have, in turn, led to the adoption of the 2021 resolution on "*Chinese countersanctions on EU entities and MEPs and MPs*" (European Parliament, 2021b), meriting an unprecedented explicit and assertive level of condemnation. As two major consequences of this, the annual EU-China summit did not take place in 2021, for the first time in the history of the event, and negotiations related to the ratification of the CAI were indefinitely frozen by the EU.

As an overall assessment, this research concludes that the used level of discourse has similarly evolved towards a more assertive and pragmatic stance in all of the different contexts and types of documents which were analysed, in line with the strategic framework in place since 2019, with particular emphasis henceforth. However, for different contexts and types of documents, different levels within this type of discourse were identified.

Here, the discourse in EP resolutions is considerably more assertive, pragmatic and direct in effective criticism and condemnation, when compared to the analysed statements and other documents related to joint summits. In EP resolutions, the level of condemnation and criticism has increased along the analysed timeframe (recurrently, with particular emphasis after the pivotal moment of 2019/2020), but the stance has been highly assertive since its initial stages, contrary to the other types of documents.

The justification for such a tendency can be found by acknowledging the context related to each document type. Official documents and joint statements related to joint summits are the outcome of a cooperative and bilateral effort, vetted by both parties, while individual statements by EU leaders are nonetheless contained, in accordance with the context. On the other hand, EP resolutions are the product of a unilateral and internal

effort by MEPs to accurately represent the views of the EU's citizens, in the absence of a conditioning context such as a diplomatic setting.

Consequently, discourse in the documentation related to joint summits consistently represents the lowest level of assertiveness and pragmatism in the defence of the EU's fundamental values in the analysed documents. However, the statements released in the two summits which took place after the pivotal moment of 2019/2020 (2020 and 2022, respectively) display a sharp adjustment towards this new stance.

Regarding the official EU strategic frameworks for the relationship with China, a direct comparison between the 2016 and the 2019 versions revealed a notorious evolution in the discourse, as the latest version addressed the new challenges imposed by China and established the EU's new stance. Furthermore, the 2021 EP resolution on the strategic framework, titled "*on a new EU-China Strategy*" (European Parliament, 2021a) – adopted after the mutual imposition of sanctions – called for a new, updated strategy in light of recent developments, based on the identified necessity to further increase the EU's assertiveness in prioritizing the defence of its fundamental values.

A final consideration regarding the evolution of the used discourse in each of the identified major subjects when applying critical discourse analysis (HR, ROL, FV and Environment) is the understanding that HR, ROL and FV gained preponderance as addressed subjects. Moreover, the nature of the used discourse evolved significantly when addressing these subjects when compared to Environment – the increasing level of pragmatism, assertiveness and use of clear condemnation and criticism was particularly apparent when addressing subjects such as HR abuses in Xinjiang. When considering the total number of EP resolutions related to China, no single document published on the subject of Environment was found – here, HR and ROL constituted the entirety of the main subjects for the publications. Nonetheless, this conclusion should not be taken as displaying the absence of environmental subjects in EP resolutions, as these were regularly addressed throughout, but as highlighting the fact that the EU's fundamental values were consistently addressed and upheld, while employing an increasingly assertive stance in areas where the ideological discrepancies with China are the greatest.

The understanding of the evolving nature of the role of the EU's fundamental values in the EU's stance regarding China is apparent, made evident by China's consistent and pervasive duality in dealing with the EU. Here, China consistently undertook a fundamentally inflexible and pragmatic approach in which it sought to conceal its true intentions through the use of deceiving discourse.

In this context, the fundamental aspect is the EU's increased understanding of China as an untrustworthy partner. China's failure to fulfil its regularly repeated and reinforced formal pledges to uphold the values enshrined in the UN Charter, in light of the EU's constant and continuously expressed intentions and efforts towards that same goal. As addressed during this research, China's extensive list of HR abuses, both against specific minorities and regions or as country-wide repression, belligerent actions towards its neighbours, coercive behaviour at the international stage and evident efforts to undermine the existing global rules-based order, centred around the UN and based on the principles

of the UN Charter, have contributed to the EU's understanding that the used approach was not adequate to address the challenge posed by China.

In addition, China's continued disruptions of an effective cooperative engagement with the EU, by promoting an uneven and disruptive engagement with individual EU member-states, as a way of destabilising and harming the EU's unity, have severely undermined the bilateral relationship. Thus, the characterisation of the relationship as a "partnership" was removed from official documents, as previously addressed, with China being further characterised as a "systemic rival".

The EU's fundamental objectives in this relationship have been repeatedly described, in formal documents, as to foster a constructive partnership addressing common goals, under the existing rules-based international framework, based on the EU's fundamental values. Here, one of the key pre-requisites was identified as China's gradual political reform, moving away from authoritarianism towards a more open and inclusive society, where democratic representation was seen as the ultimate goal. Throughout the analysed decade, China has not revealed the necessary openness to these fundamental changes, both in light of its implications towards the CCP's Marxist ideology and China's increasing economic – thus, political – global preponderance, while the EU's economic leverage decreased.

