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**Human Rights Promotion in Realist
Perspective: Case Studies of EU's Sanctions on
China**

Master thesis

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Abstract

This thesis aims to evaluate the EU's two sanctions on China's human rights issues from an innovative realist perspective, with two case studies of the sanctions of June 1989 and March 2021. First, I explain why realism and human rights promotion do not contradict each other despite the former's cynical nature. On the contrary, I argue that human rights promotion can benefit from realist thinking. Three realist guidelines are designed as evaluation standards for the case studies. This thesis concludes that although the EU's two sanctions had yet been proven to achieve any substantial improvement in China's human rights condition, nevertheless, the policy design or their impact is in alignment with the realist guidelines.

Keywords

European Union (EU), China, human rights, sanction, realism

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List of Abbreviations

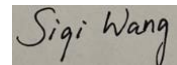
CAI	Comprehensive Agreement on Investment
CAT	Convention Against Torture
CEDAW	Committee on the Elimination of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CFSP	Common Foreign and Security Policy
EP	European Parliament
EU	European Union
GSDB	Global Sanctions Data Base
HRD	Human Rights Dialogue
IHRL	International Human Rights Law
LGBTI	Lesbian, gay, bisexual, transgender, and intersex
NHRIs	Network of National Human Rights Institutions
PLA	People's Liberation Army
PRC	People's Republic of China
XUAR	Xinjiang Uygur Autonomous Region

Declaration of Authorship

1. The author hereby declares that she compiled this thesis independently, using only the listed resources and literature.
2. The author hereby declares that all the sources and literature used have been properly cited.
3. The author hereby declares that the thesis has not been used to obtain a different or the same degree.

Prague 30/12/2021

Siqi Wang

A rectangular box containing a handwritten signature in black ink that reads "Siqi Wang".

Acknowledgments

When I started this research, my supervisor, Professor Tomáš Weiss, warned me that human rights research will not be easy. Indeed, because of the complexity of the human rights offences involved in this thesis, the research process took a toll on me.

I was initially hesitant to write about such a sensitive topic for fear of future complications. After consideration, I decided that I should not waste my research interest in the human rights topic. This thesis was written with the best objectivity and the most truthfulness I could offer. I hereby hope that whoever in the future, reads this thesis, does so purely out of an academic interest.

I am grateful for the guidance provided by Professor Tomáš Weiss and Professor Jiří Vykoukal. I would also like to thank my parents for supporting me, and my friend Matúš Zbur, for helping me selflessly when I needed the most.

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Description of the topic:

The EU is based on a strong commitment to promoting and protecting human rights, democracy, and the rule of law worldwide. As one of the world's most prominent role models of democracy, the EU acts a crucial and leading role in international human rights promotion. Among third countries, China has been arguably the most problematic country in the course of EU's human rights promotion. This thesis aims to study the EU's two sanctions toward China with a realist perspective.

Research questions:

1. Are the EU's two sanctions toward China in alignment with realist guidelines?
2. Has the EU improved the 2021 sanction based on the 1989 sanction? If so, how?

Aim of the dissertation:

This thesis aims to evaluate the EU's two sanctions on China's human right issues from a realist perspective, with two case studies of the sanction in June 1989 and in March 2021.

Proposed methodology:

Qualitative method and case study method will be employed to answer research questions. The data in this thesis are collected through secondary research of academic articles, EU and Chinese official documents, credible journalist reports, etc.

Proposed structure:

This thesis is organized in the following way. In Chapter I, the introduction chapter, I start by briefly introducing the research background: the importance of human rights in EU's CFSP, as well as the challenges the EU encounters in relations with China regarding human rights issues. I then proceed to explain why this thesis incorporates qualitative method, as well as the theoretical framework. In theoretical background section, I introduce the realist guidelines for human rights promotion, which serves as the evaluation standard for the two case studies in Chapter III and IV. The last chapter begins with a summary of the findings from the two case studies and implications of the findings. It then offers considerations of the potential limitations of this thesis, as well as suggestions for future studies.

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Chapter I - Introduction

This thesis aims to evaluate the EU's two sanctions on China's human right issues from a realist perspective, with two case studies of the sanction in June 1989 and in March 2021.

First, I explain why realism and human rights promotion do not contradict each other despite the former's cynical nature. Then, I argue that human rights promotion can in fact benefit from realist thinking. Three realist guidelines are designed as evaluation standards for the case studies. This thesis concludes that although the EU's two sanctions had yet been proven to achieve any substantial improvement in China's human rights condition, nevertheless, the policy design or their impact is in alignment with the realist guidelines.

Human rights are at the heart of EU relations with other countries and regions.¹ The EU is based on a strong commitment to promoting and protecting human rights, democracy, and the rule of law worldwide. As one of the world's most prominent role models of democracy, the EU acts a crucial and leading role in international human rights promotion. After the Cold War, protecting and promoting human rights has become one of the main features of the EU's diplomatic policies. In 1992, the Maastricht Treaty states that one of the goals of the Common Foreign and Security Policy (CFSP) is "to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms."² In the Copenhagen criteria, political criteria include democracy, rule of law, human rights, respect

¹ "Human Rights and Democracy," European Union, June 26, 2019, https://europa.eu/european-union/topics/human-rights_en.

² Ina Sokolska, "The Maastricht and Amsterdam Treaties," European Parliament, September 2021, <https://www.europarl.europa.eu/factsheets/en/sheet/3/the-maastricht-and-amsterdam-treaties>.

for and protection of minorities. It is evident that human rights are both essential within the EU as well as in its relations with third countries.

The EU actively engages in human rights promotion with third countries. “As a normative power the Union has set itself the task to spread certain norms such as respect for human rights to other countries and to strengthen the international human rights regime.”³ Among third countries across the world, China is conceivably one of the most high-profile countries with severely concerning human rights condition. When it comes to the EU’s promotion of human rights in third countries, it is argued that “there is no country like China with which the EU’s ambition and leverage are so mismatched.”⁴ The Chinese government has long been criticized by the international society for the infringements of its citizens’ human rights, particularly political and civil human rights.

The EU has been engaging with China in human rights dialogues since 1995, the year when the EU-China Human Rights Dialogue (HRD) was launched following China’s proposal.⁵ The HRD, the only official venue for discussion of human rights issues for the EU and China, is conducted twice a year (uninterruptedly until 2021), once in Europe and once in China. Despite its frequency and continuity, it has been criticized by many EU officials and scholars to be empty and of little positive influence.⁶ Details of the HRD are enclosed from

³ Jing Men, “Between Human Rights and Sovereignty-An Examination of EU-China Political Relations,” *European law journal: review of European law in context*, (Oxford, UK: Blackwell Publishing, 2011), 17(4), 534-550, ISSN 1351-5993, doi:10.1111/j.1468-0386.2011.00564.x.

⁴ John Fox and Godement François, *A Power Audit of EU-China Relations*, (London: European Council on Foreign Relations, 2009), 63, https://ecfr.eu/wp-content/uploads/ECFR12_-_A_POWER_AUDIT_OF_EU-CHINA_RELATIONS.pdf.

⁵ “EU-China Relations: Chronology,” European External Action Service, June 2012, https://eeas.europa.eu/archives/docs/china/docs/chronology_2011_en.pdf.

⁶ Philip Baker, “Human Rights, Europe and the People's Republic of China.” *The China Quarterly*, no. 169 (2002): 45-63, <http://www.jstor.org/stable/4618705>.

the public, which also greatly undermines its value and impact. As Geeraerts criticizes, “a major weakness is that the dialogue lacks concrete and publicly articulated benchmarks.”⁷

Represented by the HRD, in general, the EU’s China human rights policies lack effectiveness. Katrin Kinzelbach, a scholar who specializes in China’s human rights issues, criticizes the EU’s China human rights diplomacy as “a quiet diplomacy” for its lack of action and concrete results. She comments that “the EU’s quiet diplomacy has essentially been of little use in terms of influencing China’s behavior in the field of human rights.”⁸

Nonetheless, the EU’s approach toward China has not always been confined to verbal level. In 1989 and 2021 respectively, the EU imposed sanctions China on its human rights offences. Sanctions, or as the EU coins them, “restrictive measures,” are an essential tool in the EU’s CFSP, and one of the functions of which is to “support democracy, the rule of law and human rights.”⁹ (In this thesis, “restrictive measures” is referred to as “sanctions” for convenience.) The 32-year interval between the two sanctions is what initially drew my interest for further research. The 2021 sanction naturally invites speculation for a tougher stance toward China in the future. But the questions are: will this sanction realistically benefit human rights promotion in the case of China? And how is it different from the first sanction 32 years ago?

⁷ Gustaaf Geeraerts, “China, the EU, and Global Governance in Human Rights,” *China, the European Union, and the International Politics of Global Governance*, 2016, 233–49, https://doi.org/10.1057/9781137514004_13.

⁸ Katrin Kinzelbach and Hatla Thelle, “Taking Human Rights to China: An Assessment of the EU’s Approach,” *The China Quarterly*, no. 205 (2011): 60-79, <http://www.jstor.org/stable/41305194>.

⁹ “Restrictive measures (sanctions),” European Commission, https://ec.europa.eu/info/business-economy-euro/banking-and-finance/international-relations/restrictive-measures-sanctions_en.

1.1 Significance of the study

The necessity of this thesis stems from the insufficient intervention and unsatisfying result of the EU's human rights policies on China. The broad significance of this thesis lies primarily in the intrinsic importance of the research field. Human rights remain one of the foremost fundamental elements and difficult topics in EU-China relations. This deeply rooted problem has intensified frictions and divided the cleavage between the two. It is apparent that China's human rights record has been and will continue to be problematic for the EU in cooperation. Studying the failures in EU's human rights policies can help refine future policymaking, thus hopefully improve EU-China relations, which will be a desirable outcome for both parties.

