

EU-China Summit - EU/China human rights dialogue

European Parliament resolution of 13 December 2007 on the EU-China Summit and the EU/China human rights dialogue

The European Parliament,

- having regard to the Joint Statement of the 10th China-EU Summit held in Beijing on 28 November 2007,
 - having regard to the public hearing held on 26 November 2007 by its Subcommittee on Human Rights on 'Human Rights in China in the run-up to the Olympics',
 - having regard to the rounds of the EU-China Dialogue on Human Rights held in Beijing on 17 October 2007 and in Berlin on 15-16 May 2007,
 - having regard to its resolution of 6 September 2007 on the functioning of the human rights dialogues and consultations on human rights with third countries¹,
 - having regard to its resolution of 15 February 2007 on the dialogue between the Chinese government and the envoys of the Dalai Lama²,
 - having regard to its resolution of 7 September 2006 on EU-China relations³ and to its previous resolutions on China,
 - having regard to the European Union Guidelines on Human Rights Dialogues, adopted on 13 December 2001, and to the evaluation of the implementation of these guidelines, adopted on 9 December 2004,
 - having regard to its previous annual resolutions on human rights in the world,
 - having regard to the UN Olympics Truce, as passed by the UN General Assembly on 31 October 2007 (A/RES/62/4), inviting UN member states to observe and promote peace during the Olympic Games,
 - having regard to the 60th anniversary of the Universal Declaration of Human Rights,
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas since the setting-up of the EU-China Summit mechanism in 1998, China-EU relations have developed strongly, both politically and economically,
- B. whereas any decision to initiate a human rights dialogue is taken on the basis of certain criteria adopted by the Council, which notably take into consideration the major concerns on the part of the EU about the human rights situation in the country concerned, a genuine

¹ Texts adopted, P6_TA(2007)0381

² Texts adopted, P6_TA(2007)0055.

³ OJ C 305 E, 14.12.2006, p. 219.

commitment on the part of the authorities of the country concerned, with regard to such dialogue, to improving the human rights situation on the ground, and the positive impact which a human rights dialogue may have on the human rights situation,

- C. whereas the 2008 Beijing Olympic Games should constitute an ideal opportunity for focusing world attention on the human rights situation in China,
- D. whereas the EU is based upon and defined by its adherence to the principles of freedom, democracy and respect for human rights, fundamental freedoms and the rule of law; whereas the EU considers that adherence to these principles constitutes the prerequisite for peace and stability in any society,
- E. whereas the EU-China strategic partnership is of great importance for relations between the EU and China and whereas a genuine partnership must be based on shared common values,
- F. whereas the strengthening and deepening of EU-China relations could help to develop convergent views regarding actions to tackle global challenges such as climate change, security, terrorism and non-proliferation of arms,
- G. whereas there are continually disturbing reports of political repression, particularly of journalists, human rights activists and members of religious and ethnic minorities, allegations of torture, widespread use of forced labour, frequent use of the death penalty and systematic repression of freedom of religion, speech and the media including the Internet, and the strict controls exercised by the Chinese Government over information about and access to the Tibetan areas of China; whereas it is therefore difficult to determine accurately the scope of human rights abuses,
- H. whereas China's engagement and influence in the world have increased considerably over the last decade; whereas credibility, democratic values and responsibility should constitute the fundamental basis of the relationship between the EU and China,

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1. Welcomes the Joint Statement of the 10th EU-China Summit in which both sides reaffirm their commitment to developing a comprehensive strategic partnership to meet global challenges, as well as the further development of EU-China relations and their closer cooperation in order to deal with a wide range of issues;
2. Regrets the fact that once again the Council and Commission have failed to raise in a firm manner human rights issues at the EU-China Summit in order to give more political weight to human rights concerns, and that the EU did not take the opportunity of the approach of the Olympics to address serious human rights concerns in China;
3. Calls on China and the EU to ensure a more balanced trade and economic partnership which should lead to sustainable growth and social development, in particular in the areas of climate change, environment and energy;
4. Considers that the pirating and counterfeiting of European products and brands by Chinese industries constitutes a serious violation of international trade rules; urges the Chinese authorities to considerably improve the protection of Intellectual Property Rights

(IPR);

5. Calls at the same time for greater coherence and consistency between human rights on the one hand and trade and security on the other; urges therefore the EU to ensure that an improved trading relationship with China is contingent upon human rights reforms, and calls on the Council, in this regard, to make a comprehensive evaluation of the human rights situation before finalising any new Partnership and Cooperation Framework Agreement (PCFA);
6. Welcomes, therefore, the launch and start of negotiations on a PCFA, which will cover the full scope of the EU-China bilateral relationship, including an effective and operational human rights clause, as well as strengthened and enhanced cooperation on political matters; reiterates its demand concerning inclusion of the European Parliament in all future bilateral relations between the parties, taking into account that, without Parliament's formal assent, there can be no PCFA;
7. Insists that the EU arms embargo on China following the Tiananmen events must remain intact until substantial progress is made on human rights issues; reminds the EU Member States that the EU Code of Conduct on Arms Exports includes as a criterion respect for human rights in the country of final destination of such exports;
8. Is concerned that, despite repeated assertions by the Chinese government of intentions to ratify the United Nations International Covenant on Civil and Political Rights (ICCPR), ratification is still pending; urges China therefore to ratify and implement the Covenant without further delay;