By analysing the current state of the bilateral relationship with information gained from tendencies identified by analysing its evolution towards the present, it is possible to infer on the EU's approach to China in the coming decade. The publication titled "*EU-China 2030 - European expert consultation on future relations*" (European Parliamentary Research Service, 2022), published in December, provides several key insights on the likely shape of the EU's strategic approach to China in the upcoming years.

As previously addressed, due to the global reach of environmental issues and climate change, prioritizing cooperation with China is predicted to be the number one priority, as China's greenhouse emissions amount to over one quarter of the global total. Due to the unavoidable and extreme negative consequences that come with failure to act decisively, the EU acknowledges cooperation with China as both fundamentally necessary and inevitable, in this issue. Nevertheless, due to the increasingly strained bilateral relationship, cooperation in this regard "risks stagnating further in the coming decade".

As made apparent in the majority of official EU documents analysed throughout this research, human rights are considered to be one of the main priorities in this relationship, with increasing focus and assertiveness. In the EP resolution "*on a new EU-China Strategy*" (European Parliament, 2021a), the EU has officially stated its intent to develop a new set of tools that will provide the means to achieve concrete solutions, where the negotiations related to the ratification of the CAI present one of the major leverage points. Quoting directly from the EU-China 2030 report, the Union is poised to take a "turn towards a more realist and strategic policymaking on China".

In light of the understanding that the nature of the relationship “will likely gravitate further towards systemic rivalry”, the promotion of fundamental values and an assertive defence of liberal democratic ideals will take shape as a comprehensive approach towards the multiple facets of the EU’s relationship with China. The internal component will be addressed by redesigning the existing framework and creating dedicated policies, in order to further improve the Union’s cohesion and effectiveness. Bilaterally, the used discourse and stance will predictably be raised towards a new level of assertiveness and pragmatism, where the EU’s fundamental values are assumed to be prioritized, indissociable from potential economic gains. Finally, the Union will seek to both strengthen and find new partnerships with like-minded countries, with the goal of creating an extensive coalition that will amplify its reach and influence against an increasingly antagonistic authoritarian state. This will be achieved by strengthening the pillars of the existing international order, centred around the UN and based on the UN Charter, and reforming international organisations which are no longer deemed to be suited to the current global balance of power, such as the WTO.

The role of the EU’s fundamental values is thus expected to gain preponderance and be translated into a more realist approach to international relations. Based on the understanding of the evolution of this bilateral relationship, an assertive posture was deemed to be the best way to defend the EU’s interests, goals and fundamental values, when faced with a country which has consistently failed to demonstrate true intentions to cooperate, causing it to increasingly be regarded as an untrustworthy counterparty.

6. Conclusion

In the EU's current Strategic Outlook to China, the country is officially characterised as a "systemic rival". It is an unavoidable actor on the global scale, due to its status as the largest trading partner of the EU – and vice-versa – which illustrates the necessity for the two entities to work with one another. As European Council's President Charles Michel stated in the G20 Conference in Indonesia, in November 2022, it is imperative to "*rebalance the relationship, listen to each other, develop a better understanding*" (Reuters, 2022a). The Union's positioning regarding China is often clear in criticism in some fields, while concomitantly being vague or uncompromising in others – a clear summation of this complex relationship, where a constant shifting balance between pragmatism and idealism takes place, in search of the ideal compromise.

The differences between the two entities are profoundly rooted in their contrasting core values, a vital assessment when trying to reach a deeper understanding of their relationship. As such, this research project addressed the EU's fundamental values as a starting point, counterposing them with those which deemed to be the pillars of the Chinese Communist Party's ideology, in order to paint a clear picture of how the guidelines of these two entities compare to one another. The fundamental discrepancies between the opposing ideologies were identified, with a particular focus on opposite and antagonistic ideals.

In order to understand how the EU's stance on China has evolved until the present day, a selection of official EU documents related to China was submitted to discourse analysis, revealing underlying patterns related to particular periods of time and different contexts.

For each of the facets of the bilateral relationship, represented by categories of documents, the goal of understanding the extent to which the EU's fundamental values are referred to, defended, used as justification or upheld in countering opposing views from China, was achieved. The comprehensive analysis that was carried out enabled the identification of different stances upheld in these different contexts. The first conclusion was the identification of a pivotal point, in 2019/2020, where the EU's stance shifted towards a more assertiveness and pragmatism, coinciding with the deterioration of the bilateral relationship. Here, the European Parliament represented the context in which this stance was deemed to be most significant.

Consequently, the current state of the relationship might be attributed to the identified shift in the EU's stance, both directly driven by and visible in a number of particularly noteworthy events regarding China, such as HR abuses in Xinjiang and Hong Kong, countrywide internal repression, the conflict in Ukraine and the situation in the Strait of Taiwan. For each of these issues, both the EU's words and actions displayed the same coherent stance in light of the current strategic framework towards China – assertively and pragmatically prioritize defending the EU's fundamental values.