Moreover, this thesis offers a realistic and pragmatic angle to analyse the EU-China human rights relations. I contend that human rights studies can benefit from the incorporation of realist thinking. Further justification for using realist theory is included in the theoretical framework section. During the literature review process, I discovered that there exists a very small volume of literature that incorporates realist theory in the analyses of human rights sanctions, not to mention the specific sanctions on China. The research objects, two sanctions from the EU to China, remain relatively less studied, compared to other popular topics, such as death penalty, Tibet, and Taiwan. In conclusion, this thesis is novel in its combination of research object and choice of theory. It can hopefully narrow the gap in the literature. Those who take an academic interest in EU's human rights policies toward China, and perhaps, are frustrated by their futilities, will find an innovative angle in this thesis.

1.2 Summary of chapters

This thesis is organized in the following way. In Chapter I, the introduction chapter, I start by briefly introducing the research background: the importance of human rights in EU's CFSP, as well as the challenges the EU encounters in relations with China regarding human rights issues. I then proceed to explain why this thesis incorporates qualitative method, as well as the theoretical framework. Lastly, I introduce three realist guidelines that will later serve as the evaluation standard for the two case studies in Chapter III and IV.

Chapter II is the literature review of this thesis. It summarises the existing human rights scholarship with the incorporation of qualitative method and realist theory respectively, as well as studies on China's human rights issues. The literature review is the result of a mixture of academic material as well as credible media sources. The review is conducted in both English and Chinese languages in hope of obtaining the most objectivity by analyzing information from both sides.

Chapter III and Chapter IV analyze the EU's two sanctions on China in June 1989 and March 2021 respectively. The structures of the two chapters are similar. To begin with, the background of the sanction is introduced for a better understanding of the necessity of the sanctions, including the EU-China relationship status prior to the sanctions, and a brief introduction of the sanctioned matters. After that, I analyse the main content of the sanction with data from the official database of the institution that imposed the sanction and credible media reports. Then, an evaluation of the content is drawn with the help of realist guidelines. Finally, impact of the sanction is evaluated with two methods. First, I investigate on the

sanctioned matter to see if any substantial impact has taken place. For example, regarding the June 1989 sanction, the EU imposed an arms embargo on China. Since the sanction is technically still in place, I track the arms trade between the EU and China from June 1989 till 2021, as well as existing proofs for affliction in China's military development due to the embargo. Most importantly, whether the sanction consequentially improved China's human rights condition. Second, I collect scholars' reviews on the sanction in effort to form a comprehensive and objective assessment of the sanction. At the end of Chapter IV, a comparison is drawn between the two sanctions as part of the evaluation of the second sanction. Considering the second sanction took place 32 years after the first one, it is anticipated to have been refined based on lessons learned from its precedent.

The final chapter of this thesis, the conclusion chapter, begins with a summary of the findings from the two case studies and implications of the findings. It then offers considerations of the potential limitations of this thesis, as well as suggestions for future studies.

1.3 Methodology and theoretical framework

1.3.1 Qualitative method

This research is conducted with qualitative method. Qualitative method is deemed appropriate for answering the research questions in this thesis for the following reasons: first, “qualitative research is inductive in nature, and the researcher generally explores meanings and insights in a given situation.”¹⁰ In order to answer the research questions in this thesis, perspectives, opinions, and attitudes need to be analyzed. Thus, the data are “factual” rather than numerical, which calls for qualitative method.

The thesis consists of two case studies. I incorporate case study method, because first, my research interest originated from the two sanctions. I naturally thought of including them as case studies to best utilize my research interest and curiosity to optimize the quality of this research. More importantly, the sanctions, as well as sanctioned matters, possess significance and research value intrinsically. Second, by discussing “real-world” problems, case study method is down-to-earth and thus more relatable to readers. Third, by conducting comparative case studies of two sanctions, I can analyze the similarities and differences between the two cases and can hopefully produce more generalizable findings to answer the research question compared to single case study.

According to Delwyn Goodrick in her “Comparative Case Studies” methodological brief, comparative case studies are suitable in the following circumstances:

¹⁰ Strauss, A., & Corbin, J., *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory (3rd Ed.)*, Thousand Oaks, London, 2008, New Delhi: SAGE Publications, ISBN 978-1-4129-9746-1.

- a) “When ‘how’ and ‘why’ questions are being posed about the process or outcomes of an intervention.
- b) When one or more interventions are being implemented across multiple contexts, and there is little or no opportunity to manipulate or control the way in which the interventions are being implemented.
- c) When an understanding of the context is seen as being important in understanding the success or failure of the intervention.”¹¹

The case studies intend to answer the question of whether EU’s two sanctions on China fulfill the realist guidance for human rights policies. In other words, whether they are realistically designed to ensure the most optimal outcome, and whether they have effectively improved China’s human rights situation. The process and outcome of the sanctions will be examined, which will be aided by opinions and interpretations of scholars and experts. Thus, the research design of this thesis fulfills the prerequisites of comparative case studies.

What’s more, in order to conduct comparative case studies in a rigorous manner, specific features of each case study are described at the beginning of each case study in the background. Also, similarities of the two cases are stated, thereby justifies the comparability of the two cases. In both case studies, more emphasis is put on examining causality of the sanction “(i.e., the extent to which the intervention caused the results, particularly outcomes and impacts.)”¹²

¹¹ Delwyn Goodrick, “Comparative Case Studies methodological brief”, UNICEF Office of Research, September 2014, https://www.unicef-irc.org/publications/pdf/brief_9_comparativecasestudies_eng.pdf.

¹² Ibid.

The data in this thesis are collected through secondary research of academic articles, EU and Chinese official documents, credible journalist reports, etc. During data collection, the Global Sanctions Data Base (GSDB, 2021 updated) has helped tremendously in expediting the process. The GSDB provides a comprehensive list of global sanctions from 1950 to 2019, with sanctions categorized by sanctioned states, sanctioning states, time, types of the sanction, political objectives, and perceived degree of success. With the help of GSDB, I quickly sorted out other similar sanctions serving as juxtaposition to the two sanctions discussed in this thesis. However, the GSDB is flawed in the sense that it does not include its criteria for the outcome evaluation, but simply categorized the sanctions as “failed”, “partial success”, “total success” and “ongoing.”

Details of sanctions were selected from official documents from their responsible institutions’ data bases to ensure credibility. Allegations of China’s human rights offences, comments and responses from both sides were selected from credible and influential journalist reports, selected from both English language and Chinese sources, such as *BBC News*, *Washington Post*, *Xinhua News*, *People’s Daily*, etc.

Lastly, it is worth noting that the truthfulness of any allegations mentioned in this thesis is not guaranteed nor implied and was deemed irrelevant to the research questions for it does not matter what China has done or has not, although that is also an important topic. The sanctions were already imposed, and that is the focus of this thesis.

1.3.2 Realist theory

The theoretical framework of this thesis is primarily based on classical realism in international relations (for convenience, I refer to “classical realism” as “realism” in this thesis). First, I contend that realist theory fundamentally explains why human rights promotions fail, and the mark of realism is especially evident in the case of EU-China. The primary tenet of realism argues that the states’ foremost priority is to protect and promote national interests, and that states act primarily upon their national interests. From the realist’s point of view, if the EU’s human rights diplomacy toward China potentially hurts member states’ economic or other interests, it is unlikely for member states to support such diplomacy in a persistent manner.

This theory has been proven to be true in the EU-China human rights intervention. One of the main reasons causing the failure of the EU’s China policies is that member states could hardly reach a consensus to condemn China. The EU needs its member states’ unanimous votes to pass a policy if it wishes to confront China on human rights violations effectively, instead of scattered criticisms here and there. Such unanimity of all EU member states is leverage in international relations. Rarely, when member states did unanimously agree on a policy, the measures in the policy were not practiced rigorously, at least not for long. From what can be observed in the past, soon after a condemning attitude began to hurt their national interests, states would abandon the EU’s policy and revert to a friendlier attitude to China, which thereby invalidates the EU’s condemnation. This happened most of the time, as China generally did not hesitate to retaliate with various means, particularly in recent years.

Intergovernmentalist theory explains why the EU's China policies fail in further details. It directly links the failure of policies to damaged state interests, which confirms my previous correlation analysis. Catherine Gegout precisely sums that, "all the policy outcomes of the EU on China's human rights record can be explained in terms of intergovernmentalist theory: big states were the main actors, they did not act in the European spirit of solidarity, and they favored their economic interests."¹³ Economic partnership with China is indisputably of great importance for the EU, as well as for individual member states. China has a lucrative market for exports, while being the biggest exporter in the world itself. China is the EU's second largest trading partner according to data provided by Eurostat, the EU's statistical office. The biggest economies in EU member states, Germany, and France, have also both been criticized for prioritizing economic interest over human rights principles.

An opposition to the employment of realist theory in human rights studies can be that realism denies the importance of human rights in international relations, therefore, incorporating realist theory in human rights studies would be contradictory. Indeed, human rights promotion is to a great extent hindered by realist limitations and is intrinsically against the realist dogma of power politics. The "die-hard" realists would insist that human rights should not be a determining factor in international relations, and that a foreign policy which prioritizes human rights would be idealistic and naïve, for it may jeopardize economic interests. However, I contend that not only can human rights promotion survive in a world guided by realist parameters, but it would also benefit from realist guidance.