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9. Regrets that China's human rights record remains a matter of serious concern; emphasises, therefore, the need to considerably strengthen and improve the EU-China human rights dialogue; calls on the Council to provide a more detailed briefing to Parliament; considers it relevant to continue to organise the EU-China legal seminar on human rights, which used to precede the dialogue, with the participation of academic and civil society representatives, and in this regard welcomes the establishment of an EU-China Human Rights Academic Network under Objective 3 of the European Instrument for Democracy and Human Rights (EIDHR) ; calls on the Commission to ensure that this network will effectively function in cooperation with Parliament;
10. Considers that the matters discussed in the successive rounds of dialogue with China, such as ratification of the ICCPR, reform of the criminal justice system, including the death penalty and the system of re-education through work, freedom of expression, particularly on the Internet, freedom of the press, freedom of access to information, freedom of conscience, thought and religion, the situation of minorities in Tibet, the release of detainees following the events in Tiananmen Square, and workers' and other rights, must continue to be raised in the context of the dialogue, in particular with regard to the application of the recommendations resulting from previous dialogues mutually agreed upon by both parties and the seminars on legal affairs; to this end, calls on the Council to consider extending the time period of the dialogue and to allow more time for discussion of the issues raised; calls, furthermore, on the Council and Commission to pay special attention to compliance with International Labour Organisation conventions with regard, in particular, to independent trade unions and child labour;

11. Notes China's commitment to supporting the UN Human Rights Council in performing its function of addressing human rights issues in a credible, objective and non-selective manner, and calls for strengthened cooperation in the UN system as well as cooperation with the UN human rights mechanisms and the international human rights standards provided for in the relevant international human rights instruments, including the rights of minorities;
12. Draws attention to the need for China to allow the free expression and practice of religion and thought; affirms the need, particularly in the light of the discussions among Chinese officials about the definition of 'religion' and especially 'legal religion', for a comprehensive law on religion meeting international standards and guaranteeing genuine religious freedom; deplores the contradiction between the constitutional freedom of belief (enshrined in Article 36 of the Chinese Constitution) and the ongoing interference of the state in the affairs of religious communities, in particular as regards the training, selection, appointment and political indoctrination of ministers of religion;
13. Regrets that the sixth Sino-Tibetan round of talks has brought about no results; calls on the parties to make every effort in order to continue the dialogue and calls on the Chinese government to engage in substantive negotiations taking into due consideration the demands of the Dalai Lama for autonomy for Tibet; calls on China to refrain from exerting pressure on states that have friendly relations with the Dalai Lama;
14. Reiterates its concern over the reports of continuing human rights violations in Tibet and in the other provinces inhabited by Tibetan people, including torture, arbitrary arrest and detention, repression of religious freedom, arbitrary restrictions on free movement, and rehabilitation through labour camps; deplores the intensification of the so-called 'patriotic education' campaign since October 2005 in Tibet's monasteries and nunneries, forcing Tibetans to sign declarations denouncing the Dalai Lama as a dangerous separatist; calls on China to allow an independent body to have access to Gedhun Choekyi Nyima, the Panchen Lama of Tibet, and his parents, as requested by the UN Committee on the Rights of the Child;
15. Calls on China, as a member of the UN Human Rights Council, to implement the recommendations of the UN special rapporteur on torture and to issue a standing invitation to China to UN experts;
16. Is of the opinion that human rights concerns should receive much more focus in the build-up to the Beijing Olympic Games; reiterates the need for "respect for universal fundamental ethical principles" and the promotion of a peaceful society concerned "with the preservation of human dignity" as enshrined in Articles 1 and 2 of the Olympic Charter;
17. Requests the International Olympic Committee to publish its own assessment of China's compliance with the undertakings given in 2001 before the Games were awarded to Beijing; stresses the responsibility of the EU to take note of such an assessment and to work with its Olympic Network to create a basis for responsible behaviour in preparation for, during and after the Olympics;
18. Is strongly concerned at the recent increase of political persecution related to the Olympics of human rights defenders, journalists, lawyers, petitioners, civil society activists, ethnic groups such as the Uighurs, and religious people of all beliefs, especially

Falun Gong practitioners; calls on the Chinese authorities to release these people immediately and to put an end to these human rights violations, as well as to the demolition of substantial numbers of houses without compensation to make way for the Olympic infrastructures;

19. Is equally concerned about the surveillance and censorship of information on the Internet, and calls on the Chinese authorities to end the blocking of thousands of websites, including European media websites; calls on the Chinese authorities to release writer Yang Maodong and the other 50 cyber-dissidents and web users imprisoned in China;
20. Calls on China to make concrete steps to grant freedom of expression, and to respect freedom of the press, both for Chinese and foreign journalists; is particularly concerned about the lack of implementation of the new regulation on international journalists active in China, and urges the Chinese authorities to immediately stop censoring and blocking - especially with the help of multinational companies - thousands of news and information websites based abroad; calls for the release of all journalists, Internet users and cyber-dissidents detained in China for exercising their right to information; reiterates its call on the Chinese authorities to establish a moratorium on executions during the Olympic Games in 2008, and to withdraw the list of 42 banned categories of people;
21. Draws attention to the conclusions of the 17th Chinese Communist Party National Congress, held in mid-October 2007, at which different perspectives and degrees of openness arose over the implementation of higher international human rights benchmarks in China;
22. Urges China to stop its ongoing support for the regime in Myanmar and the situation in Darfur;

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23. Instructs its President to forward this resolution to the Council, the Commission, the Governments and parliaments of the Member States, the Government of the People's Republic of China, the Chinese National People's Congress, the UN Secretary-General, and the Board of the International Olympic Committee.