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- European Parliament (2022b) *Reports of continued organ harvesting in China*.
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Appendix

Complete list of official EU documents addressed in this research

1. EU-China Summits.

2012

Joint Press Communiqué of the 14th EU-China Summit (Council of the European Union, 2012).

2013

EU-China 2020 Strategic Agenda for Cooperation (*EU-China 2020 Strategic Agenda for Cooperation*, 2013).

2014

Joint Statement: Deepening the EU-China Comprehensive Strategic Partnership for mutual benefit (European Commission, 2014).

2015

Remarks by President Donald Tusk at the press conference of the EU-China summit (Council of the European Union, 2015c).

EU-China Summit joint statement - The way forward after forty years of EU-China cooperation (Council of the European Union, 2015b).

EU-China Joint Statement on Climate Change (Council of the European Union, 2015a).

2016

Remarks by President Donald Tusk at the EU-China summit in Beijing (Council of the European Union, 2016c).

Remarks by President Donald Tusk after the 18th EU-China summit in Beijing (Council of the European Union, 2016b).

2017

Remarks by President Donald Tusk after the EU-China summit in Brussels (Council of the European Union, 2017).

2018

Joint statement of the 20th EU-China Summit (Council of the European Union, 2018b).

Remarks by President Donald Tusk after the EU-China summit in Beijing (Council of the European Union, 2018c).

2019

EU-China Summit Joint Statement (Council of the European Union, 2019a).

Remarks by President Donald Tusk after the EU-China summit in Brussels (Council of the European Union, 2019b).

2020

Remarks by President Charles Michel after the 22nd EU-China summit (Council of the European Union, 2020).

EU-China Summit: Defending EU interests and values in a complex and vital partnership - Press release by President Michel and President von der Leyen (Leyen and Michel, 2020).

2022

Remarks by President Charles Michel after the EU-China summit via videoconference (Council of the European Union, 2022b).

EU-China summit: Restoring peace and stability in Ukraine is a shared responsibility (Council of the European Union, 2022a).

2. EU Strategy on China

Elements for a new strategy on China (European Commission, 2016).

EU-China – a Strategic Outlook” (European Commission, 2019).

3. EU Parliament resolutions

Xinjiang and Tibet

“The Cases of the Larung Gar Tibetan Buddhist Academy and of Ilham Tohti” (European Parliament, 2016c).

“The cases of human rights activists Wu Gan, Xie Yang, Lee Ming-che, Tashi Wangchuk and the Tibetan monk Choekyi” (European Parliament, 2018c).

“Mass arbitrary detention of Uyghurs and Kazakhs in the Xinjiang Uyghur Autonomous Region” (European Parliament, 2018a).

“Situation of the Uyghur in China (China-cables)” (European Parliament, 2019d).

“China, notably the situation of religious and ethnic minorities” (European Parliament, 2019a).

“Forced labour and the situation of the Uyghurs in the Xinjiang Uyghur Autonomous Region” (European Parliament, 2020a).

“The human rights situation in Xinjiang, including the Xinjiang Police Files” (European Parliament, 2022e).

Hong Kong

“The case of the missing book publishers in Hong Kong” (European Parliament, 2016b).

“The case of Gui Minhai, jailed publisher in China” (European Parliament, 2016a).

“Hong Kong, 20 years after the handover” (European Parliament, 2017a).

“Situation in Hong Kong” (European Parliament, 2019c).

“The PRC national security law for Hong Kong and the need for the EU to defend Hong Kong's high degree of autonomy” (European Parliament, 2020b).

“The crackdown on the democratic opposition in Hong Kong” (European Parliament, 2021d).

“The arrest of Cardinal Zen and the trustees of the 612 relief fund in Hong Kong” (European Parliament, 2022d).

“Violations of fundamental freedoms in Hong Kong” (European Parliament, 2022g).

Bilateral Relationship

“EU-China Relations” (European Parliament, 2015).

“State of EU-China Relations” (European Parliament, 2018b).

“on a new EU-China Strategy” (European Parliament, 2021a).

“Chinese countersanctions on EU entities and MEPs and MPs” (European Parliament, 2021b).

Others

“The cases of Nobel laureate Liu Xiaobo and Lee Ming-che” (European Parliament, 2017b).

“EU-Taiwan political relations and cooperation” (European Parliament, 2021c).

“The situation in the Strait of Taiwan” (European Parliament, 2022f).

“Reports of continued organ harvesting in China” (European Parliament, 2022b).

“Chinese government crackdown on the peaceful protests across the People's Republic of China” (European Parliament, 2022a).

4. The Role and Implications of the EU's Fundamental Values

“Statement of the European Union's Delegation to China on the 2022 International Human's Rights Day” (Delegation of the European Union to China, 2022).

“G7 Foreign Ministers' Statement on Preserving Peace and Stability Across the Taiwan Strait” (G7 Foreign Ministers, 2022).

“EU-China Relations factsheet” (European External Action Service, 2022a).

“EU-China 2030 - European expert consultation on future relations” (European Parliamentary Research Service, 2022).