¹³ Catherine Gegout, *European Foreign and Security Policy: States, Power, Institutions and American hegemony*, (Toronto: University of Toronto Press, 2010) 80, doi:10.3138/9781442686335.

Human rights studies should be incorporated with realist thinking precisely because human rights promotion is obstructed by realist limitations. Once the source of the problem is identified, solutions can be designed accordingly. If a human rights policy is designed with the guidance of realism, it will be more feasible to achieve the anticipated outcome.

What's more, many realists have acknowledged the weight of ethics in international relations, especially the classical realists. One of the most prestigious classical realists, Hans Morgenthau confirms that ethics plays a vital role in politics. "A man who was nothing, but 'political man' would be a beast, for he would be completely lacking in moral restraints."¹⁴ Classical realists further argue that political realities should be taken into consideration in moral discourses. In other words, realist thinking should be incorporated into human rights promotion. Morgenthau's second half of the previous quote goes, "a man who was nothing, but 'moral man' would be a fool, for he would be completely lacking in prudence."¹⁵ The prudence he mentions is interpreted by Julian Korab-Karpowicz as "the ability to judge the rightness of a given action from among possible alternatives based on its likely political consequences."¹⁶ If not restrained by ethics, all political behaviors can be justified by national interests. Ethics and politics must find a way to coexist.

Another opposition can be that realist theory is anarchic. If realist theory does not acknowledge the authority of international organizations, like the EU, or the necessity of its existence, how can it guide the EU's human rights policies? This is answered by the English

¹⁴ Julian Korab-Karpowicz, "Political Realism in International Relations," *The Stanford Encyclopaedia of Philosophy* (Summer 2018 Edition), <https://plato.stanford.edu/entries/realism-intl-relations/#HansMorgRealPrin>.

¹⁵ Korab-Karpowicz, "Political Realism in International Relations."

¹⁶ Ibid.

school of realism, which “accepts the realist premise of the logic of anarchy, but claimed that an international society can emerge out of that anarchy.”¹⁷ Hedley Bull, a representative scholar of the “English Realism,” defines the international society as “a group of states, conscious of certain common interests and common values, form a society in the sense that they conceive themselves to be bound by a common set of rules in their relations with one another, and share in the working of a common institutions.”¹⁸ The EU clearly fits such descriptions as a society for its member states. Thus, realism can be applied to analyze and guide international organization like the EU.

In conclusion, despite realist theory’s fundamental advocacy for power politics, it does not contradict with human rights promotion. On the contrary, it rather stresses the importance of human rights principles, as well as the incorporation of realist thinking in human rights promotion. Also, realist’s stress of the political sovereignty of nation states does not reject the authority of international organizations when the purpose of which is in line with the nation states’ interests.

1.3.3 Realist guidelines for human rights promotion

For the following case studies, three realist guidelines are designed for evaluation. First, realist theory fundamentally claims that national interests is the foremost priority for nation states. Following this logic, a human rights policy should implement measures that will

¹⁷ Koldo Casla, “Realism: Human Rights Foe?” E-International Relations, February 6, 2018, <https://www.e-ir.info/2018/02/06/realism-human-rights-foe/>.

¹⁸ Hedley Bull, *The Anarchical Society: A Study of Order in World Politics*, (London: Palgrave, 2002), ISBN 0-333-98586-9.

effectively impact the target's national interests, directly or indirectly, in order to change the target country's behavior. National interests can take many forms, such as economic, political, military, diplomatic and even cultural. Among them, economic interest is usually what states care about the most. Lowell Dittmer claims that effective economic sanctions are only feasible when an international consensus is achieved and that such consensus is difficult to obtain when the target country is valuable in international relations in any sense.¹⁹ This is indeed reflected in the EU's choices of sanction methods as shown in the case studies: an arms embargo, travel bans and asset freezes. Policymakers in the EU know fully well that imposing an economic sanction on China is futile, as such measure might hurt itself more than China, not to mention that a consensus for an economic sanction is unlikely to pass in the first place.

Second, for realists, maintaining the state's economic power and military strength is of the foremost importance in international relations, for economic and military prowess represent power. Realists are strong advocates against wars. According to Koldo Casla, who is also in favor of incorporating realist thinking in human rights promotion, "realists are particularly interested in the balance of power," for that "realism is static, prone to the status quo, suspicious of change."²⁰ In so speaking, a human rights policy that includes measures which will contain the target country's military development, or reduce the proclivity of war, is in line with the realist guidance.

¹⁹ Lowell Dittmer, "Chinese Human Rights and American Foreign Policy: A Realist Approach," *The Review of Politics*, 63, 3 (2001): 421-459, doi:10.1017/S0034670500030916.

²⁰ Casla, "Realism: Human Rights Foe?"

Third, since failure of human rights policies stems from the tendency of member states “betraying” the EU for their own national interests, which is previously explained by realist theory, a successful human rights policy should be enforced by all EU member states. Or at least, it should be designed to best ensure all-member enforcement for as long as possible.

Chapter II - Literature Review

2.1 Qualitative method in human rights studies

This thesis focuses on the realist evaluation of the EU’s two sanctions on China. Qualitative method is employed to answer the research questions. In the previous section of methodology and theoretical framework, I have explained the reasons and advantages for employing qualitative method. During literature review, I discovered abundant human rights scholarship that incorporates qualitative method.

Norman K. Denzin and Michael D. Giardina state in their book *Qualitative Inquiry and Human Rights* that, “qualitative researchers are increasingly being called upon to become human rights advocates.”²¹ In their book, they include a myriad of representative research done by leading qualitative researchers in social sciences, cultural studies, and many other fields. Denzin and Giardina argue that critical qualitative research can provide the moral authority “to move people to struggle and resist oppression,”²² and visions that “inspire

²¹ Norman K. Denzin and Michael D. Giardina, *Qualitative Inquiry and Human Rights*, (London: Routledge, 2016), 1, doi:10.4324/9781315421575.

²² Ibid.

transformative inquiries.”²³ They stress that critical qualitative research should serve the purpose of “ethically responsible activist research”²⁴ in oppose to the traditional interpretive role of qualitative research. I fully agree with their argument, as human rights are clearly a cause which needs constant advocacy. However, for a collection of research from various disciplines, the absence of a conclusion chapter makes this book seem slightly scattered and unfocused.

Emilie M. Hafner-Burton and James Ron in their article “Seeing Double Human Rights Impact through Qualitative and Quantitative Eyes” compare the implementation of qualitative method and quantitative method in human rights studies. One of the challenges for studying human rights promotion with qualitative research is the lack of standardized measures, which means qualitative researchers must evaluate the success or failure of a policy with their own standards. In so doing, Hafner-Burton and Ron argue, can create slippage across studies, as different researchers differ in understanding, standards, interpretations, and so on. This is accurately represented in the case studies of this thesis. The direct impact of the sanction, such as on trade or arm sells, is relatively easy to pin down, although not always. For example, it is ambiguous whether an economic recession is directly linked to certain financial sanction. Similarly, the improvement or deterioration of human rights condition can hardly be causally linked to a particular sanction. Therefore, when it comes to accessing the impact of human rights policies, qualitative researchers are left with their own judgment and common sense.

²³ Ibid.

²⁴ Ibid. 16.

Quantitative researchers face different challenges. First, Hafner-Burton and Ron contend that data of human rights record vary very little from year to year, which suggests that “government abuse may be extraordinarily sticky over time.”²⁵ Another interesting and valuable point is that the human rights record in the 1990s may appear worse than in the 1970s, but it does not necessarily indicate the human rights situation in the 1990s severely deteriorated than in the 1970s. Rather, it is because “the standards of acceptable behavior have changed dramatically since the end of the cold war and the recent period has seen the rise of a powerful human rights advocacy network.”²⁶ This is worth noting for human rights researchers regardless which method they employ.

What’s more, Hafner-Burton and Ron observe that qualitative researchers, especially those who employed case studies method, are in general more optimistic about human rights promotion. Whereas their statistical counterparts are more skeptical due to their focus on the marginal little improvement, or most of the time, no improvement at all. They suggest that qualitative researchers “situate their research within global and regional patterns,”²⁷ which is what I attempt to achieve by adding the UN or the US response into comparison in the case studies. Hafner-Burton and Ron’s article serves as a highly valuable read for human rights researchers.

²⁵ Emilie M. Hafner-Burton and James Ron, “Seeing Double: Human Rights Impact through Qualitative and Quantitative Eyes,” *World Politics*, Volume 61, 2, (2009): 382, doi:10.1017/S0043887109000136.

²⁶ Ibid. 383.

²⁷ Ibid. 393.

In conclusion, both qualitative and quantitative method have their share in human rights studies. As Hafner-Burton and Ron advise, researchers should conduct research with the flaws of their research method in mind and adjust accordingly.

2.2 Realist theory in human rights studies

Realist theory is not commonly applied in human rights studies because it is traditionally deemed contradictory to human rights promotion. There are two ways to defend human rights as an ideal, either by idealist or realist means. The idealists advocate for dialogue and cooperation, whereas realists favor sanction and boycott. As most of the pre-existing human rights interventions show, the dominant method most countries and organizations favor is the idealist method, perhaps for its less confrontational nature. Like its relatively unfavorable fate in human rights practice, realism is rarely thought as an inspiration, not to mention a guideline, for human rights studies.

It is to be noted that a large proportion of scholarship evolves around realism in international law, which is excluded from the literature review, mainly because of the related area's complexity and the thesis's focus on practice. The literature review thus rather focuses on the realist theory application in the practice of human rights promotion than in international human rights law.

Many scholars debate on the superiority between the idealist method and realist method in human rights promotion. In Lowell Dittmer's article "Chinese Human Rights and

American Foreign Policy: A Realist Approach,” he claims that “whereas the former (idealist) is logically consistent with the ends, only the latter (realist) promises immediate results.”²⁸ As much as he acknowledges the effectiveness of realist method in solving “realistic” problems, Dittmer concludes that “realist means may appear to be useful in support of realist ends, such as trade or security issues, the use of such means in support of idealist ends is logically contradictory and inherently self-defeating.”²⁹ In other words, Dittmer disagrees that realist method can resolve “idealistic” problems, hence effectively improve human rights condition. Among scholars who associate realism with the practice in human rights promotion, those with opinions like Dittmer’s are the majority.

Nevertheless, I found support from scholars who agree that realist thinking can benefit human rights policy making. François Godement, a leading scholar who specialises in Chinese strategic and international affairs, writes in his book *China at the Gates: A New Power Audit of EU-China Relations*, that Europe needs to adopt realism when dealing with China. “Where once Europe was gripped by the illusion of being able to ‘change China’, the EU and its member states have all but moved on from such notions now.” Godement describes human rights as “an impossible topic” in EU-China relations, simply addressing that China holds different views than Europe does, which is what causes difficulty. Although, he does not go further in discussing human rights in the EU-China relations in this book, but rather emphasizes on analysis of the EU-China relations from economic and diplomatic perspectives. Godement also comments that today’s China, with its prowess and the grand

²⁸ Dittmer, “Chinese Human Rights,” 459.

²⁹ Ibid.

“Chinese dream”, “finds no use for Europe’s norms, values, and ideas.”³⁰ This view again supports my argument that realist theory explains the failure of EU’s China policy.

Notwithstanding, I am not alone in advocating for an “alternative realist thinking” in human rights studies. Koldo Casla, begins his article “Realism: Human Rights Foe?” by explaining why human rights are dismissed in a conventional realist view, he then offers three ways in which human rights can “survive and flourish in a world guided by classical realist parameters.”³¹ First, legal realism offers an angle from which to reflect on the International Human Rights Law (IHRL). Secondly, the prudent nature of realism could prevent war, therefore, protects human rights. Thirdly, “adjacent to realism, we can conceptualize IHRL as the product of a political tension between order and justice in international society.”³² Casla’s second proposal is in alignment with the second realist guideline of mine, that realism supports balance of power, thus is anti-war, or any substantial growth of military power. Casla’s article is innovative in the sense that he incorporates realist thinking into human rights studies, and it offers a myriad of previous scholars’ opinions for reference. As eloquently written as the article is, it weighs heavily on theoretical analysis, and lacks cases and examples as illustration support.

³⁰ François Godement, *China At The Gates: A New Power Audit of EU-China Relations*, (European Council on Foreign Relations, 2017) 89, https://www-jstor-org.ezproxy.is.cuni.cz/stable/resrep21666.9?seq=1#metadata_info_tab_contents.

³¹ Casla. “Realism: Human Rights Foe?”

³² Ibid.

2.3 Human rights studies on China and EU' human rights sanctions

There is abundant scholarship on human rights conditions in China. In the 1980s, China's human right violations attracted more attention internationally as China's global influence increased. The mark of research boom is the 1989 Tiananmen Square crackdown. "Before 1989, very few academic works in English addressed human rights in China."³³

Regarding specific human rights case studies on China, there exists abundant case studies on Tibet, death penalty, Taiwan, LGBTQ rights, and so on. There is relatively less scholarship on the cases of Xinjiang or Hong Kong discussed in this thesis due to the recentness of their occurrence.

Contrary to the abundance of literature regarding this topic in English, I was surprised to discover that there is a vacuum in the Chinese literature, in the sense that no serious academic nor critic articles can be found, except for propaganda articles that sing praises. According to Svensson, "despite official recognition and the fact that human rights since 2004 are written into the constitution, the concept and topic remain highly sensitive in China."³⁴ Indeed, criticism or even too much curiosity about any government wrongdoing can bring troubles to individuals. The Chinese government lacks tolerance for criticism. It is equipped with a power tool called the Great Firewall to "nib the criticism from the bud." The Great Firewall blocks mainland China's internet access to almost all non-Chinese websites. It also censors information that is deemed "sensitive and inappropriate," such as the Tiananmen crackdown. The censorship has been so successful that many Chinese nowadays either have never heard

³³ Marina Svensson, *Human Rights in China*, August 30, 2016, 5, DOI: 10.1093/OBO/9780199920082-0135.

³⁴ Svensson, *Human Rights in China*, 5.

of the Tiananmen crackdown or question the truthfulness to it. With that said, honest human rights studies or inquiries basically have no chance of survival in China.

The absence of Chinese literature in human right studies is extremely unfortunate for the academia, as well as shameful for the Chinese authority. On one hand, Chinese authority always self-righteously claims the unquestionable innocence of itself in the face of accusations on human rights offences and scoffs at the absurdity. On the other hand, it discourages any domestic inspection or open discussion about these accusations, and smothers criticism with ironclad censorship. Such arrogant attitude and shady behaviors are contrary to helpful for improving China's global image. Because of the Great Firewall's censorship, the outside world has very slim chance to learn about the reality in China, and more importantly, to identify the truthfulness of matters. (On the second thought, this is sadly also true within China.) This information segregation has created perfect soil for rumors and misinformation, which have led to the distrust and hostility that can now be easily observed in both China and the West, at both intergovernmental level and personal level.

The lack of Chinese academic studies of human rights is included in the literature review in hope of raising researchers' awareness that biases and misinformation regarding human rights issues of China should be anticipated during research. It is near impossible for any researcher to be entirely certain of the objectivity and credibility of his research. Regardless, understanding this challenge in researching China-related matters, can hopefully increase objectivity, thus improve the research quality.

Chapter III - The June 1989 Sanction

3.1 Background

Prior to June 1989, the EU and China were in rather amicable relations. In the 1980s, numerous diplomatic exchanges of visits took place between the two parties. China and the EU also signed a myriad of agreements for future cooperation. Matters include science and technology, agriculture, energy, and of course, trade, etc.³⁵ It can be concluded that the EU-China relation was growing fonder in the 1980s as both parties discovered more mutual interests with each other.

Before the Tiananmen crackdown, human rights played a very minimal role in the relations between the EU and China. The West held good faith in that China would gradually embrace democracy and the rule of law as China reformed into market economy and opened its domestic market to the world. China's keen of capitalist economy was seen as a move away from a "Communist China." In the 1980s, China also signed and ratified several major international human rights treaties, such as Committee on the Elimination of Discrimination against Women (CEDAW), and Committee on the Elimination of Racial Discrimination (CERD). It also contributed to the drafting of the UN Convention Against Torture (CAT) before becoming a party to this treaty in 1988.³⁶ Unfortunately, China's seemingly

³⁵ "Memo: Consumer Council," European Commission, May 20, 1985, https://ec.europa.eu/commission/presscorner/detail/en/MEMO_85_58.

³⁶ Sonya Sceats with Shaun Breslin, "China and the International Human Rights System," Chatham House, October 2012, https://www.chathamhouse.org/sites/default/files/public/Research/International%20Law/r1012_sceatsbreslin.pdf.

enthusiastic participation in the international human rights system did not yield any factual improvement on the ground. “Though China has indicated a willingness to co-operate more with human rights mechanisms at the international level, there has been no real evidence of an overall improvement in the core human rights at grass-root level.”³⁷

To the West’s disappointment, China’s human rights condition was reported to have deteriorated in the 1980s, and the Chinese Communist Party (CCP) has shown no interest in Western democracy. Inspired by the pro-democracy movements in Europe at the time, and dissatisfied at government corruptions, university students started peaceful protests for a clean government and democracy since April 1989. On June 4th, 1989, the world-shocking Tiananmen Square crackdown took place in and around Tiananmen Square in Beijing, during which the then leaders of the CCP sent the People’s Liberation Army (PLA) to suppress protesting students. The crackdown allegedly caused hundreds dead, and thousands wounded.³⁸ It is impossible to confirm the real casualty due to censorship. The crackdown infringed a myriad of human rights, including the right to life, free speech, freedom of assembly, etc.

The US was the first to react after the crackdown. On the next day after the atrocity, the Bush administration imposed an arms embargo on China. The EU (then ECC) reacted 22 days afterwards and imposed its first sanction in history as a unity toward China in Madrid, also an arms embargo.³⁹ (Along with the embargo were also a number of EU-level

³⁷ Richard Louis Edmonds, *China and Europe Since 1978: A European Perspective*, (Cambridge, UK: Cambridge University Press, 2002), 64, DOI: 10.1017/S0009443902000025.

³⁸ “How Many Really Died? Tiananmen Square Fatalities,” *Time*, June 4, 1990, <http://content.time.com/time/subscriber/article/0,33009,970278,00.html>.

³⁹ “European Council Presidency Conclusions,” June 26 and 27, 1989, https://www.consilium.europa.eu/media/20589/1989_june_-_madrid_eng_.pdf.

diplomatic and economic sanctions, which were soon dropped in the next year. Only the arms embargo remained effective until this day.)

According to the GSDB, prior to this sanction, the EU had only sanctioned on human rights infringements once with a financial sanction in 1979 to Equatorial Guinea. Although the EU cut its financial aid to the country, it had failed to improve the human rights condition in Equatorial Guinea, as it quickly fell under authoritarian leadership after a coup in the same year. At that time, the EU was criticized for doing nothing “in responses to human rights violations in Ethiopia (1977), Sierra Leone (1977), or Zaire (1979).”⁴⁰ It can be thus speculated that the EU was under the pressure of criticism for its inadequacy in human rights protection and promotion, which propelled its decision to sanction China.

3.2 Content of the sanction and evaluation

The 1989 arms embargo includes a political declaration made by the EU member states, in which states that they would embargo trade of arms with China. According to an evaluation report of the embargo, after 1989, there was “no evidence of any member state entering into new agreements to sell China lethal military items.”⁴¹ However, the EU did not specify on the term “trade of arms,” which means that EU member states could make their own interpretations of the embargo’s scope. The embargo did not specify “whether the

⁴⁰ “Human Rights and Democracy Clauses in the EU’s International Agreements,” European Parliament, September 2005, [https://www.europarl.europa.eu/RegData/etudes/etudes/join/2005/363284/EXPO-DROI_ET\(2005\)363284_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/etudes/join/2005/363284/EXPO-DROI_ET(2005)363284_EN.pdf).

⁴¹ Harold J. Johnson, “CHINA: US and European Union Arms Sales Since the 1989 Embargoes,” April 28, 1998, <https://www.gao.gov/assets/t-nsiad-98-171.pdf>.

embargo covers all military articles, including weapons platforms, nonlethal military items, or lethal weapons.”⁴²

For instance, the United Kingdom embargo is limited to “lethal weapons, ammunition, military aircraft and equipment likely to be used for internal repression,”⁴³ but it “does not include nonlethal ones, such as avionics and radars.”⁴⁴ France and Italy also have sold military items to China after the 1989 sanction, although nonlethal. The ambiguity of the embargo arguably undercut the effectiveness as well as the EU’s authority. Joakim Kreutz criticizes that the arms embargo is in effect “an EU-wide set of national arms embargoes”⁴⁵ instead of an EU arms embargo, which indicates “the key actors in decisions regarding the embargo are the individual member states.”⁴⁶ Kreutz’s opinion again corresponds with my theory of realist explanation for the failure of EU human rights policies.

Looking at the policy of design of the 1989 sanction, several flaws can be found. First, the EU’s embargo is not legally binding, unlike the US embargo, which was written into the US law. Therefore, “any EU member could legally resume arms sales to China if it were willing to bear the political consequences of doing so.”⁴⁷ Although it is because in 1989, the Maastricht Treaty has not come into force, which means the EU had yet established its Common Foreign and Security Policy.⁴⁸

⁴² Ibid.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Joakim Kreutz, “Reviewing the EU Arms Embargo on China: The Clash between Value and Rationale in the European Security Strategy,” *Perspectives*, no. 22 (2004): 43–58. <http://www.jstor.org/stable/23615853>.

⁴⁶ Ibid.

⁴⁷ Johnson, “CHINA: US and European Union.”

⁴⁸ Oliver Bräuner, “Beyond the Arms Embargo: EU Transfers of Defense and Dual-Use Technologies to China,” *Journal of East Asian Studies*, 2016, 13(3), 457-482. doi:10.1017/S1598240800008304.

Second, in the realist guidelines for evaluation of human rights policies' impact, I argue that a sanction needs to be enforced by all member states to be effective. Due to the ambiguous design of the embargo, it allowed room for individual states to continue trade of arms with China, thus making it fall short of this realist guideline.

However, the design itself of the EU's 1989 sanction still deserves some credit. Compared to other types of sanctions, as an arms embargo, it was not imposed to harm China's economic interests in the first place, but to impact China's national interest by targeting its military development. Joakim Kreutz elaborates that "arms industry structures and development have usually been considered important for national security, which suggests that there has always been a political component in regulating or promoting arms trade."⁴⁹ Therefore, the 1989 sanction's policy design is in accordance with the first and second realist guidelines. Although, it is debatable to what extent the EU deserves the credit of policy design, as the US had imposed its own arms embargo 21 days earlier than the EU.

3.3 Impact and evaluation

Impact of the sanction is evaluated in two steps. First, the sanctioned matter is investigated to see if any substantial impact has taken place. Also, if China's economic interests are affected by it. Also, whether the sanction consequentially improved China's human rights condition. Second, scholars' reviews on the sanction will be quoted for reference.

⁴⁹ Kreutz, "Review the EU Arms Embargo."

According to Philip Baker, an expert in EU-China relations in the human rights aspect, after the Tiananmen crackdown, “there was already disagreement among the member states as to what measures should be taken.”⁵⁰ The division among EU member states is confirmed by Richard Edmonds, “as the EU’s China policy emerged, the nation states of Europe generally adopted a clever policy of avoiding or reducing their discussions of tough issues such as human rights, leaving the European Union to deal with those matters so as to not interfere with bilateral trade.”⁵¹ This phenomenon again corresponds with my realist interpretation of member states “betraying” EU’s policy for their own national interests. On paper, the EU-level arms embargo was in place, but the division among member states greatly undermined its impact.

In the previous section, it is concluded that the embargo did not fully stop member states from trading arms with China. Moreover, after being banned from trading arms with both the EU and the US, China switched to import military items from Russia and the Middle East.⁵² Adding it that, in the 1990s, China was particularly motivated to modernize its army. This anxiety was stimulated by the Taiwan Strait Crisis, when the US showcased its military power by cruising near Chinese territorial waters.⁵³ It can be concluded that China’s military development was not substantially hindered by the arms embargo, but the embargo did take impact to a certain extent. For example, although China could import weapons from other

⁵⁰ Baker, “Human Rights.”

⁵¹ Richard Louis Edmonds, *China and Europe Since 1978: A European Perspective*, (Cambridge, UK: Cambridge University Press, 2002) DOI: 10.1017/S0009443902000025.

⁵² Ibid.

⁵³ Lindsay Maizland, “China’s Modernizing Military,” Council on Foreign Relations, February 5, 2020, <https://www.cfr.org/backgroundunder/chinas-modernizing-military>.

allies, China was “cut off from transfers of modern Western defense technologies since 1989.”⁵⁴

Despite the political condemnation along with the sanction, the EU-China relations were not impacted substantially after 1989. On the contrary, “in the 1990s, the relationship (between the EU and China) was furtherly developed.”⁵⁵ According to the EU-China relations chronology released by the European External Action Service, one year after the crackdown, in October 1990, Council and EP decided to re-establish relations with China gradually. The reasons given for the lifting of restrictions on China were: “Chinese assurances of a commitment to human rights, China’s constructive role during the Gulf Crisis and China’s assistance on the Cambodian question.”⁵⁶

Within the EU, many states have suggested lifting the arms embargo over the years in exchange of a softer method to engage China back to human rights conversation. China has also on many occasions protested the arms embargo. In the 1990s, “various European countries seemed to go their own way”⁵⁷ and resumed conversation and cooperation with China. At the same time, there appeared to be a diplomatic impasse for the EU as the European policies and bilateral policies between China and its member states tangled. As Dittmer observes, “sanctions on China were nearly universal the first year after Tiananmen, but in the absence of further incidents the story was eclipsed by news of Deng Xiaoping’s southern journey and the PRC’s miraculous economic revival.”⁵⁸ Although this phenomenon

⁵⁴ Bräuner, “Beyond the Arms Embargo.”

⁵⁵ Louis Edmonds, *China and Europe Since 1978*, 64.

⁵⁶ See “Answer to European Parliament Question” no. 1478/91 (EFPB document no. 91/481).

⁵⁷ Louis Edmonds, *China and Europe Since 1978*, 64.

⁵⁸ Dittmer, “Chinese Human Rights,” 457.

can again be explained by realist theory, the fact that EU member states could “forgive” China so quickly is still slightly surprising, considering the severity of the Tiananmen crackdown.

China’s domestic economy was booming after the Reform and Opening designed by Deng Xiaoping in 1978. At the beginning of 1990s, China’s GDP was enjoying a stunning steady annual growth of around 14%.⁵⁹ It is no surprise that countries wanted to embark on China’s “economy express train.” As previously mentioned, the EU-China relations were quickly under repair after the 1989 sanction. The economic relations were no exception, perhaps rather the priority. In March 1998, the European Commission initiated “Comprehensive Partnership with China,” which indicates the EU’s willingness to establish a good relationship with China. To conclude, China’s economy or the EU-China economic relations were not impacted in any noticeable degree by the diplomatic tension brought by 1989 sanction.

Most importantly, China’s political and civil human rights condition was not improved after the sanction. Indeed, tragedy like the Tiananmen crackdown did not occur again after 1989, but the fundamental roots of China’s political and civil human rights issues remain unchanged. The following case study reflects as such.

Although the arms embargo still holds effective till the present day, it had failed to manifest any substantial impact on China’s military prowess or its human rights condition. Thus, evaluated from its impact according to realist guidelines, it is a failed sanction. In

⁵⁹ GDP growth (annual %) -China, The World Bank, <https://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?end=2000&locations=CN&start=1984&view=chart>.

conclusion, the EU's first sanction toward China had good intentions in its policy design, which is later proven flawed. What's more, the divided attitudes of the EU and its member states may have set a bad precedent and undermine future sanctions on human rights as China could well interpret it as the EU's weakness.

Chapter IV - 32 Years Later: The 2021 Sanction

4.1 Background

Unlike the June 1989 sanction, the March 2021 sanction had a prelude to it. The EU-China relationship has intensified since March 2019, when the EU referred to China as a "systemic rival" in a strategic outlook paper, "reflecting a sharp change in its balance of assumptions about the Sino-European relationship."⁶⁰ The change of attitude is suspected to have been caused by the quickly deteriorating human rights condition in Xinjiang and Hong Kong, China.

Allegedly, the Chinese government has been committing human rights violation in the Xinjiang Uyghur Autonomous Region (XUAR) of China to Uyghur people (also spelled as Uighur), an ethnic minority in China. It is reported that China has arbitrarily detained over a

⁶⁰ Andrew Small, "The meaning of systemic rivalry: Europe and China beyond the pandemic," European Council of Foreign Relations, 13 May 2020, https://ecfr.eu/publication/the_meaning_of_systemic_rivalry_europe_and_china_beyond_the_pandemic/.

million Uyghurs in “political re-education” camps for religious and political reasons.⁶¹ The exact time when this alleged crime took place is unclear, though it first came to the world’s attention in August 2018.⁶² Evidence supporting the accusations including satellite photos of the “re-education” camps, and “survivor” reports. China refutes that the “politically motivated” accusations are “fabricated rumors,”⁶³ and that the so-called “detention camps” are in fact vocational education and training centers.

In June 2019, a protest broke out in Hong Kong. The protest was against the proposal of an extradition bill which will allow criminals and suspects to be extradited to mainland China. There were worries that the extradition bill “risked exposing Hongkongers to unfair trials and violent treatment.”⁶⁴ In other words, Hongkongers fear that mainland China will use the extradition bill as a weapon to tackle CCP dissidents in Hong Kong. Under the “One Country, Two Systems” guideline, Hongkongers still enjoy democracy and autonomy after the U.K. returned its sovereignty back to China in 1997, with most of its previous laws and customs remained. Hongkongers especially cherish their rights and autonomy, which explains the occurrence of the protest. Although the extradition bill was soon suspended and later withdrawn by the Hong Kong government under the pressure, the protest had escalated into

⁶¹ “Cross-regional joint statement on Xinjiang,” Mission Permanente, October 21, 2021, <https://onu.delegfrance.org/we-call-on-china-to-allow-immediate-meaningful-and-unfettered-access-to>.

⁶² “China ‘holding at least 120,000 Uighurs in re-education camps’,” *The Guardian*, January 25, 2018, <https://www.theguardian.com/world/2018/jan/25/at-least-120000-muslim-ughurs-held-in-chinese-re-education-camps-report>.

⁶³ “China Focus: China refutes human rights accusation by Western countries,” *Xinhua News*, June 23, 2021, http://www.xinhuanet.com/english/2021-06/23/c_1310024166.htm.

⁶⁴ “The Hong Kong protests explained,” *The BBC*, November 28, 2019, <https://www.bbc.com/news/world-asia-china-49317695>.

violent clashes between protesters and the police force. Anti-government mobs set a man on fire, assaulted civilians, and vandalized public properties.⁶⁵

In October 2020, 39 countries including most of EU member states signed a declaration condemning China over Xinjiang and Hong Kong.⁶⁶ On March 22, 2021, the European Council imposed a sanction toward China. The sanctions were introduced as a coordinated effort by the EU, UK, US, and Canada.⁶⁷

4.2 Content of the sanction and evaluation

The content of the March 2021 sanction is rather simple. It includes travel bans and asset freezes, targeting four senior officials “who have been accused of serious human rights violations against Uyghur Muslims,”⁶⁸ as well as the state-run Production and Construction Corps in Xinjiang.⁶⁹

Given the non-economic measures as well as the limited target scope in the March 2021 sanction, it rather resembles a diplomatic condemnation than a sanction that aims to inflict harm. In the content, there is no measures regarding military restraints, nor will the sanction contain China’s military strength in any way. However, benefited from the “lightness” of

⁶⁵ Ibid.

⁶⁶ “39 countries condemn China over policies in Xinjiang, Hong Kong,” *Aljazeera*, October 7, 2020, <https://www.aljazeera.com/news/2020/10/7/germany-leads-charge-against-china-on-rights-abuses>.

⁶⁷ “Council Decision (CFSP) 2021/481 of 22 March 2021 amending Decision (CFSP) 2020/1999 concerning restrictive measures against serious human rights violations and abuses,” *Official Journal of the European Union*, March 22, 2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.LI.2021.099.01.0025.01.ENG&toc=OJ%3AL%3A2021%3A099I%3ATOC#ntr1-LI2021099EN.01002501-E0001>.

⁶⁸ “Uighurs: Western countries sanction China over rights abuses,” *The BBC*, March 22, 2021, <https://www.bbc.com/news/world-europe-56487162>.

⁶⁹ “Western sanctions on China over Xinjiang trigger furious response,” *Aljazeera*, March 21, 2021, <https://www.aljazeera.com/news/2021/3/22/eu-rolls-out-sanctions-on-chinese-officials-over-uighur-abuses>.

such sanction measures, member states should have no trouble following them, as banning several Chinese officials from entering the EU territory can hardly cause any impact on member states' national interests.

4.3 China's countersanction and its implications

During the Hong Kong protest, the Western media referred to the protestors as "democracy fighters" and "freedom fighters," which largely glorified them and ignored the violence some of the protestors committed. Such biased reports have enraged China and incited a strong retaliatory sentiment in China. At the height of international criticism on Hong Kong and Xinjiang, domestic rage in China toward the West was also at its peak.

Under such circumstance, on March 22, 2021, immediately after the EU announced sanction, China revised a law in order to impose a countersanction on the EU. China's countersanction targets "ten individuals and four entities in the EU, including Members of the European Parliament and of the Council's Political and Security Committee, whom China claimed to have, 'severely harm China's sovereignty and interests and maliciously spread lies and disinformation.'"⁷⁰ (The EU's sanction involved altogether five personnel and institution, whereas the Chinese countersanction targeted fourteen.) The ten individuals targeted include European Parliament members and think tank scholars who have openly criticized the human rights violation in Xinjiang. The countersanction content is similar to the

⁷⁰ "Chinese counter-sanctions on EU targets," European Parliament, 19 May 2021, [https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA\(2021\)690617](https://www.europarl.europa.eu/thinktank/en/document/EPRS_ATA(2021)690617).

EU's sanction, a travel ban to mainland China, as well as the Hong Kong and Macau Special Administrative Regions, for these personnel and their family members.

China's immediate retaliation was surprising enough to the world, but not altogether without warning. China has shown increasing nationalist sentiment. Since 2013, when President Xi Jinping took office, he has promoted several of his own political philosophies and goals. Like the "American dream," there is the "Chinese dream". He also called for "the great rejuvenation of the Chinese nation," which indicates China's ambition to restore its former glory before the "Century of Humiliation (1839 to 1949)," during which the Imperial China suffered the invasion and subjugation by the West and Japan. President Xi also invented the "Confidence Doctrine" philosophy, which details as "confident in our chosen path, confident in our guiding theories, confident in our political system, and confident in our culture."⁷¹ China has always been a proud nation and the popularity of these calls has proved that the fermenting nationalism in China is only expected to rise. Be it friendly dialogue and advice, or harsh criticism and sanctions, China has not accepted neither. Observing Chinese spokespersons of the Ministry of Foreign Affairs and the CCP's official news outlets, China's responses have been avoidant and even bluntly hostile at times. In conclusion, China's countersanction, and the national pride behind it imply a rocky road ahead for EU-China relations.

⁷¹ "Four matters of confidence," http://www.china.org.cn/china/2021-06/01/content_77231327.htm.

4.4 Impact of the sanction and evaluation

Given the content of the March 2021 sanction, the sanctioned targets themselves most probably will not produce any direct economic impact on China. Rather, the implied diplomatic attitude behind the sanction, hence the EU's criticism, is what led to China's strong reaction and further damage.

Antagonism escalated as China and the EU continued to add new content into the pre-existing (counter)sanctions. China's retaliatory behavior has received harsh criticism. After China's countersanction, on April 8, 2021, a panel was hosted by Members of the EP to discuss China's behavior, in which it commented that "China's sanctions prove the CCP fundamentally misunderstands both democratic governance and 'the mood' toward China in Europe."⁷²

One of the major impacts of the EU's March 2021 sanction, together with China's countersanction, is that they had jeopardized the EU-China Comprehensive Agreement on Investment (CAI). The CAI is seen as "an important milestone"⁷³ in the EU-China relationship and was still under negotiation only months prior to the sanction. To summarize the content, the CAI has three main focuses: investments, sustainable development, and monitoring enforcement mechanisms. Agreements include a myriad of new regulations on investments, technology transfers, etc., designed to ensure a more levelled playing field for both parties. Of equal importance, and perhaps even more, is the EU-China cooperation on

⁷² Seavey, "China's sanctions on Europe."

⁷³ Xue Qing, "How China Is Losing Europe," *The Diplomat*, 25 May 2021, <https://thediplomat.com/2021/05/how-china-is-losing-europe/>.

sustainable development discussed in the CAI. The EU and China are two of the world's biggest pollution producers, as well as environmental protectors. Climate change requires a global effort. If the cooperation on sustainable development in the CAI can be put into practice, it will be not only beneficial for the EU, or China, but also to every country in the world. However, after China's sanction, the CAI appeared to be suddenly unfavored within the EU. Member of the EP, Reinhard Bütikofer commented that "the CAI was never of economic value to China; it was a political affair and a great geopolitical gift from the European side to Xi Jinping."⁷⁴ Joined by other scholars, he suggested that the EU can find better ways to seek its economic interests other than the CAI.

Two months after China imposed countersanction, on May 20, "the European Parliament decided to freeze the ratification of the agreement, announced that it will not proceed with the agreement until China lifts the sanctions it imposed on European NGOs and individuals, including several members of the EP."⁷⁵ Hereby, the CAI is "as dead as a doornail."⁷⁶ The death of the CAI symbolizes another historical low in the EU-China relationship since the 1989 sanction.

Given the severe impact the March 2021 sanction inflicted on EU-China relations, including economic relations, the sanction fulfils the realist guidelines as China's national interests undoubtedly are affected. Regarding enforcement, it is still too soon to tell. The sanction itself does not require much self-restraint from member states. Nonetheless, the

⁷⁴ Lucy Seavey, "China's sanctions on Europe," The Brookings Institution, April 21, 2021, <https://www.brookings.edu/events/chinas-sanctions-on-europe/>.

⁷⁵ Xue, "How China is Losing Europe."

⁷⁶ Seavey, "China's sanctions on Europe."

possible outcome is as realist theory predicts, member states sooner or later will give in to the temptation of economic interest, thus making the sanction *de facto* powerless.

4.5 Comparison to the June 1989 sanction

The two sanctions are deemed comparable for the following reasons: first, although 32 years apart from each other, both sanctions were imposed and carried out by the same EU institutions on China. Second, both sanctions target on severe political and civil human rights violations in the same country. The goal of the comparison of sanctions is to examine whether the EU made any improvement in policy design of the 2021 sanction based on the 1989 sanction.

In policy design, the 1989 sanction is approved by standards in the realist guidelines. However, I contend that the 2021 sanction is indeed improved based on the 1989 sanction. The 2021 sanction itself (travel bans and asset freezes) does not inflict much damage on China, but the implication of the sanction does, which makes the enforcement of the sanction less challenging. Plus, the periodic goal of the sanction, according to realist theory, to impact national interests, has been achieved. Whereas the 1989 sanction probably failed because the arms embargo was difficult and complicated to put into practice in the first place.

Looking at enforcement, it has been concluded that the EU's June 1989 sanction on China had largely failed when member states acted upon their own will as early as in the next year. By contrast, the March 2021 sanction (together with its adjacent amendments) is so far corporately practiced by all member states. Although it is unknown how long until a member

state “betrays” human rights principles again for national interests. The vanished CAI “carrot” is an EU-level agreement, thus, even if any member state wishes to repair economic relations with China on its own, obstacles should be anticipated.

In conclusion, the 2021 sanction is superior to the 1989 sanction after general assessment. If enforced well in the future, it is more likely to constrain China than the 1989 sanction did.

Chapter V - Conclusions

In this chapter, conclusions reached from case studies, as well as three potential limitations of this thesis, and suggested directions for future research will be introduced.

As confirmed by the analyses of case studies in this thesis, as well as the theory framework, it has become clear that ensuring the member states stick with a principle-based China policy in the face of economic interest remains a great challenge for the EU’s CFSP.

The attention on China’s human rights problem is constantly increasing along with the country’s global influence. As a major player in numerous fields, the second largest economy in the world, and at the same time, a country led by a party with poor international reputation, China’s human rights situation is naturally under more scrutinized inspection as well as suspicion. China’s openness to human rights dialogues, despite its non-interference diplomatic principle, to a certain degree shows its willingness to improve itself, but it may also be seen as minimal effort, if at all, as merely a shield from criticism. From the Western

perspective, China's human rights situation, mainly civil and political rights, keep deteriorating regardless of years of interventions. The West's concern and frustration should be understandable if its intention purely is to improve Chinese citizens' human rights condition.

5.1 Potential limitations

There are three potential limitations of this thesis. Regarding the research object, sanctions might not be the most suitable or representative case for answering the research questions. The sanctions were not exactly what attracted my attention and interest in EU-China human rights diplomacy. Initially, I wanted to focus on the alleged human rights offences in Xinjiang and Hong Kong, and use them as case studies, as I have been attentively following the case development. Unfortunately, the preliminary fact-checking process of these two cases were not only overly time consuming, but also emotionally exhausting. I found myself exhibiting too much anger and frustration to the amount of smearing and misinformation around both cases, to the point that I deemed myself unfit to conduct objective research. Thus, I switched the focus onto sanctions that target on these cases, which are more factually black-and-white than the matters themselves. In this way, I managed to maintain the advantage of my familiarity to the cases as well as my research interest.

Second, there are intrinsic flaws in the chosen qualitative method and case study method. During literature review, I have paid attention to the objectivity and credibility of sources. However, despite the caution, given that I was the only researcher, the interpretation of data

can be subjective. For the same reason, valuable data might have been missed in preliminary literature review. As for the case studies method, some scholars criticize that case studies are not “a suitable basis for generalization.”⁷⁷ Thus, the transferability of the conclusions from the two case studies in this thesis may not be optimal due to limitations of the method and the chosen case studies themselves. Aiming to make the findings of this thesis more valuable and applicable, I have considered two solutions: a) to draw comparison of other EU sanctions on human rights. This idea was quickly overthrown for there were too many variables to control. First, the sanctioned country should be of equal importance to the EU as China, which means comparable economic strength, diplomatic ties, etc. Second, the case of China is unique. With solid global prowess and prideful diplomatic attitude, China is like no other countries for the EU, which is perhaps already painfully obvious for the EU policymakers. Second, among the successful EU sanctions, the sanctioned countries were often relatively small, developing countries that were economically fragile. According to the GDSB, here are some cases that are categorized under “total success”: in 2003, the EU sanctioned Central African Republic; in 2014, Gambia; in 2008 and 2009, Guinea, etc. Except for the obvious gap in economic prowess between these countries and China, they are divergent in many other critical aspects. Thus, they would not make valuable references for the case of China.

b) to include a comparison between the UN or the US sanctions and the EU’s sanctions.⁷⁸

Initially, I was hesitant that as a master’s thesis for Area Studies (European track), the focus of this thesis should be solely on the EU. Later, during literature review, I found ample

⁷⁷ Kumar, Ashok, “The Case Study Method in Social Inquiry.” *Educational Researcher*, 1978, https://www.academia.edu/1034623/The_case_study_method_in_social_inquiry?auto=citations&from=cover_page.

⁷⁸ As advised by Professor Jiří Vykoukal.

examples in human rights studies for juxtaposition between the EU and UN policies. In fact, there is an argumentation that the EU lacks the ability of making independent decisions on human rights matters. Metaphorically speaking, the EU has been under the shadow of the UN, or rather, the US, by copying their policies. As far as the case studies in this thesis concern, this argument appears to be true. However, in the EU's defense, the necessity of the EU designing a different human rights policy from the UN, or the US seems obscure. Certainly, there is the argument of "European sovereignty" and "strategic autonomy", as well as a rising doubt of the capability of the US as a global leader, hence a good ally. On the other hand, by uniting fronts, the EU and the US will both have stronger leverage. Therefore, I disagree with the argument that the EU necessarily needs to act differently than the UN or the US, merely for the sake of proving it can make independent decisions.

Finally, due to the recentness of the 2021 sanction, there is very few academic studies about it. The lack of reference could have affected the quality of this analysis, as it was done solely based on my interpretation.

5.2 Implications of the findings

From the two sanctions analyzed in this thesis, and the allegations in the case of Xinjiang, it can be concluded that China's global reputation is already severely damaged. This is clearly reflected in the case of Xinjiang. The case of Xinjiang remains extremely suspicious and complicated in the sense that a lot of the accusations are against rational thinking and common sense, but at the same time, hard evidence to revoke them is also nearly

impossible to obtain due to China's censorship. Here is one of the main suspicions: why would China commit "ethnic genocide" toward 13 million Uyghurs, like the West accuses, when the country is composed of 55 other ethnic minorities? Among them, Hui people, with roughly 10 million population, who also reside in Xinjiang, and are also largely Muslims. If China were committing "genocide" toward Uyghur people, it has done a poor job. Although many of the accusations are far-fetched, and most importantly, yet proven to be true, people seem to be convinced effortlessly.

The consensus within China is that no matter what China does, or does not do, there will always be criticism and slander. As a Chinese saying goes, "the taller tree catches more wind," meaning that status and prestige will inevitably attract hostility. As much as this is true to a certain extent, China should avoid hubris. Using global status as a self-comforting excuse to cover up its deteriorating reputation is utterly against the fundamental Chinese virtue of humility.

China has three frequently used strategies for fending off criticism. First: avoidance. The Chinese authorities never admitted that China has human rights issues. Human Rights Watch humorously commented that "it would take a cold day in hell for Beijing to accept criticism of its human rights record."⁷⁹ An example that perfectly proves this point is that China claims that it has its own version of democracy, insofar making allegations of Chinese citizens not having political human rights nonsense. In recent years, a new term "whole-process democracy (全过程民主)" was put forward by President Xi. According to *People's Daily*, an

⁷⁹ Sean Mantesso, "China hits back as it faces growing criticism of its human rights record, treatment of Uyghurs," *ABC News*, July 2021, <https://www.abc.net.au/news/2021-07-20/china-responds-to-western-criticism-of-human-rights-record/100295550>.

official newspaper of the CCP, “China has, in the face of all foreign aggressions, external interferences and disturbances, found a distinctive path of pursuing and practicing democracy, one that champions a people-centered approach: serving the public good, and exercising power in the interests of the people. Whole-process democracy is designed to ensure socialist democracy runs through all processes including elections, decision making, administration, and supervision.”⁸⁰ To debate whose “democracy” is the real democracy is sophistic. Arguing that China is not a democratic country feels as absurd as when a properly educated person first encounters flat-earthers.

Second: *tu quoque*, or appeal to hypocrisy. Once condemned, China accuses the country or organization that voiced the condemnation of unqualified to do so, by pointing out their own human rights issues. For example, China has been zealously publishing reports on human rights violations in the United States, the main critic (as well as an enthusiastic one) of China’s human rights situation. In December 2019, Chinese spokesperson Chunying Hua stated in a press conference that China was astonished by the worsening human rights records in the EU and expressed serious concern. The matters include illegal detention of immigrants, racism, widening poverty gap, etc.⁸¹ Whataboutism is unfortunately a frequently opted tactic in international politics. As much as it is common and convenient, it is nothing more than a shameful rhetoric that does not grant innocence.

⁸⁰ Dennis Meng, “China’s ‘whole-process democracy’ explained,” *People’s Daily*, June 25, 2021, <http://en.people.cn/n3/2021/0625/c90000-9865418.html>.

⁸¹ “Ministry of Foreign Affairs: Shocked by the violations of human rights in some countries in the United States and the European Union”, The State Council of the People’s Republic of China, December 9, 2019, http://www.gov.cn/xinwen/2019-12/09/content_5459785.htm.

Third: switch of focus. China often shields itself from blame with the classic conflict in international relations: state sovereignty and human rights. China claims that countries should respect China's political sovereignty and follow the non-intervention diplomatic principle. In other words, intervention on China's human rights issues infringes China's political sovereignty. In a press conference in October 2021, Chinese spokesperson Lijian Zhao straightforwardly refuted the US criticism, "the US should mind its own business, and stop intervening in other countries' internal affairs under the cloak of human rights."⁸² Chinese authorities claim that Hong Kong and Xinjiang are domestic issues, thus protected by sovereignty. The same rhetoric has been applied when the West criticized on human rights issues of Tibet, LGBT rights, etc. Chinese authorities frequently switch the focus by emphasizing that the West and China have different interpretations of human rights and democracy, and that the West should not be so arrogant as to criticize China for developing "democracy with Chinese characteristics." The first part of this claim is in fact supported by many western scholars. "The EU and China differ fundamentally in their identity, and this sheds light on their different understandings and causal beliefs about the salience and workings of the international human right regime."⁸³ "China's view of human rights differs from that of the European understanding and the Western view in general. It continues to view human rights in strongly aspirational rather than legal terms. It argues for priority to be placed on socio-economic rights and the right to development and continues to insist that

⁸² "Foreign Ministry Spokesperson Zhao Lijian's regular press conference on October 18, 2021 (2021年10月18日外交部发言人赵立坚主持例行记者会)", Embassy of The People's Republic of China in Japan, http://www.china-embassy.or.jp/qtzgnew/202110/t20211018_10405757.htm.

⁸³ Geeraerts, "China, the EU, and Global Governance in Human Rights," 233.

human rights should be implemented according to a country's national conditions.”⁸⁴ China, along with other developing countries, uses the identity of “developing country” as an excuse for its poor human rights records. Chinese officials argue that economic human right is the base for political and civil rights, implying that China is still prioritizing economic human rights until the opportunity is ripe for political and civil rights. As China's economy grows, it was largely controversial whether China still qualified as a developing country years ago. In fact, it is rather far-fetched for China to continue using this excuse, when according to the World Bank, it has lifted 100 million Chinese out of poverty in 2020.⁸⁵

In conclusion, these tactics are all in essence the red herring fallacy, leaving China's “Teflon immorality” unaddressed. None of it justifies for any alleged human rights abuses in China. The purpose of identifying China's behavior patterns, is to help the EU improve future policy design toward China. Or dare I say, is also to evoke some self-reflection for China. When facing serious matters like human rights, whataboutism and endless blaming game will lead to nowhere.

In the current pandemic, China has attempted to improve its international reputation by donating medical supplies and vaccines to countries in need.⁸⁶ Despite that, China still received criticism regarding quality of donated products. It is clear that China still has a long

⁸⁴ Sonya Sceats with Shaun Breslin, “China and the International Human Rights System,” Chatham House, October 2012, https://www.chathamhouse.org/sites/default/files/public/Research/International%20Law/r1012_sceatsbreslin.pdf.

⁸⁵ World Bank Databank, “Poverty & Equity Brief: China”, April 2020, https://databank.worldbank.org/data/download/poverty/33EF03BB-9722-4AE2-ABC7-AA2972D68AFE/Global_POVEQ_CHN.pdf.

⁸⁶ “China to donate 600 million COVID-19 vaccine doses to Africa,” ABC News, November 30, 2021, <https://abcnews.go.com/Health/wireStory/china-donate-600-million-covid-19-vaccine-doses-81458247>.

way to go in improving its global image from “evil authoritarian state that makes cheap stuff.”

With respect to sanction, although both sanctions discussed in this thesis have yet improved China’s human rights condition in a substantial manner, it is not concluded as such, that sanction is a useless resort in human rights promotion. Rather, these two sanctions were imposed with the spirit of Mao Zedong’s famous quote “cross the river by feeling the stones.” When facing uncertainty, the best option is to work with the certainties at hand. There is no guarantee of the effectiveness of any policy. The “best” policy is designed with the knowledge available and is revised and improved as the situation develops.

Also, two things are certain for the future: first, China will remain the status quo in the foreseeable future, which means that human rights remain a “stapled” obstacle in EU-China relations. As advised by scholar Timothy Garton Ash, because “China has the strengths, including sheer scale, national pride. This will be a long haul, and we must think long term.”⁸⁷ Second, for the EU, only a united front has the leverage strong enough to confront China. Human rights defenders like the EU and the UN, international laws, such as the International Human Rights Law (IHRL), the Universal Declaration of Human Rights (UDHR) are what keep authoritarian states like China from being even more unbridled. To conclude, the course of human rights promotion and monitoring must be consistent and resistant.

⁸⁷ Timothy Garton Ash, “The US and China are entering a new cold war. Where does that leave the rest of us?” *The Guardian*, June 2020, <https://www.theguardian.com/commentisfree/2020/jun/20/us-china-cold-war-liberal-de>.

Lastly, I reiterate that the discussions and findings in this thesis do not imply truthfulness to any of the alleged human rights violations in China, nor implies any political stance of the author. As stated at the beginning of this thesis, it is deemed irrelevant to the research question.

5.3 Suggestions for future research direction

For future research, there is much to be done on how the EU can more effectively enforce a united human rights policy toward China. As argued before, one of the main difficulties is for EU member states to decide on and stick to a united China policy. EU countries do not always prioritize human rights in relations with China when their national interests are threatened. Without a common and sustainable European standpoint, the effectiveness of any future EU sanctions or other measures will be largely undermined. Therefore, this is “the Achilles’ heel” in EU human rights promotion that needs to be covered.

With the EU’s newly established EU Global Human Rights Sanctions Regime adding to the pre-existing EU human rights system in 2020,⁸⁸ future human rights research can be done on the EU institutional level. How will the new regime improve the EU’s human rights governance? How will responsibilities be divided between the new regime and the other institutions in the human rights system? During literature research, I have noticed that the EU

⁸⁸ “EU Global Human Rights Sanctions Regime - annual review of annex,” Council of the EU, December 6, 2021, <https://www.consilium.europa.eu/en/press/press-releases/2021/12/06/eu-global-human-rights-sanctions-regime-annual-review-of-annex/>.

already has plenty of institutions that oversee human rights issues. There are the European Network of National Human Rights Institutions (NHRIs), the European Court of Human Rights, European Committee of Social Rights, the Council of Europe Commissioner for Human Rights, and so on. Not to mention the fundamental EU institutions, the European Parliament, the European Commission, and the European Council, which are also in charge of human rights policy making and enforcement. Why is it necessary to have so many institutions for human rights governance? Although arguably, each institution has its distinctive responsibility, with another institution adding to the pre-existing many, it can be extremely confusing for inexperienced researchers, as it is laborious to match each institution with their function, response, duty, etc. Thus, future research can do done on the efficiency of the EU's human rights system, as well as of individual institution.

Another newly occurred complexity for the EU is Brexit. The United Kingdom (UK), despite its own human rights record in history, is one of the key players in modern international relations. Therefore, by realist explanation, the UK holds sway in human rights matters. After Brexit, both the EU and the UK's global influences are expected to be weakened in some degree. Without the UK, will the EU's human rights promotion course become more challenging, and perhaps vice versa? More importantly, if the UK acts against the EU's interests, and chooses to prioritize its economic interest before human rights principles, how should the EU react accordingly?

Finally, in the future, more research needs to be done on the cases of Xinjiang and Hong Kong. Since both two are relatively recent events (came to global attention in 2017 and 2019

respectively), there is limited scholarship coverage. Both cases allegedly involve severe human rights transgressions and have received heightened international attention. Thus, I contend that both will make valuable case studies in human rights research. Furthermore, human rights studies should be longitudinal and consistent, for the impact of policies takes time to reveal. The result of a policy can be very different from what is expected from its original design. We accumulate experience and lessons from past defeats. By tracking the developments of a failed policy and detecting causes for the failure, it would help prevent future fiasco. International relations are volatile. Studying past cases and policies increase the chance to pin down the variables in the ever-changing world. China's human rights issues will remain a problem for the EU in the future. A silver lining, if at all, is that China has shown a stable behavior pattern in recent years, although clearly one that is not in favor of the EU. Since China's leadership most likely will not change in near future (President Xi has changed the Constitution in 2018 for him to enjoy unlimited presidential terms), EU policy makers are treading on solid ground. It is about time the EU abandoned wishful thinking, embraced realist thinking, and most importantly, acted upon it.

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